

Kevin Geraghty, Chairman
Michael Chizy, Vice Chairman
Ryan Fattman, Clerk
John L. Hebert
Michael Frustaci



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TOWN OF SUTTON BOARD OF SELECTMAN

Meeting Minutes

Minutes Accepted and Filed with the Town Clerk on October 2, 2007 : by a vote of 5-0

7:00 p.m. – September 18, 2007
Sutton Town Hall, Selectmen's Meeting Room

Members in Attendance:

Kevin Geraghty, Chairman
Michael Chizy, Vice Chairman
Ryan Fattman, Clerk
John Hebert
Michael Frustaci

Also in Attendance:

James Smith, Town Administrator
Debbie Jacques, Administrative Assistant

Chairman Geraghty calls the meeting to order at 7:00 followed by the Pledge of Allegiance.

Public Forum:

Robert Nunnemacher, 24 Singletary Ave: member of the Sutton Fire Dept. discussed briefly the citizens' petition he is sponsoring on the upcoming warrant. It is for the purchase of a Quint fire truck for Station 3 in the amount of \$850,000.00. This is to be a debt exclusion. The Board will discuss further when the warrant is reviewed.

Selectman Frustaci motions to approve as presented, minutes from the September 4th, 2007 Board of Selectmen minutes, Selectman Fattman seconds the motion, All in Favor Passes 5-0
Selectman Frustaci motions to approve as presented but not release, Executive Session minutes from September 4th, 2007
Selectman Fattman seconds the motion, All in Favor Passes 5-0

Tax Classification Public Hearing: Assessors Knick Nunnemacher and Joyce Sardagnola are present. Selectman Chizy motions to open the public hearing, Selectman Fattman seconds, all in favor. Assessor Nunnemacher begins by saying this meeting is necessary annually for the BOS to determine whether the town have one tax rate for all classes or a split rate for residential/open space and one for commercial/industrial/personal property. The total new value of the entire town is \$1,269,811,507.00. Tim Harrison is working on the recap. Once completed and the DOR has received everything, the new tax rate will be set... Selectman Chizy would like to keep one tax rate, Selectman Hebert would like to keep one tax rate and once commercial growth occurs, go to a split rate. Selectman Frustaci agrees to keep one tax rate. Selectman Fattman feels it is not worth splitting the tax rate at this time. Selectman Geraghty feels it is wise to keep one tax rate. He feels if the rate were to be split, it could adversely affect some of the commercial farmers. Selectman Chizy closes the public hearing, Selectman Frustaci seconds, all in favor. TA Jim Smith feels the BOS have the right perspective on the single tax rate. When commercial values increase significantly (25/30/40%) The Split rate would have a huge impact. After hearing no further discussion, Selectman Chizy motions to set one tax rate for all classes of property, Selectman Fattman seconds, all in favor passes 5-0.

Public road Layouts of John Rd. & Deborah Dr. Public Hearing - Town Planner Jen Hager is here to answer any questions. Also present is Attorney George Kiritsy, representing an abutter to this area. Jen Hager informs the BOS that there are two areas on the definitive plan shown as "right of way", connecting each end of John Rd. which leads to 18 acres of potentially industrial property. The Selectmen must decide if they want to take the roadways in fee or just take an easement over the ways. Town Council recommends an easement on the property as there could be a potential hazardous waste liability. Selectman Chizy has no comments; Selectman Hebert feels everything is in order and if the Planning Board is satisfied move forward to make a public way. Selectman Frustaci prefers the fee taking. He feels complete ownership makes the most sense. Selectman Fattman would like to utilize the 18 acres of potential industrial property to attract new business in town. Mark Pelligrino from Pelligrino Trucking is present and informs board that his property is one of the properties with the right of way on it. He asks what the steps are if this is accepted, Jen reports that if accepted at Town Meeting, within 120 days the town needs to take ownership. There would be an appraisal of the property and contact/negotiation with the property owners as necessary. Selectman Geraghty informs all that this is one of the private roads that the town has been maintaining for several years. He would like the town to take possession of these roads. Kevin feels the town should take by fee and that the lay out should include the "right-of-way". Also present, Robert Vazza, owner of 6 John Road. He was already under impression this was a public road. Attorney Kiritsy encourages the BOS to act as they had discussed. Hearing no further discussion, the Public Hearing is closed. Selectman Chizy motions to act pursuant to M.G.L. c.82§21-24, laying out both Deborah Drive and John Road with its two related right of ways as public ways, as shown on a plan entitled "Burnap Industrial Park" dated February 26, 1987 recorded at Worcester District Registry of Deeds in Book 597 at Plan 106, Selectman Fattman seconds, all in favor Passes 5-0

Sutton Community TV Board update: Pam Nichols and Dave Kiley are present. Pam informs BOS that Charter would like notification that the BOS have approved the move to the school (Kevin signs approval letter). She also mentions that Charter is in full support of this move. Currently there is a contract being worked on. Some of the areas it will touch on are hours of operation and responsibility of repairs to equipment. Pam and Dave have visited the Town of Douglas and feel Sutton should mimic their BOS meeting room. Pam feels new cameras in fixed locations will be most beneficial. Robotic cameras must have a person to run them which means added financial impact to the town. A Cable Coordinator is still needed for this board. Selectman Geraghty would like TA Jim Smith to meet with the Cable Board and report back in 4-6 weeks with recommendations.

Annual Town Meeting Warrant: The BOS review the warrant. Articles 1 and 2 (#2 needs 2/3 vote to pass) are both Citizen Petitions. BOS feel if there is a true need for a new fire truck; a federal grant may be the way to go. TA Smith has had success in obtaining grants for this purpose. There is no one present to discuss these. Article 4, the BOS request an amendment to this by removing "Graves" as the Engineer. They feel it best to not list the firm in the event there are issues with the company. Articles 5-9 are Planning Board Articles. Jen Hager informs BOS that the Planning Board supports these articles in the form they are in but there is a meeting on September 24th at 8:20 for their recommendations. A memo will be forwarded on September 25th with these recommendations. Selectman Frustaci motions to approve the Town Warrant as presented and amended, Selectman Fattman seconds the motion, all in favor Passes 5-0

Private Roads: The selectmen review the list that was compiled by Highway Superintendent Mark Brigham, Town Clerk Laura Rodgers and Town Planner Jen Hager. Previously, the town plowed seventeen private roads. The list is up to sixty nine. Selectman Chizy feels tax payers should not have to plow driveways. He feels private roads should have different criteria than drive ways. Selectman Hebert would like to see a committee formed with Chief Towle, Acting Chief Maynard, Mark Brigham and the Town Administrator to form criteria. Selectman Hebert says that there are dead end roads that a town truck has to turn around in someone's drive way which could cause damage and the town would be liable to repair. Selectman Frustaci does not feel town should plow private roads but citizens did what they had to do to get it passed at town election so there fore it should be discussed. Selectman Fattman agrees with Frustaci but feels there are a lot of gray areas. Selectman Geraghty: BOS can set the criteria that a road must meet such as width. The health, safety and welfare of the residents must be thought of. Selectman Geraghty also would like to see criteria drawn up for this. TA Smith informs board that within 45-60 days, snow or ice will be falling. He will be in discussions with Police, Fire, Highway and Town Council and report back to the Selectmen with information. TA Smith feels 70 additional roads to plow sounds intimidating, it would have to be phased in. TA Smith also informs board that he has posted a request on the MMA website to get feed back from other towns.

Town Administrator Updates:

Jim Smith has had an enjoyable 7 days here. He has a goal of 30-45 days to get to know the staff/dept. heads. He has toured several of the town facilities and is reviewing different projects such as the IMA, Aquarion Water and the budget.

Announcements:

Selectman Chizy: September 20th Manchaug Street Scape @ the Manchaug Library 7:00p.m.
Food Pantry in need of all supplies for Food Pantry

Round Table:

Selectman Frustaci: Make sure Public Meeting is stated on agenda

Selectman Fattman: visited Marions Camp with TA Smith earlier today.

Selectman Geraghty: spoke to Rep. Callahan, funds earmarked for Marions Camp (\$50,000.) and Singletary Lake (\$100,000.) that had previously been vetoed by the governor has been reinstated and will be on its way to the town.

Selectman Frustaci moves that the Board enter into executive session for the purpose of discussing pending litigation with the intention of returning back to open session for the purpose of adjournment. Selectman Fattman seconds the motion. All in Favor, Motion passes 5-0

Meeting Adjourned 9:25 p.m.