

May 1, 2006

**BOARD OF SELECTMEN
MINUTES
MAY 1, 2006**

Present: Arnold Wilson, Chairman
Hal White
Ted Goodwin
William Emrich
Steven Halterman
James Malloy, Town Administrator

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

A.Wilson announced that on Wednesday, May 3rd at Brimfield Town Hall at 7:00 p.m. there will be a meeting regarding Chapter 61 properties and a new program presented by Harvard Forest Management.

A.Wilson announced an invitation to Old Sturbridge Village for National Trails Day on Saturday, June 3rd at 10:00 a.m. for trail walks to be conducted by Wild Bird Crossing.

Traffic Rules and Regulations

MOTION: To open the public hearing on the Traffic Rules and Regulations, by S. Halterman.

2nd: H. White

Vote: All in favor.

W. Emrich said that part of the recommendation was to close the Miracle Maze on Friday from 3:30 p.m. to Monday at 7:00 a.m., and asked whether the Board needed to vote on it. J. Malloy said that no further action was necessary from the Board. Chief Button said that Dan Carlson, Principal of Burgess, will have signs put up as to when it will be open or closed.

Chief Button noted that there will be no parking at Burgess from the Miracle Maze entrance all of the way around, except for marked areas.

MOTION: To amend the wording of Article 4, Section 2: "Burgess School Road – both sides from Cedar Street to the parking lot, exclusive of the marked parking spaces on the west side of the lower parking lot," by A. Wilson.

2nd: W. Emrich

Vote: All in favor.

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MOTION: To amend Appendix 2 to add the following: “Burgess School Road – from Cedar Street to the end – 20 miles per hour,” by H. White.

2nd: T. Goodwin

Vote: All in favor.

MOTION: To close the public hearing, by H. White.

2nd: T. Goodwin

Vote: All in favor.

H. White commended the school administration and the Traffic Study Committee for their efforts.

Department Head Monthly Report

Police Chief Thomas Button read his report to the Board (copy on file). He said that Sgt. Lavallee had served as an assessor for the Mass. Police Accreditation Commission while they visited the Danvers Police Dept. for their re-accreditation process. Chief Button, Lt. Ford, Sergeants Curboy, Mercier and Blanchard attended the Local Emergency Planning Committee meeting on March 29th; the next meeting of the LEPC will be held on May 24th at 2:00 p.m. at the Public Safety Complex. The after-prom party is scheduled for May 19th from 11:00 p.m. to 6:00 a.m. The DARE party was held at Burgess for the 5th grade students. RAD and Student Police Academy classes continued at Tantasqua High School.

H. White read a proclamation (copy on file) declaring the week of May 14th as National Police Week, and May 15th as Peace Officers Memorial Day. The proclamation honored the loss of Sturbridge Police Officer Richard Dupre, who was killed in the line of duty in 1979.

MOTION: To authorize the Chairman to sign the proclamation declaring the week of May 14, 2006 as National Police Week, and May 15, 2006 as Peace Officers Memorial Day, as per the proclamation, by H. White.

2nd: T. Goodwin

Vote: All in favor.

A.Wilson presented the proclamation to Police Chief Thomas Button.

MOTION: To confirm the appointment of Hillary Murray as a police officer in the Sturbridge Police Department effective May 22, 2006 at a starting rate of \$19.31, by H. White.

2nd: W. Emrich

Vote: All in favor.

Approval of Minutes

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MOTION: To accept the minutes of March 13, 2006 as submitted, by H. White.

2nd: W. Emrich

Vote: Three in favor; T. Goodwin and S. Halterman abstained.

MOTION: To accept the minutes of March 20, 2006 as written, by W. Emrich.

2nd: H. White

Vote: Three in favor; T. Goodwin and S. Halterman abstained.

MOTION: To accept the executive session minutes of March 20, 2006, to remain confidential, by H. White.

2nd: W. Emrich

Vote: Three in favor; T. Goodwin and S. Halterman abstained.

MOTION: To accept the minutes of April 3, 2006 as submitted, by W. Emrich.

2nd: H. White

Vote: Three in favor; T. Goodwin and S. Halterman abstained.

MOTION: To accept the executive session minutes of April 3, 2006, to remain confidential, by H. White.

2nd: W. Emrich

Vote: Three in favor; T. Goodwin and S. Halterman abstained.

MOTION: To accept the minutes of April 18, 2006 as amended, by W. Emrich.

2nd: H. White

Vote: Four in favor; A. Wilson abstained.

Town Hall/Center School Project

MOTION: To authorize the Town Administrator to submit a reserve fund transfer for \$5,000 for the cost of holding a special election for the renovation of the Town Hall and Center School and further, to place the following question before voters at a Special Election to be held on June 19, 2006:

Shall the Town of Sturbridge be allowed to exempt from the provisions of Proposition 2 1/2, so called, the amounts required to pay for the bond issued in order to renovate the Town Hall and Center School buildings?

2nd: Yes _____ No _____, by H. White
S. Halterman

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Vote: All in favor.

Surplus Equipment Sale

MOTION: To declare the following list of equipment as surplus equipment to be sold by sealed bid as per the Town's General Bylaws, Section 8.10 and to authorize the disposal of any equipment that does not receive any sealed bids, by W. Emrich.

Fire Department
347-2525

Acer View 7134T Monitor Serial #M3TP60915636
Acer View 7134T Monitor Serial #9175402067
Acer View 7033D Monitor Serial #M33D15825677
Acer View 7134T Monitor Serial #M3TP60915677
Acer View 7134T Monitor Serial #M3TP62100615
Emachines GDM1602 Monitor Serial #5200734
Sony 15SX CPD 15SX1 Monitor Serial #1106485
Sony 15SX CPD-15SX Monitor Serial #1224860

Computer Model #JIHTP67SE
Computer FD1
Computer (Pentium) Model #ST-460S
Computer (Pentium) Model #M1460S
Computer (Macintosh IIFX) Model #M5525
Computer FD2

Printer – Model HP68C Serial #US65V1GORG
Printer – Canon K10080 Serial #SAS24154
CD ROM Reader – CDR74 Serial #B2902174

Keyboard Serial #26012416M
Keyboard Serial #6J00285
Keyboard Serial #K655D04111698
Keyboard Mitsumi KPQ-EA4ZA
Keyboard Mitsumi KPQE99ZC13
Keyboard Serial #K655D0411698
Keyboard Serial #K6511009175
Keyboard Serial #4AHJ1302337

Mouse (7)
Power Cords (15)
Typewriter Serial #DCS7C9AE360

Library

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347-2512

1 Gateway PC – no operating system or software
1 Canon BJC5100 Color Printer
1 HP Laser Jet 4P (may not work)
1 HP Laser Jet 5P (may not work)
2 Acer Keyboards
1 17" monitor (Sylvania) Model #F70
2 Acer PC's – no operating system or software Pentium II Windows 98
1 15" monitor (Dell) Model DC1428
1 17" monitor (Imagic) Model #P773
2 Acer Mice
1 Microsoft Mouse

Police

347-2525

2001 Chevrolet Impala Police Cruiser VIN 2G1WF55K819367602 mileage is 120,000 – not running - parts missing

1999 Ford Crown Victoria VIN 2FAFP71WGXX113342 mileage is 165,824, not running - parts missing

2000 Jeep Cherokee VIN 1J4FF48S3Y1157497 mileage is 74,500 vehicle runs, in fair condition – undercarriage is rotted

2000 Ford Crown Victoria VIN 2FAFP71W5YX193833 mileage is 141,617 – fair condition - runs poorly

1995 Ford Crown Victoria VIN 2FALP71W7SX201389 mileage is 150,403 – fair condition – runs poorly

Town Hall

347-2500

Various Computer Equipment as follows (all operating condition & software unknown)

HP Deskjet 870Cse
HP Office Jet Fax
HP Scanjet 4200C
Imagic Monitors (3)
View Sonic Monitor
HP 6L Laser Jet
HP 1100 Laser Jet
Dell Monitor

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Total Peripherals PCs (3)
Dell Dimension PC
HP Laserjet 3300 all in one printer

Public Works
347-2515

Manual Hydraulic Press

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

Budget Review

Based upon the Town Meeting votes on the Town budget, the total General Fund budget is now \$20,902,223 and the amount that the Town may be over/under the Proposition 2 ½ limit is between \$27,936 under (if State Aid comes in at the House Ways and Means level) to \$35,760 over (if State Aid comes in closer to original estimates). J. Malloy submitted to the Board a summary of revenues and expenditures (copy on file) that highlights the operating deficit that the Town will need to deal with over the next year. J. Malloy noted that the Senate is proposing additional state aid that may improve this fiscal situation.

A. Wilson said that a recent MMA Action Bulletin requested that towns contact their Senators for a \$158 million lottery increase and higher Chapter 70 aid. The Board agreed with that. J. Malloy said that he would send an email to Senator Brewer and Rep. Todd Smola.

Earls Request

Attorney Ed Neal had sent a letter (copy on file) regarding property owned by Tom Earls on Whittemore Road and Hall Road, challenging the Board's authority to impose a moratorium on sewer connections over and above those provided by the Sewer Service Area Bylaw. Mr. Earls had come before the Selectmen in June 2005 seeking additional sewer connections in addition to what he is allowed under the Sewer Service Area Bylaw. At that time, the Board did not have to impose a moratorium on new connections other than to alert property owners that the Board would not approve additional extensions and lots above and beyond those provided in the Sewer Service Area Bylaw. The Board has this authority under the bylaw, notwithstanding the moratorium vote.

MOTION: To deny sewer connections for 5 Whittemore Road and 6 Hall Road, by H. White.
2nd: W. Emrich
Vote: All in favor.

Senior Municipal Service Program

MOTION: To approve the participation of Lorraine Langevin to work for the Sturbridge Police Department up to the \$750 limit, by H. White.

2nd: W. Emrich

Vote: All in favor.

Sewer Use Charges

MOTION: To approve the sewer use charge at \$3.42 per 100 cubic feet, effective July 1, 2006, by H. White.

2nd: W. Emrich

Vote: All in favor.

Comprehensive Wastewater Management Plan

J. Malloy submitted to the Board the letter from Tighe & Bond (copy on file) for the work proposed as part of the CWMP. He discussed the matter with Greg Morse, DPW Director, and one of the things they would like to see out of the final plan is a recommendation on allocation of future sewer flows. He said that there should be a maximum that can be allocated on a yearly basis, and there should be a more controlled expansion of the sewer system. They would like to have Tighe & Bond review what other communities are doing regarding growth of their sewer systems. There should be some recommendations that would help in putting together a policy for future expansions of the system, and to make sure that the appropriate level of effort goes into each part of the project.

H. White suggested finding out what it would cost to upgrade the wastewater treatment plant with a built-in expansion. He noted that the Board has taken no action to expand the plant.

MOTION: To execute the contract with Tighe & Bond, by H. White.

2nd: W. Emrich

Vote: All in favor.

Spaho Sewer Extension Permit

Mike Loin, Bertin Engineering, and Attorney Robert Longdon appeared before the Board. He noted that they had previously met with the Board for 21 condo units at Farquhar Road. They applied to the ZBA for a variance, which was denied. The lots were inaccessible on the front section; since then, the Rom's parcel has become available. They changed the number of units to 20, added a gazebo in the middle and obtained a conservation restriction on the back section. They alleviated a bridge crossing over the wetlands. The driveway is off Farquhar Road.

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A.Wilson noted that the application was approved by the Board of Selectmen on November 15, 2004 for 15 house lots; then in June 2005 the Board approved a moratorium on sewer connections. At the April Annual Town Meeting the Town voted to change the sewer privilege fee as calculated. He noted that the Board's original motion read: "Any substantial change in the design of the project in the opinion of the Board of Selectmen shall require a new permit."

Attorney Longdon questioned the authority and jurisdiction of the Board in this issue, and noted that the Board does not have the same jurisdiction as the Planning Board or the Conservation Commission. He said that the Board's authority is confined to the granting of a sewer extension permit, and it cannot deny a sewer permit based on traffic or wetlands issues.

MOTION: That the Board finds that the revised plans from Spaho Corporation dated 1/16/06 have changed substantively from the plans that were submitted and approved on 11/15/04, and therefore will require a new permit application to come before the Board, by T. Goodwin.

2nd: W. Emrich

Vote: Four in favor; H. White opposed.

Miscellaneous

Student to teacher ratios and information relative to teachers at the Tantasqua Regional School District – J. Malloy submitted to the Board a listing of school teachers and administration from the information included in the Annual Reports of the TRSD from 1999 to 2006 (copy on file), and he noted that it shows a different picture than what was heard at the Town Meeting. H. White suggested sharing this information with the members of the Tantasqua Regional School Committee, and that they provide information to the Board well in advance of the budget review.

J. Malloy announced that the Town's new website will go live around May 15th.

A.Wilson read the proclamation for the Town Clerk (copy on file).

MOTION: To authorize A.Wilson to sign the proclamation for the Town Clerk, by H. White.

2nd: S. Halterman

Vote: All in favor.

Old Business

H. White requested that the Board review the liaison assignments.

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A.Wilson noted that the Board needs to choose an alternate delegate to the CMRPC, and a delegate for the LEPC. He said that a member of the Board should attend the Quinebaug-Shetucket monthly meetings.

H. White suggested that the Board take action on the Town's health insurance for employees. H. White and W. Emrich recused themselves from the Board.

A.Wilson noted that the Town had voted to increase the insurance coverage to 60%, but three members of the former Board had a conflict of interest, so the Board could not vote on it.

MOTION: To change the amount of the Town's health insurance contribution for the employees who are participating in the program to 60% effective immediately, and that during the remainder of this fiscal year that the Finance Department do a calculation on what the difference was between the 55% and 60%, and to pay health insurance to all participating employees effective 7/1/05, and to execute it as soon as possible, by A. Wilson.

2nd: T. Goodwin

Vote: Three in favor; two abstained.

At 8:30 p.m. W. Emrich and H. White returned to the Board.

W. Emrich asked about the status of the OSV land transaction. J. Malloy said that the state is still working on the paperwork, and the closing would happen soon. He noted that there are structures there that are unsafe and should be removed.

W. Emrich announced that he and T. Goodwin attended the planting of the new witness tree, and the dedication will take place on June 24th.

New Business

S. Halterman said that residents are having a difficult time hearing the Board meetings. J. Malloy said that the audio is a problem in certain parts of town.

A.Wilson announced that May 4th is the National Day of Prayer, which goes back to the days of George Washington. It will be celebrated at noon at the gazebo on the Common in Southbridge.

A.Wilson announced that an informational meeting regarding McGilpin Road will be held on May 22nd to discuss road improvements.

A.Wilson noted that the funding provided by the Town at the Annual Town Meeting would fund the Assistant Town Clerk at 19 ½ hours per week; 20 hours/week would make the position eligible for benefits.

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A.Wilson asked about the status of the construction of something funded by the Town itself. J. Malloy said that the SBA Director, Catherine Craven studied our school very well and encouraged us, saying that we will get to the top of the list soon. A statement of interest will go to the Superintendent to be signed which details the needs of the Town. The school building authority will visit every school with an auditing team to prioritize the work, and it will help to plan our schools.

A.Wilson informed the Board that he has contacted Vijay Shah to bring him up to date on the Board's thoughts up to this point.

Ask the Selectmen

H. White received a call from a resident who did not wish to be identified on camera, who wanted to congratulate Coranna Lefrancois, who retired from the Senior Center.

MOTION: To convene in executive session under MGL Chapter 39, §23B, Paragraph #3: To discuss strategy with respect to collective bargaining or litigation, not to reconvene in open session, by T. Goodwin.

2nd: H. White

Roll call vote: All were in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date