

February 3, 2003

**BOARD OF SELECTMEN
MINUTES
FEBRUARY 3, 2003**

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. The Chairman called for a moment of silence in memory of those who lost their lives in the Columbia space shuttle disaster.

Approval of Minutes

MOTION: To approve the minutes of January 21, 2003 as amended, by C. Blanchard.

2nd: H. White

Vote: All in favor

MOTION: To approve the executive session minutes of January 21, 2003, to remain confidential, by C. Blanchard.

2nd: H. White

Vote: All in favor.

G. Dib arrived at 6:35 p.m.

Robert Cassim – Used Car Dealer Class II License

Robert Cassim submitted an application to open a used car dealership Class II at 29 Main Street, and appeared before the Board. The property is currently licensed to Calvin Carrington with a limit of 15 cars on the property at any one time. This is a pre-existing non-conforming use at the location. Tony's Auto Repair is currently operating at the site. J. Malloy informed the Board that Mark Lev had indicated that the establishment was already licensed for a Class II license.

C. Blanchard noted that at the present time there are more than 15 cars at the location. R. Cassim agreed to remove any cars that were over the limit set by the Board. A. Wilson suggested a continuation of the hearing for a

pre-existing non-conforming use with a 15 car maximum limit on the property, with a contingency that there be only one business on the property.

MOTION: To continue the hearing, requesting a plan of the property indicating where the cars would be stored and verification of what business will be there, and that it will be limited to 15 cars, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Sprint Spectrum – Cell Antennae on St. Anne’s Water Tower

Attorney Dan Finnegan appeared before the Board to represent Sprint. J. Malloy had received a list of several towns with contact persons from Sprint, and spoke to a few of them. He gave the Board a written reflection of the conversations (copy on file).

MOTION: To execute the bid to Sprint Communications for the St. Anne’s water tower, with the conditions that Sprint be required to remove any equipment necessary at times of routine maintenance to allow for painting or any other routine maintenance, and that the removal and reinstallation be at the sole cost of Sprint; and subject to Sprint obtaining right of access from St. Anne’s, by C. Blanchard

2nd: D. Sosik

Vote: All in favor

Hearthstone Inn – Change of Manager on Liquor License

Arthur Pappas of the Hearthstone Inn appeared before the Board. His residence was listed as York, Maine, but he explained that he will be relocating to the Sturbridge area very soon. He has been staying at the Hearthstone Inn three nights per week.

MOTION: To approve the change of manager for the Hearthstone Inn, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

Kenyon Oil Co. d/b/a Village Xtra-Mart – Common Victualler License

February 3, 2003

MOTION: To approve the Common Victualler License for Kenyon Oil Co., d/b/a Village Xtra-Mart, by C. Blanchard
2nd: H. White
Vote: All in favor

Shriners' Request

The Melha Shriners have requested permission to operate a carnival at the Center at Hobbs Brook Wal-Mart parking lot, as they had last year. The Chief of Police reported no instances of problems at last year's event.

MOTION: To approve the request of the Melha Shriners to hold a carnival at the WalMart property from May 8, 2003 through May 18, 2003 and allow them to set up on Monday, May 5th or Tuesday, May 6th, subject to police details as required by the Chief of Police, with the use of satisfactory sanitary facilities as directed by the Board of Health, and to list the Town as additional insured, by C. Blanchard
2nd: D. Sosik
Vote: All in favor.

Perkins-Coie

J. Malloy submitted to the Board the latest correspondence from the Bureau of Indian Affairs on the Nipmuc applications (copy on file). The Town has fully expended the amount originally planned to spend on legal services related to this issue. There is a balance of \$2,282.04 remaining in the account that was approved by Town Meeting. Since no funds have been used for a public relations campaign as originally discussed, Mr. Malloy requested that the Board consider using the funds to have Perkins-Coie continue to work on this issue on behalf of the Town. A. Wilson said that in the article that the Town had funded, there was no breakdown as to legal vs. marketing or public relations expenses, so the Board would be able to consider it. C. Blanchard expressed concern about not having anything left in reserve for other public relations needs. He suggested that the Board hold action until deciding what needs to be done. Finalization of the review will be done in March; the Board will probably receive it in July or August. A. Wilson suggested contacting Perkins-Coie for their input.

Perennials Restaurant- Common Victualler License

Rhonda Aspinall of Perennials Restaurant appeared before the Board. She said that the seating capacity is 30.

MOTION: To approve the Common Victualler License for ProChef Services, Inc., d/b/a Perennials Restaurant, by G. Dib.

2nd: H. White

Vote: All in favor

Big Alum Sewer Project

J. Malloy informed the Board that Jay O'Reilly of Tighe & Bond estimated a need to have \$342,000 for contingencies. There is approximately \$55,321 remaining in the budget after engineering and construction costs. Mr. Malloy recommended setting a contingency at \$500,000 and seeking the additional authorization at the Annual Town Meeting. His concern was based on the complexity of the job, and the possibility that costs can rise higher than estimated. He will provide the Board with a calculation of the actual costs for resident engineering, what was actual for all of the other projects, and what the engineer's estimates were, to illustrate his concern.

MOTION: To award the bid for the Big Alum Sewer Project to F & J Inc. as per their bid dated 1/16/03 for \$3,431,829, by D. Sosik.

2nd: C. Blanchard

Vote: All in favor.

IOD Injury

Officer Michael Couture sustained injuries in a house fire on Whittemore Road which required medical attention at Harrington Memorial Hospital.

MOTION: To approve the IOD request by Chief Button for Officer Michael Couture, by H. White

2nd: D. Sosik

Vote: All in favor.

Massachusetts Housing Partnership

J. Malloy submitted to the Board a letter from the Mass. Housing Partnership awarding the Town \$10,000 for technical assistance in reviewing the comprehensive permit application for Stallion Hill Village.

MOTION: To authorize Arnold Wilson as Chairman of the Board of Selectmen, to sign the acceptance for the technical assistance grant, by D. Sosik

February 3, 2003

2nd: H. White
Vote: All in favor.

Phase II Stormwater Regulations

Tighe & Bond submitted a proposal for complying with the EPA requirements for the Phase II Stormwater Program. Tighe & Bond provided the lowest price at \$13,400 compared to over \$25,000 from SEA Consultants and for Rizzo Associates.

MOTION: To award the bid for compliance with the EPA Phase II Stormwater Program to Tighe & Bond as per their proposal dated January 2, 2003, by C. Blanchard.

2nd: D. Sosik
Vote: All in favor.

Insurance Bids

Larry Joseph of Massamont Insurance (Metroguard) requested that the Town's insurance be put out to bid. The request was based on a discussion that L. Joseph had with J. Malloy when Mr. Malloy was estimating a large increase in Workers' Compensation and Property/Casualty Insurance in December. The FY04 insurance figures came in much lower than expected and include incentives to reduce the increase further through loss control programs. Mr. Malloy said that MIIA guarantees its price only if the Town does not go out to bid.

Larry Joseph appeared before the Board. He said that the Town could realize significant savings as a result of a competitive bid. H. White said that the Board should not agree to go out to bid until it has answers on whether it would affect the health insurance. It was the consensus of the Board to hold action until it receives an answer, and to take it up again on February 18th.

Sewer Connection Application Extension

Theresa Hamelin sent a letter to the Board requesting an extension for her parents at 5 Main Street (copy on file).

MOTION: To approve the sewer connection application extension for Hamelin at 5 Main Street until June 30, 2003, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

FY04 Wage Information

During the Saturday budget meeting, there was discussion regarding J. Malloy's proposal to provide a 4% wage increase across the board for all employees, including the Town Clerk. Mr. Malloy's point was that if the regular appointed employees who are subject to the merit-based wage increases were being asked to accept a reduction in the merit-based wage program, then it was equitable that this applied to the Town Clerk. He said that the Board needed to make a determination of what the Town's policy is regarding where employees are within the range that is set for each position. He provided the Board with an update of the proposed wage schedule that was included in the Personnel Committee Report, which clarified his position that it isn't fair to set a policy for appointed staff and then change it due to the fiscal problems in the state, and to maintain a policy for one elected person.

Mr. Malloy said that the Personnel Committee has reviewed the position descriptions a number of times and is comfortable with them. A. Wilson commented that the descriptions are thorough and reasonable.

MOTION: To approve the position descriptions as presented by the Personnel Committee and the Town Administrator, by D. Sosik.

2nd: G. Dib

Vote: All in favor.

J. Malloy said that every year 10 towns are surveyed to establish the grades and categories for each position, and each one has a point and a scale.

MOTION: To approve the revised Wage Scale and Grades as presented by the Personnel Committee and Town Administrator, to take FY04 minimums and compare them with the FY03 minimums and use the lower of the two in each case, by G. Dib.

2nd: C. Blanchard.

Vote: All in favor.

H. White expressed concern that there were 22 increases in grade over a 5-year period. He did not think that it was necessary to change the salary structure every year to attract, obtain and motivate good employees.

Housing Authority Resignations

Sidney and Lorraine Tyner submitted resignation letters from the Housing Authority. The openings will be added to the Spring General Election ballot. Janet Garon sent an email indicating that there will be no further Housing Authority meetings due to a lack of members.

Well #4 Bid Results

Tighe & Bond indicated that the lowest bidder was not fully responsive to the RFP, and recommended that the bid be awarded to the next lowest bidder.

MOTION: To award the bid to A & W Artesian Well for \$139,877.02 as per their bid, by D. Sosik.
2nd: C. Blanchard
Vote: All in favor.

Chapter 70 Funding Formula

J. Malloy attended a workshop hosted by the Town of Sandwich, one of two coalitions that were created (one in Framingham, one on the Cape) to address the inequitable treatment of towns under Chapter 70. Roger Hatch of the Dept. of Education was present, and discussed House Bill #34, which would rewrite the Chapter 70 funding formula and includes adjustment aid for towns such as Sturbridge. Through the combined efforts of the two coalitions, they will strive to continue to get this situation corrected through legislation.

Old Business

H. White spoke with George Berry regarding the grease problem at the Wastewater Treatment Plant. G. Berry and Paul Donahue developed a draft checklist involving the inspection of grease traps on a regular basis and a requirement that at license renewal time that the pumping records of grease traps be forwarded to the Board of Health. P. Donahue offered to have some of his employees assist in the initial inspections of the grease traps, and the restaurant inspector will also inspect the grease traps on his twice annual inspections.

H. White met with the Recreation Committee as a follow-up to their letter dated January 6, 2003. They would like to participate in the interview

process and make recommendations to the Town Administrator for his further action. J. Malloy agreed.

C. Blanchard said that if the Board of Health was the only office that issued landfill stickers, then the cable channel posting should be changed to reflect that.

C. Blanchard asked whether the Town is keeping track of who has completed the TIPS training required by the Town bylaw.

New Business

A. Wilson noted that the Board had endorsed the merit based pay system a number of years ago, and has not voted whether to abolish it.

MOTION: To continue the merit based pay system through FY04 and direct the Town Administrator to review and adjust the FY04 budget to reflect the policy and base the salary and wage increases for an average of 4%, by A. Wilson.

2nd: H. White

C. Blanchard indicated that he was not prepared to say that a 4% increase can be put into effect next year. He suggested that the Board deliberate the matter further. H. White said that to try to correct inequities by distributing merit increases would not accomplish what the Board would want to accomplish.

C. Blanchard noted that the Board has not discussed the full budget. J. Malloy said that when he attempted to make cuts on the budget, he cut it below the 4% level. When he met with Department Heads to discuss cuts, they felt that wages were cut too much, so he increased them, but did not think about implementing the merit based pay. He said that it might be premature to make a decision. He noted that it would be better to look at some of the other budget numbers and decide whether or not they create a need to cut in other places, and leave the wages for a final determination. H. White said that the Town is still competitive with private industry.

MOTION: To amend the motion to maintain the merit pay system, by H. White.

2nd: D. Sosik

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

The motion was defeated.

February 3, 2003

A.Wilson announced that the Quinebaug Shetucket Heritage Corridor announced that they would like to visit communities to discuss alternatives to development. The Planning Board is going to set up a date for them to meet in Sturbridge. He suggested that J. Malloy send out a memo inviting all boards and committees to attend.

A.Wilson announced that there are numerous boards and committees that need people to take out nomination papers and run for office.

Ask the Selectmen

C. Blanchard received a call from Scott Sanderson of Big Alum, asking for clarification of information on the grant and loan and additional money for the contingency. C. Blanchard explained that the loan is a percentage of the total, so it will be whatever the total approved project would be based on the certified project cost.

G. Dib received a call from Paul Perrault, who asked about the effect of state budget cuts on the Town budget. J. Malloy said that in FY03 Sturbridge will have a cut of \$71,500 which can be absorbed without any problems. The effect on FY04 is unknown at this time. MMA estimates that it will be roughly 20% of state aid next year.

MOTION: To adjourn, by H. White.

2nd: D. Sosik

Vote: All in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date