

January 20, 2015

**BOARD OF SELECTMEN  
MINUTES  
JANUARY 20, 2015**

Present: Mary Blanchard, Chairman  
Priscilla Gimas  
Mary Dowling  
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 announced that it has been decided by the Board to forego the executive session regarding Sunset City and to wait until the process is further along before having the session. She encouraged residents to continue to send emails, and they will be kept confidential.

**Public Service Announcements**

M. Blanchard announced that the Special Town Meeting will be held on Monday, January 26<sup>th</sup> at 7:00 p.m. at Tantasqua High School Auditorium.

M. Blanchard announced that Finance Director Barbara Barry is accepting applications for assistance in paying real estate tax bills; there is a deadline of February 15, 2015.

**Request for Common Victualler and Live Entertainment Licenses: Concord Brewery Inc. d/b/a Rapsallion**

S. Kennedy informed the Board that Live Entertainment and Common Victualler licenses were requested by Concord Brewery Inc. d/b/a Rapsallion. This establishment currently has a Farmer Brewery Malt Pouring Liquor License. While the firm has not yet secured a Business Certificate, it will now operate what was formerly known as Pioneer Brewing Company, which had both a General on Premises Malt Liquor and a Live Entertainment License. The matter was reviewed with Town Counsel and the premises have been inspected by the Building Inspector. A Common Victualler License is issued under Mass General Law Chapter 140 Section 2, while the Live Entertainment license is issued under Chapter 140, §183A for establishments that serve food and/or alcohol.

The Building Inspector confirmed that Pioneer Brewing is no longer conducting business at the site.

P. Gimas noted that there had been problems at that site, and asked whether they had been resolved. S. Kennedy said that the septic issues have been repaired. P. Gimas said that the Board has not received any documentation regarding that.

**MOTION:** That the request by Rapscaillon for a Common Victualler License and Live Entertainment License be put on hold until the Board receives paperwork that the septic issues have been cleared with the Board of Health, by P. Gimas.

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

**Vote:** All in favor.

S. Kennedy said that her understanding is that they are incorporated and may not be required to hold a business certificate.

### **Minutes**

**MOTION:** To approve the minutes of November 17, 2014 as amended, by P. Gimas.

**2<sup>nd</sup>:** C. Moran

**Vote:** All in favor.

**MOTION:** To approve the minutes of December 1, 2014 as amended, by P. Gimas.

**2<sup>nd</sup>:** C. Moran

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

**MOTION:** To approve the minutes of January 5, 2015 as amended, by P. Gimas.

**2<sup>nd</sup>:** C. Moran

**Vote:** All in favor.

### **Department Head Report: Nelson Burlingame, Building Inspector**

Nelson Burlingame, Building Inspector, reviewed his report with the Board. He said that all of the 110 inspections have been completed.

N. Burlingame said that there was water damage of the steel beams in the locker rooms at Tantasqua High School.

N. Burlingame said that he had inspected the Hyland Orchards site at Arnold Road, and noticed that there are new handicapped accessible rest rooms, a new ramp and rails and a new septic system.

### **Contract Amendment for Blue Wave Capital, LLC**

Blue Wave Capital, LLC requested an amendment to the August 5, 2013 Power Purchase Agreement (PPA) reflecting a change in system size, equipment and expected system output. The initial contract provided for a solar system size of 1,900 kW, while the amendment calls for a reduction to 1,100 kW based upon the following reasons:

- Site constraints identified during the project's development – specifically, during permitting and interconnection due diligence – led to a reduction in the system's size.
- Per the impact study with the utility company, the project would not have been viable, given the cost to interconnect the project at its original size. Subsequent changes to the system's interconnection approach and design reduced interconnection costs by more than \$900,000 and created a path to project viability.

S. Kennedy said that Blue Wave was planning to make additional adjustments to their contract, and recommended postponement of the discussion until it has been reviewed by Town Counsel.

### **Presentation/Discussion of Net Metering Opportunities: Beth Greenblatt**

Beth Greenblatt appeared before the Board.

The Town had recently entered into an Owner's Agent Technical Support Grant with Beacon Integrated Solutions (Beacon) to seek competitive proposals from qualified solar energy projects in the Commonwealth for the purchase of net metering credits to reduce overall electricity costs to the Town. Beacon has evaluated several offers to sell the Town net metering credits and is recommending NextSun Energy as the most advantageous offer for Sturbridge.

The NextSun Energy project is to be constructed on the Town of Shirley capped landfill. Construction is expected to start by the end of the first quarter and NextSun Energy will be working toward project completion by mid-summer 2015. Key milestones of the NextSun Energy project on the Town of Shirley capped landfill is as follows:

1. Land lease with the Town of Shirley has been secured.
2. MA DEP post-closure permit filed, under review and is expected to be issued by the end of March 2015.
3. Town non-ministerial permits have been filed and are to be issued shortly.
4. Interconnection agreement with NGrid has been provided and is being executed shortly.
5. SREC certification will be applied for just prior to construction.
6. Net Metering cap allocation to be provided once off-taker/Host agreement has been executed.
7. The Town of Sturbridge would be the Host for this project and primary (or complete) off taker depending on desired requirements.

B. Greenblatt sought proposals from developers, and one of the developers presented a very comprehensive proposal that was the best offer she had seen under the current incentives available. She said that the rate will change every six months. They will

come up with a dollar value that will be credited to the Town every month. She considered it to be a low risk proposition for the Town.

M. Dowling asked whether the Board had signed the Monson agreement. S. Kennedy said that it has not been signed, and is still under discussion and negotiation. M. Dowling said that it is not valid without the Board's signatures.

**MOTION: That the Board give favorable consideration to the NextSun Energy proposal and authorize Beacon Integrated Solutions to move forward with pursuing an agreement for the sale of net metering credits from NextSun Energy at the Shirley location, by P. Gimas.**

**2<sup>nd</sup>: M. Dowling**  
**Vote: All in favor.**

B. Greenblatt said that she had a specimen contract that she would like to share with Counsel. S. Kennedy recommended that the contract be thoroughly vetted. B. Greenblatt said that she would provide it to Counsel first, then provide a copy to S. Kennedy and the Board.

**Request for Water Bill Abatement for the Period Covering 10/27/14 – 11/26/14 for Mark Willis**

S. Kennedy informed the Board that this matter was initially brought to the attention of Finance Director Barbara Barry. On 10/14/2014 the Water Department read Mr. Willis' water meter and flagged it as a tampered meter. A Department employee was sent to Mr. Willis' home, found the owner's house under construction, and observed that the wire to the transmitter had been cut, necessitating the installation of a new head and register. While Mr. Willis has paid his invoice in full, nonetheless, he wants to be reimbursed by the Town. Expenses included \$180.00 for a new meter and a \$500.00 penalty for meter tampering.

S. Kennedy learned that the general contractor's electrical subcontractor was responsible for the damaged water meter, who failed to inform both the homeowner and the Water Department about the tampered meter. It was explained to Mr. Willis that he is responsible for resolving this matter with the general contractor, and hence, the reason why the internal appeal team rejected his appeal.

**MOTION: That the Board reject Mr. Willis' appeal based on the finding that the water meter was damaged by a contractor independent of the Town of Sturbridge, based upon the presentation of the Town Administrator as to what had occurred, by P. Gimas.**

**2<sup>nd</sup>: C. Moran**  
**Vote: All in favor.**

**Contract Amendment for CME Associates: Grand Trunk Trail**

S. Kennedy said that the initial CME contract was executed on February 4, 2011 in the amount of \$51,795. The contract provided for the preparation of a Massachusetts Department of Transportation compliant engineering, design and permitting of a ¾ mile section of the Grand Trunk Trail from the Ed Calcutt Bridge extending north to the intersection of River and Farquhar Roads in Sturbridge. The proposed contract amendment provides for an amended scope of services authorized and completed in the amount of \$6,779 without having executed the requisite contract amendment. The amended scope DOES NOT increase the funding authorization of the initial contract.

While CME performed the work, an invoice has not been submitted to the Town pending execution of an amended contract. Following amendment approval, the completed design will be forwarded to the Federal Highway Administration for review and approval and, preparatory work for trail construction will be considered.

Tom Chamberland, Tree Warden, appeared before the Board to answer any questions or concerns. He said that the former Town Administrator Shaun Suhoski had told him to have CME do the work, which has been done.

**MOTION: That the Board approve the contract amendment by and between the Town of Sturbridge and CME Associates, Inc. in the amount of \$6,779, and further to authorize the Chairman to execute the contract on behalf of the Board of Selectmen, by P. Gimas.**

**2<sup>nd</sup>: C. Moran**

**Vote: All in favor.**

**Department Head Report**

Fire Chief David Zinther reviewed his report with the Board. He said that regarding the floor replacement project at the Public Safety Complex, 20% of the old floor has been removed. He noted that the contract had been executed in November.

Chief Zinther said that the Fire Department is one member short in staff. He will look at hiring internally.

C. Moran commended the Chief for the difficult extrication that had been performed by his staff following an accident. He noted that Life Flight had also done a good job.

P. Gimas asked whether more firefighters were now doing inspections. Chief Zinther said inspections are being done five days per week, with 110 inspections of liquor license establishments being done by John Marinelli and Matthew Roderick, and routine smoke alarm inspections being done by other staff.

## **Town Administrator's Update**

### **Request to Fill Community Resource/Outreach Vacancy: Council on Aging COA)**

COA Director Melissa Beauchemin has completed the recruitment process necessitated by the January 31, 2015 retirement of Barbara Kalber, and recommends the appointment of Ms. Leslie Wong to fill this position. Ms. Wong, currently the Administrative Assistant to the Building Department, was selected to fill this position in knowing she possess excellent customer service and organizational skills. Ms. Wong also has experience working as a volunteer with Overlook located in Charlton. A copy of her resume is included in your agenda package.

The Board decided to hold action on this item pending further information.

## **Correspondence**

M. Dowling read the correspondence list into the record.

## **Old Business**

M. Dowling noted that people are following the Charlton project closely. She said that if anyone is interested in obtaining copies of the correspondence that had been sent from the Charlton Planning Board to Mass. DOT issued in September, they should contact the Town Administrator. C. Moran said that the Charlton Economic Development Commission had also sent a letter to Mass. DOT in September. M. Dowling said that there had been another motion to have the Sturbridge Town Administrator draft a letter to the Charlton Planning Board. S. Kennedy said that it had been sent, expressing the Board's concerns.

M. Dowling suggested that the Riverlands be scheduled as a topic on a future meeting agenda. S. Kennedy suggested that the Board take it up on February 17<sup>th</sup>.

M. Dowling requested that the Board discuss the pros and cons of taking wastewater from other towns to the Sturbridge plant.

**MOTION: That the Board direct staff to not accept any more wastewater from towns other than Sturbridge until the Board of Selectmen has held a meeting to discuss it as a policy matter, by M. Dowling.**

There was no second to the motion; the motion failed.

M. Blanchard asked about the status of the Master Plan Implementation Committee's request for information. She noted that a lot of it does not pertain to the Board of Selectmen. S. Kennedy said that the deadline had passed.

## **New Business**

C. Moran said that he had spoken with Lynne Girouard, Recreation Director, about the lighting around the Town Common skating rink, as there have been complaints about it. Chief Ford thought that installing additional lighting was a great idea for the safety of the kids using the rink. Lynne Girouard will take it up with the Recreation Committee.

P. Gimas asked about the status of the date for the joint meeting between the Board of Selectmen and Finance Committee. S. Kennedy said that it will be held in March.

M. Blanchard announced that the Board of Selectmen will have a short meeting at 6:30 p.m. before the Special Town Meeting. She noted that the Finance Committee has not voted on all of the warrant articles; one in particular was the article about the Sturbridge Tourist Association. P. Gimas said that they are talking about making the STA smaller. M. Dowling encouraged the former members to attend the Special Town Meeting and advocate for the Memorandum of Understanding and the Chamber of Commerce. P. Gimas noted that the Board of Selectmen was charged with how to spend the rest of the money. M. Dowling said that as it stands now, 2/3 of the money goes into the general budget; 1/3 is split between betterment and tourism. She said that a bylaw is needed.

### **Citizens Forum #2**

No one appeared.

**MOTION: To adjourn, by P. Gimas.**  
**2<sup>nd</sup>: M. Dowling**  
**Vote: All in favor.**

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Judy Knowles

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BOS Clerk

Date