

September 3, 2013

**BOARD OF SELECTMEN
MINUTES
SEPTEMBER 3, 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 the Bluegrass Festival will be held on the Town Common on September 14th, sponsored by the Sturbridge Tourist Association.

Board of Registrars Reappointment: Doreen (Avallone) Burbine

MOTION: That the Board reappoint Doreen Avallone Burbine to the Board of Registrars for a three-year term, by M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

Proposed Appointments for Ratification

S. Suhoski proposed three appointments for the Board's consideration and requested ratification to fill vacancies in the Police, Fire and Assessing Departments.

(a) Liza M. Peters – P/T Administrative Assistant / Assessing: S. Suhoski submitted to the Board copies of the cover letter and resume of Liza M. Peters, who was proposed for appointment to the part-time (25 hours weekly) Administrative Assistant position in the Assessor's office. The Principal Assessor narrowed a field of 35 applicants to 15 that were asked to complete a test assignment resulting in five preliminary interviews and three finalists who were interviewed by the Board of Assessors. S. Suhoski had interviewed the finalist on August 21st and was pleased to recommend her for appointment. Ms. Peters has an Associate's degree in business administration and legal studies and over 15 years of experience in law firms focused upon real property issues.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Liza M. Peters, of Monson, to the part-time position of Administrative Assistant in the Assessing Department, effective

September 3, 2013

September 4, 2013, at the hourly rate of \$18.02 (Grade 4, Step 7) and subject to a one-year probationary period, by M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

(b) Michelle Bossie – P/T Administrative Clerk / Fire Dept.: S. Suhoski submitted to the Board copies of the cover letter and resume of Michelle Bossie, together with Acting Chief Ford's recommendation for appointment to the part-time Administrative Clerk position (20 hours weekly) in the Fire Department. The Acting Fire Chief, Finance Director and Police Chief's Administrative Assistant selected three top candidates from a field of roughly 15 for interviews and concurred on the finalist. S. Suhoski had interviewed Ms. Bossie on August 22nd and was pleased to recommend her for appointment. Ms. Bossie has over 20 years of office experience including payroll, purchasing, sales, accounts payable and receivable and general clerical duties. Though proposed to begin at Step 1 of the grade the employee will be eligible for advancement to Step 2 subject to satisfactory six-month performance review.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Michelle Bossie, of Bondsville, to the part-time position of Administrative Clerk in the Fire Department, effective September 4, 2013, at the hourly rate of \$14.88 (Grade 3, Step 1) and subject to a one-year probationary period, by M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

c) Jeffrey K. Forcier – F/T Patrol Officer: The Board met Mr. Forcier on June 17th when he was appointed to a part-time patrol officer position. His credentials were submitted to the Board. As noted in Chief Ford's memorandum, Mr. Forcier will work a regular patrol shift that is vacant due to the assignment of Officer Hillary Dadalt as the School Resource Officer. The funding for the SRO was approved by Annual Town Meeting and this appointment backfills the resultant patrol vacancy. His hourly rate for FY14 is \$24.47 per the contract, and the one-year probationary period will begin with the effective date of the appointment.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Jeffrey K. Forcier, of Quinebaug, CT to the position of full-time Patrol Officer in the Police Department, effective September 4, 2013, at the hourly rate of \$24.47 and subject to a one-year probationary period, by M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

Requested Abatement of Sewer Betterment Assessment – 47 Hillcrest Street

September 3, 2013

Richard and Jane Gauthier appeared before the Board. Jane Gauthier, owner of 47 Hillcrest Street, requested the Board of Selectmen to petition the Commissioner of the Mass. Dept. of Revenue for authority to grant an abatement of the sewer betterment levied upon the above property.

An abatement of this type is only possible through action under MGL c. 58, §8 and S. Suhoski provided to the Board the MassDOR guidance documentation outlining the process which is intended for “extraordinary” circumstances.

S. Suhoski said that in this case, the property owners will offer a 2001 determination by the then Building Inspector and Town Planner that the property was grandfathered as a buildable lot. However, that status no longer exists as outlined in my opinion of December 11, 2012 which was developed with the Interim Building Inspector, Town Planner and the Principal Assessor which states:

[t]he property has not been actively used as a residence within the past two years and, accordingly, any such use of the property has been abandoned. Therefore, this property is now deemed a pre-existing nonconforming lot without sufficient frontage and area to be a buildable lot.

S. Suhoski said that although the Town’s “legal” position is irrefutable in that the betterment is valid and enforceable, the property owner does have a compelling position, which was summarized in her appeal letter.

S. Suhoski noted that if the Board did find this to be an extraordinary circumstance and wished to support the abatement, he would suggest a motion directing the Town Administrator to prepare a petition to MassDOR under MGL c. 58, §8 for review and approval at the September 16th meeting.

This will only be the first of four steps: (1) approval of petition to MassDOR, (2) decision of the Commissioner of MassDOR as to whether to grant authority for the Board of Selectmen to grant the abatement, (3) further approval by the Board of Selectmen of the actual abatement, and (4) approval by Town Meeting or other available funding source to satisfy the unpaid balance of the betterment.

S. Suhoski noted that if the Board did not find this to be an extraordinary circumstance, he would suggest a motion denying the request.

M. Blanchard suggested moving forward for further review. M. Dowling supported moving forward to MassDOR because residents relied upon the Town letter. M. Redetzke asked about the status of the deed and title, as it was unclear who the owner of record was for the property. M. Redetzke also required clarification of the requirement to pay water and sewer abatement, if in the future the part of Hilman that is now a paper street would be paved. P. Gimás was in favor of going forward. T. Creamer suggested that the Board look at the October 2001 letter and go back to 2003.

September 3, 2013

Jane Gauthier said that other parcels have been built upon the last few years.

MOTION: That the Board direct the Town Administrator to prepare a petition to MassDOR for review and approval at the September 16th meeting, by M. Redetzke.
2nd: M. Blanchard.
Vote: All in favor.

Recreation Committee Resignation – Schedule Joint Meeting for Appointment

S. Suhoski informed the Board that the remaining members of the Recreation Committee will attend a joint session with the Board of Selectmen on Monday, September 16th at 6:35 p.m. to vote to elect an individual to fill the vacancy created by Mark Rulli's resignation until the next Annual Election.

S. Suhoski has posted the vacancy with a suggested deadline for submission of letters-of-interest no later than Noon on September 12th. All submittals will be provided to the Board of Selectmen and the Recreation Committee for reference at the joint meeting. He said that the current Associate Member of the Recreation Committee is the only person that has expressed interest in the post.

MOTION: To accept Mark Rulli's resignation from the Recreation Committee, by M. Redetzke.
2nd: P. Gimás
Vote: All in favor.

MOTION: To schedule a joint meeting of Board of Selectmen and Recreation Committee on September 16, 2013 at 6:35 p.m. to fill the vacancy on the Recreation Committee created by the resignation of Mark Rulli, by M. Redetzke.
2nd: P. Gimás
Vote: All in favor.

Staff Vacancies

S. Suhoski said that there remain several vacancies that are in the recruitment or selection phase including the priorities of finding suitable candidates for the Building Inspector and Town Accountant positions.

Building Inspector: Preliminary interviews were completed with four qualified candidates from a total of 11 applicants. S. Suhoski will schedule three finalists to sit with him and another department head for second interviews next week, and will have a proposed appointee by September 6th. Depending upon the schedule of the interim inspector, S. Suhoski may request a special meeting to act upon this appointment to expedite notice requirements to current employers. Based upon the strength of the candidates, he is confident in the ability to make an appointment from the finalists.

Town Accountant: Despite receiving 21 applications from talented individuals, there is a statewide shortage of candidates with actual municipal accounting experience. On August 22nd, the Finance Director and S. Suhoski conducted preliminary interviews with three candidates (one of the four selected withdrew prior to the interview). The preferred candidate from this group withdrew to retain her current position. A fourth preliminary interview with a candidate that has prior municipal accounting experience is scheduled for Tuesday. The Interim Town Accountant is willing and able to continue her part-time work and efforts to close the FY13 books.

Compensation in the form of a \$350 weekly stipend for the Finance Director for the duration of the interim appointment is also being requested for the additional time, effort and tasks needed to make the work of the interim accountant efficient and feasible on Fridays. This is the same schedule and rate as was utilized during the extended family medical leave of the prior accountant.

M. Blanchard filed a disclosure of conflict of interest on the topic.

MOTION: That the Board of Selectmen support payment of a \$350 per week stipend for additional services of the Finance Director in support of the interim Town Accountant, by M. Dowling.

2nd: M. Blanchard

Vote: Two in favor; T. Creamer, M. Redetzke and P. Gimas opposed.

Fire Chief: This position was advertised in the Boston Globe, Mass. Municipal Association Web site and newsletter, with the Fire Chiefs Association of Mass. and through posting and distribution. The priority closing date is September 17th, and many applications have been received from throughout the United States and even overseas. S. Suhoski is hopeful that, as the priority deadline nears, we also receive a greater response from within the state.

Assistant Town Clerk: The Town Clerk reports a strong response to her recruitment and that she has a qualified assistant scheduled to begin work as soon as Tuesday, Sept. 3rd.

Finance Committee Part-time Clerk / Recording Secretary: This posting has closed and all information has been provided to the Finance Committee Chairman. As with the prior appointment, the FinCom is capable of selecting a preferred candidate which S. Suhoski will later bring forward for appointment.

Part-time Data Collector: The priority consideration passed this week, and the Principal Assessor is reviewing the applications.

Part-time Clerk – Conservation: This position will be posted in the immediate future.

Other Committee Vacancies

September 3, 2013

S. Suhoski informed the Board that additional board and committee vacancies have been advertised and posted with a suggested application deadline of September 20th including: Agricultural Commission, Historic Commission, Government Services Study Committee, Cultural Council, Community Preservation Committee, Sturbridge Tourist Association and Sturbridge Lakes Advisory Committee. He asked the Selectmen to share with their constituencies.

Casino Mitigation

On August 26th S. Suhoski sent a letter to Mohegan Sun to position the Town for designation as a “surrounding community” in the event the town of Palmer – and thereafter the Mass. Gaming Commission – grants a license for the resort casino.

Ideally, Mohegan Sun will recognize that Sturbridge will suffer negative impacts from the development and then initiate negotiations for mitigation funding under a surrounding community agreement. If the developer does not recognize Sturbridge as such under their own volition, it will be necessary to seek such designation directly through the MGC.

Towards that end, S. Suhoski also initiated discussion with the Ombudsman’s office at the MGC to ensure that we are on their radar and to become more educated on the licensing timelines and deadlines for petitioning to become a surrounding community.

S. Suhoski’s recommendation is to seek funds to implement aspects (to be determined) of the nascent Commercial Tourist District plan, and potentially bolster our public safety department budgets.

S. Suhoski plans to discuss this further with the Town Planner upon her return from vacation, but will bring any policy recommendations to the Board of Selectmen for approval.

There are two local meetings that would be helpful to the discussion: on September 4th at 6:30 p.m. the Commercial Tourist Working Group meets at Center Office Building, and on Wednesday, September 25th, the second public hearing on the CTD plan will be held at 6:30 p.m. in Veterans Hall.

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

- **Municipal Buildings:**
 - ***Library (updated 8/27)*** – Drummey Rosane Associates (DRA) has discussed the gutter system and skylight replacement projects with S. Suhoski and with the Library Director. DRA is reviewing existing gutter profile blueprints for a recommendation on the proper specification for replacement. Separately, DRA and S. Suhoski will develop a scope to complete design of the skylight replacement as funded in the FY14 capital plan.

- **Town Hall (updated 8/27)** – Jerry Day Fence completed installation of the cedar screening on August 21st. The wood needs to dry and will be stained or painted to match the existing cedar fencing and dumpster enclosures at Town Hall and COB. Also, the annual cleaning of Town Hall and Center Office Building was completed on August 24th and several leaking soap dispensers replaced. A valve in one of the air handler units in Veterans Hall is clanking and service has been requested.
- **Sturbridge Nursery School (updated 8/29)** – The leak in the roof of this Town building was confirmed as repaired. S. Suhoski has not received a final report from the contractor as to the interior work, and again requested same.
- **Infrastructure Projects:**
 - **Champeaux Road Bridge:** This project is eligible for state Chapter 90 funds. The Board has also requested S. Suhoski to research whether other sources of funds are available to help cover the estimated \$1.45 million total cost of bridge replacement. Following is a concise summary of the recent chronology:
 - November 2012: Study report completed by CME Associates, Inc.
 - March 2013: Town Administrator and DPW Director meet with Army Corps of Engineers project manager re: project and potential funding.
 - June 2013: Town Administrator and Board of Selectmen author letters to Governor supporting increase to general Chapter 90 allocation.
 - July 2013: Governor increases initial Ch. 90 allocation from \$150M to \$200M (or \$432,116 for Sturbridge).
 - July 2013: Town Administrator met with representative from USDA-Rural Development concerning various funding opportunities for public projects.
 - July 2013: Champeaux Road residents met with Board of Selectmen to discuss project and timeline.
 - August 2013: Town Administrator submits letters-of-interest through CDBG-DR grant program for Champeaux Road bridge replacement and for Walker Pond drainage improvements.
 - August 2013: DPW Director and Town Administrator met with residents of Champeaux Road to review preliminary plans and timeline as requested by Board of Selectmen.
 - August 2013: following request of Town Administrator, Rep. Todd Smola inquires about state funding through MassDOT (none available; however, MassDOT regional engineer to work with DPW Director on review of CME plans and options).
 - Current: CME has incorporated verbal comments from Army Corps of Engineers into preliminary plans now under review by DPW Director. Once plans approved the project will need to be budgeted through Ch. 90 and/or other resources by approval of Board of Selectmen.

September 3, 2013

- Next: project estimated for January-February 2014 bid with one year construction period commencing early summer 2014 subject to availability of funds.
- **Other Meetings / Miscellaneous:** Substantial time spent on various personnel matters including interviews, obtaining backup building inspection coverage and general recruitment efforts; completed final draft and issued Water Meter IFB; on site meeting with DPW Director, landfill/recycling center staff, consulting engineer and BOH chair regarding landfill cap and leachate and upcoming analysis of cost benefit of retaining such operations; extensive meeting with Chief Ford and consultant on proposed All-Hazards Emergency Operations Plan to be presented to the BOS within the next 15 days for comment.

Correspondence

M. Redetzke read the correspondence list into the record.

Old Business

M. Redetzke asked whether the event for the Silver City Junkers had been scheduled.

New Business

P. Gimas referenced the Town of Dudley Board of Selectmen's survey regarding Charter service. T. Creamer said that it was via survey monkey.

M. Blanchard noted that there had been another resignation from the Fire Department.

MOTION: To accept the resignation of Eric Ropollo from the Fire Department, effective September 11, 2013, and to thank him for his service, by M. Blanchard.
2nd: M. Redetzke
Vote: All in favor.

P. Gimas noted that there was no crosswalk at Hall Road to Route 131.

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. Redetzke.
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 8:55 p.m.

September 3, 2013

Respectfully submitted,

Judy Knowles

BOS Clerk

Date