

July 18, 2011

**BOARD OF SELECTMEN
MINUTES
JULY 18, 2011**

Present: Thomas Creamer, Chairman
Mary Blanchard
Angeline Ellison
Priscilla Gimas
Shaun Suhoski, Town Administrator

Mary Dowling was absent.

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

Josephine Kaitbenski – Fundraiser

Josephine Kaitbenski appeared before the Board. She informed the Board about the Sturbridge afghan, which is being sold at the Senior Center for \$60. She noted that the proceeds of sales of the afghans will benefit the Senior Center. She donated an afghan to the Town.

MOTION: To accept the afghan gift from the Friends of the Senior Center and direct the Town Administrator to find an appropriate spot in Town Hall or the Center Office Building to display it, by M. Blanchard.
2nd: P. Gimas
Vote: Four in favor; M. Dowling absent.

Special Liquor License -- Hamilton Rod and Gun Club

S. Suhoski submitted to the Board the application of Hamilton Rod and Gun Club for a special liquor license to allow the sale and consumption of alcohol at the tent and parking area adjacent to the pavilion at the club located at 24 Hamilton wrote. Ron Komar appeared before the board and described the two-day Hot Rod event planned for August 5th and 6th from 11:00 a.m. to 11:00 p.m. Police Chief Thomas Ford reviewed and endorsed the application. Ron Komar noted that all other activities would be canceled at Hamilton Rod and Gun Club on those days.

MOTION: That the Board of Selectmen grant a special all alcohol license under MGL Chapter 138 section 14 to the Hamilton Rod and Gun Club, 24 Hamilton Rd. between the hours of 11 a.m. and 11 p.m. on August 5 and August 6, 2011, by Mary Blanchard
2nd: P. Gimas
Vote: Four in favor; M. Dowling absent.

Tornado Update -- Debris Removal Plan

S. Suhoski informed the Board that work crews completed the initial debris removal plan that the Board had approved, and he and the DPW Director recognize that there may be some pockets of debris that will materialize along some of the more heavily damaged areas; however, given the lack of certainty in the FEMA declaration and the need to bid further debris work, he and the DPW Director strongly recommended that the final deadline for any remaining debris to be placed curbside be Monday, July 25.

S. Suhoski said that out of pocket costs assessed against the deficit spending authorization are approximately \$135,000, and after applying the \$55,000 reserve fund allocation, the Town is looking at \$80,000 in deficit spending as of this date, plus any remaining pockets of roadside debris collected on or about July 25. He said that longer-term debris bids are scheduled to be received on Wednesday, August 3, and hopefully by that date the Town will have further feedback on the likelihood of any FEMA reimbursement

MOTION: That the Board of Selectmen approve August 1 as the deadline for curbside collection of debris from the June 1st tornado, by M. Blanchard.

2nd: P. Gimas

Vote: Four in favor; M. Dowling absent.

Water Treatment Facility Upgrades -- Well #1 Iron Removal Plant

S. Suhoski said that further to the Administrative Consent Order between the Town and MassDEP, and further to the appropriation of funds under Article 22 of the June 6, 2011 Annual Town Meeting, he submitted to the Board the canvass of bids received, and the recommendation of Wright-Pierce Engineering to award the construction bid to R.H. White Construction in the amount of \$1,265,474.

Also, a suggested total project budget including construction administration and owner's project management services was also submitted to the Board. S. Suhoski said that the Town has previously retained the team of Wright-Pierce and Veolia for engineering and project management. The total project cost is estimated to be \$1,613,462 (inclusive of the 10% construction contingency) which is within \$1,620,500 approved at Annual Town Meeting.

MOTION: That the Board of Selectmen award the contract for construction of iron removal plant upgrades to R.H. White Construction Company in the amount of \$1,265,474 as recommended by Wright-Pierce engineers and to accept the total project budget as presented by Veolia Water North America dated June 1, 2011, by Mary Blanchard.

2nd: P. Gimas

Vote: Four in favor; M. Dowling absent.

T. Creamer brought forward the Route 15 water line project with G. Morse and S. Suhoski per the Tighe & Bond report. He stated his belief that development on Route 15, consistent with current or future zoning would be problematic without town water for fire suppression, as the lack of such would dictate water towers along Route 15, which would serve to the detriment of all. He also raised the issue of discussing a TIF with the owners of the Days Inn to help incentivize the redevelopment of their hotel, which was destroyed by the tornado.

Update on Dock at 78 South Shore Dr. -- Gary and Margaret Allard

S. Suhoski submitted to the Board a copy of correspondence from himself to the Allards concerning the lack of a current, valid permit for their dock, together with an updated inspection report from the Building Inspector conducted on July 12. He said that while the Allards have made substantial progress towards compliance, there is no existing permit for the structure. As such, in the correspondence he encouraged the Allards to complete an application for a compliant dock at their earliest convenience. He also suggested that the Board of Selectmen, as Harbormaster, schedule this hearing on July 25 for either issuance of a permit, or further action and/or enforcement of the Rules and Regulations.

MOTION: That the Board of Selectmen, acting as Harbormaster, schedule a hearing to determine the status and potential enforcement action relating to the non-permitted dock at 78 South Shore Drive for Monday, July 25 at 6:45 p.m., by M. Blanchard.

2nd: P. Gimas

Vote: Four in favor; M. Dowling absent.

T. Creamer said that he would not entertain a permit for a variance if the dock is not now in compliance.

T. Creamer said that per Parliamentary Procedure, P. Gimas would be the temporary Acting Chairman regarding the next item. T. Creamer removed himself from the Board of Selectmen's table.

Open Meeting Law Complaint Response

On July 12 James Erhard filed an open meeting law complaint alleging that the Board of Selectmen, and more specifically Chairman Creamer, violated the open meeting law due to an e-mail correspondence issued by the Chairman. On July 13, Chairman Creamer tendered an e-mail response to the complaint. S. Suhoski referred all of the items to Town Counsel for opinion so that the full

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Board of Selectmen could determine its response. Town Counsel found that there is no basis to sustain that a violation the open meeting law occurred. He further recommends (and S. Suhoski concurred) that the Board of Selectmen ratify the July 13, 2011 response of the Chairman as the Board's official position on the complaint. Copies of all items were e-mailed to the Board.

MOTION: That the Board of Selectmen ratify the July 13, 2011 correspondence of Thomas R Creamer, Chairman of the Board of Selectmen, as its official response to the complainant; and direct the Town Administrator to convey such position in accordance with the law, by M. Blanchard.

2nd: A. Ellison

Vote: Two in favor; M. Blanchard opposed; T. Creamer abstained; M. Dowling absent.

M. Blanchard said that the Board should have received a copy prior to the Chairman's response dated 7/13.

T. Creamer rejoined the Board at the table.

Dissolution of Master-Plan Steering Committee

S. Suhoski submitted to the Board a copy of correspondence from the Town Planner dated July 13, 2011 seeking dissolution of the Master Plan Steering Committee, and expressing the Planning Board's appreciation for the efforts of the 13 members of the committee and the many hours of voluntary service they provided for the Town. The names of the members were read into the record.

MOTION: That the Board of Selectmen dissolve the Master-Plan Steering Committee and extends its deep appreciation to the membership for their service to the community in updating the Master Plan, which was adopted by the Planning Board on June 14, 2011, by M. Blanchard

2nd: P. Gimás

Vote: Four in favor; M. Dowling absent.

Master Plan Implementation Committee Formation and Charge

S. Suhoski submitted to the Board the Planning Boards overview and establishment and charge to the Master Plan Implementation Committee. He said that the MPIC will be a five member advisory committee to the Planning Board and will be composed of (a) two members from the Planning Board and (b) three members that served on the Master Plan Steering Committee (if insufficient interest, then members of the focus groups and ultimately the general public would be solicited). He noted that the Planning Board shall review all applicants and provide recommendations to the Town Administrator. The Town

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Administrator shall appoint the membership of the committee subject to confirmation by the Board of Selectmen.

MIIA Membership Credits and Town-earned Rewards Program

S. Suhoski submitted to the Board a copy of the check in the amount of \$8,340 from the Massachusetts Interlocal Insurance Association, which represents an actual reduction of the Town's property and casualty insurance premium due to participation by Town staff in various MIIA programs and trainings. He noted that these trainings are in loss prevention and risk avoidance. In addition, the Town has received participation credits and a prepayment discount of 5% of total insurance premium, which has resulted in total savings exceeding \$48,000 and a net blanket insurance premium total of just over \$201,000. The FY12 appropriation was level funded at \$275,000. Although this account must also cover out of pocket and deductible expenses for the year, S. Suhoski anticipates (absent further unforeseen calamity) that this account will run \$50,000-\$55,000 under the appropriation and could perhaps be adjusted at a special town meeting to help pay for tornado related deficit spending. He said that it is just another option to cope with the ongoing costs of the tornado.

Approval of Minutes

MOTION: That the Board accept the minutes of May 2, 2011 as amended, by Mary Blanchard.

2nd: P. Gimas

Vote: All in favor

MOTION: That the Board accept the minutes of May 9, 2011 as submitted, by Mary Blanchard.

2nd: P. Gimas

Vote: Three in favor; A. Ellison abstained.

Old Business

A. Ellison requested that minutes and agenda be sent to her electronically.

P. Gimas announced that FEMA and MEMA will conduct a training session called "Tools for Recovery" regarding the process for long term recovery at St. Hedwig's Church in Southbridge on Wednesday, July 20th from 8:30 a.m. to 4:30 p.m.

M Blanchard requested updates on the roads program, performance evaluations, Riverlands engineering report, and the Wastewater Treatment Plant.

S. Suhoski said that the debris has been cleared from the Riverlands, and drilling will be done this month.

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M Blanchard asked about the status of the Walker Pond Stormwater Study. S. Suhoski said that Dave Prickett of Tighe & Bond has done some field work out there, and it is ongoing.

M. Blanchard asked about the status of Walker Road. S. Suhoski said that there was a meeting with Greg Morse, DPW Director, and the engineer last week.

M Blanchard asked about the status of Ebenezer Craft. S. Suhoski said that it would require some coordination. He said that the Publick House offered to help with landscaping, and DPW will do the concrete pad. T. Creamer commented that it was a great looking sculpture.

M Blanchard requested a list of board and committee vacancies.

T. Creamer said that regarding the Route 15 area, Mr. Patel will begin the process of trying to rebuild his hotel. He noted that it is important to realize that for the hotels, and other smaller motels in Town, the three weeks of the Brimfield flea market as well as Memorial Day weekend, Pan Mass Challenge, etc. account for $\frac{3}{4}$ of their income for the entire year. He had suggested to S. Suhoski and Bill Mitchell, Principal Assessor, that identifying that area as an Economic Opportunity Area and then extending a TIF might help to spur the activity of building that project sooner, and try to overcome the massive loss of income that the community is suffering, from the loss of money from the hotel tax. He asked the Board to consider those measures.

T. Creamer said that he had not seen any of the plans for Sturbridge Auto Body. He said that it may require a variance of some sort. He said that if they plan to expand and add some jobs there, the Board should consider offering a TIF.

T. Creamer said that some seniors had suggested the possibility of having a Saturday town meeting. He asked whether the Board would be amenable to sponsoring a warrant article for Saturday town meetings and let the voters decide. He noted that it is difficult for many seniors to drive to Tantasqua High School at night, and sometimes town meetings run late into the night. He said that seniors are a significant voting block in this community, and they may be disenfranchised by holding meetings at night.

T. Creamer said that he had mentioned the traffic concerns at Crescent Gate to Chief Ford. He noted that a dangerous situation exists for people coming out of there. He asked S. Suhoski to discuss the matter with Mass DOT. T. Creamer noted that the Sturbridge Coffeehouse has been doing great, but is part of some of the challenges down at that intersection, due to their success. M. Blanchard said that it has been addressed several times in the past, and the state always denied putting a traffic light there. She added that it wouldn't hurt to ask again. S. Suhoski suggested doing a traffic count there. It was the consensus of the Board to have S. Suhoski reach out to CMRPC to see if they have studied the

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issue, and if not, ask them to do something, so the Board could get some definitive information.

T. Creamer said that Greg Morse, DPW Director, was in the process of developing a plan regarding 35 Old Village Road. S. Suhoski said that the son-in-law of that resident came into his office to discuss the matter. He said that last week G. Morse had gotten the homeowner to sign off on the permission to leave materials there. It was conveyed to them by G. Morse that the Town would make repairs to the roadway and the right-of-way, including the apron to their driveway, and the Town would leave some crushed stone material there, as per past practice. The resident indicated that it was unacceptable, and will submit an email seeking to be on the Board's agenda for the next meeting. He said that the resident will request that the Town rebuild their driveway. It was the consensus of the Board to put it on the agenda for the next meeting.

New Business

M. Blanchard asked about the meeting with the Sturbridge Retirement Cooperative. S. Suhoski said that he and Jean Bubon, Town Planner, had met with them regarding the CDBG grant which the Board had authorized them to proceed with the Pioneer Valley Planning Commission. He said that the purpose of the meeting was to stimulate a solid return on a survey on the demographic of the neighborhood. He noted that approximately 60 people had attended the meeting, and P. Gimás was in attendance as well. P. Gimás noted that this was the first time that any Town Administrator had gone to talk to them, to S. Suhoski's credit. She said that it was a good thing for the community.

M. Blanchard noted that the Pay As You Throw program will be delayed to fall, pending receipt of full grant money to implement it.

It was the consensus of the Board not to meet on August 15, 2011.

Ask the Selectmen/Citizens forum

A resident called to voice strong support for the proposed Saturday Annual Town Meeting.

MOTION: To adjourn, by M. Blanchard
2nd: P. Gimás
Vote: All in favor

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Judy Knowles

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BOS Clerk	Date
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