

TOWN OF STERLING  
BOARD OF SELECTMEN  
July 30, 2014

MEETING:	Roll Call: Selectman Cutler - Present. Selectman Patacchiola – Present. Selectman Kilcoyne– Present. At 7:10 pm, VOTE: Selectman Kilcoyne made a motion adjourn the public session of the Executive session and to enter into the regularly scheduled Board of Selectmen meeting for July 30, 2014. Selectman Cutler 2 <sup>nd</sup> . Selectman Kilcoyne – Aye. Selectman Cutler – Abstained. Chairman Patacchiola – Aye. Motion carried.
Minutes:	<b>VOTE:</b> Selectman Kilcoyne moved to accept the Board of Selectmen Minutes for July 16, 2014. Selectman Cutler 2 <sup>nd</sup> . Selectman Cutler – Abstained. Selectman Kilcoyne – Aye. Chairman Patacchiola – Aye. Motion carried.
Recognize Sean McDonough	Sean McDonough was publicly thanked, by the Board, for his years of service to the Community of Sterling, as the Director of the Y.A.H.O.O. Program (Young Adults Helping Out Others). A certificate of appreciation will be sent to Mr. McDonough, who was unable to attend the meeting.
Public Hearing- Noise Complaints B-Man's Tavern	<p>The Public Hearing concerning noise complaints was called to order at 7:17. The purpose of the hearing was to consider testimony, in order for the Board to determine if they should place restrictions on the Entertainment License for B-Man's 140 Tavern.</p> <p>Chief Chamberland reported that the Police Department has received complaints from neighbors regarding loud music late at night. The Chief requested that parameters be set. He explained that the police have no authority to sight the establishment for violations, since there are currently no time restrictions on the Entertainment License.</p> <p>Mr. Mack of 354 Redemption Rock Trail has called the police to complain about the loud music coming from the tavern, late at night. He requested that the tavern owner be instructed to turn the volume down at 11:00pm.</p> <p>The Board listened to the testimony of several neighbors, residents and an employee, after which a <b>VOTE:</b> was taken. Selectman Cutler moved that the entertainment license be restricted to 4pm – 8pm on Sundays and 4pm to 11:00 on Thursdays, Fridays and Saturdays and that no entertainment be allowed outside of the building. Selectman Kilcoyne 2<sup>nd</sup> with the amendment that the entertainment be allowed until Midnight Thursday – Saturday with the stipulation that the volume will be turned down at 11:00. Selectman Kilcoyne – Aye Chairman Patacchiola – Aye. Selectman Cutler – abstained. The board will revisit the issue of the restrictions on the license next year when the Entertainment licenses are issued.</p>
Interview and Appoint Town Accountant	The Town Administrator reported that 18 resumes were received. The screening committee narrowed the candidates to 3 people. One of the candidates was not available to interview. The committee therefore interviewed Donna Couture and Fred Aponte. Those two finalists were recommended as equally appropriate candidates for the position, to the Board. After discussion, <b>VOTE:</b> Selectman Cutler moved to appoint Fred Aponte as the Town Accountant. Selectman Kilcoyne 2 <sup>nd</sup> . Selectman Cutler – Aye. Chairman Patacchiola – Aye. Selectman Kilcoyne – opposed. Motion carried.
BOS Operating Procedures	The Town Administrator presented a proposal to adopt a policy and procedure document that is similar to the Shelburne, MA Board of Selectmen Operating Procedures. A modified draft of that document was given to the Board. The consensus of the Board was that it would be beneficial to adopt such a document that will encapsulate all of the policies and procedures and license fees. Selectman Cutler made a motion to adopt the Sterling Policies and Procedures document as of July 30, 2014 as proposed by the Town Administrator. However, the motion was not 2 <sup>nd</sup> . The consensus of the Board was that it would be prudent to consider the verbiage set forth in the document and to make suggestions to the Town Administrator as to specific amendments, modifications or changes. These will be made, prior to

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	<p>resubmission to the Board at a future meeting.</p>
1835 Town Hall Kitchenette	<p>The Town Administrator reported that the 1835 Town Hall Committee has acquired materials for a kitchenette and they are preparing to install the kitchenette in a 1<sup>st</sup> floor janitor closet of the 1835 Building. After discussion: <b>VOTE:</b> Chairman Patacchiola made a motion to have the Town Administrator contact the 1835 Town Hall Committee and instruct them to proceed no further. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion passed.</p>
Open Space Trails Initiative	<p>Peder Pedersen, Chairman of the Open Space Implementation Committee addressed the Board in regard to the committee's goal to <i>Identify and seek to preserve significant open space, cultural and recreational resources that will sustain the quality of life and rural character of the town</i>. Toward that end, the Open Space Implementation Committee is in the process of identifying existing trails with unique natural, historical and geological features that are also well suited for walking trails for solely passive recreation. They envision that such a set of trails will be called <i>Sterling Trails</i>, and each Sterling Trail will be marked with a sign at the trailhead(s) giving the name of the specific trail. Where possible, they will work with the Department of Public Works (DPW) to create a few parking spaces. This trail selection effort is carried out in conjunction with the Sterling Land Trust. The 10 preferred trails are:</p> <ol style="list-style-type: none"><li>1. Hardscrabble Road</li><li>2. Lynde Basins Trail (Wekepeke)</li><li>3. Drenova Trail (Wekepeke)</li><li>4. Heywood Reservoir Trail (from Hapgood Road)</li><li>5. Stillwater Esker Trail (from Rt. 62)</li><li>6. Stillwater Farm Interpretive Trail (off Rt. 140)</li><li>7. Sterling Rail Trail</li><li>8. Waushacum Overlook Trail</li><li>9. Stillwater River Trail (near Muddy Pond)</li><li>10. Stuart Pond Trail (off Lucas Road)</li></ol> <p>The Open Space Implementation Committee will seek written permission from land owners, whose land is crossed or abuts a proposed trail. No physical changes will be made to any of the trails as a result of it being designated a Sterling Trail. Instead, OSIC, together with Sterling Land Trust will, do its best to keep the trails free of trash and fallen branches. Also, there is no risk of being personally liable for personal injuries that users of the trail may sustain. (This is in fact described in Massachusetts General Law, Chapter 21, Section 17c, and the full text of that law is provided by the following web link: <a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter21/Section17c">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter21/Section17c</a> )</p> <p>The Open Space Implementation Committee requested that the Board of Selectmen accept this initiative. <b>VOTE:</b> Selectman Kilcoyne made a motion to support the Open Space Initiative Committee's Sterling Trails Project. Selectman Cutler 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion Carried.</p>
Senior Center Update	<p>The Town Administrator stated that a recent article in the Telegram and Gazette gave the Town Administrator a great deal of credit for getting the new Senior Center underway. He asked that the record reflect that, in fact, most of the credit goes to Maureen Cranson and the Senior Center Building Committee members and he commended them on their diligence and hard work.</p> <p>Maureen Cranson, Chair of the Senior Center Building Committee, addressed the Board and reported the following:</p> <p>Since the Town Meeting and Ballot affirmative vote for funding of a new Senior Center, the Senior Center Building Committee has:</p> <ul style="list-style-type: none"><li>• Been reconfigured by your board</li><li>• Reasserted their mission to move forward. Their goal is to successfully build a fully functional Senior Center of approx. 6500 SF on the site designated on Muddy Pond &amp; Boutelle Rd. It is their mission to accomplish this in a timely fashion and within their budget, while being in</li></ul>

compliance with any State laws.

- Developed and posted the Request for Qualifications (RFQ) for a Owners Project Manager (OPM)
- Received eight submissions.
- Reviewed and scored all submissions. Notified the top 4 choices
- They verified references of each of the four applicants...and then some
- Set interview times and date (Thurs. 7/31 begin@ 5:30p)

NEXT STEPS:

- After interviews, the committee will send their choice to the BOS for a subsequent interview. They would ask the BOS to schedule a special meeting on August 6th for the interview.
- The committee would like to see the contract awarded at the Select Board's August 13th meeting.
- As soon as the OPM is on board they will move forward with their RFQ/RFP for an architect. Though they realize the OPM will have a template for this, they are starting to develop a list of their own, regarding the anticipated requirements of the Senior Community Center.
- They anticipate that some site work will be accomplished, in the early fall.
- The committee will continue to meet weekly in order to aid in the development and design of the project, as well oversee the budget.

Approve and  
Schedule BOS  
Goals

Ms Cranson requested that the Board meet next week in order to appoint an OPM and thereby assist the Committee in adhering to its time schedule. The consensus of the Board is that it will meet next week, on August 6<sup>th</sup> to approve the selection of the OPM for the Senior Center Project.

Goals

1. Senior Center built on time/on budget –regular reports from the Building Committee – Consensus of the Board is that this goal is currently on track
2. Find and fix all items from the auditors management letters – The Town Administrator stated that a specific timetable will be established after the new accountant starts
3. Improve 1835 Town Hall -
  - Roof- The Town Administrator suggests that the Board sponsor a warrant article next spring that is funded through capital to replace the roof on the 1835 Town Hall
  - Paint – The Sheriff's office will be asked to paint the south side of the building and any interior painting, that needs to be done
4. Long Range Financial Planning – The Board may sponsor a warrant article to create a Long Range Financial Planning Committee. The consensus of the Board is that the committee should consist of 5 members who will work closely with both the Finance and Capital Committees.
5. Old church property on Main Street – The Board is awaiting the professional lab report, regarding the concentration of lead in the paint chips that fall from the building, at 33 Main Street, onto the public sidewalk. Ms. Mapp reported that she bought a lead detection kit and showed the positive results, for lead, to the Board. The Town Administrator reported that the Board of Health has explained to him that they have no jurisdiction in this matter because the building, in question, is not a public building. The Board will continue this discussion at a future meeting.

Appoint Poll  
Workers

Dawn Michanowicz, the Town Clerk reported that the deadline to register to vote or change political party for the primary election on Sept. 9, 2014 is Wednesday, August 20, 2014 and that the Clerk's office will be open until 8pm on that day. After discussion, VOTE: Selectman Cutler moved that the Board appoint the election workers from both Precinct 1 and Precinct 2 (Attached). Selectman Kilcoyne 2<sup>nd</sup>. Selectman Cutler – Aye. Selectman Kilcoyne –Aye. Chairman Patacchiola – Aye. Motion carried

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*Town  
Administrator  
Update*

Judy Janda, Recreation Director, has tendered her resignation from the Recreation Department, as of September 15, 2014.

John Glowik of Prime Wellness has contacted the Town Administrator. Prime Wellness had proposed a medical marijuana growing facility on Leominster Road. However, the company did not achieve licensure this year. They will reapply next year.

Lance Harris, Chairman of the Wachusett Regional School District asked that someone be appointed to the Audit Advisory Board for the School System. This is a sub-committee of the School Committee that consists of 7 members.

The Town Administrator reported that the Board will soon consider opening negotiations with the Sterling Lancaster Cable Television for a new 5 year contract. The current contract expires in December.

There has been one complaint about the food truck causing traffic at "crazy corners" on Friday afternoons.

*Public Session*

Selectman Kilcoyne asked that the Building inspector attend a future meeting to address concerns with signs and the zoning regulations for signs.

Ms. Mapp produced copies of pictures of unsightly conditions in town, including improper signage and unkempt property. The Town Administrator reported that the Town of Sterling does not have a nuisance bylaw. The Board will address the signage issue at a future meeting and they may wish to consider sponsoring a nuisance bylaw article at a future Town Meeting.

*Adjourn*

Mr. Philpot read a letter, written by Mr. Amrith Kumar. The letter expressed concern regarding allegations that the Chief of Police had previously been denied the opportunity to be placed on the agenda, in order to address B-Man's 140 Tavern noise complaints.

***VOTE:*** At 10:16 pm, Selectman Cutler moved that the meeting be adjourned. Chairman Patacchiola 2<sup>nd</sup>. Selectman Cutler – Aye. Selectman Kilcoyne – Aye. Chairman Patacchiola – Aye. Motion carried.

*Materials list: 2014 7 16 minutes, Police Report, Public Hearing materials, Operating Procedures, 2015 Goals, Accountant resumes, Open Space Implementation Committee Trail Initiative, Senior Center Building Committee Report, photos presented by Ms Map, list of poll workers*

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<b><u>Pollworker</u></b>	<b><u>Address</u></b>	<b><u>Party</u></b>
1. Robert Bloom	90 S. Nelson Rd	D
2. Irene Camerano	16 Beaman Rd	D
3. Virginia Barriere	6 Worcester Rd	D
4. Lisa Call	9 Ashton Lane	D
5. Melissa Chalmers	87 Lake Shore Dr	D
6. Mary Cliett	87 Lake Shore Dr	D
7. Emily M. Federici	7 Newell Hill Rd	D
8. Carmen Huntoon	164 Beaman Rd	D
9. Richard H. Maki	3 Sunset Dr	D
10. Livia Morini	2 Beaman Rd	D
11. Jane Boquist	6 Sherwood Dr	U
12. Jane Brunetta	18D Riverview Rd	U
13. Jo-Ann Cummings	115 Princeton Rd	U
14. Eileen Desautels	160 Rowley Hill Rd	U
15. Kristen Dietel	86 Tuttle Rd	U
16. Madeleine Grinkis	26 Meetinghouse Hill Rd	U
17. Utahna Hallet	213 Upper N. Row Rd	U
18. Nancy Horton	1 Hilltop Dr	U
19. Linda Mercier		U
20. Eris Nash	17 Griffin Rd	U
21. Carrie L. Rugg	12 Meetinghouse Hill Rd	U
22. Marjorie Long	15 Griffin Rd	U
23. Sandra McAllister	86 North Row Rd	U
24. Judy Mather	188 Chace Hill Rd	U
25. Linda Racca	12 Worcester Rd	U
26. Patricia C Christenson	8 Osgood Rd	R
27. Elaine C. Heller	27 Princeton Rd	R
28. Kathleen Mello	166 Rowley Hill Rd	R
29. Florence Coughlin	6 Hilltop Rd	R
30. Jane E Meunier	6 Noah's Way	R
BD OF REGISTRARS		
Christine Arsenault	3 B Patriots Way	R
Sheila Hudson	267 Redemption Rock Trl	U
Richard Barriere	6 Worcester Rd	D