

BOARD OF SELECTMEN  
BUTTERICK BUILDING  
JULY 20, 2011  
MINUTES

- MEETING: Chairman Philpot called the meeting to order at 7:01 PM. Roll 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 authorized copy of the meeting.
- AGENDA: Chairman Philpot asked to amend the agenda, bringing forth the new Fire Department Call Lieutenants before Chief Chamberland's report so that they can attend a training session. Selectman Furmaniuk made the motion to approve the agenda as amended, 2<sup>nd</sup> by Selectman Sushchyk. All in favor.
- INTRODUCTION OF NEW CALL LIEUTENANTS: Chief Hurlbut introduced Craig Martin and Daniel Hehir as the two newly promoted on-call Lieutenants to the fire department. The Board of Selectmen congratulated the Lieutenants on their promotions and thanked them for their service.
- APPROVAL OF MINUTES: A motion was made by Mr. Sushchyk to approve the minutes from May 25, 2011. Motion 2<sup>nd</sup> by Mr. Furmaniuk, all in favor. Chairman Philpot announced that Meeting Minutes have been slow in coming lately due to vacation schedules and due to an error on his part with respect to the last meeting.
- CHIEF CHAMBERLAND  
JUNE 2011 REPORT: The Chief reported that tomorrow morning the State will commence removing the center guard rail on Rte. 12 @ I-190 and planned on removing the guardrails on Rte. 12 south of Barber's Crossing by the end of July. Chief Chamberland gave a brief overview of the June 2011 report. The Chief also reported he has met with the Leominster and Clinton Police Departments and offered recommendations to alleviate some parking issues in Sterling. Leominster refused to allow any parking for the Wekepeke on the Leominster side and Clinton refused to institute a dusk-to-dawn curfew on the property. Chairman Philpot stated that it was a fair assessment to say that the Wekepeke recreation area is a burden to Sterling. The Board thanked the Chief for his report.
- CHIEF HURLBUT  
ANNUAL AMBULANCE  
WRITE-OFFS: Chief Hurlbut requested permission for the annual write-off, in the amount of \$90,032, off the Ambulance outstanding balance aged accounts from 389 days to as many as of

1,460, majority being 630 days or greater. Chairman Philpot questioned the large amount after approving a \$60,000 write-off last year. Chief Hurlbut reported that the previous billing clerk did not have enough time to calculate the last 8 years and based on the auditors recommendation he went forward with the \$60,000. Responding to the concerns of the Board, Chief Hurlbut explained that the department increased the billing rates, but that would inevitably increase the uncollectible amount. He continued by stating that the total amount (\$60,000 + \$90,000) now written off is 18.5% of the total 8 years receipts for the ambulance service which is in line with other departments. The Chief stated that this spring we entered into a new agreement with Lancaster to improve collections on mutual aid ambulance calls to that town. Selectman Sushchyk made the motion to approve the amount of \$90,032.26 as this year's write-off, 2<sup>nd</sup> by Selectman Furmaniuk. All in favor.

FIRE DISTRICT 7/8 MUTUAL  
AID AGREEMENT:

Chief Hurlbut explained that this mutual agreement (District 7) is like the Fire District 8 Mutual Aid Agreement that the Board of Selectmen signed March 30, 2011. Chairman Philpot asked if this agreement also included the provision to opt out at anytime. Chief Hurlbut assured him that it did. Selectman Furmaniuk made the motion to support the Regional Mutual Aid Agreement for District 7/8, 2<sup>nd</sup> by Selectman Sushchyk. All in favor.

QUARTERLY REPORT  
FIRE DEPARTMENT:

Chief Hurlbut reviewed the quarterly report. He also informed the Board that the Senior Center will be open Wednesday and Thursday until 8:00 PM as a cooling center for seniors should they need it.

CONTINUATION  
OF ANNUAL APPOINTMENTS:

Selectman Sushchyk made the motion to approve the appointments as listed, 2<sup>nd</sup> by Selectman Furmaniuk. All in favor. Mr. Sushchyk abstained from his reappointment as an Alternate to the 40B Review Committee.

We should include – as an attachment to these Minutes – a list of all the re-appointments.

The Board discussed the procedures used for the annual appointments. It was pointed out that in the past appointments were made unless the appointee notified the Board that they were not interested. Chairman Philpot questioned whether it was legal to presume that an individual wanted to be re-appointed. The Board asked Ms. Salluce to consider possible adjustments to improve efficiency of the process.

GOAL SETTING FOR TOWN

ADMINISTRATOR:

Each Board member explained what their expectations were for the Town Administrator and agreed that there should only be two to three goals so that they are realistic and achievable.

Selectman Sushchuk stated that the Town Administrator should continue her support the Board of Selectmen and helping them to achieve their goals.

Chairman Philpot stated that he wanted the Town Administrator to read and comprehend the town by-laws, to be the resident expert. He also wanted her, as Chief procurement Officer, to ensure that all procurements are in full compliance; to make the priorities department heads her priorities, to provide summaries and backup information to issues presented to the Board and to become taxpayer/customer service minded.

Selectman Furmaniuk thought Ms. Ackerman should work on her professional development by attending improvement workshops/seminars, to research the health insurance and provide an analysis of the new law and to work on a better format for tracking open issues.

Chairman Philpot will firm up the goals as listed and provide Ms. Ackerman with a complete list of expectations.

SELECTION COMMITTEE  
FOR TOWN ACCOUNTANT:

The Board of Selectmen reviewed the recommendation made by Terri Ackerman for a team of 5 members to the Screening Committee for the Town Accountant, consisting of the Town Administrator, Human Resource Administrator, a Finance Committee member, a citizen at large and a Department Head with an Enterprise Fund. The Screening Committee would then present the final candidates to the Board of Selectmen for interviews. Chairman Philpot recommended getting permission from the Board members of the DPW and SMLD before asking one of their Department Heads to serve on the committee. He also requested that a volunteer for the citizen at large member be advertised on the town's web site. Selectman Sushchuk made the motion to appoint the Screening Committee as recommended by the Town Administrator. 2<sup>nd</sup> by Selectman Furmaniuk. All in favor.

DESIGNEE FOR  
NEGOTIATIONS  
VAULT DESIGN:

Chairman Philpot agreed to accept the appointment to negotiate with Lieb Architect and asked Terri Ackerman, as procurement officer, to work with him on the process. He asked the Board's permission to confer with the Finance Committee during the negotiation. Selectman Sushchuk made the motion to appoint Chairman Philpot as the negotiator for the vault design and to work with Ms. Ackerman and the Finance Committee, 2<sup>nd</sup> by Selectman Furmaniuk. All in favor.

8:31 PM

PERSONNEL BOARD:

Chairman Philpot acknowledged the presence of the Personnel Board, Jack Collins, Town Counsel and James Kelley, Human Resource Officer for Sterling. He explained that he will entertain a discussion on the time and attendance policy, that there will be no comments on anyone's character since that is reserved for Executive Session, and that he wanted statements supported by facts.

Loret Schur read a statement to the Board of Selectmen which stated the position of the Personnel Board and the purpose behind the tracking of employee's time. The tracking of time worked was instituted so that the Treasurer/Collector could start tracking time in increments on employees pay stubs.

Jack Collins, Town Counsel, explained the difference between comp and flex time. Flex time is time earned and used within the 7-day work period. Comp time was time earned in 1 week and banked to be used in a future week.

Chairman Philpot questioned the need for tracking time (comp) when the Personnel Board presented a by-law at town meeting, which was approved by town meeting, discontinuing the accumulation of comp time for town employees.

Mr. Collins explained that the policy created an issue with time being accrued in a 7 day period versus a 14 day period. He also stated that the tracking of hours is a good idea in defending the town if need be. Mr. Collins stated that in accordance with the Fair Labor Standards Act employees are owed overtime (pay or time off in the amount of time and half) when more than 40 hours are worked in a 7 day period.

Mr. Kelley informed the Board that he recently conducted a thorough review of exempt positions and concluded that there are 7 employees classified incorrectly as exempt town employees. The Personnel Board and the Selectmen discussed the charge of the Personnel Board and if they were advisory or a policy making board and the process required for making changes to the by-law.

Chairman Philpot asked Ms. Ackerman for detailed back-up information from the exempt time sheets and Ms. Ackerman presented statistics on the usage of employee time. Chairman Philpot stressed the need for the Personnel Board members to understand their role and informed them that in no way were any accusations made against the Personnel Board or the town employees.

Selectman Furmaniuk thanked the Personnel Board for their time as volunteers and confirmed that the Board of Selectmen needs to work closer with this board as well as the other boards and committees in town.

PARKING CLERK:

The Board discussed the pros and cons for the need of a Parking Clerk. Selectman Sushchik explained that in the past the Selectmen acted as the Parking Clerk, but with agenda's filling up the Board voted for a Parking Clerk position. Interview of candidates will be held at the next meeting.

TOWN ADMINISTRATOR  
UPDATE/FOLLOWUP/  
ANNOUNCEMENTS:

Ms. Ackerman reported that the DPW installed the advisory speed limit sign at Burpee Road and the survey of the road will be done within the next month. Thank you letters were sent out to the Water Department for their work on the SCADA grant. A report for the Board of Selectmen on the Tri-Town Housing group is expected very soon. Ms. Ackerman informed the Board of the new legislation regarding the New Health Insurance Program and plans on working on insurance for the town over the next months in time for FY2013.

The Board discussed items for the future agenda with Ms. Ackerman

ONE DAY LIQUOR  
LICENSE:

Selectman Sushchik made the motion to approve the one day liquor license for August 20<sup>th</sup> and August 27<sup>th</sup> for the Eight Point Sportsmen's Club, 2<sup>nd</sup> by Selectman Furmaniuk. All in favor.

ANTIQUA AND SECOND  
HAND DEALERS LICENSE:

Selectman Sushchik made the motion to approve the Antiqua and Second Hand Dealers license for "Oh My Gosh" antiques, 2<sup>nd</sup> by Selectman Furmaniuk. All in favor.

PUBLIC SESSION

AMRITH KUMAR:

Mr. Kumar questioned the Board on the Town Administrator goal's and how the administrator would be measured on her accomplishments. He stated that after watching the Board's evaluation of the Town Administrator it was obvious that the two board members scored totally opposite of each other. With no way of measuring the goals and accomplishment of the Town Administrator it was impossible for her to receive a fair and impartial score from the Board members.

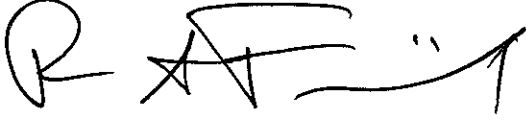
TOM FOLEY:

Mr. Foley inquired into the results formed by the Rte 140 Corridor and if a plan had been formulated. A meeting will be scheduled with Richard Sheppard for an update on the progress of the committee and notify Mr. Foley of the date and time.

ADJOURNMENT:

Selectman Sushchuk made the motion to adjourn the meeting at 10:35 PM. 2<sup>nd</sup> by  
Selectman Furmaniuk. All in favor.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to read 'R. Furmaniuk', with a stylized flourish at the end.

RONALD FURMANIUK  
CLERK

3<sup>rd</sup> CONTINUATION OF ANNUAL APPOINTMENTS  
JULY 20, 2011

AGRICULTURAL COMMITTEE

Michael Pineo                      3 YEARS

ANIMAL CONTROL OFFICER – ALTERNATE

Heather Bradley                      1 YEAR

TOWN FOREST COMMITTEE

Michael Pineo                      1 YEAR

40B REVIEW COMMITTEE

Michael Pineo                      1 YEAR  
Paul Sushchuk – alternate  
Don Harding

1835 TOWN HALL COMMITTEE

Ron Pichierri                      1 YEAR

SEALER OF WEIGHTS AND MEASURES

Edward Seidler                      1 YEAR

140 CORRIDOR AD HOC COMMITTEE

Robert Temple                      1 YEAR

VETERAN'S GRAVE OFFICER

Robert Temple                      1 YEAR

**REFUSED APPOINTMENT**

**Michael Pineo - PARKING CLERK/HEARING OFFICER**

**Robert Davis - INDUSTRIAL DEVELOPMENT COMMISSION**