

November 20, 2017

**Board of Selectmen
Minutes
November 20, 2017**

Present: Mary Blanchard, Chairman
Mary Dowling, Clerk
Michael Suprenant
Leon Gaumond, Jr., Town Administrator

Absent: Priscilla Gimas, Vice Chair
Craig Moran

The Chairman called the meeting to order at 6:30 p.m. following the Pledge of Allegiance

Public Service Announcements

M. Dowling wished everyone a Happy Thanksgiving.

M. Blanchard announced that there is a vacancy to be filled on the Library Board of Trustees at the next Selectmen's meeting in the event that anyone wishes to apply.

M. Blanchard announced that the December 18th meeting of the Board of Selectmen will be held on December 11th.

Department Heads Reports

Nelson Burlingame informed the Board about his daily operations such as building permits, working with applicants answering both building and zoning questions. He mentioned the new permit process which is being coordinated between the Board of Health, Building Department and Selectmen's office. The businesses seem to like the new streamlined process. He informed the Board that Altruist Brewery may be receiving their signed building permit in the next week. He informed the Selectmen of several new businesses moving into town and new residential construction.

Public Hearing- Wetland Bylaw Regulations - Continued

The Chairman opened the public hearing with the Conservation Commission to discuss comments for the Wetlands Bylaws Regulations. Ed Goodwin and Rebecca Gendreau spoke on behalf of Conservation.

R. Gendreau wished to provide some clarification on the proposed revisions to the Sturbridge Wetlands Bylaw Regulations. The Conservation Commission is not proposing to revise the Sturbridge Wetlands Bylaw which is in the town's general bylaws. However, the SCC is proposing revisions to the Sturbridge Wetlands Bylaw Regulations. The objective of the proposed revisions has been to update the regulations and to make them more user friendly. According to the MA Association of Conservation Commissions, a majority of MA cities and towns have a local bylaw and/or ordinance that provides more protection to wetlands than provided by the MA Wetlands Protection Act. Section 3.58 of the Wetlands Bylaw, allows the ConCom, after public notice and public hearing, to promulgate rules and regulations to effectuate the purpose of the bylaw. The current regulations have been in effect since November 22, 2002 and revised once on February 14, 2004. The ConCom has been working on the current revisions for a number of years. The ConCom had submitted the proposed revisions to the Selectmen for review and comment prior to initiating the process to formally revise the regulations. The ConCom has also submitted the regulation revisions to KP Law for review and have revised their draft accordingly. The SCC will follow procedures to allow the general public to provide comment and to have their concerns/questions addressed.

R. Gendreau outlined in Section 3.52 of the Sturbridge Wetlands Bylaw, projects or activities located within resource areas or within 200 feet of these resource areas require approval by the ConCom prior to the commencement of such activities. This 200 foot buffer zone is not a setback boundary. For clarification, the ConCom is not proposing to create or change any jurisdictional buffer zones or to change or create any new setback boundaries. The ConCom is not proposing a 500 foot buffer zone or a 500 foot boundary setback. Currently, Section 6.1, of the current regulations addresses projects on slopes of 8% or greater. This was previously incorporated into the Wetland Bylaws regulations, in

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either 2002 or 2004, because it is in the Sturbridge Zoning Bylaws. The Sturbridge Zoning Bylaw (Section 4.04) states that: "No soil removal or grade alterations on slopes in excess of eight percent (8%) shall be permitted within 500 feet of any area subject to protection under the Massachusetts Wetlands Protection Act without prior Conservation Commission reviewing and issuing an Orders of Conditions". This zoning bylaw has been in place since 1989. She informed the Selectmen that the ConCom is currently proposing some revisions to language within Section 6.1 and has also revised Section 1.1. to make reference of these filing requirement. Those revisions do not modify the requirements set forth by the Sturbridge Zoning Bylaws.

The ConCom was proposing to remove the word significant from Section 1.3. At the request of the Selectmen, they voted to remove the revision to delete the word significant. Therefore there will be no change to this language. It will remain as No Significant Adverse Impact. The members of the Board were pleased with that decision.

Rebecca further added that the ConCom is not proposing to allow one member to solely decide on the approval or denial of a project. They are required to have a quorum present in order to vote on a project (see Section 4.1). The ConCom has proposed revisions to the amount of signatures necessary for emergency authorizations (Section 4.14) and for Enforcement Orders and Cease and Desists (Section 4.16). Emergency projects are necessary for the protection of the health and safety of the public. Currently the regulations require that the Conservation Commission certifies that the work is an emergency prior to the commencement of work or within 24 hours of work. In an effort to expedite the emergency certification process, they are proposing that only a single commissioner or the Agent are required to certify the work as an emergency. The emergency certification would be required to be ratified at the next scheduled Conservation Commission meeting.

Currently the regulations require that the Conservation Commission issues a Cease and Desist or an Enforcement Order. State agencies also have the ability to issue Cease and Desist or Enforcement Orders. The ConCom is proposing that a single member or the Agent can solely issue a Cease and Desist or an Enforcement Order. The intent is to be able to react more quickly to a violation to minimize potential impacts which will also minimize any potential fees or replication requirements that may result in the violation. Enforcement Orders are still required to be issued by a majority unless it is an emergency to take immediate action. The emergency Enforcement Order would be required to be ratified at the next scheduled Conservation Commission meeting.

M. Blanchard asked about the fee changes. E. Goodwin responded that the ConCom dropped the fee increases to \$300.

M. Dowling thanked the attendees and the members of the ConCom for the work that was done on this project. She also reminded everyone that bylaw changes need to be approved at Town Meeting so no changes in the Bylaws were being considered at this time. She asked R. Gendreau to clarify buffer zones and setback boundaries. M. Dowling asserted that the flyer that was mailed to a number of residents contained inaccurate and misleading information by stating that the wetland bylaws were being changed.

M. Suprenant provided the ConCom with written comments and will email them to the ConCom for their further review. He recommended referring to the Bylaw for the definition of the Buffer Zone. M. Suprenant asked about recording of enforcement orders. ConCom responded that they pulled this section.

E. Goodwin offered to have any public comments during their upcoming meetings as they discuss this further.

Richard Paradise of Leadmine Road asked whether the hearing was posted. M. Blanchard clarified that the advertisement was posted in the newspaper and is in the agenda as well. M. Dowling asked if we could find a way to do a better job of notifying people of upcoming hearings.

Motion: To close the public hearing. **By: M. Dowling**
2nd: **By: M. Suprenant**

Vote: In Favor **Passed 3-0**

Department Heads Reports

Chief Thomas Ford was unable to attend tonight's meeting.

Fire Chief Grasso came before the Selectmen for his September and October monthly reports. He mentioned the successful open house which was held by the department, the ongoing training programs offered throughout the Department, and the new Tower Truck is now in service.

Town Administrator Update

Approval for Energy Savings Initiative for Fire Department

Chief Grasso has asked National Grid to do an energy audit of the Public Safety Complex. The building can be retrofit to LED lighting at a cost of \$47,000 of which the Town would be responsible for roughly \$30,000. The Chief was joined by Ed Cordash of National Grid. By moving forward with the project the Town will see these improvements pay for themselves in nearly 3 fiscal years. M. Dowling asked how long the fixtures could last. E. Cordash suggested that they could last 20 years or so.

Motion: To authorize the Town Administrator to prepare a warrant article for an upcoming Town Meeting to seek the Town's funds for this project. **By: M. Suprenant**
2nd: **By: M. Dowling**

Vote: In Favor **Passed 3-0**

ISO Review

Chief Grasso informed the Selectmen that the Town recently went through an ISO rating process for the first time in many years. The Town moved from a 6/9 rating to a 5/5Y which is an improvement and should benefit the Taxpayers and businesses of the Town. The Selectmen were appreciative of the news on behalf of the Town.

Ambulance Rates

Chief Grasso presented an analysis of the ambulance rates which have not been adjusted in several years. Barbara Barry, Finance Director, joined the discussion. It was clear that Sturbridge has the lowest rates in the region and by a great amount. He is recommending an increase in the rates as follows:

Effective January 1, 2018:

BLS Rate: From \$661 to \$825
ALS1 Rate: From \$925 to \$1200
ALS2 Rate: From \$992 to \$1700

Effective July 1, 2018:

BLS Rate: From \$825 to \$950
ALS1 Rate: From \$1200 to \$1400
ALS2 Rate: From \$1700 to \$2000

The Chief cited the costs to provide these services in town. He also mentioned that we rarely recoup all of what we are owed to provide services to the community. Even if the Chief's recommendations are adopted, the Town's rates will be less than the median rates in the region. M. Dowling expressed concern as to whether or not writing off excess amounts for indigent people and whether or not raising the rates would adversely affect them in those cases. B. Barry responded that the subsidized government plans are already paying the maximum amount but that there is room to grow our rates to account for private insurance plans.

Motion: To approve the ambulance rates for BLS, ALS1 and ALS2 as presented by the Fire Chief to be effective January 1, 2018 and to be effective July 1, 2018. By: M. Suprenant
2nd: By: M. Dowling

Vote: In Favor Passed 3-0

Changes to the Comprehensive Fiscal Management Policies

B. Barry presented several minor changes to our Comprehensive Fiscal Policies based upon the recent changes to the Capital Stabilization Fund created at the last Town Meeting.

Motion: To approve changes to the Fiscal Management Policies as recommended by the Finance Director.
By: M. Dowling
2nd: By: M. Suprenant

Vote: All in Favor Passed 3-0

Resignation from Anthony Celuzza from the Senior Center Study Committee

L. Gaumond asked for the Board for their acceptance of the resignation of Anthony Celuzza from the Senior Center Study Committee.

Motion: To accept the resignation of Anthony Celuzza from the Senior Center Study Committee with regrets. By: M. Suprenant
2nd: By: M. Blanchard

Vote: All in Favor Passed 3-0

Resignation from William Silliker from the DPW

L. Gaumond asked for the Board for their acceptance of the resignation of William Silliker from the DPW.

Motion: To accept the resignation of William Silliker from the DPW with regrets. By: M. Suprenant
2nd: By: M. Blanchard

Vote: All in Favor Passed 3-0

Resignation from Sandra Gibson-Quigley from the STA

L. Gaumond asked for the Board for their acceptance of the resignation of Sandra Gibson-Quigley from the Sturbridge Tourist Association.

Motion: To accept the resignation of Sandra Gibson-Quigley from the Sturbridge Tourist Association with regrets. By: M. Suprenant
2nd: By: M. Blanchard

Vote: All in Favor Passed 3-0

Ethics Disclosure from Kevin Filchak

L. Gaumond asked for the Board for their acceptance of an ethics disclosure having been appointed as the new Emergency Management Coordinator at the Board's last meeting. The disclosure is required under the Mass. Ethics Laws.

Motion: To approve the ethics disclosure by Kevin Filchak under MGL C. 268A (20b). By: M. Suprenant
2nd: By: M. Dowling

Vote: All in Favor Passed 3-0

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IOD Claim for Officer DaDalt

L. Gaumond asked the Selectmen to approve the IOD claim for Officer DaDalt

Motion: To approve the IOD claim for Officer DaDalt of the Police Department. By: M. Suprenant
2nd: By: M. Blanchard

Vote: All in Favor Passed 3-0

Correspondence

M. Dowling read the correspondence list.

Approval of Minutes

Motion: To approve the minutes of November 6, 2017 presented by L. Gaumond as amended. By: M.
Suprenant
2nd: By: M. Dowling

Vote: All in Favor Passed 3-0

Old Business

There was no old business.

New Business

There was no new business.

Citizen's Forum

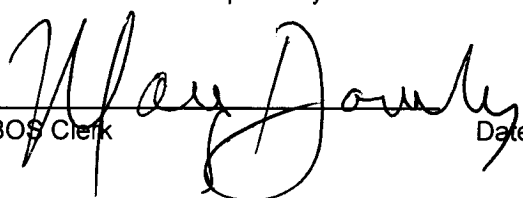
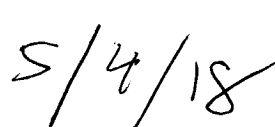
There were no comments from the public.

Motion: To adjourn. By: M. Suprenant
2nd: By: M. Dowling

Vote: All in Favor Passed 3-0

The Meeting was adjourned at 8:02 p.m.

Respectfully submitted: Leon A. Gaumond Jr. Town Administrator

BOS Clerk Date