

July 27, 2015

**BOARD OF SELECTMEN  
MINUTES  
JULY 27, 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 7:30 p.m. following the Pledge of Allegiance.

**National Grid Easement and License**

L. Gaumond said that there has been a revision to the plan that had been voted on by the Board of Selectmen at the last meeting on July 20<sup>th</sup> for bringing the needed power to the addition to the Publick House. Instead of putting the pole on what is Town Common property, they will be crossing above a small portion of the Town Common which is the reason for the license and the easement from the Town. Since the new pole will be on private property owned by the Publick House at 271 Main Street, it does not require a pole hearing.

L. Gaumond submitted to the Board the most recent version of the easement for the Board's consideration.

**MOTION: To rescind the Board's vote of July 20, 2015, by P. Gimas.**  
**2<sup>nd</sup>: C. Moran**  
**Vote: All in favor.**

M. Suprenant noted that on the new license they took out "perpetual right and easement," and described it as "further right." He said that it makes it clear that it is not on Town Common property. On the second page, third paragraph it states "any relocation shall be at the sole expense of the requesting party." If Town Meeting said that there can't be an easement, "any relocation would be at the expense of the requesting party." He said that it may be necessary to request that the equipment be relocated. At the last meeting, it was determined that the risk would be the Publick House's risk. He said that this sentence is contrary to that representation. He

suggested removing that sentence from the lease agreement. L. Gaumond said that the third paragraph of the lease agreement states “perpetual.”

C. Moran said that on Exhibit A, second paragraph from the bottom it states that “Together with all the interest of the grantor in the portion of said Sturbridge Center Common between the premises and said State Highway, including all rights of access and rights to maintain utilities over the same.”

M. Blanchard asked whether there was a problem with “perpetual right and easement.” L. Gaumond said that he had just received it this afternoon, and if the Board was agreeable to the principle, he will send it to Town Counsel for review.

Michael Glick, Manager of the Publick House, appeared before the Board. He said that they would like to open the new building within 30 days, so there is a time constraint to get power to the building. M. Blanchard said that the Board was amenable to the new design, and suggested that the Board put a condition that the language be reviewed.

L. Gaumond suggested that the Board vote to approve the granting of the license and authorize the Town Administrator to include an easement acceptance on the next Town Meeting warrant, pending final review and approval of the license as to form, then he would leave the final version for the Board’s signatures. It was the consensus of the Board to agree to that.

M. Suprenant said that the original agreement was more in line with what the Board had discussed, and it doesn’t have the “perpetual right and easement.” He asked the Board for their opinions on the cost and expense of relocation. M. Blanchard noted that it isn’t on Town property, it is private property. She said that Town Counsel could review it. M. Suprenant said that he didn’t think that the Town should have to pay to have it relocated, and felt that the Publick House should take on the expense.

L. Gaumond said that if the Town Meeting rejects it, the license would still be valid until the Board votes to reject it. He said that there is a risk to National Grid and the Publick House that a future Board could revoke the license. He agreed with M. Suprenant with respect to if the pole needs to be removed, according to the license that cost would be the Town’s responsibility.

M. Dowling said that according to Michael Glick, National Grid wanted that added protection, and it is already in the deed. C. Moran said that National Grid is looking for a license in order to run overhead wires over the Town Common; after that is granted, this other part would take effect regarding maintenance.

M. Dowling said that there is no reasonable basis for the Board to deny the license for years to come. C. Moran said that if Town Meeting does not grant the easement, then the license will not terminate. M. Blanchard noted that the Board could revoke it just like any other license.

M. Suprenant said that another question for Town Counsel would be to find out whether the license could be granted for more than three years without Town Meeting approval. M. Blanchard said that it is not a contract; agreements are different.

L. Gaumond said that he would ask Town Counsel to review the entire agreement, specifically the “perpetual right and easement” section, the “any relocation so requested” section on the second page, and as to form in general.

**MOTION: That the Board approve the Grant of License as proposed for the Publick House, for wires to cross Town property adjacent to 271 Main Street and to include an Easement acceptance on the next Town Meeting Warrant, providing that the final version of the license agreement is reviewed by Town Counsel and approved as to form, by C. Moran.**

**2<sup>nd</sup>: P. Gimas**

**Vote: All in favor.**

### **Request to Approve Application for Chapter 40b Technical Assistance Grant**

L. Gaumond informed the Board that there was a proposed affordable housing project to be constructed on or near 152 Main Street. Jean Bubon, Town Planner, requested that the Town of Sturbridge apply for a technical assistance grant to help the Town with some of its review of the project. L. Gaumond wholeheartedly endorsed this request.

**MOTION: That the Board endorse the grant application for technical assistance for the 40b project, and authorize the Chairman of the Board of Selectmen sign the application on behalf of the Board, by C. Moran.**

**2<sup>nd</sup>: P. Gimas**

**Vote: All in favor.**

**MOTION: To adjourn, by P. Gimas.**

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

**Vote: All in favor.**

July 27, 2015

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Judy Knowles

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BOS Clerk

Date