

April 1, 2002

**BOARD OF SELECTMEN  
MINUTES  
APRIL 1, 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 following the Pledge of Allegiance.

**Community Preservation Committee – Update**

The following members of the CPC appeared before the Board: Patricia Barnicle, Chairman, Marge Cooney, Ed Goodwin, Marie Belisle, Bob Briere, Penny Dumas and Janet Garon. P. Barnicle explained that the CPC is dedicated to acquiring and protecting open space, preserving historic buildings and landscapes, and creating and maintaining community housing. The Community Preservation Act dedicates a surcharge of 3% of each resident's property taxes (exempting the first \$100,000) to this fund. The state will match the funds 100%, since Sturbridge was one of the first towns to adopt the Act. A minimum of 10% of the funds must be spent in each of the three categories. The CPC will meet and make recommendations about expenditures to the Town Meeting, which will then vote on all such recommended actions. In April and May of 2002 the CPC will hold a series of public meetings to inform the community of their work and to encourage input from all interested residents.

Ed Goodwin said that the Conservation Commission supports open space and enforces the Wetlands Protection Act and the Rivers Bill. Bob Briere noted that there used to be many farms in the Town of Sturbridge, and in the near future these farms will be up for sale. Penny Dumas said that there are parcels of land in Sturbridge that have been prioritized on the open space list. Pat Barnicle added that P. Dumas is preparing a video showing some of these spaces and historic buildings with ideas for community housing. Marge Cooney said that OSRD (Open Space Residential Development) proposes dividing land into lots after protecting vistas and open space. Janet Garon said that the Housing Authority will be a full acting board after the Town Election. She said that there are low interest loan programs to fix up buildings in town or to be combined with

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other funding mechanisms. Another option is downpayment assistance for first time home buyers.

Bob Briere said that he would like to see old paths, such as the Bay Path, preserved as well as the cemeteries and old dam sites. The Center School building should be restored. Marie Belisle suggested that the old buildings in town be inventoried and labeled, and there should be some affordable housing for the elderly.

C. Blanchard suggested that the CPC give a brief report at the Annual Town Meeting. J. Malloy suggested that P. Barnicle contact the Town Moderator, Mike Caplette, beforehand. D. Sosik commended the CPC for their enthusiasm and dedication.

A. Wilson requested a motion to authorize the Town Administrator to obtain two appraisals and complete a Self-Help Grant application for acquisition of real property (Dumas farm). J. Malloy said that the Purchase and Sale agreement has been prepared by the parties and is at an attorney's office. P. Dumas said that the CPC is interested in working with other entities once the right of first refusal has been accepted by the Town. J. Malloy said that after receiving the Purchase and Sale agreement, he would review debt service, grant funds, etc., and he would find out sometime around November; by then the Town would have exercised the right of first refusal. C. Blanchard did not think that the Lucent money should be used for this purpose.

**MOTION: To use the Lucent donation to have two appraisals done on the property in question, by H. White.**

**2<sup>nd</sup>: A. Wilson**

**Vote: Three in favor; C. Blanchard and G. Dib opposed.**

### **Native American Hardwood**

J. Malloy received a request from George King of Native American Hardwood that he be allowed to use wood chips instead of stone at the Arnold property. The Conservation Commission forwarded a memo in support of the request.

**MOTION: To grant the request to waive the condition regarding the use of stone, and replace it with wood chips, by G. Dib.**

**2<sup>nd</sup>: D. Sosik**

**Vote: Four in favor; C. Blanchard opposed.**

C. Blanchard requested a definition of “frozen” or “dry,” and requested more information from G. Morse or B. Lorkiewicz.

### **Correspondence**

**MOTION:** That a letter be sent indicating the Board’s support of Chief Button’s request for a change of court jurisdiction from Dudley to East Brookfield, by G. Dib.

**2<sup>nd</sup>:** C. Blanchard

**Vote:** All in favor.

### **Request to the State Auditor**

J. Malloy sent a letter to the Foundation Review Committee in October 2000 (copy on file) comparing Sturbridge to other towns across the Commonwealth and requesting that the Committee consider the inequities in education financing as they developed a new education financing program. No new education financing program has been approved. Mr. Malloy still does not believe that Sturbridge receives an equitable reimbursement from the state under Ed. Reform. He sent Rep. Reed Hillman an email regarding what is referred to as “hold harmless” aid and received his response (copy on file) stating the extent to which Sturbridge has been treated inequitably (\$1 million). Mr. Malloy did additional research, summarized in the letter to the State Auditor’s Office (copy on file), and requested that the Board review the letter and authorize him to send it on behalf of the Board, requesting a determination whether education reform has become an unfunded mandate, which they are required to respond within 60 days.

**MOTION:** To support the Town Administrator and authorize him to send a letter to the State Auditor, by D. Sosik.

**2<sup>nd</sup>:** G. Dib

**Vote:** All in favor.

### **J & W Application**

The Board received a draft application/request from J & W to use the Local Initiative Program for the property off Stallion Hill Road. Larry Adams will come before the Board during the April 8<sup>th</sup> workshop to discuss the Local Initiative Program as well as the application. J. Malloy submitted to the Board a summary of the Local Initiatives Program and a Memorandum to Municipal Clients from Barbara S. Andre at Kopelman & Paige.

**Crawford Request**

J. Malloy reviewed the Phase II sewer applications: 278 residential units took out permits at the \$200 level and 3 at \$1,200. In the Phase III sewer project: 222 residents took out permits at the \$200 level, leaving 25 residents that would need to take out a permit at the \$1,200 level.

**MOTION:** To deny the request from Dave Crawford for a tie-in fee of \$200, leaving the deadline as before, by C. Blanchard.

**2<sup>nd</sup>:** G. Dib.

**Vote:** All in favor.

**Tantasqua Budget**

**MOTION:** That the Board recommend approval of the Tantasqua operating budget at \$2,997,159; transportation cost at \$4,379; and debt service at \$1,139,990, by C. Blanchard.

**2<sup>nd</sup>** G. Dib

**Vote:** All in favor.

**Jet Ski Patrols**

J. Malloy submitted to the Board statistics on the Police Dept. jet ski patrols during the summer months, in relation to the Town Meeting warrant article to purchase a jet ski, with input from Chief Button.

**MOTION:** To recommend approval of the article, by C. Blanchard.

**2<sup>nd</sup>:** G. Dib

**Vote:** All in favor.

**Fire Dept. IOD (Injured on Duty)**

**MOTION:** To approve the claim of Matthew Roderick under MGL Ch. 41, §111F for an injury on duty received on 3/27/02, by C. Blanchard.

**2<sup>nd</sup>:** G. Dib

**Vote:** All in favor.

**DPW Appointment**

**MOTION:** To approve the Town Administrator's appointment of Christopher Yaskoski as a Laborer in the Public Works

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**Department at a rate of \$12.16 per hour, effective 4/2/02,  
by D. Sosik.**

**2<sup>nd</sup>: H. White**

**Vote: All in favor.**

### **Kaitbenski Parcel**

**MOTION: To authorize the Board to sign the Purchase and Sale  
Agreement, by G. Dib.**

**2<sup>nd</sup>: C. Blanchard**

**Vote: All in favor.**

### **Old Business**

G. Dib asked about the lock on the gate at Burgess. J. Malloy said that the Police Chief has been notified. D. Sosik said that the box around the lock has been welded, making it much more difficult to be tampered with.

C. Blanchard asked about the status of the final report on the Wastewater Treatment Plant. J. Malloy will contact Jay O'Reilly.

A. Wilson said that the Board had supported the rate of development bylaw; however, the Finance Committee is considering something different. J. Malloy spoke to Kevin Smith, who indicated that the Finance Committee had voted no action on the article. A. Wilson asked the Board to offer a substitute motion to adopt the bylaw as presented by the Planning Board. There was no motion.

A. Wilson said that the Board has written to Mass. Highway about having them notify the Town of proposed curb cuts. J. Malloy said that in order to successfully challenge any curb cut, opposition must be based on public safety and traffic flow issues. He suggested that the Town Engineer do a report on the traffic safety issue, rather than just file a letter of opposition.

### **New Business**

G. Dib had received an anonymous phone call complaining about alleged violations at Sturbridge Isle's smoking and non-smoking areas. J. Malloy said that he would inform the Board of Health.

H. White announced that a meeting of the Citizens Against Casino will be held on Wednesday, April 3<sup>rd</sup> at 7:00 p.m. at St. Anne's Parish Center. Jeff

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Benedict, author of "Without Reservation" will be present. The public is invited.

C. Blanchard announced that the Town Election will take place on Monday, April 8<sup>th</sup>; the polls will be open at Burgess Elementary School at 7:00 a.m. – 8:00 p.m. A.Wilson noted that there will be information about changes to the Charter at the poll booths.

A.Wilson asked whether the Walker Pond Association has approached the Town as to how much they will be asking for regarding the Walker Pond grant for the dam. J. Malloy said that the Town had traditionally given \$5,000 toward the local match. He will contact Nick Applegate.

### **Ask the Selectmen**

There were no calls.

**MOTION: To enter into executive session under MGL Chapter 39, §23B, Paragraph #3: To discuss strategy with respect to collective bargaining or litigation, not to reconvene in open session, by H. White.**

**2<sup>nd</sup>: G. Dib**

**Roll call vote: All were in favor.**

Respectfully submitted,

Judy Knowles

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BOS Clerk

Date