

April 19, 2011

**BOARD OF SELECTMEN
MINUTES
APRIL 19, 2011**

Present: Thomas Creamer, Chairman
Mary Dowling
Mary Blanchard
Angeline Ellison
Priscilla Gimas
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 three residents from Fiskdale/Sturbridge participated in the Boston Marathon: Jane Downing, Brian Hrybyck and Q. Lasonelle. On behalf of the Board, he extended congratulations to the runners.

Kim Lofgren, d/b/a Sugar & Spice – Common Victualler License

Kim Lofgren appeared before the Board. She said that her business will be a combination of baked goods and retail products, soup, sandwiches, hot foods and desserts. She will also sell gift baskets and cooking products. Her store is next to Kaizen restaurant, in the space formerly occupied by the Sturbridge Coffee House. There will be seating for 6-8 people. She described it as more of a take-out place for food. She said that the Board of Health and Building Inspector came to inspect the premises, and the sign has been approved. She hopes to open her new business in 2 ½ weeks.

MOTION: That the Board of Selectmen approve a Common Victualler license for Kim Lofgren d/b/a Sugar and Spice, 479 Main Street, to be open from 9:00 a.m. to 5:00 p.m. Tuesday through Sunday, by M. Blanchard.

2nd: M. Dowling

Vote: All in favor.

Tom Chamberland, Tree Warden – Arbor Day Activities

Tom Chamberland, Tree Warden, appeared before the Board. He reviewed the Arbor Day activities for the Town of Sturbridge. He said that there will be a community tree planting in the Preserve subdivision on Saturday, April 23rd beginning at 9:00 a.m. He noted that 55 trees were available in seven different varieties, and the Tree Warden Advisory Committee has been busy responding to residents who would like to reserve a tree. There are four trees left for which they need to find homes. He said that Joseph Kowalski, Deputy Tree Warden, helped to expand this program.

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T. Chamberland said that they will continue the program of handing out seedlings to the Burgess students.

T. Chamberland said that Mass. Highway Dept. was going to plant trees in intersections on Route 131, but those plans have been dropped. He said that he would talk to Greg Morse, DPW Director, about the possibility of planting some trees in those locations. T. Creamer suggested that S. Suhoski follow up on it as well.

P. Gimas arrived at 6:50 p.m.

T. Chamberland said that they are trying the Adopt-A-Tree/Connect With Your Community program. He said that they are focusing on the Preserve subdivision, as the contractor had gone bankrupt and the bank had taken over, resulting in the residents not getting the trees that had been promised to them.

T. Chamberland said that one of the projects (that is in the very early stages) is a partnership with the Sturbridge Tourist Association, Sturbridge Host Hotel, Trails Committee and Conservation Commission to put together a program to encourage high school students and other interested parties to come to Sturbridge for an eco tour, or to participate in an environmental service project. Participants would be working on the trails. He said that it could be a vacation package or high school field trip where the participants would spend a few days in Sturbridge. He said that they would work with the Host Hotel to build a tour package.

T. Chamberland requested that the Board endorse a proclamation for Arbor Day. M. Blanchard read the proclamation into the record.

MOTION: That the Board authorize the Chairman to sign the proclamation for Arbor Day, by M. Blanchard.

2nd: M. Dowling

Vote: All in favor

Annual and Special Town Meeting Warrant Review

S. Suhoski submitted to the Board the latest version of the warrants, which included the modifications made at the April 13 meeting. T. Creamer suggested that the Board open the warrant, then identify which items were administrative and which were substantive, to take up separately.

Charter Review:

Heather Hart, William Haggerty, Peter Levine and John Kittel of the Charter Review Committee appeared before the Board.

S. Suhoski said that the Board would need to determine which, if any, proposals from the Charter Review Committee would be included under the Board's sponsorship on the ATM warrant. He noted that the Board has the sole discretion on which items to include for Town Meeting review.

T. Creamer had put together a spreadsheet to classify and group recommendations for placement on the warrant. He suggested that the Board identify the ones they agree on, then put them into one article, as opposed to a separate article for each one.

S. Suhoski said that he concurred with the great majority of recommendations, clarifications and corrections offered by the Review Committee; however, two key items called out for careful review.

A. Appointment of Finance Committee by Moderator: S. Suhoski said that having completed his first year here in Sturbridge, he found the Finance Committee to be deeply committed, professional and thorough in their examination of financial matters. The appointment by the Moderator has historically and does currently serve the community well and should continue.

B. Appointing Authority of Town Administrator: S. Suhoski said that the current system appears to function well. He has not felt any "political" pressure to make a particular appointment. And, the Board of Selectmen currently has the authority to deny any appointment by any Town Administrator for any reason. He saw no reason to change the Charter in this respect. In his opinion, the appointment of Town Counsel should remain with the Town Administrator subject to confirmation by the Board.

MOTION: That the Board of Selectmen open the warrant for the Annual Town Meeting, to be held June 6, 2011, by M. Blanchard.
2nd: P. Gimás
Vote: All in favor.

MOTION: That the Board of Selectmen place and support the line items on T. Creamer's spreadsheet for Charter revisions: Lines 1-6, 8, 11, 13-16, 18-22, 28, 30, 31, 33, 34, 35, by M. Blanchard.
2nd: P. Gimás
Vote: All in favor.

W. Haggerty requested that the Charter Review Committee receive a copy of the spreadsheet.

MOTION: That the Board place and support Charter process enhancements: Lines 17, 23, 24, 26, 32, 36, by M. Blanchard.
2nd: P. Gimás

Vote: All in favor.

It was the consensus of the Board to group the following lines into one warrant article (dealing with the Zoning Board of Appeals, Planning Board, Design Review Committee and Conservation Commission): 4-1 (C), 4-10 (9A), 6-1 (D) (with the addition of the ZBA).

MOTION: That the Board place as a warrant article Paragraph #2, "Appointments of Key Committees" (Planning Board, Zoning Board of Appeals, Design Review Committee, Conservation Commission), by majority vote by the Board of Selectmen, instead of the Town Administrator, as recommended by the Charter Review Committee, by M. Dowling.

2nd: P. Gimas

Vote: Four in favor; M. Blanchard opposed.

MOTION: To place Paragraph #3, "Appointment of Town Counsel" by the Board of Selectmen, rather than by the Town Administrator, as recommended by the Charter Review Committee, by M. Dowling.

2nd: P. Gimas

Vote: Four in favor; M. Blanchard opposed.

MOTION: To place Paragraph #4, "Appointment of the Finance Committee" by majority vote of the Moderator, Finance Committee Chair, and senior most elected member of the Board of Assessors, as recommended by the Charter Review Committee, by M. Dowling.

2nd: P. Gimas

Vote: Four in favor; M. Blanchard opposed.

MOTION: That the Board not support Paragraph #2, by M. Blanchard.

2nd: M. Dowling

Vote: Two in favor; T. Creamer, A. Ellison and P. Gimas opposed.

MOTION: That the Board support Paragraph #2, by A. Ellison.

2nd: P. Gimas

Vote: Three in favor; M. Blanchard and M. Dowling opposed.

MOTION: To not support Paragraph #3, by M. Blanchard.

2nd: M. Dowling

Vote: Three in favor; P. Gimas and A. Ellison opposed.

MOTION: To not support Paragraph #4, by M. Blanchard.

2nd: M. Dowling

Vote: Three in favor; P. Gimas and A. Ellison opposed.

MOTION: To rescind the motion on Paragraph #3, by M. Blanchard.

2nd: M. Dowling

Vote: All in favor.

MOTION: That the Board vote to take no action on Paragraph #3, by M. Blanchard.

2nd: M. Dowling

Vote: Four in favor; P. Gimás opposed.

MOTION: That the Board rescind the motion to not support Paragraph #4, by M. Blanchard.

2nd: M. Dowling

Vote: All in favor.

MOTION: That the Board take no action on Paragraph #4, by M. Blanchard.

2nd: M. Dowling

Vote: Four in favor; P. Gimás opposed.

Annual Town Meeting Warrant

Article 5: Community Preservation – Sturbridge Trails Committee

S. Suhoski said that he had a scope of work that has been updated from Tighe and Bond. He noted that there is a proposal in an amount less than \$40,000 subject to final discussion, and there is \$40,000 in an escrow fund.

M. Dowling said that the Board had received a memo from Erin Jacque regarding 51 Holland Road, indicating that it may be required to be capped and fenced off.

T. Creamer noted that the Finance Committee had determined that it should move forward, and voted to support it. M. Dowling noted that 51 Holland Road is contaminated, and a parking lot should not be built when one of the lots is not in compliance with MassDEP. She said that it should be cleaned up before creating a parking lot. She said that Jean Bubon, Town Planner, had indicated that they had put off zoning changes, waiting for the Town Master Plan, and that perhaps the Trails Committee should wait for the Trails Master Plan before constructing additional trails. M. Dowling said that this was very premature. M. Blanchard concurred, and agreed that the river lands must be cleaned up, and the Board needs to see the master plan. P. Gimás and A. Ellison agreed. T. Creamer agreed with M. Dowling, and noted that the Finance Committee had reviewed the request and wondered if they were aware of the issues, or if they had access to information that differed from that of the Board. He noted that representatives of the Trails Committee and Community Preservation Committee were there. He said that he didn't know what had turned the committee to a

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favorable vote. M. Blanchard said that the issue with contamination did not come up, and noted that Randy Redetzke had presented it very well. T. Creamer said that he would like additional information from the Finance Committee.

M. Dowling said that now that the Trails Committee is under the jurisdiction of the Conservation Agent, she would be an appropriate person to weigh in on this. She said that documentation should be provided by the MADEP that the site is clean before doing additional work.

Article 7: Community Preservation – Recreational Fitness Life Trail

T. Creamer said that there may be a request to remove the article from the warrant as there is no plan going forward for recreational fields at Town Meeting.

Article 9: Community Preservation – Trail Bridges

M. Dowling said that this article is worded very broadly, and people should know exactly where the bridges are being contemplated.

MOTION: That the Board place and support Article 9, by M. Blanchard.

2nd: P. Gimás

Vote: Four in favor; M. Dowling opposed.

Article 11: Sewer Department

MOTION: To amend Article 11 to the new numbers given on debt service (\$705,704) and total (\$2,135,867) by M. Blanchard.

2nd: P. Gimás

Vote: All in favor.

Ask the Selectmen

M. Blanchard received a call from a resident who expressed his thanks to the Charter Review Committee for their hard work and thorough job.

The second call was from Chris Mattioli, who said that M. Dowling should speak into her microphone. He wanted to know how individual members feel about public service unions when it comes to potential cuts. M. Dowling said that there is a duty to honor the collective bargaining unit that is in effect. M. Blanchard said that Chris Mattioli could contact each member of the Board.

WWTP Interim Loan Approval

S. Suhoski submitted to the Board a memorandum from the Finance Director, together with supporting documents from counsel, to initiate the \$9,026,495 borrow item. He said that the total project borrowing was split into two separate

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issues. This interim loan will allow the Town to continue to submit monthly payment requisitions for the project until the permanent loan is put in place.

MOTION: That the Board of Selectmen approve the loan through the formal language in the packets dated April 15, 2011, by M. Blanchard.

2nd: M. Dowling

Vote: Three in favor; P. Gimas and A. Ellison abstained.

FY12 Sewer Dept. Budget and WWTP Permanent Financing

S. Suhoski said that a memorandum from the Finance Director, together with an email from the Mass. Water Pollution Abatement Trust, indicates the need to increase the Sewer Dept. budget by an additional \$175,000. He noted that the Town received this notice on April 12 and that the date of the permanent financial pool is not even known at this time. This is the permanent loan pool that would supplant the interim loan in Item #1 above. He said that although it is not known with certainty when this pool of loans will issue, it is recommended that the Town account for these costs now. The impact to the previously voted Sewer Rate would be an additional \$0.87 per 100 cubic feet. If the \$175,000 is added to the FY12 budget, the following rate schedule is recommended:

MOTION: To fund through rates, increase flat sewer rate from \$108 to \$150 (38.9%), and \$181,024 sewer fund balance for a rate of \$7.97 per 100 cubic feet, by M. Blanchard

2nd: P. Gimas

Vote: Four in favor; A. Ellison abstained.

MOTION: To convene in executive session under MGL Chapter 30A, §21, Paragraph #3: To discuss strategy with respect to collective bargaining or litigation; and #6: To consider the purchase, exchange, lease or value of real estate; not to reconvene in open session, by M. Blanchard.

2nd: P. Gimas

Roll Call Vote: M. Dowling in favor; T. Creamer in favor; A. Ellison in favor; P. Gimas in favor; M. Blanchard in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date