

January 3, 2011

**BOARD OF SELECTMEN
MINUTES
JANUARY 3, 2011**

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

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

T. Creamer announced that he and several members of the press were recording the meeting.

T. Creamer said that on behalf of the Board of Selectmen, he offered thoughts and prayers to Police Officer Daniel Hemingway, who was injured in the line of duty. He wished Officer Hemingway a full and speedy recovery. He extended thanks to the entire Sturbridge Police Department, the Mass. State Police and the communities of Brookfield and Charlton for their assistance in helping to contain an extremely volatile situation that had taken place in the early hours of New Year's Day. He expressed gratitude for the valor and professionalism that they had exercised while addressing the situation.

MOTION: To send a letter on behalf of the Town of Sturbridge to the towns of Charlton, Brookfield and to the State Police in appreciation of the valor and professionalism exhibited by the members of their departments in providing mutual aid assistance during the incident within the Town of Sturbridge on the morning of January 1, 2011, by M. Blanchard.

2nd: S. Garieri

Vote: All in favor.

Rt. 15 Study – Final Report

S. Suhoski provided the Board with an overview of the study. He said that since the original presentation of the draft findings, further commentary was received from some of the stakeholders. He had met with the DPW Director and Dave Prickett of Tighe & Bond, who had done some recalculations. The final report had been submitted to the Board of Selectmen, along with a memo which included the changes and modifications to the final report. He noted that the feasibility and the cost of extending the wastewater at this time is too much to be able to recommend it to the Board. He said that the gist of the recommendation stands.

Greg Morse, DPW Director, and Dave Prickett, Tighe & Bond, appeared before the Board. D. Prickett presented a slide that outlined the key changes in the Rt. 15 Wastewater Study. He said that they had looked at a Town-owned parcel, which was the site of future athletic fields along Route 15, as a potential groundwater disposal facility. He said that it does have some opportunities for use relative to suitable soils; it does not have the capacity to serve the entire Route 15 Study area. He said that there were some concerns about the joint use of a groundwater disposal system in conjunction with athletic fields, given that there are other alternatives in proximity to the study area, so they did not recommend this parcel as a first choice to the Town for consideration, but they did look at it as requested.

D. Prickett said that they had come up with a new set of alternatives, known as Option E involving similar collections systems within the Rt. 15 Study area. He said that a force main would be conveyed cross country to Rt. 131, and flows would travel by gravity through the existing sewer system down into Southbridge through the intermunicipal agreement. He noted that capital costs for the alternatives were slightly less than the alternative to convey wastewater to the Sturbridge treatment plant for disposal, at approximately \$500,000 less per alternative; however, given that Sturbridge pays Southbridge by the gallon, it could be a significantly higher fee by the gallon to convey wastewater to Southbridge. They did not recommend Option E at the present time. He noted that Sturbridge did have some capacity within the intermunicipal agreement, at about 130,000 gallons per day remaining with Southbridge. He said that this is an alternative that could be considered by the Town. He noted that there isn't a restriction relative to treatment and disposal capacity, as in the Sturbridge plant; however, they don't recommend it as an ideal option at this time.

D. Prickett said that there was some clarification in the report, as there had been some confusion about the term "equivalent residential unit." He said that the Town's 2009 sewer bylaws define "sewer unit" as the appropriate term to use. They have updated the report accordingly. He said that a sewer unit is defined as any residential dwelling with at least one bedroom or more.

D. Prickett said that the Town should continue to table Options A and B until the treatment plant has been constructed and until such time as its demonstrated performance is determined, and what the capacity of the treatment plant will be post upgrade, followed by negotiations with the EPA and DEP. They have estimated a timetable of approximately three years. He said that it is in the Town's best interest to explore possible groundwater sites that are at least 10 acres in size.

D. Prickett said that regarding the water main extension along Route 15, responses from residents have been positive so far; however, they can't make a recommendation until the rest of the responses have been received. He said

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that it would be in the Town's best interest to explore rural development funding opportunities. He said that the Town may be able to obtain significant grant funding for the water main along Route 15.

M. Dowling asked whether the questionnaire that was sent out had been at random. D. Prickett said that it was sent to all of the property owners along Route 15 between River Road and Pilot that abut Route 15. He noted that the questionnaire was about municipal water service.

S. Garieri asked whether the Bentwood Drive condominiums had been included in the questionnaire mailing. D. Prickett said that a questionnaire had been sent to the condo association.

M. Blanchard asked whether Yogi Bear's Jellystone Park had water. D. Prickett said that they have water off of River Road, and would also like it off Route 15.

Gary Galonek, Lake Road, said that he did not think that the Shepard Road parcel should be dismissed as a possible groundwater disposal site, as it is about the right size. D. Prickett said that it is five acres, which is about half of the needed size.

T. Creamer noted that the two sites under consent orders, Yogi Bear's Jellystone Park and the Sturbridge Retirement Cooperative, should be addressed, and questioned whether some level of support could be provided in helping them to find relief. Mary Berry of SRCC asked why the Shepard parcel had been dismissed. S. Garieri asked about the possibility of a dual use for the property in terms of athletic fields and groundwater discharge. G. Morse said that the Shepard parcel had not been dismissed, but they are not recommending it. He said that the question needs to go before Town Meeting. He said that the people who are interested in using it for athletic fields should have an equal say in the matter, either to support it or decline it. T. Creamer said that it is subject to Town approval because it involves an appropriation of Town funds. He asked whether there were any precedents for a dual use of recreational ball fields on the same property as a community using it for groundwater disposal. D. Prickett said that there were probably hundreds of such situations. He noted that they had looked at five properties, and they didn't think that the Shepard property was the most promising. G. Morse added that it would complicate the location of a well at the site, and would complicate construction of the recreational fields.

S. Garieri said that to have a dual use of the property might be a good way to offset some of the construction costs of the recreational fields. G. Morse said that it would be necessary to find out where the ledge is located and identify the soils at the property. D. Prickett asked about the goals regarding the athletic fields, and whether there would be concession stands at the site. He suggested a review of how the combined use would impact the property. T. Creamer expressed concern about the possible limitations regarding the use of CPC funds

for the site. M. Dowling suggested a review of the Conservation Preservation Act, which limits the usage of lands purchased with CPC funds. She said that she was critical of using the Shepard parcel (which took several years to identify for recreational purposes) for a dual purpose, when effluent could come out of the pump system, which could shut down the use of the fields until they are rendered safe. She suggested looking for another parcel. M. Blanchard agreed with M. Dowling, and said that another piece of land should be identified that would be unaffected by effluent.

T. Creamer said that there were three recommendations: (1) Table sewer system extension to Route 15 area (under any alternative) until completion of the Wastewater Treatment Plant upgrades and determination of acceptable flows; (2) Identify and consider procuring at least 10 acres of suitable land for future groundwater discharge of additional flows from the Route 15 area; and (3) Pursue extension of municipal water system to be partially subsidized through USDA and/or other economic development funds.

T. Creamer suggested having two simultaneous permits as part of a future plan for the area, one for groundwater discharge, one for surface discharge, until something goes wrong. He said that there should always be a redundant plan to deal with potential issues or challenges.

S. Garieri asked what the alternative would be if something went wrong with the Wastewater Treatment Plant. G. Morse said that they could switch pumps around, and could pump to Southbridge. He noted that there are emergency management operational procedures to follow.

T. Creamer said that he cannot say that the recommendations of the experts and consultants should be ignored, when three years ago he had argued so strongly that the Town adhere to the experts' recommendations regarding the Wastewater Treatment Plant, that he had petitioned for 1.5 MGD plant. He stated that he would have to support the experts' recommendations now as a matter of principle and consistency.

S. Suhoski said that the water system may facilitate a private development, which in turn would provide the leverage needed to seek wastewater grants. He noted that the Sturbridge Retirement Cooperative faces a very pressing issue with DEP. He said that Mary Berry had spent time with him, reviewing the CDBG application that was filed in FY06, written by the Regional Planning Commission. He said that the grant was well written, and the need clearly meets the purpose of Community Development Block Grants, to benefit low to moderate income people. He said that the Town was not engaged in support it at that time, and the financial cash match that the applicant needed to put forward could have been better documented. For those reasons the application had failed, but it was evident that they wanted to fund assistance to that community.

Mary Berry said that regarding the consent order, the next benchmark date is May 2011. She said that she has been in contact with DEP, so they know what is going on. She asked them about the possibility of extending it for another year, based on economics, and they seemed to agree with that. She said that to go the grant route would take two years, and the application must be submitted by next December.

T. Creamer suggested that the Town Administrator draft a letter of support for granting an extension of a year or two so that the community would have time to react to the requirements that will be before us regarding the treatment plant. The consensus of the Board was to provide administrative and technical support to SRCC in pursuit of its grant.

MOTION: That the Board of Selectmen adopt the recommendations from the report as follows: (1) Table sewer system extension to Route 15 area (under any alternative) until completion of the Wastewater Treatment Plant upgrades and determination of acceptable flows; (2) Identify and consider procuring at least 10 acres of suitable land for future groundwater discharge of additional flows from the Route 15 area; and (3) Pursue extension of municipal water system to be partially subsidized through USDA and/or other economic development funds, by M. Blanchard.

2nd: T. Goodwin

Vote: All in favor.

MOTION: That the Board of Selectmen endorse development of a proposed Community Development Block Grant application on behalf of the Sturbridge Retirement Cooperative for installation of an on-site wastewater treatment facility and to authorize the Town Administrator to provide technical assistance and support for same, by M. Blanchard.

2nd: T. Goodwin

Vote: All in favor.

MOTION: That the Board of Selectmen authorizes the Town Administrator to sign contract amendments, by M. Blanchard.

2nd: T. Goodwin

Vote: All in favor.

Department Head Monthly Report

Greg Morse, DPW Director, reviewed his report with the Board. M. Blanchard asked about the status of the snow plowing contractors. G. Morse said that there had been an incident where a snow plow hit a manhole, which broke the plow. He said that a few sand chains had broken during the last storm. G. Morse

requested the appointment of Dennis Clarke to the position of Mechanic in the Dept. of Public Works.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Dennis Clarke of Brookfield to the position of Mechanic in the Dept. of Public Works, effective January 4, 2011 subject to successful completion of a six-month probationary period, by M. Blanchard.

2nd: T. Goodwin

Vote: All in favor.

Dick Vaughan – Rotary Club Banner

Dick Vaughan appeared before the Board to request permission to put a banner on a telephone pole at the Rotary Park at the corner of Rt. 20 and Cedar Street. He noted that the pole is about 12 feet off the sidewalk. He said that the Rotary Club would assume the costs. S. Garieri questioned whether the banner would violate the sign bylaw. S. Suhoski said that it would be considered a Town endorsed banner, which would be exempt under the town sign bylaw.

M. Blanchard noted that when the Town banners were put up, the Town had received permission from Verizon to use their poles. D. Vaughan said that the stanchions are already on the pole, so it is covered under the original approval.

T. Creamer said that the sign bylaw is clear relative to non-profits, and that the requested banner was consistent with those requirements. The Board of Selectmen would be granting permission to have the banner go up as a Town banner. It is municipally endorsed and meets the spirit of the bylaw.

MOTION: That the Board of Selectmen approve the Sturbridge Rotarians' installation of a banner on the pole at the Rotarian Park on Rt. 20, as presented to the Board this evening, in recognition of their efforts at the Rotary Park and at their cost, by M. Blanchard.

2nd: T. Goodwin

Vote: All in favor.

Refunding of 1998 and 2002 General Municipal Obligation Bonds

MOTION: That in order to reduce interest costs, the Treasurer is authorized to provide for the sale and issuance of refunding bonds under G.L. c. 44, Sec. 21A to refund all or any portion of the remaining principal of and any redemption premium and interest on any of the Town's \$4,228,000 General Obligation Municipal Purpose Loan of 1998 Bonds dated as of April 15, 1998, and on any of the Town's \$6,212,000 General Obligation

Municipal Purpose Loan of 2002 Bonds dated as of March 15, 2002, that are outstanding as of the date of this vote, provided that no such refunding bonds shall be issued under this vote unless and until the final interest rate(s) and other terms of such refunding bonds have been approved by this Board, by M. Blanchard.

2nd: T. Goodwin

Vote: All in favor.

Council on Aging Appointments

MOTION: That the Board of Selectmen ratify the following appointments by the Town Administrator: Jean Gately to the Council on Aging for a term to expire in 2012; Betty Jo Sigler to the Council on Aging for a term to expire in 2012, by M. Blanchard.

2nd: T. Goodwin

Vote: All in favor.

Town Hall AAB Variance

S. Suhoski said that he initiated a request with Town Counsel on how best to proceed to achieve the desired results as discussed at the December 20, 2010 meeting.

Snow Removal Bylaw

S. Suhoski informed the Board that notices were mailed and hand-delivered. He has fielded several phone calls and one walk-in citizen concerned about how they will be able to manage the heavy weight of plowed snow. He provided the high school contact information.

T. Creamer asked whether there was any potential liability for the Town in providing recommendations to seek out high school students to help with snow removal. He asked whether there was a policy assuming liability because the Town has suggested options, and asked whether it would be better to leave it to each abutter to make arrangements for snow removal. S. Suhoski said that the Town maintains substantial insurance for all types of liability, and he pointed out that the Town is not arranging the work, it would be through the school career counselor to make that connection. M. Blanchard said that the Town would be acting as a source of information, facilitating the fact that students may be interested in shoveling sidewalks for money. S. Garieri added that there are private contractors that would do the work also.

Miscellaneous

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S. Suhoski announced that the MMA meeting is coming up on January 21-22, with the business meeting on the 22nd. He said that the Town has one vote at the business meeting, by either the Chairman of the Board of Selectmen or a designee with written authorization.

MOTION: That the Board authorize Mary Blanchard to represent the Board and vote on its behalf, by T. Creamer.

2nd: T. Goodwin

Vote: All in favor.

Regarding the final Trails Committee Charter. S. Suhoski said that he had conveyed to the Trails Committee that appointments are all subject to confirmation by the Board of Selectmen.

IOD for Officer Daniel Hemingway

MOTION: That the Board approve the IOD request as submitted by the Police Chief for Daniel Hemingway, by M. Blanchard.

2nd: T. Goodwin

Vote: All in favor.

Old Business

M. Dowling said that she had spoken with Leslie Wong, who had informed her that there were 17 submittals for the tree decorating event. It was a beautiful job and a festive thing to do. On Thursday, January 6th they will draw the lucky winner for a gift certificate with an excess of \$200 which was donated by local businesses. She thanked the participating businesses for their goodwill and generosity. T. Creamer commented on the Fire Department's tree which was covered in red ribbons, and the Police Department's tree, which was covered with citations and Dunkin Donuts cups, both very creative and demonstrating a sense of humor.

M. Blanchard asked whether the Adopt-a-Pot letter had been sent to the Betterment Committee. S. Suhoski said that it had been given to staff to do.

M. Blanchard asked whether S. Suhoski had received a copy of the petition from James Decoulos. S. Suhoski said that he had received it, and sent it to the Board via email.

M. Blanchard asked S. Suhoski whether he had spoken to Arthur Frost at Mass. Highway Dept. about starting discussions about Route 20. S. Suhoski said that he had not spoken with him yet, but discussed the matter with Sandra Gibson-Quigley, Chairman of the Planning Board and Jean Bubon, Town Planner. He said that due to their schedules, they asked to defer it to early January.

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M. Dowling asked about the status of the use of recreational fields for spring. S. Suhoski said that Lynne Girouard, Recreation Director, had met with the Burgess School Building Committee, and they agreed to put it in writing within a month.

M. Blanchard noted that Veolia Water North America was going to provide a summary of the break on Fairgrounds Road. S. Suhoski said that Shane Moody of Veolia will provide a report on that.

M. Blanchard said that the Town Hall heat was up to 72 degrees over the weekend, which was a waste of energy. S. Suhoski said that he sets it back to 68 degrees, and noted that there is an ongoing issue with the design of the heating system and the function of the thermostats. He said that Superior Sheet Metal is the subcontractor, and they have begun reconditioning each of the unit heaters, checking wiring, calibrating the thermostat. He noted that it is still on the punch list. S. Garieri said that the Board of Health office was up to 100 degrees last week. S. Suhoski said that their thermostat had to be replaced. T. Creamer suggested checking the setting on the thermostats.

M. Blanchard asked about the status of alarm training at Town Hall and the Center Office Building. S. Suhoski said that the alarms have been set up, and he had sent an email out explaining how to utilize it. He said that there will be additional training from the alarm company when codes are expanded. He said that he needs to copy the master key for the Police Department, and it must be done by a locksmith. S. Garieri suggested using Lock Out.

T. Creamer said that the Board had discussed the unfinished portions of sidewalk on Route 131, determined that the Town is not responsible for them, and requested confirmation from the Route 131 contractor. S. Suhoski said that he did not have written confirmation from Amorello, but he had spoken to them about it and they confirmed it. T. Creamer suggested that he get a letter from them for the Town's protection.

T. Creamer said that regarding the year end merit pay, the Town Charter identifies that the Town Administrator sets the compensation for department heads. He asked whether the Board should get a report on the status of merit pay for department heads. S. Suhoski said that he would put them in a folder for the Board's review and will provide a report on what had been issued.

New Business

There was no new business.

Citizens' Forum/Ask the Selectmen

S. Garieri said that there were no calls.

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MOTION: To convene in executive session under MGL Chapter 30A, §21, Paragraph #3: To discuss strategy with respect to collective bargaining or litigation; not to reconvene in open session, by M. Blanchard.

2nd: T. Goodwin

Roll call vote: M. Dowling in favor; T. Creamer in favor; T. Goodwin in favor; S. Garieri in favor; M. Blanchard in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date