

TOWN OF STERLING  
BOARD OF SELECTMEN  
July 29, 2015

MEETING:

Chairman Cutler called the meeting to order at 6:35 PM. Roll Call: Vice Chairman Kilcoyne – Present. Chairman Cutler - Present. Selectwoman Cranson - present  
At 6:37 pm Chairman Cutler made a motion to enter into Executive Session, pursuant to MGL 30A Section 21(a) reason 2 to conduct strategy sessions in preparation for negotiations with non-union personnel – Town Accountant and Exemption #3 To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Executive Assistants, Police Union. Selectman Kilcoyne 2<sup>nd</sup>. Roll Call VOTE: Selectman Cutler - Aye. Selectman Kilcoyne – Aye. Selectwoman Cranson– Aye. Motion carried.  
The Board proceeded to convene in Executive session.

The Board reconvened in Public session at 7:12.

Minutes

Selectman Kilcoyne moved that the minutes of September 29, 2014 be approved. Chairman Cutler 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Abstained. Motion Carried.  
Selectman Kilcoyne moved that the previously approved executive minutes of March 25, 2015 and May 20, 2015 be released. Chairman Cutler 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.  
Chairman Cutler moved that the minutes of June 16, July 1, July 10, July 15 and the executive minutes of June 1 (not to be released) be approved. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

IT Proposal

The current It provider, Karen Pare of Stillwater Computers, has withdrawn her proposal to provide service to the Town of Sterling. The Town Administrator explained that Spaulding Hill Networks was the second choice of the IT evaluation team. Further, he explained that the price proposal of Spaulding Networks is well within the Town's budget for IT service. Mr. Thomas Roy, manager of that company, was interviewed by the Board. Mr. Roy explained that their contract proposal includes the following;

- A Project Manager/Coordinator
- A Network Engineer
- A Help Desk Technician
- A PC/Network Technician
- A CJIS Compliance Specialist
- Emergency services
- Email, phone, personal or remote support with on-call support available 24 hours a day, 365 days per year
- Anti-virus software included
- Cloud back-ups for off-site file storage (at an additional cost)

The goal of the company is to access the needs of the Town and to work with Town in making calculated decisions on how best to provide service. The Town will be assigned an IT person who will be on-site one day per week. After discussion, Selectman Kilcoyne moved that the Board authorize the Town Administrator to move forward on contract negotiations with Spaulding Hill Networks. Selectwoman Cranson 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

Selectmen's Meeting Minutes

July 29, 2015

Bike Event	After discussion, Selectwoman Cranson moved that the Board approve the Berkshires to Boston Bicycle Tour for September 18, 2015. Selectman Kilcoyne 2 <sup>nd</sup> . Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.
Mass DOT Nondiscrimination Assurance	The Mass DOT has requested that all Massachusetts Municipalities, including those without any active or pending transportation projects, sign an Assurance document that reflects the commitment to non-discriminatory actions in all aspects of Town Government. After discussion, Selectwoman Cranson moved that the Board authorize Chairman Cutler to sign the document that has been provided by the Mass DOT regarding the VI/Nondiscrimination Assurance requirement. Selectman Kilcoyne 2 <sup>nd</sup> . Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.
ADA Complaint	Matt Marro, ADA Coordinator, reported to the Board that he had received a verbal complaint about the inaccessibility of the sidewalks by wheelchair bound citizens. Mr. Marro explained that recently the DPW placed conduits under the road, per the request of the Light Department. In the not too distant future, the DPW will bring those conduits through sections of the sidewalk, in order to update the utilities. At that time, the sidewalks will be brought up to “code”, thereby making them accessible to all. Mr. Marro requested that the Board authorize him to answer the ADA complaint with the information that he has presented before the Board, regarding the planned eventual improvements to the sidewalks on Main Street. Selectwoman Cranson moved that Mr. Marro be allowed to answer the complaint with the information that he has presented to the Board. Selectman Kilcoyne 2 <sup>nd</sup> . Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.
Appointments/Re-Appointments	<p>Chairman Cutler moved that the following people be reappointed to the <b>Fair Committee</b>; Amy Legere (Associate Non-Voting member), Merylee Calahan (Associate Non-Voting member), Norman Clemence, Keith Shaughnessy (Associate Non-Voting member), Linda Davis, Judy Corbett, Tammy Matthews (Associate Non-Voting member), Terry Heinhold, Robert Kneeland. Selectwoman Cranson 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p> <p>Chairman Cutler moved that the following be reappointed as the <b>Electrical Wiring Inspector</b>; J. Bruce Dunn, Gary Harrington (Alternate). Selectwoman Cranson 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p> <p>Selectwoman Cranson moved that Robert Protano be reappointed to the <b>Open Space Implementation Committee</b>. Chairman Cutler 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p> <p>Selectwoman Cranson moved to reappoint the following to the <b>Insurance Advisory Committee</b>: Brian Foley, David Favreau, David Pineo, Geoffrey Donahue, Lisa Bristol, Michelle Braconnier, Scott Johnson, Tom Kokernak. Chairman Cutler 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p> <p>Selectman Kilcoyne moved to reappoint David Mosley to the <b>Town Forest Committee</b>. Chairman Cutler 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p> <p>Chairman Cutler moved that Matt Campobasso be reappointed as the alternate for the <b>Zoning Board of Appeals</b>. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p> <p>Chairman Cutler moved that Peter Macdonald, Gary Chamberland and David Hurlbut be reappointed to the <b>Wachusett Fund Committee</b>. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p> <p>Selectwoman Cranson moved to reappoint Christopher Wilder to the position of <b>Police Cell Monitor</b>. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p>

Selectwoman Cranson moved to reappoint David Hurlbut, David Favreau, and James Emerton as **Regional Emergency Planners**. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

Chairman Cutler moved that David Hurlbut be reappointed as the **Right to Know Coordinator**. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

Chairman Cutler moved that Edward Perkins and Jeff Hennington be reappointed as **Public Weighers**. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

Chairman Cutler moved that Donald Harding be reappointed to the **40B Review Committee**. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

Chairman Cutler moved that Ron Picherri be appointed to the **ADA Committee**. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

#### **New Appointments**

Selectwoman Cranson moved to appoint Douglas Roberts and Nicholas Kronopolus to the **Fair Committee**. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

Selectwoman Cranson moved to appoint Sarah Culgin as the **Trench Safety officer**. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

The Town Administrator reported that the Personnel Board would like to interview Brian Patacchiola prior to recommending that he be considered for the Personnel Board position. According to the Bylaw, Mr. Whitney can remain active in the Personnel Board for 60 days after his term expires. Therefore, a joint committee meeting will be held, in the future, to consider the reappointment of Mr. Whitney and the appointment of Mr. Patacchiola to the Personnel Board

Sterling Fair  
Contracts and  
Insurance limits

Terry Heinhold appeared on behalf of the Sterling Fair. He explained for insurance liability purposes the Fair requires additional insurance coverage. The Town carries a standard two million liability umbrella. For the Fair liability and to accommodate the terms of the agreement with the Ciborowski Trust, regarding the usage of the Sterling Airport, the Town routinely increases their umbrella policy to five million dollars. The Fair will pay the surcharge for this increase. Selectman Kilcoyne moved that the Board agree to the Insurance liability and to sign the agreements, as written, for the Sterling Fair. Selectwoman Cranson 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

TA Report

The Town Administrator invited Tom Regh, a resident of Sterling, to discuss his proposal for eliminating the ice dams that form on the Fire Department roof. Mr. Regh's business, Aggressive Energy Corporation, assists businesses and homeowners in their endeavor to improve the energy efficiency of their buildings, through science. Mr. Regh maintains that the problem, with the Fire Station roof, is not a ventilation deficiency but rather a deficiency in thermal and pressure boundaries. He explained that having taken some time to evaluate the problem, he has determined that warm air from the administrative area is escaping into the rafters and thereby causing warm air to accumulate there. The warmth melts the snow on the roof, resulting in ice dams. His solution would be to put up a high performance and durable air barrier of Styrofoam in the administrative area of the building to keep the warm air from escaping into the rafters and to seal up the visible gaps in the equipment area. He contends that these measures would not only solve the ice dam problem but it would also drastically reduce fuel consumption, within the building. The Board requested that Mr. Regh return to more thoroughly discuss this option.

The Town Administrator wishes to pursue recourse against the Fire Station design architect. He

Lake Treatment  
notification

stated that because the problems result from design errors and omissions, he wishes to do whatever he can to place the cost of the necessary repairs on the architect. The Board encouraged him to see what he can do, regarding this issue.

Conservation Commission Agent Matt Marro reported that Lycott Environmental Inc. had recently treated Lake Waushacum. There was a failure to appropriately communicate this to the town. Therefore, the Recreation Director was not advised ahead of time and closed the beach without prior notification to the Town Residents. Mr. Marro reported that the chemical used has a low toxicity level. However, the communication needs to be improved. Therefore, in the future, Lycott will advise Mr. Klockowski one week prior to treatment. Mr. Klockowski will appropriately post. Mr. Marro will alert town officials.

The Town Administrator will meet on August 5, at noon, with a Representative from Congressman McGovern's office to discuss the needs of the community. The meeting will be held in Room 205 of the Butterick Building.

The Board of Selectmen was alerted by Claire Stidsen that the Senior Center Building was remiss in not obtaining a ZBA special permit, in order to build the Senior Center, within the designated residential area. Town Counsel has advised the Committee and the Board of Selectmen to address this issue immediately. Therefore, Selectman Kilcoyne moved that the Zoning Board of Appeals hold a special hearing on August 18 to review the application for a special permit for the Senior Center. Chairman Cutler 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – abstained. Motion carried. During the application process, the Senior Center project will not be shut down. The consequences of such a move would be a financial burden on the tax payer and the project would fall dramatically behind schedule. Since no one appealed the building permit within the 30 day window, Town Counsel opines that a stop work order is not necessary. However, he does advocate for fixing this error as soon as possible.

Public Session

The Town administrator reported that he had been recently contacted by Mr. Glowik of Prime Wellness who informed him that the company is in negotiations with the property owner of 32 Chocksett Road. Prime Wellness grows and distributes medicinal marijuana. The property offers two large "clean rooms". These rooms could be used when extracting medicinal chemicals from the marijuana, which will be used to make edible products.

The building inspector has now fully retired. Sarah Culgin will begin her employment next week.

Mr. Philpot addressed the Board with his concern regarding the fact that the Senior Center project commenced without a legal permit from the Zoning Board of Appeals. He also told the Board that he supports the appointment of Brian Patacchiola to the Personnel Board.

Mr. Heinhold questioned whether the facility actually requires the ZBA special permit or if it would fall under the school usage laws, since one of the Senior Center's primary functions is to educate. Ms. Roberti reminded everyone that the Senior Center Building Committee is comprised of volunteers who give their time and energy to the Town and encouraged people show appreciation for all that they have accomplished despite the oversight, regarding the special permit.

Adjourn

Chairman Cutler moved that the meeting be adjourned at 9:53. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectwoman Cranson – Aye. Chairman Cutler – Aye. Motion carried.

Materials: agenda, Minutes, IT proposal, Bike Event Application, MassDOT Nondiscrimination Assurance Requirement, Westlaw result, volunteer applications, Fair agreements