

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



*Sutton Town Hall*  
*4 Uxbridge Road*  
*Sutton, Massachusetts 01590*  
*(508) 865-8727*  
*Fax: (508) 865-8721*

*James A. Smith, Town Administrator*  
*Debbie Jacques, Administrative Assistant*

## TOWN OF SUTTON BOARD OF SELECTMAN

### Meeting Minutes

**Minutes Accepted and Filed with the Town Clerk on \_\_\_\_\_ by a vote of \_\_\_\_\_**

**7:00 p.m. – March 25, 2008**

Sutton Town Hall, Selectmen's Meeting Room

**Members in Attendance:**

Kevin Geraghty, Chairman  
Michael Chizy, Vice-Chairman  
Ryan Fattman, Clerk  
John Hebert  
Michael Frustaci (arrives at 7:05)

**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.

No discussion under Public Forum

Selectman Chizy motions to approve as presented, minutes from the March 11, 2008 Board of Selectmen meeting, Selectman Fattman seconds the motion, all in favor Passes 4-0

Town Administrator Jim Smith informs those present for appointments that due to the BOS not receiving resumes with the request for appointments, the BOS will speak to the 2 individuals and if agreed on, will appoint at the next meeting.

Leo Lavin Jr. 19 Dodge Hill Road, is here to request an appointment to Sutton Community Television. Selectman Chizy knows Mr. Lavin from his previous appointment on the Cable Board. He has no issues. Selectmen Hebert and Frustaci both agree they are happy there are still people willing to volunteer, Selectmen Fattman and Geraghty are impressed that Mr. Lavin has a Masters Degree in Computer Science.

Kenneth Malo Jr. 15 Bashaw Road, is here to request appointment to the Board of Health. Ken has a background in soils testing and septic installations. Selectman Chizy asks if there is a specific reason he would like to join board, he replies "no" he has worked with inspectors in the past and enjoyed it. Selectman Hebert has no issues but suggests putting off appointment to the next meeting. No comment from Selectman Frustaci, Selectman Fattman feels the experience is there and thanks him for volunteering. Selectman Geraghty asks if there would be a conflict of interest if he is doing work in town, Ken replies "no" he would step down. Ken states he is very interested in food inspections as well as septic issues. Hearing no further comments, Selectman Geraghty informs Ken that the ratification of appointments will be at the next BOS meeting.

Selectman Frustaci steps out of meeting

**Public Pole Hearing:** Selectman Fattman reads the public hearing notice as it appeared in the Millbury Sutton Chronicle. Selectman Geraghty opens the Public Hearing. Larry Schuyler is here representing National Grid. The purpose of the pole is to add additional wires to Lackey Dam Estates. Selectman Chizy asks if Mark Brigham had checked this out. TA Smith said yes, and he found no issues. Chizy has no further questions; Selectman Hebert, Fattman and Geraghty have no questions. Selectman Chizy motions to close Public Hearing, Selectman Fattman seconds, all in favor passes 4-0. Selectman Chizy motions to approve the pole at Lackey Dam Road running east towards Prescott Road, Selectman Fattman seconds, all in favor passes 4-0

Selectman Frustaci re-enters the meeting

**Public Hearing Chapter 61A land:** Selectman Fattman reads the public hearing as it appeared in the Millbury Sutton Chronicle. Selectman Geraghty opens the Public Hearing. No one from the public is present for this meeting. TA Smith informs BOS that this is a 5.63 acre site (m16 p78) on Uxbridge Road. There is a bona fide P&S offer of \$312,500.00 on this parcel. The town has the 1<sup>st</sup> right to refuse under the 61A regulations. If the town declines to buy land, when it is sold, the owner must repay taxes for the previous 5 years. This would amount in approximately \$7100.00. TA Smith would like direction from the BOS. If they are interested, the public hearing will be continued and an appraisal would be done on the land. Selectman Chizy states if this was a year ago he would consider the parcel, the town can not afford this property. Selectman Hebert has mixed emotions; this land was offered for sale before at a bit less then it is now going for. Selectman Frustaci feels with the purchase of Shaw farm, in 10 to 20 years the center of the town will focus more around where the Shaw property is located. He feels we missed the boat before on this, let it go. Fattman feels it is difficult to give up land. He comments that the town could not afford to not purchase Shaw farm. Selectman Geraghty feels if this property was contiguous to the Town Hall, it would be much more valuable for us to purchase. Fattman questions if we should hold off deciding as we still have 60 days, Frustaci feels we should vote and get it off our desk now. Hearing no further comments; Selectman Chizy motions to close the Public Hearing, Frustaci seconds, all in favor. Selectman Chizy motions to Not exercise the towns option under MGL, Chapter 61A on 16 Uxbridge Road (Map 16 Parcel 78) Frustaci seconds all in favor passes 5-0

Settlement of TDCP Lawsuit: Attorney Tom McEnaney(K&P) is present: This lawsuit has been ongoing for several years in connection to the design of the Fire Pond at the Elementary School as well as a few other issues. A settlement of \$175,000.00 has been accepted between Design Partnership, SAR, Hamwey and the Town of Sutton. Selectman Chizy is glad it is settled; Frustaci and Fattman both reply "great". Selectman Geraghty asks about this going into a debt service account. TA Smith replies he has already discussed this with Accountant Tim Harrison and there is already a Debt Service account set up. TA Smith would like to use a portion of this in the FY09 budget for reducing the debt service. Selectman Chizy motions to accept the settlement of \$175,000.00 and deposit into the Debt Service account, Selectman Fattman seconds, all in favor passes 5-0

Initial Compliance Certification (MSBA), Attorney McEnaney stays for this discussion as he has reviewed the compliance certification. Signing this allows the TOS to go to the next step in this process. TA Smith informs BOS that there is a warrant article asking the town to approve funding for schematic drawings. Attorney McEnaney informs BOS that in order to continue with this process we must sign the contract agreeing to all terms of the MSBA. The additional forms which we must agree to have not yet been written. TA Smith states he has asked Kopelman & Paige to guide us through this process. Selectman Chizy comments that residents do not want to pay for 2 schools at the same time. TA Smith responds that we have 11 million left on the Elementary school. This amount is declining over the remainder of the note. There is approximately 11 years remaining. Frustaci states can we afford not to do this, he feels we must look at this from both sides. TA Smith questions what would happen if we refuse appropriations at this point, do we get taken off the list. Selectman Geraghty has been at meetings in Boston and this question was posed to the MSBA. The answer was very vague. Kevin says that out of 449 requests, Sutton came in 49<sup>th</sup>. This is based on the States determination of the need. Attorney McEnaney informs BOS that the other 48 towns are in the same position as Sutton. There are many unanswered questions. Selectman Fattman asks if the MMA has any stand on this project. TA Smith said he has not seen any input from the MMA. Selectman Hebert motions to sign the Initial Compliance Certification; he feels we can opt out at a later date if we do not like what we see. Selectman Frustaci seconds the motion; all in favor passes 5-0

Balanced Budget FY09: Started with a significant gap but the State Legislature has agreed on a joint resolution of the two largest local aid numbers, Chapter 70 and lottery aid. Another area that helped is the settlement previously discussed at this meeting. Approximately \$80,000.00 of this settlement will be used to offset a peak in debt service. Other areas that have helped in balancing the budget was cuts to accounts such as street lighting, reduction in Town Council funds, the increase in overlay and new growth. Selectman Chizy is pleased with such a good budget so early. Selectman Hebert feels the same and contributes it to good communication between the TA and Fin Com. Selectman Frustaci states it is "feast or famine" but

questions reduction in town council, Ta Smith reports that we have spent less this year in attorney fees and does not see major issues which would require the need for calls to Town Council. Selectman Fattman commends TA Smith on this year's efficiency and simplicity in the budget process. Selectman Geraghty agrees that it was a good budget process for TA Smiths 1<sup>st</sup> Sutton budget and attributes this to good communication. He would like to see TA Smith maintain the fiscal conservative attitude.

Draft of Town Meeting articles: Jen Hager will be present at the April 8<sup>th</sup> BOS meeting to answer any questions regarding Planning Board articles.

Massachusetts State Lottery Keno: "Keno to Go" Keno will be available at all locations lottery is sold. A keno number can be bought and brought home to check winning numbers on line. The State Lottery is required to notify each town, the town can opt out if there are any concerns.

Application for "Assistance for Fire Fighter Grant" TA Smith informs BOS that he is applying for a new fire vehicle. Chief Maynard and TA Smith will be submitting a grant by April 3<sup>rd</sup> to the Office of Homeland Security. The cost of the vehicle is \$825,000.00. This grant requires that the town match with 5% of the total price which breaks down to approximately \$41,000.00. Selectman Chizy motions to have the Town apply for the Fire Fighter grant for \$825,000.00 and commit to the 5% (\$41,000.00) should the town be awarded the grant. Selectman Frustaci seconds the motion all in favor passes 5-0

#### Announcements:

Selectman Chizy congratulates John Hebert as he was chosen chairperson for Central MA MPO

Friends of COA Ham & Bean Supper April 19<sup>th</sup> @ the Senior Center

Breakfast at the Senior Center April 4<sup>th</sup> pancakes and bacon

Selectman Hebert: attended the 11 town meeting. Was very concerned that the 146 project @ Boston road has been taken off the list. Reportedly it is due to the fact the crash data is low. John has asked that this be looked in to as the criteria has changed. CC any letters to representatives and senators.

Selectman Frustaci: Spring sports starting please show support.

Selectman Fattman: Sutton High Drama club presenting Pride & Prejudice

Charette for Marion's Camp April 5<sup>th</sup> from 9:00a.m. to 12:00p.m.

#### Round Table:

Phil Berube approaches desk and requests to discuss situation with BOS. Many residents in Manchaug have signed up for Charter bundle. They received letter stating they had been under charged \$15.00 each month. When Phil called Charter they said he is responsible for the era. BOS request TA Smith check in to this.

Selectman Fattman: Informs board that he has discussed the possibility of grad school student planners come in to our town to assist with Charettes or other Planning Board items. Ryan states that last year these students were able to get a \$500,000.00 Federal grant for the town of Ipswich.

#### Hearing no further discussions:

Selectman Chizy motions to adjourn the meeting at 8:30 p.m., Selectman Fattman seconds the motion, All in Favor Passes 5-0

