

May 7, 2012

**BOARD OF SELECTMEN  
MINUTES  
MAY 7, 2012**

Present: Thomas Creamer, Chairman  
Priscilla Gimas  
Mary Blanchard  
Mary Dowling  
Mary Redetzke  
Shaun Suhoski, Town Administrator

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

**Carol Childress re: Conservation Restrictions**

S. Suhoski submitted to the Board a copy of an email from the Conservation Agent advising of the Conservation Commission's approach for parcels under their custody. With respect to the Riverlands, it was S. Suhoski's recommendation to complete the environmental review, receive the report (expected imminently), chart out any required action steps, develop a use plan consistent with the Master Plan, Commercial Tourism District and Recreational Trails Master Plan, and then seek to negotiate a conservation restriction for the parcel as the use plan is developed.

Carol Childress and Kathy Neal appeared before the Board. A lengthy discussion followed regarding conservation restrictions for the following properties: Heins Farm, Long Pond, Shepard and Riverlands. The Town Administrator will look into the use of CPA funds for a special consultant to complete the conservation restriction negotiations.

C. Childress said that the use of the property had been left out of the language of the Town Meeting articles.

M. Dowling questioned whether the Heins Farm conservation restriction should go back to the voters. She said that the Town Administrator's position was reasonable. C. Childress said that the Heins property is under Chapter 40, Section 8C, which is "passive" use under the statute.

T. Creamer stated that he agreed that the Town had failed in its responsibilities by not addressing these long-standing issues earlier as dictated by the Warrant Articles that have been voted upon at Town Meeting. He stated his commitment to ensuring that these issues are addressed in the near future.

T. Creamer further stated that he believed there was no connection between addressing the outstanding contamination issues on the Riverlands and seeking the appropriate Conservation Restriction, as the CT Revitalization Plan and the Master Plan clearly indicate suggested uses for the Riverlands and regardless of the contamination, which

will be mitigated satisfactorily as required by MassDEP, the overall uses outlined within the various Town documents would not change in any substantive manner.

**Craig Masterman: Logging Permit for Ladd Road**

S. Suhoski submitted to the Board the approved forest cutting plan along with memoranda from the Conservation Agent and the DPW Director. The property is owned by Ann M. Jablonski Trust and the work is to be completed by Greg Hurly Firewood of Douglas, MA. The DPW Director requested that a \$5,000 road maintenance bond be submitted prior to any trucking and that the trucking ideally be completed during the dry months of June through August. He also recommended upgrades to the access point to minimize road damage. The Conservation Commission had no issues and no recommended conditions.

**MOTION: To close the public hearing, by M. Blanchard.**

**2<sup>nd</sup>: P. Gimas**

**Vote: All in favor.**

**MOTION: That the Board of Selectmen approve the forest cutting plan and logging permit for property off of Ladd Road as detailed in the forest cutting plan approved by the Commonwealth on March 1, 2012 and expiring March 1, 2014, subject to the following conditions:**

- **Submission of road maintenance bond to the Dept. of Public Works prior to any trucking operations, and**
- **Upgrade access point landing at Ladd Road as required by the DPW Director, and**
- **Hours of operation shall be Monday through Friday from 7:00 a.m. until 6:00 p.m., and Saturdays from 7:00 a.m. until 3:00 p.m.**

- **Coordinate trucking with school bus routes, by M. Blanchard.**

**2<sup>nd</sup>: M. Redetzke**

**Vote: All in favor.**

**Dock and Mooring Permits: 82 South Shore Drive**

S. Suhoski submitted to the Board the application of James and Doris Smith for both their dock and mooring locations at the above address. The application indicates that the dock and moorings will comply with the regulations, a copy of which was emailed to the Board on Friday.

**MOTION: That the Board of Selectmen, acting as Harbormaster, approve the dock and mooring applications dated April 23, 2012 for 82 South Shore Drive as presented, by M. Blanchard.**

**2<sup>nd</sup>: P. Gimas**

**Vote: All in favor.**

**Injured On Duty Report**

S. Suhoski submitted to the Board a request dated May 3, 2012 from the Chief of Police relative to approval of injured-on-duty status for a police officer who was recently injured while effectuating an arrest.

**MOTION: That the Board of Selectmen approve the injured-on-duty status as requested by Chief Thomas Ford in his May 3, 2012 memorandum and supporting documentation, by M. Blanchard.**

**2<sup>nd</sup>: P. Gimás**

**Vote: All in favor.**

### **Acceptance of Resignations**

S. Suhoski submitted to the Board a copy of the resignation letter from Erin Jacque, Conservation Agent, who will be leaving the Town's employ effective May 21 for an opportunity in the private sector. He said that during his two years here, he found Erin to be a very competent, intelligent and articulate employee who always strived to provide professional and cordial service to the Commission and the general public. She will be missed. M. Dowling said that Erin Jacque was a jewel of the community.

**MOTION: That the Board of Selectmen accept the resignation of Erin Jacque as Conservation Agent, with regret, by M. Blanchard.**

**2<sup>nd</sup>: P. Gimás**

**Vote: All in favor.**

S. Suhoski submitted to the Board a letter from Diane Trapasso who is not seeking reappointment to the Historic Commission due to a conflict with her schedule.

**MOTION: That the Board of Selectmen acknowledge Diane Trapasso's letter with thanks for her service, by M. Blanchard.**

**2<sup>nd</sup>: P. Gimás**

**Vote: All in favor.**

### **Tillyer Papers Preservation Project**

S. Suhoski worked with the Chairman of the Historic Commission to develop and issue an Invitation for Bids for the digitization and preservation of approximately 1,250 pages of the Tillyer Collection at Old Sturbridge Village. This is a project funded by the Community Preservation Act. The IFB was posted on the Web site and duly advertised in the Southbridge News. One response was received by the April 30 deadline for a lump sum proposal of \$9,500. Because the vendor has previously worked on similar projects, and where the price proposal is within the \$10,000 budget, the contract is recommended for award to Robert Arnold, of Sturbridge, for a fee not-to-exceed \$9,500. The Historic Commission recommended this award as well.

**MOTION:** That the Board of Selectmen award the contract for preservation of historic documents(the “Tillyer Papers”) to Robert Arnold, of Sturbridge, in an amount not-to-exceed \$9,500 per the bid proposal received April 30, 2012, by M. Blanchard.

**2<sup>nd</sup>:** P. Gimas

**Vote:** All in favor.

### **BOS Public Hearing to Lay Out Public Ways**

The Planning Board is meeting on Tuesday night to make further recommendations to the Board relative to the following ways which the Board had recently voted an intent to lay out:

- Regep Lane (Article 27 ATM)
- Hunter Lane (Article 28 ATM)
- Evergreen Lane (Article 28 ATM)
- Highlands Lane (Article 29 ATM)
- Meadow View Lane (Article 29 ATM)

In order to meet the statutory requirement that the plans be available at least seven days prior to Town Meeting, a public hearing on the laying out of the above ways will need to be held at the Board of Selectmen’s May 21, 2012 meeting.

It was the consensus of the Board to set the public hearing concerning the layout of public ways on May 21, 2012 at 8:00 p.m.

### **Miscellaneous Items**

Following are updates on other ongoing matters:

• **Firefighter Negotiations:** This will be an Executive Session request for May 14. Provided separately from the open meeting materials are a copy of CONFIDENTIAL proposals from the firefighters. S. Suhoski emailed the collective bargaining agreement to the Board. On May 14, the Board can discuss the policy objectives of this negotiation.

• **Town Hall / Center Office Building Project:** Further to the information shared with the Board concerning the extensive repairs and reconditioning of the HVAC systems, the Town has received invoices from the vendor and, just yesterday, transcribed work items per S. Suhoski’s request. From these, the Town will develop its position on cost allocation and then seek to mediate with the general contractor in hopes of avoiding litigation. S. Suhoski had hoped to have the financial information for the Board’s first meeting in May, but the detailed information did not arrive until yesterday. This will be reported at the May 14 meeting.

• **WWTP Noise Concerns:** Per last week’s update, there have been no further complaints and S. Suhoski will remove this item from the list.

- **Solar Power Project Status:** The solar negotiating committee has been meeting almost weekly to further vet the solar proposal for the landfill and to review any and all other available options to consider to develop a long-term, beneficial rate to obtain municipal power from this renewable resource. A productive meeting was held on Wednesday with BlueWave Capital and additional public and private sites will be reviewed for the most beneficial outcome. S. Suhoski anticipates that the Energy Advisory Committee may come before the Board of Selectmen with some options in June.

- **Mountain Brook Private Road Association:** The road association will meet shortly and then advise of their next steps.

- **Riverlands Environmental:** All testing has been completed. The project engineer returned to the office this week after his honeymoon and indicates that the testing results will be analyzed this coming week. Depending upon the outcome of concentrations, he expects to issue a final report in two to three weeks. It is hoped that large portions of the site will be deemed “clear” and that any mitigation will be focused to specific areas.

- **Insurance Advisory Committee:** S. Suhoski said that he would request a follow-up meeting on either May 21 or June 11 (depending upon staff availability) to further discussion of reform. This was identified by the Board as a potential goal for his performance review.

- **Walker Road Improvements:** The DPW Director advised S. Suhoski prior to his vacation that the plans for this construction project are now in a form ready for review. S. Suhoski has not yet seen the plans, but both he and Greg Morse intend to meet with the residents upon his return and then provide a report and feedback to the Board. He also has a meeting scheduled with a resident of the road next week to discuss the process.

- **Walker Pond Drainage:** Following discussion with the DPW Director and Dave Prickett of Tighe & Bond, a phased approach and recommendation for improvements will be presented to the Board on May 21. The president of the Walker Pond Association will also notify his membership of this meeting date.

- **Route 15 Wastewater/Water:** The report was emailed to the Board. Tighe & Bond can undertake additional work seeking USDA or other grants at a separate cost. As Dave Prickett was the primary author, any further questions could be posed on May 21.

- **Other Meetings / Miscellaneous:** S. Suhoski met with firefighters and Teamsters for groundrules session; Met with Assessor, Planner and DPW Director re: land use and assessment matter; reviewed status of all employee and board/committee appointment expirations and issued letters re: same; advertised board and committee vacancies with May 18 deadline; discussed Walker Road drainage program with DPW Director and

project engineer; met with Building Inspector; met with attorneys re: graffiti on water tank; met with walk-in citizen re: complaint; met with project engineer and DPW Director re: potential water line extension request; met with Police Chief and lieutenant re: emergency management; conducted LEPC meeting at Public Safety Complex; finalized ATM and STM warrants for formal posting; met with Conservation Commission chairman regarding staff resignation and recruitment process, and citizen complaint; participated in Energy Advisory Committee meeting with developer; met with NGRID, Fire Chief and Town Planner regarding whole building energy assessment of PSC; met with Town Planner re: signage for COB; met with Finance Director re: budget and revenue; met with various staff re: personnel issues.

S. Suhoski shared the \$100,000 Burgess School budget cut with the Board due to the loss of out-of-district SPED tuition cost.

T. Creamer noted that the warrant is set, but the Board of Selectmen can revise their recommendation at the Board of Selectmen meeting preceding the Town Meeting, or offer a substitute motion at Town Meeting if the Board was in agreement to do so.

T. Creamer brought up the School Resource Officer issue. He said that he was concerned with the politicization of the SRO and believed, based upon comments made by some members of the Regional School Committee, that too much focus was on the Board's vote, rather than on the merits of an SRO. He indicated that he is publicly withdrawing his vote, though not his support, and will now stand as abstained in hopes that the Tantasqua Regional School Committee will discuss the merits of SRO and not politicize it. P. Gimás noted that the Town Administrator had proposed and the Finance Committee had voted 5-1-1 for SRO and that the Board of Selectmen was just one entity in support of it.

### **Correspondence**

M. Blanchard read the correspondence list into the record.

### **Old Business**

P. Gimás informed the Board that the DPW was out closing out the Farquhar Road project, and that the residents believed it was a great gesture that advance notice had been provided.

P. Gimás said that she had spoken with the Secretary of State's office, and that secret ballots may be allowed at Town Meetings. They will provide further information.

M. Dowling asked whether the full scope of duties had been included in the Conservation Agent posting. S. Suhoski replied that the advertisement contains only core responsibilities, but that the full position description includes the ancillary duties (e.g. trails). He said that the closing date for applications is May 24<sup>th</sup>, and that he and

David Barnicle, Conservation Commission Chairman, had met to outline a selection process.

M. Dowling said that a resident had called her regarding the meeting minutes issue, and that increased hours of meetings results in increased time for the minutes. T. Creamer said that the issue is not with the staff, but between the Board of Selectmen and the Town Administrator, as he sets the priorities for the staff member involved in addressing the minutes. He recited the number of meetings of the Board of Selectmen over the past few years, which demonstrated no substantive increase in the number of meetings, though there had been substantial discussion during all. T. Creamer further stated that the issue is not one of choice but rather compliance with state law. There was no motion to alter the plan presented by S. Suhoski, to bring the minutes current: do the latest two meetings and oldest meeting – three per week.

M. Blanchard asked the Board about whether to allow “remote participation” at meetings. T. Creamer suggested it be placed on the agenda for the June 11<sup>th</sup> meeting for discussion.

M. Blanchard asked about the Chapter 90 information. S. Suhoski said that he would have it for the next meeting.

M. Blanchard asked about the status of the Ebenezer Craft statue. S. Suhoski said that he remains comfortably situated inside the Visitor Center building.

T. Creamer made note of a letter received from the Board of Health regarding comp time and the memorandum put forth by the Town Administrator stating the revised policy for implementing “flexible” time. The Board engaged in discussion over the matter. T. Creamer indicated that the Board would need to engage in a policy discussion as only the Board can determine whether Flex Time or Comp Time is appropriate.

T. Creamer requested a report on sidewalk maintenance through Betterment funds. S. Suhoski will follow up with the DPW Director.

T. Creamer requested a report on the status of a plan with respect to the use of tornado relief funds donated through the Town. S. Suhoski advised that no expenditures have been made.

T. Creamer asked whether Hampshire Council of Governments had provided additional information regarding the cost benefit of the Town remaining in the pool. He requested the information be updated to current.

### **New Business**

**MOTION:** To ratify the police union contract dated 4/23/12, by M. Blanchard.  
**2<sup>nd</sup>:** P. Gimas

**Vote: Four in favor; M. Redetzke opposed.**

P. Gimás said that she had heard about an out-of-town church selling baked goods at Stop & Shop, and the prevalence of yard sale signs. She asked whether there was a difference for charities.

M. Dowling suggested initiating recognition by Town officials of the community service deeds of school children in grades K-12. S. Suhoski said that there is a community service component at Tantasqua Regional High School, and he would connect the coordinator with M. Dowling. T. Creamer supported the idea and volunteered to draft a certificate template for review by the Board of Selectmen.

T. Creamer asked S. Suhoski whether the proper documentation was filed relative to the confidential memo sent to the Board of Selectmen. S. Suhoski said yes, it had been filed.

#### **Ask the Selectmen/Citizens' Forum**

P. Gimás received a call from Marilyn Desy, who asked how much taxes will increase during the next fiscal year.

P. Gimás received a call regarding a letter for the Veterans' Honor Roll.

P. Gimás received a call regarding the minutes of the Board of Selectmen meetings. Enough is enough; meetings were available on the Town's website; suggested hiring a court stenographer; the caller said that S. Suhoski had done a good job explaining comp and flex time. T. Creamer spoke to DVD vs. web format. Carol Childress said local access is getting equipment to allow Web viewing of meetings.

#### **Approval of Minutes**

**MOTION: To approve the minutes of September 26, 2011 as amended, by M. Blanchard.**

**2<sup>nd</sup>: P. Gimás**

**Vote: Four in favor; M. Redetzke abstained.**

**MOTION: To approve the minutes of April 23, 2012 as amended, by M. Blanchard.**

**2<sup>nd</sup>: P. Gimás**

**Vote: All in favor.**

**MOTION: To approve the executive session minutes of April 23, 2012, and release them to the public, by M. Blanchard.**

**2<sup>nd</sup>: P. Gimás**

**Vote: All in favor.**



May 7, 2012

**MOTION:** To approve the minutes of April 30, 2012 as amended, by M. Blanchard.

**2<sup>nd</sup>:** P. Gimas

**Vote:** All in favor.

**MOTION:** To adjourn, by M. Blanchard

**2<sup>nd</sup>:** P. Gimas

**Vote:** All in favor.

Respectfully submitted,

Judy Knowles

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BOS Clerk

Date