

December 2, 2013

**BOARD OF SELECTMEN  
MINUTES  
DECEMBER 2, 2013**

Present: Priscilla Gimas, Chairman  
Mary Blanchard  
Mary Redetzke  
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**

M. Blanchard expressed thanks to those who had organized and participated in the Tree Lighting Ceremony.

M. Redetzke announced that the Conservation Department will conduct a winter tree scavenger hunt.

M. Redetzke announced the Festival on the Town Common will be held on December 14th.

M. Redetzke said that Vincent Southall had retired from the Recycling Center.

P. Gimas announced that Thanksgiving dinner donations had provided six dinners on Wednesday evening.

P. Gimas proposed that the Board sign a letter of thanks to Thomas Creamer for his years of service to the Town.

**Selection of Vice-Chairman**

Given the resignation of the Board's chairman at the November 18th meeting, by operation of Sections 3.2 and 3.3 of the Sturbridge Board and Committee Handbook, the Vice-Chairman "shall" assume the chairmanship for the balance of the unexpired term (in this case until the Board's next re-organization following the April elections).

**3.2 Chairperson**

The chairperson presides at all meetings, decides questions of order, calls special meetings, sets the agenda, and signs official documents that require the chairperson's signature. Any vacancy in the office of the chairman shall be filled by the vice-chairman. In the event that the chairman is unable or unwilling to serve a complete term, and the vice-chairman declines to assume the role, a chairman shall be elected by the board/committee to serve until the next annual election. The chairperson has

the same rights as other members to offer resolutions, make or second motions, discuss questions and vote thereon.

### 3.3 Vice-Chairperson

The vice-chairperson acts for the chairperson whenever the latter is absent from meetings and performs other necessary duties. It must not be forgotten that in the case of the absence of the chairman the vice chairman must preside, and in case of the illness, resignation or death of the chairman, the vice chairman becomes chairman for the unexpired term, unless he/she declines to accept the position. It is therefore important to elect a vice-chairman who is willing to perform the duties of chairman.

S. Suhoski said that for continuity of operations it would be beneficial for the Board to name a Vice-Chair.

**MOTION: To nominate M. Blanchard as Vice-Chair, by M. Dowling.**

**2nd: P. Gimás**

**Vote: All in favor.**

### **Appointment of Christopher F. Geraghty: Town Accountant**

S. Suhoski submitted to the Board the resume of Christopher F. Geraghty, of South Hadley, who was proposed for appointment as the next Town Accountant. He noted that there is currently a shortage of applicants with existing municipal experience as a town accountant; however, S. Suhoski and the Finance Director believe that they have found a talented candidate with comparable experience and education that will fill this role for years to come.

Mr. Geraghty has a bachelor's degree in business administration, with a major in accounting, from the Isenberg School of Management at UMass-Amherst and nearly two years' experience in the municipal auditing field with the governmental services department of Melanson, Heath & Co. S. Suhoski said that he will be a valuable addition to the Town's Finance Department.

**MOTION: Move to ratify the Town Administrator's appointment of Christopher F. Geraghty, of South Hadley, to the position of Town Accountant effective January 6, 2014, at a starting annual salary of \$55,000 (Grade 10) and subject to a six-month probationary period in accordance with the Personnel Policies, by M. Redetzke.**

**2nd: M. Blanchard**

**Vote: All in favor.**

### **Board of Selectmen Vacancy -Options**

S. Suhoski submitted to the Board the opinion of Town Counsel with respect to the discretionary process the Board may utilize to fill the board vacancy either by: (1)

calling a special election, or (2) allowing the vacancy to be filled at the regular annual election.

There is no requirement to fill the seat with a special election and the decision for the Board is whether it can effectively function with four members until April 2014.

The Town Clerk advises that it will cost \$5,300 to \$6,000 for a special election and that it would take approximately 80 days from the date the Board calls for a special election until the date the special election is held which projects to early February 2014.

Given the following factors, S. Suhoski recommended that the Board not call for a special election and operate with the existing membership until the April 2014 election:

- Nomination papers for the April election are issued in January, prior to the date that a special election would be held,
- The cost of a special election is \$5,300-\$6,000 and would therefore require a reserve fund transfer or appropriation at a special town meeting, and
- A special election would cover a term of only two months.

**MOTION: That the Board does not call for a special election, by M. Blanchard.**

**2nd: P. Gimas**

**Vote: All in favor.**

#### **Police Department Promotion: Earl Dessert, Police Lieutenant**

Chief Ford's memorandum and a copy of Mr. Dessert's resume were previously emailed to the Board. The Chief outlined the promotional process at the November 4th meeting.

Based upon the Chief's recommendation, and S. Suhoski's personal experience with Sgt. Earl Dessert, S. Suhoski requested the Board's ratification of his promotion to the position of Police Lieutenant. Sgt. Dessert has been with the Sturbridge Police Department since December 2007 and has held the rank of Sergeant for nearly three years. Previously, he served as a Senior Trooper with the Vermont State Police and began his career holding full and part-time police officer positions in the towns of Warren and Brimfield.

Sgt. Dessert has continued his education by earning an associate's degree in criminal justice, with honors, from Quinsigamond Community College and completing an executive development training through the Municipal Police Institute. He is undertaking a bachelor's degree program through Westfield State University.

S. Suhoski said that it is encouraging to see a member of the department that graduated from Tantasqua and served as a Police Explorer advance his career within this department. He said that the promotion of Sgt. Dessert to the position of Police Lieutenant will benefit the Sturbridge Police Department and community as a whole.

**MOTION: To ratify the Town Administrator's appointment of Earl J. Dessert to the position of Police Lieutenant effective immediately at a starting annual salary of \$71,617 (Grade 15) and subject to a six-month probationary period in accordance with the Personnel Policies, by M. Redetzke.**

**2nd: M. Blanchard**

**Vote: All in favor.**

**Police Department Promotion: Joseph Lombardi, Police Sergeant**

Chief Ford's memorandum recommending the promotion of Officer Lombardi was previously emailed to the Board. The Chief outlined the promotional process at the November 4th meeting and commented upon the excellent performance by several of the candidates.

Based upon the Chief's recommendation, and S. Suhoski's personal knowledge of Officer Lombardi, S. Suhoski requested the Board's ratification of his promotion to the position of Police Sergeant. Along with recently promoted Sgt. Larry Bateman, Officer Lombardi distinguished himself from a field of four candidates that participated in the promotional process. S. Suhoski had the opportunity to meet with Officer Lombardi on November 25th to discuss the promotion and his goals and came away convinced that the Chief's recommendation would serve the Department and community well. S. Suhoski attested that Officer Lombardi was a very strong candidate in the sergeant's promotional process that he had participated in three years ago.

Officer Lombardi has a bachelor's degree in sociology, with a concentration in criminology, from Assumption College and has completed many advanced trainings over his 12 years with the Sturbridge Police Dept. He is a past Officer of the Year recipient from the Tri-Community Exchange Club.

The promotion of Officer Lombardi to the position of Police Sergeant is well-deserved and further confirms the sustainability of the Police Department through continued education, training and advancement of its officers.

**MOTION: To ratify the Town Administrator's appointment of Joseph D. Lombardi to the position of Police Sergeant effective immediately at a starting rate of \$29.40 per hour and subject to the terms and conditions of the collective bargaining agreement, by M. Redetzke.**

**2nd: M. Blanchard**

**Vote: All in favor.**

**Board of Selectmen Designee to Sturbridge Tourist Association**

**MOTION: That P. Gimas serve as the Board of Selectmen Designee to the Sturbridge Tourist Association, by M. Blanchard.**

**2nd: M. Redetzke**

**Vote: All in favor.**

**MOTION: To accept the resignation of J. Chiaretto, by M. Blanchard.**

**2<sup>nd</sup>: M. Redetzke**

**Vote: All in favor.**

### **Ratify Collective Bargaining Agreement with DPW / SEIU**

The Board of Selectmen and SEIU / DPW workers' union approved a successor collective bargaining agreement to run from July 1, 2013 through June 30, 2016. S. Suhoski noted that the Board may now ratify its Executive Session vote in open session. He submitted a copy of the MOU to the Board. For public disclosure the key terms were:

- Eliminate bottom step and add new top step to five-step wage grid
- Base wage increases:
  - o 2.0 percent (FY14)
  - o 1.5 percent (FY15)
  - o 1.5 percent (FY16)
- Adjust clothing reimbursement to \$400 per year for approved items
- Align Recycling Center Coordinator with Crew Leader wage scale
- Create joint union-management "Safety Committee"
- Incorporate \$1,000 annual tool budget for mechanics
- Require "B" or better grade for tuition reimbursement

S. Suhoski informed the Board that the total contract cost is just over \$20,000 primarily due to the wage items spread amongst the 12 employees within the collective bargaining unit. However, due to the vacancy of a crew leader position for several months, the actual appropriation required from the Special Town Meeting will total \$9,458 as follows:

- \$2,400 to: DPW Supplies (Account #14102-54000)
- \$7,058 to: Landfill/Recycling Salaries/Wages (Account #14301-51130)

In summary, this represents a mutually agreeable and affordable contract that recognizes the contributions of our public works employees while seeking to keep contract costs within available revenues.

**MOTION: That the Board of Selectmen ratify the Memorandum of Agreement with the SEIU Local 888 / Dept. of Public Works unit as originally approved on November 18, 2013, by M. Redetzke.**

**2nd: M. Blanchard**

**Vote: All in favor.**

### **Proposed Special Town Meeting: January 27, 2014**

S. Suhoski noted that the Town has held off on calling a special town meeting to allow for certification of free cash by the Mass. Dept. of Revenue and to collect a sufficient number of business articles requiring action.

At this time, both of the above conditions have been met. The state has certified free cash at \$2.9 million and we have nine or ten potential articles for action including:

<u>Item</u>	<u>Requestor</u>
Acceptance of Tannery Road as public way BOS	Planning Board /
Acceptance of Turner Lane as public way (as-built in process) BOS	Planning Board /
Amendment of Wind Bylaw (public hearing 12/10)	Planning Board
Abatement of Betterment Assessment – 47Hillcrest St. Commission	BOS / Sewer
Transfer of Funds for BOH Inspection Accounts	Board of Health
Appropriations for new DPW / SEIU contract (\$9,458)	Board of Selectmen
Potential Capital Plan Items (from Free Cash)	
\$155,000 (final design / construction PSC garage)	Capital Plan Item
\$145,000 replace front end loader	Capital Plan Item
Unpaid prior year invoices:	
\$21,546.21 for wastewater R&M overage	DPW (to Veolia)
\$55.76 for health inspector email account Town Hall)	BOH (to Virtual
\$4,992.50 for fire hose testing	Fire Dept. (to Fail Safe)
Transfer Free Cash to Stabilization Fund (\$925,000)	Town Administrator
Potential Fire Dept. or RFT (equipment maint./repair)	Acting Fire Chief

The above represent all items that S. Suhoski is aware of at this writing and by written request to department heads. He recommended that the Board hold the warrant open until December 16th for any final requests, as this will leave sufficient time to prepare the actual warrant and allow Finance Committee review and recommended motions.

**MOTION:** That the Board of Selectmen call a Special Town Meeting for  
Monday, January 27, 2014 at 7:00 p.m. at the Tantasqua Regional  
High School Auditorium and to open the warrant for same, by M.  
Redetzke  
**2nd:** M. Blanchard  
**Vote:** All in favor.

#### Discussion of Open Meeting Law Complaint

S. Suhoski presented the Board with a draft response to the Open Meeting Law complaint, along with a copy of the complaint that was filed on November 18, 2013. He said that the language of the response was reviewed by Town Counsel.

P. Gimas read the complaint and the response into the record. She noted that the complaint is against the former Chairman, not the Board of Selectmen, and that the Board is not in violation of the Open Meeting Law. This is an allegation against one individual who is no longer on the Board.

S. Suhoski noted that a response is indicated, and in order to respond, the Board could ratify the draft response.

**MOTION: To accept the attorney's response, by M. Redetzke.  
2<sup>nd</sup>: M. Blanchard**

M. Dowling said that the Board has not been privy to any conversations between the Town Administrator and Town Counsel, and therefore there was opportunity. She noted that the Board had received the information at 4:00 p.m., and the meeting started at 6:30 p.m., which she considered to be unacceptable. She suggested that the Board discuss the procedure to be followed when an Open Meeting Law complaint is filed. P. Gimas suggested putting the matter on the agenda sometime in January.

S. Suhoski said that Town Counsel is clear that statements that were made were not in violation of the Open Meeting Law. He noted that the Board was on a 14 business day clock, which did not extend to December 16<sup>th</sup> for a response. He said that there is a route of appeal to the Attorney General within 30 days of the date of the filing of the original complaint; if the person is still aggrieved, they can appeal it.

**Vote: Three in favor; M. Dowling abstained.**

### **Certification of Free Cash**

On November 26, the Town received word that its General Fund (free cash) has been certified at \$2,940,230 by the Mass. Dept. of Revenue. The Finance Director advises that the certification arises from the following key factors:

\$1,398,210	balance of prior fiscal year free cash
\$ 701,736	budget appropriations closed-out (turnbacks)
\$ 588,604	excess revenues over amounts estimated (incl. add'l FEMA and grants)
\$ 193,623	redeemed tax liens (collected)

Based upon this very strong free cash balance, the Town has the real and present ability to: (1) meet its immediate capital needs, (2) provide near-term flexibility and tax relief for the FY15 budget season, and (3) fulfill a key long-term protection by boosting the Stabilization Fund to its desired levels thus affording "insurance" from catastrophe, and, "assurance" to creditors.

This three-pronged approach would meet the above objective within the following rough framework:

Total Free Cash: \$2,940,230

Immediate Needs: \$350,000  
(covers STM items above +\$25,000 SFD)

Near-term and FY15: \$1,665,000  
(leaves sufficient reserves and ability for tax rate relief)

Long-term to Stabilization: \$925,000  
(achieves \$2.33 million or 8.5% of FY14 budget)

Immediate Needs: The strong free cash certification allows fulfillment of a pair of immediate needs. The Capital Plan Committee had recommended replacement of the 20-year-old front-end loader at the landfill / recycling center, but it was deferred. Recently, this piece of equipment failed and either requires a \$15,000 to \$17,000 repair, or the recommended replacement. S. Suhoski noted that a separate memorandum is being prepared by the DPW Director on this item, which is estimated at \$145,000. M. Redetzke asked why capital cost had gone down to \$155,000 last year.

Another immediate capital item is the repair of the deteriorated floor in the Police Department garage and sally port. CME Associates has completed a design development drawing and cost estimate which was submitted to the Board. S. Suhoski added the architectural and engineering costs in the lower right-hand corner with a suggested appropriation of \$155,000 for this item. The hot water tank fell from the ceiling of the lower level due to the corrosion associated with the floor drains (to be removed) and cruisers can no longer be parked in the bays. M. Redetzke asked about the original cost requested from betterment.

The Acting Fire Chief is developing costs on equipment repairs and replacement, as well as any labor costs associated with additional training, for a request either to Special Town Meeting or through the Reserve Fund.

Near-term and FY15 budget: The bulk of the free cash certification – over \$1.6 million – would be held over for use in the FY15 capital plan, potential tax rate relief in hopes of achieving a single tax rate, other one-time expenses and for cash reserves.

Long-term reserves: The Town is in a rare position where it can meet its 2005 fiscal goal of achieving a fund balance (stabilization and free cash) of 7-10 percent of the prior operating year budget solely through the Stabilization Fund. The above allocation would put the fund balance at just over 8.5 percent of the FY14 budget of \$27.4 million.



This would then “lock-in” the cash reserves and require only maintenance-of-effort for the Stabilization Fund on a going forward basis.

S. Suhoski said that folks may get weary of talk about “bond ratings,” but over \$2 million in interest costs have been eliminated through refunding of bonds over the past two years. He suggested maintaining and perhaps improving upon the AA “positive” rating from Standard & Poors.

Going Forward: Beyond the three-pronged approach suggested above, S. Suhoski requested that the Finance Director provide him with a three-year “lookback” at Town department turnbacks. They will share this information with the Board of Selectmen and the Finance Committee, as the mutual goal is to ensure that we are budgeting appropriately and not “over budgeting” any particular departments.

S. Suhoski’s sense is that we will all find, and document, that the department turnbacks result from miscellaneous “ins and outs” in various departments. The key culprit is generally a staff vacancy where personnel costs are avoided for a period of time. However, he will look for any common threads or areas that require adjustment in FY15.

#### **Tantasqua Regional School District -Community Innovation Challenge (CIC) Grant**

S. Suhoski informed the Board that the Tantasqua Regional School District is seeking a state grant to replicate the Information Technology collaborative that Sturbridge initiated two years ago to improve delivery of services and save costs.

The grant will fund equipment upgrades in the smaller district communities (Sturbridge already has this level of infrastructure in place) and allow TRSD to expand IT support hours. While Sturbridge has the hardware in place, the Town will benefit from \$9,000 in technical assistance funds. This will offset our local fee-for-service costs and/or allow for more robust IT support and planning in the coming year.

S. Suhoski recommended support for the regional school district’s effort, as it will also improve access to IT support for the town of Sturbridge.

**MOTION: That the Board of Selectmen support the application of the Tantasqua Regional School District for Community Innovation Challenge funds for information technology services and ratify the Town Administrator’s execution of the application form, by M. Redetzke.**

**2nd: M. Blanchard**

**Vote: All in favor.**

#### **Other Staff Vacancies**

S. Suhoski noted that it is nice to see this list growing shorter and shorter as we have filled recent vacancies with very qualified and committed individuals:

Fire Chief (updated 11/26): The Fire Chief Search Committee has voted to recommend David E. Zinther, of Darien, IL, for appointment as the Town's next Fire Chief. The unanimous view of the committee is shared by S. Suhoski. Mr. Zinther will be brought forward to the December 16th meeting. Substantial information has been shared with the Board, but will be recapped in a separate report in advance of your next meeting.

Finance Committee Part-time Clerk / Recording Secretary (updated 11/26): The Finance Committee met this week, and its chairman updated the Board as to the status of this position. S. Suhoski still expects to fill this position in advance of the FinCom's budget season.

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

- Municipal Buildings:

- o Library (updated 11/26) – The Library Director and S. Suhoski will meet next week to formalize a plan to complete the skylight replacement specifications by the spring of 2014. The project will be submitted for the FY15 capital plan. We need to reconsider our approach for the gutter replacement as no bids were received and we agreed to meet next week to chart this course.

- o Town Hall / Center Office Building (updated 11/25) – Through the efforts of Lt. Mark Saloio, the Town may be able to utilize a \$7,500 grant for acquisition of a portable generator for Town Hall. S. Suhoski spoke with Lt. Saloio to discuss options under the grant and also initiated a request through the Town's insurer for additional funds to assist with the interconnection. S. Suhoski will have more details in the coming weeks, but believe that we can collectively bring \$12,500 in grant funds towards this initiative that was directed by the Board of Selectmen and recited in the new emergency operations plan.

- o Public Safety Complex (updated 11/1) – CME has completed design development and a cost estimate for the project. It is briefly discussed above as a potential Special Town Meeting item. A copy of the plan sheet and cost estimate was submitted to the Board.

- Infrastructure Projects:

- o 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).
  - CME incorporated verbal comments from Army Corps of Engineers into preliminary plans.
  - The DPW Director has the preliminary plans and is reviewing them. Once approved the project will need to be budgeted through Ch. 90 and/or other resources by approval of Board of Selectmen.
  - Site meeting with CME, DPW Director and MassDOT conducted on October 11th to further design development and inquire about state bridge funding.
  - The DPW Director and CME are further reviewing plans and in discussion with MassDOT engineers to develop best options for consideration by the Board.
  - 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: Other items include: attended Burgess School building committee meeting; various discussions with pending appointees to various positions; prepared and attended Insurance Advisory Committee meeting; site visit to Cumberland Farm's regarding roadway interface; met with Finance Director re: various matters; attended Fire Chief Search Committee meeting; attended Finance Committee meeting.

### **Correspondence**

M. Redetzke read the correspondence list into the record.

### **Old Business**

M. Blanchard asked about the status of the crosswalks on Route 131. S. Suhoski said that he would address it at the upcoming meeting at MassDOT.

M. Blanchard asked about the status of Sturbridge Antiques.

M. Dowling suggested that the Board review meeting minutes after the Public Service Announcements, and that the most recent minutes must be a priority.

M. Redetzke asked about the status of Conservation Restrictions.

P. Gimas asked about the Selectmen's preferences regarding BOS liaisons.

P. Gimas suggested placing the Government Services Study Committee on hold until the next Town Election. That was the consensus of the Board.

### **New Business**

The Board determined that the Town Administrator's self evaluation information be submitted to the Board by January 3, 2014, then the Board submit their comments to the Chairman by January 10, 2014; and the evaluation be held on January 21, 2014. It was the consensus of the Board to discuss the Town Administrator's Evaluation Composite Tool on January 6, 2014.

M. Blanchard asked about the status of CDBG reserve funds. S. Suhoski said that the grant contract is in process and the start-up meeting will be scheduled.

M. Blanchard asked about the status of Sturbridge Antiques. S. Suhoski said that he will refer this matter to the new Building Inspector.

M. Redetzke suggested that Glenn Colburn, Conservation Agent, provide the Board with an update regarding conservation restrictions.

P. Gimas advised the Board that she has been speaking with department heads and would like to address them at the next Department Head meeting to discuss a change in leadership and new direction for the future.

**MOTION: To adjourn, by M. Blanchard.**  
**2nd: P. Gimas**  
**Vote: All in favor.**

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Judy Knowles

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BOS Clerk

Date

December 2, 2013