

TOWN OF STERLING
BOARD OF SELECTMEN
May 7, 2014

MEETING

Roll Call: Selectman Cutler - Absent. Selectman Patacchiola – Present. Chairman Furmaniuk – Present. At 7:02 pm, Chairman Furmaniuk called the meeting to order.

Minutes

Selectman Patacchiola moved the motion to approve the Board of Selectmen Minutes for April 23, 2014. Chairman Furmaniuk 2nd. **VOTE:** Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.

Open Meeting Law
Complaints

Regarding complaints:

OML 2014-39: Meeting date Jan. 8, 2014 The Attorney General found that although the Board failed to make a required announcement at the start of the Jan. 8, 2014 open session meeting preceding an executive session on the same date, they found that the violation was *de minimis* and that the Board took appropriate remedial action in response to the complaint. The Board also adopted a policy intended to prevent future violations. Therefore, the Attorney General ordered no additional relief.

OML 2014-40: Meeting Date December 4, 2013 The Attorney General found that the Board did not disclose the Chairman's reason for remote participation in that meeting. The Attorney General ordered that the Board follow the OML guidelines and declare the reason for remote participation, in the future.

These two open meeting law complaints are now closed.

Discuss/Appoint
David Shapiro to
Personnel Bd

The appointment to the Personnel Board is a joint appointment by the Board of Selectmen, the Town Moderator and the Finance Committee. The Town Administrator reported that the Finance Committee had met earlier in the evening and endorsed David Shapiro's application to the Personnel Board. Moderator, Dick Sheppard, also endorsed Mr. Shapiro's application. The Selectmen **Voted:** Selectman Patacchiola moved a motion to endorse the application of David Shapiro to the Personnel Board. Chairman Furmaniuk 2nd. Motion carried. Thus, with a unanimous vote, David Shapiro was appointed to the Personnel Board with his term to expire on June 30, 2016.

Police Chief's
Quarterly Report

Chief Gary Chamberlain presented his monthly police report for April 2014. The following was included in that report.

Personnel, Training and Equipment:

- Department re-certification in Taser was completed.
- Sgt. Pomeroy completed two week basic sergeant training.
- Flag pole replaced
- New A/C unit installed for the IT room on the second floor after condenser failed.
- Pump failure for heating system failed had to replace.
- Crash Bar on rear door needed to be replaced.
- Power failure in Town, back-up generator failed to start. SMLD repaired the generator at significant saving. Letter to Mr. Hamilton sent for his employees Tom Sparks and Darren Borge.
- The electronic key access system phase 1 is being installed. Funds were obtained by a grant. Evidence door and cell blocks, crucial areas where most civil liability occurs.

Community interaction:

- Tour provided to Boy Scout Troop.
- Promenade Walk took place and the department provided traffic control.
- Drug and Needle Kiosk were delivered and are operational in the Police Station Lobby. Obtained by a grant by the Board of Health.
- Conducted the drug take back on April 26. Took in four large boxes of unwanted drugs.
- Traffic assessment survey completed.
- Next basic Handgun safety class will be held on May 20 (Tuesday) at SPD.
- Attended the meeting pertaining to the Leominster Road redesign.
- Assisted the Fire Department with a fire drill at the schools.

General Police Business:

- Uniform special order issued.
- Forty-one investigations during the month.
- Four crashes during the month. Two were results of black ice in the morning, one was a roll over. No crashes at the intersection of Leominster and Chocksett.
- Eight arrests during the month, to include four arrested on warrants, one person arrested for breaking into motor vehicles at a local restaurant. Property was recovered and returned to owners. Two drug possession arrests (heroin).
- There were seventy-six citations issued.
- There were 138 Motor vehicle stops.

Visitor's Code of
Conduct

Code of Conduct Policy

Due to reported uncivil behavior by residents toward Municipal employees, the Board had requested that the Town Administrator investigate the possible solutions that may exist. The Town Administrator presented a Code of Conduct at the last meeting and the board was asked to consider making appropriate revisions to that policy. The following was recommended:

- *Change* - all references from Acton to Sterling, including Town Seal
- *Delete* - the words in the first paragraph "by following the "Professional Standards of Conduct Policy".
- *Add* – Per the Town of Sterling's Harassment Policy at the Beginning of the second paragraph
- *Change* the fourth paragraph to read – This policy will be strictly enforced. Violators who do not comply with this policy, will be asked to leave the premises, voluntarily or with assistance of the Sterling Police or other appropriate authority.
- *Change* required signature from Town Manager to Board of Selectmen.

VOTE: Selectman Patacchiola moved a motion to approve the Visitors Code of Conduct with recommended changes. Chairman Furmaniuk 2nd. Selectman Patacchiola – Aye. Chairman Furmaniuk – Aye. Motion carried

Approve
Antique/Second
Hand Dealer's
Licenses

After discussion,

VOTE: Chairman Furmaniuk moved a motion to approve the Antique/Second Hand Dealer License application for the Deacon's Bench Antiques, 233 Worcester Road. Selectman Patacchiola 2nd. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.

VOTE: Chairman Furmaniuk moved a motion to approve the Antique/Second Hand Dealer License application for the Sterling Rare Coins Corporation, 50 Leominster Road #7. Selectman Patacchiola 2nd. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.

VOTE: Chairman Furmaniuk moved a motion to approve the Antique/Second Hand Dealer License for the Heritage Antiques, 8 Maple Street. Selectman Patacchiola 2nd. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.

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	<p>VOTE: Chairman Furmaniuk moved a motion to approve the Antique/Second Hand Dealer License application for the Pratt's Junction Antiques, 253 Leominster Road. Selectman Patacchiola 2nd. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.</p> <p>VOTE: Chairman Furmaniuk moved a motion to approve the Antique/Second Hand Dealer License Application for the Oh My Gosh Antiques, 15 Waushacum Ave. Selectman Patacchiola 2nd. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.</p> <p>VOTE: Chairman Furmaniuk moved a motion to approve the Antique/Second Hand Dealer License Application for the M.T. Pockets, 46 Main Street. Selectman Patacchiola 2nd. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.</p> <p>VOTE: Selectman Patacchiola moved a motion to approve the Antique/Second Hand Dealer License Application for the Blacksmith Antiques and Gifts. Selectman Patacchiola 2nd. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.</p>
Approve Common Victualler License for Sterling Girl's Softball	After Discussion, VOTE: Selectman Patacchiola moved a motion to approve the Common Victualler License Application for the Sterling Girl's Softball League, Griffin Road Softball Field. Chairman Furmaniuk 2 nd . Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.
Approve Alzheimer's Association Bike event	After discussion, VOTE: Selectman Patacchiola moved a motion to approve Alzheimer association Fundraiser Bike event for July 12, 2014. Chairman Furmaniuk 2 nd . Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.
Approve 1 day Licenses for Eight Point Sportsmen's Club	<p>After discussion, Selectman Patacchiola moved a motion to approve the 1 day alcohol license for the Eight Point Sportsmen's Club, 147 Beaman Road, for Saturday June 14, 2014 from 4:00 pm – Midnight. Chairman Furmaniuk 2nd the motion. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion Carried.</p> <p>After discussion, Selectman Patacchiola moved a motion to approve the 1 day alcohol license for the Eight Point Sportsmen's Club, 147 Beaman Road, for Saturday June 28, 2014 from noon – 8:00 pm . Chairman Furmaniuk 2nd the motion. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion Carried.</p> <p>After discussion, Selectman Patacchiola moved a motion to approve the 1 day alcohol license for the Eight Point Sportsmen's Club, 147 Beaman Road, for Sunday June 29, 2014 from 4:00 pm - Midnight Chairman Furmaniuk 2nd the motion. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion Carried.</p>
Approve 1 day Licenses for 228 Leominster Rd	<p>After discussion and the determination that there had been no police issues, for the events last year, VOTE: Selectman Patacchiola moved a motion to approve the 1 day alcohol licenses for the FISHCO Car Show at 228 Leominster Road, for Saturday June 21, 2014 from 3pm - 7:00 pm, July 19, 2014 from 3pm - 7:00 pm, August 16, 2014 from 3pm - 7:00 pm, September 20, 2014 from 3pm - 7:00 pm, October 18, 2014 from 3pm - 7:00 pm . Chairman Furmaniuk 2nd the motion. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion Carried.</p>
Make appointments to the Fair Committee	After Discussion, Selectman Patacchiola moved a motion to appoint Daniel Hallet, Ryan Mackay, and Tom Corbet to the Fair Committee. For a term of 1 year. Chairman Furmaniuk 2 nd the motion. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion Carried.
Approve Proclamation to increase awareness for 22q	Chairman Furmaniuk read a Proclamation announcing May 18, 2014 as 22q World awareness Day. 22q11.2 is a defect that affects 1 in 4000 people. The deletion or partial deletion of the 22nd Chromosome can significantly alter the gene and cause a slew of medical conditions in children and adults. This affliction is in the infant stages of medical understanding. Therefore, organizers are

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	<p>working towards increased awareness. There will be a "22q Zoo Day" event at Davis Farms on May 18th.</p>
Address Changes to the Neighbor to Neighbor Fund	<p>Selectman Patacchiola spoke on behalf of the Neighbor to Neighbor Fund. He explained that a number of times, this past winter, Spadafore Oil Company delivered oil to needy applicants, who would have run out of oil before the next scheduled Selectmen's meeting. Spadafore provided this oil on good faith and sometimes had to wait weeks for payment, due to the fact that the current policy only allows dispensation of money from Neighbor to Neighbor Fund with the approval of the Board of Selectmen. Lisa Call, Representative for the Neighbor to Neighbor Fund has requested that the Board consider crafting a change to the Neighbor to Neighbor policy that would implement an emergency distribution clause that would allow some payments (emergency related expenses) to be made PRIOR to going to the Board for approval. The Board agreed to consider the policy change in the near future.</p>
Business and Correspondence	<p><u>Neighbor to Neighbor Disbursement</u></p> <p>After discussion, Vote: Selectman Cutler moved the motion to approve the disbursement of \$380.00 to pay for 100 gallons of oil for the applicant. Selectman Patacchiola 2nd. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Motion carried.</p>
Town Administrator Update	<p><u>Volunteer Application Form</u></p> <p>The new Volunteer application form was presented to the Board. Applications will be saved for 3 years, in order to fill future vacancies on Boards and Committees.</p> <p><u>Winter Rapid Recovery Road Grant</u></p> <p>The State has signed an agreement with the DPW for \$62,718.00. This grant must be used to repair damage to streets, caused by winter weather. Reconstruction projects for this funding must be completed by September 30.</p> <p><u>Chocksett Road/Route 12 Intersection</u></p> <p>MassDOT presented an overview of their proposal for the Chocksett Road/Route 12 intersection, on May 18th at a public meeting held at the Chocksett School Gymnasium. They answered questions from the public and presented findings that prove that roundabouts are safer and are effective in changing traffic patterns in order to increase safety.</p>
Executive Session	<p><u>Herbicide Application</u></p> <p>National Grid will be applying herbicide on their right of ways, along power lines. Residents are urged to use caution when traversing these areas as toxic residue, from these applications, may be present.</p> <p><u>MART Bus Stop</u></p> <p>Montachusett Regional Transit Authority is currently considering a bus stop within the town of Sterling via their Leominster to Worcester Bus route. Adequate consideration regarding the best location for a bus stop. MART will advise the Town of Sterling regarding its findings.</p> <p><u>Last Drink Notification</u></p> <p>For accidents, involving alcohol abuse, the State keeps reports of where the driver consumed his/her last drink before getting behind the wheel. The Town Administrator has checked the last two quarterly reports and is happy to announce that Sterling establishments were not on the reports. This is an indicator that the Sterling Alcohol approved businesses are practicing due diligence prior</p>

Adjourn

to serving someone who may be a danger to themselves or others, should they decide to drive.

Asian Long Horned Beetle

Surveyors will be trying to determine if the infestation of long horned beetle has infiltrated the Town of Sterling. Currently, no known Sterling trees have been identified as infested. However, there was an infested tree in West Boylston, within a mile of Sterling's Southern boundary. That tree has since been removed. However, in an attempt to ascertain that no Sterling trees have been infested, surveyors will be walking public and private land in the days to come. Residents are encouraged to allow these workers access. They have clearance to enter private property, for their purpose. (Their vehicles have government plates).

Chairman Furmaniuk publicly thanked Selectman Patacchiola and Selectman Cutler. He reported that it had been a pleasure serving with them to serve the community.

At 8:12 pm, Chairman Furmaniuk declared that the Board would be convening into executive session for the purpose of discussion under MGL Chapter 30A Section 21(a) In order to discuss strategy, with respect to collective bargaining in regard to the recently recognized local bargaining unit of the International association of Fire Fighters and that an open meeting may have a detrimental effect upon the bargaining position of the Town. The meeting will reconvene in Public session after the Executive session for the sole purpose of adjourning the public meeting.

Roll Call: Chairman Furmaniuk – Present. Selectman Cutler – Absent. Selectman Patacchiola – Present.

VOTE: Chairman Furmaniuk moved a motion that the Board enter into executive session, pursuant to purpose 3, to discuss strategy with respect to collective bargaining and that an open meeting may have a detrimental effect on the bargaining position of the Town of Sterling. Selectman Patacchiola 2nd. **VOTE:** Selectman Patacchiola – Aye. Chairman Furmaniuk – Aye.

The Board Convened in Executive Session

The Board reconvened in public session at 9:07. **VOTE:** Selectman Cutler moved the motion to Adjourn at 9:07. Selectman Patacchiola 2nd. Chairman Furmaniuk – Aye. Selectman Patacchiola – Aye. Selectman Cutler – Aye. Motion carried.

materials list: Responses to OML Complaints from the AG office, letter from Chief of Police recognizing Tom Sparks, Visitors Code Of Conduct Draft, Harassment Policy, Antique/Second Hand Dealer renewal Applications, Softball Common Vic Application, Alzheimer Assoc. Letter, 1 day liquor license applications, fair committee application, 22q proclamation, Neighbor to Neighbor request, Volunteer Application