

July 1, 2013

**BOARD OF SELECTMEN
MINUTES
JULY 1, 2013**

Present: Thomas Creamer, Chairman
Priscilla Gimas
Mary Redetzke
Mary Blanchard
Mary Dowling
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 announced that there would be no Board of Selectmen meeting on July 8th.

M. Redetzke requested a moment of silence for the 19 firefighters who had perished fighting wildfires.

OFS-Fitel: Status of TIF Agreement

M. Dowling recused herself, citing a possible conflict of interest and temporarily stepped down from the Board.

Peter Pilon, General Manager of OFS Fitel and Deb Belanger, Controller, appeared before the Board.

S. Suhoski noted that the Chairman had previously emailed to the Board an electronic copy of the request by OFS-Fitel concerning their Tax Increment Financing agreement. On Friday, S. Suhoski confirmed that the state EACC did, in fact, vote on June 27th to de-certify this project, due to failure to meet job creation goals from the original TIF. Following are the key obligations of OFS-Fitel:

A. The Company's obligation:

- 1) The Company shall invest in its manufacturing facility located at 50 Hall Road. The investment shall be approximately \$748,000 in fiscal year 2004 with an additional \$11,800,000 in capital expenditures over the next 12 years.*
- 2) As a result of this investment in Sturbridge, the Company shall create 121 new jobs during the term of this agreement. These jobs are in addition to the existing 137 positions existing on December 2, 2003. The Company shall agree to operate a business and maintain the level of jobs described as long as the Tax Increment Financing agreement is in effect.*

The Company shall commit to a policy of employing residents of the South Central Economic Target Area, with a preference to hiring qualified Sturbridge residents for any employment opportunities that become available at the facility.

S. Suhoski said that notwithstanding the vote of the EACC, the decision about whether to cancel the local TIF benefits rests with the Board of Selectmen, if the Board feels the company has not met its obligations under the TIF agreement.

During deliberations, S. Suhoski said that the Board should consider Section 9 of the TIF, which outlines the Town's ability to de-certify the project for failure to meet investment and employment goals. Key also is the statement that "external adverse economic conditions beyond the Company's control" was a contemplated reason to NOT de-certify the project.

- 9) *The Town reserves the right to seek decertification of the Project, should the Company not attain or sustain 90% investment and employment goals as stated in the Project Certification Application during the exemption period, notwithstanding external adverse economic conditions beyond the Company's control, or for acts of God.*

The Board had several options available:

1. De-certify the project immediately (this would eliminate local incentives effective with the FY15 tax year), or
2. De-certify the project effective with the ensuing fiscal year (this would eliminate the local incentives effective with the FY16 tax year), or
3. Not de-certify and the agreement to expire per its own terms (terminates June 30, 2016 – no benefits effective with the FY17 tax year).

S. Suhoski suggested that the Board consider the reasons for the failure to increase employment, and weigh the relative impact of de-certification versus the potential adverse impacts to this major employer's operations and impact on the local economy. There currently remain approximately 122 employees at the Sturbridge facility, of which 13 percent reside in Sturbridge and 50 percent reside in the economic target area.

In S. Suhoski's opinion, whereas the valuation exempted for property tax purposes is only one percent for the balance of the agreement, and whereas the Town has not relied upon any projected increase in personal property tax revenue for budgeting purposes, and whereas the company is likely to be classified as a manufacturer under MassDOR criteria and thus become exempt from personal property tax in any event, it was his opinion that the Board should vote to NOT de-certify and to allow the TIF agreement to expire by its own terms.

S. Suhoski submitted to the Board a .pdf copy of the June 30, 2013 correspondence from OFS-Fitel outlining their request, a copy of the TIF agreement, a copy of the state's March 15, 2013 correspondence to the OFS-Fitel parent company and the March 29, 2013 letter from the state to the Town advising of the potential June 25 decertification vote.

MOTION: That the Board of Selectmen find that “external adverse economic conditions beyond the Company’s control” made the investment and job creation goals of the Tax Increment Financing agreement dated December 8, 2003, between the Town of Sturbridge and OFS Fitel, LLC infeasible and, accordingly, that the project NOT be de-certified and the agreement be extinguished by its own terms on June 30, 2016, by M. Redetzke.

2nd: M. Blanchard

Vote: Four in favor; M. Dowling recused.

M. Dowling rejoined the Board.

Habitat For Humanity – Certificate of Compliance

Town Planner Jean Bubon had provided the Board with background on this administrative item.

MOTION: That the Board of Selectmen endorse the certificate of compliance relative to the Habitat For Humanity development at 79 Fairview Park Road as approved by the Housing Partnership Committee, by M. Blanchard.

2nd: P. Gimás

Vote: All in favor.

Appointments

Following were a few appointments for the Board’s ratification:

<u>Name</u>	<u>Board/Committee</u>	<u>Term Exp. June 30</u>
Brian Amedy	S.T.A. (hotel/motel)	(TBD – info fr Clerk)
Janice J. Chiaretto	S.T.A. (citizen)	(TBD – info fr Clerk)
Catherine Coderre	Council on Aging	2015
Nancy Kingsbury	Council on Aging	2015

Ms. Chiaretto had applied previously for a citizen seat upon learning of the resignation by Jessica Dymon. Mr. Amedy was a contributing member of the STA until his prior employment commitment required him to resign. His employment status has changed and S. Suhoski said that the STA would welcome his return.

The Council on Aging appointees have expressed interest and, in speaking with the COA Director, their presence would be welcome. The COA has been short-handed whereas the Town Charter calls for a nine-member council.

MOTION: That the Board of Selectmen ratify the following appointments by the Town Administrator:

<u>Name</u>	<u>Board/Committee</u>	<u>Term Exp. June 30</u>
Brian Amedy	S.T.A. (hotel/motel)	(TBD – info fr Clerk)
Janice J. Chiaretto	S.T.A. (citizen)	(TBD – info fr Clerk)
Catherine Coderre	Council on Aging	2015
Nancy Kingsbury	Council on Aging	2015

By M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

Related Note: On June 21st, S. Suhoski directed staff to confer with the Town Clerk to publish a complete list of all board and committee vacancies. If the vacancies are posted timely, the requested deadline for submissions of interest is July 15th.

Reappointments

Following is a list of remaining proposed reappointments for the Board's ratification:

<u>Name</u>	<u>Board/Committee</u>	<u>Term Exp. June 30</u>
Sandra Gibson Quigley	Planning Board	2018
Patricia Jeffries	Housing Partnership	2016

MOTION: That the Board of Selectmen ratify the following reappointments by the Town Administrator:

<u>Name</u>	<u>Board/Committee</u>	<u>Term Exp. June 30</u>
Sandra Gibson Quigley	Planning Board	2018
Patricia Jeffries	Housing Partnership	2016

By M. Redetzke.

2nd: P. Gimás

Vote: All in favor.

Riverlands Environmental

S. Suhoski noted that the next phase of work is proposed for funding in the amount of \$28,060 at the Special Town Meeting, which will likely be addressed on Tuesday, June 18th. These funds are for additional testing and reporting needed to eventually clear the

Riverlands parcels (140+ acres) from MassDEP environmental oversight through an Activity Use Limitation (AUL). Separately, the Board had requested Tighe & Bond to more clearly delineate areas of remaining concern in the event that the Board wishes to open up the property to the public. This area was outlined by T&B in a figure emailed to the Board. Rather than deciding to place fencing or signage in this area immediately, if the CPA funding is approved by Town Meeting on Tuesday, S. Suhoski suggested bringing back the environmental engineers for a further discussion of this topic with the Board and prior to commencement of their next phase of work.

Other Matters

Following are brief updates on other pending matters.

• Municipal Buildings:

o ***Library Roof (updated 6/14)*** – Annual Town Meeting approved completion of architectural plans for replacement of the skylight system as part of the Capital Plan article. S. Suhoski advised DRA and the Library Director that further work on this project can commence after July 1st.

o ***Center Office Building (updated 6/14)*** – A door handle and matching trim was installed on the front entry to the Center Office Building on June 3rd. The system is keyed to match the existing system. The HVAC system was switched over to cooling mode in late May.

o ***Town Hall (updated 6/14)*** – The elevator, “sticking” door and all alarm systems were addressed in May and are certified and functioning properly. The HVAC system was also switched over to cooling mode though an additional service visit and estimate for replacement of “contact” switches has been received. The burglar alarm monitoring is ready to accept remote “panic alarm” signals for which the hardware must be purchased. This is the next action item.

o ***Sturbridge Nursery School (new 6/14)*** – A leak in the roof of this Town building was inspected by Paul Davis Restoration last week with the actual repair scheduled for Tuesday, June 18th.

• **Other Meetings / Miscellaneous:** Other items include: preparation and attendance at nights one and two of Annual Town Meeting; request DPW to “moderate” height of speed bumps on Champeaux Road (completed); conducted department head meeting and discussion of pending All Hazards Emergency Operations Plan to be presented to the Board of Selectmen; met with representatives of Mass. Broadband Initiative along with Tantasqua IT director to understand implications for Sturbridge town buildings; meeting with Greg Rossow re: IT budget and future planning; worked on various personnel matters; chaired CMRPC Legislative Breakfast featuring Senate Vice-Chair of Ways & Means.

Liaison Assignments

T. Creamer noted that the Selectmen's liaison assignments had been sent out. He asked the Selectmen to reach out to their assigned departments. He asked M. Blanchard if she would assent to a nomination to remain on the Personnel Committee. M. Blanchard agreed. He asked M. Redetzke if she would assent to remain on the Betterment Committee. M. Redetzke agreed. T. Creamer said that he would like to remain on the Sturbridge Tourist Association, if the Board had no objection.

MOTION: To nominate M. Blanchard to serve on the Personnel Committee; to nominate M. Redetzke to serve on the Betterment Committee; and to nominate T. Creamer to serve on the Sturbridge Tourist Association, by P. Gimas.
2nd: M. Redetzke
Vote: All in favor.

Correspondence

M. Redetzke read the correspondence list into the record.

Old Business

P. Gimas commended Jean Bubon, Town Planner, for her response regarding the power outage. T. Creamer noted that J. Bubon has a Masters degree in Public Administration, and the Town is fortunate to have such an individual able to professionally step in during any absence of the Town Administrator.

P. Gimas asked whether the parking issue at the Senior Center had been resolved. She had noticed cars in the Senior Center parking lot Saturday night at 10:30 p.m. S. Suhoski said that he had stopped by the Senior Center on Friday. He will meet with the owner of the restaurant that is utilizing the parking spaces to seek greater cooperation. T. Creamer asked whether overflow parking had been listed on the restaurant's site plan; if they do not have a Town building listed for overflow parking, nor an agreement in hand, then there may be an issue with their adherence with the site plan review which was approved by the Planning Board. He noted that the Town should not be supporting one business at the expense of others. S. Suhoski said that a sign is posted "Senior Center Parking Only." M. Dowling said that at night, the parking lot should be open for use by any of the restaurants that need additional parking. She suggested that the businesses cooperate with each other. P. Gimas said that the Senior Center parking lot is very dark at night, which is a safety issue and a liability to the Town. She suggested that the lighting be fixed.

M. Dowling requested an executive session for the purchase of real property at the next meeting of the Board of Selectmen. S. Suhoski said that an executive session was also needed for collective bargaining on July 15th.

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M. Dowling said that at the last Meet the Selectmen, residents stated the desire for an Interim Fire Chief.

M. Blanchard asked about Town Counsel's opinion on the Board's vote on the letter of resignation that was two in favor, three abstentions. S. Suhoski said that Attorney Joel Bard is giving it some thought.

M. Blanchard asked about the status of the Request for Proposals on the water meters. S. Suhoski said that a meeting has been scheduled on July 12th to discuss that matter.

M. Blanchard asked about the status of line painting. S. Suhoski said that Mass. Highway has been contacted, but they have not provided a date to paint the crosswalks on Route 131.

M. Blanchard asked about the status of posting vacancies on boards and committees. S. Suhoski said that instructions were given to staff to coordinate the list of vacancies with the Town Clerk. The vacancies have been posted with a cutoff date of July 15th.

M. Blanchard asked about the status of reappointments for police and fire. S. Suhoski said that employees are covered under collective bargaining agreements. M. Blanchard stated that the Town Charter requires reappointment by the Town Administrator/Board of Selectmen.

New Business

M. Blanchard asked about the status of the meeting of the Personnel Committee for the Fire Chief's job description and salary. S. Suhoski said that a meeting will be held this month.

Citizens' Forum

Ginger Peabody, Wildwood Lane, said that in the last two years she has utilized the ambulance service at least ten times, and considered the EMTs to be professional, caring and outstanding personnel.

MOTION: To adjourn, by M. Blanchard.

2nd: P. Gimás

Vote: All in favor.

The meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Judy Knowles

July 1, 2013

BOS Clerk

Date