

November 21, 2005

**BOARD OF SELECTMEN
MINUTES
NOVEMBER 21, 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 November 7, 2005 as revised, by H. White.

2nd: W. Emrich

Vote: All in favor.

MOTION: To approve the executive session minutes of November 7, 2005 as amended, to remain confidential, by H. White.

2nd: D. Schmida

Vote: All in favor.

MOTION: To approve the executive session minutes of October 17, 2005 as amended, to remain confidential, by H. White.

2nd: W. Emrich

Vote: Four in favor; D. Schmida abstained.

MOTION: To approve the executive session minutes of September 6, 2005, to remain confidential, by H. White.

2nd: D. Schmida

Vote: All in favor.

Senior Municipal Service Program

MOTION: To approve the Senior Municipal Service Program for Lorraine Langevin to work with the Sturbridge Police Dept., assisting in putting together the Police Department's "year in review" book, by H. White.

2nd: D. Schmida

Vote: All in favor.

MOTION: To approve the Senior Municipal Service Program for Anita Tavernier to work with the Town Clerk on the annual town census, by W. Emrich.

2nd: H. White

Vote: All in favor.

IOD Claim

MOTION: To approve the Injured on Duty Claim under MGL Ch. 41, §111F for Captain Ed Bourassa for the injury to his wrist that occurred on 11/8/05, by H. White.

2nd: W. Emrich

Vote: All in favor.

Woodside Circle/Westwood Drive Sewer Project

Residents of Woodside Circle and Westwood Drive appeared before the Board to discuss the proposed article for the Special Town Meeting warrant regarding extension of sewer to Woodside Circle and Westwood Drive. A. Wilson noted that the Town would apply for grants to reduce the cost of the sewer extension.

Michael Gionfriddo, 30 Woodside Circle, said that his neighborhood needs help, since some of the homes had failed Title 5 inspection. His own septic system needs to be replaced. He noted that there are unpleasant odors in the neighborhood. There were 27 signatures on the petition (copy on file), representing 74% of the neighborhood, based on the inclusion of four lots that abut Westwood Drive.

J. Malloy said that the Board of Health requires Title 5 inspections every two years; if the system fails, the homeowner could be required to tie into the sewer system. He noted that the residents will have to pay the betterment assessment regardless of whether they tie into the system or not. He said that the Town would provide the grinder pump, but it would be more expensive for a homeowner to tie into the sewer system later on.

Jeremy Wollaston spoke against the project. She felt that the cost to the homeowner would be too high, and said that the problem could be solved by installing new septic systems. She said that the cost of connecting to the Town's sewer system would not add to the value of a home, and that properties that tie into the system will need to be re-landscaped and re-plumbed.

Richard Predella, 32 Woodside Circle, spoke in favor of the project, and showed pictures of the wetlands at Woodside Circle. He said that the sewer project would help the water quality at Cedar Lake.

David Mitchell, 27 Woodside Circle, noted that there is an elevated water table in the area, and the sewer project would reduce septic waste, which would be an improvement.

William MacDonald, 28 Woodside Circle, agreed that the water table is high in the neighborhood, and noted that the soil is largely clay and ledge, so the water does not filter very well. He said that if the sewer system is not extended, the problems will continue. He noted that there have been a lot of septic system failures in the neighborhood.

MOTION: To include an article on the upcoming Special Town Meeting warrant to extend the sewer system to Woodside Circle, by H. White.

2nd: D. Schmida

Vote: All in favor.

MOTION: To include an article on the Special Town Meeting warrant for the sum of \$827,000 for engineering and construction of the Woodside Circle Sewer Project, to include all properties abutting Woodside Circle for 34 houses; including costs incidental and related thereto, to determine whether such appropriation shall be raised by taxation, by transfer from available funds, by borrowing or otherwise, and see if the Town will vote to assess sewer use fees and/or betterment assessments to cover the costs of the subject sewer construction project upon its completion, by H. White.

2nd: D. Schmida

J. Malloy suggested including more money in the motion to cover four additional houses, for a total of \$850,000. **H. White revised his motion to \$850,000. D. Schmida seconded it.**

Vote: All in favor.

Thomas Creeden said that it would be very expensive for the residents of Westwood Drive if they are included later. A. Wilson asked when the plans and specs would be completed. J. Malloy said that it would take up to five or six months to get design plans to send to DEP, then go through the permitting process with DEP, if Westwood Drive was to be added to the project.

Class II Used Car License Application

MOTION: To approve the application for a Class II Used Car Dealers License for Steven Chojnicki, 31 Audubon Way, to be operated as an online business, with the condition that no vehicles that are for sale as part of the business are stored at this location, by H. White.

2nd: W. Emrich
Vote: All in favor.

MGL Ch. 148A Municipal Hearing Officer

MOTION: To appoint the Town Administrator as the municipal hearing officer for code violation appeals under MGL Ch. 148A, by H. White.
2nd: W. Emrich
Vote: All in favor.

Town Hall/Center School Renovation

MOTION: To approve placing an article on the Annual Town Meeting warrant to renovate the Town Hall and Center School as per the plans prepared by CME/CPK, and to place a question before voters at the 2006 Town election to exclude the debt from Proposition 2 1/2, by A.Wilson.
2nd: D. Schmida
Vote: All in favor.

Bob Briere expressed concern about the renovations. He said that the Massachusetts Preservation Project offers grants worth more than \$23 million, and they give a 75% match. A.Wilson said that the Town cannot apply for a grant without a project; the Town must first approve the project. J. Malloy said that Preservation Project funds are good for a certain type of work, and it places severe limits on what can be done with a renovation. He questioned whether an MPP grant would be applicable for this project.

Jeff Bonja said that he would like confirmation that the Burgess project is being done within the context of having a suitable school for the Town's children. A.Wilson assured him that it was.

Propane License

MOTION: To approve the application submitted by Northeast Oil & Propane, Inc. for the replacement of propane tanks located at 277 Main Street, by D. Schmida.
2nd: H. White
Vote: All in favor.

Sturbridge Nursery School

MOTION: To approve the work outlined in the 11-13-05 letter from the Sturbridge Cooperative Nursery School and report from First Environmental Contractors, Inc., by D. Schmida.

2nd: W. Emrich
Vote: All in favor.

Charter Review Committee

MOTION: To confirm the Town Administrator's appointments of Anthony Celuzza, Mary Blanchard, Carol Goodwin, William Haggerty and Roger Richard to the Charter Review Committee, by H. White.

2nd: W. Emrich
Vote: All in favor.

Road Kill Deer Agent

MOTION: To confirm the Town Administrator's appointment of Ronald Komar as the Road Kill Deer Agent, by H. White.

2nd: W. Emrich
Vote: All in favor.

MOTION: To convene in executive session under MGL Ch. 39, §23B, Paragraph #6: To consider the purchase, exchange, taking, lease or value of real property; and to invite the Community Preservation Committee; to reconvene in open session by D. Sosik.

2nd: H. White
Roll call vote: All were in favor.

Open session reconvened at 8:40 p.m.

Special Town Meeting Warrant

Article #25: Heins Farm Acquisition

MOTION: To place and support Article #25, as per the bond counsel's motion, by A. Wilson.

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

Article #26: Land Donation

MOTION: To place and support Article #26, by H. White.

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

Article #27: Old Sturbridge Village Rezoning

MOTION: To place Article #27 on the warrant, by D. Sosik.

2nd: W. Emrich
Vote: Four in favor; H. White opposed.

Article #28: Approval of Warrants

MOTION: To place and support Article #28, by D. Sosik.

2nd: D. Schmida

Vote: D. Schmida in favor; four opposed.

H. White suggested that this issue be addressed at the Annual Town Meeting, and should be signed by the Town Administrator and the Finance Director. It was the consensus of the Board to discuss it at the Annual Town Meeting.

Article #29: Approval of Town Meeting Minutes

It was the consensus of the Board to discuss it at the Annual Town Meeting.

Article #30: Dissolution of Housing Authority

It was the consensus of the Board to discuss it at the Annual Town Meeting.

Article #31: Acceptance of Brook Hill Road

MOTION: To place and support Article #31, subject to the DPW Director's final approval, by H. White.

2nd: D. Schmida

Vote: All in favor.

Article #32: Open Space Donation

J. Malloy said that he would bring it back before the Board in a few weeks.

Article #33: Burgess Budget

MOTION: To place Article #33 on the warrant, by D. Sosik.

2nd: W. Emrich

Vote: All in favor.

Article #34: Conservation Commission Clerk

MOTION: To place and support Article #34, by D. Sosik.

2nd: W. Emrich

Vote: All in favor.

Article #35: Fire Dept. Radio Replacement

MOTION: To place and support Article #35, by H. White.

2nd: D. Schmida

Vote: All in favor.

Article #36: Landfill/Recycling Center Salaries/Wages

MOTION: To place and support Article #36, by H. White.

2nd: D. Schmida

Vote: All in favor.

Article #37: Landfill/Recycling Center Overtime

MOTION: To place and support Article #37, by H. White.

2nd: D. Schmida

Vote: All in favor.

H. White expressed concern about the tracking of cash at the Recycling Center, and said that there should be a more professional manner of depositing cash. J. Malloy said that the Finance Director had met with the Board of Health, and changes have been made.

Article #38: Permit Tracking Software

MOTION: To place and support Article #38, by H. White.

2nd: D. Sosik

Vote: All in favor.

Article #39: Senior Center Sink Replacement

MOTION: To place and support Article #39, by D. Sosik.

2nd: W. Emrich

Vote: All in favor.

Article #40: Senior Center Elevator

MOTION: To place and support Article #40, by A. Wilson.

2nd: D. Schmida

Vote: All in favor.

Article #41: Electricity – General Fund

MOTION: To place and support Article #41, by A. Wilson.

2nd: H. White

Vote: All in favor.

Article #42: Sewer Fund

MOTION: To place and support Article #42, by A. Wilson.

2nd: H. White

Vote: All in favor.

Article #43: Water Fund

MOTION: To place and support Article #43, by A. Wilson.

2nd: H. White

Vote: All in favor.

Article #44: Town Clerk Computer

MOTION: To place and support Article #44, by A. Wilson.

2nd: H. White

Vote: All in favor.

Article #45: Town Counsel

MOTION: To place and support Article #45, by A. Wilson.

2nd: D. Schmida

Vote: All in favor.

Article #46: Public Safety Complex Improvements

MOTION: To place and support Article #46, by A. Wilson.

2nd: H. White

Vote: All in favor.

Article #47: Rescinding Debt

MOTION: To place and support Article #47, by A. Wilson.

2nd: H. White

Vote: All in favor.

Article #48: Rescinding Appropriation

MOTION: To place and support Article #48, by H. White.

2nd: W. Emrich

Vote: All in favor.

Article #49: School Building Committee

MOTION: To place and support Article #49, by H. White.

2nd: D. Schmida

Vote: All in favor.

Article #50: Zoning Study Committee Clerical

MOTION: To place and support Article #50, by W. Emrich.

2nd: D. Schmida

Vote: All in favor.

Article #51: Gasoline

MOTION: To place and support Article #51, by D. Schmida.

2nd: H. White

Vote: All in favor.

Article #52: Environmental Fine

MOTION: To place and support Article #52, by D. Schmida.

2nd: H. White

Vote: All in favor.

Article #53: DPW Overtime

MOTION: To place and support Article #53, by D. Schmida.

2nd: H. White

Vote: All in favor.

Article #54: Road Repairs & Maintenance

MOTION: To place and support Article #54, by H. White.

2nd: D. Schmida

Vote: All in favor.

Article #55: Heating Fuel

MOTION: To place Article #55 on the warrant, by H. White.

2nd: D. Schmida

Vote: All in favor.

J. Malloy said that he would look into the fixed pricing matter.

Article #56: Open Space Plan

MOTION: To place and support Article #56, by H. White.

2nd: W. Emrich

Vote: All in favor.

Article #57: DPW Boiler Replacement

MOTION: To place and support Article #57, by A. Wilson.

2nd: H. White

Vote: All in favor.

Article #58: Town Administrator Salary/Wages Transfer

MOTION: To place and support Article #58, by H. White.

2nd: D. Schmida

Vote: All in favor.

MOTION: To close the warrant for the December 6, 2005 Special Town Meeting, by H. White.

2nd: D. Schmida

Vote: All in favor.

A. Wilson noted that the Town Clerk may not be able to attend the Special Town Meeting, so there will be a legal procedure to follow. J. Malloy suggested purchasing a digital recorder, which would run for about 16 hours. It was the consensus of the Board to agree to purchase one.

Old Business

H. White asked about the status of the Fire Dept. staffing study. J. Malloy said that he is awaiting Chief Senecal's final response.

H. White noted that the Lions Club sign should be removed from in front of the building on Brookfield Road.

H. White asked about the status of the letter from Lorraine Moreno. J. Malloy said that she was upset that no one from the Board of Selectmen and the Town Administrator had been out during the recent flooding event to address the problems. He said that it should be made clear that Chief Button and Chief Senecal had toured the damage sites with MEMA and FEMA, and Greg Morse,

November 21, 2005

DPW Director and J. Malloy had toured the public damage. J. Malloy said that he would send a letter to her to clarify the matter.

H. White asked whether J. Malloy had communicated with Mr. & Mrs. Zafaris concerning their damage issue. J. Malloy said that he had given them a detailed explanation. G. Morse will have two drainage pipes installed at their site to divert the water and an L-shaped wall will be installed to collect as much water as possible. These measures should reduce the water significantly, to prevent future flooding on the Zafaris property.

W. Emrich complimented Tom Chamberland, Veterans' Agent and Post 109 for their event on Veterans Day.

D. Sosik asked about the status of the sidewalk at Arnold Road and Rt. 20. J. Malloy said that some of the curbing was installed, and the Planning Board should not release any further lots until the work is completed or substantially complete.

New Business

H. White noted that no email correspondence is included on the correspondence list, and that some should be recorded.

A. Wilson said that he had received an email from Deb Grimaldi regarding the appointment of a representative to participate in the teachers' negotiations. He recommended that J. Malloy represent the Town. It was the consensus of the Board to agree to that.

Ask the Selectmen

W. Emrich received a call from an individual who asked about the funding for the Center School Building and Town Hall, and whether it would require a proposition 2 ½ override. J. Malloy said that there would be debt exclusion. The caller also noted that the Board made a motion and second, but did not vote on the municipal hearing officer.

Vote: All in favor.

MOTION: To adjourn, by H. White.

2nd: D. Schmida

Vote: All in favor.

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

November 21, 2005

Judy Knowles

BOS Clerk

Date