

BOARD OF SELECTMEN

APRIL 25, 2012

MINUTES

MEETING: Chairman Philpot called the meeting to order at 6:15 PM. Roll call established that Selectman Furmaniuk and Chairman Philpot were present. Selectman Sushchuk would not be attending the meeting.

Selectman Furmaniuk made the motion to enter into Executive Session at 6:16 PM in accordance with MGL Chapter 30, §21A to discuss union negotiations with the Finance and Personnel Board. 2nd by Chairman Philpot. Roll call, Furmaniuk aye, Philpot aye. All in favor.

7:15 PM

REGULAR

SCHEDULED

MEETING: Chairman Philpot called the meeting to order at 7:15 PM. Chairman Philpot read the statement declaring the Sterling Lancaster Television as the only official electronic copy of the meeting.

AGENDA: Chairman Philpot asked Selectman Furmaniuk if he would approve moving up an appointment scheduled for 9:05 PM to the time slot at 7:30 PM so that Sean Hamilton, Light Department Manager, could attend a meeting across the hall. Selectman Furmaniuk made the motion to approve the amended agenda. 2nd by Philpot. All in favor.

7:18 PM

INDUSTRIAL DEVELOPMENT

COMMITTEE: The Board met with Walter Sanders of the Industrial Development Committee to get a general sense of the development side of business in town and what the Board could do to encourage businesses to come into town. Mr. Sanders reported that he is working with state representatives to get program models in place for grants, solar panels, trying to get ahead of other towns offering incentives. He also asked that contact information regarding the development committee be put on the web site. Chairman Philpot asked Mr. Sanders if there was something the town could do to assist the committee in getting the word out, making Sterling more appealing to businesses. Mr. Sanders could offer nothing specific at this time but offered to have his committee keep the suggestion in mind as they move forward. Selectman Furmaniuk expressed his interest in continuing this discussion with hopes of improving interest in Sterling and thanked Mr. Sanders for meeting with them.

MUNICIPAL LIGHT

DEPARTMENT: Sean Hamilton, Manager of the SMLD, spoke to the pending legislation and the two new bills regarding the Municipal Light Departments. The first bill is more for the Assessors side of it and

the taxes it would generate and the second bill speaks to supporting the creation of new Municipal Light Departments. He supports the 2nd bill in concept but not with its wording which is not in the best interest for current Municipal Light Departments. He encouraged the Board to support the idea but not until a second look is taken to the presentation of the bill.

61A WAIVER:

The Board met with Tom Tuffey of the Community Energy solar, LLC and Mr. Mark Bobrowski, Esq. representing project to discuss the permitting and installation of a 2MW solar facility on approximately 10 leased acres on Redstone and Wiles Road owned by the Davis Farm, which is currently in 61A. He informed the Board that the conversion does not involve a sale which would trigger the option to purchase for the town. The Board members agreed that they had no interest in the parcel in question. Chairman Philpot informed Mr. Tuffey that he had received two calls from residents expressing their concerns with the project. He requested that Community Energy contact the abutting residents informing them of the project, its location and what to expect.

Mr. Cormier, builder of the development of Thomas Lane asked if there was a buffer zone and how far away from the development the project actually was. Mr. Arthur Joseph presented Chairman Philpot with a list of questions with regards to the project at which time Chairman Philpot read them in to the record; was there an electromagnetic field involved with the project, how close to the wetlands was the project, the affects of storm water, access to the roads, guarantee on replacement of equipment, adverse affects and what if any compensation on adverse affects to abutting property and how it would affect the property taxes. The Board admittedly agreed they were all good questions and directed Mr. Joseph to the proper boards for answers.

MINUTES:

Selectman Furmaniuk made the motion to approve the minutes of March 14, 2012 with corrections, 2nd by Chairman Philpot. All in favor.

Selectman Furmaniuk made the motion to approve the minutes of March 28, 2012, 2nd by Chairman Philpot. All in favor.

Selectman Furmaniuk made the motion to approve the first executive session minutes of March 28, 2012, to be released, issue regarding Insurance Advisory Board resolved. 2nd by Chairman Philpot. All in favor. Selectman Furmaniuk made a motion to release all the executive session minutes concerning the Insurance Advisory Committee, 2nd by Chairman Philpot.

Selectman Furmaniuk made the motion to approve the second and third executive session minutes, not to be released until issue is resolved. 2nd by Chairman Philpot. All in favor.

Selectman Furmaniuk made the motion to approve the minutes of April 11, 2012, 2nd by Chairman Philpot. All in favor.

BUSINESS AND

CORRESPONDENCE:

Mr. Kevin Beaupre addressed the Board of Selectmen and asked that the information mentioned by Ms. Secord of the 1835 Town Hall Committee at the meeting of February 14, 2012 be posted to the website. He asked that all documents, including the architectural and septic

plans pertaining to the 1835 Town Hall and paid for by the residence of Sterling also be posted. The Board agreed to his request and will have documents posted.

8:08 PM

140 RENDEZVOUS:

Mr. Steven Kilcoyne, owner of the 140 Rendezvous, met with the Board to ask for special permission to hold a motorcycle function and to utilize the outdoor area his business – The 140 Rendezvous Club. The Board previously held a hearing during the license renewal period and placed restrictions on outdoor activity, allowing outdoor functions from Memorial Day to the third Saturday in September with some structural items to be put in place in the outdoor area. Selectman Furmaniuk stated that he noticed as of this week, the structural items had not been started and that there has been no confirmation from the Building Inspector and Police Department that the conditions placed on the area have been met. Mr. Kilcoyne promised that the conditions will be met before holding outdoor functions.

Chairman Philpot asked for an explanation on the exhaust decibel reading that Mr. Kilcoyne stated would take place at the function. Mr. Kilcoyne explained he intended to offer a free motorcycle exhaust decibel level check to anyone wanting one which involved the motorcycle operator revving the engine to 50% of the rpm while a decibel meter determined the loudness. Philpot commented that this is an extraordinarily ill-advised activity given the history of noise complaints that led to the current state of affairs. He expressed his concern and stated that he cannot tell Mr. Kilcoyne what to do but that activity would be ill advised since loud exhaust noise generated from motorcycles has been a problem at his establishment. The board agreed to grant no approval for special functions until they receive confirmation from the Building Inspector and the Police Chief that all conditions on the alcohol license have been met.

TOWN ADMINSTRATOR'S

UPDATE:

Mr. Ackerman reported that the town warrant is at the printers and a copy will be online by Friday.

The Police Department roof is presently being worked on and is 2/3 done.

Ms. Ackerman met with IG office to review the procurement issues. Dan Haynes is presently doing the procurement audit. Chairman Philpot questioned the audit and who was responsible for setting it up. Ms. Ackerman stated she had contacted Mr. Haynes to which Philpot cautioned that the Finance Committee had voted to hire Mr. Haynes and she should not be involved.

Ms. Ackerman will be receiving a 25 year award for Service Award from the International City Managers' Association. In response to Mr. Philpot question of what service she had provided Ms. Ackerman responded she has been a member of the Association for 25 years.

APPOINTMENTS:

Selectman Furmaniuk made the motion to re-appoint Roland Nelson as Sterling's Veteran Agent. 2nd by Chairman Philpot. All in favor.

Selectman Furmaniuk made the motion to appoint Richard Barriere to the Board of Registrar's, 2nd by Chairman Philpot. All in favor.

STILL RIVER WINERY: Mr. Wade Holtzman, owner of the Still River Winery, met with the Board of Selectmen and asked for permission to sell wine at the Farmers Market's. Mr. Philpot asked if he would be giving free samples and wondered if this would be impacted by the Town's "open container By-Law". Mr. Holtzman explained his samples are quite small e.g. 1 tablespoon. Selectman Furmaniuk made the motion to approve the sale of wine from Still River Winery, 2nd by Chairman Philpot. All in favor.

YEAR END TRANSFER: Chief Hurlbut asked the Selectmen for approval of a year end transfer to make emergency repairs to the cistern on Blueberry lane. Selectman Furmaniuk made the motion to approve the transfer of \$4850 from Accountant's Expense of \$1058, PD Cruiser Article of \$2292.00 and Appeals Board expense of \$1500 to the Fire Expense to cover the repairs, 2nd by Chairman Philpot. All in favor.

SPEAKING

ASSIGNMENTS: Chairman Philpot asked that the speaking assignments be determined by the three selectmen at the town meeting.

PUBLIC SESSION: There were questions asked regarding the Senior Center and the possible location. Ms. Stidsen asked if there would be a public hearing for the neighborhood located near the proposed site and Ms. Roberti questioned the order of conditions outlined in the Planning Board letter. Mr. Kevin Beaupre asked that the architectural documents for the 1835 Town Hall be posted to the website. The Board agreed and asked that a meeting with the 1835 Town Hall Committee be put on the next agenda. Ms. Mapp expressed her concerns with offices being left unattended and the possibility of theft when no one is around and doors are left unlocked.

NEXT AGENDA: Chairman Philpot asked that the performance review for the Town Administrator be scheduled for the next meeting. Ms. Ackerman objected to the timing of the review and asked that her objection be entered into the record.

ADJOURNMENT: Selectman Furmaniuk made the motion to adjourn the meeting at 9:06 PM. 2nd by Chairman Philpot. All in favor.

RESPECTFULLY SUBMITTED

RONALD A. FURMANIUK
CLERK