

March 15, 2004

**BOARD OF SELECTMEN
MINUTES
MARCH 15, 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 March 1, 2004 as corrected, by
 C. Blanchard.
 2nd: H. White
 Vote: All in favor.**

Sturbridge Bistro – Administrative Hearing

Police Chief Thomas Button, Officer Joseph Lombardi and Officer Paul Newsham appeared before the Board. Chief Button explained that the Police Department had conducted alcohol compliance checks on February 19, 2004, during which a waitress at the Sturbridge Bistro served a beer to an underage person. Officer Lombardi said that the incident had taken place at 6:34 p.m. The waitress did not ask for an ID, nor did she ask the buyer how old he was.

Michael Swistak, one of the owners of the Sturbridge Bistro, appeared before the Board. He expressed regret over the incident, and explained that the waitress had mistakenly thought the buyer was someone whose ID she had checked in the Bistro two days earlier at a family reunion.

**MOTION: To suspend the Sturbridge Bistro's liquor license for one
 day, on March 18, 2004; that a sign be posted on the
 premises indicating "No alcohol sales allowed per order
 of the Board of Selectmen. License suspended for one
 day due to sale to minor" by C. Blanchard.
 2nd: H. White
 Vote: All in favor.**

Sewer Budget

J. Malloy informed the Board that he had met with Paul Donahue and Roy Wood of Veolia Water before the meeting to discuss the liquid waste issue, and their ability to compile the records regarding maintenance work. R. Wood said that the E-1 pumps are only part of the issue; there are 250 start-ups to do. The pump failure rate is about 10 per year. The turnaround time for repair is about four months when they are sent out for service. He said that it would be much better to service them on site, which would eliminate shipping costs, and save time.

C. Blanchard asked about the number of hours that the mechanic would dedicate to servicing the E-1 pumps. R. Wood said that half of the mechanic's time would be spent servicing the pumps, which would free the operators to perform checks at the new pumping stations. The average operator's rate is \$16-\$18/hour; the average mechanic's rate is \$20-\$22/hour.

R. Wood said that he had analyzed and updated the budget. He indicated that there are paybacks to the Town with liquid hauling, since chemicals would not be used. He said that the cake process would produce odors, since adding lime to sludge produces ammonia. The net cost on liquid hauling would be \$80,000/year. C. Blanchard suggested that R. Wood put the details together in a breakdown format so that the information is easy to find. R. Wood suggested leaving the option of putting cake sludge into the landfill open.

C. Blanchard suggested making an analysis of where the man hours are to be used, and benefits of the changeover. It was the consensus of the Board to prepare a budget and warrant article including trucking of the material off site and projection of the landfill capacity, with calculations.

Custodial RFP

MOTION: To award the cleaning bid to M & M Cleaning for \$24,882 effective July 1, 2004, by H. White.

2nd: D. Sosik

Vote: All in favor.

Budget Issues

MOTION: To approve the following budget line items:

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11932-52000	Town Hall Purchase of Services	\$ 4,225
11962-52000	Library Purchase of Services	\$ 6,866
11962-62000	Safety Complex Purchase of Services	\$13,791

and to eliminate line item 11932-51160 Building Custodian Salary/Wages, by D. Sosik.

2nd: H. White

Vote: All in favor.

Police & Fire Accident Insurance --

MOTION: To go with Provident at \$1,000/week, \$18,608 premium, by C. Blanchard.

2nd: H. White

Vote: Four in favor; A. Wilson opposed.

Town Administrator's Merit Based Incentive Account --

MOTION: To go with \$13,873 for merit based incentive account for all non-exempt employees, by H. White.

2nd: D. Schmida

The motion was amended: To place the amount of \$14,000 in the Town Administrator's Merit Based Incentive Account for all non-exempt employees, and that number not be tied to any individual amount, by H. White.

2nd: D. Schmida

Vote: All in favor.

A. Wilson suggested increasing the number of hours in the Planning Department budget by 42 hours, to bring Nancy Campbell up to full-time employee status.

MOTION: To add \$553 to the Planning Department Salary and Wage account to make Nancy Campbell a full-time employee, by A. Wilson.

2nd: D. Sosik

C. Blanchard noted that N. Campbell is also working for the Board of Health and Building Inspector, and asked whether it would comply with the Fair Labor Standards Act. J. Malloy said that she helped the Board of Health put together their website, and typed a few letters for the Building Inspector. She will not work over 40 hours/week. C. Blanchard said that 168 benefit hours must be added into the budget. J. Malloy said that she will take her vacation time when working for the Town Clerk. C. Blanchard said that there will be 1778 work hours to be divided among the Town

Clerk, Planning Board and ZBA; he suggested adding 30-50 hours of overtime to the budget.

Vote: Four in favor; C. Blanchard opposed.

J. Malloy informed the Board that the Finance Committee added \$500 to the Recreation Purchase of Services Account to pay for one additional (three total) porta-potty at the recreation fields.

MOTION: To add \$500 to the Recreation Purchase of Services Account to pay for one additional porta-potty at the recreation fields, by H. White.

2nd: D. Schmida

Vote: All in favor.

MOTION: To reduce short-term interest to \$0, by H. White.

2nd: D. Schmida

Vote: All in favor.

Seasonal Liquor License Renewals

MOTION: To approve the Seasonal Liquor Licenses for Hemlock Ridge Golf Course and Yogi Bear's Jellystone Park, by D. Sosik.

2nd: D. Schmida

Vote: All in favor.

Town Meeting Issues

J. Malloy submitted to the Board the Capital Planning Committee Report for FY05 – 09 (copy on file). He also provided them with a spreadsheet from Jean Joel, Town Accountant, of the Community Preservation Act accounts.

J. Malloy recommended that the following article be inserted into the Special Town Meeting warrant:

To see if the Town will appropriate \$39,916.64 from the Insurance Proceeds Account #24890 for the purpose of paying the cost to repair the accident damage caused to the Town's ambulance; or take any action in relation thereto.

Fire Truck

MOTION: To award the Fire Truck bid to Greenwood Fire Apparatus, Inc. in the amount of \$269,500 for an E-One Commercial 4 X 4 pumper truck, as per their bid dated 2/3/04, by D. Schmida.

2nd: H. White

Vote: All in favor.

Resignation

MOTION: To accept with regret the resignation of Marie Belisle from the Community Preservation Committee, by D. Sosik.

2nd: D. Schmida

Vote: All in favor.

J. Malloy noted that John Ouelette has taken her place on the CPC.

Request to connect to Town Sewer

J. Malloy submitted to the Board a letter from Charles Olson (copy on file) on McGilpin Road asking to connect to town sewer. Greg Morse, DPW Director, will review it and provide a recommendation prior to March 31st so that the Board can take it up at the April 5, 2004 Selectmen's meeting. H. White asked about the number of requests to tie into the sewer system. J. Malloy will look into it.

Town Administrator's Matching Grant Account

MOTION: To approve the use of \$18.50 from the Town Administrator's Matching Grant Account #11232-58000 for the purpose of paying the local match on the EOTC/MARTAP Grant, by D. Sosik.

2nd: C. Blanchard

Vote: All in favor.

Designer Selection Process

MOTION: To approve the Design Selection Procedures dated March 15, 2004, by D. Sosik.

2nd: H. White

Vote: All in favor.

A.Wilson suggested that it be brought up at the next Building Study Committee meeting.

Water Bills

J. Malloy submitted to the Board a letter from Theresa Kronfeld, along with her water bill that showed usage of 56,810 cu. ft. during the past quarter. Since the property has been built, the owners have received a “minimum bill” due to low water usage. The Water Dept. read their meter on a daily basis for a week, and there was no extraordinary water usage. While the meter reading was correct, it did not seem plausible that the property owner used that volume of water.

A.Wilson requested verification that there is an outside tap with an inside shut off valve at the Kronfeld house, and whether they shut off the inside valve when they leave for a length of time. C. Blanchard suggested checking the meter, testing it for error, and replacing it, and getting copies of all of the readings for the past year. It was the consensus of the Board to hold action until the next meeting.

Arnold Road Widening

J. Malloy submitted to the Board the approval for the widening of Arnold Road. He informed Larry Adams, Town Planner of this, and he was to contact the builder and provide him with a copy of the approval.

Special Town Meeting Warrant

Article #36 – First Night Transfer to Maple Days

C. Blanchard noted that Maple Days is not a community event, but an advertising promotion in the community, which should come out of their advertising budget. He suggested inviting Bob Chartier of the Tri-Community Chamber of Commerce to meet with the Board to review their plans. J. Malloy said that Bob Chartier is scheduled to meet with the Board on April 5th.

MOTION: To place Article #36 on the warrant, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #37 – Town Counsel

MOTION: To place Article #37 on the warrant and recommend approval, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #38 – Fire Department Wages

MOTION: To place Article #38 on the warrant and recommend approval, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #39 – Sewer Privilege Fees

MOTION: To place Article #39 on the warrant and recommend approval, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #40 – Insurance Proceed Appropriation – Ambulance Repairs

MOTION: To place Article #40 on the warrant and recommend approval, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Article #41 – Tantasqua Study Committee

MOTION: To place Article #41 on the warrant and recommend approval, by C. Blanchard.

2nd: D. Schmida

Vote: All in favor.

Article #42 – Town Clerk Transfer of Funds

C. Blanchard requested more information on the cost of operating the machines.

MOTION: To place Article #42 on the warrant, by H. White.

2nd: D. Schmida

Vote: All in favor.

MOTION: To close the Special Town Meeting warrant, by H. White.

2nd: C. Blanchard

Vote: All in favor.

Annual Town Meeting Warrant

Article #28 – Capital Improvement Plan

MOTION: To place Article #28 on the warrant and recommend approval for \$163,648, by H. White.

2nd: C. Blanchard

Vote: All in favor.

Article #33 – Animal Leashing and Restraint

There was a question concerning “common areas;” additional information was requested by the Board.

MOTION: That the Board’s recommendation be given at Town Meeting for all remaining articles, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Old Business

C. Blanchard asked about the status of 8 Brookfield Road. A. Wilson said that Terri Gordon has reported that the building is not up to the fire and electrical codes. C. Blanchard suggested getting a list of the code issues. He said that the Board does not have the authority to take \$6,000 from insurance and use it for hardwood flooring; he said that it should go to Town Meeting. J. Malloy said that the Board does have the authority to spend the \$6,000 insurance proceeds without further appropriation, as long as the amount is under \$20,000.

MOTION: That the Fire Inspector and Building Inspector list the code change issues and costs associated with those items that are not related to change of use at 8 Brookfield Road, by H. White.

2nd: D. Sosik

Vote: All in favor.

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

There was no second to the motion.

C. Blanchard asked about the status of the Kelly Road mobile home park. J. Malloy said that Larry Adams informed him that he had been contacted by DEP regarding their plans and wanted to know whether or not there was sufficient sewer capacity and whether the Town will allow them to connect. The Board asked them for a more detailed design, then to return to the Board. The Board has not heard back from them. L. Adams has relayed that message back to DEP.

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C. Blanchard asked about Gerry Blake's proposed participation in the Senior Municipal Service Program. J. Malloy said that G. Blake's income exceeds the required level, so he is not eligible to participate.

D. Sosik read the proclamation that was presented to the Civil Air Patrol (copy on file).

MOTION: To authorize A. Wilson to sign the proclamation, declaring March 13, 2004 as Civil Air Patrol Day, by D. Sosik.

2nd: H. White

Vote: All in favor.

A. Wilson reminded the Board to set goals and objectives for the Town Administrator.

New Business

A. Wilson suggested that the two letters from the Commonwealth of Mass. regarding surplus property be referred to the Open Space Committee and Community Preservation Committee to see if they would be interested.

A. Wilson referred to the March 12, 2004 letter from Kathleen Reynolds, Superintendent regarding construction debt restructuring. It was the consensus of the Board to take the matter under advisement, and to obtain more information. J. Malloy will contact the school and be prepared for the meeting on the 24th with an accounting of interest earned on the bonds.

A. Wilson announced that there will be a meeting of the Opacum Land Trust on March 31, 2004 at 6:00 p.m. at the Sturbridge Host Hotel.

A. Wilson announced that on April 13th there will be a meeting entitled "Smart Way, Smart Growth" at Town Hall.

A. Wilson announced that Sturbridge's oldest citizen, Dolan Menard, recently passed away at the age of 98. The new oldest resident is Margaret Egan, 127 Pine Ave., who will be 96 on April 15th. It was the consensus of the Board to give the Boston Post Cane to Margaret Egan.

Ask the Selectmen

C. Blanchard received a call from Sheila McCormick, who indicated that there is no hydrant at the Recreation Area, and asked why there is no town

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water on Cedar Lake. C. Blanchard explained that it was just too expensive.

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.

2nd: H. White

Roll call vote: All were in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date