

BOARD OF SELECTMEN

JULY 6, 2011

MINUTES

- MEETING: Chairman Philpot called the meeting to order at 6:30 PM. Roll established that Selectman Sushchuk, Selectman Furmaniuk and Philpot were all present.
- MINUTES: Selectman Sushchuk made the motion to approve the minutes of May 16, 2011, 2nd by Chairman Philpot.
Selectman Sushchuk made the motion to approve the minutes of June 8, 2011, 2nd by Selectman Furmaniuk. All in favor.
- EXECUTIVE SESSION: Selectman Sushchuk made the motion to enter into Executive Session in accordance with MGL 39, §23B at 6:36 PM to discuss union negotiations to return to regular scheduled meeting upon completion of executive session. 2nd by Selectman Furmaniuk.
Roll call: Sushchuk aye Furmaniuk aye Philpot aye
- 7:20 PM The Board of Selectmen resumed the regular scheduled meeting.

Chairman Philpot read the statement declaring the Sterling Lancaster Cable as the only authorized electronic copy of the meeting.
- AGENDA: Chairman Philpot made a motion to amend the submitted agenda. Selectman Sushchuk 2nd the motion. Chairman Philpot requested that the agenda be amended, allowing an open public session and stated he would like to have "Public Comment" every meeting to which Ms. Sushchuk commented he is not ready for that. Selectman Sushchuk voted no to the amendment and addition of public session, as did Selectman Furmaniuk. The record is to show two against and one in favor for the amendment.
- YEAR END TRANSFER: Selectman Sushchuk made the motion to approve the year end transfer for the Police Department of \$3950 from police expenses to wages. 2nd by Selectman Furmaniuk. All in favor. Request is to go to the Finance Committee for their approval.
- TOWN ACCOUNTANT VANCANCY: Ms. Ackerman informed the Board that she had drafted an ad for the Town Accountant vacancy that will be publicized in the Telegram and the Beacon. The next step in the process is to form a review committee to interview the applicants. Chairman Philpot reminded the Board that the Light Department recently formed a review committee for the replacement of their manager and suggested that the same committee review the Town Accountant applicants. Selectman Sushchuk stated that others involved in town government should be involved with the selection committee. Selectman Furmaniuk agreed with Selectman Sushchuk and stated that those dealing with the Town Accountant on a day to day basis should be involved in the selection. Chairman

Philpot expressed his opposition to the selection committee being comprised of town employees. He also stated that the accountant should be certified, willing to work 22-25 hours and the full salary range showing a salary up to \$53,225 be removed from the ad. While reviewing the job description for the ad Mr. Philpot commented that there was no mention of the BOS having any authority over the position or of the position having any direct access to the Board. Mr. Sushchuk noted it had always been this way and that the written description has existed for many years as is. Selectman Furmaniuk made the motion to place the ad as amended, 2nd by Selectman Sushchuk. All in favor.

1835 DESIGNER SELECTION

COMMITTEE UPDATE: Ken Stidsen, Matthew Stelmach, and Cynthia Secord of the 1835 Designer Selection Committee met with the Board of Selectmen to give a brief update on the project. Chairman Philpot questioned the committee on the Hazardous Material Study and whether a report would be included in the architect's specs. Both sides discussed the issue and agreed to meet again in August to continue the discussion.

VAULT:

Selectman Sushchuk made the motion to hire Lieb Architects for the vault project based on the recommendation of the Vault Committee. 2nd by Selectman Furmaniuk. All in favor.

Selectman Sushchuk suggested that Chairman Philpot be the individual to negotiate with the successful bidder on the cost of the job because of his historical and ample knowledge & expertise in the building trades and he can not think of a better person for this task. Chairman Philpot informed the Board he was not comfortable with just one individual negotiating with Lieb Architects. Ms. Ackerman reminded the Board that if any committee is negotiating, then the committee would have to negotiate in a public session. For this reason she recommended only one negotiator be involved in the process with the Board giving input to that negotiator. The Board agreed to continue the discussion at the next meeting.

SCADA GRANT:

The Board of Selectman first thanked Bill Tuttle, DPW Superintendent for applying and receiving the grant. The grant allows for the use of radios in place of phone lines, especially during emergencies.

Selectman Sushchuk made the motion to vote to accept the SCADA Grant of \$72,750.00, 2nd by Selectman Furmaniuk. All in favor.

Selectman Sushchuk made the motion to appoint Bill Tuttle as the contract manager, 2nd by Selectman Furmaniuk. All in favor.

Mr. Tuttle informed the Board that he found the money to be available all along but only just discovered it. He added that Paul Lyons and Lisa DeCiero deserve most of the credit, once the grant was discovered they picked up the ball and ran with it. He then went on to say the town would benefit greatly by hiring a grant writer. The Board asked that letters be sent to the DPW Board thanking Mr. Lyons and Ms. DeCiero for their efforts.

SOLICITATION

BY-LAW:

Chief Chamberland met with the Board to discuss the fee permit to be applied to the new Solicitation by-law voted at town meeting. The Chief recommended \$25 per applicant. Chairman Philpot asked the Chief how the \$25 fee compared to other Towns and if the fee would be waived for solicitors who live in Sterling. The Chief commented it was in line. After a few comments the Board decided not to waive the fee for resident solicitors but agreed if it became an issue they could revisit it in the future.

Selectman Sushchuk made the motion to approve the \$25.00 permit fee, 2nd by Selectman Furmaniuk. All in favor.

SOLDIER

APPRECIATION:

Kevin Monaghan met with the Board of Selectmen to ask for their support in expressing appreciation to the soldiers serving in the war. He would like to place boxes in town buildings collecting thank you letters and non-perishables to send to the troops overseas. The Board of Selectmen commended Mr. Monaghan for his efforts and stated that he is a credit to his family. The Board granted him permission to place the collection boxes in the town buildings and asked that he report back with an update on his project.

APPOINTMENTS:

Selectman Sushchuk made the motion to appoint the continuation of the board and committee members. 2nd by Selectman Furmaniuk. All in favor. (see attached)

PERSONNEL/ CAPITAL/ FINANCE BOARD

APPOINTMENTS:

Personnel, Capital Fund and Finance Committee appointments require a vote from three groups, Board of Selectmen, one vote, Finance Board, one vote and the Town Moderator for one vote. Larry Pape, Chairman of the Finance Committee was unable to attend the meeting but sent an e-mail to the Chairman Philpot reporting the Finance Committee's vote. The Board of Selectmen, Finance Committee and Peter Monaghan, Town Moderator, made the motion and voted unanimously to appoint John Kilcoyne and Pat Fox to the Capital Fund Committee. Matthew Emsley and Lisa Call were also appointed to the Finance Committee by a unanimous vote.

A motion was made to appoint Diane Burrows and Loree Schur to the Personnel Board, there was not a second to the motion. Appointments were not made to Personnel Board; the members will continue to serve until replacements are named.

Selectman Sushchuk read a letter from a citizen, Richard Maki that expressed his disappointment in the actions taken by the Finance Committee and their decision to not re-appoint the members of the Personnel Board. Both Selectmen Sushchuk and Furmaniuk spoke to the discord among the Boards and stated that their actions will only discourage others to volunteer on boards and committees in the town. Mr. John Kilcoyne defended the Finance Committees' action and stated that the Finance Committee has a job to do and by not appointing the Personnel members they are protecting the town against policies that are in violation of the by-laws. He added that there

is obviously a breakdown in communication between the committees and there is an erroneous interpretation between policies and by-laws.

TOWN
ADMINISTRATOR'S
EVALUATION:

The Board began the Town Administrator's evaluation process. An Executive Session will be held at the next meeting only if necessary. Chairman Philpot informed Selectman Furmaniuk that Ms. Ackerman's evaluation should have been done in April with a full board that has worked with her. Selectman Furmaniuk excused himself from the evaluation process due to lack of time working with Ms. Ackerman. Chairman Philpot asked that Selectman Sushchuk start the process and explained that there will be no public comments during the review.

Selectman Sushchuk started the evaluation with the improvements /accomplishments and goals that Ms. Ackerman achieved during the past year. The Board needed to discuss the goals they would like to set for Ms. Ackerman for FY12.

Chairman Philpot made the statement that there was a difference between goals and activities set for the year. Chairman Philpot proceeded with his review. Both Selectmen will provide copies for Ms. Ackerman's personal file.

Goals for the year will be discussed at the next meeting on July 20, 2011.

TOWN ADMINISTRATOR'S
UPDATE:

Ms. Ackerman reported that the legal ad for Hardscrabble Road is being drafted and it requires that the Board vote the property as being unique. Letters to Sgt. Happy and Mass Highway have been written and will be mailed after the Chairman signs them. The Assistant Town Clerk has applied for her notary permit and will be receiving it in the near future. Five applications have been received for the Parking Clerk position, 3 being residents of Sterling. Chairman Philpot asked for a written summary on the Parking Clerk position explaining the position and the need.

YEAR END TRANSFERS: Selectman Sushchuk made the motion to approve the year end transfer for the Fire Department for \$7000 from wages to expenses. 2nd by Selectman Furmaniuk. All in favor.
Selectman Sushchuk made the motion to approve the year end transfer of \$776 from the Electrical Inspector wages to expenses. 2nd by Selectman Furmaniuk. All in favor.
Selectman Sushchuk made the motion to approve the year end transfer of \$74.35 from tax title foreclosure to long term debt interest. 2nd by Selectman Furmaniuk. All in favor.

COMMON VICTUALER
LICENSE:

Selectman Sushchuk made the motion to approve the Common Victualer license for Melissa Lowe for a Hot Dog Truck. 2nd by Selectman Furmaniuk. All in favor.

SUMMER SCHEDULE: The Board voted to hold the next four summer meetings on July 20, August 9, 24 and 31st.

CORRESPONDENCE: The Board received a thank you card from a scholarship recipient, Danielle Valcourt and from Mr. Tim Greenwood thanking the Fire and EMS Rescue Team for their assistance at the Sterling Airport.

ADJOURNMENT: Selectman Sushchyk made the motion to adjourn the meeting at 10:06 PM. 2nd by Selectman Furmaniuk. All in favor.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to read 'R. A. Furmaniuk', written in a cursive style.

RONALD A. FURMANIUK
CLERK

**2nd LIST OF APPOINTMENTS
July 6, 2011**

AGRICULTURAL COMMITTEE	3 years
Blue Favreau	
EMERGENCY MANAGEMENT DIRECTOR	1 year
David Hurlbut, Jr. 11/23/09	
LOCAL EMERGENCY PLANNING	1 year
David Hurlbut, Jr. 11/23/09	
MUNICIPAL COORDINATOR	1 year
David Hurlbut, Jr 11/23/09	
OPEN SPACE IMPLEMENTATION COMMITTEE	1 year
Maryanne MacLeod Bob Protano 12/30/09	
RIGHT TO KNOW COORDINATOR	1 year
David Hurlbut, Jr. 11/23/09	
SAFETY COMMITTEE	1 year
David Hurlbut, Jr. 11/23/09	
TOWN COMMON REVITALIZATION COMMITTEE	1 year
Maryanne MacLeod	
WACHUSETT FUND COMMITTEE	1 year
David Hurlbut, Jr. 11/23/09	
ZONING BOARD OF APPEALS	3 years
Richard Hautaniemi	
140 CORRIDOR COMMITTEE	1 year
Bob Protano 12/30/09	