

March 7, 2011

**BOARD OF SELECTMEN
MINUTES
MARCH 7, 2011**

Present: Thomas Creamer, Chairman
Mary Blanchard
Scott Garieri
Mary Dowling (arrived at 9:05 p.m.)
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 was recording the meeting.

The Board agreed to hold action on the minutes until the next meeting.

Cable Advisory Committee Workplan

S. Suhoski submitted to the Board information from Cable Advisory Committee Chairman Don Fairbrother that outlined the proposed staffing for the local cable access programming.

D. Fairbrother appeared before the Board. He said that in May of 2010 the Cable Advisory Committee, after completing negotiations with Charter Communications, put together a five-year operational budget and staffing plan prior to establishing an equipment purchasing budget. He said that they propose combining the future part-time Production Coordinator position requirements with the Cable Access Coordinator position requirements to establish one full-time position with benefits, at a Grade 6 position with a starting salary of \$15.68 per hour. They also propose a part-time Scheduling Clerk position, at a Grade 2. He presented a five-year operational budget for public access TV, with a full-time Access Coordinator and part-time Scheduling Clerk.

T. Creamer noted that the positions would be paid out of the cable grant, so would not incur any expense on the taxpayers, beyond what they pay in their cable bills. In terms of mandated retirement accounts for employees, T. Creamer asked if at the end of the five-year contract with Charter, if the Town were to go with another entity, would the Town be able to maintain that money for subsequent payout for the retirement account. S. Suhoski said that if they transfer to another job that participates in the Worcester County Retirement System, their retirement funds could continue there. If they are not vested in the retirement system, they can withdraw their funds, or they could transfer the money to a different retirement system.

D. Fairbrother said that the Cable Advisory Committee would like to have a studio for programs where there might be discussions and sports presentations. He said that it could be at the Senior Center or the Library. He noted that the government channel equipment would remain in the audio-visual room. He said that they would like to do live broadcasts of meetings from the Center Office Building, and they are looking into broadcasting across wireless internet or through a fiber optic cable from both the Center Office Building and Town Hall.

T. Creamer asked how the staffing plan would impact the high school students who are currently covering the meetings. D. Fairbrother said that there would be no impact on the students at all, as they would still be needed for camera operations.

T. Creamer thanked D. Fairbrother and the members of the Cable Advisory Committee for their efforts with regard to the cable contract.

MOTION: That the Board of Selectmen support the Cable Advisory Committee's staffing plan as presented, by M. Blanchard.

2nd: S. Garieri

Vote: All in favor.

T. Creamer requested that the cable document regarding the senior discount be posted on the Town's website.

Massachusetts Bottle Bill

S. Suhoski presented to the Board the information from MASSPIRG regarding the Resolution in Support of Updating the Massachusetts Bottle Bill, which outlined the changes proposed by the state legislature. He noted that half of the communities in the Commonwealth have signed on.

MOTION: That the Board support the expanded Bottle Bill and authorize the Chairman of the Board of Selectmen to sign the resolution of support, by M. Blanchard.

2nd: S. Garieri

Vote: All in favor.

Senior Municipal Service Program Update

S. Suhoski submitted to the Board the proposed Program guidelines as further revised by himself and Bill Mitchell, Principal Assessor, pursuant to comments and suggestions made at the last meeting. He also submitted the rationale for firming-up the March 31 cut-off date. He said that the document more clearly articulates the Program requirements and provides automatic adjustment of the income limitations as revised from time to time by the federal Dept. of Housing & Urban Development. He noted that there was an outstanding issue with respect

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to the legislation passed last summer that would allow an “approved representative” for persons “physically unable” to participate in the program. He said that acceptance of the additional exemption(s) require Town Meeting vote. He requested the Board’s approval of the revised SMSP regulations.

MOTION: That the Board of Selectmen approve the revised Senior Municipal Service Program Regulations dated March 7, 2011, by M. Blanchard.

2nd: S. Garieri

Vote: All in favor.

T. Creamer said that there are some seniors who would be embarrassed to have their names read over the air, and said that he would prefer not to read the names, out of respect for their privacy. It was the consensus of the Board to keep the participants’ names private.

Data Collector Agreement Ratification

S. Suhoski submitted to the Board correspondence dated March 3, 2011 from Bill Mitchell, Principal Assessor, outlining the recommendation to retain Mr. Sanders Genna as an independent contractor to perform data collection services. He informed the Board that funds are available through the existing “purchase of services” line in the Assessors budget. He noted that these services are required for the Board of Assessors to complete mandated cyclical inspections before the DOR deadline of June 30, 2012. He said that the current agreement runs through June 30, 2011, and there is funding included in the FY12 proposed budget to complete the task in the following fiscal year.

MOTION: That the Board of Selectmen authorize the Town Administrator to execute the Agreement for Data Collection Services with Sanders J. Genna at a rate of \$15 per property inspected, with total fee not to exceed \$16,000, by M. Blanchard.

2nd: S. Garieri

Vote: All in favor.

Solar Power Purchase Agreement RFP

As requested by the Board, the Energy Advisory Committee met with the principal of Muni-Sun LLC to review the details and status of the joint SPPA RFP issued on behalf of Sturbridge and eight other central Massachusetts communities. S. Suhoski said that there has been very high interest in the RFP, with over 50 packets requested and approximately 44 attendees to the pre-bid conference and facility tours. He noted that the deadline for receipt of the proposals is March 18.

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S. Suhoski said that evaluation of the responses will be conducted with two representatives from each municipality (Ayer, Shirley, Clinton, Gardner, Ashby, Westminster, Orange, Palmer and Sturbridge). He said that the Energy Advisory Committee voted unanimously to support having a designee from the EAC and a designee of the Board of Selectmen. The EAC designated Kenneth Elkinson (an engineer with National Grid) to the review committee. He said that the evaluation committee will likely review all responses during a full-day assessment between March 18 and April 1. Once the preferred vendor is selected, then negotiations concerning site-specific proposals will commence. He noted that each city or town is free to withdraw without prejudice at any point during the process. Lastly, the EAC voted unanimously to support inclusion of a warrant article that would authorize the Board of Selectmen to enter in to a land lease at the landfill site if the proposals move forward towards a formal contract.

T. Creamer suggested getting something in writing from them, to formalize it a little bit.

Trails Committee

S. Suhoski said that the Conservation Agent and T. Creamer had discussed the many initiatives undertaken by the Trails Committee, and whether they would be better supported working with the Conservation Agent rather than the Town Administrator. He said that trails need Conservation approval. T. Creamer felt that it was a good idea, as it would enable the Town Administrator to focus on other things.

Voluntary Sick Bank

S. Suhoski said that the Personnel Policy allows the Board of Selectmen to authorize a voluntary sick bank to be created for employees.

MOTION: That the Board of Selectmen approve the initiation of a voluntary sick bank for an employee, by M. Blanchard.

2nd: S. Garieri

Vote: All in favor.

Correspondence

M. Blanchard noted that the Board should vote to accept the letter of resignation from Stephen Morris from the Trails Committee.

MOTION: That the Board accept the resignation of Stephen Morris from the Trails Committee, by M. Blanchard.

2nd: S. Garieri

Vote: All in favor.

Old Business

S. Garieri asked about the status of the flagpole in front of the Center Office Building. S. Suhoski said that there was a broken wire on the pole, so the flag has been taken down. He said that there was no lighting for it, as that park was not included in the Town Hall/Center Office Building Project. He said that he would meet with Tom Chamberland, Veteran Services Director, on March 8th to review the matter. T. Creamer requested that S. Suhoski come up with a plan and provide information to the Board.

M. Blanchard asked about the status of the performance evaluation folder, which was to be left out for the Board's review. S. Suhoski said that he was scheduled to meet with staff to review their goals over the next 10 days, so he will make the folder available to the Board after that has been completed.

M. Blanchard asked about the status of the slate roof inspections. S. Suhoski said that he had not yet received an answer on it.

M. Blanchard asked about the status of the advertisements for the Plumbing and Gas Inspector. S. Suhoski said that they have been drafted and will be advertised in the Southbridge Evening News within a few days.

M. Blanchard asked whether S. Suhoski and Greg Morse, DPW Director, had discussed the snow removal bylaw. S. Suhoski said that they had talked about the need to find time to do that. He said that he would draft some ideas and review them with G. Morse. T. Creamer said that what the Board is looking for is something that addresses the Main Street commercial area. He requested that S. Suhoski provide something in preliminary form by the meeting of March 21. He expressed the need to put a timetable on it. He said that if Town resources are to be utilized for snow removal, something needs to be spelled out regarding the commercial district.

M. Blanchard requested a report on IT technology. S. Suhoski said that the costs for IT were higher because of the relocation and the new server, and had to use consultant more often, resulting in \$8,500 for IT support. He noted that the staff would like to have a consultant here at Town Hall, or on call.

T. Creamer said that per the Town Administrator's Goal #3, the Board has requested for the FY12 budget description, grade and salary range and the results prepared regarding the Assistant Town Clerk position. He said that the Board also wanted information on the Senior Municipal Service Program, and guidance on the Veterans' Affairs office. He noted that at least three of the items must be done by the Annual Town Meeting. S. Suhoski said that the Personnel Committee will grade the Assistant Town Clerk position. He said that he will provide an update for the Board for the next meeting.

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M. Blanchard noted that there was a car parked in the driveway next to Town Hall twice during the week and over the weekend, creating a safety issue. S. Suhoski said that he would look into it.

T. Creamer asked whether the advertisement had been initiated for the Finance Committee Recording Secretary. S. Suhoski said that the position had been posted, with a deadline date of March 14th.

T. Creamer suggested putting the issue re-precincting on the April work session. M. Blanchard noted that the April work session is on Town Election Day. T. Creamer said that the issue could be scheduled during the second meeting in April. It was the consensus of the Board to hold the April work session on April 12th.

New Business

T. Creamer noted that even though the Annual Town Meeting date has changed, the General Bylaws state that all warrant articles must be in to the Town Administrator by March 15th. He questioned the rationale for this, and suggested that a bylaw amendment should be offered at Town Meeting that better facilitated the timely need for warrant articles, while also providing the Town Administrator with the time to properly review and prepare them for the Board.

T. Creamer indicated that he and Jean Bubon, Town Planner, had found discrepancies between the General Bylaw specific to the Design Review Committee and the Town Charter. He said that under the General Bylaw, it states that there should be three members and two alternates appointed solely by the Board of Selectmen, whereas the Town Charter indicates that a total of five members (no alternates) were to be appointed by the Town Administrator subject to confirmation by majority vote of the Board of Selectmen. He said that the language in the Bylaw needed to be changed to reflect the language in the Town Charter, as the Town Charter supersedes any bylaws.

T. Creamer said that he had spoken (as a resident) to Kevin MacConnell regarding the Sturbridge Tourist Association membership reorganization. He did not believe that the membership accurately reflects the will of the voters when it was passed in 2009. He suggested a reorganization plan that would assign one member of the Board of Selectmen to the STA. He said that it is critical that a member of the Board of Selectmen be included in the decision process, considering the amount of money that the STA is handling. He said that the addition of one member of the Finance Committee would give that extra bit of scrutiny about how money is being spent. He suggested that the membership of STA consist of: three members of the hotel/motel/bed and breakfast, as those businesses would be motivated to create longer tourist stays; the other two positions would be residents at large. He presented this to the Board as a base line.

S. Garieri suggested that there be a member who is a resident from the retail community. He said that tourism affects them in different ways. He said that he would like to see a member of the Board on the STA as well. M. Blanchard suggested the STA membership consist of one retail business, two residents and two hotel/motel.

Kevin MacConnell, member of the STA, said that as co-author of the original article and a resident, he had some thoughts regarding hotels and their relationship to the STA and the Town. He said that hotels have a special relationship with the taxpayers, because when the hotels make money, it affects the taxpayers, as the Town takes in 6% of the money. He stressed the importance of having hotel owners serving on the STA. He said that the focus is to develop tourism and spend money to develop more tourism, and to increase tax dollars going into the general fund. He said that having a Selectman seat and a Finance Committee seat would lend stability and some serious discussion to the STA. He also recommended having two residents at large who are not in line with any business or organization in Sturbridge. He noted that the STA has had some fractious debates.

T. Creamer said that he had emailed this proposal to the Board in advance of the meeting as the discussion came up during the budget meeting with the Finance Committee this past Saturday, and two Board members had left prior to that discussion. K. MacConnell said that he was glad that the Board has taken an interest in the committee, and considered it to be a step forward into creating a better committee.

Ask the Selectmen/Citizens' Forum

S. Garieri received a call from a resident who asked why some of the correspondence is addressed publicly at the meetings, but not all of it. His response was that the Board only mentions the correspondence that they have a question about, or that needs clarification, or requires a response.

S. Garieri received a call from a resident who asked that the Board not use acronyms, such as STA or FinCom. The caller said that it sometimes takes viewers awhile to figure out what the Board is talking about. The caller suggested that the Board first say the entire name, before using acronyms.

T. Creamer received a call from Don Miller, who asked what impact the proposed increase in the budget will have on the tax rate. S. Suhoski said that the 4.4% is within the limits of Proposition 2 ½ so it will not affect the tax rate. He noted that new growth is factored in, local receipts, and other revenue sources.

T. Creamer said that Don Miller asked whether the Town Administrator and Board of Selectmen had considered a betterment fee assessed to abutters to

help defray some of the costs of removing snow from sidewalks. M. Blanchard said that there would have to be a lot of thought going into it. S. Garieri said that a lot of businesses have recommended it. S. Suhoski said that it is a tool that perhaps the Planning Board could explore. T. Creamer asked whether a new bylaw relative to snow removal (where there was no requirement to remove snow by abutters) would be in conflict with state law. S. Suhoski said that there is a local option. M. Blanchard said that the local option would have to be looked at. T. Creamer asked whether it would increase the Town's overall liability if the Town were to remove snow, as opposed to having abutters do it. S. Suhoski said that it would increase the Town's liability, and any lawsuit resulting from an injury could name the Town of Sturbridge. He noted that the bylaw is a shield to that liability.

Citizens' Forum

Ginger Peabody, 4 Wildwood Lane, appeared before the Board. She said that the Board of Selectmen's meetings are being broadcast very well on the cable access channel, but other board and committee meetings are not being broadcast. S. Suhoski said that the audio visual equipment has needed adjustments, and training is in process for the students running the equipment. He said that once that is done, they will be able to load six DVDs of various meetings into the equipment, to run continuously. It is a work in progress.

G. Peabody asked whether the Town Administrator or Board of Selectmen evaluate boards and committees after they have been set up, and evaluate the people who have been appointed to them, as to their attendance or input. T. Creamer said that the Selectmen have restructured the mission statement of the Public Lands Advisory Committee as well as the Trails Committee, and is now reviewing the Sturbridge Tourist Association, in an attempt to refocus them. He said that the Board has demonstrated that they know they have an obligation to see that the committees are functioning correctly. He said that the Town Administrator tries to intervene to correct things. M. Blanchard said that if there is a problem, the Chairman of the committee will know it, and the Board of Selectmen will know it. She noted that lack of attendance is a reason to rescind an appointment.

G. Peabody said that there has been a change of policy with regard to snow removal from sidewalks, and it was brought before the Board by the DPW Director. She said that the ball was dropped by the Board of Selectmen and Town Administrator, by not looking at alternatives. She said that there is a Tourist Association. She noted that no one had gone to the merchants along Routes 20 and 131 to get their input and suggestions. She said that before a bylaw is written, the merchants should be consulted. T. Creamer said that last April S. Garieri had raised the issue of clearing snow from sidewalks, and the Board had voted 3:1 to continue the previous policy with regard to clearing sidewalks. He said that the Board is learning that it needs to be more proactive

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in the future. S. Suhoski said that there is an issue regarding manpower, as DPW has only five people to do the work, and it takes 20 hours to clear the snow. He noted that the roads must be done first.

G. Peabody said that on January 22nd and February 14th she and her husband had used the ambulance service, and were impressed with their professionalism, caring and competence. She expressed thanks to the whole department.

T. Creamer asked G. Peabody whether she had raised these issues with the Town Administrator, as she could contact him to get answers. G. Peabody said that she prefers to appear before the Board of Selectmen, rather than the Town Administrator. She said that recently an appointment to the Planning Board was made. She noted that there were three qualified candidates for the seat, and she was one of them. She did not approve of the way that the interviews had been conducted, as they were done over the telephone. When she was interviewed by the Town Administrator, he told her that he had a candidate in mind, and asked whether she would be interested in serving on another committee. T. Creamer said that the Board of Selectmen had ratified that appointment to the Planning Board. He suggested that interviews be conducted in a better way in the future. S. Suhoski said that he had planned to interview the candidate in person, but there had been a snowstorm on that day, so it became necessary to conduct Ms. Peabody's interview over the phone.

M. Dowling arrived at 9:05 p.m.

T. Creamer considered interviews over the telephone to be not the best interview process, and they should be done face to face. S. Garieri said that a determination should not be made until all interviews have been done. M. Blanchard concurred that face to face interviews should be conducted. M. Dowling indicated that the interview process should be consistent, and that if one applicant received a face to face, then it would be inappropriate for the others not to receive a face to face.

MOTION: To adjourn, by S. Garieri
2nd: M. Blanchard
Vote: All in favor.

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date

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