

**BOARD OF SELECTMEN
MINUTES JULY 15, 2013
APPROVED**

Present: Peter S. Cunningham, Chairman; Anna Eliot, Clerk; Stuart M. Schulman; John G. Petropoulos
On Phone: Joshua A. Degen, Vice Chairman
Also Present: Mark W. Haddad, Town Manager; Patrice Garvin, Executive Assistant;

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

TOWN MANAGER'S REPORT

1. Mr. Haddad informed the Board that a letter was received from the Union Presidents regarding the release of Executive Session Minutes. Ms. Collette was present to speak to the letter. [Document 1- Letter dated 7-10-13 from Union Presidents] Ms. Collette stated that she had attended the Board meeting last week and the Board discussed releasing Executive Session Minutes for personnel related matters. Ms. Collette referenced the Open Meeting Law and the MA provision that lists Executive Session pertaining to personnel matters and the need to protect current, past and future employees. Ms. Collette stated that the employees requested a policy on the release of executive session minutes and if one was not created then a joint grievance will be filed by all unions. Ms. Collette referred to the recent essay placed on a local blog written by Selectmen Petropoulos and objected to the use of words "dirty laundry" in regards to personnel matters. Ms. Collette added that personnel matters are confidential and that employees expect when they go into Executive Session they are placing their trust with the Board of Selectmen. Ms. Collette stated that there is a dedicated staff in Groton and if personnel related Executive Session minutes are released selectmen will lose employees trust and not go into Executive Session.

Mr. Cunningham stated that this was a follow-up to the last Board meeting where Executive Session minutes were released. Mr. Cunningham shared the concerns of the employees and recognized the stressed issue. Mr. Petropoulos stated that the Board is obliged under state law the release of minutes and privacy is on a case by case basis. Mr. Petropoulos added that any aggrieved party can appeal and there are safeguards in place. Mr. Cunningham did not see a need to push this issue and was concerned with the stress on employees and was unsure what pushing the issue would gain. Mr. Petropoulos did not see the benefit of a policy. Mr. Schulman stated that he would like to see something released if it exonerated the employee. Ms. Eliot suggested the Board seek an opinion and adopt a policy and thought the employees needed to be respected. Mr. Cunningham suggested drafting a policy making it a practice not to release Executive Session minutes regarding personnel matters. Mr. Degen stated that the policy should not release matters related to personnel. Mr. Degen understood the reason for the letter generated by the unions and that the Board needed to protect the integrity of Executive Session. Mr. Petropoulos asked that Town Counsel be asked about the policy.

MEET IN JOINT SESSION WITH PARKS COMMISSION TO CONSIDER APPOINTMENT TO FILL VACANCY UNTIL ANNUAL ELECTION

Mr. Strauss stated that three people stepped forward to be appointed to the Parks Commission. Timothy Madigan was unable to make the meeting. *Robert Flynn, Parks Commissioner was on phone.*

1. Gineane Haberlin stated that she has lived in Groton for over 11 years and explained why she wanted to be appointed to the Parks Commission. Ms. Haberlin has been involved with the CPC and Hazel Grove. Mr. Cunningham asked if there was anything specific Ms. Haberlin was focused. Ms. Haberlin stated that she would like to focus on children's projects.
2. Jeff Ohringer stated that he had been on the Parks Commission for 18 years. Mr. Ohringer stated that he has a specific interest in the Cow Pond Fields.

Mr. Straus stated that all of the candidates were interviewed by the Parks Commission and all three would be a welcome addition to the Commission. Mr. Strauss added that a position on a candidate was not taken by the

Commission.

All three candidates were nominated for parks Commission; Gineane Haberlin, Timothy Madigan and Jeffrey Ohringer by Ms. Eliot, seconded by Mr. Schulman.

Roll Call Vote:

*Gineane Haberlin- Ms. Eliot-aye; Mr. Schulman-aye; Mr. Petropoulos-aye; Mr. Cunningham-aye; Mr. Smigmelski-aye; Bushnell-aye; Mr. Flynn-aye; Mr. Strauss-aye
Ms. Haberlin was unanimously appointed to the Parks Commission.*

TOWN MANAGER'S REPORT CONT.

2. Mr. Haddad stated that the following people have agreed to serve on the Green Communities Act Research Committee:

Bruce Easom – Conservation Commission
Kevin Kelly – Groton Electric Light Department
Michelle Collette – Land Use Departments
Leo Laverdure – Sustainability Commission
Gary Hoglund – Water/Sewer Departments
James Patierno – local builder

The Town is waiting for a recommendation from the Groton Dunstable Regional School Department.

Mr. Schulman moved to appoint the following to the Green Communities Act Research Committee: Bruce Easom – Conservation Commission; Kevin Kelly – Groton Electric Light Department; Michelle Collette – Land Use Departments; Leo Laverdure – Sustainability Commission; Gary Hoglund – Water/Sewer Departments; James Patierno – local builder. Ms. Eliot seconded the motion. Motion unanimously carried.

3. Mr. Haddad requested that the Board ratify his appointment of the new full time Desktop Specialist. Mr. Bulger, IT Director stated that this appointment will help improve the IT infrastructure of the Town. Mr. Bulger stated that Michael Bettano was selected and that he would be a good addition to the Staff.

Mr. Schulman moved to ratify the Town Manager's appointment of Michael Bettano, subject to Background and Physical Exam, effective 7/22/13. Mr. Petropoulos seconded the motion. Motion unanimously carried.

4. Mr. Haddad stated that the owner of the property at 120 Boston Road, PCM Realty Trust is proposing to develop a medical office building on that property. As you are aware, he received Concept Plan Approval at the 2012 Fall Town Meeting. In connection with the project and in an effort to improve safety along Boston Road, they would like to make some improvements (landscaping, vegetation removal and maintenance of Town owned property adjacent to their property. They need permission from the Board in the form of a license Agreement. [Document 2-Draft Agreement] Town Counsel has reviewed and approved the License. Mr. Amaral stated that he met with traffic and fire consultants and their recommendation for the trees along Route 119. Mr. Amaral stated that there was no liability on behalf of the Town. Ms. Eliot was concerned it would become an easement. Mr. Ancil stated that it would not become an easement. Mr. Schulman was concerned if people had a better site line down Route 119 they would drive faster. Mr. Petropoulos asked if the DPW Director or Police Chief had been consulted. Mr. Haddad stated that he could get their feedback for the next meeting. Mr. Cunningham suggested continuing this issue to the next meeting in order to get more feedback.

Dortohty James, abutter stated that there was not enough notice of the meeting. Ms. James complained that Mr. Ancil should recuse himself. Ms. James stated that the golf course has been a continuous issue and serious traffic accidents have occurred. Mr. Cunningham recognized the abutters' public safety concerns and would look into them prior to the next meeting.

5. Mr. Haddad stated that with the outstanding assistance of Kevin Kelly, Barbara Ganem, Michelle Collette and Patrice Garvin, he has drafted the Post Mortem Report concerning the GELD Building Permit

Application Process. [Document 3-Draft Post Mortem] Mr. Cunningham stated that the report was a good effort. Ms. Eliot stated that it accurately represented what happened. Mr. Schulman wanted to extend credit to Mr. Haddad. Mr. Petropoulos stated that it was a great exercise and it was a great job.

6. Mr. Haddad stated that Angela Garger has resigned from the Lost Lake Sewer Committee creating a vacancy on that Committee. The Town has received several inquiries of interest from Lake Residents and tax payers looking to serve on the Committee, including Angela's husband Erich and Michael Rosa. Mr. Petropoulos wanted the Lost Lake Sewer Committee to have a chance to meet with the two applicants. Mr. Cunningham asked if the candidates could come in to a future meeting.
7. Johnson's Restaurant, located at 164 Boston Road, has requested a Carry-In Liquor Special Permit from the Board of Selectmen. [Document 4-Application for BYOB] Ms. Eliot was concerned that this was a family restaurant and the hours should reflect such.
Mr. Petropoulos moved to approve the Carry-In Permit to Johnsons Restaurant from 12pm-9pm daily within the building and picnic area; subject to TIPS. Mr. Schulman seconded the motion. Motion unanimously carried.
8. Mr. Haddad explained that we inadvertently left Wendy Good off the list of Annual Appointments to the Trails Committee. Ms. Good would like to be reappointed and Paul Funch, Chairman of the Committee, would like her reappointed as well.
Ms. Eliot moved to ratify the Town Manager's appointment of Wendy Good to the Trails Committee. Mr. Schulman seconded the motion. Motion unanimously carried.
9. Mr. Haddad stated that at the Goals and Objectives meeting last week, the Board discussed how to improve communications with the public. One of the suggestions was for the Town to create a Twitter Account and use this to get information out to the Public. The Twitter account is @townofgrotonma. We will use it to provide updates to the public on all things related to local government. There is a link on our home page and encouraged all residents to follow the Town.
10. Mr. Haddad stated that one proposal came back for Squannacook Hall from Halsey Platt. Mr. Haddad stated that some time needed to be scheduled to discuss the proposal.

MINUTES

Ms. Eliot moved to approve the Special Meeting of June 24, 3013. Mr. Schulman seconded the motion. Motion unanimously approved. [Document 5- Draft Minutes 6-24-13]

Ms. Eliot moved to approve the regularly scheduled minutes of July 1, 2013. Mr. Schulman seconded the motion. Motion unanimously carried. [Document 6- Draft Minutes 7-1-13]

ADJOURNMENT

Mr. Schulman moved to adjourn at 8:20pm. Meeting adjourned.

Approved: _____
Anna Eliot, Clerk

respectfully submitted,
Patrice Garvin, Executive Assistant

Date Approved: 8-12-13