

BOARD OF SELECTMEN
JUNE 10, 2009
MINUTES

- MEETING:** Chairman Sushchyk called the meeting to order at 7:01 PM.
Roll called showed Sheppard, Philpot and Sushchyk all present.
- AGENDA:** Selectman Sheppard made the motion to approve the agenda adding three new items. 2nd by Selectman Philpot. All in favor.
- MINUTES:** Selectman Sheppard made the motion to approve the minutes of May 27, 2009, 2nd by Selectman Philpot.
Selectman Sheppard made the motion to approve the executive session minutes of May 27, 2009 and to release them to the public. 2nd by Selectman Philpot.
All in favor.
- ROLAND NELSON:** Mr. Nelson, Veteran's agent for the Town of Sterling, wanted to express his appreciation for the many people in town who helped with preparing the cemetery, the putting out the flags for Memorial Day.
Selectman Philpot responded to a question asked at the last meeting regarding the line item in the budget report listing \$3000 for the Memorial/Veteran's Day Parade. He stated that money was used for the payment of the band that played in the parade and was not available to cover the policing issues. Selectman Sheppard agreed and stated that Chief Chamberlain will likely lose the policing grant that is used to pay the police officers at the parade due to the state budget restraints.
- WRSD SCHOOL COMMITTEE**
- APPOINTMENT:** The Board of Selectmen recognized Kori Stuart, 51 Lucas Road, who was in attendance to express her desire to be appointed to the WRSD School Committee to fill the recent open position. Ms. Stuart gave a (brief) synopsis of her background as business woman, mother and interest in the schools. She informed the Board that she felt the children deserved a well rounded education and is looking for the Town of Sterling to have full representation at the next school committee meeting. Selectman Philpot gave full disclosure stating he knew Ms. Stuart, had talked with her regarding her concerns and her request to be appointed. He stated that he also spoke with Larry Pape of the Finance Committee regarding the needs of the town with concerns to the school budget and the fact that the numbers will possibly change again. Larry Pape expressed his appreciation for her willingness to serve and stated that the Finance Committee is interested in having a representative that is aware of the fiscal needs and understands the budget process of the town as well as the education needs. Sarah LaMountain, 30 Kilburn Road, strongly recommended Ms. Stuart as a person she would want to represent Sterling and its children.
Selectman Sheppard made the motion to appoint Kori Stuart for 1 year to the WRSD School Committee to fill the remaining term of Marcie Zaharee who resigned from the position. 2nd by Selectman Philpot. All in favor.
- LEGION UPATE:** Maryanne McLeod updated the Board of Selectmen on the progress made at the Legion Hall informing them that the pointing of the brick was completed. She informed the Board that Mike Forance did a great job at a price of \$24,500.
Ms. McLeod asked the Board of Selectmen to send a letter of support for the Legion to the State Representatives requesting that the floor repair for the Legion Building be strongly supported by the Selectmen in the Federal Stimulus Package. Several months ago the town was asked to

prioritize their top 3 requests. Ms. McLeod is asking the Town to re-prioritize and make the Legion one of the top three. Selectman Sushchik informed Ms. McLeod the Board would take her request under advisement.

INSPECTION FEE: Legion representatives requested that the Board of Selectmen waive the fee for the Building Code chapter/table 106 Annual Inspections done by the Building Inspector for Sterling. It was explained that in the past the fee had been waived but they were recently notified that the fee would be reinstated. After some discussion Selectman Philpot made the motion to waive the annual inspection fee of \$40.00 for the Legion, 2nd by Selectman Sheppard. All in favor.

APPOINTMENTS TO PERSONNEL BOARD: Selectman Sheppard made the motion to re-appoint Loret Schur and Diane Burrows to the Personnel Board for a two year term. Chairman Sushchik stated both were instrumental in assisting the Town in development of the job description of the new Human Resource position. The two members had not been re-appointed in 2008.2nd by Selectman Philpot. All in favor.

BUILDING INSPECTOR CERTIFICATION: Chairman Sushchik informed the Board that there were some questions concerning the Building Inspector, Mark Brodeur and whether he was certified or not. Chairman Sushchik asked Ms. Ackerman to respond to this concern.

Ms. Ackerman explained that Mr. Brodeur was certified as a local inspector and was working towards his certification as a building commissioner. The Commonwealth allows for 18 months to complete the certification process and allows for 3 extensions. To date Mr. Brodeur has received 1 extension. Selectman Philpot stated his information from the B.B.R.S. stated the extension of time is typically no more that 6 month and the timing indicates Mr. Brodeur should be near the end of his second 6 month extension. Ms. Ackerman stated to the best of her knowledge Mr. Brodeur has received only one extension but she would look farther into the situation.

Selectman Philpot explained that he brought the questions forward when, after asking questions, found out that Mr. Brodeur was hired in West Boylston in December of 2006. He feared that this could cause a major issue having to look for a new inspector in a hurry should the deadline pass.

Chairman Sushchik asked that Ms. Ackerman contact the Board of Building Regulations and Standards for clarification of the process for the June 24th meeting. Selectman Sheppard asked that Mr. Brodeur be present at that meeting.

INTERNET AUTO DEALERSHIP: Jeramie Barrett from Rutland met with the Board of Selectmen to request a Class II Auto Dealer's License for 33 Main Street. He explained that he would be renting office space at that location, no cars were to be present and no transfers or transactions would take place at 33 Main Street.

After some discussion, Selectman Sheppard made the motion to approve the Class II Auto Dealer's License for Jeramie Barrett with the stipulation that the showing of cars at that location is prohibited and that no actual transactions will take place within the town center. Thirty three Main Street is to be used for office space only. 2nd by Selectman Philpot. Vote was unanimous.

CABLE ACCESS: The Board of Selectmen reviewed a letter dated May 21, 2009 from Comcast with the Cable Committee members, Dick Maki, Joe Gunther, Arthur Coughlin and Cathy Harragian. The letter stated that Comcast believes it is now time for the town to take over all responsibilities pertaining to the operation, production, and management of local access programming in the community. Chairman Sushchik expressed his desire to go forward with the joint venture between Sterling and Lancaster to provide local access programming to the communities. Mr.

Maki informed the Board that they will be sharing a portion of Room 209 with Karen Pare', the room will be wired for the equipment that will service the Board of Selectmen's room along with the 1835 Town Hall. The Committee has advertised for a consultant to help in selecting equipment and to install or provide wiring service. Selectmen Sheppard informed them they need permission from the light department to attach the lines to the poles. Selectman Philpot asked some questions regarding the contract and the public access facility. He asked what financial benefit it was to the town to do the joint venture with Lancaster and was informed the cost of staffing and equipment would be significantly reduced. He asked how this tied in with the new sound system that the town bought and was told they were two different systems but the Cable Committee was hopeful that the equipment was compatible.

Selectman Philpot asked about broadcasting the BOS meetings now that we have the new sound/camera systems purchased last year with the \$27,000 approved at the annual Town Meeting. Selectman Sheppard explained that the sound system consisted of three parts, sound system for the Selectmen's office and the portable sound system, the projector and the hard drive camera that ties in to the system. Selectman Philpot, feeling it is important to broadcast the BOS meetings sooner rather than later then asked why we could not tape the meetings and send the tapes in to Comcast for broadcasting? Mr. Maki has asked the question of Mr. Kelly and was awaiting an answer.

The Board agreed to meet again on June 24th with the Cable Committee, Lancaster Officials and Attorney Solomon.

VAULT STATUS:

Chairman Sushchik was concerned with the present and future needs of the town with regards to building a vault/storage room. After asking Ms. Ackerman to request a list from the State Office on what town records needed to be stored and seeing the list, he questioned if the size of the proposed vault project was big enough to meet the needs of Sterling. After some discussion it was decided that the Town Administrator needed to consult with department heads to determine the space each department will need to store their records so that the vault is built with adequate space to meet the needs of the town.

There were many questions with regards to the timing and if we would be ready by September 1st so that the students from Monty Tech could start. It was determined we would not be ready. It was asked if we could use an outside facility to store the records. Chairman Sushchik informed everyone that we need to determine our needs and work on the design of the vault so that we can meet the obligations set by the state.

Selectman Philpot addressed the design issues, stating that the engineer supplied us with a structural design not to be confused with construction drawings that would be needed when submitting a building permit application.

Selectman Sheppard discussed the fact that the \$2500 amount originally approved at the July 23, 2008 meeting for the design actually cost \$3500 and was paid without proper authority, that a meeting was set up with the engineer resulting in additional charges without the building inspector or the facilities manager present. He reminded the Board that all meetings and decisions should be made as a Board and not on one individual's request. Selectman Philpot stated for the record he did not set up this meeting but did attend it. He was unaware of any charges in advance by the engineer but took responsibility for then nonetheless. He went on to say the original invoice from the engineer has been reduced from \$544 to \$125. He invited the Building Inspector to the meeting but Mr. Brodeur was unable to attend. The Board did not vote to approve the payment of the outstanding invoice due the engineer.

The Board agreed to meet again on June 24th after Ms. Ackerman has had time to solicit department heads request for the amount of material that needs to be stored and Tom Rutherford is able to transfer requests into space needed. Ms. Ackerman will also check with Iron Mountain on monthly costs for record storage and additional fees for retrieving records.

APPOINTMENT
TO ZONING BOARD
OF APPEALS:

The Board of Selectmen interviewed Mr. Jerry Siver, North Cove Road, for the open position on the Zoning Board of Appeals as an alternate member. Mr. Siver informed the Board that he has lived in town for 15 years, owns a business in Lancaster and considers it his duty to serve the town in some capacity. Selectman Sheppard asked Mr. Siver if he had any conflicts of interest with respect to the ZBA and he replied that he did not think so. Selectman Sheppard made the motion to appoint Mr. Siver as an alternate on the Zoning Board of Appeals for one year. 2nd by Selectman Philpot. All in favor.

SPECIAL MUNICIPAL
EXEMPTION:

Selectman Sheppard explained the purpose of designating members of the Building Needs Utilization Committee as Special Municipal Employees. The designation would apply to all members on the committee, granting them access to contracting their services to the town.

BNUC
MISSION:

The Board discussed multiple issues and answered questions Mr. Amrith Kumar asked regarding the charge and goals of the BNUC. The Board thanked Mr. Kumar for the time and effort spent codifying his thoughts.

Selectman Sheppard felt that BNUC had fulfilled their mission by establishing and hiring a facilities manager. Larry Pape, Finance Committee agreed that the BNUC was instrumental in hiring the facility manager but felt that they still had 2/3 of their charge remaining. Chairman Sushchuk agreed with Mr. Pape and Selectman Sheppard that BNUC needs to get out of the routine maintenance business but would be very useful in developing a strategic 5/10 year plan for the town.

Selectman Philpot stated it was his understanding that Tom Rutherford, facilities manager, was hired, in part, to fix things, stating that he had 11 pages of outstanding building issues that needed to be addressed and that BNUC was to provide technical information and strategic planning. Mike Forance agreed that the BNUC's charge included developing a 5/10 year plan. He added that he did not care if BNUC was dissolved and stated that Tom Rutherford was doing a great job.

The Board asked that Ms. Ackerman revise the charge of the BNUC, developing a long term strategic plan for the town replacing the routine maintenance and report back on June 24, 2009. BNUC will return to the Board in early September with 5/10 year plan that will assist in the budget and over all needs of the town.

RECESS 10:05 PM

10:15 PM
TOWN ADMINISTRATOR'S

FOLLOW-UP:

Ms. Ackerman informed the Board that the DPW started the debris clean-up today and Mr. Pineo informed them they were doing a great job so far. Selectman Sheppard requested a letter of appreciation be sent to the DPW director, Bill Tuttle, for saving the Town a great deal of money in this effort. The Financial Statement has been put on the web.

The Human Resource position has been posted and advertised and Ms. Ackerman asked the Board to designate members of the screening committee. The Board agreed to 1 member from the Personnel Board, Terri Ackerman, Donna Erickson, 1 member from the Finance Committee and 1 citizen at large with background in human resource or any other relevant employment.

Ms. Ackerman has been in contact with Gene Cappoccia and he plans on touring the town in the near future with the Mass Housing Partnership.

Ms. Ackerman is closely watching the local aid and receipts and will report the Board when the final numbers come in.

SELECTMEN

LIAISONS:

The Board members agreed that Selectman Sheppard will be the liaison for the Earth Removal Board, Chairman Sushchuk will be the liaison for the Cable Committee and Selectman Philpot will be the liaison for the schools.

BOARD OF SELECTMEN

SCHEDULE:

The Board of Selectmen will review their personal schedules and decide on the BOS meeting dates on June 24th.

GOVERNMENT

STUDY

COMMITTEE:

The Board does not need to wait for approval from the Attorney General regarding the Government Study Committee and agreed to the request of names of those interested no later than August 1st.

TRANSFERS:

Selectman Sheppard made the motion to approve the request from the Fire Department to transfer the sum of \$5000 from fire payroll to fire expense. 2nd by Selectman Philpot. All in favor.

Selectman Sheppard made the motion to approve the request from the Town Administrator to transfer the sum of \$1561 from town administrator's wages to salary. 2nd by Selectman Philpot. All in favor.

CONSOLIDATING

MAINTENANCE

CONTRACTS:

Tom Rutherford explained his plans for consolidating maintenance contracts and providing a list of all services and contractors for each service to all departments. He discussed when he would use the bid process and/or solicit quotes. Selectman Philpot suggested also using the bid process when involving purchases for all departments with hopes of receiving sharper prices for the benefit of the town.

AUDIT CONTRACT:

Selectman Sheppard expressed his interest in looking at Melanson & Heath to replace Borgatti Harrison & Co. as town auditors stating that keeping auditors for longer than 3 years is not good practice and he hoped that Melanson & Heath would be instrumental in improving the bond rating. Ms. Ackerman reminded the Board they have used Melanson in the past, they did a great job but that they are expensive. Changing auditors also involves going out to bid. Ms. Ackerman would like some direction from the Board on whether to renew or to go out to bid. The Board asked that Ms. Ackerman do some research on the potential cost savings if the bond rating improves.

REPRESENTATIVE

MART:

Selectman Philpot made the motion to appoint Christopher Roy as Sterling's representative to MART. 2nd by Selectman Sheppard. All in favor.

CONTRIBUTION

FROM NEEDY

WOMEN:

Selectman Sheppard spoke to the need of a Sterling resident he was made aware of through the churches in Sterling and asked that the Board make a \$1000 contribution to be taken from the

Needy Women's Fund to help in supplying this individual with transportation. Selectman Philpot made the motion to approve the \$1000 contribution, 2nd by Selectman Sheppard. All in favor.

ADJOURNMENT: Chairman Sushchuk made the motion to adjourn the meeting at 11:20 PM, 2nd by Selectman Sheppard. All in favor.

RESPECTFULLY SUBMITTED

RUSSELL R. PHILPOT
CLERK