

TOWN OF STERLING
BOARD OF SELECTMEN
October 17, 2018

MEETING:	Chairman Lane called the Board of Selectmen meeting to order at 6:30 pm. Roll Call: Selectman Kilcoyne – Present. Selectman Cranson – Present. Chairman Lane – Present.
Minutes	Selectman Cranson moved to approve the minutes of October 3, 2018, as amended. Selectman Kilcoyne 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.
Neighbor to Neighbor	<p>John Kilcoyne reminded the public that the Neighbor to Neighbor program is available to those in need. Applications can be found on the website or picked up in the Executive Assistant's office, in Room 201 at the Butterick Building. Currently, disbursement is decided by a three member board, Pat Fox, Joe Sova and John Kilcoyne.</p> <p>The program was established by Kevin and Marilyn Beaupre and is meant to provide a "hand up" to those who have fallen upon difficult times. The financial administration is handled through the Wheat Program in Clinton and therefore, donations are tax deductible. The Sterling Municipal Light Department offers the "round up" program that allows customers to "round up" their bill to the next dollar amount and donate the change to the Neighbor to Neighbor Fund. Private donations are also welcome.</p> <p>To apply for assistance or to make a donation, please contact Kama Jayne at the Sterling Town Hall.</p>
Cell monitor Appointment	Chief Gary Chamberland addressed the Board and reported that he confidently recommends Andrew DiPietro to the position as cell monitor. Andrew is currently a full time dispatcher, possesses the required CPR certification and is attending the reserve police academy. After discussion, Selectman Cranson moved to approve the appointment of Andrew DiPietro as Cell monitor. Selectman Kilcoyne 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. This is an annual appointment that expires on June 30, 2019.
Land Use Agreements	<p>The Town Administrator worked with Timothy Hanrahan of 46 Main Street to establish a mutually amenable agreement that allows Mr. Hanrahan non-exclusive use of the Town owned land behind his building, while assuring that the Town is not held liable. The Town Counsel has reviewed the agreement. Mr. Hanrahan has signed the agreement. After discussion, Selectman Cranson moved to sign the Release of Claims, Indemnity and Hold Harmless agreement between Timothy Hanrahan and the Town of Sterling. Selectman Kilcoyne – 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.</p> <p>The consensus of the Board is that the next step is to post DO NOT BLOCK ACCESS signs on the town property to dissuade anyone from blocking the access that has been granted to Mr. Hanrahan. Selectman Kilcoyne moved to approve the DO NOT BLOCK ACCESS signs. Selectman Cranson 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.</p> <p>After more than a year of negotiations, Mr. Trainor of 44 Main Street has yet to sign the Land Use agreement. Mr. Trainor will be advised that the Land Use Agreement should be signed by October 31st. Both parties (Trainor and Hanrahan) will be advised that they cannot block access to each other or the Town.</p>
Rural Commonwealth Letter	Towns in the Rural Commonwealth have united to request that the State notify towns when land is acquired, including consensual eminent domain, and that the taking be covered by 301 CMR 51. After discussion, Selectman Cranson moved that the Board sign the proposed letter to the State in support of

the Rural Commonwealth regarding acquisition of the Department of Fish and Game lands. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.

Beach Project

Richard Hauteniemi of the East Waushacum Lake Association, and Barbara Roberti, chair of the Conservation Commission and the East Lake Waushacum Association addressed the Board. The ELWA plans to submit an application for a State grant in March. The ELWA and the Conservation Association share the concern about maintaining the health of the lake. This grant money would allow them to take positive steps toward mitigating a specific problem that threatens the lake's water quality. The purpose of this meeting was to enlist the support of the Board of Selectmen in this endeavor.

Years ago, a culvert was installed to move storm water from the Kendall Hill and Swett Hill Road areas into the "swamp", which is located on the side of the Town beach. However, during storms, the sheer volume of water overpowers the wetland's capabilities to naturally purify the water before it flows into the lake. Therefore, the Lake Association, with the support of the Conservation Commission, has engaged an environmental engineer to address this issue. Preliminary findings suggest that the best course of action may be to elevate the wetlands and to create a ware or a series of wares (earthen retention basins) that would hold the storm water and allow the plants and soil to remove most of the pollutants, prior to leaching the water into the lake.

However, this course of action has the potential to negatively impact the Town Beach septic system. Therefore, the Environmental engineer needs to determine the level of the water table, at the site of the septic system, prior to beginning his design of the ware(s). Since the beach is town-owned land, the ELWA needs permission from the Board of Selectmen to move forward with this plan.

The ELWA will pay for the soil testing. Health Agent, David Favreau will attend the testing, in his official capacity, at no charge to the EWLA. After discussion, Selectman Cranson moved to allow the EWLA to do soil testing on Town property, near the Beach septic system. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.

After further discussion, Selectman Cranson moved to support the ELWA efforts to write a 319 grant. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.

The Town Administrator reported that there is bond money available through the State to use for the Town beach. If the ELWA is able to procure grant funding for the purpose of paying for an environmental engineering design, which would ultimately result in the natural purification of storm water, the bond money may potentially be used to fund the construction of the project design. The Waushacum Lake Association will keep the board informed on the progress of the project.

Appoint Town Planner

After discussion, Selectman Cranson moved to appoint Domenica Tatasciore to the position of Town Planner. Selectman Kilcoyne – 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. Ms. Tatasciore will start work on Monday, October 29.

Time change for 10/31

After discussion, Selectman Cranson moved to meet at 9:30 am on October 31st, rather than at night. Selectman Kilcoyne – 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried.

1835 Roof Project Update

Bob McKay Jones, provided an update on the 1835 Town Hall roof project. Progress thus far includes;

- The roof surface is being stripped and sheathed
- The main timbers between the original building and the addition sections have been cut and the LVL sandwich beams have been inserted, providing support to the entire roof.
- The elevator shaft has been installed and the elevator is on order

\$48,444 of work was deleted from the existing contract so that \$47,643 could be added to address the necessary additional structural costs that were required to support the roof structure. A portion of the

work credited will not be added back to the next contract because it will not be necessary. (For example, \$12,800 for steel reinforcement of timber frames and \$2,000 for the basement slab). This results in a net cost increase of about \$33,600 or about 8.4% of the total project.

The 1835 Town Hall Committee hopes to use the Massachusetts Cultural Facilities Grant of \$100,000 to include the following in the next phase;

- Some of the items that have been deleted from the current contract (as explained)
 - Drywall Ceiling
 - Painting
 - Collar tie trim and painting
 - Eave work for ventilation
 - Electrical and basic lighting

As well as;

- Limited ceiling removal and rafter repair at addition roof framing
- Architect / Project Designer
- Finished wood work and trim
- Stage access enhancements
- Additional lighting
- Acoustic baffling
- Sound and audio visual
- Seating

The 2019 round of Massachusetts Cultural Facilities Funding has been approved and the 1835 Town Hall Committee is in the process of evaluating the need for further funding for the Town Hall.

The 1835 Town Hall Committee intends to have the final septic costs soon, so that they can request funding at the ATM, in May.

The Board reiterated that the building needs to have a plan for definitive use post haste.

One day Licenses

Selectman Cranson moved to approve the one day alcohol request for Davis Farmland, 142 Redstone Hill Road, Davis Mega Farm Festival from 11:00 – 9:00 pm on Oct. 24 for a Corporate event. Selectman Kilcoyne 2nd. Chairman Lane – Aye. Selectman Kilcoyne – Aye. Selectman Cranson – Abstained. Motion Carried.

Selectman Cranson moved to approve the one day alcohol request for the Eight Point Sportsmen's Club on October 27, 2018 from 11:00am – 3:00pm for a Baby shower. Selectman Kilcoyne 2nd. Chairman Lane – Aye. Selectman Kilcoyne – Abstained. Selectman Cranson – Aye. Motion Carried.

Selectman Cranson moved to approve the one day alcohol request for the Eight Point Sportsmen's Club on December 1, 2018 from 1pm – 6:30pm for a baby shower. Selectman Kilcoyne 2nd. Chairman Lane – Aye. Selectman Kilcoyne – Abstained. Selectman Cranson – Aye. Motion Carried.

TA report

IT Grant

Through a group effort by Fred Aponte, Sean Hamilton and Brad Warren, the Town was awarded a \$150,000.00 IT grant to be used to install fiber optic cable between all the Municipal buildings.

Selectman Cranson and Operations Manager, Fred Aponte attended the awards presentation in Cohasset this week.

Budget:

As a reminder, the Fin Com and Selectmen are invited, along with Town Administrator, to the annual budget round table discussion on Thursday Nov. 8th at 6:30 at the Holden Senior Center. This is an opportunity for the WRSD and all 5 towns to discuss issues related to their FY 20 budgets. The Board

may consider working on a unified position statement with the Fin Com and then determine who will be attending.

The Town Administrators from all 5 towns met with the WRSD Administration this week. Key topics included a proposal for tuition free full-day kindergarten starting next year. The first year of such a program is not covered by Chapter 70 funds from the State, resulting in an initial WRSD cost of ~\$1.3M. In future years, Chapter 70 funds are expected to cover these costs. The School is considering a couple of funding options: Use E&D funds, include the full cost in the assessments to the towns, as a separate warrant article, or a gradual phase in. They plan to submit a request to replace the high school turf field either as a part of their budget or an E&D allocation. But not as a separate capital item as was requested last year. The School is concerned that this field may no longer be safe to use.

Facilities:

The IFB for the Butterick Building HVAC system is ready for publication on 10/24/18. A site visit is planned for 10:00 Thursday Nov 8th. Bids are due by 2:00 Tuesday Nov. 27th. Site prep work will begin in a couple weeks for the concrete pad behind the building for the AC compressors. The DPW has agreed to start the work by cutting the pavement. The Overall HVAC project is planned for January and February.

Misc.

State funds available for the TBD beach project are the result of a filing by Representative Naughton and are included within the Environmental Bond Bill. It will have to be lobbied to be placed in a Capitol Bill which usually takes place in March - April of each year.

The Economic Development Committee will host a business forum on October 25th at the Chocksett Inn at 7:30 am.

Public Session

No one spoke at public session.

Executive Session

At 8:52 Selectman Cranson moved to convene in executive session for Executive Session pursuant to G.L. c. 30A, Section 21(a) purpose 3 to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body. Specifically, the Board will discuss Robert Gibson v. Earth Removal Board, et al., filed with the Land Court on October 11, 2018 and appealing the issuance of an earth removal permit to LCM Realty Trust and TCF Holdings, LLC for the property located at 38 Clinton Road. Further, the chairman declares that having such discussion in open session would have a detrimental effect on the Town's litigating position and that the meeting will reconvene in public session only to adjourn. Selectman Kilcoyne 2nd. Roll Call VOTE: Selectman Kilcoyne - Aye. Selectman Cranson - Aye. Chairman Lane - Aye. Motion carried and the Board took a short break, prior to proceeding into Executive session.

Adjourn

At 9:18 pm, Selectman Cranson moved to reconvene in public session. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye. Selectman Cranson - Aye. Chairman Lane - Aye. Motion Carried.

At 9:18 pm, Selectman Cranson moved to adjourn the public session. Selectman Kilcoyne 2nd. Selectman Cranson - Aye. Selectman Kilcoyne - Aye. Chairman Lane - Aye. Motion carried.

Materials: minutes, police request for cell monitor, Land Use Agreement, Land Acquisition letter, one day alcohol licenses