

TOWN OF STERLING  
BOARD OF SELECTMEN  
September 9, 2015

MEETING:

Chairman Cutler called the meeting to order at 6:34 PM. Roll Call: Vice Chairman Kilcoyne – Present. Chairman Cutler - Present. Selectwoman Cranson - present

At 6:35pm Chairman Cutler made a motion to enter into Executive Session, pursuant to MGL 30A Section 21(a) 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. Police Union. Fire Union 3A Hearing. 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 7:16.

Minutes

Selectman Kilcoyne moved that the minutes of August 26, 2015 be approved. Selectwoman Cranson 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.

Personnel Board  
Appointments

**Personnel Board appointments were tabled**

Prime Wellness

Mr. John Glowik, CEO of Prime Wellness, addressed the Board. He requested a letter of approval/support for the PWC Growing Facility, to be located at 32 Chocksett Road. The finished product, medical marijuana, will be transported to MA dispensaries. Mr. Glowik explained that the Massachusetts Department of Public Health would like to receive a designated document from the town of Sterling, prior to approval of the Prime Wellness Phase III submittal.

Mr. Glowik stated that Prime Wellness is a non-profit company and is ready to be an active member of the Sterling Community, both as a business and as a supporter of local civic organizations.

Therefore, he submitted the following Community Benefit Proposal for Sterling;

- PWC will provide needed services to local patients as well as new jobs. Fourteen to twenty new jobs will be created for the first year and there will be further job creation as growth occurs in the market.
- To help us become part of the fabric of the community, PWC is willing to enter into a host community agreement with the Town of Sterling as a successful candidate for a RMD cultivation facility from the NMA DPH to be located within the town limits. PWC's non-profit Board would like to offer an escalating stipend sharing program with the Town after each year of operation.
- The Board will be willing to enter into a host community agreement that commits a \$25,000 stipend to the Town at the end of 2016, the first year of operation.
- \$50,000 yearly stipends will be paid to the Town in years 2017 & 2018
- \$100,000 yearly stipend will be paid to the Town in years 2019 and beyond.
- PWC will also provide an extensive Compassionate Care Program to the residents of the greater Worcester area. (approximately 3% of the net revenue is used as discounts to people who qualify)
- Should PWC choose to purchase, rather than lease, the property at 32 Chocksett Road, they will not remove the property from the tax rolls.
- Background checks will be made on each employee on a yearly basis to ensure security compliance.

After discussion, Selectman Kilcoyne moved that the Board approve signing the letter of support for

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	<p>the Prime Wellness growing facility, at 32 Chocksett Road. Selectwoman Cranson 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p>
Hire Building Dept/ ZBA Admin. Assistant.	<p>Building Commissioner Culgin reported that she had interviewed a number of candidates and she recommends Dawn Metcalf as the job applicant who would be the best fit for the position as Administrative Assistant for the Building Department and the Zoning Board of Appeals. After discussion, Selectwoman Cranson moved to hire Dawn Metcalf to the part time position as Administrative Assistant for the Building Department and the Zoning Board of Appeals. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Chairman Cutler – Aye. Selectwoman Cranson – Aye. Motion Carried.</p>
Review fire Station Roof proposals	<p>Included in the discussion, regarding the Fire Station Ice dam problem/solution were Commissioner Culgin, Tom Regh and Russ Philpot. After extensive consideration of the topic, all parties agreed that the solution is not glaringly apparent. Ventilation, heat transfer, snow loads and insulation must all be addressed, in order to achieve a positive outcome. It was the consensus of all participants that the most prudent course of action is to determine whether the venting system in the roof is functional, as well as adequate. Mr. Regh offered the use of his thermal scope to ascertain whether ventilation is a major component in the icing problem. Commissioner Culgin will get “ball park estimates” for the methods of construction which may be utilized to achieve the goal of keeping ice dams from forming on the Fire Station roof. This issue will be addressed at a future meeting.</p>
One day alcohol license requests	<p>After discussion, Selectwoman Cranson moved to approve one day alcohol permits for Clearview Farm, the dates to include September 19<sup>th</sup>, October 10<sup>th</sup> and October 24<sup>th</sup> from Noon – 6pm. Selectman Kilcoyne 2<sup>nd</sup>. Chairman Cutler - Aye. Selectman Kilcoyne – Abstained. Selectwoman Cranson– Aye. Motion carried.</p>
EDC Appointments	<p>After discussion, Selectwoman Cranson moved to approve a one day alcohol permit for Eight Point Sportsmen's Club on September 19 from 1pm – 10pm. Selectman Kilcoyne 2<sup>nd</sup>. Chairman Cutler - Aye. Selectman Kilcoyne – Abstained. Selectwoman Cranson– Aye. Motion carried.</p> <p>After discussion, Selectwoman Cranson moved to appoint Paul Cathcart to the Economic Development Committee for a term to end June 30, 2018 and Richard Maki as an alternate for a term to end June 30, 2016. Selectman Kilcoyne 2<sup>nd</sup>. Chairman Cutler - Aye. Selectman Kilcoyne – Aye. Selectwoman Cranson– Aye. Motion carried.</p>
1835 Town Hall Committee Appointments	<p>The Board interviewed Robert Barwise for appointment to the 1835 Town Hall Committee. Selectwoman Cranson moved to appoint Mr. Barwise to the 1835 Town Hall Committee. Term to end June 30, 2018. Selectman Kilcoyne 2<sup>nd</sup>. Chairman Cutler - Aye. Selectman Kilcoyne – Aye. Selectwoman Cranson– Aye. Motion carried.</p> <p>After discussion, Selectwoman Cranson moved to re-appoint Mr. Ron Picherri to the 1835 Town Hall Committee. Selectman Kilcoyne declared that he must abstain from voting. The motion was not 2<sup>nd</sup>. Mr. David Gibbs and Mr. Carl Corrine were not available to be interviewed. They will be interviewed at a future meeting.</p> <p>At the close of the meeting, Chairman Cutler moved to reconsider the motion to re-appoint Ron Picherri to the 1835 Town Hall. Selectwoman Cranson 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectwoman Cranson– Aye. Chairman Cutler –Aye. Motion carried.</p> <p>Selectwoman Cranson repeated her motion to re-appoint Ron Picherri to the 1835 Town Hall Committee. Chairman Cutler 2<sup>nd</sup>. Selectwoman Cranson – Aye. Chairman Cutler – Aye. Selectman Kilcoyne – abstained. Motion carried.</p>

Warrant Article  
review

The warrant for the Special Town Meeting closed on Friday, August 28<sup>th</sup> at 10:00 am. The following articles were reviewed by the Board, to see if there were any articles that they wished to delete or table for the Special Town Meeting, which will be held on October 19, 2015.

**ARTICLE 1. Appropriate Bond Premium to Reduce Borrowing for Senior Center Project**

**Summary:** When the Town issued municipal bonds for the Senior Center Project the market conditions were favorable to the Town. The sale netted a premium of \$180,000. These proceeds cannot be used for any other purpose. This article appropriates these funds to the construction project and reduces the amount borrowed by an equivalent amount. This will result in substantial savings in interest costs.(By unanimous consent, this article will remain on the warrant)

**ARTICLE 2. Appropriate Bond Premium to Reduce Borrowing for new Fire Engine**

**Summary:** When the Town issued municipal bonds for the Fire Engine Project the market conditions were favorable to the Town. The sale netted a premium of \$30,000. These proceeds cannot be used for any other purpose. This article appropriates these funds to the construction project and reduces the amount borrowed by an equivalent amount. This will result in substantial savings in interest costs. (By unanimous consent, this article will remain on the warrant)

**ARTICLE 3. Amend the Town Sign Bylaw**

**Summary:** The Current Sign Bylaw has been in place for many years, and has not been updated to reflect changes the zoning districts or sign technology. The bylaw has recently generated controversy because there were ambiguities as to its requirements and questions as to its applicability in the Town Center district. This lack of clarity is a deterrent to economic development. This article replaces the current bylaw with a new and more detailed bylaw, which will provide better guidance to businesses and the zoning enforcement officer. (By unanimous consent, this article will be tabled until the Annual Town Meeting warrant)

**ARTICLE 4: Municipal and Essential Services**

**Summary:** The Special Permit process is designed to allow public input on projects and developments, particularly those that occur in residential districts. In the case of projects for the construction of Municipal Facilities and Essential Services numerous opportunities for public input already exist. Requiring a Special Permit for a project that has already undergone numerous public discussions and hearing, and in many cases, a vote by Town Meeting, is duplicative and unnecessary. This requirement should be eliminated.(By unanimous consent, this article will not be included in the October 19<sup>th</sup> Special Town Meeting)

**ARTICLE 5. Senior Center Operating Expenses**

**Summary:** The new Senior Center at 36 Muddy Pond Road is currently expected to open in the Spring of 2016. During the development of the FY2016 budget it was not anticipated that the building would open until after the beginning of FY2017. Consequently, no operating funds were appropriated for the current Fiscal Year. This article appropriates \$16,500 to fund operating expenses during the final three months of Fiscal Year 2016. (By unanimous

consent, this article will remain on the warrant)

**ARTICLE 6. Senior Center Custodial Expenses**

**Summary:** The new Senior Center at 36 Muddy Pond Road is currently expected to open in the Spring of 2016. During the development of the FY2016 budget it was not anticipated that the building would open until after the beginning of FY2017. Consequently, no operating funds were appropriated for the current Fiscal Year. This article appropriates \$1,850 to fund custodial expenses during the final three months of Fiscal Year 2016. (By unanimous consent, this article will remain on the warrant)

**ARTICLE 7. AMI Water meter upgrades**

**Summary:** The Water Department, in conjunction with SMLD, has successfully replaced 500 meters to date which are remotely read by SMLD software. This \$100,000 will purchase another 500 meters bringing the total to 1000 meters on the AMI system. (By unanimous consent, this article will remain on the warrant)

**ARTICLE 8. Fund DPW Loader**

**Summary:** This article proposes the Town enter into a lease-purchase agreement for a new loader and to trade an existing loader with 10,000 hours on it. (By unanimous consent, this article will remain on the warrant. However, Chairman Cutler wishes to have input from the Finance Committee, prior to voting on the Board's recommendation.)

**ARTICLE 9. Conservation Commission Trust Fund Reimbursement**

**Summary:** This article proposes that the Town reimburse the Conservation Commission Trust Fund for certain expenditures using excess funds from the FY12 Town Meeting article for the acquisition of 19 Hardscrabble Road. The Conservation Commission advanced \$10,000 for the purchase of 73 Chace Hill Road, which is not under the control of the Commission. The Commission also provided \$1,200 for an initial environmental hazard survey and \$2,900 for survey work completed at 19 hardscrabble Road. The Article for acquisition of 19 Hardscrabble Road still has a remaining balance of \$31,212.21 (By unanimous consent, this article will remain on the warrant)

**ARTICLE 10. Closeout of 19 Hardscrabble Road Article**

**Summary:** This Article transfers funds remaining in Article 51 of the Fiscal Year 2012 Town Meeting Warrant to the Conservation Commission trust fund to be used for maintenance of trails. The amount in the Article represents the remaining balance if Article 9 is adopted. (This article will remain on the warrant Chairman Cutler and Selectman Kilcoyne agree that these remaining funds should go back to the general fund. Selectwoman Cranson stated that she will speak to the Conservation Commission and Finance Committee regarding this article, prior to voting on the Board's recommendation.)

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**ARTICLE 11. BOARD OF HEALTH ADMINISTRATIVE ASSISTANT**

**Summary:** This article proposes the Town permit the Board of Health to hire a part time administrative support position. This position would address the need to provide administrative support during BOH meetings by taking meeting

minutes. Additionally, this position would be cross trained in office coverage to fulfill BOH administrative duties as necessary. (By unanimous consent, this article will remain on the warrant)

**ARTICLE 12. Amend the Town Personnel Policy Bylaw**

**Summary:** The Article makes various amendments to the Town of Sterling Personnel policy Bylaw. (By unanimous consent, this article will be tabled until the Annual Town Meeting)

Town Counsel, the Town administrator and the Chairman of the Zoning Board of Appeals will attend a hearing tomorrow, in Worcester County court, regarding an appeal on the cease and desist order that was issued on 38 Clinton Road. The denial of a variance for that property is also being appealed.

TA Report

Negotiations regarding the school lease are progressing. The focus continues to be primarily on the allocation of maintenance and upkeep. Currently, the lease dictates that the financial responsibility for required maintenance, costing less than \$25,000.00, falls to the Schools. Whereas, maintenance costing over \$25,000.00 is totally the financial responsibility of the Town. This current agreement makes it financially prudent for the schools to allow school property to fall into dramatic disrepair before addressing the problems, since repairs of over \$25,000.00 cost them nothing. It is the mission of the Town Administrator and the Administrators of a couple of other towns to amend the maintenance agreement to hold the schools financially responsible for at least \$10,000.00 on repairs exceeding \$25,000.00 or more.

The three schools, that maintain septic systems, will ask that a codicil be added to the lease to provide adequate funds to replace those systems, in the future. Since the schools that are hooked up to sewerage pay for that service, it will be requested that similar funds be allocated for schools that have septic systems, instead of sewer systems. The funds would be held in escrow in order to be used to alleviate the burden of the cost of inevitable replacement of the septic systems.

Public Session

No one chose to be recognized.

*Adjourn*

At 9:48, Chairman Cutler made a motion to Adjourn. Selectwoman Cranson 2<sup>nd</sup>. Chairman Cutler - Aye. Selectman Kilcoyne – Aye. Selectwoman Cranson– Aye. Motion carried.

Materials: Minutes, June and July Police reports, Mudgett Loop Grant Application, Town Accountant Contract, Philpot Corp. proposal, Progressive Energy Proposal, Article 15 for PILOT agreement, contract for 33 Main, Fair Lic., 61 A Release 1 Heywood, Agr. Com Re-appoint. App., one-day alcohol apps., driveway cut app., OML decision, Senior Center Objection