

June 20, 2005

**BOARD OF SELECTMEN
MINUTES
JUNE 20, 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.

Approval of Minutes

MOTION: To approve the minutes of June 6, 2005 as clarified, by D. Sosik.

2nd: H. White

Vote: All in favor.

MOTION: To accept the executive session minutes of June 6, 2005, to remain confidential, by D. Sosik.

2nd: H. White

Vote: All in favor.

MOTION: To accept the executive session minutes of May 16, 2005, to remain confidential, by D. Sosik.

2nd: W. Emrich

Vote: All in favor.

Reinhardt Associates, Inc.

John McMillan and Ned Trumbull from Reinhardt Associates appeared before the Board to discuss the Public Safety Complex roof and heating/cooling system. They had conducted an investigation and determined that the estimated cost of updating the system would be approximately \$150,000. The roof has been decomposing, it will not hold shingles in some areas, and there are leaks. The new shingles will be fungus resistant and come with a 15 or 20 year warranty.

Ned Trumbull said that the heating/cooling system is served by two rooftop units, which appear to be in good shape. The air conditioning is used year round. The exhaust system has 2" throw aways. He said that the biggest problem in the control unit, and 40-50% of the controls do not function. He said that the air balancing is still in line with the balancing that was done 16 years ago. They will make sure that all of the valves are changed. Chief Senecal said that the issue

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of the heating/cooling system has been a major problem, and the furnace has not been running properly. He suggested getting a double burner system.

H. White asked whether there is a maintenance contract to maintain the HVAC system. Chief Senecal said that there is not, because it would be too expensive. He noted that they replace the filters on a regular basis, and the oil burner company maintains the boiler.

N. Trumbull said that the air handling units are in good shape, but the exhaust system has some problems. He said that the contractor is supposed to give the customer a maintenance checklist and walk the client through the steps to maintain it. Chief Senecal said that they had not been given the right information to deal with it, and after two years the air conditioning system starting having problems. He noted that the activators had been changed.

J. Malloy said that it should be funded through debt issuance for five years, in the \$60,000 range, and should be put on the next Special Town Meeting warrant.

Department Head Monthly Reports

Fire Chief Leonard Senecal read his report to the Board (copy on file). He said that the Tri-Epic tabletop exercise was held at Rom's Restaurant with the help of the Police Department. A physical drill will be held in Southbridge on Saturday, June 25th, with three towns working together.

Chief Senecal said that Firefighters Dadalt and Hastings graduated the training course for part-time firefighters. Firefighter Overly is doing very well at the State Fire Academy.

Chief Senecal recommended that the Board award the ambulance bid to Specialty Vehicles, since they met/exceeded the bid specifications.

MOTION: To award the bid for a new ambulance to Specialty Vehicles, Inc. in the amount of \$119,013 as per their bid dated 6/15/05, by D. Schmida.
2nd: D. Sosik
Vote: All in favor.

Sewer Moratorium

MOTION: That the Board of Selectmen approves instituting a moratorium on new connections to the Town's wastewater system for a period of time commencing June 20, 2005 to last for a period of 12 months, unless extended by vote of the Board of Selectmen, and the Board has reviewed and analyzed the existing flow at that time, as follows:

1. That no new extensions to the existing wastewater system will be approved beyond the existing area of town presently served by the town's wastewater system.
2. That no new connections within the area of town presently served by the town's wastewater system, other than those specifically allowed under the Sewer Service Area Bylaw and that the town has set aside a reserve, shall be allowed to connect to the town's wastewater system. This is specifically intended to address the subdivision of existing lots allocated a reserve for one single family residence.
3. That the Sewer Moratorium would not apply to the existing residences on Woodside Circle that the town is presently considering extending sewers to the 30 existing single family homes included in the Tighe & Bond report dated May 6, 2005, nor to Stanley Choinski's request to provide service to two lots on Westwood Drive.
4. That the Sewer Moratorium would not apply to lots existing prior to December 31, 2001 (as per the Sewer Service Area Bylaw) that flows directly into Southbridge.

The purpose and justification of the moratorium is that the town has reached capacity at the wastewater treatment plant, except for the provision to allow flow to Southbridge. Even with this provision, the town has reached the 80% flow level at the Sturbridge wastewater treatment plant. The town has accepted a bylaw that requires the town to reserve flow for existing properties within the sewered area of town and in order to ensure that the town can meet this requirements into the future, the town needs to evaluate actual flow once all approved connections have been made and the Board of Selectmen can analyze and evaluate the status of the wastewater system at such time, by H. White.

2nd: D. Schmida

Vote: All in favor.

Department Head Monthly Reports

Harold Nichols, Building Inspector, read his report to the Board (copy on file). He noted that there is a large renovation and expansion project at OFS, and they are installing new tanks.

H. Nichols said that installing signs without a permit has become a problem, and asked the public to call him before putting up any signs.

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H. White said that regarding enforcement of the scenic road bylaw, there has been clear cutting on Rt. 131 and Wallace Road. H. Nichols said that he would meet with the Tree Warden about it, and it will be corrected. J. Malloy said that he had sent a memo to the Building Inspector, Tree Warden and Town Planner asking them to meet with him about the issue. A meeting will be scheduled for early July.

G. Morse, DPW Director, read his report to the Board (copy on file). They adjusted catch basins and manholes and prepared Fox Run, South Rd., Vinton Rd., Lake Shore Drive, Collette Rd. and Cedar St. for paving. He noted that the new sweeper is efficient.

Paul Donahue, Veolia Water North America, read his report to the Board (copy on file). He said that drinking water sample testing was done, and all results were in compliance. He said that the wastewater treatment plant has been performing very well, and flow totals are up over last year's totals. He gave a breakdown of maintenance money and balances, with a summary of maintenance conducted.

J. Malloy asked whether a watering ban should be in place. G. Morse indicated that it should, since the Town does not presently have a third water source.

MOTION: To institute a voluntary watering ban from 7:00 a.m. to 7:00 p.m. for the months of July and August, by H. White.
2nd: D. Schmida
Vote: All in favor.

Stanley Choinski – Sewer Connection Request

Stanley Choinski appeared before the Board. A. Wilson explained that the Board's vote exempted him from the moratorium.

MOTION: To deny the sewer connection request of Stanley Choinski for two additional properties on Westwood Drive; however, he is still entitled to one connection for land on Woodside Circle, by D. Schmida.
2nd: H. White
Vote: All in favor.

FY06 Rental Equipment/Road Materials Bids

MOTION: To approve the annual Public Works bids as per the memorandum from Greg Morse, DPW Director, dated June 9, 2005, by H. White.
2nd: D. Sosik
Vote: All in favor.

Wastewater Issues

J. Malloy submitted to the Board corrections to the draft wastewater flow analysis, per the discussion at the work session on June 13, 2005:

- The current municipal flow is 10,453 gpd; future reserves are currently 30,000 gpd additional flow.
- The additional cost per 100 gpd for debt service on a \$5,000,000 expansion project would be \$0.02 per 100 gpd.
- The total cost of sending 100% of the flow from the Hobbs Brook Pump Station to Southbridge would be as follows:

150,000 gallons per day
5,475,000 gallons per year
547,500 gpy ÷ 100
\$0.26 per 100 gallons
\$142,365 per year

not the \$325,000 figure that J. Malloy included in the report.

Earth Removal Permit Extension Request

Edward Plimpton had submitted a request to extend the earth removal permit that he had obtained on June 16, 2003 under the same conditions as the Board had originally approved. J. Malloy submitted a copy of the 6/16/03 minutes and Greg Morse's memo to the Board. H. White said that it should go through the public hearing process so that abutters could come in to give their input. The Board agreed.

MOTION: To require a public hearing, by D. Sosik.
2nd: D. Schmida
Vote: All in favor.

A public hearing will be scheduled.

Senior Municipal Service Program (FY06)

MOTION: To approve Rita Choquet's participation in the Senior Municipal Service Program for FY06, working for the Building Inspector reviewing and archiving old files, by D. Sosik.
2nd: H. White
Vote: All in favor.

Miscellaneous

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J. Malloy submitted to the Board a letter from the Sturbridge Retirement Cooperative Community, withdrawing their request for a town sewer connection (copy on file).

SBA – High School Debt – J. Malloy submitted to the Board an email from Deb Boyd, Business Manager, explaining the audit and reimbursement by the state on the high school debt. A. Wilson requested clarification of it.

Barbara Barry, Finance Director, had asked J. Malloy about the Town's policy regarding what constitutes a retiree for health insurance benefits. J. Malloy noted that the Town currently has no policy. He spoke to Town Counsel, and any policy would need to be for prospective employees and would also require negotiations with all collective bargaining units, including the school units. A policy might read as follows: "That to be eligible for post-retirement health insurance benefits, an employee is required to be in full-time employment with the Town of Sturbridge for the 10 years immediately preceding retirement." The Board agreed to discuss the matter at the next meeting. J. Malloy will notify the unions and will draft a policy and send it to Town Counsel for review.

J. Malloy brought up the issue of the Fiske Hill East project request to connect to water and sewer through Southbridge. He recommended that the Board authorize him to talk to the Town Manager in Southbridge and for Kopelman & Paige to draft a legal opinion on what would be required for a development in one community to connect to town water and sewer in another community. It was the consensus of the Board for J. Malloy to proceed with the discussions.

OSV PWED

J. Malloy informed the Board that the base bid for the PWED (Public Works Economic Development Grant) for the Old Sturbridge Village Gateway Project came in above the grant award (approximately \$1.1 million). The low bidder was approximately \$1.1 million, which does not account for engineering fees and land acquisition costs (estimated at \$436,000). In order to move forward on the project, J. Malloy will need to work with OSV and Mass. Highway Dept. to see how the project can be modified to allow it to go forward. OSV has indicated that their priorities include the land acquisition and the brick sidewalk. It is likely that this will require an amendment to the grant award to move forward. J. Malloy provided a breakdown of the bid prices for the Board's review (copy on file).

Old Business

MOTION: To approve the repair work recommended by Reinhardt Associates and place it on the next Special Town Meeting warrant to determine whether it should be paid through debt issuance, by D. Sosik.

2nd: H. White

Vote: All in favor.

H. White expressed disappointment in Beverly Shepard's presentation regarding future plans for Old Sturbridge Village. He noted that the strategic planning process for OSV has been completed, and he had expected a presentation regarding new OSV strategic initiatives (such as Camp Robinson Crusoe) and more specific information on how the Village's strategic plans affect the town. A. Wilson said that he and J. Malloy will meet with Beverly Shepard.

H. White asked about the status of the bond on the Galonek property for gravel removal. It was the consensus of the Board that J. Malloy should research all legal avenues regarding removal of gravel at that site, to find out if there are any violations, what the penalties would be, etc.

H. White asked about the status of pollution on Stallion Hill Road and Holland Road, and whether Tighe & Bond had reported on that. J. Malloy said that he had spoken with Kurt Nelson of Tighe & Bond and will get an updated report very soon.

H. White asked J. Malloy to look into the legality of going back to a retroactive sunset provision for sewer connections. J. Malloy said that the Whittemore Woods subdivision has not received site plan approval.

D. Sosik asked about the status of the Senior Center Garden project. J. Malloy said that Barbara Search, Council on Aging Director, will get back to him when they are ready to meet with the Board.

D. Sosik asked what the Town is paying for health insurance for retirees. J. Malloy said that the Town pays 50% of health insurance for retirees.

New Business

W. Emrich said that he had received a letter from a 5th grade student from Burgess Elementary School who is enthusiastic about biking. He asked about the status of bike trails in Town. J. Malloy said that progress is being made with that. He said that there are two properties over which the trail will go that require easements. A report will be completed by the end of the month. He suggested checking the Town's website for information and updates about the trail system.

A. Wilson noted that George Zini has resigned from the Tantasqua School Committee, and the procedure is to do a joint appointment of a new member with the Tantasqua School Committee members from Sturbridge and the Board of Selectmen. He said that the application deadline is July 1st, and suggested that the joint appointment be made on July 5th.

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A.Wilson said that the deadline for applications for the Zoning Study Committee was June 10th, and the applicants were: Scott Garieri, Michael Hoyer and Maureen Ouellette. It was the consensus of the Board to invite the applicants to meet with the Board to discuss their credentials at the July 5th meeting.

A.Wilson said that the deadline for applications for the Burgess Building Committee was June 17th. J. Malloy suggested that the Board interview the applicants at their work session on July 11th, and posted as a regular meeting of the Board. D. Sosik suggested preparing a list of questions for the applicants.

A.Wilson said that the Board had received a letter from the Sturbridge Retirement Cooperative regarding withdrawal of their request for a sewer extension on Kelly Road.

MOTION: That the Board reconsiders the motion to approve a sewer extension made on June 21, 2004; then make a second vote to reconsider it, by A. Wilson.

2nd: D. Schmida

Vote: All in favor.

H. White noted that in the first motion the Board had approved a certain number of gallons for the Sturbridge Retirement Co-operative and the Kelly Farm Partnership; it was a joint proposal. Since then, one party was removed from that proposal.

MOTION: That the Board rescind the motion made on June 21, 2004 for extension of the sewer line for 69,000 gallons, with 34,500 gallons to be used by the Sturbridge Retirement Co-operative and 34,500 gallons by the Kelly Farm Partnership, by H. White.

2nd: D. Schmida

Vote: All in favor.

A.Wilson said that the original Spaho plans for sewer connections and plans that went before the Board of Appeals for a variance were denied. He noted that the Board may want to consider rescinding that motion as well.

A.Wilson asked the members of the Board for their preferences regarding liaison assignments.

Penny Dumas asked the Board to consider that the best candidates for the Burgess Building Committee may not be the best public speakers, and she suggested that the candidates be given a list of questions beforehand.

Ask the Selectmen

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D. Schmida received a call from Holly Turley, who asked if there would be an alternate date for interviewing candidates for the Burgess Building Committee, in the event that they are out of town on July 11th. A. Wilson said that if any of the candidates are on vacation at that time, they would not be penalized, and other arrangements could be made.

D. Schmida said that a caller indicated that he did not see the necessity of holding another public hearing on the Plimpton earth removal permit.

J. Malloy received a call asking whether there is still a Trail Committee. He said that there is a Regional Trail Committee, and Ed Calcutt and Dale Ploski of Sturbridge are members.

MOTION: To convene in executive session under MGL Chapter 39, §23B, Paragraph #6: To consider the purchase, exchange, taking, lease or value of real property; to invite the Community Preservation Committee to attend the meeting; not to reconvene in open session, by D. Sosik.

2nd: H. White

Roll call vote: All were in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date