

BOARD OF SELECTMEN
DECEMBER 21, 2011 MINUTES

MEETING: Chairman Philpot called the meeting to order at 7:00 PM. Roll call established that Selectman Sushchyk, Selectman Furmaniuk and Chairman Philpot were all present.

Chairman Philpot read the statement declaring the Sterling Lancaster Cable Television as the only electronic copy of the meeting.

MINUTES: Selectman Furmaniuk asked for more time to review the minutes of November 9, 2011. Selectman Sushchyk made the motion to approve the executive session minutes of November 9, 2011, 2nd by Selectman Furmaniuk. All in favor.
Selectman Sushchyk made the motion to approve the minutes of November 22, 2011, 2nd by Selectman Furmaniuk. All in favor.
Selectman Sushchyk made the motion to approve the minutes of December 7, 2011, 2nd by Selectman Furmaniuk. All in favor.

APPOINTMENT TO
PERSONNEL BOARD:

The Town Moderator, Peter Monaghan, and Larry Pape, Chairman of the Finance Committee were present to vote on an appointment to the Personnel Board. Chairman Philpot recused himself due to a conflict of interest as he has already declared in a previous public meeting. Mr. Monaghan made the motion to appoint Bruce Baker to the Personnel Board, term to expire June 30, 2012. 2nd by Larry Pape of the Finance Committee. Roll call, Board of Selectmen aye, Mr. Monaghan aye, Mr. Pape aye. All in favor.

ANNUAL LIQUOR
LICENSES:

Selectman Furmaniuk made the motion to approve the annual liquor license for the Sterling National Country Club, 2nd by Selectman Sushchyk. Selectman Philpot declared a potential conflict of interest in this matter and recused himself from the action. All in favor.

Selectman Furmaniuk made the motion to approve the annual liquor license for the Twin Oaks Restaurant, 2nd by Selectman Sushchyk. All in favor.

Selectman Furmaniuk made the motion to approve the annual liquor license for the Chocksett Inn, 2nd by Selectman Sushchyk. All in favor.

Chairman Philpot noted that the representatives of the 140 Rendezvous Club were not present but were expected and suggested the Board move this discussion down in the agenda to afford more time for the 140 Club representatives to arrive. The Board agreed.

APPOINTMENTS TO THE
1835 TOWN HALL

COMMITTEE: Selectman Sushchyk made the motion to appoint Mathew Stelmach and Paul Cormier to the 1835 Town Hall Committee for a term of 3 years, expiring June of 2014. 2nd by Selectman Furmaniuk. All in favor.

APPOINTMENT TO

COUNCIL ON AGING: Selectman Sushchuk made the motion to appoint Irene Camerano to the Council on Aging, term to expire on June 30, 2014. 2nd by Selectman Furmaniuk. All in favor. This action was taken by the Board to correct a typographical error in the record on the expiration of Ms. Camerano's appointment.

TOWN ADMINSTRATOR'S

UPDATE: Ms. Ackerman reminded the Board that Capital Plans are due December 30, 2011, budgets are due January 3 and submissions of placeholder articles for town meeting are due January 10, 2012.

The Fire Department received a grant for \$4665.

The Sterling Neighbor to Neighbor is set up, all donations are to go to the Collector/Treasurer and Lisa Call will serve as the Finance Committee representative in determining candidates for the Neighbor to Neighbor. Selectman Philpot asked how/where the fund was being advertised to which the Town Administrator responded it was her hope & expectation for the local newspapers to do so. Philpot then suggested it be posted on the Town web site along with how people may donate and the qualifying criteria for recipients. All agreed to do this.

The contract for the architects designing the renovations for the 1835 Town Hall expired December 1, 2011 and the 1835 Town Hall Committee asked that the contract be extended to April 1, 2012 at which time the design will be completed. The original expiration date was set in anticipation of submitting a grant application however since it was not feasible to meet the deadline the additional time could be taken with no negative impact to the project. The Board of Selectmen approved the request and extended the contract to April 1, 2012.

Ms. Ackerman gave an executive summary of the Information Technology RFP and informed the Board that she is awarding the bid to Stillwater Computer Services.

Ms. Ackerman reminded the Board members of the MMA Conference being held January 20 & 21, 2012 and if they planned on attending they needed to register. She further notified the Board of their need to identify a voting delegate to the conference. She also informed them that the Tri Town Housing grant application is due January 17, 2012 is prepared and asked for a signature from the Chairman, which was granted.

RICHARD TRAINA: Richard Traina, owner of 44 Main Street, presented an offer to purchase a small parcel of land behind his property at fair market value to the Board of Selectmen so that he could make improvements to his property. He informed the Board that he would be willing to pay for the survey of property as well as the closing expenses should they agree to the proposal. Chairman Philpot informed Mr. Traina that such a decision requires a town meeting vote and referred to the memo from Bill Tuttle and Tom Rutherford stating that the town land is needed in case problems arise with the town hall septic system and for storage of snow. Selectman Sushchuk added that the town should look in to the conditions associated with the conveyance of land to the town. Chairman Philpot stated Mr. Traina's problem is not, necessarily the Town's and that he did not want to create any additional problems for the town while solving Mr. Traina's problem with his renovations.

The Board agreed to talk with Mr. Traina again if he could come up with another proposal acceptable to all parties.

140 RENDEZVOUS

CLUB:

Selectman Sushchuk recused himself from the discussion regarding the 140 Club and their annual liquor license.

Chairman Philpot explained that the issues revolved around noise resulting from the serving and consumption of alcohol outside the establishment and the size of said area. At the direction of the Board (meeting of Dec. 7, 2011), Mr. Kilcoyne met with Police Chief Chamberland and the Building Inspector, Mark Brodeur to walk the site and determine a compromise on the size of the area that would be acceptable to the Board of. Chief Chamberland then issued written recommendations to the Board as a result of this effort. The Chief explained that the most important issue is the occupancy of the outside area with the size being secondary. He explained that establishing occupancy over 100 will require the Club hire a State-certified Crowd Control Manager. After some discussion the Board agreed to set the occupancy to 70 people for the outside area. Both Mr. Furmaniuk and Mr. Philpot noted that as the size of the crowd increases so does the noise.

Mr. Gibbs and Mr. Mack, residents living in the vicinity of the 140 Rendezvous expressed their concerns with the outside area and the noise generated by the sound system and the use of foul language over the outdoor speakers.

Once the occupancy number was determined, the Board then discussed the need for a fence to clearly define the outside area for serving alcohol and to not allow vehicles within it as stated in the memo from the Chief. The Board agreed that the fence should be a minimum of 5 feet high, with a solid design i.e. stockade or shadow with 3 locking gates for emergency exit only. Access to the outside area can only be gained from within the existing building.

Selectman Furmaniuk made the motion to approve the annual liquor license for the 140 Rendezvous Club, with an occupancy of 70 inside and 70 outside (total occupancy @ 140), the area outside for serving alcohol to be 42 feet x 78 feet (as described in the sketch provided by Mr. Kilcoyne), that the entire area be visible from within the Club and that it be enclosed by a fence at least 5 feet high of a solid design with 3 gates. That the sketch describing the area provided by Mr. Kilcoyne be attached to the license. The Board also suggested the use of speakers to be held to a minimum and the Club employ an order number system rather than names/nicknames to avoid foul language being used. 2nd by Selectman Philpot. Two in favor, one abstained.

CONSTRUCTION

TRAILER:

The Board reviewed the request from Mr. Michael Paonessa of 7 Tara Lane for a Construction Trailer Permit for the purpose of constructing a single family dwelling. Mr. Paonessa stated this would be a home for him and his family. Selectman Sushchuk made the motion to approve the request of a construction trailer for 90 days, agreeing to review the request should an extension be needed. 2nd by Selectman Furmaniuk. All in favor.

FUTURE APPOINTMENT

PROCESS: The Board reviewed the appointment process submitted by Selectman Furmaniuk. Chairman Philpot requested that Selectman Furmaniuk provide soft copies be sent via e-mail to the Mr. Sushchik and Philpot and to all other boards and committees, the Finance Committee, town moderator and elected boards for input and commentary.

UPDATE ON GOALS: Ms. Ackerman reminded the Board of the three goals they agreed upon for FY12. The first goal consists of reducing the operating budget of the town. Ms. Ackerman reported that this goal is being addressed via 3 parallel tracks. The first track is to review the health insurance and reduce the cost to the town; the second is to look for additional revenue sources. Department heads have brainstormed and \$123,297 in potential additional revenue. The third track as required by Finance Committee, ask each department how they would cut their budget 10% if needed. Chairman Philpot disagreed with the additional revenue approaches and stated the goal was to decrease the operating budget not increase the fees resulting in the taxpayers ultimately paying the price at the end. Selectman Sushchik declared that the only way to cut the town's operating budget was to cut goods and services provided by the town. Philpot commented that we should not jump to that conclusion at this time. Regarding the second goal of grants, Ms. Ackerman had put together a list of grants that each department has applied for and received this year. Ms. Ackerman asked the Board for suggestions on identifying sources of grants. It was recommended that she contact the grant writer in Leominster for direction. The third goal of Vault Construction was briefly discussed.

PAPERLESS
SELECTMEN'S
MEETING:

Ms. Ackerman asked the Board if they were willing to consider the idea of paperless selectmen's meetings by supporting the purchase of hardware and software in the FY13 budget. Chairman Philpot stated that he is not convinced that the need is justified at this time and is not comfortable spending the additional money. The Board authorized Mr. Sushchik to speak with a Selectmen he knew in Northbridge to learn more about their decision to "go paperless" on Selectmen's meetings. The consensus of the Board was that more research on this matter was necessary before any decision could be made and authorized the Town Administrator to submit a BOS budget that is level funded minus 10%.

8:50 PM

EXECUTIVE SESSION: Selectman Sushchik made the motion to enter into executive session in accordance with M.G.L. Chapter 30A §21a, 3 – Collective Bargaining, to return to public session only to adjourn. 2nd by Selectman Furmaniuk. Roll call, Philpot aye, Sushchik aye, Furmaniuk aye. All in favor.

9:42 PM

Selectman Sushchik made the motion to adjourn the meeting at 9:42 PM, 2nd by Selectman Furmaniuk. All in favor.

RESPECTFULLY SUBMITTED

RONALD A. FURMANIUK
CLERK