

April 7, 2014

**BOARD OF SELECTMEN
MINUTES
APRIL 7, 2014**

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

Mary Redetzke was absent due to illness.

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

Public Service Announcements

P. Gimas announced that the reporter from the Worcester Telegram & Gazette was using a recording device.

On behalf of the Board, P. Gimas extended condolences to the family of Tom Freeland, who had passed away. He had been a firefighter, a reserve police officer, and also worked in DPW.

M. Blanchard announced the Town Election on Monday, April 14, 2014 with the polls open from 7:00 a.m. to 8:00 p.m. at OSV.

M. Dowling thanked the Democratic Committee for sponsoring a brunch for Senator Brewer, who will be retiring soon. She noted that he will be missed.

Minutes

MOTION: That the Board approve the minutes of March 31, 2014 as amended, by M. Blanchard.

2nd: P. Gimas

Vote: Three in favor; M. Redetzke was absent.

State Senate Candidate Michael Valanzola

S. Suhoski informed the Board that Michael Valanzola is the first of three state senate candidates that have scheduled a brief introduction to the Board. State Rep. Anne Gobi will appear on May 5th, and candidate James Ehrhard will be present on May 19th.

Michael Valanzola introduced himself to the Board. He has been outreaching to Boards of Selectmen in the area. He said that his campaign is representative of the views of the district. He is the Chairman of the Tantasqua School Committee, and graduated from the Tantasqua school system. He will fight for regional funding for transportation.

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He said that his hope is to work together with the Board of Selectmen to support the people of Sturbridge.

P. Gimmas wished him luck in his endeavor.

Fire Dept. – Letter of Support

S. Suhoski submitted to the Board a copy of a letter signed by the membership of the Sturbridge Fire Dept. commending the Board of Selectmen and search committee on the selection of Chief Zinther and pledging continued service to the residents of Sturbridge.

MOTION: To place the letter dated March 27, 2014 from the Fire Department on file, with appreciation, by M. Blanchard.

2nd: P. Gimmas

Vote: Three in favor; M. Redetzke was absent.

Sturbridge Gas, Inc. – Wine & Malt Package Store License: Request for Change of Hours

S. Suhoski submitted to the Board a copy of the proposed Form 43 requesting a change in hours for the wine and malt package store license of Sturbridge Gas., Inc., 173 Main Street, to sell alcoholic beverages between 8:00 a.m. until 10:00 p.m. daily.

He noted that MGL c. 138, §15 allows the sale of beverages between 8:00 a.m. until 11:00 p.m. daily and until 11:30 p.m. on certain days before a legal holiday. He said that package stores cannot open before noon on Sundays.

Any holder of a license under this section shall be permitted to make sales in accordance with the terms of his license at any time between eight o'clock ante meridian and eleven o'clock post meridian, or between eight o'clock ante meridian and half past eleven o'clock post meridian on any day immediately preceding a legal holiday, except when prohibited by section thirty-three.

S. Suhoski noted that currently, the sales of wine and malt are limited to 11:00 a.m. through 10:00 p.m. daily.

MOTION: That the Board of Selectmen approve a change in hours for the wine and malt license granted under MGL c. 138, §15 to Sturbridge Gas, Inc., 173 Main Street, to allow sales of alcoholic beverages between the hours of 8:00 a.m. and 10:00 p.m. Monday through Saturday; and Noon to 10:00 p.m. on Sunday, by M. Blanchard.

2nd: P. Gimmas

Vote: Three in favor; M. Redetzke was absent.

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Resignation and Reappointment

S. Suhoski informed the Board that Firefighter/Paramedic Richard Johnson has resigned to take a position in the Holden Fire Department. As noted in Chief Zinther's memorandum, however, Mr. Johnson is willing to continue as a member of the call department which the Chief supports.

Therefore, S. Suhoski recommended a motion to accept Mr. Johnson's resignation, but to also appoint him to the position of Call Firefighter/Paramedic at an hourly rate of \$19.57 per the collective bargaining agreement.

MOTION: That the Board of Selectmen accept the resignation of Richard S. Johnson from the position of Firefighter/Paramedic, with regret, and approve his appointment as a Call Firefighter/Paramedic in the Fire Dept. at an hourly rate of \$19.57 effective April 15, 2014, by M. Blanchard.

2nd: P. Gimás

Vote: Three in favor; M. Redetzke was absent.

MassDOT Bridge Repainting Project

S. Suhoski informed the Board that the MassDOT has engaged a contractor to repaint eight bridges within Sturbridge over the summer with expected completion by the end of November. These are the bridges that carry I-84 over Haynes Street, River Road over I-84; I-84 over Main Street and I-84 over Route 20.

Because the work will require lane closures, MassDOT will undertake most work at night and utilize proper police details. S. Suhoski will share the schedule as it becomes available, but work may commence in May, and they will do postings for the community at large.

Police Dept. Accreditation Status – Updated Policies

Lt. Saloio provided copies to the Board of updated policies implemented by Chief Ford for the Police Department. Police Chief Thomas Ford provided a status update on the accreditation process to the Board. He noted that some large changes had been made, marked in red on the report.

S. Suhoski said that the policies were promulgated by the Chief, with a 30-day window; if the Board takes no action on them within 30 days, they will become policy. He noted that the department is on track for accreditation.

MOTION: That the Board of Selectmen accept the Standard Operating Procedures for the Sturbridge Police Department, by M. Blanchard.

2nd: P. Gimás

Vote: Three in favor; M. Redetzke was absent.

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Special Town Meeting Warrant

Article 39: Transfer of Funds – Sewer Dept. Pickup Truck

MOTION: To place Article 39 on the Special Town Meeting warrant for June 2, 2014, by M. Blanchard.

2nd: P. Gimas

Vote: Three in favor; M. Redetzke was absent.

Article 40: Transfer of Funds – Water Dept. Pickup Truck

MOTION: To place Article 40 on the STM warrant, by M. Blanchard.

2nd: P. Gimas

Vote: Three in favor; M. Redetzke was absent.

Article 41: Transfer of Funds – Sewer Dept. Sludge Handling

MOTION: To place Article 41 on the STM warrant, by M. Blanchard.

2nd: P. Gimas

Vote: Three in favor; M. Redetzke was absent.

Article 42: Transfer of Funds – Water Dept. Fiske Hill Booster Station

MOTION: To place Article 42 on the STM warrant, by M. Blanchard.

2nd: P. Gimas

Vote: Three in favor; M. Redetzke was absent.

Article 43: Transfer of Free Cash Mountainbrook Road Betterment Project Financing

It was the consensus of the Board to defer the vote on Article 43 to April 15, 2014.

MOTION: That the Board of Selectmen close the Special Town Meeting warrant, by M. Blanchard.

2nd: P. Gimas

Vote: Three in favor; M. Redetzke was absent.

Correspondence

P. Gimas received correspondence regarding Chapter 90 funds, \$432,812 based upon passage of the transportation bond bill.

S. Suhoski said that the Governor is supposed to issue the letter by April 1st. He noted that the state legislature was unanimous in supporting to increase the total Chapter 90 program to \$300 million. He had received a letter from the Central Mass Regional Planning Commission to honor the commitment. He felt that the Governor's letter was premature. He said that in Sturbridge the annual need to maintain roads is upwards of \$800,000 - \$900,000 per year, and the taxpayers supplement it by \$250,000. He said that the message will get to the Governor's office that it needs to be supplemented.

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7:00 p.m. – Dangerous Dog Hearing

Police Chief Thomas Ford, Sgt. Kevin Mercier and Animal Control Officer Ron Komar appeared before the Board.

S. Suhoski said that the German Shepard named “Finn” was determined to be a “dangerous dog” by a 4-0 vote of the Board of Selectmen on September 16, 2013 following a hearing related to a pair of biting incidents. Finn is owned by Christian and Linda Seguin and resides at 14 Hinman Street.

Pursuant to information contained within a packet of material dated March 6, 2014 from Police Chief Thomas Ford, there has been an additional alleged biting incident at the home of Finn that occurred on February 16, 2014.

S. Suhoski submitted to the Board background materials provided by the police department, together with copies of the hearing notice which was sent via first class and certified mail to the dog’s owners, the alleged victim and the dog’s behavioral trainer. S. Suhoski copied the guidance documents from Town Counsel for the Board’s reference.

Sgt. Mercier informed the Board that the Police Department had been notified of a dog biting incident. Katherine Seguin of New York was bitten twice on the leg and knocked to the ground by Finn, and the bite had been unprovoked. She was taken to Harrington Hospital, but stitches were not required.

Ron Komar said that the visitors (son and daughter-in-law) had knocked on the door; the son walked in, with his wife Katherine behind him. The dog jumped up and attacked Katherine, biting her on the right leg. They pulled the dog off of her.

Sgt. Mercier said that dog bite victims must be taken to the hospital. The Police Dept. was notified of the incident by Harrington Hospital.

Ron Komar said that Katherine had taken photos of her injuries, but did not provide them to the Police Department. By the time he had received the report, she had returned to New York. She contacted him, and reviewed the incident with him. Sgt. Mercier added that Harrington Hospital did not share their hospital report with the Police Department. He noted that this is the third unprovoked dog bite by Finn.

P. Gimas asked for a recommendation. Chief Ford said that the law gives several options, including having the dog muzzled and restrained. He said that the Police Department would be supportive of any actions the Board would take to prevent the dog from biting again. He expressed concern about public safety.

P. Gimas noted that the Board did not have the other side of the story of what had taken place on that day. M. Blanchard said that some of the things that the dog owners had been required to do previously had not been done. She asked for a copy of their liability

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insurance. Ron Komar said that they did not have liability insurance, as they are renters.

M. Blanchard said that she has a problem with a dog that bites unprovoked; Finn has bitten three times, and this time to a family member. P. Gimás noted that German Shepherds are a protective breed.

M. Dowling said that the recommendation of the Animal Control Officer was that the dog be euthanized, and she wanted to make that clear to the dog owner. She wanted to know whether the owner would come forward with an alternative resolution to this situation. The owner must know that the dog's life is at stake. She also suggested that the Board give the owner the opportunity to test the dog to see if it has a medical condition for which it could be treated.

M. Dowling suggested that the hearing be continued to April 15th, and noted that the Board needed to give adequate due process. She added that the owner be ordered to keep the dog quarantined to the house or impounded. Ron Komar said that the quarantine is for 10 days. He said that the dog has had a rabies shot.

The Board questioned why the dog owners were not in attendance and noted that it was unusual for dog owners to be absent in this type of hearing.

Sgt. Mercier said that in the interim, the dog will be tested and evaluated, and funds will be raised. P. Gimás said that there is a risk that the dog will be euthanized. R. Komar said that he had checked on the dog to see if it was loose. He noted that the dog is no longer in the training course. He said that the dog has no problem with other dogs, and was not aggressive toward anyone.

S. Suhoski said that the owners have a right of appeal to court if the Board takes an extreme measure. P. Gimás said that she would like to give the owners the opportunity to provide answers regarding their dog. She asked if the Animal Control Officer would deliver the letter to the owners. R. Komar suggested sending the letter via certified mail, return receipt requested. S. Suhoski said that it should go by certified mail, and a copy be hand delivered.

MOTION: That the hearing be continued to April 15, 2014 at 6:45 p.m., and that the family be notified that the previous conditions apply, and the recommendation from the Animal Control Officer is to euthanize the dog, by M. Dowling

2nd: P. Gimás

Vote: Three in favor; M. Redetzke was absent.

MOTION: That the Animal Control Officer or other police personnel continue to drive by daily over the next week (including weekends) until the hearing is held, to make sure that the dog is not loose, by M. Dowling.

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2nd: M. Blanchard

Vote: Three in favor; M. Redetzke was absent.

Board of Selectmen Discussion re: Sturbridge Tourist Association (reprinted from last week's update as discussion was deferred)

Per the Board's request, S. Suhoski submitted a pair of options with respect to future operation of the Sturbridge Tourist Association (STA) that were discussed at the March 17th meeting.

The Board requested a refined budget estimate with respect to so-called "Option B" which would fund a part-time Economic Development / Tourism Coordinator to provide support to the STA and Town to promote tourism as a key component of the Town's economic development agenda.

As stated in the initial report, after extensive review and consideration, S. Suhoski has come to the conclusion that the present composition and assumed function of the STA is not an efficient use of volunteer or financial resources.

S. Suhoski believes that the STA's mission should be to promote tourism as a core component of the Town's economic development agenda. To accomplish this, he proposed:

- I. That the STA's composition be amended to include two (2) members from the hotel/motel industry, two (2) members from restaurants or other tourist-related business and one (1) member to be a citizen-at-large. This will require a general bylaw amendment and should also include a Charter revision to reduce the number of members from seven to five (or, ideally, to remove any reference to this committee from the Town Charter), and
- II. That the STA re-focus its role to:
 - (a) be a decision-making entity for funding proposals to market and promote Sturbridge as a tourist destination under a common theme with local and regional tourist-related entities,
 - (b) fund externally-managed events (preferably quarterly by season) designed to draw regional visitors to Sturbridge, and
 - (c) support the public restrooms on Route 20 and a Visitor Information Center, and
- III. That, to support this model, the STA's annual budget allocation be broken into two parts:
 - (a) \$40,000+/- to fund a part-time "Economic Development / Tourism Coordinator" position that would promote tourism and economic development initiatives in the community and provide technical guidance and support to the STA, and

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(b) \$105,000+/- (the remainder of funds) to be administered by the STA for any of the purposes described in paragraph II above.

Economic development staff estimated at “low”, “mid” and “high” range:

Low (\$60K): \$32.84/hr @ 18 hrs/wk = 30,856 + 2500 supp/equip : **\$33,357**
Mid (\$70K): \$38.31/hr @ 18 hrs/wk = 35,996 + 2500 supp/equip : **\$38,497**
High (\$80K): \$43.79/hr @ 18 hrs/wk = 41,145 + 2500 supp/equip: **\$43,646**

S. Suhoski noted that the STA is not intended to be an implementing body. It would revert to its traditional role as an approving authority for proposals that are deemed to be beneficial to the economic tourism base in Sturbridge.

With professional guidance and support, the STA could function as intended while improving the capacity of the Town, through the Tourism Coordinator, to enhance its economic base through tourism promotion, special events and coordination of effort with other local and regional tourist-related entities including the Chamber of Commerce.

S. Suhoski felt that It would be foolhardy to ignore the importance of tourism on the economic base in Sturbridge. McCabe Associates recently found as part of its Commercial Tourist District research that the great majority of our hotel and motel visitors come from the region and beyond.

Consider that the hotel/motel and meals tax are projected at \$780,000 in general fund revenue for FY15. Absent this predominantly tourism-driven source of revenue, local property taxes would need to increase by nearly four percent to make up the difference.

The above does not account for the more substantial “multiplier effect” from these service businesses through employment, payroll being recirculated in the community and region, and patrons visiting other businesses (eg. various antique stores, candle shop, museum, movie theater, etc.).

The local population of Sturbridge is not sufficient to carry the various hotels, motels and restaurants that grace the community. We need to realize that other destinations in the region can and do “put heads in beds.”

Economic development – and tourism success – is the sum of all parts and we must engage all of the attractions from the region while providing lodging right here in Sturbridge.

S. Suhoski submitted to the Board a copy of General Bylaw Chapter 1.90 that has been marked-up with language proposed to implement the above recommendation.

Also, Section 6-2 of the Town Charter would require deletion of the Sturbridge Tourist Association from the “partial appointments” category (see following excerpt):

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Partial Appointments

Sturbridge Tourist Association	6 of 7	3 years
Personnel Classification Committee	4 of 5	3 years
Community Preservation Committee	3 of 9	3 years
Zoning Board of Appeals	2 of 7	3 years
{Amended 4-9-12 by referendum & STM 11-7-11}		

S. Suhoski said that initially he is suggesting a person with experience with economic development and grant writing, who can work with the Chamber and the STA.

M. Blanchard said that she would like to see a job description, which should go to the Personnel Committee. M. Dowling said that it should include a list of tasks and duties. P. Gimas said that she did not want it to go back to SATA. M. Dowling said that special legislation may be necessary to promote economic development, as the current legislation requires that money be used to promote tourism.

Brian Amedy, Chairman of the STA, appeared before the Board to answer any questions the Selectmen might have. He said that they are down to four members. M. Dowling suggested that he send the Board an email, and provide the Board with feedback on ideas. P. Gimas said that she will send an email after their next meeting to keep them posted.

It was the consensus of the Board to continue the discussion to 7:15 p.m. on April 15, 2014.

Annual Town Meeting Warrants

Copies of the warrants were distributed to the Board. S. Suhoski noted that there were two additional requests that the Board may wish to consider for placeholders on the Annual Town Meeting warrant:

1. An article seeking to transfer \$63,704 from free cash for the purchase of a school bus. This was discussed last week as part of the school department budgets which would be adjusted downward by a similar amount, and
2. An article seeking whether the Town wishes to accept MGL c. 59, §5 Clause 56, which would allow members of the Massachusetts national guard or military reservists who are on active duty to obtain a reduction of all or part of their real and personal property taxes for any fiscal year they are serving in a foreign country. A MassDOR bulletin was forwarded to S. Suhoski last week that outlines the above exemption. The Veterans Services Director will attend the April 15th meeting to explain the program.

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S. Suhoski requested that the Board include the above articles as placeholders for now prior to closing the warrants. An additional page 24 to be appended to the DRAFT warrant was submitted to the Board with sample language.

S. Suhoski said that wastewater operations are going out to bid, with a target date of May 16, 2014. Town Counsel is reviewing it, and the language of Articles 7 and 8 will need to be changed to generic language. M. Blanchard suggested waiting until the generic language is in place.

Article 1: Town Reports

MOTION: That the Board place and support Article 1 on the Annual Town Meeting warrant, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 2: Community Preservation Committee Report

MOTION: That the Board place and support Article 2, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 3: Community Preservation – Administration

MOTION: That the Board place and support Article 3, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 4: Community Preservation – North Cemetery

MOTION: That the Board place and support Article 4, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 5: Community Preservation – Old Burial Ground

MOTION: That the Board place and support Article 5, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 9: Sewer Project Debt

MOTION: That the Board place and support Article 9, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 10: Community Preservation Debt Service

MOTION: That the Board place and support Article 10, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 13: Betterment Committee

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MOTION: That the Board place and support Article 13, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 14: Capital Improvement Plan

MOTION: That the Board place and support Article 14, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 15: Ambulance Stabilization Fund

MOTION: That the Board place and support Article 15, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 16: Ambulance Stabilization Fund

MOTION: That the Board place and support Article 16, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 17: Water Meter Replacement Program

MOTION: That the Board place and support Article 17, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 18: OPEB Trust Fund

MOTION: That the Board place and support Article 18, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 19: Tax Rate Relief

MOTION: That the Board place Article 19, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 20: Proposed Zoning Amendment – Streets Defined

MOTION: That the Board place and support Article 20, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 21: Proposed Zoning Amendments – Medical Marijuana District

MOTION: That the Board place and support Article 21, by M. Blanchard.
2nd: P. Gimas
Vote: Three in favor; M. Redetzke was absent.

Article 22: Board and Committee Stipends

MOTION: That the Board place Article 22, by M. Blanchard.

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2nd: P. Gimas

Vote: Three in favor; M. Redetzke was absent.

Article 24: Transfer of Funds – Purchase of School Bus

MOTION: That the Board place and support Article 24, by M. Blanchard.

2nd: P. Gimas

Vote: Three in favor; M. Redetzke was absent.

MOTION: That the Board of Selectmen close the warrant for the Annual Town Meeting to be held on Monday, June 2, 2014 beginning at 7:00 p.m. at Tantasqua Regional High School auditorium, by M. Blanchard.

2nd: P. Gimas

Vote: Three in favor; M. Redetzke was absent.

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

- **Municipal Buildings:**

- ***All Buildings (updated 3/26)*** – The inspectors from Mass. Interlocal Insurance Association completed the annual review of all buildings on March 26th. Generally, a report on any concerns will issue within 30 days of the inspection.
- ***Library (updated 4/4)*** – The Capital Planning Committee included replacement of the skylight system, and sufficient funds for replacement of the gutter system, in its FY15 recommendations.
- ***Town Hall / Center Office Building (updated 3/28)*** – On March 17th, electrician Scott Southworth toured Town Hall for purposes of estimating the cost and feasibility of installing an electrical hook-up for a portable generator. Due to the layout of the utility room versus the location of the main electric service, a portable unit may not be feasible. Mr. Southworth came back on March 19th with a generation consultant to review the total load of the building. S. Suhoski anticipates receiving quotes for a portable – and permanent – generator solution in the near future. Lt. Saloio and S. Suhoski met this week to discuss two small grant programs that may assist with this endeavor.
- ***Public Safety Complex (updated 4/4)*** – Earlier this week, CME Associates provided the proposed bid documents for review by local officials to facilitate bidding and replacement of the garage floor. CME estimates receiving bids on or about May 12th with construction occurring between June 1st and August 1st.

- **Infrastructure Projects:**

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- ***Mountainbrook Road Betterment / Drainage Project (updated 4/4):*** The DPW Director is near completion of the Notice of Intent that the Conservation Commission has required. The target date for Conservation Commission approval is April 17th, after which the project can be put out to bid.
- ***Champeaux Road Bridge (updated 3/14):*** The state Senate has included the \$1.45 million authorization for funds in the transportation bond bill; matching the House language. If the project survives the final approval process the Town will need to convince the Governor's office of the importance of releasing funds. Fortunately, as outlined in the report in the FY15 budget books, there is sufficient state Chapter 90 allocations available to complete the work. The DPW Director will bring this project back before the Board of Selectmen prior to any construction.
- **Other Meetings / Miscellaneous:** Completed draft bid document for wastewater and water operations contract and forwarded same to Town Counsel for review as to form; conducted department head meeting; conducted Capital Planning Committee meeting; attended Betterment Committee meeting; met with police lieutenant and MassDOT re: bridge painting project; met with Finance Director re: budget and warrants; met with Recreation Director and resident concerning Town Common use issues.

Correspondence

M. Blanchard said that there was a letter from the Mass. Association of Conservation Commissions, announcing that Donna Grehl had completed their fundamentals course.

There was a letter from the Commonwealth of Mass., announcing a public hearing on cable rates on May 28, 2014 at 10:00 a.m. in Boston.

Old Business

There was no old business.

New Business

There was no new business.

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

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

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Judy Knowles

BOS Clerk

Date