

November 19, 2012

**BOARD OF SELECTMEN
MINUTES
NOVEMBER 19, 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.

Public Service Announcements

T. Creamer wished everyone a Happy Thanksgiving.

M. Blanchard announced the Tree Lighting Ceremony on Friday, November 23rd at 6:30 p.m. on the Town Common.

M. Dowling thanked the Town Clerk for her handling of the election.

Police Chief Ford Update and Appointment of Full-time Dispatcher

Chief Ford provided his update that was deferred from the prior meeting.

S. Suhoski requested the Board's ratification of an internal promotion of a part-time dispatcher to a full-time dispatcher, as recommended by Chief Ford.

Melissa Palmer, of Brookfield, has been employed with the Town since 2002 as a part-time dispatcher and Chief Ford considers her to be an "exceptional employee." She has a B.S. degree in criminal justice and has worked with special needs clients in the private sector over the past 12 years. She has all certifications and trainings and can begin commencing a regular shift immediately. He noted that this represents a prime opportunity to promote quality from within.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Melissa Palmer, of Brookfield, as a full-time Dispatcher effective November 19, 2012 at an hourly rate of \$21.62 and subject to all terms and conditions of the collective bargaining agreement, by M. Blanchard.

2nd: P. Gimas

Vote: All in favor.

Tighe & Bond Update re: Wastewater Bylaw Amendments

Further to the Board's recent discussion with Tighe & Bond relative to the Comprehensive Wastewater Management Plan update and the effort to seek zero percent refinancing for the WWTP project, engineers Ian Catlow and Tracey Adamski from Tighe & Bond presented an update and suggested modifications for the Board's consideration.

Preliminary Harbormaster Regulations Review

T. Creamer reviewed his proposal and indicated that at the next meeting the Board would review M. Redetzke's proposals and SLAC's recommendations on December 10, 2012.

Community Innovation Challenge Grant – Stormwater Management

S. Suhoski noted that Sturbridge was part of a 13-town coalition to receive \$310,000 through the 2011 CIC Grant Program to begin developing a regional stormwater management program. Currently, under the guidance of Tighe & Bond, the program's initial data collection and compilation phase has begun. In fact, the regional group will have its next project meeting on December 19th in Sturbridge Town Hall.

S. Suhoski said that while the current grant project has been started, the regional group plans to seek an additional CIC allocation of \$200,000 to expand and implement the program including education and training for new communities and implementation of the outcomes established from the current program. Ultimately, this effort is expected to yield a regional database and map of all stormwater outlets, an educational program for municipal officials on the intricacies of the EPA stormwater requirements, and help ensure smaller communities are able to meet their compliance requirements. The deadline for the continuation grant is November 30th and the chief executive board must sign-off on the application.

MOTION: That the Board of Selectmen authorize participation in the Community Innovation Challenge Grant for Stormwater Management with the town of Spencer serving as lead community, by M. Blanchard.

2nd: P. Gimas

Vote: All in favor.

Community Innovation Challenge Grant – Aerial Photography

As part of a separate regional grant, the DPW Director requested the Board's endorsement of an application that would be led by the town of Arlington that will fund an aerial flyover to create high-quality (1-2 foot contours) imagery for planning purposes. There is no cost to the Town to apply.

MOTION: That the Board of Selectmen authorize participation in the Community Innovation Challenge Grant for Aerial Flyover and Imagery with the town of Arlington serving as lead community, by M. Blanchard.
2nd: P. Gimas
Vote: All in favor.

Dock Permit Appeal

T. Creamer reported that the Mass. Dept. of Environmental Protection has affirmed the Board's decision to deny the dock permit requested for 78 South Shore Drive. A copy of the letter sent to the appellants with the DEP's decision dated November 16, 2012 was submitted to the Board. He added that the Board's decision was found to be sound and consistent with local, state and case law, and that the Board had demonstrated the appropriate justification for its actions.

Municipal Polling Location at Old Sturbridge Village

S. Suhoski announced that through further discussion with Old Sturbridge Village president Jim Donahue, it appears that – with some logistical modifications – the Town will be able to continue to utilize the Oliver Wight Tavern as a consolidated three-precinct polling location going forward.

Mr. Donahue, who is an elected official in his hometown, believes in a genuine partnership between OSV and the Town and especially as it relates to civic duty.

Despite some confusion for museum patrons besieged with political signs and candidates, OSV will work to develop a more structured parking arrangement and signage designed to minimize election interference from the paying patrons of OSV.

The Village will accommodate elections between November and March at no charge to the Town, and other elections at a cost reimbursement only for additional staffing to manage the traffic (estimated at \$500 to \$700 per election).

The Town Clerk and S. Suhoski will discuss the details further and will include sufficient funding in the FY14 budget.

MOTION: That the Board designate the Oliver Wight Tavern at Old Sturbridge Village as the voting location for future elections, by M. Blanchard.
2nd: P. Gimas
Vote: All in favor.

FY14 Budget: Free Cash Certification and Tax Rate Relief

S. Suhoski submitted to the Board a copy of the FY14 budget message being distributed to all departments. The message conveyed the familiar refrain to submit “level service” budgets.

S. Suhoski said that given the ongoing recession, and unlikely advent of any massive infusion of state aid for fiscal 2014, the Town must develop a conservative budget to continue existing services with close scrutiny of any requested or wanted new services.

Also, there have been rumblings from Beacon Hill signaling that state revenue is lagging behind projections and could result in “9C” cuts from the Governor during FY13. This may be strategic noise, but it bears watching over the coming 60-90 days.

On a positive note, the Town’s certification of over \$1.9 million in free cash will help mitigate potential “9C” cuts in the current fiscal year and the likelihood of stagnant levels of state aid for fiscal 2014.

S. Suhoski noted that – at a minimum – \$200,000 of the free cash will be requested for re-designation by a special town meeting tentatively planned for January 7th or 14th towards the tax rate relief endorsed by Annual Town Meeting. As members of the Board know, a data entry omission (human error) prevented the offset from being applied prior to the tax rate certification by Mass. DOR.

Accordingly, a warrant article, as recommended by Town Counsel, will be sought at the special town meeting to allocate the funds to a dedicated “tax rate relief stabilization fund.”

S. Suhoski said that the Board may also wish to augment the taxpayer relief package with additional free cash allocation for the coming fiscal year.

Further, the free cash position provides a well-timed hedge against the uncertain fiscal backdrop at the State House. The free cash position was achieved, in large part, by prudent management of budgets by department heads that did not spend for the sake of spending. Departmental turnbacks comprised nearly \$700,000 of the free cash. Other components included:

- FY12 free cash not appropriated of nearly \$450,000
- FEMA/MEMA disaster reimbursements of nearly \$400,000
- Local receipts exceeding estimates of just over \$300,000., and
- Closed overlays of nearly \$170,000

This fund balance will help the Town to maintain its AA-positive credit rating and afford the opportunity to fund some non-recurring capital needs in FY14.

In the coming year, the Town also hopes to limit the annual health insurance increase through a modest plan design modification that should yield a six percent cost avoidance from current rates. The Town will get a general indication of FY14 health

costs during the annual meeting of the Mass. Interlocal Insurance Association in January.

Given the totality of the circumstances surrounding the economy in general and its impact on our taxpayers, as well as the municipal finance environment discussed above, a level-services approach is required. Should other recurring revenues become available then policy makers can consider the prioritized lists of department enhancements.

Special Town Meeting

S. Suhoski said that there were no immediate needs requiring a special town meeting this fall. However, the Town's ongoing re-rating of the wastewater treatment plant and efforts to secure zero percent refinancing will require some revisions to the sewer bylaw prior to February 1, 2013. In addition, the need to revisit the tax rate relief procedure, and other requests for action, now require the Board to consider scheduling a special town meeting.

A tentative date that would provide ample time to develop the warrant articles and meet the February 1st deadline is Monday, January 14, 2013. S. Suhoski requested feedback on the availability of Tantasqua for this date and for January 28th (January 7th is just after New Year and January 21st is Martin Luther King, Jr. Day).

Following are some other requests that have been submitted but not yet vetted:

- Updates to Sewer Bylaw (being finalized by Tighe & Bond)
- Rescind and reallocate \$200,000 from free cash to Tax Rate Relief Stabilization Fund (to correct error)
- Citizen request (petition or for sponsorship) to create a "solar" bylaw
- Planning Board request to accept Regep Lane as a public way
- Library Trustees request for \$44,500 as 50 percent matching funds for Children's Room renovation project (total cost estimated at \$89,000)
- Potential free cash request for municipal building repairs per LPA report
- Appropriate \$29,139.90 from free cash to fund unreimbursed costs to date for the October 2011 snowstorm
- Appropriate \$1,500 from free cash to fund a walk-up outdoor payment drop box to provide expanded and convenient customer service to taxpayers/residents for bill payment
- Authorize a Veterans tax abatement program (similar to SMSP)
- Rescind the following appropriations and borrowing authorizations:
 - \$166,565 from Elementary School Schematic Design (Article 69 of the 2/24/09 STM)
 - \$143,000 from Rt. 131 Water Main (Article 75 of the 4/27/09 STM)
 - \$105,874 from Pumper Truck/Dump Truck (Article 43 of the 4/28/08 ATM)
 - \$60,000 from Rt. 131 Sidewalk Design (Article 7 of the 4/26/04 ATM)

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- \$56,822 from Rt. Rt. 131 Sewer Construction (Article 70 of the 4/28/08 STM)
- \$510 from Town Hall/ Center School Project (Article 47 of the 2/24/09 STM)
- \$400 from Public Safety Complex Improvements (Article 42 of the 12/6/05 STM)
- \$41 from Woodside Circle Sewer Project (Article 71 of the 4/30/07 STM)
- Prior year bill
- Recreation Committee

The Board reminded S. Suhoski about the CPC Conservation Restrictions and the CPC Riverlands cleanup.

Upcoming Appointments

S. Suhoski said that the Board will be copied on the resumes of proposed appointees for the full-time DPW/Landfill employee and the part-time Data Collector (Assessors Office). M. Blanchard asked about the posting for the part-time Finance Committee Clerk. S. Suhoski hopes to present the appointees on December 3rd.

Senior Municipal Service Appointment

MOTION: That the Board approve the appointment of William Bartolomei to work for the Board of Selectmen at the Center Office Building, by M. Blanchard.

2nd: P. Gimás

Vote: All in favor.

Other Matters

Following are brief updates on other pending matters.

- **Insurance Advisory Committee:** The proposed health insurance MOU has been distributed to the five collective bargaining units involved. This is still an Executive Session item and S. Suhoski will keep the Board apprised of further developments.
- **Riverlands Environmental:** S. Suhoski is awaiting the results of the internal Tighe & Bond discussion with their Licensed Site Professional so that they can develop an action plan for presentation to the Board in the near future.
- **Municipal Buildings:** (1) The Municipal Building Report has been completed by Lamoureux Pagano Associates and will be presented on November 5th. (2) Bad news... the Library roof leaked during the wind and rain storm earlier this week. We will need to take a more comprehensive approach. (3) Two pending issues: S. Suhoski has retrieved and compiled the files needed to advance the final warranty

claims for the Town Hall / Center Office Building project, and he still intends to seek out new pricing for screening the HVAC units outside Town Hall.

- **Walker Pond Drainage:** [No change] The Board received an update from the DPW Director at his last report. Tighe & Bond is expected to complete baseline survey this week or next. The baseline design will ensure correct elevations as phases of the system are developed. As the project develops, S. Suhoski will seek potential grant funds for portions of the work including a long-shot effort at a FEMA "Hazard Mitigation Grant."
- **Other Meetings / Miscellaneous:** This was a three-day week for S. Suhoski: met with Police Chief, Fire Captain, Tree Warden, the president of National Grid-Massachusetts regarding communication and other logistical issues; attended Burgess School Building Committee meeting; attended quarterly STAM / MMA meeting; met with MassDOT, Town Counsel and BlueWave regarding the town/state solar project; chaired and served as emcee for the fall legislative breakfast hosted by CMRPC; met with the owners of a local business concerning liquor licensing process and signage limitations; met with Fire Chief regarding personnel matter.

Old Business

M. Blanchard said that former Town Administrator Jim Malloy had done a report on public safety. S. Suhoski said that he will look for the report and copy to the Board.

M. Blanchard suggested adding the outdoor water ban penalties to the new water regulations. T. Creamer will modify the draft before final presentment to Board.

M. Blanchard inquired about committee vacancies. S. Suhoski advised that there had been very little response to the latest advertisement, and more response is needed. He will be presenting an additional candidate to complete the Historic Commission at the next meeting.

M. Blanchard inquired of the status of any change in hours for Town Hall or the Center Office Building. T. Creamer indicated that if there was no way to reach some level of compromise that could muster a majority vote, he would support maintaining current hours and consider reviewing this item again in the future. After much discussion, the following motion was made:

MOTION: That the Board of Selectmen retain the present hours for Town Hall and the Center Office Building, by M. Blanchard.

2nd: M. Dowling

Vote: All in favor.

M. Dowling said that she wanted to reach closure on the idea of a Certificate of Appreciation for youth, and will re-submit it on December 3rd.

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M. Redetzke expressed concern that the Riverlands property was not posted as closed to the public, given the ongoing environmental remediation and presence of hunters. The Board agreed that no hunting should be allowed and no public access until the environmental issues have been resolved. The Board directed the Town Administrator to post the property "no public access for environmental reasons."

New Business

P. Gimas advised that she has heard concerns raised by residents with respect to the large solar project proposed off of Shepard Road. She said that the Conservation Commission's last meeting in the Center Office Building left people in the hallway, and that they should meet in a larger venue for the next hearing.

M. Blanchard requested that S. Suhoski provide an update to the Board on goals #2, #3 and #6 at the next meeting.

Ask the Selectmen/Citizens' Forum

Carol Childress requested whether the Board had yet released the additional Executive Session minutes she had requested. T. Creamer indicated that the Board would take up a portion of the minutes during the executive session that evening.

MOTION: To convene in executive session under MGL Chapter 30A, §18-25, Paragraph #3: To discuss strategy with respect to collective bargaining or litigation; not to reconvene in open session, by M. Blanchard.

2nd: P. Gimas

Roll call vote: P. Gimas in favor; T. Creamer in favor; M. Redetzke in favor; M. Dowling in favor; M. Blanchard in favor.

The Board convened in executive session at 10:25 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date