

July 21, 2003

**BOARD OF SELECTMEN  
MINUTES  
JULY 21, 2003**

Present:     Arnold Wilson, Chairman  
              Charles Blanchard  
              David Schmida  
              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.

**Approval of Minutes**

**MOTION:**   To approve the minutes of July 7, 2003 as amended, by D. Sosik.  
              **2<sup>nd</sup>:**   H. White  
              **Vote:** All in favor.

**Jaredot, Inc.**

Jeffrey and Kerry Walker appeared before the Board to request that the \$6,000 sewer permit fees be waived. They own Jaredot, Inc. which owns a mobile home park on Birch Street that was part of the Cedar Lake sewer project. The Board of Health went to court over the non-compliance of the septic system under Title 5 to compel the Walkers to connect the mobile home park to town sewer. After several court hearings, the Walkers were required by the District Court to connect to town sewer. When they attempted to connect on July 18<sup>th</sup>, they found that their original sewer connection permit (which was issued on September 6, 2000) had expired. For the seven mobile homes at 8 Birch Street, this results in an additional \$6,000 permit fee; the regular sewer connection fee is \$1,200, but per a vote of the Board of Selectmen, if a permit is taken out within 90 days of the completion of a sewer project, the permit fee is reduced to \$200. The permit is good for one year, at which time a property owner is required to pay the full fee if they have not connected.

K. Walker informed the Board that they are in the process of selling the property across the street from the mobile home park, and will then be able to pay their outstanding taxes. She said that DPW finally determined that they need four grinder pumps, after originally informing them that they

would need eight grinder pumps. They had difficulty obtaining a suitable contractor to perform the work before the ground froze.

H. White indicated that he would not be comfortable with voting at the present time regarding the outstanding tax issue without information from the Board of Health, Greg Morse and Tighe and Bond, and without reviewing the related correspondence.

George Berry, Chairman of the Board of Health, said that when town sewer was installed, the Walkers did not connect to it at the time; the Board of Health asked for a Title 5 inspection, but never received it, so they went to court. He said that Greg Morse had indicated that the pumps would be tested then shut down, since the fees have not been paid.

J. Malloy said that the court would like the town to find an acceptable receiver; if the Walkers do not comply with the court's order, the receiver would be responsible for paying back taxes and running the mobile home park.

**MOTION: To deny the request to waive the \$6,000 permit fee, by C. Blanchard.**

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

**Vote: All in favor.**

**MOTION: To allow Jaredot, Inc. to connect to the sewer system, conditional upon payment of \$6,000 by way of a cashier's check prior to any connection being made; to waive the Board's right to deny a permit based on outstanding taxes; to authorize the Town Administrator and the Finance Director to work out a payment plan for \$21,000 and other fees; and to acknowledge that the town is not waiving any of its collection rights, by H. White.**

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

**Vote: All in favor.**

### **Perennials Restaurant -- Liquor License**

Rhonda and Doug Aspinall appeared before the Board. J. Malloy informed the Board that Keith Kady of the ABCC indicated that when the ABCC reviewed the premises, they believed that the balcony was included in the liquor license. He said that a new public hearing and license application was not required, but that a corrected Form 43 should be submitted to the ABCC.

**MOTION:** To accept the modified Form 43, which includes the 350 sq. ft. patio, by C. Blanchard.

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

**Vote:** All in favor.

#### **Appointment/Resignation**

**MOTION:** To accept the resignation of Barbara Search from the Historical Commission, by D. Sosik.

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

**Vote:** All in favor.

**MOTION:** To recognize the Grand trunk Trail Committee and appoint Ed Calcutt and George Dib to represent the Town of Sturbridge, by D. Sosik.

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

**Vote:** All in favor.

#### **Grants**

**MOTION:** To approve the use of \$2,000 from the Town Administrator's matching grant account #11232-58000 for the DEM Fire Department Grant, by D. Sosik.

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

**Vote:** All in favor.

**MOTION:** To approve the use of \$1,098 from the Town Administrator's matching grant account #11232-58000 for the LLEBG (Local Law Enforcement Block Grant), by H. White.

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

**Vote:** All in favor.

#### **FY04 Budget & Special Town Meeting**

J. Malloy submitted to the Board the following documents (copies on file):

Budget Analysis of Revenue & Expenditures, developed by Barbara Barry, Finance Director and Bev Poirier, Asst. Assessor, which shows the current town budget with the state budget that has been approved (information provided by online Cherry Sheet Revenue Estimates from the DOR) show that the town is within its Proposition 2 ½ limit by \$25,564.

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House-Senate Conference Committee on Municipal Relief Major Highlights, including Local Option Early Retirement, License Fees and Fines, School Transportation Fees.

FY04 Mass. Dept. of Revenue Bulletin, which states that regional school districts are required to set a new assessment based on the final state aid figures for the school district and to recertify these amounts to the towns within the district. The new assessment will automatically take effect 45 days after July 1<sup>st</sup> (August 14<sup>th</sup>).

July 10, 2003 Recertification from TRSD.

Several Spreadsheets Regarding Town Finances, based on town and school department budgets, including Spreadsheet A, Town (Non-School) Growth, Town and School Spending Patterns, and New Growth.

C. Blanchard stressed the need to schedule a meeting with the School Committee, or the Board could meet with them at one of their meetings.

#### **New England Truck Stop**

**MOTION:** To accept the Town Administrator's recommendation and deposit \$2,034.75 for legal expenses into the General Fund and \$12,879.19 for expenses related to the Route 20 contamination into the Sewer Fund, by H. White.

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

**Vote:** All in favor.

#### **Senior Municipal Service Program**

**MOTION:** To approve the continued participation of Doris Veach in the Senior Municipal Service Program working for the Town Clerk, by D. Schmida.

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

**Vote:** All in favor.

#### **Chapter 90 Reimbursement**

**MOTION:** To authorize the Board of Selectmen to sign the Chapter 90 Reimbursement Request for \$4,664.00 and the final Chapter 90 report for FY03, by C. Blanchard.

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

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**Vote: All in favor.**

**Old Business**

A. Wilson said that the town is going to upgrade its voting machines. Lorraine Murawski, Town Clerk, is putting together some bid specs.

**New Business**

C. Blanchard noted that there was an ad in the newspaper about a pizza establishment in Southbridge that is delivering beer and wine; he asked whether that could be done in Sturbridge. Judy Knowles will contact the ABCC to see if that would be allowed.

**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 D. Schmida.**

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

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

Respectfully submitted,

Judy Knowles

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BOS Clerk

Date