

May 6, 2002

**BOARD OF SELECTMEN
MINUTES
MAY 6, 2002**

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

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

Sorrento's Brick Oven Pizza – Common Victualler License

Mohammed Basal appeared before the Board. He plans to open Sorrento's Brick Oven Pizza at 500 Main Street within three months.

**MOTION: To approve the Common Victualler license for Sorrento's
 Brick Oven Pizzeria at 500 Main Street, by H. White.**

2nd: D. Sosik

Vote: All in favor.

Approval of Minutes

**MOTION: To approve the minutes of April 16, 2002 as amended, by
 D. Sosik.**

2nd: C. Blanchard

Vote: All in favor.

**MOTION: To approve the executive session minutes of April 16,
 2002 as submitted, to remain confidential, by C.
 Blanchard.**

2nd: H. White

Vote: Three in favor; D. Sosik abstained.

**MOTION: To approve the minutes of April 29, 2002 as amended, by
 H. White.**

2nd: C. Blanchard

Vote: All in favor.

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MOTION: To approve the executive session minutes of March 18, 2002 as submitted, to remain confidential, by C. Blanchard.
2nd: H. White
Vote: All in favor.

Application for Fuel Tank

An application was submitted by the Tantasqua Regional School District for a 12,000 gallon oil tank. The Fire Chief reviewed and approved the application.

MOTION: To approve the 12,000 gallon fuel tank at Tantasqua Sr. High School, by C. Blanchard.
2nd: D. Sosik
Vote: All in favor.

Another application was submitted by the Tantasqua Regional School District for a 5,000 gallon underground propane tank, which was also reviewed and approved by the Fire Chief.

MOTION: To approve the license for a 5,000 propane tank at Tantasqua High School, by C. Blanchard.
2nd: D. Sosik
Vote: All in favor.

120 Walker Pond Road

The Town had taken this parcel for non-payment of taxes, while the former owners were in the process of selling the land to an abutter. The former owners have the right to petition land court to have the foreclosure decree vacated for a period of one year. Barbara Barry, Finance Director, wrote a memo requesting that the Board of Selectmen authorize her to vacate the foreclosure decree upon payment of the back taxes. Since the court would do this and the Town would have legal expenses, J. Malloy concurred with her request.

MOTION: To authorize the Finance Director to vacate the foreclosure decree for 120 Walker Pond Road upon payment of all outstanding property taxes, by C. Blanchard.
2nd: H. White
Vote: All in favor.

Appointment

Dan Thompson appeared, and informed the Board that he has served as Summer Recreation Program Director for the past four years, and worked there for six years. He stated that he has the confidence of many parents and children. He asked why he was not given the option of consideration for the position. J. Malloy said that some of the incidents that had taken place last year showed very poor judgment, and in the best interests of the Town the other candidate showed more promise. D. Thompson submitted two letters of recommendation, and asked the Board to use discretion in making their choice

MOTION: To confirm the Town Administrator's appointment of Erica Schmitt as the Summer Recreation Program Director at a rate of \$12.75 per hour, by H. White.

2nd: C. Blanchard

Vote: All in favor.

Annual Fuel Bid

MOTION: To extend the annual fuel oil, gasoline and diesel bid to Peterson Oil Company as per their bid, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

UMass Design Proposal

Jack Ahern submitted a proposal to do a planting design for the new Fiskdale Mill Park. J. Malloy suggested using the funds available from the Senior Center sidewalk project part of the grant to fund the plant design at the park and adjacent area.

MOTION: To retain the UMass students as proposed by Professor Ahern for the work as stated in his letter, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

MOTION: To authorize J. Malloy to contact MTA to use the funds from the Senior Center sidewalk part of the grant to complete the design at the Mill Park, by D. Sosik.

2nd: C. Blanchard

Vote: All in favor.

Bath House at Cedar Lake Recreation Area

The Town received only one bid for this project, which came in at \$88,500, which is approximately \$10,000 over the appropriation. J. Malloy put the project back out to bid to see if there will be more interest in the project and a better price. If the Town does not receive a bid within the appropriation, it will be necessary to either seek a higher appropriation or keep the existing building and renovate it to meet the ADA issues, which are the highest priority.

Tyrone Jones, J & W Company Inc. – Comprehensive Permit Application for the Stallion Hill Road Property

Tyrone Jones, President of J & W Company Inc., appeared before the Board, hoping to reach an agreement with the Town that would allow both parties to enter a Local Initiative Program (LIP) with the state. Over the past several months he has been working with Larry Adams, Town Planner, regarding the development of the 75 acre Stallion Hill Road property. Initially they were planning on developing the property into 150 condominium units, but after considering what the impact of a project of that size would do to the area, they decided to scale the project back to a 44 unit condo complex. About 25% of the units would be available as affordable housing, which is based on a formula that takes into consideration the Town's median income per capita. An affordable condo in Sturbridge would cost between \$95,000 and \$110,000. Other units in the development could sell for between \$180,000 and \$200,000. About 20 acres out of the 75 acres would be used for the complex, if the plan is approved; the rest of the acreage would remain undeveloped.

George Dib arrived at 7:10 p.m.

Larry Adams had spoken previously to the Board about the Local Initiative Program (LIP). He said that the LIP provides opportunities for the Town and the developer to negotiate. The state will review the marketing plan and guidelines for program eligibility.

Four members of the Zoning Board of Appeals were in attendance. Ginger Peabody, Chairman of the ZBA, commented that everything is negotiable. Under the LIP, the Dept. of Housing and Community Development will walk the site and ask town officials to join them, and concerns will be brought up at that point. If it is considered to be a viable project, then the Town review process will start with the ZBA. L. Adams said that the

Conservation Commission and other Town boards will be required to submit their comments on the project.

A. Wilson asked L. Adams to find out about the timing of the process. The Board of Selectmen will review the information and make a decision within the next few weeks.

Walker Pond Grant

Nick Applegate, Walker Pond Association, appeared before the Board. He said that they have received grants in the past for retention ponds, which reduce the pollutants getting into Walker Pond. The state has done water quality testing, and the water quality has improved. There is a dam that needs to be resealed. The Walker Pond Association asked the Town to contribute 25% of the \$30,000 project. The balance of the project includes weed management, and the Friendship League will fund the match for that part of it.

He said that there is an outfall along Wells Park Road that has filled with sand, creating a situation where water is backing up and running down the hill, causing erosion. The Town Engineer offered to help them with a solution to the problem, and that has been included in the grant. They are asking the Town for a match for that portion of the grant in the amount of \$3,500.

MOTION: That the Board support the amount of \$11,000 in matching funds for the Walker Pond project proposed by Nick Applegate and present it to the townspeople at the next Special Town Meeting for funding, and to authorize the Chairman to authorize the agreement, subject to Special Town Meeting appropriation, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Calvin Carrington – Class II License

Calvin Carrington and Attorney Ed Neal appeared before the Board. They had submitted a new site plan, as requested by the Board. E. Neal said that Mr. Carrington had obtained the Class II license 14 years ago, and the license was in effect until the end of 1999. However, used car sales took place in the year 2000, so he had continued the use. There would have to have been at least two years of non-use for the Board to consider it to be an abandonment of use.

MOTION: To grant the Class II license to Calvin Carrington, with a limit of 15 cars on site at any one time, by C. Blanchard.

2nd: D. Sosik

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

Ambulance Fees

Pauline Mathieu submitted a letter received from the state indicating that they have changed their reimbursement for Medicaid assisted ambulance patients (copy on file).

MOTION: To amend the Fee Schedule for Ambulance Service, ALS2, mileage and disposable supplies to \$387.90, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

Appointments

MOTION: To approve the appointments of Nicholas DaDalt, Call EMT; Matt Kelly, Call EMT; John Hart, Reserve Police Officer, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

LEPC

MOTION: To expand the membership of the LEPC to include a representative of the Board of Health and Conservation Commission, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

MMA Alert

The Board received an MMA alert regarding the pending budget deliberations on 5/8 by the Legislature. J. Malloy recommended that the Board authorize him to ask the legislators to support the items listed (copy on file). It was the consensus of the Board to agree with that.

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J. Malloy submitted to the Board a letter from Mass. Highway Dept. (copy on file) indicating that they had made a mistake in the original contract, a typo on the end date of the contract (2005 instead of 2004).

Budget Issue

An amount for the intermunicipal service with the Town of Southbridge was omitted from the annual budget for the sewer department, so it will be necessary to include an item on the next Special Town Meeting to amend the budget. Given the current budget, this will not require a change in rate and the Town of Sturbridge will have until August 2002 to pay the 4th quarter FY02 bill.

Correspondence

MOTION: To send a congratulatory letter to Tom Chamberland regarding Sturbridge being named as a 2001 Tree City USA and Growth Award recipient, by D. Sosik.

2nd: H. White

Vote: All in favor.

MOTION: To send a letter to Tom Chamberland, congratulating him for passing the Arborist Certification Examination, by D. Sosik.

2nd: H. White

Vote: All in favor.

A.Wilson announced that there will be a free workshop entitled: "Your Land, Your Life: Legacy or Memory" for owners of large parcels, farmers and forest owners within the Quinebaug & Shetucket Rivers watershed at the Charlton Senior Center on Saturday, May 11th at 9:00 a.m.

MOTION: To send a congratulatory letter to the Police Dept. regarding their accreditation, the process they went through and the score that they received on their successful review and positive recommendation, by H. White.

2nd: C. Blanchard

Vote: All in favor.

Regarding the April 25th letter from Brian Burns requesting that William Blood's name be added to the 1871 Soldiers Monument, J. Malloy suggested placing a separate marker for William Blood. C. Blanchard

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suggested that Mr. Malloy contact Brian Burns, Bob Briere and Tom Chamberland to get their ideas on the marker and a ceremony; also, to contact the local Civil War re-enactor group to see if they would like to make a presentation.

Old Business

G. Dib said that the July Celebration Committee had met last Friday, and donations have reached \$36,000, falling short of the \$40,000 goal. They decided to cancel the Springfield Symphony, and will search for other entertainment, such as a military band.

G. Dib noted that last year bushes had been planted as part of the Rt. 20 beautification project, and the bushes now appear to be dying. He suggested that whoever is in charge of maintaining them should be notified.

G. Dib received a phone call regarding a smoking area violation at Sturbridge Isle. J. Malloy said that it would be referred to the Board of Health.

H. White mentioned that the Board had discussed presenting an award to the Board of Health. J. Malloy said that he would schedule that.

H. White noted that the rate of development bylaw was voted down at Town Meeting, and asked what the Board should do to encourage the Planning Board to go forward with the process. A. Wilson suggested a charette, or forming a subcommittee to discuss it. C. Blanchard suggested getting more community involvement, and suggested expressing the Board's interest and concern about bringing it forward to modify it to address the rate of development issue.

D. Sosik asked about the status of repainting the crosswalks on Rt. 20. J. Malloy said that they are being repainted.

New Business

D. Sosik announced that there will be a casino meeting on Thursday, May 9th at the Senior Center.

A. Wilson asked the members of the Board to indicate their liaison preferences.

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MOTION: To authorize the Chairman to sign the proclamation for Evelyn Yates, by H. White.

2nd: C. Blanchard

Vote: All in favor.

MOTION: To authorize the Chairman to sign the proclamation for Richard Mangion, by H. White.

2nd: C. Blanchard

Vote: All in favor.

Ask the Selectmen

C. Blanchard received a call from a resident who wished to remain anonymous on TV, asking about the second proclamation.

C. Blanchard received a call from Kathleen Bonin, who said that her dog was attacked by a large black Labrador, while he was tied up outside. She felt that the Dog Officer should have been more helpful in dealing with the incident.

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

2nd: C. Blanchard

Roll call vote: All were in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date