

February 25, 2013

**BOARD OF SELECTMEN
MINUTES
FEBRUARY 25, 2013**

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

M. Blanchard and M. Redetzke were absent.

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

Public Service Announcements

T. Creamer congratulated Savannah Redetzke on her WPI scholarship.

M. Dowling announced that a fundraising dinner will be held at the Publick House on March 13, 2013 to benefit the Library children's room.

Bentley II Pub, LLC – Request for New All Alcohol Pouring License

William C. Martin, owner of property at 362 Main Street that formerly housed the Piccadilly Pub, submitted an application by Bentley II Pub, LLC for an all-alcohol restaurant pouring license for the premises. This would be the second retrofit of a former Piccadilly Pub to a Bentley Pub (the other being in Auburn) by this applicant. The proposed manager of record would be Paul E. Alward who was the manager of record at the Piccadilly Pub, in Sturbridge, from 1998-2009.

S. Suhoski said that although not a required component for the Board's determination on the liquor license application, a food permit is still required from the Board of Health as well as inspection by the Building Inspector and Fire Chief prior to commencement of operations.

The applicant was also provided the application form for a Common Victualler's license but that remains outstanding. Because the Town changed the original public hearing date from February 19th to February 25th, the Town ensured mailing of notices to the certified abutter's list and the receipts are on file.

MOTION: That the Board of Selectmen approve an all-alcoholic beverage pouring license and Common Victualler license to Bentley II Pub, LLC for the premises located at 362 Main Street as described in application filed February 1, 2013, subject to the following hours of operation and other conditions: Hours of operation to be Sunday-Saturday 11:00 a.m. to 1:00 a.m.; by P. Gimas.

2nd: M. Dowling
Vote: Three in favor.

It is heartening to see this prime vacant location slated for re-use as a restaurant which adds to the multitude of dining options available in Sturbridge.

New Taxi Driver License Applications

S. Suhoski submitted to the Board the applications of Sherri L. Edds, of North Oxford, and Donald E. McIntyre, of Southbridge, for taxicab/livery driver licenses under the licensed Taxi / Livery business Charles River Service, Inc., 2 Main Street. Chief Ford has indicated his approval of each driver.

Sherri Edds appeared before the Board.

MOTION: That the Board of Selectmen approve a Taxicab / Livery Driver license to Sherri L. Edds, under the Taxi / Livery license of Charles River Service, Inc., 2 Main Street, by P. Gimas.

2nd: M. Dowling
Vote: Three in favor.

Cable Advisory Committee

John Clancey, chairman of the Cable Advisory Committee, updated the Board on the CAC's initiatives and activities together with the upcoming contract negotiations. The Board of Selectmen and CAC shared ideas concerning suggested contract goals.

Appointments: Commercial Tourist District Working Group

The Planning Board, by majority vote, has put forward Penny Dumas as its second member to the CTDWG and S. Suhoski was pleased to advance her for appointment.

With respect to the three citizen-at-large seats under the Town Administrator's appointing authority, S. Suhoski advised that he and the Town Planner had interviewed each of the seven applicants.

S. Suhoski said that this was an impressive group of candidates, and based upon the interest exhibited during the interviews, he was pleased to propose that Ms. Frances O'Connell, Ms. Jayne Bernhard and Mr. Fidelis Onwubueke be ratified to serve on the CTDWG. He said that they each bring exciting attributes to the table.

Ms. Bernhard-Armington is a land-use planner by profession working at the Pioneer Valley Planning Commission where she has worked on master plans, corridor studies, village center studies and zoning bylaws for member communities.

Ms. O'Connell brings a unique perspective as an actual stakeholder in the CTD. She has a longstanding commitment towards beautification and the district itself as evidenced by her activism in the successful effort to create the pocket park next to the Millyard and her continuing work on the Design Review Committee.

Mr. Onwubueke was previously a candidate for a vacancy on the Planning Board and, although not selected at that time, he expressed interest in the CTD project over a year ago. He is an architect by training and also brings his real estate experience to the group. He demonstrated a thoughtful and insightful perspective on "first impressions" of a community that may inform the working group.

MOTION: That the Board of Selectmen ratify the appointment of Penny Dumas (Planning Board designee) by the Town Administrator to the Commercial Tourist District Working Group, by P. Gimas.

2nd: M. Dowling

Vote: Two in favor; M. Dowling abstained.

MOTION: That the Board of Selectmen ratify the following appointments by the Town Administrator to the Commercial Tourist District Working Group:

Jayne Bernhard-Armington

Frances O'Connell

Fidelis Onwubueke, by P. Gimas

2nd: M. Dowling

Vote: Three in favor.

S. Suhoski said that the efforts of the Planning Board and its working group to promote a quality plan for the Commercial Tourist District will undoubtedly yield benefits in the coming years for this stretch of Main Street. Upon completion of the plan, the Board of Selectmen will be asked to utilize its role to advocate for funds to implement and oversee the actual improvements.

Resignation and Appointment: Cable Advisory Committee

S. Suhoski said that Don Fairbrother has tendered his resignation from the Cable Advisory Committee to be effective with a subsequent appointment. Don was a vital driver to the new technology and establishment of staffing for the Sturbridge local access channel, and he will be missed.

MOTION: That the Board of Selectmen accept the resignation of Donald Fairbrother from the Cable Advisory Committee with regret and appreciation for his years of service, by P. Gimas.

2nd: M. Dowling

Vote: Three in favor.

Following the most recent vacancy posting, S. Suhoski had received two applications for appointment to the CAC. Mr. Steven Greenberg was recently appointed to the seat formerly held by Mary Afable and Kadion Phillips was the other applicant.

Mr. Phillips is the Director of Educational Technology for the town of Northbridge's public schools and works directly on the education cable channel in that community. He has demonstrated previous interest in participating in Sturbridge government (he was an applicant for a Recreation Committee seat, but withdrew at the Board meeting in favor of another applicant) and has attended CAC meetings to get up-to-speed.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Kadion Phillips to the Cable Advisory Committee for a term expiring June 30, 2016, by P. Gimas.

2nd: M. Dowling

Vote: Three in favor.

Appointment: Housing Partnership Committee

S. Suhoski noted that the Housing Partnership Committee has not had a quorum for a long time. Virginia Belforte has agreed to step forward as a potential third member of this committee in the short-term. Accordingly, S. Suhoski is seeking to place Virginia Belforte to fill the unexpired term of Robert Lucier, who resigned last year. This appointment is timely, as the Town Planner has some documentation that requires Committee action.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Virginia Belforte to the Housing Partnership Committee to fill the unexpired term of Robert Lucier through June 30, 2014, by P. Gimas.

2nd: M. Dowling

Vote: Three in favor.

Appointments: Trails Committee

There are two openings for associate members on the Trails Committee and residents Gary Staab and David Peterkin have volunteered to serve on this committee. The Trails Committee chairman advises me that both attend and volunteer for trails-related items.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Gary Staab and David Peterkin as Associate Members of the Trails Committee to terms expiring June 30, 2016 and June 30, 2017, respectively, by P. Gimas.

2nd: M. Dowling

Vote: Three in favor.

Annual Town Audit Complete

The Board received copies of the Independent Auditor's Report for the fiscal year ending June 30, 2012 as prepared by R.E. Brown & Company, Certified Public Accountants. S. Suhoski said that the report indicates that the Town remains on solid fiscal footing, and there were no material weaknesses or questioned costs identified by the audit.

Also, major federal program funds must be tested for compliance with requirements of OMB Circular A-133. The selected major federal program is usually a school-related grant, but, due to the nearly \$1.4 million in various disaster reimbursements received in FY12 from the Federal Emergency Management Agency (and pass-through MEMA grants), the auditors tested the Town's compliance for these programs.

No material weaknesses or questioned costs were identified with respect to major federal programs. This reinforces the hard work completed by staff at all levels of the organization to ensure proper documentation and robust reimbursement of disaster-related costs.

The Finance Director has posted the audit on the Finance Department Web page for general public consumption and S. Suhoski added a direct link from the home page as well.

Health Insurance Plan Changes and Savings

The Board executed a health insurance Memorandum of Understanding at its prior meeting that was approved by the Town Administrator, Burgess School Committee and five collective bargaining units.

This MOU will allow increases to various employee co-payments under the health plan effective April 1, 2013 and continuing through fiscal year 2014. The changes will save the Town an estimated \$6,000 per month, or \$84,000 over the next 14 months, while similarly allowing the employees to benefit from the premiums which are reduced approximately six percent by the change.

Over the coming year, the Insurance Advisory Committee will continue to meet and brainstorm additional methods to facilitate cost-containment of employee health insurance costs.

Other Matters: Following are brief updates on other pending matters.

- **Riverlands Environmental (updated):** Further to the update given by Tighe & Bond, S. Suhoski provided the engineer with a copy of the deed and legal description of the three parcels (containing just over 140 acres) that comprise the "Riverlands" premises. This will allow us to receive a quote for the required metes and bounds survey of the property, after which we can present an entire package proposal to the Board and the Community Preservation Committee for funding.

- **Municipal Buildings:**

- ***Town Barn Roof (updated 2/22)*** – The roughly 20' x 20' section of membrane roof over the garage bays at the Town Barn that was blown back during the wind and rain storm of January 30 is being repaired under the Town's insurance coverage.
- ***Library Roof (updated 2/22)*** – The Library Director and I met with principals from two architectural firms each of which clambered upon the roof to inspect the skylights and slates. We anticipate receiving a baseline proposal from Drummey Rosane Associates (the Burgess architects) within the next two weeks for budgeting purposes. No leaking has occurred since the most recent repairs, however, the architects did note concerns with flashing and, potentially, the seal of the skylight system.
- ***Public Safety Complex Flag Pole (no change)*** – The Fire Dept. ordered a new flag when the flag pole was ordered but it has not yet been received.
- ***8 Brookfield Road (no change)*** – Joe Bolduc of ATC/Cardno inspected the boiler room on January 18. I sent a reminder for the outcome report on Friday. Previously, American Environmental, Inc. reviewed the area and did not note any asbestos from a visual inspection.
- ***Sturbridge Nursery School Bathrooms (updated 2/22)*** – Work to replace the sagging flooring and outdated toilet fixtures in each bathroom was commenced earlier this week and was expected to be complete today. I have previously advised the Finance Committee chair that there may be a reserve fund transfer request (work was on time and materials basis) for this item.
- ***Center Office Building Front Door (updated 2/22)*** – I have authorized The Lock-Out Locksmith of Webster to proceed with the installation of a commercial-grade exterior door handle and lock on the Main Street entrance of Center Office Building for an estimated cost of \$296. The keying will match our existing system so staff office keys will also operate the front door. The company recently relocated its office which caused some delay between the quote and implementation. The locksmith is expected in Town by Monday.
- ***Town Hall (updated 2/22)*** – One of the main entry doors from the parking area to Town Hall is “sticking” and the locksmith is expected to make the repair by Monday. Quotes are being sought for remote “panic alarms” that would be operated through the existing alarm panels.

- **Other Meetings / Miscellaneous:** Met with member of Holland Board of Selectmen and Police Chief to discuss potential regional collaboration on animal control matters; attended meeting to gauge interest in 275 Anniversary festivities; met with Hampshire Council of Governments and Nexamp representative re: potential net

metering electricity program; discussion with Town Counsel, consultant and Energy Advisory Committee chairman re: net metering options and status of municipal solar partnership with MassDOT and BlueWave; met with DPW Director and Tighe & Bond regarding potential Hazard Mitigation Grant application to fund portion of drainage improvements in Walker Pond area; worked on compensation plan and 10-town survey updates and attended Personnel Committee meeting to resolve same; offered testimony in Worcester Superior Court regarding a zoning litigation; convened meeting with Finance Director, Water Division Manager and DPW Director to discuss additional information for presentation relative to "water exception meters"; met with Finance Committee chairman regarding budget timeline and conducted ongoing work on fiscal 2014 budget proposal.

Correspondence

P. Gimas read the correspondence list into the record.

Old Business

P. Gimas noted that the Sturbridge Cooperative Nursery School has been repaired.

M. Dowling said that there were a couple of goals not listed on the Town Administrator's list: Rt. 15 planned development, special use district zoning and to protect the Town's interests regarding the casino, in the event a casino is situated in Palmer.

P. Gimas read the following statement into the record:

"Thank you for opening the door to remind everyone of a lesson we learned as young adults; reserve comment until you have access to all the information. I believe that Mr. Chamberland's comments reinforce the need to remind people that if you are not involved in a conversation, don't assume you know the entire content of the conversation. Mr. Chamberland used the word 'threat' which is totally inaccurate. A threat implies potential harm to another. At no time did I imply or suggest harm to any other individual. One must choose their words carefully.

On February 12, 2013 I attended the Planning Board meeting, and I initially thought I would not address publically what had transpired so as not to exacerbate an already tense relationship. However, since Mr. Chamberland went to the media to sensationalize my opinion, I feel it is imperative that I address it.

At the end of the meeting, I was speaking with an individual regarding accountability of all committees. Mr. Chamberland was not part of that discussion. I stated that I believe everyone serving on any committee is accountable. I also said that when some individuals come forth for reappointment, I, as one member of the board, would not support them. That is my prerogative. I find it interesting that Mr. Chamberland has an issue when I express my opinion, yet he is allowed to express his opinion and criticize the Board of Selectmen because he did not agree with our votes. He also allows the

Chair of the Planning Board and some of his peers to express their opinions and that too is okay. I sat through this meeting and when I raised my hand to speak to some of the statements, the Chair said 'No.' If you watch the tape it's at the point where the Chair waves her hand and says 'no.' Unfortunately, it isn't obvious on the camera that she was speaking to me; however, the reporter from the Town Common was sitting next to me and witnessed this.

Mr. Chamberland made it abundantly clear that his issue with the Board of Selectmen comes from our recent votes, and one of them is our stand on the solar farms. The Planning Board is in place to assist the Town Planner with projects for the Town of Sturbridge. The residents are the Town of Sturbridge. When residents come to us about the behavior of various board members, and/or Chairs, we have a responsibility to do something and hold people accountable.

A month or so ago I represented the Chair at a Planning Board meeting to thank them for working with us on the solar farm issue. I was allowed to speak then because it was favorable to the Planning Board. On February 12, I sat through diatribes from four members of the Planning Board who took on the Board of Selectmen. I asked to speak, and the Chair denied me. Obviously, she felt that I was not going to thank them for their comments. When it suits the Chair of the Planning Board, in that your opinion is comparable to hers, she will allow you to speak. However, when your opinion may not be in sync with hers, you will not be allowed to speak.

Allowing and encouraging the negative comments only serves to worsen an already strained relationship. The Chair did not attempt to work at improving relations, but at keeping them stressed. Votes taken are each individual's right to vote what they believe is in the Town's best interest. Others don't have to like the vote and can express disappointment – that's not an issue. Planning Board members whose opinions the Chair disagrees with are poorly treated, spoken to in condescending ways, and ultimately embarrassed. Newer members are chastised if they ask questions in the learning process.

I know that several residents have emailed the Town Administrator regarding these issues. The majority of residents, however, did not go to the Town Administrator and have spoken with several of us because they felt that nothing would change. I would like to know what the Town Administrator plans to do to resolve this situation."

M. Dowling stated that she was uncomfortable with the person not present to defend herself.

New Business

T. Creamer suggested that it may be in the Town's best interests to expedite the Planning Board process regarding zoning in the Route 15 corridor, consistent with the Master Plan.

February 25, 2013

MOTION: To convene in executive session under MGL Chapter 30A, §18-25, Paragraph #4: To discuss the deployment of security personnel or devices or strategies with respect thereto, not to reconvene in open session, by T. Creamer.

2nd: P. Gimas

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

The Board convened in executive session at 8:50 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date