

June 5, 2006

**BOARD OF SELECTMEN
MINUTES
JUNE 5, 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 presented Frances Kosakowski with a plaque to commemorate her 45 years of service on the Board of Registrars.

Approval of Minutes

MOTION: To accept the minutes of May 15, 2006 as amended, by H. White.

2nd: W. Emrich

Vote: All in favor.

MOTION: To accept the minutes of May 30, 2006 as amended, by H. White.

2nd: S. Halterman

Vote: All in favor.

MOTION: To accept the executive session minutes of May 30, 2006 as corrected, to remain confidential, by H. White.

2nd: W. Emrich

Vote: All in favor.

Attorney Ed Neal – Earls Request for a Sewer Connection

Attorney Ed Neal appeared before the Board. He said that they never had the opportunity to be involved in the process. He had received a letter dated May 2, 2006 indicating that the Board had acted upon the request, and their application was denied. He requested that they get due process.

MOTION: To reconsider the application of 5 Whittemore Road and 6 Hall Road as presented by E. Neal, by A.Wilson.

2nd: H. White

Vote: All in favor.

A.Wilson noted that at one point in time there was one lot that had a stub and was part of the calculations; that lot was divided into three lots. E. Neal said that after the Earls property was divided, they obtained Orders of Conditions from the Conservation Commission, which were recorded at the Registry of Deeds. He said that in June 2005 they presented plans for lateral connections for the lots. They had discussed the relocation of a tree with Greg Morse, DPW Director, and replacement of the guardrail and relocation of a driveway.

H. White noted that the wastewater treatment plant is operating over capacity, and there is no place to put the wastewater. W. Emrich agreed that there is a capacity issue, and noted that there is a moratorium in place due to that capacity issue. E. Neal asked whether the Board has reviewed the permits that were previously granted, then become null and void, to see if capacity is available. A.Wilson said that the Sewer Service Area Bylaw states that the Board may use its own judgment regarding what to permit and not permit. J. Malloy said that he would prepare an updated report on the status of flows, to be ready on June 19th.

MOTION: That the request for two additional tie-ins to the sewer system at 5 Whittemore Road and 6 Hall Road be denied, by A. Wilson.
2nd: H. White
Vote: All in favor.

Appointments

MOTION: To confirm the Town Administrator's appointment of Penny Dumas to the Planning Board for a term to expire in 2008, by H. White.
2nd: W. Emrich
Vote: All in favor.

MOTION: To confirm the Town Administrator's appointment of Jim Crowley to the Regional Trail Committee, by H. White.
2nd: T. Goodwin
Vote: All in favor.

MOTION: To confirm the Town Administrator's appointment of Tom Ford as the Acting Chief of Police until such time that a permanent Chief of Police is named, by W. Emrich.
2nd: S. Halterman
Vote: All in favor.

Annual Bids

MOTION: To approve the annual heating fuel bid from Peterson Oil Service at \$2.46 per gallon for FY07, by H. White.
2nd: W. Emrich

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Vote: All in favor.

MOTION: To award the bids for road materials and rental equipment as per the recommendations contained in the May 24, 2006 memorandum from Greg Morse, DPW Director, by H. White.

2nd: W. Emrich

Vote: All in favor.

School Building Committee

Angela Cheng-Cimini, Chair of the School Building Committee, appeared before the Board. J. Malloy had submitted to the Board the School Building Committee's Statement of Interest (copy on file) which will be included in the submission to the School Building Authority. It required a vote of the Board of Selectmen.

MOTION: That having convened in an open meeting on June 5, 2006, the Sturbridge Board of Selectmen and Sturbridge Building Committee of the Town of Sturbridge, in accordance with its charter, bylaws and ordinances, hereby votes to authorize and direct the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated May 15, 2006 for the Burgess Elementary School located at 45 Burgess School Road, which describes and explains the following deficiencies and the priority categories for which an application may be submitted to the Massachusetts School Building Authority at some time in the future:

- **Priority 1 – The Burgess Elementary School has no sprinkler system, no emergency generator; and lacks modern security systems. Furthermore, it contains asbestos, lead joints and lead paint; a failing roof; and non-handicapped accessible restrooms.**
- **Priority 2 – An open area containing twenty-one classrooms for grades one through three and the library/media center is obsolete in its design and poses a serious impediment to learning. Special education class space is inadequate and no dedicated space for science or language arts exists.**
- **Priority 4 – The population of Sturbridge has grown over 15% in the past four years; severe overcrowding is projected for the next ten years.**
- **Priority 5 – Heating and plumbing systems are energy-inefficient and have outlived their useful economic life.**

and hereby further specifically acknowledge that submitting this Statement of Interest to the Massachusetts School

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Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Sturbridge to filing an application for funding with the Massachusetts School Building Authority, by H. White.

2nd: T. Goodwin

Vote: All in favor.

It was the consensus of the Board that the Town Administrator should sign the document.

Wastewater Treatment Facility Equalization Tank

Several years ago the Board had considered an option of installing an equalization tank at the Wastewater Treatment Facility to balance flows at the plant to optimize performance. Recently, J. Malloy, Greg Morse, DPW Director, and Roy Wood, Veolia Water North America, discussed this option as a method of reducing the flows that are pumped to Southbridge. J. Malloy said that this option could potentially save the Town over \$350,000 over the next several years, with the added bonus that it could be used after any updating and/or expansion of the Wastewater Treatment Facility. He recommended that the Board consider the option, develop any questions or additional information that may be needed and be prepared to consider it further once the next Special Town Meeting is scheduled.

A. Wilson suggested contacting Tighe & Bond for a site plan, pumping size and an accurate estimate. J. Malloy said that he would speak to them.

Surplus Equipment Bids

MOTION: To accept the bid submitted by G. W. Curboy's Garage Inc. for the 2001 Impala (\$569); 1999 Ford Crown Victoria (\$311); 2000 Jeep Cherokee (\$519); 2000 Ford Crown Victoria (\$629); and 1995 Ford Crown Victoria (\$312), by S. Halterman.

2nd: W. Emrich

Vote: All in favor.

Miscellaneous

J. Malloy submitted to the Board a request from the Conservation Commission (copy on file) that the Town accepts the property from Mr. VanDerNoot. While most property acquisitions require a town meeting vote, Conservation Commissions are authorized to accept land under MGL Ch. 40, §8C with the approval of the Board of Selectmen.

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MOTION: To approve the acceptance of the property identified as Map 25, Parcel 272 by the Conservation Commission, by W. Emrich.
2nd: S. Halterman
Vote: All in favor.

Recreation Committee request – J. Malloy submitted to the Board a request from the Recreation Committee to meet with the Board of Selectmen to begin discussions regarding new recreation fields (copy on file). This was a need identified through the strategic planning process. J. Malloy recommended that it be discussed during one of the Selectmen’s work sessions. It was the consensus of the Board to meet with them on the second Monday in August.

Old Business

S. Halterman announced that a series of trails are now open at Old Sturbridge Village.

H. White read in the Telegram & Gazette that a suit had been settled against the Town of Sturbridge, and noted that the Board had received nothing on this issue. J. Malloy said that it was paid by the Town’s insurance company. A. Wilson asked who had the authority to agree to a settlement, and who had agreed to it. J. Malloy said that he would look into it and will respond back to the Board by the next meeting.

A.Wilson announced that there will be a special Town election on June 19th regarding the renovation of Town Hall and the Center School Building. He suggested that there be another open house tour or a public meeting to explain to the voters about the severity of the problem and the need for more space. He suggested that J. Malloy go to the Senior Center and give them the facts, because he had heard that the seniors were against this. S. Halterman suggested issuing a press release.

A.Wilson requested an update on OSV PWED. J. Malloy said that that bid opening will be held on Wednesday, June 7th at 2:00 p.m. A.Wilson suggested that the Board reconsider whether the Town should own the road or Old Sturbridge Village.

A.Wilson noted that over five to seven cars are parked across the street at the Sturbridge Service Center, and cars are parked almost on the paved road going east, which they had promised not to do. H. White said that on a frequent basis on the north side of the property they obstruct the road, and they park vehicles where there is a stormwater drain and an embankment on Route 131. They also park in front of “No Parking” signs. H. White suggested that the police be informed.

New Business

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T. Goodwin said that there had been an inquiry about conservation restrictions on open space pieces, and asked about the status of that. J. Malloy said that land purchased with CPA funds should have conservation restrictions on them, and the Town will be working on these.

A. Wilson noted that the new Chamber of Commerce Director is Ellen McNitt, who has replaced Bob Chartier.

A. Wilson noted that there are blue trailers parked next to the Days Inn. J. Malloy said that he would look into it.

A. Wilson asked about the status of the bridge repair that was to be done by the state. J. Malloy said that he would find out.

A. Wilson announced that the Amvets will be coming to Sturbridge on June 23-25, and he and J. Malloy were invited to speak on June 24th.

A. Wilson noted that the latest MMA action bulletin requested that the Board send a letter expressing opposition to current attempts to preempt local control over video franchising decisions. It was the consensus of the Board that J. Malloy send the letter.

Ask the Selectmen

There were no calls.

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