

April 7, 2003

**BOARD OF SELECTMEN
MINUTES
APRIL 7, 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.

A. Wilson presented G. Dib with a plaque in appreciation of his years of service to the Town as a Selectman.

Approval of Minutes

**MOTION: To approve the minutes of March 17, 2003 as amended, by
 C. Blanchard.**

2nd: H. White

Vote: Four in favor; G. Dib abstained.

**MOTION: To approve the executive session minutes of March 17,
 2003 as submitted, to remain confidential, by C.
 Blanchard.**

2nd: H. White

Vote: Four in favor; G. Dib abstained.

Robert Spain, Charter Communications

Robert Spain, Government Relations Manager of Charter Communications appeared before the Board to explain the recent rate increases. He noted that the cost of programming has gone up, Charter has purchased new equipment, hired new customer service representatives, and are in the process of hiring new technicians. Programming must be purchased from vendors, and the cost is passed on to customers. ESPN requires that they be provided in 90% of the homes that Charter services, or there is a penalty to pay. He said that Charter does what is in the best interest of their subscribers.

D. Sosik asked whether they conduct surveys to find out what their customers would like to have. R. Spain said that they constantly do marketing surveys, but people like various different channels. By law there must be a basic tier (such as ABC, CBS, PBS, local access stations, etc.). The next tier is expanded tier (including news channels, movie channels such as TNT, USA, etc.). Then there is the high definition TV tier, a digital product, and high speed internet service.

C. Blanchard said that most of the complaints have been about the basic tier cost increases. R. Spain said that the basic tier rate is regulated by the state, and this year it went down by 51 cents. Equipment rates are also regulated by the state. The expanded tier is where the programming costs have increased, up to \$47.50 per month. C. Blanchard pointed out that this level of service was under \$20 per month when service with Charter began.

Mike Loin – Water/Sewer Tie-in for 174 Charlton Road, AlSCO Corp.

Mike Loin of Bertin Engineering appeared before the Board. The Planning Board granted approval for the building expansion located at 174 Charlton Road, with the condition that the Board of Selectmen grants approval for use of sewer and water. J. Malloy said that this property was part of the Technology Park sewer project, and businesses had contributed to the project. A. Wilson asked whether they had worked with Greg Morse, DPW Director relative to the layout of the water/sewer lines and sizing. M. Loin said that G. Morse had reviewed the plans and they have been presented to site plan review. J. Malloy said that the property already has water and sewer available.

MOTION: To allow AlSCO to use the existing water and sewer tie in, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Hyland Orchard – Common Victualler License

Attorney Vincent Pusateri and Don Damon appeared before the Board. They have a concession window at Hyland Orchard & Brewery, and they would like to be able to sell items such as hot dogs, hamburgers and pancakes. The food service will meet Board of Health regulations.

MOTION: To approve the Common Victualler license for Hyland Orchard, by D. Sosik.

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

Casualty and Property Insurance

J. Malloy reviewed the insurance coverage proposals from MIIA and Metroguard, and said that he did not think that it would be in the best interest of the Town to switch insurance coverage at this time. He recommended that during FY04 the Town should engage a professional insurance advisor as a consultant to help to develop bid specifications, review proposals and make a recommendation to the Selectmen so that the Town could then make a commitment to a program for the next several years.

MOTION: To accept J. Malloy's recommendation and remain with MIIA for Casualty and Property Insurance at the current levels of insurance, by C. Blanchard.

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

Annual and Special Town Meeting Warrants

J. Malloy posted the Annual and Special Town Meeting warrants on the Town's website. The Finance Committee voted on the warrant articles, and the only vote that differs from the Selectmen's is Article #58 on the Special Town Meeting warrant: Submission for Special Legislation regarding granting betterment assessments after the six-month deadline. The Finance Committee thought that the article was too broad by not limiting the time in which the Selectmen would be able to grant abatements.

MOTION: To ask J. Malloy to draft a substitute motion that will allow proper legislation to be passed to grant the Leboeuf abatement as requested, and also in general grant an additional six months to the deadline for the Board of Selectmen to handle Dawn Toon's betterment assessment abatement request and anyone else's request that arises, by C. Blanchard.

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

Resignation

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MOTION: To accept the resignation of Rebecca Brogan as a Call Firefighter in the Sturbridge Fire Department, by D. Sosik.
2nd: C. Blanchard
Vote: All in favor.

Finance Committee Budget

J. Malloy submitted to the Board the final Finance Committee budget (copy on file.) He noted that there is a conflict between state law and town bylaws regarding who has the authority to set up town accounts; state law indicates that the Town Administrator would have that ability, but the Sturbridge General Bylaw indicates that the Finance Committee has the authority. C. Blanchard suggested that the Board vote on the line items as they had originally.

Police Dept. Salary Accounts – The bottom line is the same, but the line items are different.

MOTION: To place holds on the line items on Police Department salary accounts and return them to the Board of Selectmen's original votes, by C. Blanchard.
2nd: D. Sosik
Vote: All in favor.

C. Blanchard suggested adding footnotes regarding the original votes. J. Malloy said that the Finance Committee could add an appendix to their report.

Tantasqua Budget Accounts – The Finance Committee voted the high number provided by TRSD for the assessment, as well as the latest figures for the Transportation and Debt Assessment. It was the consensus of the Board to go along with the Finance Committee votes.

Road Construction – The Board agreed with the higher number of \$125,000.

Plumbing Inspector – The Board agreed to go with \$10,000.

Council on Aging – The Finance Committee had voted not to include the Community Resource Coordinator. Barbara Search informed the Board that it was voted unanimously in July to support this position, and she requested that it be continued since it is of great benefit to seniors. B. Search said that she does not make house calls, prepare information for

seniors and then do follow-up, which is time consuming. The Finance Committee has denied it, and it will take a substitute motion and a presentation to get it passed. C. Blanchard suggested that the Board wait to get more information on why the Finance Committee denied it. The Board agreed to hold action until April 22nd.

Historical Commission – The Finance Committee voted \$0 and the Selectmen voted \$250. C. Blanchard noted that they are meeting more often and should have an expense account. J. Malloy will contact them regarding a substitute motion.

Sewer Privilege Fees

MOTION: To set a sewer privilege fee for Joseph Overly for the property located at 148 Cedar Street in the amount of \$9,843.40 (the same amount for the Phase II Sewer Project) and direct the Finance Director to include the Sewer Privilege Fee on the FY04 tax bill, by C. Blanchard.

2nd: H. White

Vote: All in favor.

MOTION: To set a sewer privilege fee for Josephine Choinski for the property located at 6 Ridge Hill Road in the amount of \$10,985.51 (the same amount for the Phase III Sewer Project) and direct the Finance Director to include the Sewer Privilege Fee on the FY04 tax bill, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Sturbridge Little League Request

MOTION: To approve the use of the remaining \$2,264.10 in the SpecTran gift funds as requested in the letter from Brian McSweeney, President of the Sturbridge Little League, for the purpose of paying expenses related to construction of dugouts and/or a concession stand at the new recreation fields; the funds are not to be transferred to the Little League account, but expenses should be submitted to the town for payment up to the amount remaining in the account, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Water/Sewer Connections

J. Malloy informed the Board that since the expansion of the sewer system, there have been difficulties in managing new connections to ensure that everyone who connects is accounted for at the time of connection. The DPW does an inspection when the sewer pipe is connected through the foundation of a home and not when the connection from the home's plumbing is made to the sewer line. Follow-up confirmation has been inconsistent on the part of homeowners.

J. Malloy met with Barbara Barry, Finance Director, Greg Morse, DPW Director, Paul Donahue and Tracey Earnest from U.S. Filter to discuss improvements in all of the Town's procedures, and developed the following list:

- All sewer connection permit applications are going to be centralized. At this time, residents/contractors can obtain permits from DPW, Board of Health or Board of Selectmen's offices. In the future, permits will be available exclusively from the DPW.
- The timeframe will be shortened for billings from 60 days to 30 days for when the bills are due. The current 60 day timeframe usually extends into the following quarter for collections that require demands for non-payment. Shortening the timeframe would provide more time for collections and is not an unreasonable timeframe to pay the water and sewer bills.
- The time will be changed in which new sewer customers are charged sewer user fees from the date they inform the Town that they have connected the internal plumbing (which is the current practice) to the date the general inspection is completed and the sewer pipe is installed into the structure. A statement will be added to the bottom of the Sewer Connection Permit form to notify property owners of this change. This is being done because in some cases it has been months between the time that a house has utilized town sewer and the time the Town is notified, since there is no way for the DPW to know when they are connected. It will be reviewed again.

The Board of Selectmen felt that improved communications between the Plumbing Inspector and the Finance Director should be tried before going to that measure.

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J. Malloy said that he would try to improve communications with the Plumbing Inspector and the Finance Department so that the Finance Department is informed when there is a connection.

MOTION: That all sewer connection applications be handled by DPW only, and the timeframe be shortened to 30 days, by H. White.

2nd: D. Sosik

Vote: All in favor.

Miscellaneous

Lucent water/sewer use – The Board had previously discussed concerns over the variation of the readings for Lucent (OFS Fitel). J. Malloy spoke with Greg Morse regarding this matter and he said that he had been working with Bud Mastalerz at OFS Fitel on their billing. Mr. Malloy submitted to the Board a letter dated March 24, 2003 from G. Morse to Bud Mastalerz (copy on file) with Greg's review of the discrepancy.

Public Safety Committee – J. Malloy set up an internal Public Safety Committee to improve communications and coordinate services between the Police, Fire, Emergency Management and oversight of the Public Safety Complex. He submitted to the Board his handwritten notes of the first two meetings (copy on file), which have been successful in reviewing the communications system to address the dead spots around town as well as reviewing other items. The Fire Dept. and Police Dept. will apply for Homeland Security grants to pay the estimated costs of the communications improvements.

Former Howard Johnson's property – J. Malloy met with Craig Moran and Rep. Reed Hillman, and Mr. Moran indicated that he is interested in moving his business to that property. The Town will have to either re-zone the land or enter into a contract zoning arrangement; the Town owns abutting property across I84, which would allow contract zoning to permit the use in that area of town, zoned RR. A. Wilson recommended letting Mr. Moran take leadership in this matter, and to monitor the situation. C. Blanchard noted that it is for a specific use, and that contract zoning would be the best assurance that what is there will stay there.

Sturbridge Isle – J. Malloy met with two consultants working for Sturbridge Isle and Rep. Reed Hillman regarding Sturbridge Isle's interest in purchasing the remaining 26 acres in the median area in order to develop compatible businesses to their current establishment. They are looking to

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develop light warehouse and/or distribution facilities that would be consistent with the truck stop. For them to do this will require requests to both Mass. Highway and the Federal Highway Administration; before they move forward, they requested the Board's initial reaction to this type of proposal. The Board would be interested in hearing about the proposal to locate a distribution center there. C. Blanchard suggested reviewing the merits of what they plan to put there as to noise, etc.

Snow and Ice Overtime

MOTION: To approve \$5,000 deficit spending in Snow and Ice Overtime in Account #14231-51300, by D. Sosik.

2nd: C. Blanchard

Vote: All in favor.

Correspondence

Carol Childress, President, Opacum Land Trust, requested that the Town consider reimbursing the legal expenses incurred in obtaining an easement agreement for the Grand Trunk Trail.

MOTION: To reimburse legal expenses incurred in obtaining an easement agreement for the Grand Trunk Trail to Opacum Land Trust, and take \$750 from the Lucent fund, by D. Sosik.

2nd: A. Wilson

Vote: D. Sosik in favor; four opposed.

The motion was defeated.

H. White stated that it is bad policy to agree to pay the money after it has been spent. They should have consulted the Board earlier.

Old Business

C. Blanchard asked about the status of the Westwood Drive tie in. J. Malloy said that he had sent a memo to Larry Adams and Greg Morse to find out the status of the situation. L. Adams has been meeting with Andre Cormier and will update the Board.

D. Sosik informed the Board that the Chamber of Commerce has changed the arrow on the sign on Rt. 20 in front of Old Sturbridge Village.

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New Business

G. Dib thanked the Board for his plaque, and said that it has been a pleasure serving on the Board of Selectmen.

A.Wilson announced that the Planning Board will hold a hearing on the zoning articles on April 15th.

A.Wilson announced that the Town Election will be on April 14th and the Annual Town Meeting will be held on April 28th at Tantasqua High School auditorium.

A.Wilson said that the Wales Board of Selectmen has invited the Selectmen of the regional towns to attend a meeting on April 22nd to discuss the Tantasqua budget. It would be better that they reschedule the meeting so that representatives from all of the towns could attend.

Mike Loin and Attorney Robert George requested that the Board reconsider the application for water and sewer connections for the new development for Spaho Corporation. C. Blanchard recused himself from the Board at 8:30 p.m. They received state approval for the curb cut and there are additional percs on the lots. A.Wilson recommended that the Board take the request under advisement as to whether it be reconsidered. J. Malloy said that M. Loin was informed that unless new information was given to Greg Morse for his review, it would not be considered at the present meeting. It was the consensus of the Board to reconsider the request on April 22nd at 7:15 p.m. C. Blanchard rejoined the Board at 8:40 p.m.

Ask the Selectmen

There were no calls.

MOTION: To enter into executive session under MGL Chapter 39, §23B, Paragraph 6: To consider the purchase, exchange, taking, lease or value of real property, not to reconvene in open session, by G. Dib.

2nd: H. White

Roll call vote: All were in favor.

Respectfully submitted,

Judy Knowles

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BOS Clerk	Date
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