

February 24, 2014

**BOARD OF SELECTMEN
MINUTES
FEBRUARY 24, 2014**

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 announced that the Burgess School budget hearing will take place on March 6th at 7:00 p.m.

Police Officer Appointments: Adam Szymanski and Joseph Ballotte

S. Suhoski informed the Board that Chief Ford had utilized a rigorous application and vetting process that also included both lieutenants and all three sergeants as part of the review. Emerging from the field of applicants were Adam Szymanski and Joseph Ballotte who were proposed to fill the vacancies created by the retirement of Pam Desplaines and resignation of Michael Vitols. These are not new positions.

Adam Szymanski: Adam Szymanski of Enfield, CT, has over eight years' of experience as a part-time patrol officer in the town of Monson combined with nearly 10 years' experience as a paramedic including supervising up to 10 persons with the Enfield, CT Emergency Medical Service.

During the interview, S. Suhoski learned that Adam's true calling is law enforcement and that he undertook completion of the full-time police academy at his own expense in order to pursue his passion. Mr. Szymanski holds an associate's degree in Public Safety Administration from Charter Oak State College and is a certified paramedic in CT.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Adam J. Szymanski, of Enfield, CT, to the position of patrol officer effective February 25, 2014, at the contractual rate of \$24.47 per hour and subject to a six-month probationary period, by M. Redetzke.
2nd: M. Blanchard
Vote: All in favor.

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Joseph Ballotte: Joseph Ballotte of Leicester served as a police officer for nearly seven years on the Tisbury Police Dept. on Martha's Vineyard. Mr. Ballotte graduated from the Boston Police Academy in 2009 and holds an associate's degree in Automotive Science from Massachusetts Bay Community College.

During the interview, S. Suhoski learned that Joe is a native of Worcester and recently decided to move back to central Mass. to be closer to his family and roots. He is also a registered EMT.

MOTION: That the Board of Selectmen ratify the Town Administrator's appointment of Joseph William Ballotte II, of Leicester, to the position of patrol officer effective February 25, 2014, at the contractual rate of \$24.47 per hour and subject to a six-month probationary period, by M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

Common Victualler License Application – Sweet Kiwi, 440 Main Street

Sun Vo, owner of Sweet Kiwi appeared before the Board. S. Suhoski noted that this business is owned by the same family that owns Kaizen down the street.

MOTION: That the Board of Selectmen approve a Common Victualler's license to Sun Vo d/b/a Sweet Kiwi Frozen Yogurt, 440 Main Street, with hours of operation from 11:00 a.m. to Midnight daily, by M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

6:45 p.m. Public Hearing: Ocean State Job Lot, 178 Main St. – Package Store (Wine and Malt) License Application

M. Redetzke read the legal notice into the record.

Attorney Beth O'Neal appeared before the Board. She informed the Board that Ocean State Job Lot will have no employees under age 18, and all employees will be TIPS trained. The store is open for business Monday through Saturday from 8:00 a.m. to 9:00 p.m.; Sundays 9:00 a.m. to 8:00 p.m.; special occasions until 10:00 or 11:00 p.m. Alcohol will not be sold before noon on Sunday.

S. Suhoski noted that the Form 43 and application for the license had been submitted to the Board. The applicant did submit a revised floor plan and S. Suhoski had called out the area designated for display and sales of the beer and wine products. The applicants also submitted evidence of the Bank of America line of credit being utilized for the inventory and start-up.

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

2nd: M. Redetzke
Vote: All in favor.

MOTION: That the Board of Selectmen approve a package store license for wine and malt beverages only, pursuant to MGL c. 138, §15, to OSJL Spirits, LLC d/b/a Ocean State Job Lot, 178 Main Street, subject to all employees being TIPS certified prior to sale of alcoholic beverages and all future employees to be trained as well, pursuant to the application dated January 13, 2014 by M. Blanchard.

2nd: M. Redetzke
Vote: All in favor.

7:00 p.m. Public Hearing: Mark Meacham, Meacham Heating & Cooling o/b/o One Picker Realty Trust – License to Store Flammables under MGL c. 148, §13 at 51 Technology Park Road

Mark Meacham, owner of Meacham Heating, Cooling & Energy Solutions, proposed to relocate his business to Sturbridge through construction of a new 15,000 square foot facility at 51 Technology Park Road, one of the Town's so-called "43D" expedited permitting sites. The project will bring over 30 jobs to Sturbridge as well as new growth to the property tax base.

Mr. Meacham's site plan had been approved by the Planning Board, and the project was approved by the Conservation Commission. The final permit required was for storage of various flammable materials associated with the growing propane distribution portion of the business. Mr. Meacham proposed approval for two 30,000 gallon, and one 1,000 gallon, underground propane storage tanks together with ancillary products as listed on the application.

The Fire Inspector and Fire Chief reviewed the application and proposed site plan, and the Chief has endorsed the application with a recommendation for "approval." Their determination was also supported by a memorandum copied to the Board indicating that the plans meet 527 CMR 14.00 and NFPA 58. Chief Zinther advised S. Suhoski that underground storage for this type of fuel is preferred as the temperature remains stable.

MOTION: To close the public hearing, by M. Blanchard.
2nd: M. Redetzke
Vote: All in favor.

MOTION: That the Board of Selectmen approve a license to store flammable materials under MGL c. 148, §13 for the property located at 51 Technology Park Road in accordance with the application tendered by Mark E. Meacham dated January 17, 2014 and endorsed with a recommendation for approval by the Fire Chief on January 22, 2014, by M. Redetzke.

2nd: M. Blanchard

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Vote: All in favor.

Note: these licenses run in favor of the property itself.

Kenneth MacLellan: Taxi/Livery License

Kenneth R. MacLellan, of Charlton, has made application for a taxi/livery operator license under the business license of Charles River Service, Inc., 2 Main Street. The application has been reviewed and approved by Chief Ford on February 13 and a copy was distributed to the Board.

As Kenneth MacLellan was not present, it was the consensus of the Board to hold action until the March 3rd meeting.

Department Head Reports

Greg Morse, DPW Director, reviewed his report with the Board. He requested additional funds for the snow and ice accounts, noting that there has been 75-76 inches of snow and several icing events.

G. Morse said that regarding Mountainbrook, he had given Glenn Colburn, Conservation Agent, a copy of his input, and will appear at the next Conservation Commission meeting.

G. Morse informed the Board that CME Associates had sent him a sectionalized set of plans for Champeaux Road, and the bridge design is done.

M. Blanchard asked about the status of potholes. G. Morse said that there are a few small potholes to be fixed.

M. Blanchard asked about the status of Allen Road. G. Morse said that the easterly side of Allen Road is sand and gravel, while the westerly side is swamp and ledge, and the only way to repair it is to blast the rock at least three feet away from the road. They could not extend the drainage any further than it is.

M. Dowling asked whether DPW has done any snow removal on the sidewalks on Route 131. G. Morse said that they have done beyond the Town sidewalks twice.

MOTION: That the Board of Selectmen approve deficit spending for \$35,000 for Snow and Ice Purchase of Services account; \$25,000 for Snow and Ice Supplies account; and \$10,000 for Snow and Ice Overtime account, by M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

Shane Moody, Veolia Water North America, reviewed his report with the Board.

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M. Blanchard asked about the status of hydrants. S. Moody said that they are all in working condition, and they have come up with a better plan to distribute the work.

S. Moody informed the Board that the new meter program is moving forward, and 182 of the meters are in. Software and training will be completed in March. They have a goal of 600 to be in by the end of the year.

Regarding their safety record, they have 25 years with only one lost time accident; they have just celebrated 11 years in a row with no lost time accidents, and all of the employees qualified for their bonuses.

S. Suhoski said that Greg Morse and Shane Moody have put together a bullet point meter replacement program, and S. Suhoski has drafted a letter based on it.

CERT Program Update

An update on the activities of the CERT program volunteers was provided by Sgt. Kevin Mercier and Richard LaFranchise.

Sgt. Mercier informed the Board that he is in charge of the Community Emergency Response Team (CERT). He said that since the tornado in 2011 there has been a need to harness volunteers in the community, and there are currently 15-20 active members. Richard LaFranchise has a leadership and responsibility role with CERT, and developed a quarterly newsletter. The CERT group has quarterly meetings.

Sgt. Mercier said that they have in service training as follows: CPR, First Responder, Fire Suppression, Firefighter Rehabilitation, Radio Communication, Crowd and Traffic Control and Conflict of Interest training. They have a goal of getting all of their members to be NIMS compliant and ICS compliant.

Sgt. Mercier reported that there were major events with Hurricane Sandy. CERT has also been used with the Pan Mass Challenge and Old Sturbridge Village's 4th of July Fireworks, with bags being searched at the checkpoints. CERT volunteers have had a value of service of approximately \$25,000 to the Town.

Stipend Committee Report

M. Dowling did not participate in this discussion or vote of stipends for the Board of Selectmen, to avoid the appearance of conflict of interest.

Jacob Ryan, Chairman of the Stipend Study Committee, introduced the members: Vice-Chairman Don Fairbrother, Anthony Detarando, Kathy Neal, and Selectman Mary Dowling.

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This committee, established by Town Meeting, presented the Board with a proposal to reinstate stipends for various boards and committees at a total cost of \$11,000. The Committee suggested that the decision rest with Town Meeting through a special warrant article.

S. Suhoski reviewed the report and concurred with the majority recommendation to reinstate stipends in the amounts recommendation by the Committee.

MOTION: That the Board of Selectmen agree to place and support an article on the 2014 Annual Town Meeting Warrant to reinstate stipends for various boards and committees as recommended by the Stipend Study Committee, by M. Redetzke.
2nd: M. Blanchard
Vote: Three in favor; M. Dowling abstained.

Senior Municipal Service Program Applicant

The Assessor's Office has confirmed the eligibility of William Bartolomei, of Champeaux Road, to participate in the Senior Municipal Service Program and his services can be utilized at the Senior Center. He would be the 26th participant in this year's program.

NOTE: The deadline for applying for FY15 tax relief is March 31.

MOTION: That the Board of Selectmen approve the above-named applicant to participate in the Senior Municipal Service Program and to be assigned to the Council on Aging Director, by M. Redetzke.
2nd: M. Blanchard
Vote: All in favor.

Planning Board Referral Requests

S. Suhoski submitted to the Board two requests from the Planning Board relative to proposed amendments to the Town's Zoning Bylaw. Under MGL c. 40A the Board of Selectmen would take a vote to refer these back to the Planning Board for formal study and report to the Annual Town Meeting. The items were:

1. Various amendments with respect to creation of a Medical Marijuana Overlay District, and
2. Clarification of definitions with respect to public ways.

MOTION: That, in accordance with MGL c. 40A, the Board of Selectmen refer proposed zoning amendments related to creation of a medical marijuana overlay district as articulated in correspondence dated February 12, 2014 to the Planning Board for study and report to Annual Town Meeting, by M. Redetzke.
2nd: M. Blanchard

Vote: All in favor.

MOTION: That, in accordance with MGL c. 40A, the Board of Selectmen refer proposed zoning amendments related to definitions of public ways as articulated in correspondence dated February 12, 2014 to the Planning Board for study and report to Annual Town Meeting, by M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

Mass. Preservation Award Nomination – Town Hall and Center Office Building

S. Suhoski nominated the Town Hall and Center Office Building renovation project for recognition by the Mass. Historical Commission. Barbara Barry had noticed that nominations were being sought and suggested we should apply.

S. Suhoski asked Phil O'Brien of Johnson Roberts Associates to compile an application (we had previously put forward the Ayer Town Hall renovation which received a Preservation Award over ten years ago).

S. Suhoski submitted to the Board a support letter for presumptive endorsement by the Board of Selectmen. He thanked Bob Briere of the Historical Society, state Rep. Todd Smola and state Sen. Stephen Brewer for also submitting letters of support.

While the award does not bring monetary benefit, S. Suhoski was hopeful that the MHC will see the great merit of the taxpayer's investment into each of these iconic buildings.

MOTION: That the Board of Selectmen execute correspondence dated February 10, 2014, supporting a Mass. Historical Commission Preservation Award for the Town Hall and Center Office Building project, by M. Redetzke.

2nd: M. Blanchard

Vote: All in favor.

Budget Development Ongoing

S. Suhoski and the Finance Director have continued to carefully review departmental budget requests and S. Suhoski expects to finalize a FY15 proposal that is balanced and within revenue projections in the coming week.

They are making every effort to have the budget books ready for distribution on Friday, February 21st to allow a full week of review prior to the Budget Kickoff Meeting on Saturday, March 1st, beginning at 8:30 a.m.

Capital Planning and Betterment Committee

Next week S. Suhoski will poll the members of the Capital Planning and Betterment committees to establish a meeting date or dates to review the many requests for funds. He wanted to hold off on these items until there were some firm numbers and recommendations for the Library building (see below).

The Board of Selectmen has a voting seat on the Betterment Committee. The Board also designates a non-voting liaison to the Capital Planning Committee. S. Suhoski said that the designee in both cases was Selectman Redetzke last year and he will assume the same for the current year, unless otherwise directed.

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

- **Municipal Buildings:**

- ***Library (updated 2/14)*** – The Library Director, Building Inspector and S. Suhoski have finalized a capital requests for replacement of the skylight system and the gutter system on the building. These items will be referred to the Capital Planning Committee for prioritization amongst many competing department requests.
- ***Town Hall / Center Office Building (updated 1/2/14 – no change)*** – Once the budget documents are complete, S. Suhoski will follow-up on having a cost and loading estimate prepared for installation of a generator at Town Hall and Center Office Building as requested by the Board of Selectmen. He previously advised that, between the efforts of Lt. Mark Saloio, and a grant opportunity that S. Suhoski is exploring, they may gain access for up to \$12,500 towards installation of a portable generator for Town Hall. This item will stay on the report until realized.
- ***Public Safety Complex (updated 2/13)*** – CME Associates has been authorized to proceed with final design and development of bid documents for this project that was approved at the January 27th Special Town Meeting. S. Suhoski received a proposed project timeline. He requested the engineers to try and advance the schedule 14 to 30 days, if possible.

- **Infrastructure Projects:**

- ***Mountainbrook Road Betterment / Drainage Project (updated 1/17 – no change)***: The DPW Director and S. Suhoski met with four representatives of the Mountainbrook Private Road Association to review final draft plans and discuss bidding timelines. It is expected that plans will be submitted to the Conservation Commission for review and approval in February with bidding to commence thereafter. A target date of April 7th has been established to bring a bid to the Board of Selectmen for award.
- ***Champeaux Road Bridge (updated 1/23 – no change)***: This project is eligible for state Chapter 90 funds. The Board has also requested that S. Suhoski 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 completed review of preliminary plans.
- Site meeting with CME, DPW Director and MassDOT conducted on October 11th to further design development and inquire about state bridge funding.
- DPW Director completed review of 75 percent design plans. Meeting with DPW Director, Town Administrator and CME engineers held on January 2 to offer final comments. Once design approved by DPW Director it will be presented to the residents and then the Board of Selectmen. Ultimately, the project will need to be budgeted through Ch. 90 and/or other resources by approval of Board of Selectmen.
- In late January 2014, requested state legislators and area representative to support including this project in state transportation bond bill.
- Received confirmation that project was included in the House version of the transportation bond bill. This is a necessary step, but will still require Senate concurrence and release of funds from the Governor.
- Next: project estimated for January-February 2014 bid with one year construction period commencing early summer 2014 subject to availability of funds. The Town is seeking to incorporate penalties for

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slow performance and modest bonuses for early completion and avoidance of lengthy detours.

- **Other Meetings / Miscellaneous:** Other items include: S. Suhoski met with Town Planner and OSV leadership to discuss ongoing plans and future collaboration; multiple meetings with Library Director and Building Inspector re: Library capital needs; conducted preliminary interviews with candidates for Principal Assessor; met with Board of Assessors to meet potential candidates for Principal Assessor; worked with department head on personnel matter; various budget meetings with Finance Director; met with Fire Chief regarding budget; interviewed candidates for police officer positions.

OTHER ITEMS (note: S. Suhoski anticipated distribution of the snow removal notice and completion of the sewer bylaw recommendations to be closed out in the near future).

BYOB Policy

Following the Board's last discussion, S. Suhoski was asked to look into developing a policy for improved monitoring and permitting of "bring your own bottle" (BYOB) establishments.

In response to a prior inquiry to Town Counsel, Joel Bard found that the town of Winchendon regulates its BYOB establishments through a policy adopted by the Board of Selectmen, which was provided to the Board.

S. Suhoski plans to submit a proposal in advance of the next meeting that incorporates many of the facets Winchendon's policy, which is fairly comprehensive.

Correspondence

M. Redetzke read the correspondence list into the record.

Old Business

M. Blanchard said that the lights in the Finance Director's office as well as upstairs lights were on at night over the weekend. S. Suhoski said that something had been replaced before and the lights did not come on for a while; now it is happening again. He said that he was working in his office on Friday night, when suddenly the FAX machine came on and the lights in the Board of Selectmen's office came on. He will have an electrician come in to inspect.

M. Dowling said that a resident had expressed concern about Charlton water at the condominium complex in Charlton, and the resident stated that there had been dumping into the river during the 1970s at the old mill site. S. Suhoski had suggested that they follow up with Mass. DEP. M. Dowling said that the Town of Sturbridge needs to

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engage in due diligence, and engineers are conducting testing right now. S. Suhoski will pass the email on to Tighe & Bond.

M. Redetzke asked about the status of comp time. S. Suhoski said that staff is aware, and he had send them an email reminding them to adhere to the Personnel Policies rather than institutional practice in terms of comp time. He noted that there is no comp time for salaried staff. He noted that there is a policy in effect to allow for flexibility in scheduling when staff is overburdened with additional meetings or special projects. M. Redetzke requested a list of comp time hours for certain employees. S. Suhoski said that he would request it from the Finance Department.

P. Gimmas asked about the status of bringing forward the discussion regarding the Sturbridge Tourist Association. It was the consensus of the Board to take it up at the second meeting in March.

M. Redetzke asked about the water main break at the Senior Center. S. Suhoski said that a pipe had frozen, and the leak had been repaired. He said that demolition has been completed, and replacement of the wall board is underway. He and Melissa Beauchemin, Council on Aging Director, will review the status of repairs on February 25th. He noted that the repairs will be covered by insurance. M. Redetzke asked about the water charges for the building. S. Suhoski said that he will be getting an estimate, and needs to account for it to Mass. DEP.

New Business

P. Glmas asked the Board of Selectmen to allow state senator candidates a brief introduction on the March 3rd agenda. It was the consensus of the Board to think about it and discuss it again on March 3rd.

MOTION: To adjourn, by M. Blanchard.

2nd: M. Redetzke

Vote: All in favor.

Respectfully submitted.

Judy Knowles

BOS Clerk

Date