

November 13, 2012

**BOARD OF SELECTMEN
MINUTES
NOVEMBER 13, 2012**

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

Mary Dowling and Shaun Suhoski were absent. M. Dowling did attend the executive session.

Public Service Announcements

T. Creamer said that on behalf of the Board of Selectmen he extended gratitude to the residents of Crescent Gate and John Degnan, who had coordinated the Veterans Day flag raising on Sunday. T. Creamer, M. Redetzke and M. Blanchard had attended the event. T. Creamer said that it was a moving experience and well orchestrated. He thanked them for their dedication to veterans.

T. Creamer said that there are a couple of residents who have put together a coordinated effort to collect items of need for the people of New York and New Jersey in the aftermath of Hurricane Sandy. He said that a notice will be sent out to residents and read it into the record. He noted that the drop-off sites will be at Sims Fitness Center, the Sturbridge Visitor Center, the Sturbridge Coffee House, with final drop-off at the Public Safety Complex on the Fire Department side, on November 15th, noon to 8:00 p.m. and Saturday, November 17th 8:00 a.m. to noon.

T. Creamer announced that the Burgess Preschool has their Support the Troops initiative in cooperation with Operation First Response. What is needed: skull caps, hand warmers and hard candies, cards and letters. Collection boxes are located at Burgess Elementary School, Village Music, Sturbridge Coffee House and Town Hall. They will be collecting the items through November 30, 2012.

T. Creamer said that the Board of Selectmen had directed the Town Administrator to send notification out to residents last week about voting on Election Day. A number of Selectmen had received correspondence requests from residents asking when and where voting will take place, so the Board had decided that the best way to get the word out was to use the Blackboard Connect by way of a community service message. That was not well received by a small group of residents, who had sent correspondence to the Town Administrator. He noted that some of them were overly angry, and it is unfortunate that they did not take the notification in the spirit in which it was intended. He said that the Blackboard Connect is not designed solely to be an emergency information conveyance system; it is also designed to be a system to be used for general updates as deemed appropriate by the Board of Selectmen. He said that it is not that different from what is used by the School Department when they have notices

that they want to get out to people who are a part of the Tantasqua education network. He said that the Town Administrator did not do that on his own, and was not attempting to intrude on anyone's privacy. It had been a decision made by the Board. He noted that every resident has the ability to unsubscribe from the system or de-select certain notifications. It is possible to select "emergency notifications only" or "general information."

Water Regulations Review

M. Blanchard read the legal notice into the record. S. Suhoski had submitted to the Board a copy of the proposed regulations.

Greg Morse, DPW Director, and Shane Moody, Veolia Water North America appeared before the Board. T. Creamer said that some residents have expressed concern about water metering charges. The Board had directed the Town Administrator and DPW Director to put together specific numbers so that the Board can have a frank and detailed discussion about whether switching over to reduction or exception meters would be an appropriate thing to do. He said that tonight's discussion is solely about the water regulations that the Town has been following, which pre-date the Town Charter. He said that a set of draft regulations was put together based upon 35 communities in the Commonwealth, that he had researched and reviewed, pared down to the 15 best. The document was sent to DPW and Veolia Water North America. G. Morse and S. Moody reviewed it and made some necessary adjustments, and then it was reviewed by the Town Administrator, Town Counsel, and Barbara Barry, Finance Director. He noted that what the Board had before it was the final draft. Town Counsel has recommended some moderate adjustments and there may be some changes to fees. G. Morse said that there were a couple that should be changed.

T. Creamer said that there is nothing truly new in these regulations. There are now codified practices – used by other communities -- that the Town has been utilizing for a long period of time that were not written into regulations. He said that G. Morse and S. Moody have been following best practices from other communities. He noted that it doesn't really have an impact on the residents, except for the fee adjustments in terms of shutting down service during the summer or winter seasons.

G. Morse explained the fees. He said that the old regulations were based on basic residential water service, whether it was $\frac{3}{4}$ " or 1" pipe. He noted that anything above or beyond that, 1 1/2", 2", 4", 6", 8" pipe could be installed by the Town, but any expenses incurred would be charged to the owner. He did not anticipate these fees being utilized. He said that almost everybody would take the reduced rate for work on their site. He said that these only cover services; they don't cover any main extension. He said that it is an update of current expenses, and specs out the cost. He said that the sprinkler service connection fee and hydrant flow test fee are related to the change in the law. He noted that the building code now says that there must be 10,000 square feet or even 7,500 square feet to have a sprinkler.

G. Morse reviewed the fees with the Board. T. Creamer asked for an explanation of the cross connection violation. G. Morse said that there have been instances where the back flow doesn't test out correctly, so it is necessary to hire someone to repair it, and there have been instances where this has dragged on. He said that if there is a cross connection, there could be contamination of the water line. He said that it is the law that they have to regulate them and inspect them on a regular basis, and keep them in good working order. He said that the back flow must be working correctly. The fine is to get people motivated to correct these things.

S. Moody said that when people cover the sewer pumps, it burns out the motors. He said that people are allowed to bury water shut offs, which is a common practice. G. Morse said that in a true emergency, in the winter when it is frozen, the best practice is not to bury the water shut off; it is best to leave it at ground level, or a little above ground level so that it can be found and accessed right away.

M. Redetzke asked for clarification of the meter inspection test. G. Morse said that if people think that their meter is incorrect, they take one out of stock, put it in and send their meter out for recalibration. If they find out that the meter is working fine, the owner would need to pay for it. If it is overcharging, the owner pays for it. If it is underperforming, that is the Town's loss. He said that meter testing is done upon request by the customer.

M. Blanchard said that many people are confused about the outdoor water ban. S. Moody said that the explanation for it is covered in the Consumer Confidence Report, which is mailed to every customer every year, although people don't always read the report. He suggested including it in the Water Regulations. T. Creamer said that it could be included as an appendix or another article. He requested that it be sent to him electronically.

T. Creamer read into the record correspondence from the Town Administrator that contained a commentary provided by Attorney Mark Reich of Kopelman & Paige, recommending the inclusion of a definitions section.

Jan Chiaretto, 103 Breakneck Road, asked why an individual would receive a water bill, when they had shut off the main in their cellar and drained the water before going away for the winter. S. Moody said that they still have to heat the building, or there is the potential for freezing and breaking where the line comes through the wall. G. Morse recommended that they shut it off at the street, and noted that the system still has to be maintained. T. Creamer said that he had researched 35 communities, and all of them had a minimum charge. He said that it has been the practice of the Town of Sturbridge that there is a minimum fee for being part of the system, because water is flowing (whether used or not) and the system must be maintained.

Peter Zeh, Old Farm Road, suggested that the information be posted on the Town's website, as more people would want to shut off their water at the street if they knew

about it. M. Redetzke suggested posting a banner on the Town's website. T. Creamer suggested that it be posted on the Bulletin Board and on the cable access channel.

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

2nd: P. Gimas

Vote: Four in favor; M. Dowling absent.

T. Creamer noted that the Board had made adjustments to a couple of fees; added bullet #17 Water Installer License fee of \$100; changed two fees, which were $\frac{3}{4}$: service \$450 and took out the tapping fee of \$300; agreed on #9, page 28: "48 or greater, 24 hours or less"; on #10: "unless otherwise specified, penalties for violations of rules and regulations, each offense"; #13: change to "greater than 6" with the other one being 6" or less"; modified one area with respect to licensing; on page 3 there was the recommendation from Town Counsel to list "at a properly scheduled open meeting"; and to add a section for definitions. T. Creamer said that he would draft the definitions and give them to G. Morse and S. Moody to review. Other changes/additions: page 16: cautionary note about shutting off the water with the reason why (risk of freezing); page 22: "review authority as determined by the DPW Director" to be inserted into each one of the three paragraphs; the outdoor water ban: need input from G. Morse and S. Moody, then put it in as article #20.

MOTION: That the Board approves and adopts the Water Regulations as presented and amended on November 13, 2012, pending final approval of the Board of the administrative edits on December 1, 2012, by M. Blanchard.

2nd: P. Gimas

Vote: Four in favor; M. Dowling absent.

Department Head Report

Captain John Marinelli presented his report to the Board. T. Creamer noted that every year the residents look forward to the Halloween event sponsored by the Fire Department, and the Department does a great job. He noted that Mary Lou Volpe does an outstanding job and presents a very professional image in the public eye.

Harbormaster Regulations Review

It was the consensus of the Board to wait until all five members of the Board are present to review the regulations.

T. Creamer said that he would send the Board a highlighted copy of what he has already done that was significantly different from the existing regulations.

Updates:

- **Insurance Advisory Committee:** The proposed health insurance MOU has been distributed to the five collective bargaining units involved as well as all department heads for distribution to non-union staff. This is still an Executive Session item and S. Suhoski will keep the Board apprised of further developments.
- **Riverlands Environmental:** Tighe & Bond will issue a next action steps summary and cost estimate based upon the additional sediment sampling at the Riverlands that yielded a lead reading that exceeds MCP thresholds. We will also coordinate the best time to have the project engineer or LSP give an in-person update to the Board.
- **Walker Pond Drainage:** S. Suhoski was advised by the DPW Director that Tighe & Bond has completed all field work necessary for the baseline survey, but that the data was delayed due to the storm affecting T&B's New York offices. He anticipates receiving the base map in the coming week to 10 days. 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:** In addition to the Board's meeting S. Suhoski also: attended various meetings re: personnel matters; met with volunteer group providing relief to NY and NJ for Hurricane Sandy; convened department head meeting; participated in first after-action meeting related to storm; telephone discussion with NGRID executive office regarding storm response and local utility pole matter; completed interviews with DPW Director of five candidates for landfill/DPW heavy equipment operator position.

Correspondence

M. Blanchard read the correspondence list into the record. Elderbus requested a representative from the Board of Selectmen. P. Gimás and T. Creamer will alternate attending their meetings.

Approval of Minutes

MOTION: To approve the minutes of August 27, 2012 as amended, by M. Blanchard.

2nd: P. Gimás

Vote: Four in favor; M. Dowling absent.

MOTION: To approve the minutes of October 22, 2012 as amended, by M. Blanchard.

2nd: P. Gimás

Vote: Four in favor; M. Dowling absent.

Old Business

There was no old business.

New Business

M. Blanchard read the Winter Parking Ban into the record.

Ask the Selectmen

P. Gimas said that there were no calls.

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; M. Redetzke in favor; M. Blanchard in favor; T. Creamer in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date