

February 17, 2004

**BOARD OF SELECTMEN
MINUTES
FEBRUARY 17, 2004**

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

H. White made a correction to page 2 of the minutes of February 2nd, as follows: Regarding 2.3, H. White noted that those capital improvements for which the lessee expects to be reimbursed upon sale of real estate should be approved in advance. Some improvements could be made for the benefit of the tenant and should be identified as being reimbursable or non-reimbursable. It was the consensus of the Board to add that to the lease. J. Malloy informed the Board that Town Counsel opined that the Town could not do that, so it was not contained in the final agreement.

MOTION: To approve the minutes of February 2, 2004 as amended, by D. Sosik.

2nd: H. White

Vote: All in favor.

MOTION: To approve the executive session minutes of February 2, 2004 as amended, to remain confidential, by D. Sosik.

2nd: H. White

Vote: All in favor.

Department Head Monthly Reports

Police Chief Thomas Button read his report to the Board (copy on file). Comparing statistics, he noted that there has been an increase in activity over last year. The Sturbridge Police Dept. was awarded \$8,859 from the Commonwealth of Mass. for homeland security training; \$12,000 Community Policing Grant; \$1,500 from MIIA for driver training through the Loss Control Grant.

February 17, 2004

Officer Obuchowski, Sgt. Ford and Varus, Sgt. Lavalley, Officer Desplaines and Officer Blanchard were commended for their actions which led to the arrest of an individual who had committed numerous breaks into businesses in the area.

Fire Chief Leonard Senecal read his report to the Board (copy on file). Ambulance #1 was involved in an accident, and the damage incurred was quite extensive. The replacement value of the ambulance is \$125,000. The adjuster from MIIA inspected the vehicle the day after the accident. Chief Senecal will keep the Board informed. The Safety Committee will review the accident.

D. Sosik congratulated the Fire Dept. on the letters from Clayton Carlisle, Town of Southbridge and Linda Collette, Brimfield Ambulance Service, commending them for their exceptional service and assistance.

J. Malloy read the Building Inspector's monthly report to the Board (copy on file).

Greg Morse, DPW Director read his report to the Board (copy on file). There was a frozen pipe in the well house at well #2/5 that made it necessary to use well #1 for a period, and there was also a frozen pipe at Town Hall. The furnace at the Lions Club building malfunctioned, resulting in frozen and burst pipes, and the DPW removed water from the flooded floor.

One of the DPW employees fell off a sander and caught his wrist on the cover, resulting in an injury which will require surgery, recuperation and physical therapy. He will return to work in September.

Paul Donahue of U.S. Filter/Veolia Water North America, Inc. read his report to the Board (copy on file). C. Blanchard asked about sludge disposal options. P. Donahue said that J. Malloy and G. Morse were looking into final dollar amounts for their budgets. J. Malloy said that the budgets will include projected costs for any change orders. C. Blanchard said that if the Town does go with off site sludge handling, it should be considered whether or not the Town should do its own dewatering.

C. Blanchard said that there has been ongoing repair and maintenance of grinder pumps. P. Donahue said that it is best financially to continue to handle the situation the way it is being handled now. A. Wilson noted that a letter had been sent out to the residents who have grinder pumps, asking that they not flush various items. He suggested that the Board adopt a policy that if a grinder pump is damaged a certain number of times, the homeowner must pay for repair or replacement.

Senior Municipal Service Program

February 17, 2004

MOTION: To approve Gerald Blake's participation in the Senior Municipal Service program, working for the Senior Center, by C. Blanchard.

2nd: D. Sosik

A question was raised about work at the Senior Center. It was the consensus of the Board to hold action on Gerald Blake's role. C. Blanchard withdrew his motion; D. Sosik withdrew her second.

Cooperative Trail Agreement

MOTION: To authorize the Town Administrator to execute the cooperative trail agreement between the Town of Sturbridge and Opacum Land Trust, by D. Sosik.

2nd: H. White

Vote: All in favor.

Cedar Street Restaurant – Transfer of Liquor License

A. Wilson opened the public hearing. William Nemeroff appeared before the Board. The application was in order.

MOTION To approve the Transfer of License from David Vadenais to William Nemeroff d/b/a The Cedar Street Restaurant, by C. Blanchard.

2nd: D. Sosik.

Vote: All in favor.

MOTION: To close the public hearing, by H. White.

2nd: D. Sosik

Vote: All in favor.

TRSD – Sturbridge Services

J. Malloy quantified some of the services that Sturbridge presently provides to the regional school district.

- He submitted to the Board a listing and opinion from Town Counsel (copy on file; confidential) regarding the sewer privilege fee.
- He informed the Board that at the end of February, the School Resource Officer grant expires, and the Town of Sturbridge will be paying the full cost of the SRO. J. Malloy and Chief Button have agreed to recommend that the SRO should continue working on any existing programs or projects for the current fiscal year, but that he would only work on these projects at the regional school district, unless some arrangements were made with TRSD for the Town of Sturbridge to be reimbursed. He will

- continue programs at Burgess Elementary School without interruption, but will otherwise be working regular shifts in the Police Department.
- Ownership of the pump station at TRSD High School has not been transferred to the Town of Sturbridge. J. Malloy recommended that the Town of Sturbridge not accept ownership of the pump station and submit past electric bills to TRSD for reimbursement. On behalf of the Town, U.S. Filter has been providing maintenance and inspection of the pump station on a daily basis as required, which is one of the reasons given by U.S. Filter for seeking the current contract amendments, since the additional work is not included in the RFP. Mr. Malloy asked Roy Wood to quantify the value of this work, which he estimates at \$60 per hour, 365 days per year, plus materials required for maintenance. Mr. Malloy suggested that the Board request that TRSD contract separately for this work or reimburse the Town of Sturbridge the amount of \$21,600 (\$60 x 365) for providing this service.
 - The Town has not billed TRSD for false alarm charges, but this has become a problem, and the Chief has prepared a bill as per the Town's Bylaws for \$850 that will be submitted to TRSD.

C. Blanchard suggested a comprehensive review of all of the issues. He noted that more than 40% of the students are from Sturbridge. He suggested reviewing each item that Sturbridge provides and establishing costs for reimbursement. J. Malloy said that he would put together a comprehensive report for the Board.

Broad Arrow Forestry – Logging Permit

Roger Plourde appeared before the Board. The application was in order.

Bill Kenyon, 39 Bennetts Road, asked about the access road for the logging. R. Plourde said that they would access the property on Route 15; there would be no access on Bennetts Road. B. Kenyon informed the Board that there is an access road halfway up the hill where dumping is being done, and requested that it be blocked off. H. White suggested that he inform the Board of Health of the problem, and they will contact the property owner.

Tom Chamberland, 25 Bennetts Road, asked about the notification process to abutters. R. Plourde said that the requirement is to notify abutters within 200 feet on the cutting area.

MOTION: To approve the Forest Harvesting permit for Broad Arrow Forestry for the property owned by Secured Financial Corp. on Route 15, subject to the conditions recommended by the DPW Director and Conservation Commission, by C. Blanchard.

2nd: H. White

Vote: All in favor.

February 17, 2004

MOTION: To close the public hearing, by H. White.
2nd: C. Blanchard
Vote: All in favor.

Yankee Spirits – Change of Manager on Liquor License

Daniel Demuth appeared before the Board. The application was in order.

MOTION: To approve the Change of Manager to Daniel Demuth for Yankee Spirits, by D. Sosik.
2nd: H. White
Vote: All in favor.

Building Inspector Appointment

Jeffrey Bonja appeared before the Board. He will have 18 months to obtain the required certifications.

MOTION: To confirm the Town Administrator's appointment of Jeffrey Bonja as the Sturbridge Building Inspector with an effective date of February 23, 2004 at a salary of \$47,000 and three weeks vacation time, by D. Schmida.
2nd: H. White

MOTION: To amend the motion: that vacation time be reduced to two weeks, by A. Wilson.
2nd: C. Blanchard
Vote: All in favor.

Vote: All in favor.

Town Meeting Warrant

J. Malloy submitted to the Board a draft of the Town Meeting Warrant (copy on file). A. Wilson asked the Board if they wanted to sponsor an article to change the charter, regarding their role as water and sewer commissioners. It was the consensus of the Board to add it to the warrant. Regarding the Community Preservation Committee, he asked whether the voted funds should be left in place, or to rescind the action. For the Special Town Meeting, he asked if the Nipmuc Nation is recognized and decides to proceed with a casino, should the Board want money to hire an attorney to oppose it.

The warrant will be closed on March 1st.

Outstanding Budget Items

February 17, 2004

- **Board of Assessors – Purchase of Services**

MOTION: To approve the \$8,000 for the interim revaluation, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

- **Planning Dept. – Purchase of Services**

MOTION: To approve \$2,300 for the GIS system, by C. Blanchard.

2nd: H. White

Vote: All in favor.

- **ZBA Budget**

MOTION: To approve \$9,581 for the Planning Board Salaries/Wages and \$4,106 for the ZBA Salaries/Wages, by H. White.

2nd: C. Blanchard

Vote: Four in favor; A. Wilson opposed.

- **Building Custodian**

It was the consensus of the Board to hold action on this item until after the bid results are in.

- **Building Inspector Salary**

MOTION: To approve the Building Inspector salary at \$47,000, by H. White.

2nd: C. Blanchard

Vote: All in favor.

Old Business

D. Sosik noted that the status of the Burgess gate has not changed. J. Malloy will contact the Superintendent or John DeStefano to find out if they have reviewed it.

A. Wilson will give the Board a summary in writing relative to his meeting with department heads. J. Malloy said that a lot of the employees would like ongoing dialogue with him, and he could meet with them on a quarterly basis. He said that he has received good feedback from employees, and no direct negative feedback.

New Business

C. Blanchard asked about the status of the HVAC system at the Public Safety Complex. J. Malloy said that there was a study that was to be done, and Chief Senecal is keeping an eye on the situation.

February 17, 2004

A.Wilson announced that the first Open Space and Community Planning Workshop was held at Town Hall to address the economic value of open space protection. It was sponsored by the Planning Board and the Green Valley Institute.

A.Wilson announced that Planning for Our Future the Smart Way will be held on April 13th at 7:00 p.m. at Town Hall.

A.Wilson announced that Developing Alternatives in Conserving Open Space will be held on May 11th at 7:00 p.m. at Town Hall.

A.Wilson asked the Board to consider revoking the sewer permit for Spaho Corporation, because they presented a subdivision with 15 lots on water and sewer and five lots on septic, and it was not the intention of the Board to allow 20 lots.

Ask the Selectmen

H. White received a call from David Layman, who said that the acoustics were not very good when the guests did not speak into the microphone.

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 D. Schmida.

2nd: H. White

Roll call vote: All were in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date