

July 20, 2015

**BOARD OF SELECTMEN
MINUTES
JULY 20, 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.

Tyler Wolanin, District Director for Senator Anne Gobi, and Wesley Travis, Intern from Sturbridge, appeared before the Board. T. Wolanin announced that he schedules office hours at town halls, and encouraged residents to be involved in government. The schedule is posted on Senator Anne Gobi's website and in the newspapers.

M. Suprenant said that one of the constituent issues was Lyme Disease. He asked about the status of a bill relative to Lyme Disease that Senator Gobi had promised. T. Wolanin said that he would check with the legislative staff about it.

**MOTION: To convene in executive session under MGL Chapter 30A, §18-25, #3:
To discuss strategy with respect to litigation; to reconvene in open
session, by M. Dowling.**

2nd: M. Suprenant

**Roll Call Vote: C. Moran in favor; P. Gimas in favor; M. Suprenant in
favor; M. Dowling in favor; M. Blanchard in favor.**

The Board convened in executive session at 6:40 p.m.

The Board reconvened in open session at 7:23 p.m.

PUBLIC HEARING: Pole Hearing – Mashapaug Road

M. Dowling read the legal ad into the record. National Grid representatives Jorge Jorge (J.J.) and Dan Landry appeared before the Board.

J.J. noted that there have been infrastructure changes on Mashapaug Road. M. Suprenant said that he had read the report from the DPW Director pointing out that one pole has been hit several times. He recommended it be placed back from the edge of the pavement. M. Suprenant asked whether it would be possible to keep the pole back six feet from the edge of the pavement. J.J. said that there was a safety issue because the wires were too low. Pole 14 will be 6 ½ feet away from the edge. C. Moran suggested making that a condition of the issuance of the permit.

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

2nd: C. Moran

Vote: All in favor.

MOTION: That the Selectmen approve the pole placement with the following conditions: that the pole VZ#1 currently at the intersection of Mashapaug & Breckneck be moved back to a location acceptable to the DPW Director, at least six feet from the roadway; and that the drainage leak off the area in the vicinity of the proposed pole not be disturbed, by P. Gimas.

2nd: M. Suprenant

Vote: All in favor.

Appointment of new Fire Officer

Fire Chief David Zinther appeared before the Board. He said that the Town has been recruiting to find fully qualified applicants, and advertised on three occasions in the past five months. The Chief recommended the one internal candidate for the position, Sean Moynagh, for this position. He introduced Sean Moynagh to the Board.

M. Blanchard said that Sean has shown his dedication to the Town of Sturbridge. L. Gaumond said that he was impressed with Sean's presence and capabilities. Chief Zinther added that Sean is well respected in the Fire Department.

MOTION: That the Selectmen concur with the appointment of Sean Moynagh as a full-time firefighter at an annual rate of pay of \$49,675 to be effective pending a successful pre-employment physical, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

National Grid Easement and License

Michael Glick, manager of the Publick House, and J.J. and Dan of National Grid appeared before the Board. L. Gaumond said that they are requesting a Grant of Easement for a pole to be located in front of the Publick House which is known as Town Common property. The Grant of Easement allows for National Grid to install, operate and maintain the lines and equipment to service the new Publick House structure. If approved by the Selectmen, it will require that a License acceptance be included on the next Town Meeting warrant in the fall. This matter was reviewed and deemed acceptable by the DPW Director.

C. Moran noted that it will be a busy intersection, and suggested installing a ground-based transformer instead. J.J. said that they went with the most cost effective way for the business. M. Glick said that their electrical designers said that there would be less

impact on the visual this way; a ground box would be an eyesore on the roadway. He added that the pole units would have less of an impact on the Town Common. C. Moran said that the shrubs at the Chamberlain house could disguise the box. M. Glick said that the shrub line is closer to the sidewalk. J.J. said that equipment must be accessible to National Grid trucks, and they need to be within ten feet. M. Blanchard said that safety and aesthetics are a consideration.

M. Suprenant asked whether they are certain that there is no easement on the Common right now. J.J. said that National Grid has an overhead easement, but not for physical equipment such as a transformer. M. Suprenant said that in order to obtain an easement, it must go to Town Meeting.

L. Gaumond said that he had spoken to Town Counsel about these issues, and they said that the Board could grant the request with the understanding that Town Meeting needs to vote on the approved plan. M. Dowling said that it seems like a big risk to take. L. Gaumond said that Mr. Glick needs approval in order to have this work done immediately.

L. Gaumond read Carol Childress' email into the record. In this email she said that since there is no Town Meeting scheduled until the fall, the license could be executed as an interim measure by the Board of Selectmen so that the work can proceed. He said that this was reviewed and verified by Town Counsel.

M. Dowling suggested granting a legal entitlement. L. Gaumond said that an easement would be necessary for the pole. An easement would grant National Grid the right to install, operate and properly maintain the lines and equipment on private property. An easement runs with the land.

M. Suprenant pointed out that there is no method of termination of this license if Town Meeting were to reject this easement. M. Dowling suggested making a motion to approve the granting of a license; even if Town Meeting turns down the license, it would be up to the Board of Selectmen to revoke the license.

MOTION: That the Board approve the Grant of License as proposed for the Publick House, for lines and equipment to be installed and maintained by National Grid, between 275 Main Street and Rte. 131 and to include a License acceptance on the next Town Meeting Warrant, by P. Gimas.

2nd: M. Dowling

Vote: All in favor.

Department Head Reports

Nelson Burlingame, Building Inspector, reviewed his report with the Board. He said that he has been doing a lot of solar panel roof inspections.

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N. Burlingame said that there was an issue with a temporary occupancy permit at 420 Main Street.

At 274 Main Street, there is an old barn that was falling down, which is being fixed to be made safe and secure.

The Blackington Building at 572 Main Street had been displaying and storing items for sale. They had tied in their building with the site across the street. He thanked the Planning Board for their help with this issue.

N. Burlingame informed the Board that he had taken a seminar on commercial lighting.

Police Chief Thomas Ford reviewed his report with the Board. He noted that he has been busy with an increased amount of training and department operations.

M. Blanchard asked about the 11 alarm calls at Tantasqua Senior High School in one month. Chief Ford said that there has been a lot of activity there, and sometimes the alarm gets set off.

Chief Ford said that there had been a lot of spring training opportunities for the Police Department.

C. Moran asked about the status of sting operations for liquor license establishments. Chief Ford said that they had sent notifications to the liquor license holders, informing them that the Police Department will be conducting alcohol compliance checks during August and September. They also plan to conduct reverse stings at different package stores to check individuals seeking to purchase alcohol, to see if they are underage or procuring alcohol for minors.

M. Blanchard said that there was a press release regarding a grant from Wal-Mart. Chief Ford said that the Police Dept. was given a \$2,000 check for public safety initiatives to go toward youth activities and equipment or other resources. He expressed thanks for the donation from Wal-Mart.

Fire Chief David Zinther reviewed his report with the Board. He said that the new ambulance was ordered on July 1st and they expect delivery around March 2016 based on the manufacturer's contract. The new cardiac monitor has been ordered.

Chief Zinther said that he had drafted a letter regarding private fire hydrants in Town.

Chief Zinther thanked Wal-Mart for their grant check in the amount of \$2,000 and thanked Firefighter Mary Lou Volpe for submitting the grant application for this award.

Discussion & vote on statewide and Worcester Mutual Aid Agreements

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Chief Zinther informed the Board that the Fire Department has been receiving an increase in multiple calls for service, requiring calls for mutual aid. He noted that last week there had been three calls in ten minutes. He said that he has been trying to augment his staff. There have also been calls from other towns requesting mutual aid from Sturbridge.

L. Gaumont said that there were a couple of outstanding items left over from some time ago that needed the attention and consideration of the Town. MEMA employee Allen Phillips who coordinates the Statewide and Public Works Mutual Aid program, appeared before the Board and made a presentation regarding the program. He said that it would require a majority vote of the Board of Selectmen, and if approved, would go into effect 30 days after they receive the signed paperwork. He noted that it would not invalidate any other agreements. It would be good for any public safety incidents, any disasters, or major fires and could be utilized by the Police Chief, Fire Chief and Town Administrator. The Police Chief and Fire Chief had both recommended that the Board adopt it.

A. Phillips said that requests for aid may be made either orally or in writing. M. Dowling said that whoever wants the help would assume the liability. L. Gaumont noted that these statewide agreements are throughout the Commonwealth already. A. Phillips said that there would be no penalty to refuse if Sturbridge can't free up their assets to assist another community.

MOTION: That the Selectmen vote to approve Sturbridge's participation in the Statewide Public Safety Mutual Aid Agreement as per MGL c. 40, section 4J and the Statewide Public Works Municipal Mutual Aid Agreement as per MGL c. 40 section 4K, by C. Moran.

2nd: P. Gimas

Vote: All in favor.

L. Gaumont said that the Town has also been considering a Mutual Aid Agreement for the exercise of police powers with the City of Worcester. The City of Worcester has similar agreements with other greater Worcester communities but has yet to sign this agreement with Sturbridge.

MOTION: That the Selectmen vote to sign the mutual aid agreement with the City of Worcester as per MGL c. 40 section 8G, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

Vote to sign Conservation Restriction and Deed for the Plimpton property purchase

At the last meeting of the Board of Selectmen, the Board had addressed the concerns they had with the proposed conservation restriction. L. Gaumont submitted to the

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Board the revised Conservation Restriction containing the provisions requested by the Selectmen as well as the state, and also signed by the Conservation Commission.

MOTION: That the Selectmen vote to sign the Conservation Restriction with the Opacum Land Trust Inc. for the Plimpton property as recommended by Town Counsel and agreed to by the Sturbridge Conservation Commission, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

Request for a Special Event Permit for Hamilton Rod & Gun Club

Ron Komar appeared before the Board. He said that the Hamilton Rod & Gun Club is holding the 5th annual Milltown Auto Show on August 7th and 8th and was seeking the Selectmen's authorization for Special All Alcohol Beverage License for the days of the event. L. Gaumond informed the Board that this is a recurring request and has been approved by the Police Chief.

C. Moran asked whether there would be a police officer on duty at the event. R. Komar said that they had invited the Police Department to come to the event at any time. Chief Ford said that there have not been any issues at the event at any time, and he did not anticipate any problems. He noted that unless the organization asks for police presence, he cannot mandate it. He said that the regular patrols will suffice.

MOTION: To approve the special event permit for the Hamilton Rod and Gun Club for their Milltown Auto Show on August 7th and 8th by P. Gimas.

2nd: M. Dowling

Vote: Four in favor; C. Moran opposed.

David Barnicle: Discussion re. Charlton Motorcross

A resident, David Barnicle, appeared before the Board to talk about the Charlton Motorcross Project. He said that the traffic study suggests the need for more signage at the site. He noted that Route 49 is a no access road. He submitted to the Board letters from Charlton for the Board's review.

D. Barnicle stated that noise is an issue. Some of the testing was done on Ladd Road and Podunk Road, and he said that a decision should be made by the Board to request the test results and review them, or establish their own testing program. He submitted pictures of damage to Ladd Road caused by triaxle truck traffic, which will cost the Town of Sturbridge money.

D. Barnicle said that the plan as presented to the Charlton Planning Board states that there will be no access to or from Ladd Road; however, there will be an emergency exit to Ladd Road. According to Graves Engineering, the plans indicate that no gates are proposed. He noted that the culvert is in Sturbridge, but no weight bearing testing has

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been done. M. Blanchard said that a lot of this is within the realm of the Boards in the Town of Charlton. M. Dowling noted that nothing formal has been signed. She asked the Board to reconsider expressing concern to MassDOT regarding any adverse impacts of the proposed project on the Town of Sturbridge. P. Gimas and C. Moran said that they would not reconsider. M. Blanchard said that this is premature and felt strongly that the Board should not get involved until it is able to get involved. M. Suprenant did not think it would be inappropriate to express concern as Ladd Road is inadequate for any kind of access.

D. Barnicle said that the Planning Board had not made any comments relative to the change. He noted that Ladd Road is a gravel road sprayed with tar.

M. Dowling agreed with M. Suprenant. She wanted to know how to protect the resources of Sturbridge. She suggested getting a legal opinion regarding the roadways. D. Barnicle suggested that a \$5,000 bond be required to protect the access road.

M. Blanchard asked the Board to consider asking the Town Administrator to send a letter to the Planning Board expressing concerns about Ladd Road. It was the consensus of the Board to do so because of the letter to the Charlton Planning Board.

M. Dowling expressed concern about who would oversee that there is a detailed design plan. M. Blanchard said that the Charlton Planning Board needs to address it. She noted that Ladd Road is being proposed as an emergency access road.

D. Barnicle said that he could request that the results of the testing be sent to the DPW engineer for verification. He said that there has been a flood of information coming out of Charlton.

Discussion on Goal Setting for Town Administrator

The Selectmen have an obligation to set goals and objectives for the Town Administrator for the remainder of FY15. L. Gaumont created a list of the goals suggested by the Selectmen for their consideration.

1. Work with the Board of Selectmen to reorganize the current STA to maximize the potential of the tax revenue being generated by the hotel/motel tax for the benefit of Sturbridge tourism and the town as a whole, including, if necessary, changing the terms of the special legislation. Seek input from both the current STA and Chamber of Commerce.
2. Work with the Recreation Committee and Director concerning any issues that may arise with respect to the final designs of the recreational fields being proposed on Town Barn Road, as appropriated at Town Meeting several years ago. Provide support and guidance, as needed.

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3. Now that our permit has been approved for a 1.3 mgpd treatment plant, begin to review additional neighborhoods and areas of town for possible inclusion in town services (water and sewer) as set forth in the plan.
4. Work with the Board of Selectmen concerning the use of the Riverlands and properly marking the areas of contamination to ensure that residents and visitors are fully on notice of such areas, and to open the area.
5. Identify a plan of action concerning the old fire station property (sale, renovation, town recreational use, parking, etc.).
6. Evaluate landfill vs. trash pickup.
7. Update 10 town comparison for salary surveys.
8. Present the Board with a revised, clear and concise Comp Time Policy.
9. Review the role of the Trails Committee and decide if the use of equipment should remain under the direct supervision of the Town Administrator or under the Conservation Agent.
10. Follow up on the Building Assessment report from Lamoureux Pagano and the report from the Master Plan Sub-Committee. Present the Board with a report including how to address the needs of the Town buildings, funding sources, and possible timeframe for solutions.

Regarding #5, C. Moran expressed concern about the parking lot at 8 Brookfield Road being used by customers from the restaurant next door. He suggested coming up with an agreement so that there is a liability policy in place. M. Blanchard said that there is an opinion from Town Counsel regarding public parking. L. Gaumond said that the Board of Selectmen can restrict parking. M. Suprenant said that following the Traffic Rules and Regulations is the way to restrict parking. C. Moran said that the people who are benefiting from the parking should share liability.

Regarding #8, M. Blanchard said that some people still think that if they work an hour extra, they should get an hour off. She noted that most are salaried. L. Gaumond said that he has outreached to communities regarding comp time.

L. Gaumond said that he will apply for funding for a HR audit from the Town's insurance company. He would like to have an independent body look at it with the Personnel Committee.

Public Service Announcements

M. Blanchard announced that there will be a Special Town Meeting on July 27th at 7:00 p.m. at Town Hall, with only one article on the warrant.

C. Moran, P. Gimas, M. Suprenant and M. Dowling wished M. Blanchard a Happy Birthday.

Town Administrator's Update

- **Senior Municipal Service Applications**

MOTION: To approve the following Senior Municipal Service Applications and assignments: Wayne Belles (on behalf of Joseph Boudreau) to work for the Town Administrator; Alexander Menafo to work for the Senior Center; Therese Girouard to work for the Recreation Department; Lorraine Forcier to work for the Board of Health; Edith Puckett to work for the Senior Center; Louise Bonnette to work for the Board of Health; Rita Choquet to work for the Town Administrator; Ruth McDonough to work for the Senior Center; and Madalyn Dion to work for the Senior Center and Library, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

- **Appoint members to the Personnel Committee**

MOTION: To appoint Frank McNeil and Reed Hillman to the Personnel Committee, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

- **Vote on award of roofing engineering services**

MOTION: To accept the contract with Stephen Fleshman Architect, LLC for architectural design services for the roof renovation project for the Library, Public Safety Complex and Senior Center as recommended by the DPW Director, by M. Suprenant.

2nd: C. Moran

Vote: All in favor.

- **Acknowledge resignation of Nancy Kingsbury from the COA**

MOTION: To accept the resignation of Nancy Kingsbury from the Council on Aging with regret, by M. Dowling.

2nd: C. Moran

Vote: All in favor.

- **Concur with appointment of Susan Grandone to the COA**

MOTION: To appoint Susan Grandone to the Council on Aging, by P. Gimas.

2nd: M. Suprenant

Vote: All in favor.

- **Vote to accept rock salt bid for 2015-2016**

MOTION: To approve the Rock Salt for 2015-2016 as recommended by the DPW Director, by P. Gimas.

2nd: M. Suprenant

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Vote: All in favor.

- **Discussion on signatory authority for Town Administrator**

L. Gaumont asked the Board for clarification regarding his signatory authority as Town Administrator with regard to contracts and agreements involving the Town. C. Moran said that he saw no problem with the Town Administrator signing departmental payrolls, turnover reports and grant documents; or if it is a recurring expense such as copy machine contracts, repairs, etc. He said that the Town Administrator should let the Board know if he has signed a contract, or if something is coming up. P. Gimás agreed, and added that standard things such as maintenance contracts or projects that have been approved by the Board would be fine for the Town Administrator to sign. M. Suprenant said that he would defer to the Town Charter as to the duties of the Town Administrator. M. Blanchard said that it would be up to the Board to delegate authority to the Town Administrator. M. Dowling agreed, and said that day to day operations of the Town to oversee, is a natural extension of authority that would require just a mention in the Town Administrator's update that he signed it. She said that big contracts should be brought forward to the Board.

L. Gaumont said that he has created a file on signatory authority.

Correspondence

M. Dowling read the correspondence list into the record.

Old Business

M. Blanchard reminded the Selectmen to be more diligent in signing the weekly warrants and payroll. She explained that bills cannot be paid and checks cannot be issued without the Board's signatures.

New Business

C. Moran noted that the audio visual TV operators had gone home. P. Gimás said that the entire meeting was still being recorded. L. Gaumont said that he would check on that.

P. Gimás reminded board and committee members about standards of behavior and deportment as outlined in the Committee Handbook. Recently she was appalled that a committee member had called a resident a liar.

MOTION: To adjourn, by P. Gimás.

2nd: M. Dowling

Vote: All in favor.

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

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Respectfully submitted,

Judy Knowles

BOS Clerk

Date