

June 7, 2004

**BOARD OF SELECTMEN  
MINUTES  
JUNE 7, 2004**

Present:     Arnold Wilson, Chairman  
              Charles Blanchard  
              Doris Sosik  
              Hal White  
              David Schmida  
              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 May 3, 2004 as submitted, by C. Blanchard.**

**2<sup>nd</sup>:     D. Sosik**

**Vote: All in favor.**

**MOTION:     To approve the minutes of May 17, 2004 as amended, by D. Sosik**

**2<sup>nd</sup>:     H. White**

**Vote: Four in favor; D. Schmida abstained.**

**Skate Park Public Hearing**

The Board had received a petition from some of the residents from the neighborhood of Cedar Lake, pointing out some of the problems with the skate park since it was opened. Police Chief Thomas Button sent a memo to his staff dated May 5, 2004 (copy on file) regarding patrols in that area, and Chief Button wrote a report dated May 15, 2004 (copy on file) relative to the skate park, indicating the calls received and their subject matter over a period of time. Chief Button also wrote a memo dated June 4, 2004 regarding problem solving recommendations.

Laurel Buckley, 8 Cedar Pond Road, said that the skate park has become an unsupervised area, which has compounded the problems. Older youths who are not Sturbridge residents are frequenting the area, there is vandalism, loitering, parking in front of residents' houses, bad language and a general lack of respect for residents. She said that there is parking on both sides of the street, which makes it difficult for emergency vehicles to pass through. She said that Chief Button has been very helpful and cooperative. She suggested that a committee be formed to work on solutions to the problems, and that bylaws be created for the police to have laws to act upon. She suggested that applications be required

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for passes to the skate park, and the passes to be issued by the Police Department.

Chief Button and Sgt. Ford appeared before the Board. Chief Button reviewed the number of complaint calls that the Police Dept. received regarding the skate park and recreation area. Sgt. Ford said that they had three meetings with residents of the Cedar Lake neighborhood to develop solutions to the problems. Ideas included way to exercise control and regulate the behavior and actions of the skate park youth through supervision, issuing permits, patrolling the area, and a bylaw adjustment regarding noise.

J. Malloy said that the Skate Park Committee would formulate ideas, establish an application process for passes to the skate park, parking improvements and traffic safety improvements. The Abrams driveway should be moved, trash cans placed in the area that cannot be easily tipped over, increased signage and crosswalks, a bylaw change, and ways to manage the skate park in the future. D. Sosik commented that the way the Police Department and residents have gotten together to address the issue is commendable.

### **Tree City USA Proclamations**

A. Wilson presented two proclamations to Tom Chamberland, Tree Warden, from the Town and Senator Brewer regarding Arbor Day and declaring that Sturbridge has been recognized as a Tree City USA by the National Arbor Day Foundation.

### **Dept. Head Monthly Report**

Police Chief Thomas Button read his April and May reports to the Board (copies on file). He said that 150 students had attended the after prom party, which was held at Bay Path Bowling in East Brookfield. The party included unlimited bowling and pool, a comedy hypnosis show, refreshments and Chinese food from the Kahula Restaurant, prizes and raffles.

Sgt. Ford and K-9 Varus were called out to track three youths who were firing paintballs at passing cars on Route 148. Varus successfully tracked a trail from the roadway through the woods into the backyard of one of the suspects. Along the way, Varus alerted and recovered the alleged paintball gun in the thick brush. The investigation revealed three suspects, who subsequently were charged.

### **Appointments**

**MOTION:** To confirm the Town Administrator's appointment of David Fortier as a Police Officer effective June 14, 2004 at a starting rate of \$18.75 per hour, by H. White.

**2<sup>nd</sup>:** D. Sosik

**Vote:** All in favor.

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**MOTION:** To accept the resignation of Derek Gaylord as a Dispatcher, by H. White.

**2<sup>nd</sup>:** D. Sosik

**Vote:** All in favor.

**MOTION:** To confirm the Town Administrator's appointment of Kimberly Splaine as a full-time Dispatcher effective June 8, 2004 at a starting rate of \$14.02 per hour, by H. White.

**2<sup>nd</sup>:** D. Sosik

**Vote:** All in favor.

**MOTION:** To confirm the Town Administrator's appointment of John Booth as a Laborer/Drier in the Public Works Department effective June 8, 2004 at a starting rate of \$12.65 per hour, by C. Blanchard.

**2<sup>nd</sup>:** D. Sosik

**Vote:** All in favor.

#### **Hamilton Rod & Gun Club – Snowmobile Races**

Rich Lapierre and Jean Cassavant of the Snowmobile Club of Spencer appeared before the Board, to request permission for snowmobile races to be held in the grass at the Hamilton Rod & Gun Club in September during the September Brimfield Flea Market. They submitted a letter from the president of the Hamilton Rod & Gun Club.

A.Wilson asked about the hours of operation and expected number of visitors and participants. They will submit further information to the Board, which will be referred to the Fire Chief and Police Chief.

#### **Chapter 61A – Right of First Refusal**

The Board had received a letter from Attorney Robert Cotton regarding property off Whittemore Road. Nancy Ryder had sent an email indicating that neither the Community Preservation Committee nor the Open Space Committee were interested in pursuing the property.

**MOTION:** To waive the right of first refusal on the property identified as "parcel A" off Whittemore Road and authorize the Town Administrator to execute the Notice of Non-Exercise of Option, by H. White.

**2<sup>nd</sup>:** C. Blanchard

**Vote:** All in favor.

#### **SPL Development**

The Board had previously asked J. Malloy to communicate with SPL Development to work on a proposal for the sewer privilege fee that would be due for the 40B senior housing development off Route 20. Mr. Malloy provided the Board with a spreadsheet showing what the fee would be under the Town's bylaws (\$278,870); the amount that SPL requested (\$199,193) which waives the fee for the affordable units; and the alternative proposal (\$239,031) which provides for a 50% waiver of the fee for the affordable units.

A. Wilson had received a memo from Larry Adams, Town Planner, regarding some of the existing zoning bylaws and density requirements. The Board will take up the matter in a few weeks.

### **Verizon Easement**

At the December 2003 Special Town Meeting, the Board was authorized to sign an easement for Verizon for the Sprint Telecommunications Antennae at St. Anne's Water Tower.

**MOTION: To authorize the Selectmen to execute the easement between the Town of Sturbridge and Verizon New England Inc., by D. Sosik.**

**2<sup>nd</sup>: D. Schmida**

**Vote: All in favor.**

### **1<sup>st</sup> Proprietor's Book**

J. Malloy met with Bob Arnold, who had provided the original estimate to the Community Preservation Committee last year on preserving this document. The Town Meeting article did not appropriate enough funds to digitize the document and provide a hard copy with the page laminated (lamination was an option). After meeting with Mr. Arnold, Mr. Malloy thought that if the document is going to be provided as a research tool, the pages should be laminated to protect them. C. Blanchard suggested consulting the Historical Commission.

### **Matching Grant Account**

**MOTON: To approve the use of \$7,633 from the Town Administrator's Matching Grant Account for the Fire Department communications grant, by D. Schmida.**

**2<sup>nd</sup>: D. Sosik**

**Vote: All in favor.**

### **The Preserve – Sewer Privilege Fee**

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Charles MacGregor appeared before the Board. J. Malloy said that no follow-up letter (prior to the one sent several weeks ago) had been sent to Robert Moss on the sewer privilege fee voted by the Board. C. MacGregor said that he had not been informed about the sewer privilege fee until Greg Morse, DPW Director, had told him that it was due. C. MacGregor proposed that the Board allow him to pay the fee from Phase 2 on, and to waive the Phase 1 completely (\$196,000).

A.Wilson said that it was not the Town's responsibility to re-inform every buyer of every development of the rules. He said that the Sewer Service Bylaw must be enforced, and he was not in favor of waiving the \$196,000 that is due the Town. He suggested the possibility of spreading the payments out over a number of years.

C. MacGregor noted that 17 houses have tied in to the sewer, with no fee paid. J. Malloy noted that Robert Moss has some responsibility in this matter. C. MacGregor said that he preferred that the Board not vote yet; he will provide the Board with a proposal in a few weeks.

C. Blanchard suggested that J. Malloy get clarification from Town Counsel regarding the Board's authority on waiving fees that the bylaw has set. A.Wilson suggested creating a policy on procedure.

### **Old Business**

H. White noted that there is public swimming at Tantasqua High School on Tuesdays and Thursdays from 5:45 a.m. to 7:00 a.m. and Tuesdays, Wednesdays and Thursdays from 6:30 p.m. to 8:30 p.m.

C. Blanchard asked whether there was an easement for the Abrams' driveway. J. Malloy said that he would look into it.

D. Sosik asked about the status of appointments to the Planning Board. J. Malloy said that interviews have been scheduled for next week.

A.Wilson asked about the meeting with the architects at Burgess. C. Blanchard said that the meeting had been cancelled and will be rescheduled at the end of the summer.

### **New Business**

D. Sosik commended Tom Chamberland for the excellent Memorial Day Parade.

A.Wilson said that he and Penny Dumas and J. Malloy had met with the president and vice-president of Old Sturbridge Village. They will keep the Town informed regarding their plans and work.

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A.Wilson read the schedule for Concerts on the Common (copy on file).

**Ask the Selectmen**

D. Schmida said that the caller requested the time for the Concerts on the Common. A.Wilson said that the concerts will be held on Thursday evenings beginning on July 1<sup>st</sup> at 6:30 p.m.

**MOTION: To adjourn, by H. White.**

**2<sup>nd</sup>: C. Blanchard**

**Vote: All in favor.**

Respectfully submitted,

Judy Knowles

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BOS Clerk

Date