

May 4, 2015

**BOARD OF SELECTMEN
MINUTES
MAY 4, 2015**

Present: Mary Blanchard, Chairman
Priscilla Gimas
Mary Dowling
Craig Moran
Michael Suprenant
Leon Gaumond, Jr., Town Administrator

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

M. Blanchard welcomed the new Town Administrator, Leon Gaumond, Jr.

Reorganization of the Board of Selectmen

L. Gaumond requested nominations for Chairman from the Board.

**MOTION: To nominate Mary Blanchard for Chairman of the Board, by P. Gimas.
2nd: M. Dowling**

**MOTION: To close the nominations, by M. Suprenant.
2nd: P. Gimas**

M. Blanchard accepted the nomination.

Vote: All in favor.

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

L. Gaumond requested nominations for Vice-Chairman from the Board.

**MOTION: To nominate Priscilla Gimas for Vice-Chairman of the Board, by M. Blanchard.
2nd: M. Dowling**

MOTION: To close the nominations, by M. Blanchard.

2nd: M. Suprenant

P. Gimas accepted the nomination.

Vote: All in favor.

L. Gaumond requested nominations for Clerk from the Board.

MOTION: To nominate Mary Dowling for Clerk of the Board, by P. Gimas.

2nd: M. Blanchard

MOTION: To close the nominations, by P. Gimas.

2nd: M. Suprenant

M. Dowling accepted the nomination.

Vote: All in favor.

Minutes

MOTION: To accept the minutes of April 14, 2015 as amended, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

Proclamation

M. Blanchard read the proclamation for Lyme Disease Awareness Month into the record.

MOTION: To sign the proclamation for Lyme Disease Awareness Month, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

Taxi/Livery Driver License for James King, Sr.

The Board reviewed the application submitted by James King, Sr. for a Taxi/Livery Driver License. He will be employed at Charles River Service, Inc.

MOTION: To approve the Taxi/Livery Driver License for James King, Sr., by P. Gimas.

2nd: C. Moran

Vote: All in favor.

Agenda Item #9 Injured on Duty (IOD) Claim for a Firefighter

MOTION: That the Board approve the IOD claim for Firefighter/EMT Ryan Mullen as presented, by P. Gimas.

2nd: M. Suprenant

Vote: All in favor.

Town Administrator's Update

L. Gaumond thanked everyone for making his first day a memorable one, and thanked the Board of Selectmen for scheduling a meeting on his first day.

L. Gaumond asked the Board to sign the warrant posting sheets for the Annual Town Meeting and Special Town Meeting.

MOTION: To sign and post the warrant posting sheets for the June 1, 2015 Annual Town Meeting and Special Town Meeting, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

L. Gaumond informed the Board that he had met with Barbara Barry, Finance Director and noted that there was a change in the FY16 transportation assessment for the budget books – a reduction of \$9,621.

L. Gaumond said that when he was in a previous job, he had a blog and a Town Twitter page, which he had used for public announcements. He asked the Board if they would have any objections to his continuing that practice. It was the consensus of the Board that it would be an excellent idea to share communication that way.

Correspondence

M. Dowling read the correspondence list into the record.

M. Blanchard had received a letter from National Grid regarding vegetation management.

M. Blanchard said that Russell Jennings' April 10th letter contained some incorrect information. She had been present (along with two other Selectmen) at the meeting with Sunset City and the RANT group, and noted that they did not discuss the merits of the project, nor did they make the statement that "they would do everything in their power to stop our project and use Sturbridge Town Counsel against us." M. Dowling said that the meeting had been run by Russell Jennings. C. Moran said that he had also attended that meeting, and at no time did they discuss the RANT group. He agreed that Mr. Jennings had been in control of the meeting, and there was nothing to be gleaned from it.

Curboy Auto Inc. (Sergey Privedenyuk) – Request for Class 3 License

Sergey Privedenyuk and Jerry Clark of CMG Environmental, Inc. appeared before the Board. The Town had been recently informed that George W. Curboy's Garage, Inc. located at 71 Mashapaug Road, had sold all real estate and personal property in Sturbridge as of November 2013, and therefore, the corporation would not be renewing any of their former licenses issued by the Town. The Town issued Mr. Curboy both a Used Car Dealer Class 2 License and Motor Vehicle Junk Class 3 License. The properties have since been purchased by Sergey Privedenyuk, d/b/a Curboy Auto Inc.

While the Board approved Mr. Privedenyuk's request for a Class 2 license March 2, 2015, Board action with respect to the Class 3 license was deferred pending receipt of clarifying information from Mr. Privedenyuk's engineering firm, CMG Environmental, Inc. as well as the Department of Environmental Protection (DEP). Copies of this information were submitted to the Board.

Suzanne Kennedy had reviewed the situation with Town Counsel, and he noted that "...the enclosed information describes the actions that have been taken to assess and contain any hazardous release over the past 10 years, and it appears that the levels of hazardous materials in nearby wells are essentially negligible, but testing is scheduled to continue and the owner is required to continue to make filings to DEP..."

Town Counsel also suggested that while the Board has discretion in deciding whether to issue a Class 3 license, "there should be specific grounds for denial to support the decision if challenged..." The site has been operating under DEP requirements since 2005 and, "this appears to be a relatively small concern at this point..." So, contamination would not seem to be a compelling reason to deny the license.

MOTION: To close the public hearing, by P. Gimas.
2nd: C. Moran
Vote: All in favor.

MOTION: That the Board approve a Motor Vehicle Junk Class 3 License to Sergey Privedenyuk, d/b/a Curboy Auto Inc. subject to the following conditions:

(1) Compliance with any and all requirements imposed by the MA Department of Environmental Protection pursuant to RTN 2-0015899 and RTN 2-0016483; and further, that the licensee.

(2) Submit to the Board of Selectmen any and all reports or filings that Curboy Auto, Inc. submits or is required to submit to DEP, including but not limited to any Release Abatement Measure [RAM] plans.

By P. Gimas

2nd: C. Moran

Vote: All in favor.

Logging Permits: 105 Main Street and Shepard Road/MainStreet

Anthony Grossi appeared before the Board. M. Dowling read the legal ad for Shepard Road/Main Street into the record.

S. Kennedy had indicated in her update that while these permit requests represent two projects and owners the parcels are contiguous and will be managed by one vendor, Mr. Anthony Grossi.

Mr. Grossi petitioned for a logging permit for four (4) acres of land owned by Theresa Johnson, Trustee located on 105 Main Street. (DCR approved cutting plan File no.287 7228-15). All filings have been submitted:

- Forest Cutting Plan
- Sketch Plan of Site with location of trees
- Abutters List

The memo from DPW Director Greg Morse outlines two options proposed for a timber loading zone with three (3) routes exiting the two (2) landings. Mr. Morse has indicated that Option 2/Route #3 to be the preferred option, which calls for a landing on Shepard Road for the 105 Main Street project. The recommended option is contingent upon execution of an agreement by and between Ariana Inc., and Mr. Grossi, a copy of which was submitted to the Board. Mr. Grossi had indicated his preferred landing for Ariana will be located on Shepard Road. Because this harvest is relatively small and adjacent to the much larger Ariana harvest, it would be logical to utilize the same landing to avoid unnecessary damage and disturbance that would be caused by creation of two landings.

However, the memo from Conservation Agent Glenn Coburn indicated that the Conservation Commission had expressed concern about the impact to wetlands caused by the traffic from the both the Ariana and Johnson harvest. The Commission stated as well that, if the cutting plan is revised to indicate a Shepard Road landing, the service forester should be made aware of this comment and the haul route depicted on the plan should be revised to show the Shepard Road landing. The Conservation Commission was not able to recommend approval of the Johnson Forest Cutting Plan, since this long haul route could possibly impact wetlands as well as impact road safety.

Shepard Road/Main Street:

C. Moran said that residents on Shepard Road have expressed concern about the trucks, traffic and school buses in the area. T. Grossi assured the Board that he will coordinate logging operations with the school bus schedule, and signage will be placed on the property. Because of the sharp corner, they will put a man at the road whenever a truck will be entering or exiting.

C. Moran asked about the status of a secondary landing. T. Grossi said that they decided not to do that, as they would have had to have a curb cut there.

M. Blanchard said that there was a letter from the Police Chief expressing concerns about safety. She noted that the two separate parcels abut one another. M. Dowling suggested that Tony Grossi be provided with a copy of the Police Chief's letter, and that he address the concerns therein.

P. Gimas asked when work would start. T. Grossi said that work would commence in late fall.

M. Suprenant expressed concern about the logging operation's close proximity to a day care facility, as young children could wander around the landing area.

M. Blanchard explained that the Board of Selectmen cannot deny a logging permit; only the state can deny or approve it. The Board has limited authority to set reasonable conditions on the project.

T. Grossi said that the number of trucks would be limited, with seven or eight truckloads per week. His biggest concern was navigating the blind corner in the winter. It will be necessary to have someone in the road to direct the truck safely. He assured the Board that he will adhere to the bus schedule.

Police Chief Thomas Ford appeared before the Board. He said that their man in the road directing traffic should be DOT Flag Man certified. M. Dowling that in the last sentence of the Chief's memo, he stated: "I would be interested in seeing a traffic safety/management plan for this site." She asked whether T. Grossi would be amenable to drafting such a plan. T. Grossi said that he does not own the trucks; they are owned by the subcontractor. M. Dowling suggested that he put in writing what his traffic safety plan will be, to include the number of truckloads per week and a flow chart. M. Suprenant said that he would like to see details about the signs and where the flag man will be located. T. Grossi agreed to provide that information to the Board.

Chief Ford said that there is a small island on the road by Garieri Jewelers, and asked how the logging truck would affect traffic. He noted that there are service vehicles that need to be able to go down that road for service calls. He did not think that one truck per day would be a problem. M. Dowling asked the Chief what the key factors would be, and what he would want to see in the traffic safety management plan to alleviate concerns. Chief Ford said they have already discussed the issues at the site, such as how large the trucks will be coming down the road. Regarding the management plan, he said that a lot of questions have already been answered, so he would not require much more detail than that.

T. Grossi said that the work will be spread out over a few months, with ten loads per week, for about 100 loads total. Chief Ford said that the work is something that could be monitored on a daily basis.

P. Gimas asked Greg Morse, DPW Director, about the ground conditions on Fiske Hill Road, and the newly paved road. G. Morse said that he would like to see the logging completed before snow storms start, by December 15th. He said that a \$5,000 bond would be required for each parcel.

Glenn Colburn, Conservation Agent, appeared before the Board. He expressed concern about three vernal pools on the property. He said that T. Grossi has worked with service forester Kate Marquis regarding this issue. If necessary, he would increase the buffer zone.

M. Suprenant suggested a condition that the landing on the four acre parcel be accessed through Route 131. G. Colburn said that would be favorable for Johnson's timber. He said that the service forester has looked at this and approved the landing and hauling out to Shepard Road. M. Blanchard suggested that it be addressed at the next public hearing.

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Barbara Brogan, 110 Shepard Road, said that it was her opinion that logging equipment should enter and exit from Route 131. She was concerned about Shepard Road crumbling from heavy use.

Bob Meunier, 73 Shepard Road, asked what kind of logging would be done. T. Grossi said that most of it would be for timber and fire wood, with selective cutting of trees 6-10 inches in diameter. Approximately 85 cords of fire wood at 1.6 cords per acre would be taken. B. Meunier asked whether there were plans to mitigate erosion. T. Grossi said that the state does not allow them to create erosion. If they are unable to get to an area with the machine, they will not harvest it.

Bob Meunier asked about the weight of the trucks. Greg Morse said that roads are not rated by weight; a limiting factor would be a structure such as a bridge or culvert.

T. Grossi said that the state has a new pamphlet entitled "A Reference Guide for Abutters."

Michael Riel, 105 Shepard Road, asked about the status of wetlands at the site. T. Grossi said that on the north and east sides of the parcel are vernal pools and a swamp, which are a concern. M. Riel asked whether the subcontractors who will be doing the work have been CORI checked. M. Blanchard said that a CORI check is not required to cut trees.

M. Dowling asked when children would be dropped off and picked up at the day care facility. Sue Riel said that the day care is open from 7:00 a.m. to 5:30 p.m. and parents come any time of the day, with most children being dropped off between 7:00 a.m. and 9:30 a.m. and picked up between 2:30 p.m. to 5:30 p.m. M. Blanchard requested the information in writing.

Carol Goodwin, 19 Orchard Road, suggested that the Conservation Commission be consulted regarding their concerns.

MOTION: To continue the public hearing for a logging permit on Shepard Road to May 18, 2015 at 7:15 p.m., by M. Dowling.

2nd: P. Gimás

Vote: All in favor.

105 Main Street:

L. Gaumont read the legal ad into the record.

T. Grossi said that they plan to harvest four acres owned by Theresa Johnson which directly abuts the Ariana property. The cutting plan was approved by the state.

Glenn Colburn, Conservation Agent, appeared before the Board. He noted that there would be a miniscule amount of timber removed from this site. T. Grossi said that the logs would be taken to the same final destination as those taken from the previous property.

M. Dowling noted that the same concerns exist for this parcel. M. Suprenant asked whether the method of hauling would be by logging skidders. T. Grossi said that skidders would be used.

M. Suprenant asked about the size of the landing area. T. Grossi said that it would be about half an acre to three quarters of an acre.

C. Moran asked Sue Riel how many children attend her day care facility. S. Riel said that eight children come to her facility.

MOTION: To continue the public hearing for a logging permit on 105 Main Street to May 18, 2015 at 7:20 p.m., by M. Dowling.

2nd: P. Gimas

Vote: All in favor.

Old Business

P. Gimas asked L. Gaumont to see about the issue of the fire hydrants, as they were supposed to be adapted for the hoses by last Friday. She said that residents have made comments and have concerns. L. Gaumont said that he will meet with the Fire Chief on May 5th and they will discuss it.

M. Suprenant asked for a summary of the fire hydrant issue.

New Business

M. Dowling suggested scheduling an agenda item to discuss goals and objectives for the Town Administrator for the upcoming year. M. Blanchard said that the Board usually sets the goals in June. She requested input from the Board. L.

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Gaumond said that he has goal setting documents. The Board said that they would like to see them.

MOTION: To adjourn, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date