

November 17, 2014

**BOARD OF SELECTMEN
MINUTES
NOVEMBER 17, 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.

Public Service Announcements

M. Redetzke announced her resignation from the Board of Selectmen, effective November 28, 2014, as she is relocating out of state. She said that it has been a challenge and a pleasure serving the community of Sturbridge. The Board thanked her for her services.

M. Blanchard said that from November 15th to April 1st a winter parking ban will be in effect in Sturbridge during and following snow storms.

M. Blanchard announced that the Tree Lighting Ceremony will be held on November 28th at 6:00 p.m. at the Town Common. Everyone who donates nonperishable items for the local Food Pantry or a new unwrapped toy for the Toys for Tots Program will be entered into a Holiday Raffle.

Minutes

MOTION: To accept the minutes of July 28, 2014 as submitted, by M. Redetzke.
2nd: C. Moran
Vote: All in favor.

MOTION: To accept the minutes of July 21, 2014, by P. Gimas.
2nd: M. Redetzke
Vote: Three in favor; C. Moran and M. Dowling abstained.

MOTION: To accept the minutes of October 20, 2014 as amended, by P. Gimas.
2nd: M. Redetzke
Vote: All in favor.

MOTION: To approve the minutes of November 3, 2014, by P. Gimas.
2nd: M. Redetzke

Vote: Four in favor; M. Blanchard abstained.

MOTION: To approve the minutes of November 10, 2014, by P. Gimas.

2nd: C. Moran

Vote: Four in favor; M. Redetzke abstained.

Continuation of Pole Hearing on Picker Road

Steve Soucy and another representative of National Grid appeared before the Board. National Grid petitioned the Board to install one (1) SO pole and anchor at the intersection of Picker and Charlton Roads. NGRID maintains it needs to install a new pole "10-50" twenty (20) feet northeast of existing pole "10" and will also install an anchor with an eight (8) foot lead length for pole "10-50." NGRID has asserted that the new pole must be installed because Verizon will not generate an account from this installation.

S. Kennedy informed the Board that a site visit was held on November 10th at 9:00 a.m. Attendees included NGRID representative Steve Soucy, Selectman Craig Moran, DPW Director Greg Morse and Interim Town Administrator Suzanne Kennedy. During the site visit it was noted that MassDOT has installed a pole in the Town right-of-way. At present, it is unknown if MassDOT petitioned the Town for permission to install this pole. During the site visit, C. Moran called MassDOT to determine if the Department could intercede on the Town's behalf to cause Verizon to participate. Mr. Moran was informed late Friday afternoon by Steve Roberts, MASS DOT Operations Foreman for District Three (Worcester), that the site engineer in charge if this project will be in contact with the Town with further updates next week. S. Soucy and G. Morse will attend the meeting to further discuss the matter.

S. Soucy said that he had changed the design of the pole location, and changed the petition letter to read: National Grid to install 1 SO Pole beginning at a point approximately 1240 feet North of the centerline of the intersection of Picker Road and Charlton Road and continuing approximately 75 feet in a Northerly direction. National Grid to install new pole 9-50 at a location which is 75 feet North of Pole 9, and 60 feet South of Pole 10. National Grid needs to install the pole for a new commercial service on the Massachusetts Turnpike. S. Soucy noted that the pole will be between the two existing poles, and no anchor will be necessary.

Greg Morse, DPW Director, appeared before the Board. He said that he liked this location better than the original one, as it gets rid of the encroachment at the end of the road. He noted that a trench will be needed.

S. Soucy explained that MassDOT will be served from the last pole (10), and there will be an underground wire from pole 10.

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

2nd: M. Redetzke

Vote: All in favor.

MOTION: To approve the petition for a pole and wire location No. 16260700 dated November 17, 2014 by NGRID as it pertains to pole 9-50 to install a pole on Picker Road, by C. Moran.

2nd: P. Gimas

Vote: All in favor.

Public Hearings for Logging Permits for 140 and 148 Fiske Hill Road

M. Dowling read the legal ad into the record. Anthony Grossi of Grossi Forest Products appeared before the Board. He explained that John Clark is the forester who works for him.

John Clark requested approval of a logging permit for 46 acres of land on 140 Fiske Hill Road, owned by Allworth, LLC. Anthony Grossi petitioned for a logging permit for a selective harvest on 7.2 acres of land at 148 Fiske Hill Road owned by Kevin Smith and Luellen Guenther-Smith. All filings have been submitted:

- Forest Cutting Plan
- Forest Cutting Certificate
- Sketch Plan of site with location of trees
- Abutters List

DPW Director Greg Morse expressed concerns that based upon pending Phase III paving of Fiske Hill Road, hauling over new pavement would be detrimental, and recommended that this matter be scheduled following frost season. He further recommended a \$5,000 road bond be submitted to the Town prior to the commencement of work.

S. Kennedy noted that Conservation Commissioner Joe Kowalski, Conservation Agent Glenn Colburn and State Forester Kate Marquis had walked the Allworth property (#140) and found that the cutting plan properly addressed wetlands issues in the harvest area; and further, the Conservation Commission recommended approval at its regularly scheduled meeting on October 2, 2014.

A. Grossi said that logging operations would take place during the colder months of January through the end of March. He said that there will be an area of gravel access, and there is no landing on McGilpin Road.

Daniel Kowal, 128 Fiske Hill Road, noticed that pink ribbons have been attached to trees. A. Grossi said that they are the boundary markers. D. Kowal asked whether the harvesting would be visible from his property. A. Grossi said that behind the stone wall there would not be much cutting, just along a strip that runs along the properties.

Carol Hanson, 126 Fiske Hill Road, expressed concern about the patch of land that abuts the road, and how the area will be left. She noted that the cutting that had been done at the junction of Union, CT, Sturbridge and Holland left that area looking very bad. M. Blanchard said that the cutting at the junction had been for development, and explained that this will be a selective harvesting, not a clear cutting. C. Hanson requested that a bond be required so that there will be funds available to restore any damage.

John Hanson, owner of property in Southbridge, wanted to know what would happen to the landing between the Smith property and the pond after the cutting has been completed. A. Grossi said that it would be seeded. M. Blanchard noted that the Conservation Commission had given their approval for it. M. Dowling added that the Conservation Commission had said that the wetlands were adequately addressed.

A. Grossi said that only trees 14" in diameter and greater will be cut, and it will open up the canopy to allow sunlight in, which will stimulate growth. About 40% of the basal area will be removed. He has an agreement with the state, and everything has been addressed in the cutting plan.

Ed Goodwin, 19 Orchard Road, said that there will be more and more logging applications as the price of timber is increasing. He noted that his son Brad Goodwin and others had not been notified of the Conservation Commission hearing. M. Blanchard said that this has nothing to do with A. Grossi's application, and A. Grossi has done everything that the state requires.

M. Dowling suggested that the Board discuss abutter notification requirements at a future meeting. Ed Goodwin said that it should be clarified for residents. M. Blanchard agreed that there needs to be dialogue on state and town laws.

Brian Sommer, 3 Summit Ridge, asked about the impact on his back yard, and the wetlands. A. Grossi offered to give him a copy of the cutting plan. B. Sommer asked if it would be possible to get references on the logging company. M. Blanchard noted that A. Grossi is a licensed harvester. She said that if a logger doesn't abide by the conditions set by the Board of Selectmen, the permit could be pulled.

Carol Hanson said that the state mandates selective harvesting, and asked about imposing a bond to make sure that everything is done as promised. A. Grossi said that the cutting plan has been approved by the Conservation Commission and the state forester.

Linda Cocalis, 110 McGilpin Road, pointed out some ambiguity in the bylaw regarding abutter notification, and requested that the Board hold the matter in abeyance until all abutters have been notified. M. Blanchard said that all of the people on the list of abutters had been notified by certified mail, and the proper procedure had been followed. L. Cocalis said that the agenda did not indicate that this was a public hearing. M. Blanchard said that a legal notice had been advertised in the newspaper.

Brad Goodwin said that he had not received any notification. M. Blanchard noted that he was not within the 200 feet boundary for notification. She noted that he could contact A. Grossi at any time if he has any questions.

MOTION: To continue the public hearing for the logging permit for 140 Fiske Hill Road to December 1, 2014 at 6:45 p.m., by P. Gimas.

2nd: M. Dowling

Vote: Four in favor; M. Blanchard opposed.

P. Gimas asked S. Kennedy to make sure that all abutters within 200 feet have been notified, and the agenda should state that it is a public hearing.

M. Dowling read the legal ad for 148 Fiske Hill Road into the record.

With reference to 148 Fiske Hill Road, S. Kennedy informed the Board that J. Kowalski and G. Colburn walked the Smith property, presented their findings to the Conservation Commission and the Commission approved the plan at their October 2, 2014 meeting.

MOTION: To continue the public hearing for the logging permit for 148 Fiske Hill Road to December 1, 2014 at 6:50 p.m., by P. Gimas.

2nd: M. Redetzke

Vote: All in favor.

P. Gimas said that the abutter list should be checked, and the agenda should state that it is a public hearing. The other Board members agreed.

Cable TV License Renewal Proceeding

M. Blanchard noted that this was not listed as a public hearing on the agenda. Attorney Bill August said that it would be cost effective to have the comments and presentation of the report entered into the record, and if there are questions at the hearing they could be taken under advisement. M. Blanchard noted that everyone involved should be present at the same time. S. Kennedy said that the public hearing notices must be advertised twice, for two successive weeks. She asked about the timing for the advertisements. B. August said that it should be published in the newspaper on December 1st and December 8th.

It was the consensus of the Board to hold a public cable license renewal ascertainment hearing on December 15, 2014 concerning the Sturbridge Charter cable television license renewal process and the Charter cable license due to expire on April 26, 2015. This proceeding is held pursuant to federal law 47 USC 546 to ascertain cable-related needs and interests as part of the license renewal process.

Under Federal law the decision to deny or renew Charter's license resides with the Board of Selectmen, and, as such, the Board serves as the Franchising/Issuing

Authority. Mr. John Clancy, Cable Advisory Chairman prepared a presentation for the Board, (to be presented on December 15th) which provides for:

- Cable survey results
- Projected 2015-2024 operational expenses
- Proposed staff changes
- Proposed capital improvements
- Contract changes

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

Appointment of Open Mechanic Position

DPW Director Greg Morse recently completed the application process for the open mechanic position. After reviewing five (5) applications and conducting two interviews, he recommended Mr. Benjamin Burlingame for this position. Mr. Burlingame has both a CDL license and a hydraulic license, but does not have an Air Brake Maintenance and Repair Certificate.

Mr. Morse has in the past hired four (4) employees without this endorsement, all of whom successfully attained the certification after having been hired by the DPW.

MOTION: That the Board approve the appointment of Benjamin Burlingame at an hourly rate of \$21.16 contingent upon obtaining an Air Brake Maintenance and Repair Certificate within one year of employment with the DPW, by M. Dowling.

2nd: P. Gimas

Vote: All in favor.

Department Head Reports

Copies of all reports were included in the Board's agenda material for their review and consideration.

Police Chief Thomas Ford thanked all of his staff at the Police Department for continuing to provide services during his recent absence; then he went on to thank each member of the Board of Selectmen, department heads and town employees for their support, thoughtfulness, generosity and well wishes. He also thanked business owners and members of the community. He is back at work full time. He then reviewed his report with the Board.

Fire Chief David Zinther reviewed his report with the Board. He said that as the heating season begins, people who have wood burning stoves should be aware that when discarding ashes, they should do so in a mulch container placed at least 15 feet away from anything combustible.

Chief Zinther informed the Board that firefighter Eric Riendeau returned to full duty on November 5th.

Shane Moody, Veolia Water North America, reviewed his report with the Board. He said that regarding the Water Meter Program, 620 units have been installed to date. Over 800 units will be installed when finished. Hydrant flushing has been completed. He said that any time a hydrant is used, Veolia must be notified. C. Moran asked S. Moody to explain what is being pumped vs. what is being billed. S. Moody said that they follow the state formula, and are within the guidelines. They check how much water is being used every day. M. Blanchard suggested that C. Moran meet with S. Moody to review the year-end report.

S. Kennedy noted that S. Moody had mentioned state regulations, and asked whether there is a state recommended tolerance. S. Moody said that it is 10%; last year they closed at 5%. S. Kennedy noted that this is better than what the state recommends, and the usage is down from what it was in the past.

Discussion of Ambulance Rates

Barbara Barry, Finance Director, and Fire Chief David Zinther appeared before the Board. This matter was initially presented to the Board October 20, 2014. Copies of the previously submitted rate proposals were included in the Board's agenda material.

Chief Zinther said that he and B. Barry had prepared a recommendation based on their findings. He said that because of this large increase and impact on the patient, the Town of Sturbridge does not send an ambulance bill to the customer; the Town bills the insurance companies, who then inform the Town how much is going to be reimbursed. The Town does not balance bill the customers, nor does it serve as a collection agency.

B. Barry said that there are very few people who have no insurance, as in Massachusetts we are all responsible for having health insurance. She said that Chief Zinther had recommended an extrication charge, as a result of a collection loss typically covered under car insurance. She said that currently the Town charges an intercept charge of \$150, while other communities charge \$250.

MOTION: That the Board accept the intercept rate of \$250 as presented and recommended by the Fire Chief and Finance Director, by M.

Dowling.j

2nd: M. Redetzke

Vote: All in favor.

MOTION: That the Board accept the recommendation of the Fire Chief and Finance Director to increase the BLS rate from \$500 to \$575; the ALS1 rate from \$700 to \$805; the ALS2 rate from \$750 to \$863; and to impose a \$100 extra person fee, with the understanding that it will

not likely increase; these rates will be effective as of December 1, 2014; and the Board will revisit the rates beginning July 1, 2015, by M. Dowling.

2nd: P. Gimas

Vote: All in favor.

Regarding the extrication fee, M. Blanchard noted that it is not health insurance related; it is car insurance related.

MOTION: That the Board revisit the matter in six months, by P. Gimas.

2nd: M. Redetzke

Vote: All in favor.

Change in Hours on Package Store Liquor Licenses for Fred's Variety & Package Store and Sturbridge Gas

Fred's Variety and Package Store and Sturbridge Gas requested a change in hours on **Sundays** from Noon-11:00 p.m. **TO** 10:00 a.m. -11:00 p.m.; and from 11:00 a.m. - 10:00 p.m. **TO** 10:00 a.m. - 10:00 p.m. respectively.

MOTION: That the Board approve the requested change of hours on Sundays for Fred's Variety and Package Store from Noon -11:00 p.m. **TO** 10:00 a.m. - 11:00 p.m., by C. Moran.

2nd: M. Dowling

Vote: Four in favor; P. Gimas abstained for religious reasons.

MOTION: That the Board approve the requested change of hours on Sundays for Sturbridge Gas from 11:00 a.m. - 10:00 p.m. **TO** 10:00 a.m. - 10:00 p.m., by C. Moran.

2nd: M. Dowling

Vote: Four in favor; P. Gimas abstained for religious reasons.

Resignation of Barbara Kalber

Ms. Barbara Kalber submitted her resignation as Community Resource Coordinator for the Sturbridge Council on Aging, effective January 31, 2015.

MOTION: That the Board accept the resignation of Barbara Kalber with regret, by P. Gimas.

2nd: M. Redetzke

Vote: All in favor.

Change in Location for Billycars, LLC from 29 Main Street to 2 Main Street

Eric Cassim appeared before the Board. Mr. Bill Cassim requested a change in location from 29 Main Street as a result of this space having been recently sold. 2 Main Street,

currently licensed as a Class 2/used car operation, is owned by his brother, Eric Cassim from whom he intends to rent space for the purpose of reconditioning automobiles. Mr. Eric Cassim's Class 2 license provides for a maximum of twenty automobiles to be stored on the premises and, both Cassims have agreed that no more than five reconditioned automobiles will be stored at 2 Main Street, and that total storage will not exceed twenty automobiles at any time.

Eric Cassim explained that his brother Bill Cassim is an auto wholesaler, and sells cars at auction in Boston.

C. Moran stated that there cannot be two companies located at the same location without separate facilities. He noted that Billycars is a registered LLC in Wilmington, Massachusetts. He suggested that Bill Cassim get a dealer license in Wilmington. E. Cassim said that B. Cassim would have an in-house office.

M. Dowling suggested that both parties (Eric and Bill Cassim) be present to discuss the matter. It was the consensus of the Board that more information should be provided.

Disposition of Surplus Equipment

A copy of Town equipment slated for auction was submitted to the Board. The equipment list has been developed by various department heads, all of whom have determined that the equipment is no longer useful.

MOTION: That the Board approve the list of surplus equipment as presented, and authorize the DPW and Finance Directors to conduct an auction to dispose of the equipment, by M. Dowling.

2nd: P. Gimás

Vote: All in favor.

Town Administrator's Update

- **Library Gutter Replacement Project**

S. Kennedy said that the bids had been opened, and the lowest was \$34,000. She said that the engineering architect had done the design without seeking authorization to do so, and sent her a contract for \$2,400. She suggested having both contractors meet with the Board on December 1st. She stressed the need for an AIA contract.

- **Purchase of Electricity**

S. Kennedy noted that the Board had approved the contract with Beacon Integrated Systems, and they need a copy of the contract signed that day.

- **Special Town Meeting**

S. Kennedy informed the Board that she had spoken with the Moderator and the Town Clerk about language that needs to be appended regarding what should be done in the event of inclement weather.

MOTION: That the Board set the Special Town Meeting date for January 26, 2015 at 7:00 p.m. at Tantasqua High School Auditorium, by M. Dowling.
2nd: P. Gimas
Vote: All in favor.

MOTION: That the Board open the warrant for the Special Town Meeting effective tonight, by M. Dowling.
2nd: M. Redetzke
Vote: All in favor.

S. Kennedy said that in the event of a winter storm, the Board will move to continue the Special Town Meeting to another date and time. The Moderator believes it is up to the Town Meeting attendees to request it. M. Dowling said that somebody still has to go to the Town Meeting, then the attendees will decide.

MOTION: So moved, by C. Moran.
2nd: M. Blanchard
Vote: All in favor.

Correspondence

M. Dowling read the correspondence list into the record.

P. Gimas and C. Moran offered to attend the Conservation Commission meeting.

M. Blanchard had received a letter indicating that fluoridation in the water is bad.

Old Business

M. Redetzke requested clarification regarding when they would stop work (on the logging permit for Streeter Road) as to whether it was to be at sundown or dusk. S. Kennedy said that it was to be at sunset.

M. Blanchard informed the Board that there was a Board of Health grant that needed to be signed, and that the Town Administrator could sign it.

MOTION: To have S. Kennedy sign the grant, by P. Gimas.
2nd: M. Redetzke
Vote: Four in favor; C. Moran abstained.

November 17, 2014

M. Blanchard asked whether it was necessary to have “No Hunting” signs posted at the Riverlands property. M. Dowling suggested scheduling a discussion on the Riverlands. She said that the current Board and the prior Board were the ones that moved to bring this into compliance.

New Business

There was no new business from the Board.

S. Kennedy said that she had received an email that Governor Patrick is proposing 9C cuts in the amount of \$325 million. He will attempt to make those cuts within the executive offices.

P. Gimas thanked M. Redetzke for her service to the community and wished her good luck in Colorado.

MOTION: To adjourn, by P. Gimas.
2nd: C. Moran
Vote: All in favor.

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date