

**BOARD OF SELECTMEN  
MINUTES JUNE 10, 2013  
APPROVED**

**Present:** Peter S. Cunningham, Chairman; Joshua A. Degen, Vice Chairman; Anna Eliot, Clerk; Stuart M. Schulman; John G. Petropoulos

**Also Present:** Mark W. Haddad, Town Manager; Patrice Garvin, Executive Assistant

Mr. Cunningham called the meeting to order at 7:00p.m.

Mr. Cunningham addressed the recent GELD issues discussed at the last meeting, in regards to their PILOT payment. A Post-Mortem is being conducted to help both sides improve the permitting process in Town.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad requested that the Board consider entering into a License Agreement with Steve Webber to utilize his lot next to the Town Hall Parking Lot for additional parking. The original plan was to lease the property for a dollar a year; however, Mr. Webber would still be responsible for paying taxes on the Property. The Board asked Mr. Haddad to look into what the tax amount would be and whether or not Mr. Webber was interested in selling the property to the Town. The taxes owed on the property in FY 2013 is \$2,863. Mr. Webber is not prepared to sell the property at this time. Mr. Cunningham noted the need for parking and added the Planning Board would vote on this issue Thursday. Mr. Haddad stated that the new parking would add approximately 15 spaces. [Document 1-License Agreement]

*Mr. Degen moved to enter in a license agreement with Atlantic East, LLC for Town use; parcel adjacent to the Town Hall for the purpose of a parking lot for the sum of \$2,863 (prorated) until December 31, 2013. Mr. Schulman seconded the motion. Motion unanimously carried.*

2. Mr. Haddad stated that the Board may recall that when Valerie Jenkins announced her plan to retire, we instituted an Accountant-In-Training Program to choose her replacement from current Town staff and allow them to be trained over a period of time to allow for a smooth transition. This program was extremely successful and we now have a well-trained Town Accountant that was appointed without going through a difficult transition. Based on this success, Mr. Haddad would like to institute a similar program to find a new Assistant Town Treasurer/Tax Collector. Joan Tallent, who has served as our Assistant Treasurer/Collector for over eleven years, has informed me of her intention to retire next April (2014). Joan has been an exemplary employee and has served as our Interim Treasurer/Collector on two occasions. Replacing her skill set will not be easy, thus the reason Mr. Haddad would like to start the transition as soon as possible. Mr. Haddad is looking to select a current employee to go through a training program over the next ten months. Mr. Haddad estimated the program will cost approximately \$20,000 (dual salaries, overtime, etc.) and start the program on July 1<sup>st</sup> looking to the Fall Town Meeting for the necessary funding. Mr. Haddad stated that Ms. Tallent was a Grade 9, the second highest of the Town Hall Union and the need for money is to acquire some of those duties as well as overtime during the transition. Mr. Degen asked what would happen if the money was not transferred at Town Meeting. Mr. Haddad stated that the Town could go for a reserve fund transfer.

*Ms. Eliot moved to endorse the Town Manager's proposal for the Assistant Town Treasurer/Tax Collector Training Program. Mr. Schulman seconded the motion. Motion unanimously carried.*

3. Mr. Haddad stated that there is a vacancy in the Water Department for a Senior Water Technician. Mr. Haddad appointed a search committee made up of Water Superintendent Tom Orcutt, Water Commissioner Dave Crocker and HR Director Suzanne Loverin to conduct the search. They have recommended to Mr. Haddad the appointment of Mr. Stephen Knox of Pepperell to this position. Mr. Knox is currently an employee of our Highway Department. This recommendation was unanimously supported by the Water Commission. The pay for Mr. Knox will be \$24.50, Grade 7. Mr. Haddad added that the schedule will be Monday through Friday and Mr. Knox will continue to plow.

*Mr. Degen moved to affirm the Town Manager's appointment of Steve Knox to the Senior Water Technician position. Mr. Schulman seconded the motion. Motion unanimously carried.*

4. During my annual appointments of Special Police Officers last week, Mr. Haddad noted that he inadvertently left off the Middlesex County Sherriff's Office. Mr. Haddad wanted to appoint all officers of the Middlesex County Sherriff's Office as Special Police Officers for the Town of Groton.  
*Mr. Degen moved to affirm the Town Manager's appointment of the Middlesex County Sherriff's Office as Special Police Officers. Mr. Schulman seconded the motion. Motion unanimously carried.*
5. Mr. Haddad has been notified by the Park Commission that Robert Hall has resigned from the Park Commission. As the Board is aware, filling this vacancy requires a joint vote between the Board of Selectmen and Park Commission.

**PUBLIC HEARING-TRANSFER OF BEER AND WINE PACKAGE STORE LICESE FROM GROTON CONVENIENCE TO OMAHI REALTY, LLC (BOSTON ROAD MARKET0-871 BOSTON ROAD)**

Ms. Eliot read the legal notice into the record. Mr. Degen asked how many package store licenses the Town has issued. Mr. Marchand, owner of Craven's Package Store had no issues with the transfer. Mr. Cunningham stated that there were some issues with the holding tank on site. Mr. Patel, applicant, stated that it was not the tank but the certification of the tank that needed to be cleared up. Mr. Patel stated that he would provide the Board of Health with the proper certification. Mr. Patel also was aware of the taxes owed on the property and would satisfy that as well.

*Mr. Degen moved to close the Public Hearing. Mr. Schulman seconded the motion. Hearing closed.*

*Mr. Degen moved to approve the transfer of the Wine and Beer Package Store License to OMahi Realty, LLC d/b/a Boston Road Market from Groton Convenience Inc. d/b/a Groton General Store; contingent sending the application to the state on the P&S settlement of taxes and compliance with the BOH and any other departments concerns. Mr. Schulman seconded the motion. Motion unanimously carried. [Document 2-License Application]*

**PUBLIC HEARING-TRANSFER OF BEER AND WINE PACKAGE STORE LICESE FROM GROTON CONVENIENCE TO OMAHI REALTY, LLC (BOSTON ROAD MARKET0-871 BOSTON ROAD)**

Ms. Eliot read the legal notice into the record. Mr. Marchand, owner of Craven's Package Store opposed the all alcohol license. Mr. Marchand explained that he has been in business for 60 + years and that the Town does not need another all alcohol license. Mr. Patel stated that he was a small business and needed to add something new for his customers, and that there was plenty of business to go around. Ms. Eliot was concerned with the proximity to Craven's. Mr. Cunningham wanted to see a proven track record and how the new owner operated the business and then consider an all alcohol license down the line. Mr. Patel stated that he needed an alternative source of revenue which could go towards hiring more employees. Mr. Petropoulos was hesitant of limiting a business. Mr. Degen agreed that it is a free enterprise system and to take a wait and see approach may be discriminatory. Ms. Eliot disagreed and stated that liquor licenses are limited in MA.

*Mr. Degen moved to close the public hearing. Mr. Schulman seconded the motion. Hearing closed.*

*Ms. Eliot moved to deny the All Alcohol Package Store license to Omaha Realty Inc. contingent on outstanding issues. No second.*

*Mr. Degen moved to grant the All Alcohol Liquor Package Store License to Omaha Realty Inc., 871 Boston Road d/b/a Boston Road Market contingent on all prior issues being satisfied. Mr. Schulman seconded the motion. Motion carried 4-yes 1-no. [Document 3-License Application]*

**PERSONNEL BOARD APPOINTMENTS-INTERVIEW CANDIDATES AND DETERMINE APPOINTEES-**

Mr. Cunningham noted that a Supervisor Union has been created leaving 3 employees that fall under the bylaw. Mr. Cunningham stated that the Board was moving forward and appointing the Personnel Board and asked candidates to approach the Board. [Document 4-Committee Interest Forms]

1. Mike Manugian stated that in the past the majority of employees were bylaw employees and the taxpayers had a role in personnel. Mr. Manugian stated that the role of the HR Director was to report to the Town Manager but that there needed to be a board to ensure policies, charter and bylaws were implemented in a reasonable manner. The Personnel Board should have a role in grievances in all aspects of personnel. Mr. Manugian added that the Personnel Board should review all policies, contracts, bylaws and charter. Finally Mr. Manugian thought the Personnel Board should participate in union contract negotiations. Mr. Manugian wanted citizen involvement and added that the Town was headed in the opposite direction. Mr. Schulman disagreed and thought that the Personnel Board should not be part of union negotiations. Mr. Petropoulos asked if the current bylaw fit in the current constraints of the Personnel Board. Mr. Manugian would lobby for increased involvement of the Personnel Board. Mr. Degen asked what direct HR experience Mr. Manugian had in the past. Mr. Manugian stated that he has been involved in hiring/firing, a library trustee and job description experience.
2. Mary Jennings also stated the number of bylaw employees had diminished over the years but saw the Personnel Board as something the Town Manager and Selectmen could rely on. The Personnel Board could be involved in outreach to the public, be on the interviewing teams, and work to help understand unions in Town. The Personnel Board should be involved in developing policies but not involved in grievances with remaining bylaw employees.
3. Delores Alberghini voiced her thirty years of experience in HR and was also on the Gorton Personnel Board for six years. Ms. Alberghini stated that her vision is to work on the Personnel Bylaw and wanted to help the Bylaw Review Committee.
4. Rule Loving was concerned with the liability of the Town and that is why he asked to be on the Personnel Board. Mr. Loving has worked in the private sector managing people and was up to speed on the various harassment laws. Mr. Loving stated that one bylaw employee without a Personnel Board was at risk. Mr. Loving also wanted a protocol on how to handle grievances.
5. Bud Robertson was on the Personnel Board in the 1980's and had many years of HR experience. Mr. Robertson stated that the Personnel Board should be strategic and advisory. Mr. Robertson asked not to be involved in everything but help when asked. Mr. Robertson felt having a Personnel Board was good practice even with a limited number of employees.
6. Norman Garvin has been in the medical fields for years but referred the appointment to the others that had gone ahead of her.

*VOTING RESULTS*

	<b>Alberghini</b>	<b>Jennings</b>	<b>Robertson</b>	Manugian	Loving
Eliot	x	x	x		
Petropoulos		x	x	x	
Schulman	x	x	x		
Degen	x		x		x
Cunningham	<u>x</u>	<u>x</u>	<u>x</u>	<u>        </u>	<u>        </u>
	<b>4</b>	<b>4</b>	<b>5</b>	1	1
	<b>1 year</b>	<b>2 year</b>	<b>3 year</b>		

*Discussion*

Mr. Degen mentioned the need to comply with the Open Meeting Law and to make sure all committee are submitting minutes. Mr. Degen further suggested having someone from K&P do an information session for committee members. Ms. Eliot stated that committees are run by volunteers so it is a challenge. Mr. Cunningham suggested looking at the Selectmen's session of Goals and Objectives to discuss minutes and committees. Mr. Cunningham stated that the Board needed to look at ways to make minute gathering easier. Mr. Petropoulos realized the burden on committees.

**ANNUAL APPOINTMENTS OF BOARD OF SELECTMEN-LIST OF APPOINTMENTS ON FILE IN THE OFFICE OF THE TOWN CLERK**

*Mr. Degen moved to ratify the following Town Manager appointments: Mr. Schulman seconded the motion. Motion unanimously carried.*

Lifeguards

Jen Goldstein  
Lauren Duhamel

DPW Truck Driver/Laborer

Brian Hall

DPW Summer Help

Paul Stevens

Trails Committee

David Burnham

Pool and Golf Center: Snack Staff

Meghan Ryan  
Patrick Stevens

Pool and Golf Center: Building and Grounds

Kris Bouchard-Mechanic

Water Dept. Summer Help

Dana Shea

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*Mr. Schulman moved to appoint the following: Mr. Petropoulos seconded the motion. Motion unanimously carried.*

**Board of Selectmen Appointments**

**Affordable Housing Trust, 2 year term**

Joshua Degen  
David Wilder  
Allen King

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*Mr. Degen moved to appoint the following: Mr. Petropoulos seconded the motion. Motion unanimously carried.*

**By-Law Study Committee, 1 year term**

Michael Bouchard  
Mark W. Haddad

Steve Webber  
Peter Cunningham  
Jay Prager

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*Mr. Degen moved to appoint the following: Mr. Schulman seconded the motion. Motion unanimously carried.*

**Council on Aging, 3 year term**

Charlotte Carkin  
Maydelle Gamester  
Marie Melican

**Conservation Commission, 3 year term**

Nadia Madden  
Peter Morrison

**Economic Development Committee, 1 year term**

Anna Eliot  
Peter Myette  
Michael Rasmussen  
Jane Bouvier  
Russell Burke  
Pamela Jarboe  
1 vacancy

**Finance Committee, 3 year term**

Joseph Crowley  
1 vacancy

**Housing Partnership, 1 year term**

Peter Cunningham  
Michelle Collette  
Carolyn Perkins  
Father Paul Ring  
1 vacancy

**Local Cultural Council**

3 vacancies

**Lost Lake Sewer, 1 year term**

Angela Garger  
Tom Orcutt  
Jack Petropoulos (Board of Selectmen Rep)  
Jay Prager (Finance Committee Rep)  
Susan Horowitz (Board of health Rep)

**Lowell Regional Transit Authority, 1 year term**

1 vacancy

**MBTA Advisory Committee, 1 year term**

Joshua Degen

**Military Community Covenant, 1 year term**

Peter Cunningham

Anna Eliot  
Peter Braudis  
Steve Webber  
Robert Johnson  
Kevin McKenzie  
3 vacancies

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*Mr. Degen moved to appoint the following: Mr. Schulman seconded the motion. Motion unanimously carried.*

**Montachusett Joint Transportation Committee, 1 year term**

Anna Eliot

**Montachusett Regional Planning Commission, 1 year term**

Anna Eliot

**Prescott ReUse Committee**

Halsey Platt  
Ellen Hargraves  
Stanley Jackson  
Richard Lewis  
Alberta Erickson (SC)  
Russell Burke (PB)  
Anna Eliot (BOS)

**Scholarship Committee, 3 year term**

Lindsey King, *New Appointment*

**Sustainability Committee, 1 year term**

Carol Canner  
Chris Christie  
Carl Flowers  
Leo Laverdure  
Michael Roberts  
Lisa Wiesner  
3 vacancies

**Town Meeting Review Study Committee. 1 year term**

Ellen Baxendale  
Robert Collins  
Alison Eyedenberg  
Berta Erickson  
Greg Fishbone  
Scott Harker  
Barry Pease

**Town Counsel, 1 year**

Kopelman & Paige (Same contract same terms)

**Underground Utility Committee, 1 year**

Anna Eliot  
Tom Delaney  
Ellen Cummings (Verizon Rep)  
William Sahini (Charter Rep)

Kevin Kelley  
Scott Wilson  
Gina Perini

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*Mr. Degen moved to appoint the following: Mr. Schulman seconded the motion. Motion unanimously carried.*

**Wetland ByLaw Committee**

David Black ( Environmental Scientist Rep)  
Peter Cunningham (Board of Seletmen Rep)  
Marshall Giguere (ConsCom Rep)  
Bob Pine (Local Land Engineer Rep)  
Steve Webber (Local Builder Rep)  
Scott Wilson (Governmental Body Rep)  
Alexander Woodle (Town Rep)

**Zoning Board of Appeals**

Bruce Easom, 1 year term as alternate  
Megan Mahony, 1 year term as alternate  
Mark E. Mulligan, 3 year term  
2 vacancies, 1 year as alternate

**OTHER BUSINESS**

Mr. Haddad gave a brief Center Fire Station update. Mr. Petropoulos stated that he just went to a Selectmen's training and distributed notes from that session to the Board. Farmers market begins July 5<sup>th</sup>.

**ADJOURNMENT**

*Mr. Degen moved to adjourn at 8:35pm. Meeting adjourned.*

Approved: \_\_\_\_\_  
Anna Eliot, Clerk

\_\_\_\_\_ respectfully submitted,  
Patrice Garvin, Executive Assistant

Date Approved: 7/1/13