

**BOARD OF SELECTMEN  
MINUTES JULY 26, 2010  
APPROVED**

**Present:** Stuart M. Schulman, Chairman; Anna Eliot, Vice Chairman; George Dillon, Jr., Clerk; Peter Cunningham; Joshua A. Degen

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

*Mr. Schulman called the meeting to order at 7:00pm and reviewed the agenda for the public.*

**TOWN MANAGER'S REPORT**

1. Mr. Haddad reported that the new Technical Labor position within the Department of Public Works has been filled. Mr. Haddad explained that this position was an upgrade from a current position and does not increase the headcount in the DPW. The job was posted internally and two applications were received. Mr. Haddad stated that Mr. Delaney and Ms. LeBlanc interviewed the candidates and that both have recommended Quintin Shea to this position. Mr. Haddad stated that he was pleased with the selection and asked the Board to ratify his appointment of Quintin Shea to the position of Technical Laborer for the Department of Public Works retroactive to July 1, 2010 at a rate of pay of \$20.23 per hour.  
*Ms. Eliot moved to ratify the Town Manager's appointment of Quintin Shea as the Technical Laborer in the Department of Public Works effective July 1, 2010. Mr. Dillon seconded the motion. Motion unanimously carried.*
  
2. Mr. Haddad distributed [**Document #1-Volunteer Interest Form for David Hirsh**] to serve on the Affordable Housing Trust. Mr. Haddad stated that Mr. Hirsh was in the audience so the Board could take a moment to interview him for the vacancy. Mr. Haddad asked the Board to consider Mr. Hirsh for appointment. Mr. Hirsh stated that by being a realtor he was very familiar with the real estate in Groton. Ms. Eliot asked where his office was located. Mr. Hirsh replied that he works full time out of his home. Mr. Dillon asked Mr. Hirsh if he had a chance to review the Affordable Housing Declaration and Committee Charge. Mr. Hirsh stated that he had not read the documents. Mr. Cunningham explained the purpose of the trust and some of its goals. Mr. Cunningham suggested that since Mr. Hirsh had not read the documents that he should speak to the Affordable Housing Coordinator, and this appointment can be taken up at the next selectmen's meeting. Ms. Collette noted that she directed Mr. Hirsh to the Affordable Housing Trust and believed he would be a good fit. Mr. Cunningham stated that having Mr. Hirsh read the documents would give him a better understanding of what the trust is and if it was something he would be interested in serving on.

**REQUEST TO TIE INTO STORM DRAIN, RUSSEL BROZ-ELLEN WEBER**

Mr. Haddad stated that Russell Broz and Ellen Weber were seeking permission to tie into the Town's storm drain system to alleviate flooding on their property. Mr. Degen recused himself from the discussion and left the room. Ms. Collette had reviewed the request and noted that this was a typical drainage easement, but suggested having Town Counsel review the request. Mr. Haddad also had no problem with the request and noted that it is easier for the home owner to tie into the town. Mr. Broz stated that he had two options moving forward but needed to know if he can be granted the easement before going to his engineer. Mr. Broz noted that his neighbors have expressed some concerns. Mr. Haddad stated that he would review the request with counsel and bring this back to the Board.

### **TRAIL COMMITTEE-JENKINS PROPERTY**

The Trails Committee referred the Board to their packet distributed at the last Board of Selectmen's meeting. Mr. Easom, speaking for the Trails Committee requested that the Board of Selectmen seek a summary judgment to uphold the Town rights to Jenkins Road. Mr. Easom gave a brief history of the issue for the Board. Mr. Easom noted that several letters were sent to Mr. Friedrichs to negotiate a settlement. The 5<sup>th</sup> letter indicating that the town would take down Mr. Friedrichs barrier received a response of do not trespass. Mr. Haddad noted that Mr. Friedrichs was invited to the meeting but did not hear back from Mr. Friedrichs. Mr. Degen asked if an old Town Meeting voted to discontinue the road. Mr. Easom replied that it had but never indicated what part of the road. Mr. Degen asked if the Town maintained the road. Mr. Delaney stated that the Town maintained the road up to the Fairgrounds. Mr. Degen stated that the Town needs to know if the Town owns the prescriptive rights and if the Town does not own it that there may be no case. Mr. Dillon and Mr. Cunningham both agreed that the Town should seek a summary judgment to resolve the issue. Ms. Eliot commented that the Town should still find out if the Town has prescriptive rights. Mr. Haddad stated that he would give Town Counsel an expense limit and bring this back to the Board.

### **TOWN MANAGER REPORT CONTINUED**

3. Mr. Haddad distributed [Document #2-Memo from TM to BOS dated 7-21-10 RE Sharing Bld Inspector with Boxborough & Job Description] and that Boxborough was interested in sharing the position. Mr. Haddad distributed [Document #3- Draft Inter-municipal Agreement with Boxborough]. Mr. Haddad explained to the Board the possible savings with a shared position, which was a total of \$17k. Mr. Cunningham asked how an employee evaluation would work. Mr. Haddad replied that periodic reviews would be done to make sure both Towns were satisfied. Mr. Dillon noted that the benefits were 40% of the salary. Mr. Haddad explained that this is a Groton position and would be shared with Boxborough. Ms. Sartini, local press asked whether the Town Manager looked into contracting out a building inspector to save the town money in benefits, and to also consider separating the zoning and building inspector's job function. Mr. Haddad stated that it was his preference to keep the position as Building and Zoning Commissioner together as one position. Mr. Haddad stated that the Boxborough Board of Selectmen has already authorized the sharing of the position. Mr. Degen suggested there be language as to who did the performance evaluation and how the sharing was working after one year. Mr. Degen suggested having the actual numbers worked in each community tracked.
4. Mr. Haddad distributed [Document #4-MOU GELD & Town 7-26-10] noting one additional correction. Mr. Haddad explained that when the first draft was reviewed by the Groton Light Commissioners one amendment was requested which was: *If the project were to become non-viable, the parties agree to work together to find whatever remedies may be available.* Mr. Haddad stated that the MOU has been approved by the Light Commissioners and asked the Board of Selectmen to approve the amendment.  
*Mr. Degen moved to amend the MOU dated 7-26-10 by including the following sentence: If the project were to become non-viable, the parties agree to work together to find whatever remedies may be available. Mr. Cunningham seconded the motion. Motion unanimously carried.*
5. Mr. Haddad requested that the Board consider reducing the Great Ponds Advisory Committee from 11 members to 7. Mr. Haddad also requested that the Board ratify his appointments of Cynthia Swezey and Cheney Harper to the committee. The Board agreed that the membership should 7 members.  
*Mr. Dillon moved to ratify the Town Manager's appointment of Cynthia Swezey and Cheney Harper to the Great Ponds Advisory Committee for a one year term to expire June 30, 2010. Mr. Cunningham seconded the motion. Motion unanimously carried.*

6. Mr. Haddad reported that at the last Board meeting there was some discussion concerning the potential sale of some of the Country Club property. The Board did not want to pursue this matter but testing had already begun. Mr. Haddad noted that he received the testing results that stated that due to the wetland issues and failed percolation tests, the sale of the Country Club property was not a viable option.
7. Mr. Haddad requested that Alicia S. Hersey be appointed to the Housing Partnership as a representative from the Groton Housing Authority.  
*Ms. Eliot moved to appoint Alicia S. Hersey to the Housing Partnership for a one year term to expire June 30, 2011. Mr. Degen seconded the motion. Motion unanimously carried.*
8. Mr. Haddad informed the Board that Gordon Row, of the Groton Road Race Committee has contacted the Board about changing the date of the Groton Road Race in 2011 for just one year. The change is due to scheduling around the holidays. The Committee believes that April 10, 2011 would be the best date for all parties concerned and asked the Board if there were any issues with posting this date. Mr. Row has reached out to the Police Department and Mr. Haddad expressed no concerns with the date. The Board expressed no concerns with the proposed date.
9. Mr. Haddad informed the Board that Regina Beausoleil has resigned and distributed [**Document #5-Memo from LU Director 7-21-10 RE: Proposed Assistant Increase in Hours**]. Mr. Haddad stated that he supports the request to increase the hours and noted that there is no increase to the budget. There is no increase because the work that Ms. Beausoleil conducted at the Police Department has been spread to two other employees. Mr. Degen asked if the Land Use Assistant wage line be placed under the Land Use budget. Ms. Sartini asked if this position could be contracted out. Mr. Haddad stated that he would like to leave this position as it is. Mr. Degen stated that the Town should look at where having a contracted employee would work and where in town it would not work. Mr. Dillon questioned the actual need for the additional 15hours in the Land Use Department.
10. Mr. Haddad stated that the Town would be holding a photo contest for the cover of the 2010 Town Report. Mr. Haddad distributed [**Document #6-Photo Contest Rules**]. Mr. Degen requested that the photo contest voting be placed at the Library as well as Town Hall and online.
11. Mr. Haddad distributed [**Document #7-Ltr to BOS from TM RE Vacation and Acting TM**] requested that Michael Bouchard be designated as Acting Town Manager to perform the duties of the Town Manager during Mr. Haddad's vacation.

### **LIAISON REPORTS**

Mr. Cunningham commented on the Housing Partnership and their efforts to have Habitat for Humanity in town. Mr. Dillon reported that a Military Covenant Meeting needed to be scheduled to discuss goals and priorities.

### **MINUTES**

*Mr. Cunningham moved to approve the regularly scheduled meeting minutes of July 12, 2010. Mr. Degen seconded the motion. Motion carried with one abstention.*

### **ADJOURNMENT**

*Ms. Eliot moved to adjourn the meeting at 8:45 p.m.. Mr. Dillon seconded the motion. Meeting adjourned.*

Approved: \_\_\_\_\_  
George F. Dillon, Jr., Clerk

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respectfully *submitted*,  
Patrice Garvin  
Executive Assistant to the Town Manager

Date Approved: 8-9-10