

March 18, 2002

**BOARD OF SELECTMEN
MINUTES
MARCH 18, 2002**

Present: Arnold Wilson, Chairman
 George Dib
 Hal White
 Charles Blanchard
 Doris Sosik
 James Malloy, Town Administrator

The Chairman called the meeting to order at 6:30 p.m. following the Pledge of Allegiance.

Barbara Barry, Treasurer/Collector – Bond Issuance

Barbara Barry appeared before the Board, and presented the Certificate relating to the General Obligation Bonds of the Town and a Schedule of Authorization (copy on file). She read the recommended motion to the Board (copy on file), that the bid of State Street Global Markets, LLC to purchase the Bonds at a price of \$6,227,368.79 and interest accrued to date of delivery, resulting in a net interest cost of \$2,722,442 and a true interest rate of 4.501483% be accepted.

MOTION: That the Town take the action recommended by the Town Treasurer, as stated in pages 1-4, by H. White.

2nd: D. Sosik

Vote: All in favor.

Pole Hearing – Wallace Road

Bob Strand of Verizon New England appeared before the Board.

MOTION: To approve the pole placement on Wallace Road, as requested by Verizon dated 1/22/02, by C. Blanchard.

2nd: H. White

Vote: All in favor.

MOTION: To close the public hearing, by G. Dib.

2nd: C. Blanchard

Vote: All in favor.

Utility Easement on Hall Road and Whittemore Road

MOTION: Authorizing the Board to execute the utility easement between the Town of Sturbridge and Verizon New England dated 3/18/02 for \$7,500 for the easement at the intersection of Hall Road and Whittemore Road, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

Property and Casualty and Workmen's Compensation Insurance

J. Malloy provided the Board with the figures for insurance for next year, for a total of \$147,259.

MOTION: That the Town continue with MIIA Property and Casualty and Workmen's Compensation for this year for \$147,259, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

Central Mass. Regional Planning Commission Traffic Count

Larry Adams, Town Planner, provided a map indicating where CMRPC is planning on doing traffic counts, and where the Planning Board has suggested there be traffic counts, including Cooper Road, below Kelly Road on Rt. 15, and off Rt. 148 going into Big Alum. It was the consensus of the Board that J. Malloy include the additional areas on the description of the areas for traffic counts, and send it to CMRPC.

Ballard Parcel

MOTION: Authorizing the Chairman of the Board of Selectmen to execute the grant contract dated 3/8/02 between the Town of Sturbridge and the Executive Office of Environmental Affairs for \$37,900 for the purchase of the Ballard parcel on Stallion Hill Road, with the balance coming from the Lucent gift account, by D. Sosik.

2nd: C. Blanchard

Vote: All in favor.

Chapter 90 Aid

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MOTION: Authorizing the Chairman of the Board of Selectmen to execute the Ch. 90 contract dated 3/15/02 between the Town of Sturbridge and the Mass. Highway Dept. for \$108,999.52, by C. Blanchard.

2nd: G. Dib

Vote: All in favor.

Nipmuc Application

J. Malloy informed the Board that Attorney Don Bauer of Perkins-Coie recommended that the Town request an extension of the comment period.

MOTION: Authorizing the Town Administrator to submit a request to the Bureau of Indian Affairs requesting an extension of the comment period, by G. Dib.

2nd: D. Sosik

Vote: Four in favor; C. Blanchard opposed.

A.Wilson noted that under 61A and 61B, the two factions of the petitioners have been consolidated into one petition. (This information was subsequently found to be incorrect.) He said that the Tri-Community Chamber of Commerce will stand with the Town of Sturbridge in their opposition to the casino.

Budget

MOTION: To recommend approval of the budget submitted by the Burgess School Committee in the amount of \$6,747,419, by C. Blanchard.

2nd: A. Wilson

Vote: Four in favor; D. Sosik abstained.

A.Wilson announced that the Tantasqua budget hearing will be held on Tuesday, March 19th at 7:00 p.m. in the Jr. High School Library. Their proposed operating budget is \$14,848,069, which is a 9.8% increase.

Annual Town Meeting

MOTION: That the Board vote to support Article #9 Non-Conforming Uses with the wording change proposed by Town Counsel and recommended by the Town Administrator, by C. Blanchard.

2nd: D. Sosik

Vote: Three in favor; A. Wilson and H. White opposed.

Special Town Meeting

MOTION: To move Article #89 Waterway Improvement Account Appropriation from the Special Town Meeting warrant to the Annual Town Meeting warrant, by C. Blanchard.

2nd: H. White

Vote: All in favor.

C. Blanchard suggested that the Board request a report regarding the number of times that the jet ski is used. The Board agreed to hold action on their recommendation until receiving a report from the Police Chief.

Miscellaneous

David and Megan Crawford requested that they be allowed to pay the \$200 tie-in fee. The Board decided to hold action until reviewing records on how many residents have not requested the tie-in, with a comparison of the Phase II and Phase III responses, and how many have paid the \$1200 fee.

Senior Center Sidewalk Project

MOTION: To award the bid for the Senior Center Sidewalk Project to Pioppi Construction for \$10,562.25 as per their bid dated 3/15/02, by D. Sosik.

2nd: C. Blanchard

Vote: All in favor.

Resignations

MOTION: To accept the resignations of Dorothy Wright and Betty Warnke from the Council on Aging, by D. Sosik.

2nd: C. Blanchard

Vote: All in favor.

Old Business

G. Dib asked about Judy Knowles' condition. J. Malloy said that she had returned to work, but left at 3:00 p.m. because she was in pain. A. Wilson added that she was using a walker and was dealing with an infection as well as ligament damage to her foot and ankle.

G. Dib announced that the Casino Group will meet on Thursday, March 21st at 7:00 p.m. at the Senior Center.

G. Dib said that last week there was a meeting of the Tri-Community Celebration Committee. The budget has gone up to \$90,000. They have set a deadline date of April 15th; if they don't have at least half of the money by then, they will consider canceling or scaling back the activities. Sturbridge has been asked for the use of school buses to provide shuttle service, which Rosemary Joseph has approved.

Forestry Permit Application

George King of Native American Hardwood appeared before the Board. Bernie Lorkiewicz submitted his comments in a 3/14/02 memo (copy on file) regarding the forestry permit application for property owned by Arthur Batson on Cooper Road. J. Malloy said that Dave Barnicle of the Conservation Commission had indicated that there were no problems or concerns regarding the plan.

MOTION: To approve the forestry permit for Native American Hardwood as per their Forest Cutting Plan approved by the State Forester on 3/14/02 subject to the conditions outlined in the 3/14/02 memo from Bernie Lorkiewicz (with the exception of a notarized letter from the landowner, since he signed the Forest Cutting Plan), by G. Dib.

2nd: H. White

Vote: Four in favor; D. Sosik abstained.

Old Business

H. White announced that there will be a meeting regarding the casino issue on April 4th at St. Anne's Parish Center. Jeff Benedict will be a speaker. A. Wilson said that there will be a petition to have a non-binding referendum in the Town of Warren supporting a casino.

H. White asked about the digging that has been going on at Fiske Hill Road. J. Malloy said that there is an old drainage pipe for storm drainage that cuts between two houses on Fiske Hill Road and empties out behind two residences on McGregory Road. Every time there is a significant storm, those two residences experience a flooding problem in their back yards. DPW is installing the proper size pipe to improve the drainage and correct the problem.

H. White asked when Fiske Hill Road would be paved. J. Malloy said that it would be done this year.

H. White asked whether the Board meetings could be rebroadcast. J. Malloy said that they could.

C. Blanchard noted that with J. Malloy's performance evaluation, the Board received a revised evaluation with a change, and a memo from J. Malloy, which he asked to be attached to the evaluation as an addendum.

C. Blanchard asked when Rt. 131 would be paved. J. Malloy said that it will be paved in 2003.

C. Blanchard asked when the hydrants would be painted. J. Malloy will look into it.

C. Blanchard asked whether the charter changes would be on the ballot this year. J. Malloy said that they would.

D. Sosik said that the lock on the Burgess gate had been cut, and now has a new lock. J. Malloy said that the Police Dept. has been notified, and they intend to increase patrols on weekends.

D. Sosik said that she had tried to cross the street at the crosswalk in front of the Hearthstone Inn, but cars would not stop, including a state police cruiser.

New Business

G. Dib took a tour of the new high school, and was very impressed with it. He noted that the change orders amount to less than 1% of the cost. He commended the Building Committee on their work. J. Malloy announced that there will be an open house in November.

A. Wilson said that regarding Chili's curb cut on Rt. 20, MGL Chapter 81 §21 states: "That in the case of a driveway opening on a state highway, the said department shall not grant a permit for a driveway location or alteration if a board or department in a town, having authority over public ways and highways, has notified the department by registered mail, return receipt requested, of their opposition to the driveway." In the case of Chili's, the Board did not know about the curb cut until after the fact. Now there is a proposed subdivision behind Farquhar Road with access off Rt.

131. He suggested that the Board draft a letter to Mass. Highway Dept. objecting to that curb cut. H. White asked whether the Board could put Mass. Highway on notice that they should not issue a curb cut without informing the Board that they have received such a request, and their intention of acting on that request. J. Malloy said that he would ask Mass. Highway to inform the Board formally of any curb cut permit applications that they receive for Sturbridge, per that section of law so that the Board can consider and comment on them. It was the consensus of the Board to send that request.

Ask the Selectmen

H. White received a call from Wanda Chamberland regarding the issue that D. Sosik mentioned about cars not stopping for pedestrians in crosswalks, and she suggested carrying an American flag to get people to stop.

MOTION: To enter into executive session under MGL Chapter 39, §23B, Paragraphs #3 and #6: To discuss strategy with respect to collective bargaining, and to consider the purchase, exchange, taking, lease or value of real property, not to reconvene in open session, by H. White.

2nd: G. Dib.

Roll call vote: All were in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date