

April 5, 2004

**BOARD OF SELECTMEN
MINUTES
APRIL 5, 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.

A. Wilson announced that the Annual Town Meeting will be held on April 26, 2004 at 7:00 p.m. at Tantasqua Regional High School Auditorium.

Approval of Minutes

MOTION: To approve the minutes of March 8, 2004 as amended, by
 D. Sosik.
 2nd: H. White
 Vote: All in favor.

MOTION: To approve the minutes of March 15, 2004 as amended, by
 D. Sosik.
 2nd: C. Blanchard
 Vote: All in favor.

MOTION: To approve the executive session minutes of March 15,
 2004, to remain confidential, by D. Sosik.
 2nd: H. White
 Vote: All in favor.

MOTION: To approve the minutes of March 23, 2004 as submitted,
 by D. Sosik
 2nd: C. Blanchard
 Vote: All in favor.

MOTION: To approve the executive session minutes of March 23,
 2004, to remain confidential, by D. Sosik.
 2nd: D. Schmida
 Vote: All in favor.

Drake Petroleum

J. Malloy read the legal ad into the record (copy on file). No one from Drake Petroleum appeared, so it was the consensus of the Board to continue the hearing to the next meeting.

MOTION: To continue the public hearing until April 20, 2004, by H. White.

2nd: D. Schmida

Vote: Four in favor; C. Blanchard opposed.

Bob Chartier – SATA Budget

Bob Chartier, Director of the Tri-Community Chamber of Commerce, appeared before the Board. He distributed copies of advertisements that have been placed in major publications and brochures (copy on file). He said that the Maple Days production was successful, with a volume of traffic at the sugar houses. The Maple Days event was funded by the money that had been designated for First Night, which did not take place due to the lack of a sufficient number of volunteers. He noted that it is a good idea to get people out to notice what is in their community and the surrounding area.

Land to be Auctioned by the State

J. Malloy informed the Board that the Conservation Commission gave him a letter (copy on file) that was sent to the Division of Capital Asset Management regarding Property 611 at 680 Route 15 Westbound in Sturbridge, the site of the former Howard Johnson's Plaza, requesting a deed restriction on the back portion of the property. The deed restriction would restrict any future owners from creating or proposing any impact to Leadmine Brook and the Riverfront Resource Area prior to auction.

The state plans to auction the Puckett property, which had been taken by eminent domain in 1952 for \$1. Senator Brewer and Rep. Reed Hillman filed legislation to prohibit the sale of the land by the Dept. of Capital Asset Management and Maintenance until October 1, 2004, to give DCAMM 120 days to conduct a proper review of the dispute between the Puckett family and the state.

Sewer Privilege Fees

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J. Malloy submitted to the Board a copy of the Town's Betterment Assessment Bylaw, which includes provisions for Sewer Privilege Fees. The following projects were included in the calculations: Allen Homestead, Draper Woods, The Preserve, The Sanctuary, Brook Hill, Whittemore Woods, Long Pond Woods, The Highlands. Mr. Malloy also gave the Board a listing of properties that have connected to date, as per the Town's records, and a spreadsheet detailing the basis of the fee, which is \$6,218.87 per property. It was the consensus of the Board to authorize Mr. Malloy to send a letter to the property developers indicating that their sewer privilege fee is now due, and that as of May 1, 2004 the sewer privilege fee must be paid in full at the same time that the permit to connect is paid.

12 McGilpin Road Sewer Connection

A. Wilson recommended that the Board refuse the request. H. White considered it to be a haphazard way of extending sewerage in the town. C. Blanchard indicated that he would be in favor of allowing the property owner to tie into the sewer system.

MOTION: To allow the owner of 12 McGilpin Road to tie a single family home into the sewer system if it proves economically feasible, by C. Blanchard.

There was no second; the motion failed.

The Copper Stallion – Alter Premises on Liquor License

Joni Light appeared before the Board. J. Malloy read the legal ad into the record (copy on file). They have relocated the bar on the new plans, creating an easier traffic pattern for their staff.

MOTION: To approve the alter premises application for the Copper Stallion, per the plans dated April 5, 2004, by D. Schmida.

2nd: D. Sosik

Vote: All in favor.

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

2nd: D. Sosik

Vote: All in favor.

Community Preservation Committee – Presentation regarding Long Pond parcel

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The following members of the Community Preservation Committee appeared before the Board: Penny Dumas, Chair, Bob Briere, Steve Halterman, Ed Goodwin, Joe Ouelette, Leila Glaser, Anthony Silvestri. They presented a proposal to purchase 59 acres of land at 55 Champeaux Road, on the western side of Long Pond, for \$250,000. P. Dumas said that the Army Corps has maintained trails on the property which could be used for cross-country skiing, running or walking. S. Halterman added that it is waterfront property with over half a mile of lake frontage.

C. Blanchard noted that the Assessors map indicated that Lot #5 is not a buildable lot, and asked whether that would reduce the value of the property. P. Dumas said that it makes the parcel affordable to the Town. C. Blanchard asked about access to the property. J. Malloy said that because there is a flowage easement, there is no access to the property from the road. A. Wilson said that in 1999 the property was offered to the Town through a grant; the Board had considered using the parcel as a gravel site, but the grant was not accepted.

P. Dumas said that the parcel is a prime piece of land for passive recreation. She added that the seller will obtain a 21E report on the parcel. B. Briere said that purchasing the property with CPC funds will not affect taxes, and the voters will make the decision at Town Meeting. He said that the CPC has submitted a request to the Army Corps of Engineers for an easement and a legally recorded right-of-way.

C. Blanchard suggested getting an appraisal to find out the fair value of the property, and getting as much information as possible before Town Meeting.

MOTION: That the Board of Selectmen support Article #35 on the warrant, by D. Sosik.

2nd: A. Wilson

MOTION: To amend the motion to read: That the Board vote to support the motion up to the appraised value, by H. White.

2nd: C. Blanchard

Vote: All in favor.

MOTION: To authorize an appraisal of the property, to be paid for with funds from the Lucent account, not to exceed \$5,000, by H. White.

2nd: C. Blanchard.
Vote: All in favor.

P. Dumas requested that the Community Preservation Committee be invited to the meeting when the Board discusses the appraisal.

8 Brookfield Road

J. Malloy submitted to the Board comments from the Building Inspector and Fire Inspector (copies on file).

MOTION: To reconsider the motion that the Board made previously to put the insurance proceeds into the general fund, so that the Board can discuss whether to put them into improvements at 8 Brookfield Road, by A. Wilson.

2nd: H. White
Vote: Four in favor; C. Blanchard opposed.

MOTION: To transfer up to \$5,000 from the insurance proceeds to Terri Gordon to upgrade the building at 8 Brookfield Road for the items identified by the Building Inspector and Fire Inspector, as well as carpet replacement, as reviewed and approved by the Town Administrator, by D. Sosik.

2nd: A. Wilson
Vote: Two in favor; C. Blanchard, H. White and D. Schmida opposed.

H. White did not think that money should be given toward upgrading the building until what it will be used for is substantiated. J. Malloy will provide the Board with a list of costs.

DPW Union Agreement

MOTION: To approve the agreement between the Town of Sturbridge and the Service Employees International Union Local 888 for FY05-FY07 as negotiated, by D. Sosik.

2nd: C. Blanchard
Vote: All in favor.

Resignation

MOTION: To accept the resignation of Josephine Kaitbenski from the Council on Aging with regret, by D. Sosik.

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

Water Bill Abatement Requests

MOTION: To abate the utilities bill for 22 Sturbridge Hills Road to the proper number relative to the past four quarter average of water, by D. Sosik.

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

MOTION: To abate the high usage for 546 Main Street, approximately \$125, and the sewer appropriately apportioned, by A. Wilson.

2nd: D. Sosik
Vote: Four in favor; C. Blanchard opposed.

C. Blanchard noted that there were actual readings, not an estimate.

Army Corps of Engineers Challenge Cost Share

MOTION: To authorize the Town Administrator to execute the Challenge Cost Share agreement between the Town of Sturbridge and the Army Corps of Engineers, by D. Sosik.

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

Sewer Line Extension Request

MOTION: To allow the owner of 50 Farquhar Road to tie into the pump station at their cost, and to pay the sewer privilege fee equal to the original; all engineering to be approved by the DPW per the sewer bylaws, by C. Blanchard.

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

Old Business

A. Wilson asked the Board to think about the Town Administrator's goals and continue to think about the Department Head meetings which he had summarized for the Board.

New Business

April 5, 2004

C. Blanchard noted that the "One Book, One Community" program at the Joshua Hyde Library was excellent, and thanked Ellie Chesebrough for a job well done.

D. Sosik asked about the status of the decision from the Bureau of Indian Affairs. J. Malloy said that the decision would be made on May 1, 2004.

A. Wilson said that the MMA had sent an action bulletin regarding lotteries. J. Malloy suggested that the Board support MMA's proposal to uncap the lottery. It was the consensus of the Board to agree with J. Malloy's suggestion.

A. Wilson said that a subcommittee was formed to review debt restructuring. He volunteered to represent the Board, with the Board's direction.

MOTION: To appoint Arnold Wilson to the Debt Restructuring Subcommittee for Tantasqua, by D. Sosik.

2nd: H. White

Vote: All in favor.

Ask the Selectmen

D. Sosik received a call from a resident who did not wish to be identified on TV, who indicated that it was not Doris's turn to take calls for Ask the Selectmen.

MOTION: To convene in 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