

October 17, 2005

**BOARD OF SELECTMEN  
MINUTES  
OCTOBER 17, 2005**

Present: Arnold Wilson, Chairman (arrived at 6:45 p.m.)  
Hal White  
Doris Sosik  
William Emrich  
James Malloy, Town Administrator

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

**Town Planner Appointment**

**MOTION:** To confirm the Town Administrator's appointment of Jean Bubon as the Town Planner with a starting salary of \$59,500, for a term to expire in 2008, by D. Sosik.

**2<sup>nd</sup>:** W. Emrich

**Vote:** All in favor.

**Approval of Minutes**

**MOTION:** To approve the executive session minutes of October 3, 2005 as submitted, to remain confidential, by D. Sosik.

**2<sup>nd</sup>:** W. Emrich

**Vote:** All in favor.

**Appointments**

**MOTION:** To confirm the Town Administrator's appointment of David Williams as a Police Officer in the Sturbridge Police Dept. at a starting rate of \$18.22 per hour, with an effective date of 10/24/05, by D. Sosik.

**2<sup>nd</sup>:** W. Emrich

**Vote:** All in favor.

**MOTION:** To confirm the Town Administrator's appointment of David Fortier as a Sealer of Weights and Measures in the Sturbridge Police Dept. for the purpose of weighing trucks, by D. Sosik.

**2<sup>nd</sup>:** W. Emrich

**Vote:** All in favor.

A. Wilson arrived at 6:45 p.m.

**Department Head Monthly Reports**

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Fire Chief Leonard Senecal read his report to the Board (copy on file). He said that the Lions Club, Rotary Club and Wal-Mart had made donations toward the purchase of a John Deere ATV Trail Gater, which is fully equipped. Refresher courses on CPR and defibrillator use were taken by Fire Dept. personnel last month. The Fire Dept. assisted the town of Southbridge with a fire at their landfill.

Chief Senecal said that it was necessary for the Fire Dept. to pump 36 cellars in town, following the recent heavy rainfall. He said that there were six flooded businesses on Rt. 131 and Rt. 20; Mass. Electric responded well to the situation, which required some businesses to be shut down, and one evacuation of a residence on Rt. 131.

Chief Senecal noted that the Laurel Woods water extension would make it easier and safer for firefighters to operate and easier for the Police Dept. to control detour traffic there.

J. Malloy read the Building Inspector's report to the Board (copy on file). Harold Nichols was out sick.

Greg Morse, DPW Director, read his report to the Board (copy on file). He said that the crews have been working on preparing the roads for winter.

**MOTION: To approve the plowing and sanding bids per G. Morse's memo dated October 13, 2005, at the rates stated, by A. Wilson.**

**2<sup>nd</sup>: H. White**

**Vote: All in favor.**

G. Morse informed the Board that the last storm caused them to overspend their budget by \$673, so they will need a reserve fund transfer to cover it. J. Malloy said that representatives from FEMA and MEMA came to assess damage to the area to see if it meets the threshold for a determination of a disaster area.

Paul Donahue, Veolia Water North America, read his report to the Board (copy on file). He said that the lead and copper testing reports indicated 100% compliance. He said that the water meter readings have been completed, and they have started hydrant flushing. He said that the Rt. 20 pump station had been flooded after the recent rain, with water overflowing into the road. He then contacted G. Morse, who helped to stabilize things by pumping the Hobbs Brook flow to Southbridge. A. Wilson expressed gratitude to everyone who participated in the effort.

J. Malloy announced that Well #1 was approved for use by DEP.

John and Janet Zafaris, appeared before the Board. Their property on Stallion Hill Road had sustained about \$50,000 worth of damage, including a 30 foot hole in their yard, their driveway was undermined, and their septic system is gone. They had a waterfall in their front yard, and J. Zafaris said that the water must be diverted more effectively. J. Malloy said that if the federal government declares this area a disaster area, then federal assistance funds may be available. He noted that the Police Dept. has created a log book of people with problems due to flooding, and they will be contacted after the designation has been made. He said that G. Morse, DPW Director, and the town engineer could look at the situation. J. Malloy will report back to the Board.

### **Appointments**

**MOTION: To confirm the Town Administrator's appointment of Mark Denault and Daniel Gervasi as Crew Leaders in the Public Works Department at a starting wage of \$21.88, by D. Sosik.**

**2<sup>nd</sup>: W. Emrich**

**Vote: All in favor.**

**MOTION: To confirm the Town Administrator's appointment of Jane McClelland to the Cultural Council for a term to expire in 2006, by D. Sosik.**

**2<sup>nd</sup>: W. Emrich**

**Vote: All in favor.**

**MOTION: To confirm the Town Administrator's appointment of Bruce Smith to the Planning Board for a term to expire in 2007, by D. Sosik.**

**2<sup>nd</sup>: H. White**

**Vote: All in favor.**

**MOTION: To confirm the Town Administrator's appointment of Rachel Sprague to the Council on Aging for a term to expire in 2008, by D. Sosik.**

**2<sup>nd</sup>: W. Emrich**

**Vote: All in favor.**

**MOTION: To confirm the Town Administrator's appointment of Anthony Celuzza, Mary Blanchard, Roger Richard and William Haggerty to the Charter Review Committee, by D. Sosik.**

**2<sup>nd</sup>: W. Emrich**

H. White suggested that the Board take no action until there are five people to serve on the committee. D. Sosik withdrew the motion; W. Emrich withdrew the second.

### **Fines**

J. Malloy said that the Selectmen have not adjusted the schedule of fines pursuant to the Traffic Rules & Regulations in at least 10 years. Chief Button conducted a survey of several towns, and submitted a memo and spreadsheet dated 10/6/05 (copy on file), which clearly shows that Sturbridge's fines are extremely low.

**MOTION: To increase the fines as indicated on the attached spreadsheet entitled, "Fine Survey and Recommendations" dated 10/13/05, effective 11/1/05, by A. Wilson.**

**2<sup>nd</sup>: H. White**

**Vote: All in favor.**

### **Special Town Meeting**

J. Malloy recommended that the Board set a Special Town Meeting for 12/6/05. The issues that need to be addressed include the Public Safety Complex roof/HVAC, the wage issue that arose with the Board of Health at the Recycling Center in FY05 that carried over to FY06, fuel costs, Town Counsel's budget and potential Community Preservation Act expenditures.

**MOTION: To set the Special Town Meeting for 12/6/05 at Tantasqua High School auditorium, and to close the warrant for the Special Town Meeting on 11/21/05, by H. White.**

**2<sup>nd</sup>: W. Emrich**

**Vote: All in favor.**

### **Miscellaneous**

J. Malloy informed the Board that Beverly Sheppard, President of Old Sturbridge Village, will meet with the Board on 11/21/05.

J. Malloy said that he had spoken with Greg Morse regarding staking the 21' width for McGilpin Road, and his understanding was that he was going to do it in the spring after the snow melts, so that it would not have to be done twice.

Laurel Wood Subdivision water line extension – The Board had asked about water pressure to extend the water line to the intersection of Cedar Street and Cooper Road. J. Malloy submitted to the Board a response from the Water Dept. indicating that there is sufficient pressure (copy on file), which was also confirmed by Greg Morse, DPW Director. Additionally, Chief Senecal indicated that his preference would be for the line to be extended. The Planning Board will be taking the subdivision up again on October 25<sup>th</sup>, and will be looking for a decision from the Board of Selectmen on the water line extension for their final decision on the subdivision.

**MOTION: To approve the water line extension; to require that the water line would be extended for fire protection to the intersection of Cedar Street and Cooper Road by the developer of the Laurel Woods subdivision (Escape Estates) as per the plans submitted to the Planning Board, by D. Sosik.**

**2<sup>nd</sup>:H. White**

**Vote: All in favor.**

Health Insurance Contributions – The Board had asked that Barbara Barry, Finance Director, provide a breakdown of health insurance costs for the year at 55% (\$665,679) and 60% (\$698,356) if the Board were to consider a change at this point in time.

127-135 Main Street – request for sewer connection – Regarding the water issue, J. Malloy did not believe that there was a moratorium that was voted on by the Board, and did not think there needed to be one. Regarding sewer, the property is comprised of 127, 133 & 135 Main Street, and as such had 600 gpd set aside in the original Sewer Service Area Report and updates. If the property is developed solely for retail use, it would have a Title V flow lower than this 600 gpd and can go forward. The developer is interested in placing a restaurant in the development and the sewer flow would go directly to Southbridge via the gravity line in Route 131. H. White did not think that having Southbridge available should be an excuse for development, and recommended the Board not take action. A. Wilson asked whether there was a legal way to split the sewer rate; he did not think that the rate differential was fair. J. Malloy said that he would review the matter. It was the consensus of the Board to hold action pending further information.

J. Malloy announced that the Town of Sturbridge won the Sturbridge in Bloom Award for the most attractive garden in the Public Organizations category. He gave credit to Tony and Janet Celuzza for planting the flowers in front of Town Hall. D. Sosik suggested sending them a letter thanking them for their contribution.

### **Old Business**

W. Emrich asked whether the Burgess Building Committee was going to meet on October 20<sup>th</sup> at Town Hall. J. Malloy confirmed that.

### **New Business**

A. Wilson suggested sending a letter to Jim Wettlaufer indicating the Board's support, with a copy to Kathleen Reynolds, Superintendent of Schools.

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A. Wilson said that he had attended the Rotary Club meeting and read the proclamation that was sent to Stourbridge, England (copy on file) and read the letter from England (copy on file).

**Ask the Selectmen**

W. Emrich received a call from Thelma Franz, who wanted to know if she should report flooding damage to her property to the Police Department. J. Malloy said that she should contact the Police Dept. and give them her name, address, phone number and amount of damages.

H. White received a call from an individual who refused to identify himself/herself, so he thanked the person for the call. He stated that the Board would respect the confidentiality of the caller, but the caller must identify himself/herself to the Selectman who answers the phone.

**MOTION: To convene in executive session under MGL Chapter 39, §23B, Paragraph 3: To discuss strategy with respect to collective bargaining or litigation; and Paragraph #6: To consider the purchase, exchange, taking, lease or value of real property, not to reconvene in open session, by D. Sosik.**

**2<sup>nd</sup>: H. White**

**Roll call vote: All were in favor.**

Respectfully submitted,

Judy Knowles

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BOS Clerk

Date