

August 2, 2010

**BOARD OF SELECTMEN
MINUTES
AUGUST 2, 2010**

Present: Ted Goodwin, Chairman
Thomas Creamer
Mary Blanchard
Scott Garieri
Mary Dowling
Shaun Suhoski, Town Administrator

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

T. Goodwin announced that T. Creamer and the reporters from the Worcester Telegram and Gazette and the Town Common were recording the meeting.

M. Dowling announced that she would need to leave the meeting at 8:00 p.m.

Jack's Gas – Class 2 License Hearing

MOTION: To continue the public hearing for Jack's Gas until August 16th at 6:45 p.m., by M. Blanchard.
2nd: T. Creamer
Vote: All in favor.

Senior Municipal Service Program

MOTION: To approve the following applications to the Senior Municipal Service Program: (1) Richard B. Treadway, 4 Westwood Drive, to the Conservation Commission; (2) Alex Menafo of 7 Crescent Way #207, to the Senior Center; (3) Daphne T. Stevens, 15 Arnold Road to the Library; and (4) Madalyn R. Dion of 7 Crescent Way #315 to the Senior Center, by M. Blanchard.
2nd: T. Creamer
Vote: All in favor.

Habitat for Humanity – Local Initiative Program Application

S. Suhoski submitted to the Board a copy of the Local Action Unit application under the state LIP program. The application sets forth the procedure for implementing the affordable housing project with Habitat at 79 Fairview Park Road so that the unit is also included in the Town's official Subsidized Housing Inventory. The original document will also be signed by the Chairman of the Housing Partnership Committee.

Hank Rauch, President of the Habitat for Humanity of Greater Worcester appeared before the Board. He said that he had met with the state, and reviewed the proposal with them. He plans to begin advertising, and will hold community information sessions. He encouraged the Selectmen to participate in the process. He said that they have been working with an architect and a civil engineering firm. As soon as they get approval from the state, they will start fundraising for the project.

T. Creamer said that there is some confusion as to whether or not there is an allowed sewer connection for the lot; if there is not, the Board should take up the necessary discussion so that the project will not be delayed. He suggested that the Board get it on the agenda quickly.

MOTION: That the Board authorize its Chairman to execute the Local Action Unit program application for submittal to the state Dept. of Housing and Community Development, and to authorize the Chairman and/or Town Administrator to execute any other documentation related to same, by M. Blanchard.

2nd: T. Creamer

Vote: All in favor.

Water and Sewer Rates

S. Suhoski said that the memorandum from the Finance Director dated July 8, 2010 describes the status of the loan from the Mass. Water Pollution Abatement Trust relative to financing improvements to the Wastewater Treatment Plant. Because the final financing terms were not known at the Annual Town Meeting, the budget requires an appropriation to pay the \$106,222.67 in debt service for FY11 (this is proposed for the fall Special Town Meeting). The Sewer Rate will need to be increased by 52 cents per 100 cubic feet to fund the debt for the WWTP upgrades. The Water Rate will remain the same.

T. Creamer asked whether these rates were calculated into the overall cost of the project for the Wastewater Treatment Plant upgrade, or were these additional fees to when the rates were passed. S. Suhoski said that it was based upon the \$106,222.67 debt service in FY11. T. Creamer asked that if it is in excess of what was projected, what is driving an additional cost beyond what was anticipated. S. Suhoski said that the actual cost of the project is less than what was predicted. He said that the total cost is \$4.7 million less than what was projected, and is based on the Mass. Water Pollution Abatement Loan. He noted that the debt payments decline each year.

T. Creamer said that it is important to provide information to rate payers regarding an increase in their overall payment. M. Blanchard asked whether this increase was just to cover that \$106,222.67 or whether there were other factors.

S. Suhoski said that it is based upon the debt service and the budget as approved at Town Meeting. He said that the terms were not in yet when it went to Town Meeting. M. Blanchard said that two years ago there was more of an explanation, and in order to make the best judgment the Board should have that information. T. Creamer asked whether the Board would prefer to wait until a more detailed explanation is provided. M. Blanchard noted that the debt service payment would also need to go to Town Meeting vote. She said that she would like to see what the project revenues for the sewer were when the rate was increased.

S. Garieri asked what the average increase per household would be. T. Creamer said to multiply it by 11.7%. S. Suhoski said that he would include that information with the other information requested by the Board.

It was the consensus of the Board to wait for an explanation before voting on the rates.

CMRPC Alternate Delegate Appointment

MOTION: To appoint Thomas Creamer as an alternate delegate to the CMRPC for fiscal year 2011, by M. Blanchard.

2nd: S. Garieri

Vote: All in favor.

Whistling Swan -- Transfer of Liquor License

It was the consensus of the Board to direct the proponents to re-advertise the public hearing for the transfer of the Whistling Swan liquor license. It was noted that some of the information in the application had changed, and was different than what had been contained in the original legal ad.

Burgess Elementary School: Contract Award Authorization and Execution of Contract Documents

S. Suhoski informed the Board that the bids for the Burgess Elementary School project were very favorable, and the apparent low bidder was Fontaine Brothers at \$22,931,000. He noted that the Burgess School Building Committee will meet during the week, and there will be a groundbreaking ceremony at the school on Sept. 2nd.

MOTION: That the Board authorize the Town Administrator to execute all documentation relative to the Burgess Elementary School project and to award a contract to the successful bidder as approved by the Burgess School Building Committee, by M. Blanchard.

2nd: T. Creamer

Vote: All in favor.

T. Goodwin thanked the Burgess School Building Committee for their good work.

Audio Visual Equipment RFP Award

S. Suhoski informed the Board that the Town had received three responses to its RFP to furnish and install a substantial amount of audio visual equipment at the Town Hall and Center Office Building. Three bids were received:

<u>Vendor</u>	<u>Base Bid</u>	<u>All Options</u>
Valley Communications	\$75,034.27	\$181,813.87
Riordan Brothers	\$78,356.75	\$199,962.35
HB Communications	\$142,669.00	\$249,464.00

S. Suhoski thanked Don Fairbrother, Chairman of the Cable Advisory Committee, for the work and effort that he and the other members of the Cable Advisory Committee had put into the development of the specifications.

MOTION: That the Board authorize the Town Administrator to award a contract to furnish and install audio visual equipment to the successful bidder as approved by the Cable Advisory Committee and to execute any required documents, by M. Blanchard.

2nd: T. Creamer

Vote: All in favor.

T. Creamer said that recently only the Board of Selectmen meetings have been running on the cable access channel, and asked that the ZBA, Planning Board and Conservation Commission meetings be aired again as well. He asked that the meetings be aired within 48 hours and played until the next meeting. Judy Knowles noted that the cable access equipment is at the Public Safety Complex, and it is difficult for her to find the time to drive over there to change the DVDs and add postings. She also said that when she is out or on vacation, the cable access work does not get done because there is no one to fill in for her in her absence. S. Suhoski said that the Cable Advisory Committee has been working on a new position for a part-time employee, to be paid out of the Charter cable account, who would perform those duties and take the burden off of the Selectmen's Administrative Assistant.

Special Town Meeting Date and Warrant

S. Suhoski said that a Special Town Meeting is required to balance the FY11 budget in light of the finalized state aid figures and reduced local revenue projections. Also, the budget for the sewer fund needs to be raised to include an appropriation for the debt service associated with the Wastewater Treatment

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Plant upgrades. He noted that the Special Town Meeting warrant must be closed and posted at least 14 days prior to the meeting. He listed some potential articles for the Board's consideration:

- Amend FY11 Budget to Reflect Revised Revenue Projections (reduce reserve fund accordingly)
- Appropriate Debt Service to Sewer Fund
- Revise General Bylaws re: Timing of Warrant/Budget for Annual Meeting
- Fund design and engineering for water treatment plant upgrade

S. Suhoski said that he was waiting to hear about the availability of the Tantasqua Auditorium for Sept. 8th. He noted that Sept. 13th is the date of the election. He said that he would update the Board at the work session on August 9th.

Water/Sewer Abatement Update (through June 30, 2010)

S. Suhoski said that as per the Board's voted policy dated March 2, 2009, the Finance Director, DPW Director and Town Administrator, by majority decision, have granted water and sewer abatements as follows for the reason(s) set forth on the forms.

<u>Acct #</u>	<u>Date</u>	<u>Address</u>	<u>Amount</u>
1159	5/6/10	30 Willard Road	\$500.00
0784-G	5/7/10	171 Charlton Road	\$1,125.89
0013-HB	5/14/10	82 Paradise Lane	\$63.70
1038-A	5/24/10	12 Simpson Street	\$31.00
0075	5/24/10	665 Main Street	\$231.00 and \$13.09 (2 qtrs)

Chapter 61 Land – Non-Exercise of Right of First Refusal

S. Suhoski said that the Planning Board, Assessors and Conservation Commission have reviewed the intent to sell property known as Lots 10, 11, 16, 20, 26, 30 and 32 Ladd Road and have expressed no interest.

MOTION: That the Board not exercise the Town's right of first refusal under MGL C. 61 for Lots 10, 11, 16, 20, 26, 30 and 32 Ladd Road, by M. Blanchard.

2nd: T. Creamer

Vote: All in favor.

Route 131 Project Update

S. Suhoski and Greg Morse, DPW Director, met with several MassDOT engineers, the design engineer and the contractor for the Route 131 project to discuss a projected budget overrun of \$800,000 due to substantial additional

ledge, rock removal and pavement quantities. The district staff will recommend that MassDOT cover all highway related cost overruns. No final decision has yet been rendered. S. Suhoski said that the Town can always seek to reduce the project scope of work to stay within budget. His sense was that this is not a preferred outcome for either the Town or MassDOT as the road itself is in very poor condition. The district staff appears reasonably favorable that the project will be amended for these items.

Regarding the brick sidewalks, S. Suhoski said that the district staff will not include that change as part of their internal recommendation. He said that the Town will need to advocate at higher levels to ensure that the historic Town Common receives the distinguished treatment that it deserves. He said that currently the brick work is on hold pending the answer from MassDOT as relates to overall funding. He noted that this is the time to advocate to the highest levels of MassDOT for inclusion of the sidewalk funds in the approved amended project budget. He stressed that the entire cost of changes (\$1 million +/-) represents but 1/1000th of the state's transportation spending in just one year. He said that this is not a question of dollars and cents, but a question of political will.

T. Creamer noted that the estimate for Route 131 was done by the state, not by the Town of Sturbridge, and questioned the state's reluctance to fund the additional costs as anyone familiar with the area would have reasonably anticipated excessive levels of ledge in that particular area. S. Suhoski said that it was done by the engineering firm paid by the Town, then reviewed and approved by the state. T. Creamer said that it was a state project, and he would support any action to pursue this through political channels. M. Dowling said that assuming the \$800,000 overrun is approved, would it become part of the project cost, and would it increase the 10% overrun as well. S. Suhoski said that it is X, Y plus 10%.

S. Garieri said that in the event that the sidewalks are not covered, the Town should not proceed with the sidewalks without Town Meeting vote to cover it. S. Suhoski said that the Board would need to look at how to fund it.

T. Creamer questioned whether or not the project should be put on hold until the Board has answers from the state. He said that sometimes it is necessary for members of the Board to work beyond the Board's three meetings per month and work toward solutions, which in this case would entail reaching out to those who have been elected throughout the state to advocate on the town's behalf via phone and letters.

M. Blanchard expressed concern about liability in closing the project down. She said that the Board should have answers on the sidewalks within a week or two. M. Dowling asked whether the Board had voted that the Town would cover the cost in excess of 110%, or whether it was done by the Interim Town Administrator. M. Blanchard noted that the scope of the project was specific, and

the brick sidewalks were not in the scope. She suggested looking at how the contract was written. S. Suhoski said that he had a copy of the contract signed by the Interim Town Administrator and minutes of the December 2009 meeting, and he would distribute that information to the Board.

Town Hall/Center Office Building Update

S. Suhoski informed the Board that the move back to Town Hall and the Center Office Building will take place on August 4, 5 and 6. He noted that wide public notification is being distributed via Web, media and postings. He said that Town Hall would be closed for business on August 4th (when staff will be packing boxes and labeling them for the move), August 5th (the actual move date), and August 6th (unpacking and organizing offices). Town Hall will resume regular business operations on Monday, August 9th. He noted that telephone and email access will be limited during this time, and punch list work, technology and other items will continue through August. He said that it is anticipated that an open house and formal ribbon cutting will be scheduled in September. Public meetings will continue to be held off site until the technology has been installed and any modifications to the meeting room table are complete.

Miscellaneous

Since his last report, S. Suhoski has been busy with the following summarized list:

- a) Participated in the Town Hall/Center Office Building construction meeting, ordered internet, telephone and alarm monitoring services and completed purchase of photocopy machines as approved through capital plan;
- b) Participated in sign bylaw meeting with Dave Lindberg and Jean Bubon (also attended by Selectmen Creamer and Garieri) with 10 interested businesses and citizens;
- c) Attended dog order hearing before clerk magistrate at Dudley District Court (Board's order affirmed);
- d) Convened meeting with Old Sturbridge Village and local permitting authorities for advanced planning purposes and to ensure seamless permitting;
- e) Met with MassDOT, Greg Morse and Amorello regarding the Route 131 road project budget;
- f) Met with architect and owner's project manager at Town Hall and Center Office Building for pre-punch list discussion;
- g) Participated in Burgess Elementary School general bid opening;
- h) Called meeting with USDA representative and Greg Morse regarding funding programs for future projects (i.e. water treatment plant upgrades, Rt. 15 wastewater, etc.);

- i) Met with Greg Morse, Veolia and Wright-Moore engineers to discuss MassDEP Administrative Consent Order timeline and scope of work for Water Treatment Plant upgrades;
- j) Met with members of the Board of Health regarding ongoing issues;
- k) Conducted bid opening for the Town Hall/Center Office Building audio-visual equipment;
- l) Followed through on executive session matters; and
- m) Responded to various citizen concerns and requests for information.

Marsden Engineering – Renewal of Earth Removal Permit for property owned by Hamilton Rod & Gun Club

S. Suhoski informed the Board that this application was for renewal of an earth removal permit which had been granted on August 18, 2008 with a series of 16 conditions following review by staff. He recommended that the renewal include the prior conditions.

MOTION: To approve a renewal of the Earth Removal Permit dated August 18, 2008 in favor of Hamilton Rod & Gun Club and for the premises known as 24 Hamilton Road; subject to all terms and conditions stated therein; and to authorize execution of related documentation by the Town Administrator, by M. Blanchard.

2nd: T. Creamer

Vote: All in favor.

Old Business

M. Blanchard asked about the status of the traffic study on Fiske Hill. S. Suhoski said that he had not seen the final study, and noted that one of the pieces of monitoring equipment had been damaged. He will follow up with Chief Ford.

T. Creamer questioned the progress in terms of updates to the Committee Handbook. He also stated that there has been a rash of misinformation and allegations being made by public officials resulting in an “epidemic of exaggeration and misinformation,” which he felt was irresponsible and inappropriate. He said that in the future he as an individual member of the Board will publicly request supporting documentation from any officials making public claims or allegations about situations or issues in Town. He also expressed concern about the comment made by the Southbridge Town Manager Chris Clark that “Sturbridge needs to focus on cleaning up its own landfill, which was flagged by DEP in the past.” T. Creamer stated that it was important for this issue to be addressed, and that if such is the case, then it should be appropriately remedied. He stated that “we do have an obligation to ensure that our own house is in order if we are going to challenge issues in other communities.” To that end, he indicated that he had been assured by the Board

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of Health that those issues have been rectified and there are no ongoing concerns. T. Creamer stated that he felt it is important for Shaun Suhoski to reach out to Mr. Clark in a positive and productive manner in the hopes of correcting any inaccurate impressions that are lingering relative to the Sturbridge landfill so that the Town of Sturbridge can maintain good relations with its neighbors. He suggested that the Town Administrator meet with the Chairman of the Board of Health.

New Business

T. Creamer said that he had read an article in the newspaper about Route 15, and noted that S. Garieri had stated that he had had discussions with Bio Tech Industries. He asked S. Garieri to provide the Board with an update. S. Garieri said that he had spoken with their representative, who indicated that they have been developing medical instruments that will be key to the medical industry. They are trying to find a home for their research and development company. They went to Boston to look for space to rent, and found that the Boston area is extremely expensive. The Sturbridge area is centrally located and appeals to them. He noted that they want to locate the manufacturing aspect of their business here also. There are some financial and legal issues that need to be addressed. T. Creamer asked if the individuals had contacted the Town Administrator or anyone from the Planning or Building Departments, and Mr. Garieri said "no." T. Creamer then asked the name of the company and the individuals involved, and Mr. Garieri indicated that he didn't know the name of the company, but that the name of the individual he had been speaking to was a man named Otto.

S. Garieri had heard that the Governor will review the proposal to allow an individual to participate in the Senior Municipal Service Program and perform the work on a senior's behalf. S. Garieri had testified before the Joint Legislative Committee and told them the Board's views on the matter. T. Creamer pointed out that this was the STAR Co-op (Senior Tax Assessment Reduction Cooperative) program that he (T. Creamer) had developed and written for submittal and presentation to the Board of Selectmen by Mr. Garieri.

T. Goodwin said that at the next meeting he will ask the Board to reorganize so that he can step down as Chairman, as he has been given additional responsibilities at work.

MOTION: To adjourn, by M. Blanchard.
2nd: T. Creamer
Vote: All in favor.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

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Judy Knowles

BOS Clerk

Date