

June 6, 2005

**BOARD OF SELECTMEN
MINUTES
JUNE 6, 2005**

Present: Arnold Wilson, Chairman
Hal White
Doris Sosik
David Schmida
William Emrich
James Malloy, Town Administrator

The Chairman called the meeting to order at 6:30 p.m. following the Pledge of Allegiance.

A.Wilson presented Barbara Hitchcock with a Proclamation commending her heroic action in the rescue of two teenagers on Big Alum Lake.

Approval of Minutes

MOTION: To accept the minutes of May 16, 2005 as amended, by D. Sosik.

2nd: W. Emrich

Vote: All in favor.

Sturbridge Retirement Cooperative – Amendment to Earth Removal Permit

A.Wilson noted that the original permit had been granted in 1995, and there have been no extensions, so the permit has expired. There had been talk about a performance bond, but he did not know whether a bond had been posted or was still valid.

Paul Hodges said that a bond of \$50,000 will be required for each of the parcels, for a total of \$150,000.

J. Malloy noted that the property changed hands at the same time that the bond expired. He had sent a letter to Gary Galonek about his bond, and he had responded that he sold the property, but would do the restoration work. The issue is that they want it at a 3:1 slope instead of a 2:1 slope. A.Wilson noted that the setback from property lines must be 50 feet. P. Hodges said that he had copies of the plan showing setbacks from the property lines. He said that they would like to change the grade to make it more stable and easier to vegetate.

H. White said that it is a complex issue and suggested that J. Malloy meet with Greg Morse, DPW Director and Mary Berry of the Sturbridge Retirement Cooperative to discuss it further.

Darlene Curboy – Class 2 License

Darlene Curboy appeared before the Board. J. Malloy said that the Zoning Officer reviewed it and had said that it was not a permitted use in that zone; but it will be an on-line business only and could be allowed as a home occupation as long as there are no vehicles stored on the property. D. Curboy said that she would buy about three cars per year, to be worked on at a body shop and picked up from the shop by the buyer.

MOTION: To approve the application for a Class II Used Car Dealers License at 6 Putnam Road, to be operated as an online business and with the condition that no vehicles that are for sale or repair as part of the business are stored at this location, by A. Wilson.

2nd: H. White

Vote: All in favor.

Stanley Choinski – Sewer Connection Request

Stanley Choinski appeared before the Board. J. Malloy said that he had not received input from Greg Morse, DPW Director. He noted that the sewer privilege fee would be \$11,778.50. W. Emrich said that he had spoken with G. Morse, but the Board should have something in writing to review.

S. Choinski said that G. Morse had indicated that his hands were tied until he receives permission from the Board of Selectmen.

MOTION: To continue the matter until June 20, 2005 at 7:45 p.m., by H. White.

2nd: D. Schmida

Vote: All in favor.

A. Wilson noted that the Board will discuss the sewer situation at the next work session on June 13th.

MOTION: That the Board of Selectmen, acting as Sewer and Water Commissioners, take any action(s) necessary to adopt the policy that we will grant no additional sewer or water connections for a period of 24 months from the time this policy is adopted; and that during this interval and based upon (1) the specified unallocated capacity of the municipal water facility; (2) the specified unallocated capacity of the wastewater treatment facility; and (3) the recommendations of the Zoning Study Committee, the Board adopt an allocation plan for future utilization of municipal water and wastewater

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treatment capacities; that we table this motion until June 20, 2005, by H. White.

2nd: W. Emrich

Vote: All in favor.

Beverly Shepard, Old Sturbridge Village

Beverly Shepard appeared to discuss Old Sturbridge Village's plans for the future. She said that their strategic planning process has been completed. They have come up with a lot of ideas, such as the 4th of July Great American Picnic; a fun and safe Halloween evening; and Friday and Saturday night movies for only \$5. They have been working with the Senior Center, the Library and town businesses to add to the quality of life in Sturbridge. She said that OSV is a center of lifelong learning to be shared and experienced by everyone. Every one of their buildings will be upgraded for exhibitions. They have established a partnership with higher education, and teach Clark University graduate students on campus.

Department Head Monthly Report

Police Chief Thomas Button read his report to the Board (copy on file). The Police Dept. conducted Bike Safety Day at Burgess Elementary School, and sponsored pre-prom safety pledges at Tantasqua High School.

The LEPC conducted a tabletop exercise at Rom's Restaurant on May 25th. A full-scale drill is scheduled for June 18th. The Federal government suggested they recruit help from the public as first responders. J. Malloy suggested that Town employees be trained.

D. Schmida asked whether anyone from the Little League had attended the Traffic Safety Committee meeting to discuss no parking signs at Burgess. Chief Button said that no one from Little League had attended the meeting, but he had received an email from George Dib. D. Schmida expressed concern about the dangerous situation at Burgess, with children running out between parked cars.

Year-End Financial Issue

MOTION: To approve the transfer of \$21,421.47 from the Police Department Salaries/Wages Account #12101-51130 to the Public Safety Complex Accounts as follows:
11972-52000 Purchase of Services -- \$19,259.47
11972-54000 Supplies -- \$2,162.00
for the purpose of renovating the dispatch center at the Public Safety Complex, subject to the concurrence of the Finance Committee as authorized by Chapter 46 of the Acts of 2003, by D. Schmida.

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

Senior Garden Project

J. Malloy informed the Board that Barbara Search, Council on Aging Director, would like to create a garden project in Town that would be designed, planted and maintained by seniors. They have designed a nicely landscaped project for the corner of Cedar Street and Route 20 using existing trees. Mr. Malloy has committed up to \$500 to help them to purchase plants for the project. They are trying to use indigenous plants that they could dig up and replant.

Mary Berry – Community Development Block Grant

Mary Berry of the Sturbridge Retirement Cooperative and Sarah Curley of RCAP Solutions appeared before the Board to discuss the CDBG grant. M. Berry announced that they are withdrawing their application for a sewer extension, and have decided to go with the wastewater treatment plant option. S. Curley said that the project will cost \$1 million, and they would like to ask the Town for a block grant to offset those costs. J. Malloy said that he would contact Gary Galonek. H. White suggested that the Board revisit the original motion because it was a package deal; now it is being divided into two different elements. J. Malloy said that there needs to be a Town Meeting vote on debt issuance. S. Curley said that she has spoken with the CMRPC, and they are willing to do this, and they would get 10% of the grant. M. Berry said that they would need an extension on the consent order. J. Malloy raised the question of whether the Town could build something that would be operated privately. S. Curley said that it has been done in other communities.

The Trail at Big Alum Association

MOTION: To approve the abatement application for the Big Alum Sewer Project Betterment Assessment for The Trail at Big Alum Association for properties located at 318 and 333 The Trail; and to authorize the Board of Selectmen to execute the agreement between the Town of Sturbridge and The Trail at Big Alum Association, by D. Sosik.

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

Traffic Safety Committee Recommendations

J. Malloy said that he concurred with their recommendations on various issues, including the request to create a “No Parking” zone on Burgess School Road.

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MOTION: To erect and enforce no parking on the curb side from the Miracle Maze to the corner of Burgess School Road and that it be enforced immediately, by D. Schmida.

MOTION: To erect and enforce no parking on the curb side along the north end of the ball fields from the Miracle Maze to the bend of Burgess School Road, by D. Schmida.

2nd: D. Sosik

D. Sosik suggested putting in speed bumps. J. Malloy said that permanent speed bumps would create an obstacle to snow plowing operations, but portable speed bumps could be used.

W. Emrich asked about the status of no parking signage. J. Malloy said that signs installed at that site tend to disappear, but he would look into getting signs.

Chief Button suggested having a committee look at it more comprehensively, consisting of school officials, police and fire departments. D. Schmida said that he would like to formulate such a committee.

Sarah Goodwin said that the no parking signs have been approved by the School Committee. She requested that the Board hold action. She said that the Miracle Maze parking lot is out of the way and is a better place to park.

J. Malloy informed the Board that 2,000 feet of Burgess School Road is a public way.

Vote: All in favor.

MOTION: To set up a committee to review the entire traffic safety issue in and around Burgess School property, to consist of: one member of the Burgess School Committee, the principal. . .

H. White noted that a Traffic Safety Committee already exists, and the matter should be referred to that committee, with the recommendation that the Fire Chief, Little League representatives and Burgess School Committee members be included in the discussion.

D. Schmida said that this would be a special group to focus on a specific area to address those issues within that area. The Traffic Safety Committee should be involved in that process, with no intention of circumventing them.

MOTION (continued): Little League representatives, Selectmen and two members of the Traffic Safety Committee, by D. Schmida.

There was no second to the motion.

MOTION: To refer it back to the Traffic Safety Committee, with the recommendation that when they meet to discuss Burgess School Road traffic and parking issues to include members of the Burgess School Committee, the principal, Little League representatives and Selectmen, by H. White.

2nd: D. Schmida

Vote: All in favor.

MOTION: To add Jim Malloy to the committee, by H. White.

2nd: D. Schmida

Vote: All in favor.

Additional Appointments/Resignation

MOTION: To confirm the Town Administrator's appointment of Lisa Gelfand to the Open Space Committee; Hal White to the Personnel Committee; and Kevin MacConnell to the Betterment Committee, by D. Sosik.

2nd: D. Schmida

Vote: Four in favor; H. White abstained.

MOTION: To accept the resignation of Denise Fontaine as a part-time dispatcher in the Sturbridge Police Department, by D. Sosik.

2nd: W. Emrich

Vote: All in favor.

Common Victualler License

MOTION: To approve the Common Victualler License for Enrico's Brick Oven Pizzeria, by D. Sosik.

2nd: H. White

Vote: All in favor.

Retirement of K9 Varus

MOTION: To approve the request of the Police Department to retire K9 Varus and to approve the transfer of ownership to Lt. Ford, who has been Varus' handler for the past 10 years, by H. White.

2nd: W. Emrich

Vote: All in favor.

It was the consensus of the Board to send a letter of commendation to Lt. Ford and Officer Varus, thanking them for the years of service.

Dock Permit Application

Gary Allard, 78 South Shore Drive, submitted an application for a dock permit. J. Malloy reviewed the application and found that it complied with the requirements of the Harbormaster Regulations.

MOTION: To approve the dock permit application subject to any conditions placed on the installation by the Conservation Commission and that the dock be placed so as to maintain the following distances: 15 feet from the lot line of 76 South Shore Drive and 40 feet from the lot line of 80 South Shore Drive, by H. White.
2nd: D. Schmida
Vote: Four in favor; D. Sosik abstained.

Big Alum Sewer Abatement Request

Brian Caron had submitted a request for an abatement of the sewer betterment assessment at 295A Clark Road. The deadline for filing an abatement request was in February 2005.

MOTION: To disapprove the abatement request, as it did not meet the statutory requirement for filing, by H. White.
2nd: D. Schmida
Vote: All in favor.

Chapter 90 Reimbursement Request

MOTION: To authorize the Board of Selectmen to approve/sign the Chapter 90 Reimbursement Requests in the amounts of \$15,211.40 and \$147,896.68, by H. White.
2nd: D. Sosik
Vote: All in favor.

Miscellaneous

J. Malloy informed the Board that Joel Bard, Kopelman & Paige, had expressed concern about a potential conflict of interest with regard to issues concerning the Fiske Hill East connection to the sewer project. He asked whether the Board would be amenable to having the sewer flow go directly into Southbridge, or would the Board object to a development with sewage going to Southbridge, resulting in an opposing situation with Southbridge. Kopelman and Paige represents both Sturbridge and Southbridge.

J. Malloy said that Firefighter Nicholas DaDalt was awarded the Lifesaving Award by the Mass. State Police for saving the life of a heart attack victim.

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Old Business

H. White asked about the status of the report on the executive session matter of April 4th. J. Malloy said that he would have a report for the June 20th meeting.

New Business

H. White suggested sending a letter about the music program at Burgess.

A. Wilson suggested having a member of the Planning Board serve on the Quinebaug Shetucket committee.

Ask the Selectmen

D. Sosik received a call from Velma Franz, who wanted to know why some of the Sturbridge signs have the Town seal, while others do not.

D. Sosik received a call from George Dib, who expressed interest in the status of the "no parking" signs.

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. Sosik.

2nd: H. White

Roll call vote: All were in favor.

MOTION: To invite members of the Community Preservation Committee to attend the executive session, by A. Wilson.

2nd: D. Sosik

Vote: All in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date