

December 10, 2012

**BOARD OF SELECTMEN  
MINUTES  
DECEMBER 10, 2012**

Present: Thomas Creamer, Chairman  
Priscilla Gimas  
Mary Blanchard  
Mary Redetzke  
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.

**Public Service Announcements**

T. Creamer announced that the next Meet the Selectmen will be held on December 18<sup>th</sup> at 6:30 p.m. at Town Hall, with T. Creamer and P. Gimas in attendance.

**Department Head Reports**

Lynne Girouard, Recreation Director, reviewed her report with the Board. She informed the Board that the Recreation Committee will meet twice a month regarding field assignments, designees, etc. for the fields at the Town Barn. She discussed the proposed skating rink at the Town Common. She announced the "Countdown on the Common" for New Year's Eve on December 31<sup>st</sup>.

Greg Morse, DPW Director, reviewed his report with the Board. He informed the Board that paving has been completed. He discussed the drainage work being done at Wells Park, and that DPW can replace an old failed culvert at Riverlands.

**MOTION: That the Board approve having DPW do the work needed on the Riverlands, by M. Blanchard.**

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

**Vote: Four in favor; M. Dowling absent.**

**Wastewater Treatment Plant Re-rating – Sewer Allocation Regulation**

S. Suhoski had submitted to the Board an email opinion from Town Counsel and a suggested sewer regulation for consideration by the Board of Selectmen as Sewer Commissioners that will allow the Town to satisfy requirements for seeking a zero-percent refinancing through the so-called O'Leary Bill program and to update flows for a contemplated increase from 750,000 gpd to 1.3 million gpd.

Tracy Adamski from Tighe & Bond and DPW Director Greg Morse were present to update the Board on the status and answer any questions.

T. Creamer provided an overview. Tracy Adamski informed the Board that the language has passed through MassDEP.

M. Blanchard thanked Lorraine Murawski, Town Clerk, for updating the Sewer Bylaws and putting them online.

**MOTION:** That the Board of Selectmen, acting as Sewer Commissioners, adopt the following regulation for allocation of sewer flow, pursuant to Section 5.60 of the Town's Sewer Bylaws:

The following amounts will be reserved for each study area within the future sewer shed as shown on the figure titled: Figure 10-1 Recommended Plan Summary, September 2012 in accordance with flows summarized in Table 10-3 Recommended Centralized Sewer System Expansion Areas of the Draft Comprehensive Wastewater Management Plan/Draft Environmental Impact Report completed by Tighe & Bond dated September 2012, as amended:

Area 1	970,000 gpd
Area 3	36,000 gpd
Area 6	1,000 gpd
Area 7	9,000 gpd
Area 8	9,000 gpd
Area 10A	19,000 gpd
Area 11	15,000 gpd
Area 12	2,000 gpd
Area 14	10,000 gpd
Area 16	13,000 gpd
Area 17	34,000 gpd
Area 19	148,000 gpd
Area 21A	33,000 gpd
Total Reserved Flow:	1,299,000 gpd
	1.3 million

The Board of Selectmen, acting as Sewer Commissioners shall reserve the right to reallocate the flows within the sewershed identified on Figure 10-1 provided that the following provisions are met:

- Reallocation of flow occurs within the above referenced Study Areas
- Reallocation of flow amongst the above referenced Study Areas does not result in an increase above that of the Total Reserved Flow

- **Reallocation of flow does not result in an exceedance of the total buildout flow for the respective study areas as presented on Table 6-6 (Sturbridge Existing and Future Annual Average Flow Projection) of the 2012 CWMP**

- **This Regulation shall be governed by and applied in accordance with the requirements of Section 5.06, Allocation of Flow, of the Town's Sewer Bylaws, by M. Blanchard.**

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

**Vote: Four in favor; M. Dowling absent.**

### **Special Town Meeting**

S. Suhoski distributed the first draft of the Special Town Meeting warrant to the Board.

January 7, 2013 @ 7:00 p.m. – Tantasqua Regional High School Auditorium: The timeline leading up to the STM is:

Dec. 3: BOS calls STM for January 7, 2013 and opens the warrant

Dec. 10: BOS review of DRAFT STM Warrant Articles (copy of draft provided to Finance Committee)

Dec. 14: Town Counsel review of warrant complete

Dec. 17: BOS closes STM Warrant; votes recommendations

Dec. 18: Town Clerk officially posts STM Warrant

Dec. 27: Planning Board Public Hearing on Zoning Bylaw Amendments

Jan. 7, 2013: BOS special meeting at 6:00 p.m. – TRHS dining area

Jan. 7: Special Town Meeting at 7:00 p.m. – TRHS auditorium

The following is an updated bullet list of anticipated articles requested for placement:

- Rescind and reallocate \$200,000 from free cash to Tax Rate Relief Stabilization Fund

- Citizen petition for "solar zoning bylaw"

- Board of Selectmen sponsored solar zoning bylaw

- **Placeholder:** funding transfer for Building Department interim staffing plan (this item will be further explored with your Board at your 12/17 meeting)

- 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) (NOTE: Trustees will present information at the December 17th meeting)

- Potential free cash request for municipal building repairs per LPA report (this may entail abatement work at 8 Brookfield Road and plumbing/restroom repairs at the Sturbridge Cooperative Nursery School building)

- Transfer \$29,139.90 from free cash to fund unreimbursed costs to date for the October 2011 snowstorm

- Transfer \$3,207.95 from free cash to replace basketball goal posts at Cedar Lake Recreation Area

- Transfer \$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

- Transfer \$2,633.26 from free cash to pay three prior fiscal year invoices (9/10 vote required)
- Authorize a Veterans tax abatement program
- Community Preservation Fund request relative to completion of Conservation Restrictions on CPA-acquired land (\$\$ estimate pending)
- Community Preservation Fund request relative to continuing environmental remediation at Riverlands parcel (\$\$ estimate pending)
- Rescind the following appropriations and borrowing authorizations:
  - o \$166,565 from Elementary School Schematic Design (Article 69 of the 2/24/09 STM)
  - o \$143,000 from Rt. 131 Water Main (Article 75 of the 4/27/09 STM)
  - o \$105,874 from Pumper Truck/Dump Truck (Article 43 of the 4/28/08 ATM)
  - o \$60,000 from Rt. 131 Sidewalk Design (Article 7 of the 4/26/04 ATM)
  - o \$56,822 from Rt. Rt. 131 Sewer Construction (Article 70 of the 4/28/08 STM)
  - o \$510 from Town Hall/ Center School Project (Article 47 of the 2/24/09 STM)
  - o \$400 from Public Safety Complex Improvements (Article 42 of the 12/6/05 STM)
  - o \$41 from Woodside Circle Sewer Project (Article 71 of the 4/30/07 STM)

### **CDBG Application Update**

Package WWTP for Sturbridge Retirement Co-op: S. Suhoski informed the Board that the Pioneer Valley Planning Commission continues to work on the language of the proposed CDBG proposal for a package wastewater treatment plant to serve the Kelly Road area. Also, the Board of Directors of the SRCC worked to obtain several hundred signatures and some media coverage for their situation which Jim Mazik will utilize in the application. The next steps are:

- Community Development Advisory Committee Meeting: December 18 @ 10:00 a.m.
- CDBG Public Hearing / Board of Selectmen Meeting: January 14, 2013 @ 6:45 p.m.

### **Commercial Tourist District Plan**

S. Suhoski informed the Board that the Town received three responses from very qualified teams to the RFP for the CTD planning effort. Over the past two weeks, S. Suhoski worked with the Town Planner, Chairman of the Planning Board and DPW Director to refine the interview questions and the three respondents will undergo their formal interviews with the Planning Board on Tuesday night. S. Suhoski was excited to get this initiative moving forward.

### **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. Note that he expects further information after the first week in December.

- **Riverlands Environmental:** An aerial depiction of the study areas at the Riverlands was emailed to the Board to remind all of the general location of environmental study. S. Suhoski is awaiting an action plan from the Licensed Site Professional for presentation to the Board.

- **Municipal Buildings:** As discussed above, the Library roof is now under review by the Town's insurance provider's preferred contractor. A meeting was held with the vendor, the Library Director and S. Suhoski, and this will be seen through to fruition. There was no new update on the two outstanding items: (a) advance the final warranty claims for the Town Hall / Center Office Building project, and (b) seek new pricing for screening the HVAC units outside Town Hall. S. Suhoski indicated in the last report that these items will be moved (and have been) into the Action List below for more consistent tracking.

- **Walker Pond Drainage:** Tighe & Bond completed a plan for the first phase of work; a large culvert towards the base of the neighborhood. Whether for this portion of work, or others once the T&B survey is complete, 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:** Also this week: S. Suhoski met with Town Planner, Planning Board Chair, DPW Director to finalize CTD interview process; met with interim Building Commissioner relative to future staffing/consulting plan; extensive meeting with Town Planner and teleconference with Town Counsel regarding solar zoning matters; as interim ZEO, met with Planner, Assessor, interim Building Commissioner and landowner regarding pre-existing, non-conforming lot and related issues; extensive meetings with two department heads regarding personnel matters; met with cable TV production coordinator regarding new equipment and training schedule; met with Division of Fish & Wildlife, DPW Director, Conservation Agent, Planner and project engineer regarding Hamant Brook dam removal project (public meeting to be scheduled early in 2013); prepared for and attended special BOS meeting; telephone conference w/ Blue Wave LLC regarding town / state solar project.

### **Correspondence**

M. Blanchard read the correspondence list into the record.

### **Old Business**

M. Blanchard asked if there was any further update on the Upham Farms water line extension discussion. S. Suhoski said that the issue is currently in the hands of the condominium association's engineers and that he would check with DPW and Water to see if any further progress.

M. Blanchard asked about a request by the Plumbing Inspector. S. Suhoski said that the plumbing and electrical inspectors are seeking a method to account for increased cost of fuel and that he did plan to bring forward a request to the Board of Selectmen in the near future.

M. Blanchard asked for an update on the Town Administrator's goals no. 2, 3 and 6. S. Suhoski will provide an update at the December 17<sup>th</sup> meeting.

M. Redetzke inquired as to the status of the so-called "OSV easement." S. Suhoski noted that the original document was executed separately by all three parties and he needed to compile same for recording. M. Redetzke asked whether it would be completed by the December 17<sup>th</sup> meeting. S. Suhoski said that he anticipated it would be completed.

T. Creamer read a motion previously adopted by the Board seeking Town Counsel review of immediate options with respect to the pending solar projects. S. Suhoski explained he had completed outreach to two attorneys and expects to deliver their independent opinions by Friday for review at the December 17<sup>th</sup> meeting.

T. Creamer distributed the Site Plan Decision from the town of Holliston regarding solar facilities, which outlined the rationale for their disapproval thereof, and also read portions of a letter from state Rep. Smola indicating that moratorium legislation to be filed in January 2013, but that local action is more prompt.

P. Gimas spoke to a citizens' petition in Dartmouth to restrict solar projects of greater than 250kw.

### **New Business**

M. Blanchard asked if a letter discussed in executive session had been issued. S. Suhoski said that the letter would issue by Thursday.

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

P. Gimas received a call from a citizen who was worried about flooding on Rt. 131 that would be caused by solar farms on Shepard Road.

**MOTION: To adjourn, by M. Blanchard**  
**2<sup>nd</sup>: P. Gimas**  
**Vote: Four in favor; M. Dowling absent**

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Judy Knowles

December 10, 2012

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BOS Clerk

Date