

**BOARD OF SELECTMEN
EXECUTIVE SESSION MINUTES
OCTOBER 15, 2007**

Present: Hal White, Chairman
Steven Halterman
Ted Goodwin
Arnold Wilson
William Emrich
James Malloy, Town Administrator

The Chairman called the executive session to order under MGL Chapter 39, §23B, Paragraph #3: To discuss strategy with respect to collective bargaining or litigation; and Paragraph #6: To consider the purchase, exchange, taking, lease or value of real property; not to reconvene in open session.

Police Labor Contract

J. Malloy informed the Board that he had spoken with Chief Ford, who said that he would like to see something happen with the performance evaluation form. J. Malloy met with the union and their attorneys last week, and they are willing to go forward with the 10 towns used for survey comparisons. They will also use year-round tourist communities as a basis for comparison to Sturbridge. They will provide alternative information on other police departments. He noted that after a decade of using the same 10 towns for surveys, it is a good way to benchmark and remain competitive. Chief Ford had indicated that the talk is that they will ask for a lot and hold out for a long time.

J. Malloy said that he would do an analysis, as he has done in the past. J. Malloy said that he would have more information by the next meeting.

Peter Jacques

J. Malloy said that he had several conversations with Peter Jacques and the MADEP and needed to discuss the following with the Board:

- Dividing the property acquisition so that the Town acquires 52 Stallion Hill Road and 55 Holland Road first and deals with the contamination issue separately. If the price for each parcel was based at the pro rata share of the last appraisal, it would be:

51 Holland Road	100,000	15.0%	127,819.55
55 Holland Road	100,000	15.0%	127,819.55
52 Stallion Hill Road	465,000	69.9%	594,360.90
Total	665,000		850,000.00

Executive Session Minutes
October 15, 2007

To purchase the two parcels would then be \$722,180.45. J. Malloy said that he would check with Town Counsel to see if this will take an amendment to the original purchase and sale agreement. He will meet with Peter Jacques after discussing it with the Board.

J. Malloy said that P. Jacques wants to sell the land quickly. He may want to sell two parcels now, and the third in the near future.

- J. Malloy spoke with Mass. DEP and asked that they take enforcement action against Tyrone Jones, which they are planning to do. He said that it has to go to an Enforcement Action Review Committee, which meets every couple of weeks. Because it has to go through the MADEP bureaucracy, J. Malloy wrote a letter to Ian Bowles at the Executive Office of Energy and Environmental Affairs (with copies to Martin Suuberg and Mark Baldi of Mass. DEP, Senator Brewer and Rep. Smola) pointing out the time that has elapsed, the Town's commitment to setting aside the land and the need for the MADEP to ensure that the property clean-up is completed and asking them to make it a priority. He noted that the property has a noncompliance issue.

J. Malloy said that Mark Baldi contacted the EPA about the possibility of the Town getting a brownfields grant. He also informed the Board that he had sent a letter to Mary Jane Belanger asking whether she would be willing to donate her property at 53 Holland Road to the Town, which is vacant undevelopable land, valued at \$26,300 for tax purposes. He had indicated to her that the value of the real estate could be used as a deduction for the purposes of income taxes.

Woodstock Properties vs. Town of Sturbridge

J. Malloy said that he had received an email from Town Counsel indicating that the opposing counsel is pushing for what the assessed value was in FY05. Bev Poirier, Assistant Assessor, said that a per acre price can't be used. He said that unbuildable land is worth about 32% the price of buildable land. He said that the parcel is now classified as municipally owned exempt property, and \$125,000 is the most he can recommend settling on it. He said that a judge will try to force a settlement, and he plans to be there in court.

It was the consensus of the Board to settle at a lump sum without interest, up to \$130,000.

MOTION: To adjourn, by S. Halterman.
2nd: T. Goodwin
Roll call vote: All in favor.

Executive Session Minutes
October 15, 2007

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date