

**BOARD OF SELECTMEN
OCTOBER 1, 2008
MINUTES**

MEETING: Chairman Murray called the meeting to order at 7:00 PM. Roll call showed Chairman Murray, Selectman Sushchyk and Selectman Sheppard all present.

AGENDA: Selectman Sushchyk made the motion to approve the agenda with the additions of two items;
Lowering of the flag on October 5, 2008 – National Fallen Firefighters Discuss Board’s position regarding the Wekepeke Aquifer
Selectman Sheppard made the motion to approve the agenda as amended. 2nd by Selectman Sushchyk. All in favor.

MINUTES: Selectman Sushchyk made the motion to approve the minutes of September 17, 2008 as submitted. 2nd by Selectman Sheppard. All in favor.
Selectman Sushchyk made the motion to approve the executive minutes of September 17, 2008 as submitted, not to be released until the issue is resolved. 2nd by Selectman Sheppard. All in favor.

PUBLIC SESSION

**MARY HONAN
6 TWINE ROAD:**

Ms. Honan of 6 Twine Road addressed the Board of Selectmen regarding an ongoing problem that she has with regards to the backup of water into her home due to the beavers on DCR property. Ms. Honan informed the Board of an article she read where other towns were assisting residents with water flow devices to divert the water away from the cellar holes. She explained that she has been to many government offices with no help in sight. Selectman Sheppard asked if she had spoken to anyone at the Department of Environmental Protection. She stated she had, only to have them pass the buck. Chairman Murray informed Ms. Honan he would look into the situation but could not promise anything as the land is not owned by the town but by the state.

**TOWN COMMON
REVITALIZATION
COMMITTEE:**

Selectman Sheppard made the motion to appoint MaryAnn MacLeod to the Town Common Revitalization Committee representing Open Space. 2nd by Selectman Sushchyk. All in favor.

**CULTURAL
COUNCIL:**

Selectman Sheppard made the motion to appoint Brianna Meade to the Cultural Council for a 3 year term. 2nd by Selectman Sushchyk. All in favor.

OLD BUSINESS

TERRI ACKERMAN'S FOLLOW UP:

Ms. Ackerman informed the Board of Selectmen that she forwarded Mr. Plourde's updates to the Finance Committee with regards to the school budget. She sent the petition article changing the Board from 3 to 5 members on to town counsel. She informed the Board that the first meeting of the Capital Committee was scheduled for October 8, 2008. Ms. Ackerman informed the Board that she attended the ICMA Conference at which time Selectman Sheppard congratulated her on 20 years of service. Ms. Ackerman informed the Board that Rutland would be hosting the Regional Selectmen's meeting scheduled for October 23, 2008. She also informed the Board that Town Counsel was working on an opinion regarding the executive session process and personnel by-law. Selectman Sushchyk asked when the Board could expect an opinion from counsel. Ms. Ackerman was not sure. Ms. Ackerman then updated the Board on the new phone system, informing them the new system would be up and running October 6, 2008. The main number for the Butterick Building would be 422-8111 and individual offices will have their own extensions. Training will take place on October 2, 2008 for Butterick employees.

BANNER REQUEST:

Selectman Sushchyk made the motion to approve the banner request for the First Church for their fair being held on October 18, 2008. 2nd by Selectman Sheppard. All in favor.

CLASS II AUTO LICENSE:

Selectman Sushchyk made the motion to approve the Class II Auto License for Roger Aubin d/b/a Hi-Tec Automotive Services Inc. located at 41 Chocksett Road. 2nd by Selectman Sheppard. All in favor.

CONSTRUCTION TRAILER PERMIT:

The Board of Selectmen reviewed the request from Ricciardi Brothers asking for an extension to their construction trailer permit issued to them on May 2008 for the Waushacum Village project. Selectman Sheppard made the motion to approve a 90 day extension for Ricciardi Brothers, 2nd by Selectman Sushchyk. All in favor.

ONE DAY LIQUOR LICENSE:

Selectman Sheppard made the motion to approve the one day liquor license for the Eight Point Sportsmen's Club for October 4, 2008 from 6:00 PM to midnight. 2nd by Selectman Sushchyk. All in favor.

**OBSERVANCE
OF NATIONAL
FALLEN**

FIREFIGHTERS: The Board reviewed the memo sent by Chief Hurlbut reminding them that October 5th is the day of observance for the National Fallen Firefighters Memorial Service. American flags across the country will be lowered on Sunday, October 5, 2008 to half-staff to memorialize fallen firefighters. Selectman Sushchyk made a motion to place a directive for Sterling to include the lowering of the flag in a proclamation recognizing the brave men and women who made the ultimate sacrifice. 2nd by Selectman Sheppard. All in favor.

**LIEUTENANT
POSITION:**

Selectman Sushchyk brought attention to another memo sent by Chief Hurlbut informing the Board that Kevin Grebinar had been promoted to the Company Officer/Lieutenant Position vacated by David Day who was promoted to Deputy Chief. The Board of Selectmen extended their congratulations to Kevin on his promotion and for doing an excellent job.

**POSITION
STATEMENT ON
THE WEKEPEKE
AQUIFER:**

Selectman Sushchyk presented the Board of Selectmen with a draft statement for discussion relative to the Wekepeke Aquifer. He informed the others on the position he would like to go in with regards to the Wekepeke and asked the Board of Selectmen what position they were interested in taking with regards to Nestle Waters purchasing water from the Town of Clinton for re-sale. Selectman Sushchyk read the proposal aloud stating that the Board could adopt the position as stated in the proposal. Selectman Sheppard commented on the proposal and the fact that the concerns outlined have already been stated. Selectman Sushchyk agreed with Selectman Sheppard's comments but added that the statement needs to be in black and white. Selectman Sheppard made the motion to approve the Position Statement Relative to the Wekepeke Aquifer as submitted. 2nd by Selectman Sushchyk. All in favor.

**7:34 PM
PUBLIC HEARING
STERLING INN:**

The Board of Selectmen held a Public Hearing to hear evidence of an alleged liquor law violation against the Sterling Inn, located on Worcester Road. Mark Roy, owner of Sterling Inn, Detective Johnson and Officer Bourque of the Sterling Police Department were all present to speak to the alleged charges. Detective Johnson reported on his findings to the Board of Selectmen, outlining the sequence of events that brought forth the charges. He reported that he observed 4 males consuming alcohol after 1:00 AM and contacted the manager, Mr. Mark Roy, who then responded immediately and arrived at the scene. Mr. Roy stated that the facts are correct and he takes full responsibility and apologized for the incident. He informed the

Board of Selectmen that it would not happen again. Officer Bourke, who usually works the 3PM to 11PM shift, testified that based on his observations this was an isolated incident. Selectman Sushchik hearing the facts stated that the license holder is clearly in violation of the law and is obligated to follow the guidelines of the license.

The Board members deliberated and Selectman Sheppard made the motion to place a letter of reprimand in the Sterling Inn's file and to suspend the Sterling Inn's liquor license for two days in the month of October. It was voted that two consecutive Thursdays in the month of October would be acceptable. Selectman Sushchik 2nd the motion. All in favor.

Selectman Sushchik requested a letter be sent to all liquor license holders reminding them of their responsibilities and obligation as alcoholic beverage license holders.

**SPECIAL TOWN
MEETING**

ARTICLES: Ms. Ackerman reviewed the list of articles for the Special Town Meeting with the Board of Selectmen. The Board approved the 20 articles as submitted.

ROAD

ACCEPTANCE: Selectman Sushchik made the motion to set October 15, 2008 for the public hearing on road acceptances place on the warrant for the Special Town Meeting for Fern Lane, Runaway Brook Road, Fitch Farm Road and Trebor Lane. 2nd by Selectman Sheppard. All in favor.

CLOSE

WARRANT: Selectman Sushchik made the motion to close the warrant for the Special Town Meeting for November 17, 2008, 2nd by Selectman Sheppard. All in favor.

NEXT MEETING: The Board set the next meeting for October 15, 2008 at 6:30 PM.

ADJOURNMENT: Selectman Sheppard made the motion to adjourn at 8:17 PM. 2nd by Selectman Sushchik. All in favor.

RESPECTFULLY SUBMITTED

**PAUL M. SUSHCHIK
CLERK**