

April 4, 2005

**BOARD OF SELECTMEN
MINUTES
APRIL 4, 2005**

Present: Arnold Wilson, Chairman
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 March 21, 2005 as corrected, by D. Sosik.

2nd: H. White

Vote: Three in favor; D. Schmida abstained.

MOTION: To approve the executive session minutes of March 21, 2005 as submitted, to remain confidential, by D. Sosik.

2nd: H. White

Vote: Three in favor; D. Schmida abstained.

Enrico's Brick Oven Pizzeria -- Transfer of Liquor License

Attorney Jeffrey Chasse and four members of the Metaxas family appeared before the Board. They plan to continue operating the business in the tradition of Enrico's Brick Oven Pizzeria, with the same menu, seating and hours.

J. Malloy explained about the Town Bylaw requirement for Training for Intervention Procedures by Servers of Alcohol (TIPS). Ted Metaxas assured the Board that he will take the necessary training within the next several weeks.

MOTION: To approve the application for a Transfer of License for Enrico's Brick Oven Pizzeria from Enrico Giovanello to Theodore Metaxas, by D. Sosik.

2nd: D. Schmida

Vote: All in favor.

H. White suggested that T. Metaxas submit a copy of his TIPS certification to the Board.

Police Chief Thomas Button – Monthly Report

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Chief Button read his report to the Board (copy on file). He said that the new Animal Control Officer, Ronald Komar has identified some issues at the pound that should be addressed. Also, he noted that there is no signage at campgrounds regarding the Town's animal control policies. J. Malloy said that he would notify the campgrounds about the regulations.

Chief Button said that a full-scale emergency management drill is planned for the spring. The Police Department has been asked by the Regional Director of MEMA to host a multi-jurisdictional full-scale exercise. A \$16,000 grant is being made available to them to complete the exercise.

Traffic Rules and Regulations

J. Malloy submitted to the Board the proposed changes as advertised, with a brief explanation of each update (copy on file).

Donald Lecuyer, 8 Chamberlain Ave., informed the Board that there is no place to park on his side of the street, except in the street on Chamberlain Avenue.

Nancy Gratta, 4 Chamberlain Ave., also commented on the parking issue, and asked that the Board consider the needs of the people on Chamberlain Avenue.

Warren Blair, 6 Chamberlain Ave., said that there is limited parking, and the small parking lot is always full.

J. Malloy said that parking would be prohibited on the Common side of the street, not the side where houses are located.

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

2nd: D. Sosik

Vote: All in favor.

MOTION: To update the Traffic Rules and Regulations as proposed, with the amendment to #3 to amend Article IV: that "No Overnight Parking" would apply to the Common (south) side of Chamberlain Street only, by H. White.

2nd: D. Schmida

Vote: All in favor.

Public Safety Communications Upgrade Bid

H. White suggested obtaining a letter from Chief Senecal, indicating his approval of it.

MOTION: To award the Public Safety Communications bid to New England Communications Systems, Inc. for \$146,163.29 but

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approving only Phase I at \$98,505.29 until such time that a further appropriation is approved by Town Meeting, or funded by another source, by D. Sosik.

2nd: H. White

Vote: All in favor.

Budget and Town Meeting

Town Clerk Salary

MOTION: To reconsider the Town Clerk's salary and support the 8.3% increase, by D. Sosik.

2nd: D. Schmida

Vote: D. Sosik in favor; D. Schmida, A. Wilson and H. White opposed.

It was the consensus of the Board to put a hold on the following issues: Town Clerk's Salary, Fire Dept. Salaries and Tantasqua Assessment (pending information on the pothole funds).

Town Meeting Warrants

Article #7 – Tantasqua Study Committee Report

It was the consensus of the Board to hold this issue, and discuss it at the next meeting.

Article #9 – Substitute Motions

H. White suggested that the Board stand by its position. J. Malloy said that he would draft a substitute motion to take no action on the article.

Article #10 – Uplands Bylaw

It was the consensus of the Board to support the Planning Board vote and offer a substitute motion that will take wording from the Conservation Commission and Finance Committee for the April 19th meeting.

Article #12 – Petition to Rezone (property at Rts. 20 & 49)

It was the consensus of the Board to argue against it.

Article #13 – Petition to Rezone (two parcels on Rt. 20)

MOTION: To support the Planning Board's substitute motion for Article #13, by D. Sosik.

2nd: H. White

Vote: All in favor.

Article #24 – Capital Improvement Plan

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MOTION: To maintain Article #24 at \$200,000; reduce Miscellaneous Capital Replacement from \$10,625 to \$5,625; and add a line item for the Dog Pound at \$5,000, by H. White.

2nd: D. Sosik

Vote: All in favor.

Article #18 – Community Preservation Committee – Appropriation for Affordable Housing

J. Malloy informed the Board that Attorney Lauren Goldberg of Kopelman & Paige thinks that the article as written is problematic. It was the consensus of the Board to hold action until the next meeting.

Historic Document Preservation

MOTION: To authorize the Town Administrator to execute the contract documents for the preservation of town meeting records from 1738 to 1865 as per the bid award approved on 3/7/05, by H. White.

2nd: D. Sosik

Vote: All in favor.

Resignation

MOTION: To accept Milton Raphaelson's resignation from the Planning Board with regret, effective May 1, 2005, by D. Sosik.

2nd: D. Schmida

Vote: All in favor.

Sturbridge Retirement Community Sewer Extension

J. Malloy submitted to the Board a copy of Town Counsel's opinion (copy on file) on the sewer privilege fee as calculated in the Town's Bylaws. Town Counsel has opined that the sections of the bylaw cited by the applicant's attorney do not apply to the setting of the privilege fee.

Annual Audit

MOTION: To award the audit to the firm of R.E. Brown & Company for FY06, FY07 and FY08 for \$22,000 per year as proposed in their letter of March 16, 2005 and to authorize the Town Administrator to accept the proposal, by D. Sosik.

2nd: D. Schmida

Vote: All in favor.

Appointment

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MOTION: To confirm the Town Administrator's appointment of Arthur Gauthier as an Equipment Operator in the Public Works Department at a starting rate of \$15.47 per hour, effective 4/5/05 until such time that the position is no longer available or becomes permanent, by D. Sosik.

2nd: D. Schmida

Vote: All in favor.

Old Business

D. Sosik asked about the status of the Arnold Road intersection. J. Malloy said that he has been trying to reach Mass. Highway for an answer. He will send them a letter.

New Business

A.Wilson announced that a "Meet the Candidates" social will be held on Friday, April 8th from 6:30 – 8:00 p.m. at the Southbridge Savings Bank.

A.Wilson announced that the Sturbridge Senior Center will host a "Meet the Candidates" event on April 9th 10:00 a.m. to noon.

A.Wilson announced that the Sturbridge Democrats will host their annual Candidates Night dinner at 6:00 p.m. at the American Legion.

A.Wilson announced that the Town Election will be held on Monday, April 11th.

A.Wilson announced that on April 12th at 7:30 p.m. the Planning Board will hold a public hearing on the report on the Rt. 20 Traffic Study.

A.Wilson announced that on April 12th at 7:00 p.m. at Tantasqua High School Auditorium there will be a presentation on the Tantasqua Study Committee Report.

A.Wilson announced that on April 14th at 7:00 p.m. there will be a public informational meeting at Burgess Elementary School to brief townspeople on the content of the budget and warrant articles and Special Town Meeting articles.

A.Wilson announced that the Annual Town Meeting will be held on April 25th at 7:00 p.m. at Tantasqua High School Auditorium.

A.Wilson said that there was a request from MMA that the Board talk to legislators relative to the local aid plan for the FY06 budget.

Ask the Selectmen

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D. Schmida received a call from a resident who expressed concern about issues at the Empire Village Chinese restaurant site, including open trenches and construction debris left out in the open. J. Malloy said that propane tanks had been placed on the other side of the hay bales near the wetlands, and the foundation had not been built in the right location. Empire Village had received a cease and desist order to stop work at the site.

H. White received a call from a resident who complained about the sound being turned off during Ask the Selectmen.

D. Sosik received a call from a resident who had heard that using a cell phone to call 911 would not work, and that the call would not go through. H. White said that using a cell phone through a computer to call 911 could be a problem, as opposed to regular telephone communications. J. Malloy suggested that the resident call the Police Department to test the use of a cell phone to call 911.

MOTION: To enter into executive session under MGL Chapter 39, §23B, Paragraph 3: To conduct strategy sessions in preparation for negotiations with non-union personnel, not to reconvene in open session, by D. Sosik.

2nd: D. Schmida

Roll call vote: All were in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date