

**Board of Selectmen
Minutes
April 17, 2018**

Present:

Mary Blanchard, Chairman
Priscilla Gimas, Vice Chair
Mary Dowling, Clerk
Michael Suprenant
Chase Kaitbenski
Leon Gaumond, Jr., Town Administrator
Colleen King, Administrative Assistant

The Chairman M. Blanchard called the meeting to order at 6:00 p.m.

Clerk, M. Dowling read the following:

Motion: To enter Executive Session pursuant to GL c. 30A, s. 21(a)(3) to discuss union negotiations with the Police and Fire unions as to discuss these items in open session will have a detrimental effect on the negotiating position of the Town as declared by the Chairman.

by M. Dowling

2nd: by P. Gimas

Roll Call Vote:

P. Gimas: YES

M. Dowling: YES

M. Blanchard: YES

M Suprenant: YES

C. Kaitbenski: YES

Open Session

The Selectmen reconvened in open session at 6:30 p.m.

Pledge of Allegiance

The Board members stood for the pledge.

Reorganization of the Board:

Town Administrator, Leon Gaumond facilitated the reorganization of the Board. L. Gaumond addressed the Board and public by stating that after an election, a reorganization of the Board takes place. At the meeting tonight, the positions of Chairman, Vice-Chairman and Clerk to the Board of Selectmen will be voted on.

L. Gaumond asked if there were any nominations for the Chairman to the Board of Selectmen.

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**Motion: I move to nominate Mary Blanchard as Chairman to the Board of Selectmen
by: M. Suprenant
2nd: by P. Gimas**

Town Administrator:
Are there any other nominations?
Hearing none I ask for a motion to close the nomination.

**Motion: I move to close the nomination. by: P. Gimas
2nd: by M. Suprenant
All in Favor: 5-0**

With one candidate; a vote will be taken for Mary Blanchard to be the Chairman of the Board of Selectmen. Please signify by saying "Aye":

**"Aye" - 5
"Opposed" - 0
"Ayes" passed: 5-0**

L. Gaumond asked if there were any nominations for the Vice-Chairman to the Board of Selectmen.

**Motion: I move to nominate Priscilla Gimas as Vice-Chairman to the Board of Selectmen
by: M. Blanchard
2nd: by M. Dowling**

Town Administrator:
Are there any other nominations?
Hearing none I ask for a motion to close the nomination.

**Motion: I move to close the nomination. by: P. Gimas
2nd: by M. Blanchard
All in Favor: 5-0**

With one candidate; a vote will be taken for Priscilla Gimas to be the Vice-Chairman of the Board of Selectmen. Please signify by saying "Aye":

**"Aye" - 5
"Opposed" - 0
"Ayes" passed: 5-0**

L. Gaumond asked if there were any nominations for the Clerk to the Board of Selectmen.

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Motion: I move to nominate Mary Dowling as Clerk to the Board of Selectmen

by: P. Gimas

2nd: by M. Suprenant

Town Administrator:

Are there any other nominations?

Hearing none I ask for a motion to close the nomination.

Motion: I move to close the nomination. by: P. Gimas

2nd: by M. Dowling

All in Favor: 5-0

With one candidate; a vote will be taken for Mary Dowling to be the Clerk of the Board of Selectmen. Please signify by saying "Aye":

"Aye" - 5

"Opposed" - 0

"Ayes" passed: 5-0

Public Service Announcements

- Gimas welcomed Chase Kaitbenski as a new member and welcomed Michael Suprenant back to the Board.
- C. Kaitbenski thanked the residents for coming out to vote and looks forward to serving the town.
- M. Suprenant thanked former board member Craig Moran for his 4 years of service.
- M. Dowling welcomed Chas Kaitbenski and Michael Suprenant. She also expressed thanks to former board member Craig Moran.
- CMRPC Spring Legislative Affairs Breakfast – Friday, May 18 – 8:00 – 10:00 AM – Town of Auburn, 102 Central St, Auburn, MA
- Town of Sturbridge seeks alternate members to the Conservation Commission for a term not to exceed three (3) years. If interested, please send a letter to the Town Administrator, Town Hall, 308 Main St, Sturbridge, MA 01566 or by email at: lgaumond@town.sturbridge.ma.us
- Earth Day trash pick-up the weekend of April 21 & 22. Please contact the Conservation Office at the Center Office Building on Tuesdays through Fridays from 11:00 AM to 3:30 PM to register your name, location of cleanup and location where bags will be left for DPW pick up.

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- The Friends of Sturbridge Trails is sponsoring an Earth Day Trail Side Clean Up on Saturday, April 21 from 9:00 AM to Noon at two locations: Leadmine Trail Head on 10 Shattuck Rd or Heins Farm Trail Head on 197 Leadmine Rd. Bring bug spray, work gloves and water bottle. Pizza lunch at noon.
- Chairman M. Blanchard presented a Certificate of Appreciation to the Town of Sturbridge from the Marine Corp League for the 2017 Toys for Tots Campaign.

6:35 p.m. Public Hearing: Renewal of Earth Removal Permit – Rampco Construction Co., Inc., on behalf of Hamilton Rod & Gun Club – Hamilton & New Boston Road, Sturbridge

Fred Bicchieri of Bertin Engineering was present to discuss the renewal of the earth removal permit held by Rampco Construction Co., Inc. Rampco would like to continue the renewal for an additional 18 months to 2 years, at which point, they will end the renewal process. There is still some work to be completed on the middle portion of the site. Due to the past recession, Rampco was not able to complete the work. Rampco needs to stabilize an area where work is not going to continue. M. Suprenant stated that the Conservation Commission has made a number of comments and noted concerns. Bertin Engineering did not receive any correspondence from the Conservation Commission; but believes Rampco may have received communication.

M. Dowling stated that there appears to be differences between the original 2008 plan and the current 2013 plan. Mr. Bicchieri explained that the 2008 plan was submitted as the work to be done is the same. M. Dowling stated that perhaps the hearing should be continued with updated plans and the possibility that the applicant may need to file a Notice of Intent with the Conservation Commission due to work near a buffer zone. Greg Morse commented on the four phase plan. It does not show good finished grades, updating is needed. A definitive finished plan needs to be submitted. Ledge is protruding which prohibits excavation. The Board is considering the approval of earth removal not the plan for a rifle range. Also, a bond needs to extend for six months for final restoration in the event of reclamation work. Don Taft, President of Hamilton Rod & Gun Club, asked to speak. He stated that the rifle range area will be untouched, no excavation, work will take place below that area. The 2013 plan shows a proposed rifle range; however that is no longer being proposed. Greg Morse stated that for any alterations of work, Rampco has to notify the Town. The plan, as presented, is not representative of the current area and the list of conditions from the past were not followed. A 60 day notice would be best for Rampco to get all the loose ends of plans together.

Motion: I move to close the hearing. by: P. Gimas

2nd: by C. Kaitbenski

All in Favor: 5-0

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Motion: I move to grant a sixty (60) day extension to Rampco Construction Co., Inc. pending a bond be posted with the Town. by: P. Gimas

2nd: by C. Kaitbenski

All in Favor: 5-0

Motion: I move to revise the previous vote and grant a ninety (90) day extension.

by: P. Gimas

2nd: by C. Kaitbenski

All in Favor: 5-0

Motion: I move to continue the public hearing until July 16, 2018 at 6:35 p.m.

by: P. Gimas

2nd: by M. Suprenant

All in Favor: 5-0

6:45 p.m. Public Hearing: Change of Beneficial Interest Application - Drake Petroleum Company, Inc., d/b/a Xtra Mart – 215 Charlton Road, Sturbridge

Rashi Mangalick, of McDermott Quilty & Miller, LLP and Meredith Petz, of Drake Petroleum Co., Inc. were present to request their application for a Change in Beneficial Interest. The board members were provided the complete package outlining the change of one member of the stockholders.

Motion: I move to close the hearing. by: P. Gimas

2nd: by M. Suprenant

All in Favor: 5-0

Motion: I move to approve the application from Drake Petroleum (Xtra Mart) for a change in beneficial interest. by: M. Dowling

2nd: by P. Gimas

All in Favor: 5-0

**Discussion: Town of Sturbridge Green Communities Stretch Energy Code
Warrant Article Adoption Process**

Kelly Brown, Mass Dept of Energy Resources Regional Coordinator and Jim Barry, Mass Dept of Energy Resources, the Western Regional Coordinator were present to explain the benefits of the Town adopting the Green Communities Stretch Energy Code.

The Green Communities Designation and Grant Program began in 2010. The program has five (5) criteria to meet. The energy reduction plan would be brought to Board of Selectmen for adoption and then through a vote at Town Meeting. Town would receive a grant once it is designated a green community. Town could receive up to \$140k plus an additional \$250k once the 140k is expended. Currently, there are already 210 communities in Massachusetts already designated.

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Jim Barry spoke in more detail on the stretch code and presented a PowerPoint presentation. The stretch code applies to the existing building code that is energy related. The code would only apply to new construction, it is future focused. Mr. Barry discussed the misconceptions about how to bring in the stretch code into a community with older homes and the burden to home owners. He explained that in July 2014, the standard building code was updated and nearly similar with the stretch code requirements; he stated that some people find it is more difficult to comply with the building code than the stretch code. In January 2017, the building and stretch code became almost identical. The difference between the two in any sample town is the savings with the stretch code and the need of certification. The stretch code is based on a HERS score scale. A HERS Inspector can be used in addition to a local Building Inspector. Any additions or renovations to existing homes are exempt.

M. Dowling asked about the Stretch Code HERS Energy Rater sub-contractor rates of \$1300-\$1700; are these market based rates that can be more or less in a community? Mr. Barry stated yes, and pointed out that the new building code requires a blower door test which also has a cost. Mr. Barry stated that a homeowner may be eligible to apply for rebates. The HERS rater does a lot of paperwork on behalf of the builder and homeowner to assist.

M. Suprenant stated that there were stricter codes 30 years ago, but energy conservation practices had relaxed over time. He is in support of the program for the Town. Technology so much better; more options today.

C. Kaitbenski stated that the plan seems to prioritize propane over oil heat. Sturbridge does not have gas lines. Propane tank has to be installed by homeowner. He appreciates the updated building code as it stands and does not want to burden homeowners to pay more to go green.

M. Dowling asked about the need to meet all 5 criteria; that may not be as simple as adoption. She also asked if the grant is annual or a one-time award. Mr. Barry stated that the 140k grant is a one-time grant; but that the Town could apply for an additional 250k each year once the initial money is used. Mr. Barry stated the Town is given five years to meet the required criteria. There are many measures already in place to assist Towns in this goal. Once the Town's plan is approved; the results are not required to be met until the 6th year, at which point, help would be given to try and reach the desired goals. Towns have not found the criteria too burdensome as of yet. Also, a Town can choose to not adopt the code until a later time.

Nelson Burlingame, Building Inspector spoke. He asked whether the regional school district is included in the proposal. Mr. Barry stated that schools are not required to be part of the energy code plan. TRHS is a regional school system; and the Superintendent would have to adopt the measure if the Town wishes. Jean Bubon, Town Planner stated that the Town is only looking to include Burgess Elementary at this time.

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Motion: I move to have the Town Administrator move forward with a Warrant article for town meeting to see if voters will accept the stretch code for the Town to become a green community.

by: M. Suprenant

2nd: by M. Dowling

P. Gimas stated that she is not in support of the plan at this time, but will agree to put the decision to the voters. She is concerned about the cost burden on residents with no guarantees on energy cost savings.

All in Favor: 5-0

News Announcement

P. Gimas informed the Board and the public that at 8:05 p.m. she received the news update that former President George W. Bush's mother Barbara Bush passed away.

Application: One Day Liquor License: Fishing Derby Event - Hamilton Rod & Gun Club

Lorrie Jeskey, Manager of the Hamilton Rod & Gun Club was present. She informed the Board about their annual Fishing Derby event to be held on May 12 from 8:00 AM – 2:00 PM

Motion: I move to approve the application of Hamilton Rod & Gun Club for a one day liquor license for the Fishing Derby Event on May 12th. by: P. Gimas

2nd: by M. Suprenant

All in Favor: 5-0

Department Head Reports

DPW

February and March reports were given to Board. Greg Morse, DPW Director reviewed the reports. In February the work activities were for trash, road patching, and equipment repairs. In March the department work dealt with the extensive windstorm damage. There were also some residual snow totals.

The Town Administrator requested the Board approve and sign the Chapter 90 - New Boston Road Report to be submitted for reimbursement.

Motion: I move to approve the request for reimbursement of the Chapter 90 New Boston Road Report. by: P. Gimas

2nd: by M. Suprenant

All in Favor: 5-0

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DPW Appointments:

The Town Administrator along with the DPW Director presented three (3) final candidates to be appointed to the DPW Department.

First candidate is Ronald Barrows, who is recommended for the position of Heavy Equipment Operator, to start at Step 1 of the union contract, effective start date of 5/21/18; to allow the required 30-day notice to his current employer.

Motion: I move to approve the appointment of Ronald Barrows for the position of Heavy Equipment Operator, at Step 1 of the union contract, effective May 21, 2018.

by: P. Gimas

2nd: by M. Suprenant

All in Favor: 5-0

M. Suprenant asked if the Union was notified in writing of the positions brought to the Board. DPW Director, Greg Morse responded that he did not know of the process of notifying the Union for the current positions.

Second candidate is Steven Sutter, who is recommended for the position of Light Equipment Operator, to start at Step 1 of the union contract, effective start date of 4/23/18.

Motion: I move to approve the appointment of Steven Sutter for the position of Light Equipment Operator, at Step 1 of the union contract, effective April 23, 2018.

by: P. Gimas

2nd: by C. Kaitbenski

All in Favor: 5-0

Third candidate is David Mitchell, who is a current employee of the Town and recommended for the position of Heavy Equipment Operator, effective start date of 4/23/18.

Motion: I move to approve the appointment of David Mitchell for the position of Heavy Equipment Operator, at Step 1 of the union contract, effective April 23, 2018.

by: M. Suprenant

2nd: by C. Kaitbenski

All in Favor: 5-0

Water/Sewer

February and March Operation Reports were given to the Board. Shane Moody, Project/Plant Manager of Veolia Wastewater & Sewer reviewed the reports. The water bills were sent out, and there are a couple abatement requests; the Town Administrator has already received one and will soon get the other. Flushing is underway.

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Senior Center

A list of activities were compiled for a report which was given to the Board. This is the first department report given by newly hired Council on Aging Director, Heather Weston. She stated to the Board members that she can tweak her reports in the future to capture the information the Board wishes to know; but for now she has listed the activities of the Senior Center.

She stated that she will be working on grants in the months of July and August. In particular, she is focusing on exploring and implementing a Memory Café program in an effort to make the Town of Sturbridge an Age & Dementia Friendly Community. The Town Administrator stated that this was one of the goals of the Board of Selectmen.

M. Dowling asked about the quarterly report listing and asked whether the Council on Aging Board usually receives these reports. The Town Administrator explained when the new director was hired, the Council on Aging Board wanted a better understanding of the financial info. The Director always receives reports monthly but the COA board will now have this same info shared with them.

Town Administrator Updates

Request by the Tree Warden to recognize April 27, 2018 as National Arbor Day in the Town of Sturbridge and that the Board of Selectmen sign the Proclamation.

Motion: I move to proclaim April 27, 2018 as Arbor Day in the Town of Sturbridge.

by: P. Gimas

2nd: by M. Suprenant

All in Favor: 5-0

The Town Administrator received a resignation letter from Angela Smith from the Special Events Committee.

Motion: I move to accept the resignation of Angela Smith from the Special Events Committee.

by: P. Gimas

2nd: by M. Suprenant

All in Favor: 5-0

The Town Administrator has drafted changes; which are shown and tracked in the copies provided to the Board members for the proposed amendment to the appointment procedures.

M. Suprenant stated that he would like to include the procedure of posting vacancies on the Town cable access channel.

M. Dowling asked why there needs to be a change of policy on board appointments? The amendment of the Town Administrator having the option to not appoint if there are policy differences is ambiguous language. The Charter is clear on appointments.

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Motion: I move to approve the amendment to the appointment procedures with Selectmen M. Suprenant's additional language of posting vacancies on the cable access channel.

by: P. Gimas

2nd: by M. Suprenant

Vote: 4-1 (M. Dowling opposed)

Warrant Articles - Close Warrants

The Town Administrator gave the updated draft Warrant dated 4/17/18 to the Board members.

L. Gaumond asked the Board to review and vote to place the following articles on the official Special and Annual Town Meeting Warrants:

Annual Town Meeting Warrant Articles:

Motion: I move to place and support Article 1 on the Annual Town Warrant.

by: M. Suprenant

2nd: by P. Gimas

All in favor: 5-0

Motion: I move to place and support Article 2 on the Annual Town Warrant.

by: M. Suprenant

2nd: by P. Gimas

All in favor: 5-0

Motion: I move to place and support Article 3 on the Annual Town Warrant.

by: M. Suprenant

2nd: by P. Gimas

All in favor: 5-0

Motion: I move to place and support Article 4 on the Annual Town Warrant.

by: P. Gimas

2nd: by M. Suprenant

All in favor: 5-0

Motion: I move to place and support Article 5 on the Annual Town Warrant.

by: P. Gimas

2nd: by M. Suprenant

All in favor: 5-0

Motion: I move to place and support Article 6 on the Annual Town Warrant.

by: P. Gimas

2nd: by M. Suprenant

All in favor: 5-0

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Motion: I move to place and support Article 7 on the Annual Town Warrant.
by: M. Suprenant
2nd: by P. Gimas
All in favor: 5-0

Motion: I move to place and support Article 8 on the Annual Town Warrant.
M. Blanchard asked that this Article be put on hold for further discussion.

Motion: I move to place and support Article 9 on the Annual Town Warrant.
by: M. Suprenant
2nd: by P. Gimas
All in favor: 5-0

Motion: I move to place and support Article 10 on the Annual Town Warrant.
by: M. Suprenant
2nd: by C. Kaibenski
All in favor: 5-0

Motion: I move to place and support Article 11 on the Annual Town Warrant.
by: M. Suprenant
2nd: by P. Gimas
All in favor: 5-0

Motion: I move to place and support Article 12 on the Annual Town Warrant.
by: P. Gimas
2nd: by M. Suprenant
All in favor: 5-0

Motion: I move to place and support Article 13 on the Annual Town Warrant.
by: P. Gimas
2nd: by M. Suprenant
All in favor: 5-0

Article 14

P. Gimas asked that this Article be put on hold for discussion at the Budget meeting on April 23rd. Requested a breakdown of the proposal from Recreation. Recreation Director, Annie Rossioli, is scheduled do a presentation at the May 7th Board of Selectmen's meeting.

Motion: I move to place and support Article 14 on the Annual Town Warrant.
by: M. Dowling
2nd: by M. Suprenant
All in favor: 5-0

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Motion: I move to place and support Article 15 on the Annual Town Warrant.
by: M. Suprenant
2nd: by P. Gimas
All in favor: 5-0

Motion: I move to place and support Article 16 on the Annual Town Warrant.
by: P. Gimas
2nd: by M. Suprenant
All in favor: 5-0

Motion: I move to place and support Article 17 on the Annual Town Warrant.
by: M. Suprenant
2nd: by C. Kaitbenski
All in favor: 5-0

Motion: I move to place and support Article 18 on the Annual Town Warrant.
by: P. Gimas
2nd: by M. Suprenant
All in favor: 5-0

Motion: I move to place and support Article 19 on the Annual Town Warrant.
by: P. Gimas
2nd: by C. Kaitbenski
All in favor: 5-0

Motion: I move to place and support Article 20 on the Annual Town Warrant.
by: M. Suprenant
2nd: by C. Kaitbenski
All in favor: 5-0

Motion: I move to place and support Article 21 on the Annual Town Warrant.
by: P. Gimas
2nd: by M. Suprenant
All in favor: 5-0

Article 22

M. Dowling asked why there is an increase in free cash; is there a need to set aside this amount? M. Dowling requested finance models to provide explanation. After discussion the consensus of the Board was to increase the amount of free cash to reduce taxes in the Article from \$250,000 to \$350,000

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Motion: I move to place and support Article 22 as amended on the Annual Town Warrant.
by: M. Dowling
2nd: by P. Gimas
All in favor: 5-0

Motion: I move to place and support Article 23 on the Annual Town Warrant.
by: M. Suprenant
2nd: by P. Gimas
All in favor: 5-0

Motion: I move to place and support Article 24 on the Annual Town Warrant.
by: P. Gimas
2nd: by M. Suprenant
All in favor: 5-0

Motion: I move to place and support Article 25 on the Annual Town Warrant.
by: P. Gimas
2nd: by M. Suprenant
All in favor: 5-0

Motion: I move to place and support Article 26 on the Annual Town Warrant.
by: M. Suprenant
2nd: by M. Dowling
All in favor: 5-0

Article 27
P. Gimas requested this article be held for further discussion.

Motion: I move to place and support Article 28 on the Annual Town Warrant.
by: P. Gimas
2nd: by M. Suprenant
All in favor: 5-0

Motion: I move to place and support Article 29 on the Annual Town Warrant.
by: M. Dowling
2nd: by P. Gimas
All in favor: 5-0

Motion: I move to place and support Article 30 on the Annual Town Warrant.
by: P. Gimas
2nd: by M. Blanchard

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All in favor: 5-0

Additional Proposed Articles:

Unsafe or Abandoned Buildings Article to add to Warrant

The Board members discussed the Building Inspector, Nelson Burlingame's proposed article on demolition of unsafe or abandoned buildings in Town as a way to assist the Town in having a step by step policy in remedying unsafe buildings that property owners are not maintaining.

Motion: I move to place an article for Demolition of Unsafe or Abandoned Buildings of \$75,000 on the Annual Town Warrant.

by: P. Gimas

2nd: by M. Suprenant

All in favor: 4-0-1 C. Kaitbenski (recused)

Green Communities Energy Stretch Code Program

L. Gaumond stated that the language is in place to put it on the Warrant for vote if the Board members wish to have the voters consider the program.

Motion: I move to place an article for the Green Communities Energy Stretch Code on the Annual Town Warrant.

by: M. Suprenant

2nd: by M. Blanchard

All in favor: 5-0

Repeal of Abandoned Vehicles Bylaw Article MGL Ch 90 § 22B (b-k) to add to Warrant

Police Chief, Thomas Ford submitted this article which was originally presented at the October 19, 2009 Special Town Meeting. The Board members would like to put this article on hold until the necessary language is adopted.

Special Town Meeting Articles:

Motion: I move to place and support Article 63 on the Special Town Warrant.

by: M. Suprenant

2nd: by C. Kaitbenski

All in favor: 5-0

Article 64

The Town Administrator informed the Board that this is a generic article presented every year to cover any existing or potential unpaid bills from the previous year. To date, there are no unpaid bills.

Motion: I move to place and support Article 64 on the Special Town Warrant.

by: P. Gimas

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**2nd: by M. Suprenant
All in favor: 5-0**

Article 65

The Board members agreed to hold on this proposed article on the creation of a Board of Health Title 5 Inspector Revolving Fund.

Close Annual and Special Town Meeting Warrants

Motion: I move to close the Annual Town Meeting Warrant.

by: P. Gimas

2nd: by M. Suprenant

All in favor: 5-0

Motion: I move to close the Special Town Meeting Warrant.

by: P. Gimas

2nd: by M. Suprenant

All in favor: 5-0

New Business

Motion: I move to accept the resignation of Jim Leaming of the Sturbridge Tourist Association.

by: P. Gimas

2nd: by C. Kaitbenski

All in favor: 5-0

Motion: I move to appoint Nicholas Salvadore to the Sturbridge Tourist Association.

by: M. Suprenant

2nd: by C. Kaitbenski

All in favor: 5-0

Motion: I move to approve the request to place Police Officer Daniel Menzone on Injured on Duty (I.O.D.) status effective April 3, 2018.

by: P. Gimas

2nd: by M. Suprenant

All in favor: 5-0

Chairman M. Blanchard reminded the Board members of the upcoming Budget Session Meeting to be held on Monday, April 23, 2018 at 6:30 p.m.

Correspondence

M. Dowling read from the correspondence received.

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Approval of Minutes

November 20, 2017

Motion: I move to approve the meeting minutes of November 20, 2017 as amended.

by: M. Suprenant

2nd: by M. Dowling

Vote Passed: 4-0-1; P. Gimas (abstaining)

April 2, 2018

Motion: To approve the minutes of April 2, 2018 as amended.

by: P. Gimas

2nd: by: M. Suprenant

Vote passed 4-0-1; M. Dowling (abstaining)

Motion: I move to adjourn the meeting.

by: P. Gimas

2nd: by M. Blanchard

All in favor: 5-0

Meeting adjourned at 9:52 p.m.

Respectfully submitted,

Colleen J. King, Administrative Assistant

Date May 21 '18 May Dowling BOS Clerk