

July 25, 2011

**BOARD OF SELECTMEN
MINUTES
JULY 25, 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.

Dock Hearing – 31 and 78 South Shore Drive

S. Suhoski informed the Board that he had spoken to Gary Allard at length on July 22nd. G. Allard had expressed regret that due to a prior commitment, he would be unable to attend the July 25th meeting. Further, he indicated that he would submit a new dock permit application that conforms to the permit granted in 2005, and that a letter to the Board describing their particular circumstance will accompany the request.

S. Suhoski took several photographs of the site, and noted that the dock is currently within Mr. Allard's property bounds and extends at a roughly 90 degree angle into the water. The dock structure is 30 feet long and extends approximately 26 feet into the water. The current condition is the same as generally exists throughout the area observable in the pond.

S. Suhoski inquired of Town Counsel what enforcement mechanism would be available in the event the Board does not approve a new dock permit.

It was the consensus of the Board to postpone discussion until the August 1, 2011 meeting.

A. Ellison arrived at 6:35 p.m.

35 Old Village Road Driveway

S. Suhoski informed the Board that on March 7, 2011 a portion of the driveway at 35 Old Village Road was severely eroded and washed out due to heavy snow melt combined with heavy rains. A Town storm water drain was later found to be partially collapsed. The result was a torrent of water that flowed over and through the driveway causing the erosion.

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S. Suhoski said that DPW completed repair of the driveway, including filling the ravine with a mix of bank run gravel and stone, cleanup of debris, installation of topsoil, and repaving the driveway apron to the fullest extent of the public way.

S. Suhoski initiated an insurance claim on the homeowner's behalf. He noted that all parties should be aware that this filing does not constitute an admission of liability on the part of the Town. He said that the following factors must be considered:

- Inordinate snow cover and snow melt
- Sustained 100-year rainstorm
- Debris in drainage swales
- Unauthorized private connection to drainage system
- Partial collapse (estimated by DPW Director at 40%) of Town storm drain
- Method of construction, age and depreciation of driveway at 35 Old Village Road

S. Suhoski said that the owner of the property was dismayed at the delay by the Town to initiate repairs. S. Suhoski took responsibility for the delay in directing the DPW to make the repairs, as he was mired in "past practice" and should have recognized the unique circumstances faced by this homeowner sooner. He apologized for the delay.

Tornado Update

S. Suhoski informed the Board that the towns of Sturbridge and Southbridge were added to an amended federal disaster declaration. He said that the amendment was the culmination of hard work from local staff, to state legislators and ultimately to the senior federal delegation and Governor. He said that people never stopped working to provide documentation, justification and advocacy. He noted that the FEMA declaration will allow the Town to access 75% federal reimbursement of eligible disaster-related public damages. He said that the Town should be able to recover 75% of all eligible costs during the first 70 hours of work time after the tornado. He estimated this to be at least \$90,000 in reimbursements.

S. Suhoski said that on Tuesday, July 26th Town staff will meet with FEMA and MEMA representatives for the initial briefing and documentation discussion. He noted that in response to the declaration and discussion with FEMA over changing models for payment, a revised debris removal bid document was being developed for release. He provided the Board with a draft of this document, pending review by FEMA and the appropriate Town department heads.

M. Dowling arrived at 7:20 p.m.

Board of Selectmen Delegate and Alternate to CMRPC

MOTION: To nominate T. Creamer as the Board of Selectmen delegate to the Central Mass. Regional Planning Commission, by M. Blanchard.

2nd: P. Gimas

Vote: Four in favor; T. Creamer abstained.

South Shore Drive Drainage Issues

S. Suhoski said that Erin Jacque, Conservation Agent, has worked to give residents a head start on establishing some form of road association to undertake the needed drainage improvements. He noted that E. Jacque has gone beyond the typical requirements of her position in order to facilitate action and buy-in from the private residents. He hoped that a corrective plan will be put forward by the private landowners in the near future.

With respect to the drainage pipe and the water that has been backing up due to the slow flow, staff from MassDEP have twice visited the area and recommended that the Conservation Agent issue an "Order to Restore" the flow by removing silt that is blocking the drainage pipe. The order was issued jointly to the Town DPW and to Gary Allard. T. Creamer read the order and the Town bylaw into the record.

S. Suhoski said that Mr. Allard has given the Town permission to enter his land, and the DPW will initiate hand clearing of the pipe to facilitate a timed drawdown and to expose the scope of silt to be removed. He noted that the DPW Director will coordinate with Mr. Allard on the actual method of removal of the silt, and the Board will be updated when the corrective plan has been established. He said that Mr. Allard has agreed to utilize his own equipment and time to make the eventual drainage repairs once the plan is approved.

Miscellaneous

- COA Director recruitment efforts
- Senior Center interim staffing plan
- Various Burgess School project matters
- Continued effort to achieve FEMA declaration, discussion with FEMA/MEMA, Southbridge Town Manager and Congressman Neal
- Photographed the Center Office Building exterior for AAB application
- Resolved transitional issues related to cleaning contract at Rt. 20 restrooms
- Met with Building Inspector and property owner regarding dock issues
- Met with window repair vendor for Town Hall and Center Office Building issues
- Met with state debris monitoring contractor
- Conducted onsite meeting at Sturbridge Retirement Co-op regarding CDBG

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- Start-up meeting and contract execution for Recreational Trails Master Plan
- Discussed transition with Veterans' Agent; reviewed various models to deliver services
- Extensive discussion with DPW regarding various matters
- Further site visit and discussion with residents in tornado impacted neighborhoods
- Revised debris management bid document to conform to current FEMA model

Correspondence

M. Blanchard read the correspondence list into the record. There was a letter from Brian Burns requesting the Board's reconsideration of its war memorial decision. There was no motion to reconsider.

Old Business

M. Blanchard read a list of items to be updated, including the road program, performance evaluations, Riverlands and Wastewater Treatment Plant.

T. Creamer suggested that the Route 15 study and master plan be discussed at the September work session.

T. Creamer suggested that the Board consider TIFs for the Days Inn and Sturbridge Auto Body so as to assist and incentivize with their rebuilding efforts, in light of the destruction that they suffered during the tornado.

T. Creamer said that S. Suhoski should submit his self evaluation to the Board by August 22nd; the Board's comments should be submitted to the Chairman by August 29th; and the actual performance evaluation for the Town Administrator will be conducted on September 6, 2011.

New Business

P. Gimas mentioned the drainage issue on Farquhar Road, and the grate at 38 Farquhar.

P. Gimas thanked S. Suhoski for his efforts with FEMA.

T. Creamer read a statement into the record regarding the Tantasqua Regional School Committee.

Ask the Selectmen/Citizens' Forum

Don Miller suggested a de-briefing regarding the Town's tornado response.

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Ginger Peabody asked why ten towns were used for comparison.

MOTION: To adjourn, by M. Blanchard

2nd: P. Gimás

Vote: All in favor.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date