

April 20, 2004

**BOARD OF SELECTMEN
MINUTES
APRIL 20, 2004**

Present: Arnold Wilson, Chairman
 Charles Blanchard
 Hal White
 James Malloy, Town Administrator

J. Malloy called the meeting to order at 6:30 p.m. following the Pledge of Allegiance. He announced that since there were only three Board members present, reorganization of the Board would be postponed until the first meeting in May, and the present Chairman would preside until then.

MOTION: So moved, by C. Blanchard.
 2nd: H. White
 Vote: All in favor.

Approval of Minutes

MOTION: To approve the minutes of April 5, 2004 as corrected, by C.
 Blanchard.
 2nd: H. White
 Vote: All in favor.

MOTION: To accept the executive session minutes of April 5, 2004 as
 submitted, to remain confidential, by C. Blanchard.
 2nd: H. White
 Vote: All in favor.

Department Head Monthly Reports

Jeffrey Bonja, Building Inspector, read his report to the Board (copy on file). He has reorganized his office, and set up a computer database, which is about 80% completed. He has established a weekly update on his web page.

H. White noted that there has been an ongoing problem with vehicles parked right up to the curbing at the Sturbridge Service Center. J. Bonja said that he would look into it.

Greg Morse read his report to the Board (copy on file). They have been working on street paving; cemetery cleanup has not yet begun. Mike Zylich of Tighe & Bond had told J. Malloy that DEP had indicated that there were no problems with the new well site.

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Paul Donahue read his report to the Board (copy on file). There is a new disinfection law, which requires testing twice a year. He received a final ruling notice from DEP on waivers; they granted two out of three waivers that he had requested.

Regarding the report on allocation of manpower, Roy Wood said that filling trucks with liquid sludge must be supervised. When there is an overrun of work, Tracey Earnest, Operations Supervisor, must get involved, since he is an experienced member of the staff. R. Wood said that the E-1 work could be subcontracted out, but it would be less expensive to do the work in-house, since their hourly rate is significantly lower than the cost of sending the work out, to be done off-site. R. Wood said that 1,512 man hours are dedicated to maintenance. G. Morse noted that another employee is needed. C. Blanchard requested a comparison of staffing and tasks, both with the new mechanic position and switchover in the operation.

Fire Chief Leonard Senecal read his report to the Board (copy on file). He said that the Webster Emergency Service supplied them with an ambulance while Ambulance 2 was being repaired. There will be a mock disaster drill in Southbridge on April 22nd, which will take about four hours.

Building Inspector's Hours

J. Bonja provided a spreadsheet (copy on file) containing information regarding Residential Building Inspections, Zoning Enforcement, Administration, Section 106 Inspections, Residential Building Permit Review, General Bylaw Enforcement, Commercial/Industrial Permit Review, Commercial/Industrial Building Inspections, Training (required 20 hours per year). J. Bonja developed a Required/Actual hours per week analysis, indicating that the Town may need to consider having a part-time Zoning Officer and full-time Building Inspector to ensure that all of the work required of the office is accomplished.

Givi, Inc. d/b/a Enrico's Brick Oven Pizzeria – New All Alcohol Liquor License

MOTION: To open the public hearing for Enrico's Brick Oven Pizzeria, by H. White.

2nd: C. Blanchard

Vote: All in favor.

Attorney Michael Caplette and Enrico Giovanello appeared before the Board. Lisa Pepper, representing George Lagaris of the Whistling Swan, expressed concern about parking and traffic issues. M. Caplette assured the Board that there would be no change in the size of the restaurant, and it would be run in the same fashion. He said that the parking they have on site is more than sufficient; it is located in a strip mall, and the other businesses are closed in the evening.

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He said that it is predominantly a restaurant, where liquor serving is complementary to the serving of food, and the bar is being run responsibly.

MOTION: To grant the All Alcohol liquor license to Givi, Inc. d/b/a Enrico's Brick Oven Pizzeria from 11:00 a.m. to 11:00 p.m., by C. Blanchard.

2nd: H. White

MOTION: To amend the motion, with hours of service from 11:00 a.m. to 12:00 midnight, by H. White.

2nd: C. Blanchard

Vote: All in favor of the amendment.

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

2nd: C. Blanchard

Vote: All in favor

Drake Petroleum Co., d/b/a Xtra-Mart – Transfer of Liquor License, Change of Manager and Common Victualler License

Paul Samar appeared before the Board. The application was complete.

MOTION: To approve the Transfer of License application from Kenyon Oil Company to Drake Petroleum Company and Change of Manager from Francis LaForge to Paul Samar, by C. Blanchard.

2nd: H. White

Vote: All in favor.

MOTION: To approve the Common Victualler License for Drake Petroleum Corp., d/b/a Xtra-Mart, by H. White.

2nd: C. Blanchard

Vote: All in favor.

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

2nd: A. Wilson

Vote: All in favor.

Discussion regarding the Tantasqua Budget

Kathleen Reynolds, Superintendent, Paul Gillen and Colleen Jordan Bonja appeared before the Board. K. Reynolds presented a handout to the Board (copy on file). She said that J. Malloy has asked them to reduce the budget by \$304,000. She noted that vocational transportation and special education needs are paid for by the towns, so those costs were not included. K. Reynolds said that the Chapter 70 number has been verified at \$500,000. J. Malloy said that

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the number is \$575,000, not \$500,000. He pointed out that the \$75,000 figure was there regardless of additional revenues, and should have been included in the budget. K. Reynolds said that they had received increases in state funding for transportation; the transportation assessment to the Town of Sturbridge will be reduced by \$50,000. She stated that their job is to come to a consensus of what best serves the needs of the community, and high value public schools are important.

A. Wilson said that if the Chapter 70 revenues are \$500,000 more and they use a portion of the extra of the \$500,000 to return to the communities, he would assume that the other portion would be used to increase the operating budget. K. Reynolds said that they had made some difficult choices, and cut a math teacher position; a tough decision was made to reinstate that position, in the best interest of the students. In her opinion, the School Committee had made a responsible decision. A. Wilson said that once the public hearing has been completed, they could lower the assessments, but they cannot raise them; he questioned whether they could raise the gross operating budget legally. K. Reynolds said that the assessments to all of the communities have been lowered. She noted that fewer students have enrolled in vocational, and the interest on earnings is running \$30,000 less in terms of local receipts.

C. Blanchard said that there is a net change of \$575,000, not \$500,000. K. Reynolds said that they had used level funding for the budget, and they used \$500,000 consistently. C. Blanchard suggested that they all work together for a Proposition 2 ½ override. K. Reynolds said that they are trying to come to a consensus, and they are \$117,856 off.

A. Wilson said that there is a revised assessment to the Town of Sturbridge. J. Malloy said that they are trying to bring equilibrium from the required spending at Burgess to required spending at Tantasqua. He suggested reducing the assessment by utilizing \$575,000 of Chapter 70 funds. K. Reynolds said that they could reduce the cost to Sturbridge by \$111,205. K. Reynolds expressed confusion about the budget.

C. Blanchard said that a Proposition 2 ½ override would ensure quality education and provide funding for general town services. He spoke against having to lay off firefighters, police or DPW workers, or having to close the library a few days per week. K. Reynolds said that the School Committee has voted not to commit the entire Chapter 70 funds.

K. Reynolds said that a 2.6% increase would not pass. She said that there would be massive layoffs. She would not support or recommend that to the School Committee. H. White said that there is an additional amount available of \$575,000; if that were applied to the original budget, then that number for the five communities could be reduced. He noted that the School Committee increased its operating budget by \$250,000.

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A. Wilson recommended that the Board of Selectmen meet at 6:00 p.m. on Monday, April 26th at Tantasqua High School, prior to the Town Meeting. The Board agreed. It was the consensus of the Board that J. Malloy review the numbers with Kathleen Reynolds. K. Reynolds expressed her willingness to meet with him to come to an understanding.

Colleen Bonja, Sturbridge School Committee member, said that Burgess expenditures will go up, and they are committed to teachers' contracts. They are reviewing the whole building issue. She said that their concern is that Burgess not be significantly adversely affected by Tantasqua. She said that the School Committee is willing to make some budget cuts, but has not voted on any of the numbers.

Annual Appointments

MOTION: To confirm the Town Administrator's appointments (copy on file), by H. White.

2nd: C. Blanchard

Vote: All in favor.

List of Special Municipal Employees

MOTION: To adopt the list of Special Municipal Employees dated April 20, 2004 (copy on file), by C. Blanchard.

2nd: H. White

Vote: All in favor.

Request to Set Fees

Building Inspector – Fees as provided for in 780 CMR 106, Table 106 and notations (a)-(h). Justification: These fees would cover mandated inspections of places of public assembly, which are not currently being charged. The requirements of 780 CMR 106 are a large part of the inspectional requirements of the Building Inspector and a fee should be charged as provided by the state for these services.

MOTION: To adopt the fee schedule provided for in 780 CMR – Table 106 and notes (a) through (h), by H. White.

2nd: C. Blanchard

Vote: Two in favor; C. Blanchard opposed.

Zoning Board of Appeals – Application for Request for Determination - \$85. Justification: The Zoning Board of Appeals is now reviewing the properties for conformity to zoning; this is a labor intensive process, and there should be a set fee for making the determination. The ZBA Clerk contacted neighboring towns

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and the only other town that provides this service is Shrewsbury, which charges \$100.

C. Blanchard said that the fee will not compensate any member of the ZBA, and he did not see the benefit or reasonableness to the taxpayers to charge for a determination. H. White agreed, and said that this is a community service.

MOTION: To not set a fee for \$85 for Zoning Board Requests for Determination, by C. Blanchard.

2nd: A. Wilson

Vote: All in favor.

LeBoeuf Betterment Assessment Abatement

MOTION: To grant an abatement for the Betterment Assessment due on 32 Beach Avenue as requested, by C. Blanchard.

2nd: H. White

Vote: All in favor.

Other

Mark Johnson, 20 Bates Hill Road said that Bernie Lorkiewicz of the Board of Health suggested that he request the Board of Selectmen's permission to have B. Lorkiewicz inspect his place of operation. M. Johnson is trying to start a business selling coffee to commuters in Worcester; he needs a place to clean the coffee pots. J. Malloy said that he would talk to Bernie Lorkiewicz about the matter, then get back to Mr. Johnson.

Old Business

C. Blanchard asked whether the sewer figure had been adjusted on the budget. J. Malloy said that it had, and the numbers are correct. He explained it to Kevin Smith, and will find out if they will present an amended motion.

A. Wilson announced that the Annual Town Meeting will be held on Monday, April 26th at 7:00 p.m. at Tantasqua High School Auditorium.

New Business

C. Blanchard noted that there is a sign in front of the Hearthstone Inn stating "Under Old Management." J. Malloy explained that the ABCC had denied the change of manager because the new owner has a tax issue.

MOTION: To set a meeting of the Board of Selectmen at 6:00 p.m. on April 26, 2004 at Tantasqua Regional High School, by C. Blanchard.

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

A.Wilson said that Penny Dumas of the Community Preservation Committee was notified of the appraisal value of \$90,000 on the Long Pond parcel. The CPC will not meet until April 26th. C. Blanchard suggested that the information on the appraisal be submitted to the Finance Committee, and to request that they consider following the vote that the Board of Selectmen had taken: up to the value of the appraisal. He said that since there is no access to the parcel, there should be a price reduction.

Proclamations

MOTION: To authorize the Chairman to sign the proclamations for Albert Cournoyer, Lloyd Pote and Arbor Day, by C. Blanchard.

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

Ask the Selectmen

C. Blanchard received a call from Kathleen Reynolds, who indicated that she is still confused about the numbers, and will be in touch with J. Malloy.

MOTION: To adjourn, by H. White.
2nd: C. Blanchard
Vote: All in favor.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date