

March 1, 2004

**BOARD OF SELECTMEN
MINUTES
MARCH 1, 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

MOTION: To approve the minutes of February 17, 2004 as amended,
 by C. Blanchard
 2nd: H. White
 Vote: All in favor.

MOTION: To approve the executive session minutes of February 17,
 to remain confidential, by C. Blanchard.
 2nd: H. White
 Vote: All in favor.

Native American Hardwood Corp. – Logging Permit

D. Schmida read the legal notice for the public hearing into the record (copy on file). A. Wilson declared the public hearing to be open. George King appeared before the Board. The forestry application for property on Arnold Road owned by Arthur Batson was complete.

MOTION: To approve the forestry permit for Arthur Batson's
 property as proposed by Native American Hardwood
 Corp., subject to recommendations by the Conservation
 Commission and DPW, by H. White.
 2nd: D. Schmida
 Vote: Four in favor; D. Sosik abstained.

MOTION: To close the public hearing, by H. White.
 2nd: D. Schmida
 Vote: Four in favor; D. Sosik abstained.

Town Meeting Warrant

J. Malloy submitted to the Board the revised Annual Town Meeting warrant (copy on file). The Special Town Meeting warrant was not ready because Mr. Malloy is waiting for final figures from the Fire Chief regarding wages. A. Wilson said that the goal is to close the warrant on March 15th.

Alcohol Compliance Checks

The Police Department conducted alcohol compliance checks on February 19, 2004; the only violation was at the Sturbridge Bistro, where an underage person was served alcohol. It was the consensus of the Board to schedule an administrative hearing for the Sturbridge Bistro.

Appointments

MOTION: To confirm the Town Administrator's appointment of Mary White to the Historical Commission, by D. Sosik.

2nd: C. Blanchard

Vote: Four in favor; H. White abstained.

MOTION: To confirm the Town Administrator's appointment of Mary Murray as Ambulance Billing & Accounting Clerk at a starting rate of \$13.50 per hour, with a starting date of March 5, 2004, by H. White.

2nd: D. Schmida

Vote: All in favor.

Fire Department IOD Request

MOTION: To approve the IOD claims of Robert Wright and Matthew Roderick as provided in MGL Ch. 41, §111F in regard to the ambulance accident on February 3, 2004, by D. Sosik.

2nd: C. Blanchard

Vote: All in favor.

Tighe & Bond Contract Amendment

MOTION: To approve Contract Amendment #1 between the Town of Sturbridge and Tighe & Bond in the amount of \$6,400 for items (1) and (2) identified in the 2/13/04 correspondence from Omer Dumais and to authorize the Town

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Administrator to execute said contract amendment, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

J. Malloy read an email from Michael Zylich of Tighe & Bond dated February 26, 2004 into the record (copy on file) regarding the Sturbridge pump test report.

Correspondence

Alex and Michael Pifer had sent a letter giving the Town permission to move the rock at the entrance of Country Village. It was the consensus of the Board to contact Greg Morse about moving the rock.

Old Business

H. White asked about the status of the Spaho Corp subdivision. J. Malloy said that he has asked Town Counsel about it, and is waiting for a response. He noted that the Sewer Service Area Bylaw permits the Board of Selectmen to review connections to more than a single lot. A. Wilson said that Spaho Corp. presented a proposal to Site Plan Review for 21 lots on water and sewer; the Board had agreed to grant 15 tie-ins with the understanding that the remaining lots would be undeveloped. It was the consensus of the Board to review the matter after hearing from Town Counsel.

A. Wilson said that J. Malloy had drafted a letter clarifying the letter that was sent to Kathleen Reynolds relative to the actions that the Board of Selectmen may take (copy on file). C. Blanchard noted that the Dept. of Education's verbal opinion is in conflict with how the Board interprets the regional agreement. He suggested that the last sentence be clarified. H. White suggested: "Sturbridge continues to await the DOE's written opinion and should it be necessary, will take appropriate legal action to seek enforcement of the regional school agreement."

Library Board of Trustees

Douglas Quigley appeared before the Board on behalf of the Library Board of Trustees to discuss the salary of Ellie Chesebrough, Library Director. He noted that the library is well run, and heavily used by the public, with the number of library card holders increasing every year. He said that the Library Director is responsible for applying for grants and other funds, and

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is successful at doing so. The Library Board of Trustees is very happy with her performance and what she has done for the library.

Old Business

A.Wilson noted that there was an article in the Southbridge Evening News relative to the potential of recognition for the Nipmuc Indians, and their wish to build a casino. He said that the BIA must reach a decision by May 1, 2004. He suggested that money be available for legal expenses.

New Business

C. Blanchard said that an RFP was sent out regarding Burgess Elementary School, and 22 proposals were received. Seven architects were interviewed, and the Committee chose DRA Architects. The work will include a demographic analysis and projection report, and the study should be completed in late summer or early fall.

A.Wilson announced that on Thursday, March 4, 2004 at 7:00 p.m. Burgess will hold a public hearing on their budget.

A.Wilson announced that the next open space workshop will be held on March 9, 2004 at Town Hall, sponsored by the Planning Board and the Green Valley Institute. It will be entitled, "Economic Benefits of Preserving Open Space – How Saving Land Relates to Local Taxes."

Budget

Town Administrator's Salary

MOTION: To approve \$86,005 (3% increase) for the Town Administrator's Salary, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Merit Based Incentive

MOTION: To approve an increase to \$14,561, by C. Blanchard.

2nd: D. Sosik

H. White suggested adding \$1,027 to line #8 for the purpose of providing additional bonus pay for Ellie Chesebrough, to be included in the pool. C. Blanchard withdrew his motion; D. Sosik withdrew her second.

MOTION: To approve \$15,588 for Merit Based Incentive, by H. White.

2nd: C. Blanchard

Vote: All in favor.

Building Inspector's Salary

MOTION: To approve \$48,410 for the Building Inspector's Salary, by H. White.

2nd: D. Schmida

Vote: All in favor.

Annual Town Meeting Warrant

Article #1 – Town Reports

MOTION: To place and recommend approval of Article #1, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #2 – Utilization of Free Cash

MOTION: To place and recommend approval of Article #2, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #3 – Town Budget

MOTION: To place and recommend approval of Article #3, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #4 – Water Department

MOTION: To place and recommend approval of Article #4, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #5 – Sewer Department

MOTION: To place Article #5 on the warrant, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #6 – Debt Payment on Sewer Projects

MOTION: To place and recommend approval of Article #6, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

Article #7 – Debt Issuance – Route 131 Sidewalk Design

MOTION: To place and recommend approval of Article #7, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #8 – Debt Issuance – Center School & Town Hall Renovation

MOTION: Not to place Article #8 on the warrant, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #9 – Town Charter Amendment

MOTION: To place and recommend approval of Article #9, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #10 – Town Meeting Requirements

H. White recommended extending 1.07 (a) requirements for the Planning Board to the end of January.

MOTION: To place and recommend approval of Article #10, with the adjustment to the requirements for the Planning Board, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

Article #11 – Building Numbering

J. Malloy suggested adding a penalty for offenses under 7.72

Enforcement: First offense, a warning; subsequent offenses a \$20 fine.

MOTION: To place and recommend approval of Article #11, with the addition of a penalty for offenses, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

Article #12 – Scenic Roads Designation

MOTION: To place Article #12 on the warrant, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #13 – Community Preservation Report

MOTION: To place Article #13 on the warrant, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #14 – Community Preservation – Property Appraisals

MOTION: To place Article #14 on the warrant, by C. Blanchard.

2nd: D. Sosik

Vote: All in favor.

Article #15 – Community Preservation – Historic Preservation

MOTION: To place Article #15 on the warrant, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #16 – Recreation Revolving Fund

MOTION: To place and recommend approval of Article #16, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #17 – Hazmat Cleanup Revolving Fund

MOTION: To place and recommend approval of Article #17, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #18 – Library Revolving Fund

MOTION: To place and recommend approval of Article #18, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #19 – Senior Center Revolving Fund

MOTION: To place and recommend approval of Article #19, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #20 – Planning Dept. Revolving Fund

MOTION: To place and recommend approval of Article #20, by C. Blanchard.

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

Articles #21, #22, #23 – Creation of Ambulance Stabilization Account, Transfer from Ambulance Revolving Fund, Ambulance Stabilization Fund

MOTION: To place and recommend approval of Articles #21, #22 and #23, by C. Blanchard.

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

Article #24 – Cemetery Wall Construction

MOTION: To place and recommend approval of Article #24, by C. Blanchard.

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

Article #25 – Municipal Waterway Improvement Appropriation

MOTION: To place and recommend approval of Article #25, by C. Blanchard.

2nd: H. White
Vote: Four in favor; A. Wilson opposed.

Article #26 – Sturbridge Area Tourist Association

MOTION: To place and recommend approval of Article #26, by C. Blanchard.

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

Article #27 – Betterment Committee

MOTION: To place and recommend approval of Article #27, by C. Blanchard.

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

Article #28 – Capital Improvement Plan

MOTION: To place Article #28 on the warrant, by C. Blanchard.

2nd: H. White
Vote: All in favor

Article #29 – Street Lighting

MOTION: To place and recommend approval of Article #29, by C. Blanchard.

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

Article #30 – Acceptance of MGL Ch. 40, §8G

MOTION: To place and recommend approval of Article #30, by C. Blanchard.

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

Article #31 – Acceptance of MGL Ch. 40, §22F

MOTION: To place and recommend approval of Article #31, by C. Blanchard.

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

Article #32 – Wireless Communications Overlay District Map

MOTION: To place Article #32 on the warrant, by C. Blanchard.

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

Article #33 – Animal Leashing and Restraint

MOTION: To place and recommend approval of Article #33, by C. Blanchard.

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

Article #34 – Wireless Communications Overlay Map Addition

MOTION: To place Article #34 on the warrant, to include wording from Town Counsel, by C. Blanchard.

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

8 Brookfield Road

J. Malloy suggested that the Board approve the use of the \$6,506.05 reimbursement from MIIA, which was formerly intended to cover carpeting replacement at 8 Brookfield Road, to instead put it toward installation of hardwood flooring at that location.

MOTION: That the \$6,506.05 from MIIA for carpeting replacement at 8 Brookfield Road be used instead to offset the cost of flooring in the building, by D. Sosik.

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MOTION: To place the \$6,506.05 into the Town's General Fund, by H. White.

2nd: D. Schmida

Vote: Four in favor; D. Sosik opposed.

Ask the Selectmen

H. White received a call from Kevin Mongeon, who asked about the status of his suggestion regarding the installation of lights and guardrails on Wallace Road. J. Malloy said that the matter had been referred to the Traffic Safety Committee and Street Light Committee. H. White said that Kevin Mongeon also indicated that he had given a street map to J. Malloy with recommended placement of signs. J. Malloy said that he had given it to the Traffic Safety Committee.

MOTION: To adjourn, by H. White.

2nd: C. Blanchard

Vote: All in favor.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date