

TOWN OF STERLING
BOARD OF SELECTMEN
December 12, 2018

MEETING:	Chairman Lane called the Board of Selectmen meeting to order at 6:05 pm. Roll Call: Selectman Cranson – Present. Chairman Lane – Present. Selectman Kilcoyne – was absent
Executive Session	<p>At 6:06 Selectman Cranson moved to convene in a joint executive session with the DPW Board for exemption #3, MGL C30 Sec. 21 (a) to discuss strategy with respect to litigation related to the DPW MCAD Complaint, if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares. (Chairman Lane declared) and to reconvene in public session after the Executive session. Chairman Lane 2nd. Roll Call VOTE: Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried. Selectman Kilcoyne - Absent. (Selectman Kilcoyne arrived to executive session at 6:12pm)</p> <p>Present; Gregg Aubin, Larry Favreau, Donald Harding from the DPW Board, Town Administrator, Ross Perry and Executive Assistant, Kama Jayne and Attorney James McLaughlin.</p>
Minutes	<p>At 6:37 pm, Selectman Cranson moved to exit executive session. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.</p> <p>At 6:42 Selectman Cranson moved to reconvene in public session. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.</p> <p>Selectman Cranson moved to approve the public minutes of December 5, 2018, as written. Selectman Kilcoyne 2nd Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.</p> <p>Selectman Cranson moved to approve the release of the redacted executive minutes of December 14, 2017, regarding 38 Clinton Road. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.</p> <p>Selectman Cranson moved to approve the amended and redacted executive minutes of June 13, 2018, regarding 38 Clinton Road and to release them. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.</p> <p>Selectman Cranson moved to approve and release the amended executive minutes of July 11, 2018, regarding Clinton Road and to release them. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.</p> <p>Selectman Cranson moved to approve the amended and redacted executive minutes of July 25, 2018, regarding 38 Clinton Road and to release them. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.</p> <p>Selectman Cranson moved to approve the amended executive minutes of August 22, 2018, regarding 38 Clinton Road and to release them. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.</p> <p>Selectman Cranson moved to approve the redacted executive minutes of November 21, 2018, regarding 38 Clinton Road and to release them. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.</p>
Public Hearing Comcast Agreement	(The Attorney for the Public Hearing, regarding the Cable, was detained. Therefore, the Public Hearing was delayed until his arrival) At 7:44 Selectman Kilcoyne moved to call the Public Hearing to order, pursuant to 207 C.M.R 3.05 and any applicable cable television renewal license laws, regulations or

requirements, regarding the renewal of the cable television license of Comcast of Massachusetts, Inc. Roll Call: Selectman Kilcoyne – Present. Selectman Cranson – Present. Chairman Lane – Present. Special Cable Counsel, William H. Solomon, has worked on the proposed agreement. The summary of the License renewal follows;

- License term – ten years. January 1- 2019 – Dec. 31, 2029
- Cable Subscribers as of December 31, 2017 – 2,454
- Cable Service Availability – in addition to the availability to dwelling units which currently have cable service available, cable service will be extended where the minimum density is (1) fifteen dwelling units per aerial mile or (2) 20 dwelling units or more per underground mile, provided that useable underground conduit exists and/or is made available to the Licensee; or thirty dwelling units or more per underground mile provided the Licensee is able to obtain from property owners any necessary easements and /or permits
- Standard installation – the “drop distance” for a “standard installation” is 150 feet aerial or underground. For aerial or underground installation more than 150 feet, the first 150 feet shall be the Standard Installation Rate. All non-standard installations shall be provided at a rate established by the Licensee in accordance with the applicable federal and state laws.
- PEG Access Annual Support – 5.0% of Gross Annual revenues, which is the current level of support (the maximum allowed under the federal Cable Act). At this 5% level of support, both state and local license fees are subtracted from the 1st quarter PEG Access Operating/Franchise Fee payment to the Town (State – 80cents per subscriber; Town 50 cents per subscriber; a total of \$1.30 per year).
- Capital Support for PEG Access – One hundred Twenty Thousand Dollars (\$120,000.00) paid as follows; (1) \$60,000.00 no later than 90 days from the effective date of the Renewal of the License and (2) \$60,000.00 paid in five (5) payments of Twelve thousand dollars (\$12,000.00) paid over the 1st five years, the 1st payment no later than 90 days after the effective date of the Renewal License.
- PEG Access Channels – Two (2) PEG Access channels continue. (within a year Comcast will provide 3rd channel)
 - PEG Access video return site(s) and Cablecasting – Continuation of the current PEG Access “Video origination locations”; the 1835 Old Town Hall building and the Butterick Municipal. B. The Town or its designated Access Provider may construct additional video origination lines for connection at the Butterick Municipal Building and transmission therefrom to Comcast’s headend or hub site at their own cost.
 - Cable Service To Public Buildings – Licensee shall continue to provide a single cable drop, an outlet and monthly Basic Cable service, at no charge to the Town, to each Public Building located along the cable route, as designated by the Issuing authority within the Town, listed in Exhibit A below. The license requirement does not limit the cost-free connection of any new public buildings to those that are a “Standard Installation”, but rather the building must be “along the cable route”.
 - Side letters – (1) Senior Discount and (2) PEG Access Channel High Definition (“HD”). (See letters attached)

After discussion, Selectman Cranson moved to approve and sign the proposed 10 year Comcast agreement including the side letters. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.

After further discussion, Selectman Kilcoyne moved to sign the letter of support for the funding of local cable television. Selectman Cranson 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman

40 B Project
Discussion for 81
Chace Hill Road

Lane – Aye. Motion carried. The letter will be sent to the Federal Communication Commission as well as local Senators and Representatives.

At 8:14 Selectman Cranson moved to exit the Public Hearing. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.

Mike O'Connor, acting as the spokesperson for the neighbors, who reside in the area of the proposed 40B project, addressed the Board. He would like the BOS exercise the "right of first refusal" for the land.

He and other residents brought forward their concerns which include;

- Loss of local rural character of the Town
- In the long view, a potential of more children for whom to provide education, at a large cost to the tax payer
- No public transportation available in that area
- Traffic concerns
- Concern over lot size (According to the Mass Housing Partnership, this 40B proposal is for a total for 16 dwelling units with 3 bedrooms each).
- Adherence to buffer zones for Conservation and Wet Land Protection
- Possible destruction of historical significances

The Town has consulted attorneys who have advised:

- The requirements for First Right of Refusal have not been met and that the Town does not have that option in this case.
- The Town is at a disadvantage because it has not met its obligation to provide adequate numbers of affordable housing.
- Until such time that an application for 40B is submitted, the Town has no further say in the matter.

The consensus of the Board was that they need further investigation into this topic and further discussion may be had at a future meeting if necessary.

Timber work and
Stewardship

Conservation Agent, Matt Marro, came before the board to ask for approval on a work order to have trees harvested on Conservation land, described as Lot 9 on Map 52. Mr. Marro proposed that Gary Gouldrup, of New England Forestry Consultants, Inc. act as the agent for the Town in this endeavor. A temporary right of way will be granted by Mike Pineo, on Tuttle Road, for the purpose of access to this land locked parcel. About 1/3 of the trees will be taken. Those include biologically mature and inferior trees, which will be selected by Mr. Gouldrup. This thinning will improve the forest and supply revenue for the Town. Bids will be solicited from reputable companies and Mr. Gouldrup will oversee the operation. After further discussion, Selectman Kilcoyne moved to approve the work order for the forested are off Tuttle Road and to authorize Ross Perry, Town Administrator, to sign off on it. Selectman Cranson 2nd. Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.

1835 Town Hall
Update

Bob Jones addressed the Board with updates for the 1835 Town Hall.
Since his last update;

- Steel reinforcements were added to the rafter beams and top plate connections in Bay 1 & 2
- The rods remain as tie beams in these two bays but the cable has been removed
- Both rods and cables remain as tie beams in bays 3 & 4
- The elevator shaft is complete except for the vent that is required by fire code
- The lift is due to arrive on December 17th

With the Massachusetts Historical Commission Plan Approval, the following will be completed soon;

- Drywall gypsum ceiling installation and painting
- Collar trim and paint
- Exterior eave work replicating moldings, blocking and painting
- Electric wiring and lighting
- Insulation
- Cove along sides of Great Hall
- Corbels at each bay – 4 on each side of the hall
- New flooring in landing area with hall floor refinishing
- Access items – door lever handles and rear door opener
- Stackable seating
- Gallery railing will be strengthened and baluster added
- Replace window at rear of gallery with door
- Sound baffling/drapery
- Basic sound and lighting system

Phase 2 will include

- Projection system with video access points
- A screen on the stage
- HVAC units
- Chandelier with LED lighting
- Gallery reinforcement
- Gallery and access lighting
- Removal of front exterior upper window
- Replace replica of original 1835 decorative fan

In fiscal 2020/2021

- Tie in septic to the Fire House system
- Install sprinkler system

Annual Licenses
and Permits

After discussion Selectman Cranson moved to approve the Inn Keeper Permit for The Chocksett Inn. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.

After discussion Selectman Cranson moved to approve the Auto dealer Permits for James Simpson D/B/A S&W Equipment Rental, Ground water supply Co. Inc, Sterling Auto Body LLC DBA Sterling Auto Sales, HI-TEC Automotive Services Inc., and Auto Technica. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.

After discussion Selectman Cranson moved to approve the Common Victualler Licenses for ;

- Café Fresh Bagel/Sterling Ice-cream Bar
- Davis Farmland
- Chocksett Inn
- The Black Sheep Tavern
- Meadowbrook Orchards INC
- Sterling Deli and Convenience

- Rota-Spring Farm Ice Cream
- Barber's Crossing North restaurant
- AppleGreen (Petrogas Group)
- Sterling Chocksett Club
- Mulligan's Miniature Golf
- Sterling National Country Club
- Hamilton's Catering
- C&L Donuts INC. DBA Dunkin Donuts
- St. Richard's of Chichester
- Village Pizza
- Eight Point Sportsmen's Club Inc.
- First Church of Sterling
- Meola's Wayside Ice Cream
- Lanpher's Market LLC
- B-Man's Tavern Inc.
- Overeasy Café
- Lorna Jean's Good Eats
- Sterling Academy of Gymnastics
- Appletown Market
- Sterling Girls Softball
- Friends of the Sterling Seniors
- Clearview Farm
- Berube Roadside Kitchen
- Stix and Pux
- The Brick Mexican Grill

Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.

After discussion Selectman Cranson moved to approve the Mobile Food Vendor Permits for Stix and Pux and Berube Roadside Kitchen, contingent upon the demonstration of mobility and Lorna Jean's Good Eats, contingent upon final signatures. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. Mobility demonstration is scheduled for December 19th.

After discussion Selectman Cranson moved to approve the Automatic Amusements Permits for B-Man's Tavern, Barbers Crossing North, Blacksheep Tavern, and Mulligan's Mini golf. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.

After discussion Selectman Cranson moved to approve the Entertainment Permits for B-Man's Tavern, Barbers Crossing North, Blacksheep Tavern, 228 Leominster Road, Chocksett Inn, and the Sterling National Country Club. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.

After discussion Selectman Cranson moved to approve the Alcohol Permits for Sterling Deli and Convenience, Appletown Market, Chocksett Inn, Barber's Crossing, Sterling National Country Club, Lanphers West Sterling Package Store, The Brick, B-Man's Tavern and Davis Farmland. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye (However, recused himself from voting on Lanpher's Package Store) Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. These establishments have completed their paperwork and passed all inspections.

Selectmen's Meeting Minutes

December 12, 2018

One Day Licenses	No one day licenses were requested.
TA report	<p>The Board was asked to continue their discussion from the prior meeting regarding building closure and how employees will be paid for December 24th. After discussion, Selectman Kilcoyne moved to pay the Town Hall, Library and DPW workers for time off on December 24th. Selectman Cranson 2nd. Selectman Cranson - Aye. Selectman Kilcoyne – Aye. Chairman Lane– Aye. Motion carried.</p> <p>The Town Administrator will report back to the Board as to the estimated time when the Board of Health's basement, storage space will be completed.</p>
PSAs	<ul style="list-style-type: none">• The Board wished everyone a very Merry Christmas.• Chief Gary Chamberland has implemented a plan to dissuade “porch pirates”. Packages may be sent to the Police station rather than have they delivered to the door, where they may be stolen. Packages can be retrieved from the Police station 24/7. This new idea was highlighted on CBS news and the Board is very happy with the innovative idea.• Condolences were offered to the family and friends of the fallen Worcester Fire Fighter, Christopher Roy, who perished in a fire on December 9th, 2018
Public Session	No one spoke in public session.
Adjourn	<p>At 9:30 pm, Selectman Cranson moved to adjourn the public session. Selectman Kilcoyne 2nd. Selectman Cranson - Aye. Selectman Kilcoyne – Aye. Chairman Lane– Aye. Motion carried.</p> <p>Materials: minutes, 1835 update, list of permits, MPO email,</p>