

December 5, 2005

**BOARD OF SELECTMEN  
MINUTES  
DECEMBER 5, 2005**

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

H. White 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 21, 2005 as amended, by D. Sosik.  
**2<sup>nd</sup>:** W. Emrich  
**Vote:** All in favor.

**MOTION:** To approve the executive session minutes of November 21, 2005 as submitted, to remain confidential, by D. Sosik.  
**2<sup>nd</sup>:** W. Emrich  
**Vote:** All in favor.

**Hull Forestry Permit**

Michael Bartlett of Hull Forest Products appeared before the Board. He requested a logging permit for a forestry project at 47 Mashapaug Road. Approximately 15 acres out of 33 acres would be harvested. The plan was submitted to DPW (copy of Director's comments on file) and the Conservation Commission, who will conduct a site walk following approval by the Board of Selectmen.

**MOTION:** To approve the application of Hull Forest Products, subject to the comments and conditions set by the DPW Director and the Conservation Commission, by D. Sosik.  
**2<sup>nd</sup>:** W. Emrich  
**Vote:** All in favor.

**Ginny Roscioli – Request for Abatement of Sewer Privilege Fee**

Ginny Roscioli appeared before the Board. She said that the property at 274 Big Alum was not restored by F & J, which had been brought to the attention of Tighe & Bond and the DPW Director in the fall of 2004. She said that the main trench was left in dangerous condition; vehicles have gotten stuck there. She submitted

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information and photos to the Board (copy on file). She noted that the sewer trench goes up an embankment. The Conservation Commission will write an opinion on the matter.

J. Malloy said that he and Greg Morse, DPW Director, inspected the road conditions after every road was restored, and in most cases the roads were restored to better condition than they had been before. He explained that the Board cannot grant an abatement, since there is no mechanism in place for that. He said that it would be the Town's contention that the damage was created by the building contractor when the house was being built, since there are photos of heavy equipment parked on the embankment. It was the consensus of the Board to have J. Malloy and G. Morse review the information submitted by G. Roscioli.

### **Police Officer Appointments**

Police Chief Thomas Button appeared before the Board, along with John Paciorek and Carol Benoit.

**MOTION: To confirm the Town Administrator's appointment of John Paciorek as a Sturbridge Police Officer at a starting rate of \$19.31 per hour, effective December 6, 2005, by D. Sosik.**

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

**Vote: All in favor.**

**MOTION: To confirm the Town Administrator's appointment of Carol Benoit as a Sturbridge Police Officer at a starting rate of \$19.31 per hour, effective December 6, 2005, by D. Sosik.**

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

**Vote: All in favor.**

### **Police Chief Thomas Button – Monthly Report**

Chief Button read his report to the Board (copy on file). He informed the Board that they are doing a background investigation on another candidate for police officer.

Chief Button said that the Police Dept. is sponsoring the Senior Christmas Dinner at the Senior Center on December 11<sup>th</sup>, and they will distribute flashing safety/security lights to the seniors. The Police Dept. will hold another R.A.D. series at Tantasqua High School.

An Alcohol Seminar was held on Nov. 28<sup>th</sup> at the Hamilton Rod & Gun Club for all alcohol licensed premises to demonstrate the liabilities and responsibilities of serving alcohol, with about 100 people in attendance.

Chief Button informed the Board that the Sturbridge Police Dept. placed third in the state Mass. Law Enforcement Challenge. The re-accreditation of the Police Dept. will be done in January 2006. Sgt. Mercier attended a MEMA emergency management meeting in Worcester on Nov. 15<sup>th</sup> regarding the October rainstorms. Communities must be NIMS IS700, ICS 100 and 200 compliant to be able to receive funds from MEMA. J. Malloy noted that the Public Safety Complex has been designated as a disaster recovery site. He commended Chief Button and his staff for their excellent work coordinating it.

### **Special Town Meeting Issues**

#### **Article #27: OSV Rezoning**

**MOTION:** To support Article #27, by D. Schmida.

**2<sup>nd</sup>:** D. Sosik

**Vote:** Three in favor; W. Emrich opposed.

#### **Article #51: Heating Fuel**

**MOTION:** To support Article #51, by D. Sosik.

**2<sup>nd</sup>:** D. Schmida

**Vote:** All in favor.

#### **Article #52: Woodside Circle**

**MOTION:** To support Article #52, by D. Sosik.

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

**Vote:** All in favor.

### **Bicycle Race**

J. Malloy submitted to the Board a request from Michael Norton (copy on file) for permission to hold a bicycle race in Sturbridge on April 29, 2006. The same race was held last year, and is a U.S. Cycling Federation sanctioned event. Chief Button had indicated that there were no issues last year, and that the race organizer simply needs to ensure that there will be two detail officers to cover the event.

**MOTION:** To approve the request to hold a bicycle race as per Michael Norton's November 20, 2005 letter, subject to sufficient detail officers being hired, as determined by the Chief of Police, by D. Sosik.

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

**Vote:** All in favor.

### **Bass Tournament**

East Coast Bass Anglers submitted a request (copy on file) to hold a Bass Fishing Tournament at Big Alum Lake on Sept. 30, 2006. They have held this

tournament at Big Alum for the past several years, and there have been no issues.

**MOTION:** To approve the Special Use Permit Application of the East Coast Bass Anglers, and to authorize the Town Administrator to sign the permit, by D. Sosik.

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

**Vote:** All in favor.

#### **Brook Hill Open Space**

**MOTION:** To approve the request of the Conservation Commission to accept the property located off Brook Hill Road (24+ acres) and to execute the deed for the land to be held as open space under the care, custody and control of the Conservation Commission, by D. Sosik.

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

**Vote:** All in favor.

#### **Building Study Committee**

**MOTION:** To confirm the Town Administrator's appointments of Jean Bubon, Barbara Barry, James Malloy, Gregory Morse and Kelly Kippenberger for the Building Study Committee, by D. Sosik.

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

**Vote:** All in favor.

**MOTION:** That the Board of Selectmen designate Arnold Wilson to serve as the appointed member to the Building Study Committee, by D. Sosik.

**2<sup>nd</sup>:** D. Schmida

**Vote:** All in favor.

#### **Sturbridge School Committee – Warrant Article #29 – Burgess Budget**

Colleen Bonja, Chair of the Burgess School Committee, appeared before the Board to discuss the warrant article. Their request was for \$200,000 because they have gone over budget for energy costs (gas and electric) and out of district tuitions. She explained that out of district tuitions are costs that must be paid for children who reside in Sturbridge, but are educated elsewhere, such as special education. She assured the Board that the money would be put into this specific line item, strict accounting would be kept, and they will return to the Town any money not spent at the end of the fiscal year. She said that if they do not get the money, it would mean layoffs of seven teachers, three professionals and two support staff.

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Deb Boyd, Business Manager, asked whether the Board was comfortable with the calculations, and she also assured the Board that any excess money would be returned to the Town. She said that the money is necessary to ensure that they will get through the end of the year in the black.

J. Malloy said that the Finance Committee will be considering a substitute motion to appropriate funds into the reserve funds. C. Bonja said that they are uncomfortable with that, because the Finance Committee has not met yet, so they would not know the outcome until it is on the floor at the Special Town Meeting.

**MOTION: To support Article #29, by D. Schmida.**  
**2<sup>nd</sup>: W. Emrich**  
**Vote: All in favor.**

### **Old Business**

D. Schmida asked about the status of inspections on the businesses and liquor licensed establishments. J. Malloy said that they have all been inspected by the Building Inspector, and Harold Nichols will now focus on the public building inspections.

W. Emrich attended the Tree Lighting Ceremony on the Sturbridge Common, and said that it was a nice event for families.

H. White asked about the status of the Route 131 engineering study. J. Malloy said that he had spoken with Peter Donohue of Parsons, who indicated that the groundwork has been done, and they have started on the final design plans. It will be necessary to hold a public hearing on the design work, which could be done at a work session.

H. White asked about the status of the Fire Dept. staffing report. J. Malloy said that he had sent a memo to Chief Senecal asking him to respond before December 9<sup>th</sup>. He will provide it to the Board at the next meeting.

### **New Business**

D. Sosik said that Mass Motion Dance Studio recently represented Sturbridge at a performance at the Prudential Center in Boston, which was very well done.

H. White asked that the Board submit their comments on J. Malloy's performance evaluation by December 19<sup>th</sup>.

H. White asked about the status of the map instructions for the Class 2 licensees. J. Malloy said that they have been instructed to submit their plans within the next few weeks.

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**Ask the Selectmen**

D. Sosik received a call from Holly Turley, who had a few questions regarding Woodside Circle, and asked whether Westwood Drive could be added to the sewer project article to decrease the amount they will be required to pay. D. Sosik informed her that there is a moratorium in place, and the design process would take about five or six months; Westwood Drive could be considered after the design has been completed.

H. White announced that there will be a Special Town Meeting on Tuesday, December 6<sup>th</sup> at 7:30 p.m. at Tantasqua High School Auditorium.

**MOTION: To adjourn, by D. Schmida**

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

**Vote: All in favor.**

Respectfully submitted,

Judy Knowles

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BOS Clerk

Date