**Board of Selectmen**

**June 21, 2022**

**Town Hall**

**Veterans Memorial Hall, Sturbridge Town Hall**

**308 Main Street, Sturbridge, MA 01566**

**Present:**

Mary Blanchard, Chair

Chase Kaitbenski, Vice Chair

Mary Dowling, Clerk

Selectman Ian Dunnigan

Selectman Jamie Goodwin

**Staff:**

Robin A. Grimm, Ph.D., Town Administrator

Michelle Garman, Executive Assistant

**Chair Blanchard called meeting to order at 6:30p.m.**

**Chair Blanchard read the agenda**

**The Selectmen led the Pledge of Allegiance.**

**Moment of Silence**

For everyone affected by COVID-19, Ukraine and all the senseless gun violence.

**Public Service Announcements**

50th Anniversary of the Rotary Club of Sturbridge, June 29, 2022 at 5:30p.m. at the Publick House Restaurant. Tickets can be purchased at [www.sturbridgerotary.com](http://www.sturbridgerotary.com)

Sturbridge Tourism Association will present plaques to the winners of the Business of the Year Awards.

Brian Amedy, Chair of the Sturbridge Tourist Association presented plaques to the business of the year awards:

2022 Shopping Winner of the Year – The Bird Store and More

2022 Play Winner of the Year – Old Sturbridge Village

2022 Stay Winner of the Year – Publick House

2022 Eat/Dining Winner of the Year – Whoopie-Doo and Cupcakes Too

Representative Smola was unable to attend this evenings meeting and will attend at a later date to present Citations.

Citations will be presented for Brian Amedy and Thomas Chamberland.

Chair Blanchard read two citations for Brian Amedy and Thomas Chamberland from the Board of Selectmen.

**Public Hearings**

**Transfer of a Class II and Class III dealer’s license from Curboy Auto Inc., to Braca LLC/IAA Corp for 71 Mashpaug Road Sturbridge.**

Johnathan Silverstein attorney for the applicant Braca, LLC for a transfer of the Class II and Class III licenses from Curboy Auto Inc., to Braca, LLC. Mr. Silverstein gave a detailed description of the applicants business and how they intend to use the property and how they run their business.

Selectman Goodwin stated his concerns are with the neighboring wells. What will the applicant do to insure the wells will not be contaminated again?

Mr. Silverstein stated he spoke with Rebecca Gendreau, Conservation Agent and that she had raised concerns. He wanted to be clear there is an existing junkyard on the location if the transfer is denied the property will just remain as is and he feel is worse for the Town that his applicant is going to come in and clean up everything that is currently on the property and start a new operation. The comparison is does the Town want a junkyard or not or do we want the current junkyard or a much better operation. Currently there are no controls in place; no one knows what is in the existing vehicles. The applicant is a national well-established company that will clean up what is there.

Selectman Goodwin stated he could not talk about the future without knowing what the current utilization and going from there is it going to be better but we do not have that comparison which is not the fault of the applicant it is just what we are walking into.

Mr. Silverstein stated his client has committed to cleaning up the property within one-hundred twenty (120) days, they do not do draining of vehicles on site the vehicles have to be gone within ninety (90) days so that they will not have time to rust or leak. He understands the Boards concerns with the current operation and the best way in getting that addressed is have a new operation with controls in place. Mr. Silverstein stated they are proposing no expansion of the current footprint.

Selectman Dunnigan stated the current operation is a good utilization of what would be junk cars for parts. He asked Rebecca Gendreau, Conservation Agent if the applicants have discussed the current utilization of the property with her yet.

Rebecca Gendreau, Conservation Agent stated she did have a conservation with Johnathan Silverstein and they did discuss what the applicants plans were for the site. Ms. Gendreau stated they have not had any communication with the current facility for years. Ms. Genderau stated she went back and reviewed the aerial photos it appears when the original junkyard cleared out of the property and at some point and time, the new owner started to move cars back onto the property. Conservation is concerned with the jurisdiction related to wetlands it does appear that areas that have re-naturalized over a period of time when cars were not there. Conservation has not been able to walk the property to know the jurisdiction there is a perennial stream on the property. Conservation needs clarification as to what the existing use areas are not what the historical use areas.

Vice Chair Kaitbenski’s biggest concerns are the wells. Does anyone know how many vehicles are currently on the site?

Johnathan Silverstein stated if you look at the aerial photographs it’s an enormous number.

Vice Chair Kaitbenski asked so if the transfer was granted and the property cleaned up then moving forward everything would be brought up to today’s standards and codes?

Johnathan Silverstein stated there really are no standards and codes for junkyards but his client would make sure they are in contact with Conservation to ensure they are complying with the Wetlands Protection Act.

Selectman Dowling echoed the concerns that have already been raised. She does not think the Board is in a position right now to approve the transfer of the license. The Conservation Agent has raised many concerns, we do not know the status of DEP cases, the past contamination in the ground water or wells or the contamination since the influx of the new vehicles. The Board would be very remiss not looking out for the well-being of the residents to vote on the transfer without more information.

Selectmen Dowling asked Mr. Silverstein did his client do their due diligence on this property prior to attempting to purchase.

Johnathan Silverstein stated his client has a lease agreement with an option to purchase.

Jean Bubon, Town Planner stated we have some information from 2015 there was a question about the license in a previous owner name. Nelson Burlingame, Building Inspector and Jean Bubon, Town Planner had a conversation to Johnathan Eichman, KP Law and at time even though the property owners has changed where they were storing vehicles the Town had determined that is was still a lawfully non-conforming use. It had changed in intensity in 2008 and the sale went through and then they started to reuse that property again. From a zoning standpoint, they felt comfortable with the transfer but would like to have the condition of clearing the vehicles, include a site plan and it should be attached to the license.

Chair Blanchard stated she is not willing to vote on this tonight. There is too much information that the Board needs before the can approve a transfer. She would like to see you either withdraw you application now or agree to a continuation. Conservation needs to be able to walk the property. We also need to have Planning Departments Input and the Board of Health.

Jonathan Silverstein stated they will agree to a continuance.

Robin Grimm, Town Administrator stated she would support that continuation from aerials we can see change in the vegetation and not in its natural state of growth but in the opposite direction. Conservation has concerns about the changes to the property this is no fault of Mr. Silverstein’s client but Conservation needs to get on the property before we can agree to a transfer. We do not know if there have been violations of Conservation that needs to be dealt with prior to transferring the license.

Selectman Goodwin we need to understand what the use is and the business model is for Mr. Silverstein’s client.

Michael Scheffler, resident at 56 South Road, Sturbridge. Mr. Scheffler thinks there is no junkyard there that the present owner knows how to keep the non-conforming use in play the keep the cars parked there. There are no cars being dismantled there, periodically the owners show up at the property they do a lot of shooting on the property. He would like to see the junkyard shut down if they are not using the land as a junkyard.

Gina a resident on South Road – Would like to know how active the business going to be they do not want a lot of noise. They love South Road for its quiet and peacefulness.

Todd Bagdasarian, resident at 96 Mashapaug Road, Sturbridge asked how often do they plan to move cars? How do they plan on getting cars on and off the property. He also stated a car could leak at any time so what is going to guarantee that a car is not going to leak for ninety (90) days. How big is the footprint of the property that you plan to use. Mr. Bagdasarian also stated that Mr. Silverstein stated there are no regulations for junkyards so what is going to stop Mr. Silverstein’s client from doing the same thing to the property that the current owner is doing.

Christopher Hendrick, resident at 92 Mashapaug Road, Sturbridge stated thre is no is no activity on that property the same two cars are blocking the entranceway. He has questions regarding the operation hours are car haulers coming in and out all day long.

Chair Blanchard stated the hours of operations are usually conditions we put on the license.

Selectman Dowling asked Mr. Hendrick how many years has he lived across the street from 71 Mashpaug and seen no activity at the property?

Mr. Hendrick replied he has lived at 92 Mashpaug, Sturbridge for twelve (12) years.

Scott McCarthy, resident at 22 South Road, Sturbridge. He echoes the non-conforming use in question. Has this been an ongoing business that pays taxes to the Town. The junkyard needs to be shut down and cleaned up. He would like to know who monitors the operations and how often? He stated he sees giant excavators digging giant holes and dumping tires into them. Will that be clean up or will it stay and who keeps that from happening moving forward.

Jonathan Scott, resident at 67 Mashapaug Road, Sturbridge. He would like to thank the Board for addressing his concerns regarding the wells. If they are planning on coming in and regarding the property doing any construction a lot of that soil has been contaminated. What assurances do the residents have that the new work will not cause more contamination to the residents well water?

Selectman Dowling asked Mr. Scott if his well is currently monitored.

Mr. Scott replied yes annually since he purchase the home three (3) years ago.

Selectman Dowling asked has the well been clear?

Mr. Scott stated before the treatments that were provided to him there were low levels of ETE in their water. Currently the treatment tanks have been taking care of that issue. Mr. Scott asked will the new owner continue to provide the residents with treatment takes for their well water?

Mary Handy, resident at 6 South Road, Sturbridge. Ms. Handy stated her will is not being tested she has lived at her residence for twelve (12) year. She wanted to know who she talks to about having her well tested but not at her expense and whom she talks to about having, it monitored.

**Motion: To continue public hearing to August 1, 2022 at 6:45p.m.**

**By: Selectman Goodwin**

**2nd: Selectman Dunnigan**

**All in favor (5-0-0)**

**Forest Cutting Plan for 15.7 acres of land on 227 Brookfield Road, Sturbridge owned by Rowland Leclerc.**

Kate Maquis, Owner of Lilac & Oak Forestry Services. Ms. Maquis gave a detailed description of the project.

Chair Blanchard asked Ms. Maquis if there will be any access from Sturbridge.

Kate Maquis stated there is no access from Sturbridge.

**Motion: To Close the public hearing**

**By: Vice Chair Kaitbenski**

**2nd: Selectman Dunnigan**

**All in favor (5-0-0)**

**Motion: To approve the Forest Cutting Plan for 15.7 acres of land on 227 Brookfield Road, Sturbridge owned by Rowland Leclerc with the condition no Sturbridge Roads will be used.**

**By: Selectman Dunnigan**

**2nd: Selectman Kaitbenski**

**All in favor (5-0-0)**

**Town Administrators Update**

Selection by Building Committee of a Project Manager for Senior Center – CMS will be moving onto the next phase of the project.

**Department Report:**

Heather Blakeley, DPW Director gave a detailed description of her department report a copy of which is on file in the Town Administrators Office.

Chief Grasso, gave a detailed description of his department report a copy of which is on file in the Town Administrators Office.

**Action Items:**

1. Consideration and possible action on the appointment of Christopher Whynot as a full-time Firefighter/Paramedic with the Sturbridge Fire Department.

**Motion: To approve the appointment of Christopher Whynot as a full-time Firefighter/Paramedic with the Sturbridge Fire Department at a pay rate consistent with the provisions in Article 7 of the agreement between the Town of Sturbridge and the Teamsters Local 170 effective June 22, 2022.**

**By: Selectman Goodwin**

**2nd: Vice Chair Kaitbenski**

**All in favor (5-0-0)**

1. Consideration and possible action on the appointment of Joseph Doldoorian as a part-time Firefighter/EMT with the Sturbridge Fire Department.

**Motion: To approve the appointment of Joseph Doldoorian as a part-time Firefighter/EMT with the Sturbridge Fire Department at a pay rate consistent with the provisions in Article 7 of the agreement between the Town of Sturbridge and the Teamsters Local 170 effective June 22, 2022.**

**By: Selectman Dunnigan**

**2nd: Vice Chair Kaitbenski**

**All in favor (5-0-0)**

1. Consideration and possible action on the appointment of Michael Gelinas as a part-time Firefighter/EMT with the Sturbridge Fire Department.

**Motion: To approve the appointment of Michael Gelinas as a part-time Firefighter/EMT with the Sturbridge Fire Department at a pay rate consistent with the provisions in Article 7 of the agreement between the Town of Sturbridge and the Teamsters Local 170 effective June 22, 2022.**

**By: Vice Chair Kaitbenski**

**2nd: Selectman Goodwin**

**All in favor (5-0-0)**

1. Consideration and possible action on a donation made to the Sturbridge Fire Department from The Sturbridge Lion’s Club, Inc. in the amount of $150.00.

**Motion: To accept the donation with gratitude made to the Sturbridge Fire Department from The Sturbridge Lion’s Club, Inc. in the amount of $150.00.**

**By: Selectman Goodwin**

**2nd: Selectman Dunnigan**

**All in favor (5-0-0)**

1. Consideration and possible action on declaring the decommissioned 1992 Pierce, Arrow VIN No. 4P1CA02D7NA000595 as surplus and authorize to dispose of the unit.

**Motion: Authorizing the disposal of the 1992 Pierce, Arrow VIN No. 4P1CA02D7NA000595 to surplus.**

**By: Vice Chair Kaitbenski**

**2nd: Selectman Dunnigan**

**All in favor (5-0-0)**

1. Consideration and possible action on a Common Victualler License for Lynn Cormier /Wicked Licks at 380 Main Street, Sturbridge date and hours of operation are Wednesday thru Sunday from 12:00p.m. to 8:00 p.m. generally but subject to being open on Monday or Tuesdays depending for holidays.

**Motion: To approve the Common Victualler License for Lynn Cormier /Wicked Licks at 380 Main Street, Sturbridge date and hours of operation are Wednesday thru Sunday from 12:00p.m. to 8:00 p.m. generally but subject to being open on Monday or Tuesdays depending for holidays**

**By: Selectman Goodwin**

**2nd: Selectman Dunnigan**

**All in favor (5-0-0)**

1. Consideration and possible action on Leon Gaumond III moving from full-time dispatcher to part-time dispatcher for the Sturbridge Police Department at the hourly rate of $21.69 starting June 22, 2022.

**Motion: To approve Leon Gaumond III moving from full-time dispatcher to part-time dispatcher for the Sturbridge Police Department at the hourly rate of $21.69 starting June 22, 2022.**

**By: Vice Chair Kaitbenski**

**2nd: Chair Blanchard**

**All in favor (5-0-0)**

1. Consideration and possible action on the Sturbridge Police Department Comfort Dog Policy.

Chief Dessert will discuss the Comfort Dog Policy at an upcoming BOS Meeting.

1. Consideration and possible action on adding the word “Commercial” to all Industrial connection fees under the new Sewer and Water connections fees.

Heather Blakely, DPW Director stated it was overlooked when they were putting the rate tables together. She would also like the formulas added original it was one thousand two hundred or two twenty five per hundred gallons. She would like that added back in so it is now a ten thousand dollar minimum or two hundred and twenty five per one hundred gallons per day whatever is greater.

**Motion: To approve the changes as written.**

**By: Selectman Dunnigan**

**2nd: Vice Chair Kaitbenski**

**All in favor (5-0-0)**

1. Consideration and possible action to approve Local Roots to pay 50% of the ACPB with the balance of the annual payment to be paid by November 1, 2022.

**Motion: To accept the remaining ACPB payment for November 1, 2022 from Local Roots for the reasons stated in Mr. Landoli’s letter.**

**By: Selectman Goodwin**

**2nd: Vice Chair Kaitbenski**

**All in favor (5-0-0)**

1. Consideration and possible action on the appointments of Peter Champagne, Chris Tieri and Jasmine Bell to the Sturbridge Tourism Association.

**Motion: To appoint Peter Champagne, Chris Tieri and Jasmine Bell to the Sturbridge Tourism Association.**

**By: Selectman Dunnigan**

**2nd: Chair Blanchard**

**All in favor (5-0-0)**

1. Consideration and possible action on the re-appointment of Nelson Burlingame as Building Inspector for a term to expire June 30, 2025.

**Motion: To approve the re-appointment Nelson Burlingame as Building Inspector for a term to expire June 30, 2025.**

**By: Selectman Dunnigan**

**2nd: Selectman Dowling**

**All in favor (5-0-0)**

1. Consideration and possible action on the re-appointment of Tony Crane as the Tree Warden for the Town of Sturbridge for a term to expire June 30, 2025.

**Motion: To approve the re-appointment of Tony Crane as the Tree Warden for the Town of Sturbridge for a term to expire June 30, 2025.**

**By: Selectman Goodwin**

**2nd: Selectman Dowling**

**All in favor (5-0-0)**

1. Consideration and possible action on a Hawker & Peddlar License for Dennis Walsh for Farm Stand at 446 Main Street back parking lot.

**Motion: To approve the Hawker & Peddlar License for Dennis Walsh for Farm Stand at 446 Main Street back parking lot.**

**By: Vice Chair Kaitbenski**

**2nd: Selectman Dunnigan**

**All in favor (5-0-0)**

1. Consideration and possible action on a Transient Vendor License for Wendy Collings / Collins Gifts for June 26, 2022 at the Sturbridge Host Hotel from 10:00a.m. to 3:00p.m.

**Motion: To approve the Transient Vendor License for Wendy Collings / Collins Gifts for June 26, 2022 at the Sturbridge Host Hotel from 10:00a.m. to 3:00p.m.**

**By: Selectman Dunnigan**

**2nd: Vice Chair Kaitbenski**

**All in favor (5-0-0)**

1. Consideration and possible action on a Transient Vendor License for David Brockman/ DB & BC Productions, LLC for July 10th and 11th at the Sturbridge Host Hotel from 7:00a.m. to 5:00 p.m.

**Motion: To approve the Transient Vendor License for David Brockman/ DB & BC Productions, LLC for July 10th and 11th at the Sturbridge Host Hotel from 7:00a.m. to 5:00 p.m.**

**By: Vice Chair Kaitbenski**

**2nd: Selectman Dunnigan**

**All in favor (5-0-0)**

1. Consideration and possible action on a one-day liquor license for Agronomy Farm Vineyard to sell wine at the Sturbridge Farmers Market on the dates listed on the application from 9:00a.m. to 1:00p.m. on the Town Common.

**Motion: To approve the one-day liquor license for Agronomy Farm Vineyard to sell wine at the Sturbridge Farmers Market on the dates listed on the application from 9:00a.m. to 1:00p.m. on the Town Common.**

**By: Vice Chair Kaitbenski**

**2nd: Selectman Goodwin**

**4-0-1 (Selectman Dowling abstained)**

1. Consideration and possible action on the appropriation of Wetland Protection Funds in the amount of $5,882.00 for funding a portion of the salary of the Conservation Department’s Administrative Assistant for FY 2023.

**Motion: To approve the appropriation of Wetland Protection Funds in the amount of $5,882.00 for funding a portion of the salary of the Conservation Department’s Administrative Assistant for FY 2023.**

**By: Selectman Goodwin**

**2nd: Vice Chair Kaitbenski**

**All in favor (5-0-0)**

**Old Business:**

No old business

**New Business**

Vice Chair Kaitbenski stated Pop Warner youth football was told they could not practice on Turners filed so the filed could re-grow that they may be able to go to the JR High and High School. He would like to know if they could work with Recreation to find them a place to practice.

Chair Blanchard the Sturbridge Rotary will be celebrating their 50th Anniversary and she feels it would be appropriate if the Town gave them a citation thanking them for all the work they do in the community and worldwide

**Motion: The Town of Sturbridge issues a certificate of appreciation for all of the Community service the Rotary has done in our Town and World Wide and to commemorate their 50th Anniversary.**

**By: Selectman Dowling**

**2nd: Selectman Goodwin**

**All in favor (5-0-0)**

**Correspondence**

**Citizen’s Forum**

**Executive Session: Per M.G.L. c.30A, Sec. 21(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; (3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares**

**Adjourn:**

**Motion: To adjourn to executive session and not to reconvene in regular session**

**By: Selectman Dowling**

**2nd: Selectman Goodwin**

**Vote: Selectman Dunnigan – Yes, Vice Chair Kaitbenski – Yes, Selectman Dowling – Yes, Selectman Goodwin – Yes, Chair Blanchard – Yes.**

**The meeting adjourned at 8:31 p.m.**

**Minutes prepared by: Michelle Garman**

**Clerk of the Board:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**