

**BOARD OF SELECTMEN  
MINUTES  
JUNE 13, 2016**

Present: Mary Blanchard, Chairman  
Priscilla Gimas  
Mary Dowling  
Craig Moran  
Michael Suprenant  
Leon Gaumond, Jr., Town Administrator

The Chairman called the meeting to order at 5:30 p.m. following the Pledge of Allegiance.

**Public Service Announcements**

M. Blanchard announced that the meeting was being recorded by a reporter from the Worcester Telegram & Gazette.

M. Blanchard expressed condolences and prayers to the families and friends of the victims of the tragic and horrendous incident that had taken place in Orlando, Florida.

M. Blanchard reminded residents of the mandatory water ban that is in effect between the hours of 9:00 a.m. and 5:00 p.m.

**Blue Wave: Update and Consideration of Agreements**

Ann Murphy, Principal Assessor, and members of the Board of Assessors were in attendance. Attorney Rick Holland of Kopelman and Paige, Eric Graber-Lopez and Mark Sylvia of Blue Wave, Paul Makris of Ameresco and Beth Greenblatt of Beacon Integrated Solutions appeared before the Board.

L. Gaumond said that there were two items left outstanding with the Blue Wave project: the amendment to the Power Purchase Agreement, and the Pilot Agreement.

Ann Murphy, Principal Assessor, said that the Board of Assessors has the principal responsibility in reviewing the Pilot negotiations, and they need to be satisfied with the methodology. She said that the former Principal Assessor, Bill Mitchell, had negotiated the terms of the agreement for the Blue Wave project in 2013. The Board of Assessors does not feel that the Pilot Agreement reflected the proper value, so they will not

authorize the Pilot Agreement in its original form. The Board of Assessors said that it should be based upon fair value for this project moving forward, and they have provided that information to Blue Wave. Blue Wave provided two tables for review, showing the original pricing and the revised pricing. Beth Greenblatt had prepared an analysis of the numbers, which was provided to the Board.

Eric Graber-Lopez reviewed the numbers of the proposed Pilot Agreement and PPA based on 2013 methodology and the negotiated Pilot increase and PPA Adder – Ameresco. Attached to that was the Personal Property Depreciation and Valuation Schedule and the Land Valuation Schedule.

Beth Greenblatt reviewed the differences between the Blue Wave original pricing and the revised pricing. She noted that the tax schedule had a declining value; this one has an escalating value.

C. Moran noted that the difference in the net metering credit value is approximately \$2,608. E. Graber-Lopez said that the number is an estimate of the total cost of the credits over the next 20 years.

M. Dowling asked why there has been a change in the methodology. A. Murphy said that this is the way that the Department of Revenue likes it to be done today, and there was a value that needed to be hit. She said that it must be assessed at full cash value; it had been assessed at 50% of the value. She added that with the Dept. of Revenue's methodology, the tax rate will change slightly, and the financing is consistent with the DOR.

E. Graber-Lopez said that payments from the Pilot have more than doubled. The goal had been to maximize benefits for the PPA, not the Pilot. He stressed the need to make sure that the benefit remains the same. He said that there is a more established methodology on how Pilots are being handled. There is a transfer of benefit from one pot to the other. A. Murphy added that the Dept. of Revenue previously was not giving much advice or help on how to manage this situation, but recently they have been giving more guidance on how to do this. She feels very comfortable with the arrangement and the way things are going now, and she can defend it to the DOR. She said that it has to be a commercial rate.

M. Suprenant said that the total net benefits to the Town of Sturbridge are lower than Blue Wave's projections. He asked the reason for that. B. Greenblatt said that they are starting with different net metering credit rates, and they are starting lower. She presented three scenarios to the Board. Her analysis is more conservative than theirs.

E. Graber-Lopez said that it is the actual number to apply for 2/3 of the year; it is lowest in the summer and highest in the winter.

Attorney R. Holland said that the Board is in a position to finalize the documents. He noted that it is nothing but a movement of money from one pocket and putting it into the other. He assured the Board that the Town is still getting the overall benefit.

C. Moran said that Sturbridge would be considered the host. E. Graber-Lopez said that the project company itself is the host. C. Moran read Section 12.01 into the record and said that it is written like Sturbridge is the host, and would be responsible for any losses. R. Holland said that the agreement references that the customer is the Town, and makes it clear that the Town is not the host on the meter. He said that the provision says that they have to pay the Town money if the Town suffers damages for something they caused. Nothing in the provision requires that the Town pays the developer money. C. Moran asked whether this section was based on the host agreement. R. Holland said that the provision is included in the agreement for the Town's protection.

M. Dowling did not see why the PPA should be changed, as it had been negotiated and agreed upon. They have reopened the agreement and made the language more favorable to them. R. Holland said that he will work with Ameresco to get it into the best possible form. He did include some provisions to benefit the Town. M. Blanchard added that even though some things have changed, it is still a good deal for the Town.

M. Dowling suggested establishing a date when the Town could get out if the facility was not operable. B. Greenblatt said that there are trigger dates, and end dates to the trigger dates. M. Dowling asked if the Town could bail out if the facility is not up and running by January 8, 2017. B. Greenblatt said that the project will be mechanically complete and able to be turned on by then; if the utility company has not flipped the switch yet, it should not put the project in jeopardy. R. Holland said that if the project is mechanically complete on January 8<sup>th</sup>, and the Town is just waiting for the utility to turn it on, the Town could not terminate the contract.

P. Makris said that construction will begin in July, and assured the Board that they will meet the January 8<sup>th</sup> deadline. C. Moran asked if the Town could get something in writing from National Grid. E. Graber-Lopez said that National Grid must certify the Certificate of Completion, which is an official document that needs to be filed with the Dept. of Energy Resources. M. Dowling asked who will determine that the project is complete. E. Graber-Lopez said that the Certificate of Completion will come from the construction company following an electrical inspection by the Town's Electrical Inspector.

M. Dowling said that she wanted to have a date when the Town could get out of the contract if the project was not in full operation. She indicated that the Interim Town Manager S. Kennedy indicated that it was in the best interest of the Town. R. Holland said that if the Board would like to have a "drop dead date," it could be included in the agreement. E. Graber-Lopez said that without the Town's certification that the project is mechanically complete, it cannot be approved by the Dept. of Energy. He noted that the majority of inspections will take place at the beginning of the project. R. Holland said that if the Board wants 100% certainty, the Board and Ameresco should agree to a deadline that cannot be extended.

C. Moran noted that Ameresco could lose tax credits if the project is not done by January 8<sup>th</sup>. He added that Ameresco has done everything they said they would do, and they are a class operation. P. Gimás commented that Blue Wave was a five star operation, but expressed very little faith in them after what happened.

R. Holland said that the amendments as proposed are very reasonable. He noted that the developer requires these provisions in order to be able to get financing. He will speak to their counsel, and if there is an issue with the deadline, they will let him know. He tracked the language and recent changes in regulations in an effort to ensure that they can meet the deadline. If they are agreeable to tie it into the inspections, that would be another way to do it.

M. Suprenant asked whether the Town would have the right to try to resolve a dispute over a credit. R. Holland said that both parties have the right to ask questions of the other. He said that they would have the obligation to respond to any reasonable request for an explanation.

L. Gaumond said that Town Counsel has made an offer to develop appropriate language with the other side. He asked R. Holland if a final version could be available by June 20<sup>th</sup>. R. Holland said that it could be ready by tomorrow. E. Graber-Lopez said that they will get to work on it right away.

#### **Reappointments to Boards, Committees and Staff**

M. Blanchard read the board/committee reappointment names into the record. M. Suprenant suggested placing a hold on David Barnicle.

<b><u>Name</u></b>	<b><u>Committee</u></b>	<b><u>Expire</u></b>
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Edward Cloutier	Agricultural Commission	2019
Doreen Burbine	Board of Registrars	2019
Steve Greenberg	Cable Advisory	2019
Kadion Phillips	Cable Advisory	2019
David Barnicle	Conservation Commission	2019
Antoinette Peterson	Council on Aging	2019
Ann White	Council on Aging	2019
Susan Caplette	Cultural Council	2019
Elaine Cook	Design Review	2019
Christine Wilson	Design Review	2019
Randy Ellithorpe	Community Preservation	2019
Ed Goodwin	Community Preservation	2019
Charlie Blanchard	Planning Board	2021

**MOTION:** To approve reappointment of all of the names not on hold, by P. Gimas.

**2<sup>nd</sup>:** C. Moran

**Vote:** All in favor.

M. Blanchard read all of the staff reappointment names into the record.

### **Staff Reappointments**

Mark Saloio	Police Lieutenant	2019
Earl Dessert	Police Lieutenant	2019
Larry Bateman	Police Sergeant	2019
Joseph Lombardi	Police Sergeant	2019
Kevin Mercier	Police Sergeant	2019
Joseph Ballotte	Police Officer	2019
Carol Benoit	Police Officer	2019
Jeffrey Forcier	Police Officer	2019
David Fortier	Police Officer	2019
Ronald Obuchowski	Police Officer	2019
Barbara Boiteau	Full-Time Dispatcher	2019
Eileen Friedrich	Part-Time Dispatcher	2019
Toniah Maloney	Part-Time Dispatcher	2019
Matthew Roderick	Fire Dept. Lieutenant	2019
Gordon Holstrom	Part-Time Firefighter	2019
Jason Kelly	Part-Time Firefighter	2019
Clyde Gagnon	Wire Inspector	2019

**MOTION:** To approve all of the staff reappointments, by P. Gimas.

**2<sup>nd</sup>:** C. Moran

**Vote:** All in favor.

M. Suprenant said that although David Barnicle has been on the Conservation Commission for many years, a new direction is needed, and he would like to see some other people step up and get on the Commission. He noted that the Conservation Commission has been controversial over the last few years.

M. Dowling saw no reason to separate Mr. Barnicle's reappointment based upon his longevity. She said that it is the nature of the Conservation Commission for things to get heated from time to time. She said that David Barnicle has done a very good job and has shown his commitment to the Town. She supported his reappointment.

M. Suprenant said that the Conservation Commission has asked people to do things unrelated to protection of the wetlands, and have gone outside of their authority under the Town's bylaw and state law many times. P. Gimas agreed and said she had experienced this first hand, and thought it would be a good idea to have new blood on the Commission.

L. Gaumond said that he was seeking reappointment of David Barnicle to have the Conservation Commission continue to function at the level it needs to function. He noted that they are being tasked to review an important project and there must be a viable Committee in place to do that.

**MOTION:** To reappoint David Barnicle to the Conservation Commission, by M. Dowling.

**2<sup>nd</sup>:** M. Blanchard

**Vote:** Three in favor; M. Suprenant and C. Moran opposed.

#### **Approval of Summer Recreation Staff**

**Lifeguards:** Annie Roscioli, LeAnna Malone, Jim Reyes, Kenny Bond.

**Tennis Instructors:** Sam Currier, Matt Dowling

**Play Leaders:** Sam Matton, Roman Krochnalnycky

**Arts and Crafts:** Sarah McQuire

**MOTION:** To approve the Summer Recreation Staff, by P. Gimas.

**2<sup>nd</sup>:** C. Moran

**Vote:** All in favor.

M. Dowling recused herself, as her son's name was on the list. She had filed a disclosure with the State and the Town Clerk disclosing his summer employment consistent with State Ethic Laws and indicated that she would repose herself from voting on the Summer Recreation Program. She will not sign the warrants for the summer recreation staff for eight weeks while her son Matthew Dowling is serving on the program.

**MOTION:** To reconsider the last vote, by M. Dowling.

**2<sup>nd</sup>:** M. Suprenant

**Vote:** All in favor.

**MOTION:** To approve the Summer Recreation Staff, by P. Gimas.

**2<sup>nd</sup>:** C. Moran

**Vote:** Four in favor; M. Dowling abstained.

### **Correspondence**

M. Dowling read the correspondence list into the record.

M. Blanchard called attention to the anonymous letter expressing concern about a hazardous situation caused by flea market items being placed on the grass in front of 559 Main Street. She had spoken to the Building Inspector about it. People are not allowed to do this in any zone. Businesses can sell items if they own the items not the property. Flea Market is not allowed but home owners can have yard sales.

### **Minutes**

**MOTION:** To approve the minutes of June 6, 2016 as written, by M. Suprenant.

**2<sup>nd</sup>:** P. Gimas

**Vote:** Four in favor; M. Dowling abstained.

**MOTION:** To approve the minutes of May 2, 2016 as amended, by P. Gimas.

**2<sup>nd</sup>:** C. Moran

**Vote:** All in favor.

**MOTION:** To approve the minutes of May 23, 2016 as amended, by P. Gimas.

**2<sup>nd</sup>:** M. Dowling

**Vote:** Four in favor; C. Moran abstained.

**MOTION:** To approve the minutes of April 19, 2016 as amended, by M. Dowling.

**2<sup>nd</sup>:** M. Suprenant.

**Vote:** Three in favor; C. Moran and P. Gimas abstained.

**MOTION:** To approve the minutes of April 21, 2016 as amended, by M. Dowling.

**2<sup>nd</sup>:** C. Moran

**Vote:** All in favor.

**MOTION:** To approve the minutes of January 22, 2013 as written, by P. Gimas.

**2<sup>nd</sup>:** M. Blanchard

**Vote:** Three in favor; C. Moran and M. Suprenant abstained.

**MOTION:** To approve the minutes of March 18, 2013 as amended, by P. Gimas.

**2<sup>nd</sup>:** M. Blanchard

**Vote:** Three in favor; C. Moran and M. Suprenant abstained.

**MOTION:** To approve the minutes of April 1, 2013 as written, by P. Gimas.

**2<sup>nd</sup>:** M. Dowling

**Vote:** Three in favor; C. Moran and M. Suprenant abstained.

**MOTION:** To approve the minutes of August 19, 2013 as written, by P. Gimas.

**2<sup>nd</sup>:** M. Dowling

**Vote:** Three in favor; C. Moran and M. Suprenant abstained.

**MOTION:** To approve the minutes of October 21, 2013 as written, by P. Gimas.

**2<sup>nd</sup>:** M. Dowling

**Vote:** Three in favor; C. Moran and M. Suprenant abstained.

### **Old Business**

P. Gimas requested that school water testing be placed on the agenda for the June 20<sup>th</sup> meeting. She had discussed the matter with Dr. Nosek to see if she would be open to having the three schools tested twice a year for the next few years, and Dr. Nosek did not have any options



**MOTION:** That the three schools (Burgess Elementary, Tantasqua Jr. High School and Tantasqua Senior High School) be tested twice a year for the next two years to see if there are any changes in water quality in conjunction with the Superintendent of Schools, and that the Town pay the cost, by P. Gimas.

**2<sup>nd</sup>:** M. Dowling

**Vote:** All in favor.

M. Dowling noted that the state requires testing every three years. C. Moran suggested getting a price on the cost of the testing, and to bring in the other towns.

**MOTION:** To adjourn, by P. Gimas.

**2<sup>nd</sup>:** M. Blanchard

**Vote:** All in favor.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Judy Knowles

Mary Dowling Nov 2 '16  
BOS Clerk Date