

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 2/12/2008 by a vote of 4-0

7:00 p.m. – January 22, 2008

Sutton Town Hall, Selectmen's Meeting Room

Members in Attendance:

Michael Chizy, Acting Chairman
Ryan Fattman, Clerk
John Hebert
Michael Frustaci

Also in Attendance:

James Smith, Town Administrator
Debbie Jacques, Administrative Assistant

Acting Chair, Mike Chizy calls the meeting to order at 7:00 followed by the Pledge of Allegiance.

Public Forum: no discussions or comments

Selectman Frustaci motions to approve as presented, minutes from the January 8, 2008 Board of Selectmen meeting, Selectman Hebert seconds the motion, Passes 3-0-1 (Selectman Fattman abstains as he was not present at meeting of 1/8/08)

Sonia Auto Sales: Mr. Francisco Paulino and David Hebert (owner of 49 Worcester-Prov. Tpk) are here to request a Class II dealers license to be issued for this site under the name of Sonia Auto Sales. This is a Public Hearing and has been advertised in The Millbury-Sutton Chronicle. Mr. Paulino has had architected plans designed showing many new shrubs and other flowering areas. TA Smith reminds board that under Mass General Laws, local authority may allow the sale of used cars in a town. TA Smith also reminds board that under the Sutton Zoning Regulations, there are restrictions against new licenses but this location is grandfathered. Selectman Chizy informs Mr. Paulino and Mr. Hebert that they must go before planning prior to opening. Selectman Hebert recuses himself for this discussion and vote. Selectman Fattman questions David Hebert if there had been any luck with other businesses opening here, Mr. Hebert replied he had no luck with that. Ryan asks Town Planner Jen Hager if under the planning perspective would this be proper economic growth with a car dealer in this location. Jen Hager replies that this is a disallowed use in town but there is no issue with this as long as the improvements that are being discussed meet the 146 corridor specifications. Selectman Fattman motions to grant the Class II license to Sonia Auto Sales at 49 Worcester Prov. Tpk. Selectman Frustaci seconds the motion passes 3-0-1

Change of manager for 122 Worcester-Prov. Tpk LLC from Kenneth Linder to John Dulmaine: John Dulmaine and Attorney Rod St. Pierre are present. Mr. Dulmaine has purchased this property from Kenneth Linder; Mr. Linder has stepped down as manager of 122 Worc-Prov Tpk and John Dulmaine has been named as manager. This is a change of manager only, not change of use. John Dulmaine currently holds a class II license at 32 Boston Road, this license will be turned in when he picks up the new license. TA Smith would like to discuss these car dealer licenses at a later date but this is a manager change on the existing license. Selectman Frustaci would like clarification for future class II license as well but is all set with this request.

Selectman Fattman motions to change the manager for 122 Worc.-Prov. Tpk. from Kenneth Linder to John Dulmaine, Selectman Frustaci seconds the motion, all in favor passes 4-0.

Jims Pizza common vic.: This is a Common Vic. License that has come in late. Hearing no discussion Selectman Fattman motions to grant Jims Pizza their Common Vic., Selectman Hebert seconds, all in favor passes 4-0

Joint Agreement for Sutton/Douglas Senior Van: This van will be housed at the Sutton Senior Center but all costs associated will be split 50/50 between Sutton and Douglas. Selectman Chizy informs BOS that this was the van that Representative Callahan had helped secure a few years ago. The Douglas Selectmen have already signed this agreement. Selectman Frustaci motions to approve the Joint Agreement between Sutton and Douglas Senior Van, Selectman Fattman seconds the motion, all in favor passes 4-0

John Road/Deborah Drive Order of Taking: Town Planner Jen Hager and Attorney George Kiritsy are present. Jen Hager informs board that the 120 days after town meeting where this order was voted in favor of is almost up, she puts before the board an Indemnification agreement that she would like the board to review and sign. Jen reviews the process that had been discussed at a previous BOS meeting and voted on at the fall town meeting. The abutters have been notified by mailings along with a waiver that was to be returned to the Town, 4 of the 9 waivers have been returned. Selectman Frustaci motions to adopt the order taking by Eminent Domain, John Road and Deborah Drive and related easements and right of ways in consideration of Waivers of Appraisal and Damages from effected property owners as well as an Indemnification Agreement provided by BFG Realty Associates, Inc., for the purpose of completing the establishment of John Road and Deborah Drive as public ways, Selectman Fattman seconds, all in favor passes 4-0

Forest Edge Regulatory Agreement signing with DHCD and Sutton LLC for affordable housing units: Town Planner Jen Hager is present to answer any questions. Jen begins by saying these units are not formal 40B or LIP Projects, these are voluntary affordable units. This is a tri party agreement between Sutton, DHCD and the developer. Selectman Fattman motions to approve the Forest Edge Regulatory Agreement contingent upon the final approval and sign off by town council Selectman Frustaci seconds the motion all in favor passes 4-0

Budget: Accountant Tim Harrison is present. TA Smith begins by informing board that the FY09 budget is not a pretty picture. TA Smith is estimating a budget gap of approximately \$630,000.00. At the recent MMA conference, Governor Patrick addressed those in attendance. Included in this discussion was the possibility of the Governor including in the budget, revenue from the proposed casinos should they actually be passed. TA Smith discussed a few different things that could increase the towns' revenue. Discussed was the elimination of the Telecom Tax Exemption, institute a 1 or 2% meals tax, personal property tax also discussed was the low return to the towns on the lottery receipts. The meals tax will be on a community to community basis, if passed in Sutton a one percent increase could mean an additional \$26,000.00 in revenue to the town. If enacted in Sutton but not Millbury it could drive business out of our town. All agree this should not be jumped into to soon. The Governor did say that he would not balance the state on the backs of cities and towns. House 1 numbers will be released Wednesday and the State figures on Thursday. Once these figures have been released we will have a better idea of the financial impact we will be hit with. TA Smith has met with department heads to make them aware of the financial situation for FY09; one on one meetings will begin next week. The school has already submitted a draft budget which has been handed to the Selectmen tonight. Tim Harrison comments that he has been working closely with Jim Smith and together they are working to find additional revenue sources. He also informs the BOS that expected revenue for Fy09 from the development on route 146 is not available due to the delay in the projects. If the projects begin and move along at a steady pace, there may be some revenue that can still be collected. TA Smith will keep the BOS updated as information becomes available.

Capitol Requests: TA Smith presents the 5 year capitol plan. Projects that can be moved to future years will be discussed with the department heads. All requests will be reviewed and prioritized.

The BOS have reviewed and approve the submission for the Annual Town report.

Town Administrator Update:

Cable Equipment Upgrade: The bid was awarded to New England Sound Vision, the contract is being reviewed and work should be completed within 45 days.

Marion's Camp: Gates, Leighton and Associates will meet with town officials on February 1st at 10:00am. This is not open to the community. The scoping session will be held in March and the public will be invited.

Town Hall Generator bid: Awarded to Renaud Electric, the contract is being reviewed at this time.

The Sheriffs office will be in the town hall this week with inmates painting the hallway railings. the town supplies materials and lunch, the labor is free.

Wilkinsonville Water District has forwarded a letter asking for an exemption from town permit fees related to the construction of the municipal public water supply pump station for the two new wells that will be supplying water to the projects on 146. The BOS would like this on the next agenda to be discussed.

Announcements:

Selectman Frustaci announces a meeting to be held at the Sutton Senior Center for Community Service Learning. It will be held on January 24th at 6:00p.m.

Round Table:

Selectman Frustaci asks TA Smith how the private road plowing is going. TA Smith replies it is going well, there are a few less roads then the 13 that had been listed due to a bridge with safety concerns and residents of a street not wanting a plow to turn around on their road. TA Smith continues that Mark Brigham and his men are doing a good job despite being down a few men due to health issues.

Selectman Fattman offers congratulations to the recently appointed Fire Chief Paul Maynard

Selectman Chizy asks the board to show support and request TA Smith send a letter to State Reps. for SCM Elderbus and their transportation services provided to seniors and the disabled in Sutton. Due to budget issues, this service may be cut considerable. All agree for TA Smith to forward a letter asking for their support.

Hearing no further discussions, Selectman Frustaci motions to adjourn the meeting at 8:30 p.m., Selectman Fattman seconds the motion, All in Favor Passes 4-0