

August 18, 2014

**BOARD OF SELECTMEN
MINUTES
AUGUST 18, 2014**

Present: Mary Blanchard, Chairman
Priscilla Gimas
Mary Dowling
Mary Redetzke
Craig Moran
Suzanne Kennedy, Interim Town Administrator

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

M. Blanchard, on behalf of the Board, introduced the new Interim Town Administrator, Suzanne Kennedy. She thanked Barbara Barry, Finance Director, for her week as Acting Town Administrator.

Public Service Announcements

M. Redetzke announced that the Joshua Hyde Library had made \$1,600 on their recent book sale.

M. Redetzke announced that she will continue to serve on the Board of Selectmen, but she has put her home on the market as her husband has accepted a job in Colorado Springs. The Board wished her good luck.

Minutes

MOTION: That the Board accept the minutes of August 4, 2014 as amended, by P. Gimas.
2nd: C. Moran
Vote: Four in favor; M. Redetzke abstained.

MOTION: That the Board accept the minutes of August 8, 2014 as submitted, by P. Gimas.
2nd: M. Redetzke
Vote: All in favor.

M. Blanchard announced that the meeting was being recorded by a reporter from the Worcester Telegram and Gazette.

Approval of Interim Town Administrator's Contract

The Board had received a copy of the Employment Agreement between Suzanne K. Kennedy and the Town of Sturbridge.

P. Gimas noted that Suzanne Kennedy had suggested adding the following wording under S.7 to protect the Town: "Provided that the Town Administrator acted within the scope of his/her duties." Attorney Joel Bard had said that it was to S. Kennedy's credit that she suggested the addition.

It was the consensus of the Board that the per diem rate was fair.

C. Moran asked whether there was a cap to the dollar figure. S. Kennedy said that the constraint was that she cannot exceed 960 hours, as per the Worcester County Pension Board. It was agreed that she would work four days per week.

MOTION: That the Board of Selectmen vote to ratify the Employment Agreement between Suzanne K. Kennedy and the Town of Sturbridge as amended, with an effective date of employment of August 18, 2014, by M. Redetzke.

2nd: P. Gimas

Vote: All in favor.

Correspondence

M. Dowling read the correspondence list into the record. M. Blanchard requested that J. Knowles make copies of the August 10th letter regarding participation in the reenactment of the Worcester Revolution of 1774 for the Town staff and Selectmen.

Public Hearing: Sturbridge Seafood Alteration of Licensed Premises

The Board had received copies of the application of Sturbridge Seafood Company, LLC, 376B Main Street, for an alteration of their licensed premises. A representative of Sturbridge Seafood appeared before the Board. The proposal would expand the seating in the dining area to the left of the entrance (approximately 500 sq. ft.) and the private dining and function room upstairs.

C. Moran noted that there was no input from the Building Inspector nor the Fire Inspector. M. Blanchard said that the proposed changes would have to go before the Planning Board; there would be parking issues and site plan issues.

The representative said that he had talked to Jean Bubon, Town Planner, about parking. They share a parking lot with Yankee Spirits.

M. Blanchard said that they would need to go through the necessary process to get approval of the upstairs expansion. C. Moran raised the issue of handicapped accessibility. P. Gimas asked about Fire Dept. inspection.

It was the consensus of the Board to delete the upstairs part from the application. M. Dowling suggested changing it to reflect that the license would only extend to the area located on the first floor of the building.

MOTION: To close the public hearing, by P. Gimas.

2nd: M. Redetzke

Vote: All in favor.

MOTION: That the Board approve the alteration of premises proposed by Sturbridge Seafood Company, LLC, 376B Main Street, but only to extend to the area located on the first floor of the building, approximately 500 sq. ft., by P. Gimas.

2nd: C. Moran

Vote: All in favor.

Henry Hope – Discussion re. Police Department

Henry and Lynnanne Hope appeared before the Board to discuss their experiences with the Sturbridge Police Department. They had sent the Board a letter on August 7th requesting to meet with the Board.

M. Blanchard said that if Mr. and Mrs. Hope have a specific complaint against any personnel in Town, it should be brought before the Town Administrator to investigate.

Henry Hope informed the Board that at 365 Main Street (his residence), the posted speed limit is 30 mph, but there are vehicles that go through the area at accelerated speeds, and the noise they generate is alarming to him and reverberates through his body. He has brought this to the attention of local law enforcement. Chief Ford told Mr. Hope that he would not respond to any more of his noise complaints.

Henry Hope said that he had been brought to Dudley Court for harassment of the Police Department and for filing false reports. He had invited many officers to his home to listen to his recordings. He has been threatened with litigation by Chief Ford.

Henry Hope said that his civil rights have been violated. M. Blanchard suggested that he file a complaint with the Town Administrator, Suzanne Kennedy. She noted that Mr. Hope has made over 50 complaint calls to the Police Department, many of them unfounded. She said that the Board will have Chief Ford come in to address them. She explained that the Board of Selectmen cannot go any further with this.

Henry Hope was upset with Chief Ford for using his proper name, which Mr. Hope felt was insulting to him. M. Blanchard asked Mr. Hope to stop, and said that a Selectmen's meeting was not the place to air his complaints against the Police Chief. She informed him that he has the right to file a formal complaint with the Town Administrator.

Department Head Reports

Shane Moody, Veolia Water North America, reviewed his reports with the Board. He said that Veolia appreciates the new contract, and he is glad to still work for the Town.

M. Dowling said that given the water ban from 9:00 a.m. to 5:00 p.m., she has received inquiries about how long it will remain in effect. S. Moody said that it would probably last until October 1st.

C. Moran asked if there was a way to tell how many gallons have been pumped in a quarter. S. Moody said that they have a huge data base, which could provide how much is billed for. He noted that at the end of the year he has to produce a form for unaccounted water. He said that he would email the form and spreadsheet to C. Moran. Greg Morse, DPW Director, said that there isn't a meter on everything. He noted that they monitor and write down how many tanks are there and keep track of them.

C. Moran said that the Town of Medway found 100,000 gallons/day unaccounted for. S. Moody said that if that were to happen in Sturbridge, it would be due to either himself or his operators being irresponsible. He did not see that happening here. He said that looking at what is being pumped vs. what is being billed will not provide the whole story. He noted that the meters are efficient.

S. Kennedy said that in Medway there was an issue with illicit connections. She asked S. Moody to provide the Board with an end of year analysis with the variables so that they can understand how Veolia gets to the bottom line. She requested a summary of the data. S. Moody said that he would be happy to meet with any member of the Board to explain the spreadsheets.

Greg Morse reviewed his reports with the Board, including a bi-annual Man Day report.

C. Moran asked about the status of the Champeaux Road bridge, and noted that money had been appropriated for the bridge in a transportation bond bill. S. Kennedy said that she had read that in one of S. Suhoski's reports. She noted that the issue is whether the bond bill will be released; the governor will be leaving office within the next few months and likely will not take action on that bond bill. She said that hopefully the new governor will act favorably. She said that it could take a couple of years. M. Blanchard said that S. Suhoski had advocated the bond bill, and now it is up to the governor to release it. S. Kennedy said that she would contact Senator Brewer's office about it.

G. Morse said that everything is done, but they need to get Conservation's comments and put them into the final draft of the plan and then go to bid.

M. Blanchard asked whether the road program had been done. G. Morse said that the information needs to be compiled.

M. Blanchard asked for a synopsis of the Mass. DOT Bridge Inspection Report for Hobbs Brook. G. Morse said that it is near Hall Road, and is a state structure, not a Town of Sturbridge structure.

S. Kennedy asked whether the Board had approved the contract for the Mountainbrook project. P. Gimas said that the Board had approved it. S. Kennedy asked about the status of the performance bond and the other bond, plus the notice to proceed. G. Morse said that he had it in draft form from CME. S. Kennedy said that she would meet with G. Morse this week to discuss it.

Glenn Colburn, Conservation Agent, reviewed his report with the Board.

M. Dowling noted that the Tantasqua interns had done a tremendous amount of work on the conservation restrictions for conservation land at the Heins Farm, Shepard parcel, Riverlands and Long Pond, including draft conservation restrictions for the parcels. She asked what Attorney Robert Levite's responsibilities had been regarding the conservation restrictions. G. Colburn said that it had been his understanding that Atty. Levite was contracted to do the whole job on the conservation restrictions, but after time went by, Atty. Levite told him that he was waiting for him to compile information for the documents. G. Colburn did the GIS mapping, etc. Atty. Levite thought that he was only going to write the conservation restriction itself.

G. Colburn said that Opacum Land Trust will take all of the conservation restrictions. Atty. Levite sent draft conservation restrictions to the state for review and is waiting to hear back. G. Colburn did not have copies of them.

M. Dowling said that the contract that had been drafted with Atty. Levite was drafted very broadly as to what his duties were; it should have been more specific. She requested a copy of the conservation restrictions. She said that if there are any inconsistencies in the conservation restrictions, G. Colburn needs to see them as well, as he had provided the information contained in them. M. Dowling stated that it was her opinion that the draft of the conservation restrictions sent to the state should be shared with the Conservation Agent.

G. Colburn expressed concern about the conservation restrictions, since he had not been able to review them, and each one has different prohibited activities and uses.

M. Redetzke said that she had sent an email to Atty. Levite, but did not hear back from him. M. Blanchard asked the Town Administrator to look into it. M. Redetzke stated that it was her understanding that the Conservation Agent was to assist Attorney Levite by gathering the information that the Town has about each parcel purchased.

Ratification of Memorandum of Agreement – Town of Sturbridge and Teamsters Local #170 Firefighters

P. Gimas said that having a firefighter working 24 hours straight would not be in the best interest of the community at this time. She said that she had requested empirical data to support that 90 percent of the United States has 24 hour firefighters, as stated by Fire Chief David Zinther during executive session. She has not yet received the data, and again requested it through the Town Administrator.

M. Redetzke said that she would not support the 24 hour shift/48 hour work week because the data had not been provided.

M. Blanchard said that she was not convinced that the 48 hour work week would reduce overtime costs to the Town, but said that she would be willing to give it a chance.

C. Moran felt that the Selectmen should not try to micromanage the Fire Department, and should allow the Fire Chief to run his department. He noted that since the Fire Chief arrived in Sturbridge, he has not had the benefit of a full complement of men, so has had to constantly been jockeying schedules. He added that the Fire Chief has to keep using his overtime account to backfill the shifts because the contract says that the shifts are to be filled with full-time employees first. M. Blanchard objected to the statement that the Board has been micromanaging the Fire Department.

MOTION: That the Board of Selectmen vote to ratify the Memorandum of Agreement between the Town of Sturbridge and Teamsters Local #170 Firefighters for changes to the July 1, 2012 through June 30, 2015 Collective Bargaining Agreement. Changes of this Memorandum of Agreement to become effective as of August 12, 2014, the date of execution of the agreement, by M. Dowling.

2nd: C. Moran

Vote: M. Blanchard, M. Dowling and C. Moran in favor; M. Redetzke and P. Gimas opposed.

Acceptance of Retirement Letter from David Travinski

MOTION: That the Board accept the resignation of David Travinski from the position of DPW Operations Manager, with regret, by P. Gimas.

2nd: M. Redetzke

Vote: All in favor.

Letters of Resignation

MOTION: That the Board accept the resignation of William Chamberland from the position of Firefighter/EMT, effective September 1, 2014, with regret, by P. Gimas.

2nd: M. Redetzke

Vote: All in favor.

MOTION: That the Board accept the resignation of Thomas Chamberland from the position of Firefighter/EMT, effective August 31, 2014, with regret, by P. Gimas.

2nd: M. Redetzke

Vote: All in favor.

MOTION: That the Board accept the resignation of Russell Chamberland from the position of Firefighter/EMT, effective August 14, 2014, with regret, by P. Gimas.

2nd: M. Redetzke

Vote: All in favor.

M. Blanchard noted that each of them has over 40 years of dedication to this town, and they have given selflessly many years to the Town of Sturbridge.

Old Business

P. Gimas said that the Board had talked about asking the Cable Advisory Committee to meet with the Board to discuss Charter Communications. M. Blanchard said that Comcast has been going around town to get support. Don Fairbrother said that Charter's contract will expire in March 2015. He said that the Cable Advisory Committee is putting together the survey results and will meet with the Board of Selectmen in September with those results.

M. Blanchard noted that Charter has the infrastructure, so another company would have to buy that infrastructure, or install their own infrastructure.

C. Moran said that no one takes the cable company to task. He suggested that they be held to a higher standard, and that a contract be written to hold them accountable for their actions. S. Kennedy recommended hiring an attorney to help with this, one who has background with cable contracts. M. Dowling said that it is beyond the realm of general counsel.

M. Dowling said that at the beginning of last August, the formal agreement with Blue Wave was signed. She hoped that the Board would have the benefit of reading the terms and conditions of the state's agreement with Blue Wave. S. Suhoski had indicated that it was coming, but the Board still has not seen it. S. Kennedy said that she would look into it.

New Business

M. Blanchard informed the Board that there was a request for a proclamation for Eagle Scout Brayden Burdick. She read the proclamation into the record.

MOTION: That the Board sign the proclamation for Eagle Scout Brayden Burdick, by P. Gimas.

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

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

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date