

TOWN OF STERLING
BOARD OF SELECTMEN
September 24, 2014

MEETING:	Roll Call: Selectman Cutler - Present. Selectman Patacchiola – Present. Selectman Kilcoyne – Present. At 7:00 pm, Chairman Patacchiola called the meeting to order.
Minutes:	VOTE: Selectman Kilcoyne moved to accept the Board of Selectmen Minutes for September 10, 2014. Selectman Cutler 2nd. Selectman Cutler- Aye Selectman Kilcoyne - Aye Chairman Patacchiola – Aye. Motion Carried.
Election Report	<p>Town Clerk, Dawn Michanowicz addressed the Board. She publicly thanked all of the people who diligently work to assist the Clerk in running the elections. She reported that it takes approximately 30 people to facilitate the election process. Ms Michanowicz specifically thanked the following election officers who have recently retired after years of service:</p> <p>GINNY BARRIERE – 23 years MURIEL SENTER – 27 years SANDY MACALLISTER – 31 years NANCY KRISTOFF – 31 years JANE MEUNIER – 34 years</p> <p>The Board thanked them for their dedication to the community.</p> <p>The Town Clerk presented the warrant for signatures from the Board. The State election will take place on Tuesday, November 4, 2014. Absentee ballots are now available at the Clerk's office and the deadline to register to vote or change affiliation is October 15th.</p>
Police Report	<p>Police Chief, Gary Chamberland addressed the board concerning the activities of the Police Department during the past month. Some of the highlights are as follows:</p> <p><u>Personnel, Training and Equipment:</u></p> <ul style="list-style-type: none">• Position announcement was put out for patrol officer vacancy. A number of resumes have been received and a committee is reviewing those and will compile a list of those to be interviewed. <p><u>Community Interaction:</u></p> <ul style="list-style-type: none">• First week of school patrols. Radar in school zones and bus shadowing took place. No violations of vehicles not stopping for buses were observed.• Assisted fire department with fire drill.• Met with Superintendent of Schools and police and fire chiefs of the Wachusett School District on emergency response planning. Additional meetings have been scheduled. <p><u>General Police Business:</u></p> <ul style="list-style-type: none">• Sterling Fair preparations and Special Order Issued.• Two new laws went into effect immediately that required Police Department to make modifications to their standard operating procedures. Domestic assault law now precludes the release of any and all information. Control of release of information was developed.• New firearms laws went into effect. Chief Chamberland will be attending a class in September regarding the new laws.• Worked with the Pain in The Mass bike organization to re-route their route because of a conflict with the town wide yard sale and closing of Meeting House Hill Rd. (South Nelson, to Justice Hill).• Animal Control will be attending the Rabies Clinic and Microchip placement on 4 October at the Sterling Veterinary Clinic, 4 Clinton Rd.• Five arrests were made during the month, including two for OUI, two protective custody, and one warrant.• Thirty-one incidents reported. A number of larcenies and home break-ins were reported.

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	<ul style="list-style-type: none"> • Fourteen crashes reported during the month. Three at Chocksett and Leominster. One serious crash at Pratt's and Leominster. • Fifty-four (54) motor vehicle stops and fifteen citations were issued.
Interim Recreation Director Appointment	<p>Joanne Cummings, Chair of the Recreation Department, requested that Kristen Dietel, Assistant Director of the Recreation Department be formally appointed as the Interim Recreation Director, while the Recreation Committee conducts the process of permanently filling the position. Interviews are currently underway.</p> <p>After discussion: VOTE: Selectman Kilcoyne moved to appoint Kristen Dietel as the Interim Recreation Department Director, with a pay increase to \$22.63, until such time as a full time Director can be appointed. Selectman Cutler 2nd. Selectman Cutler- Aye Selectman Kilcoyne - Aye Chairman Patacchiola – Aye. Motion Carried. Ms Dietel is a candidate for the position. If another candidate is chosen, her pay will return to her previous rate.</p>
ADA Appointment	<p>After discussion: VOTE: Selectman Cutler moved to appoint Melanie Glynn to the ADA commission for a 1 year term, to expire on June 30, 2015. Selectman Kilcoyne 2nd. Selectman Cutler- Aye Selectman Kilcoyne - Aye Chairman Patacchiola – Aye. Motion Carried.</p>
1-Day Alcohol Approvals	<p>After discussion: VOTE: Selectman Cutler moved to approve the 1 day alcohol license for the Eight Point Sportsmen's club for September 27 from 2:00pm – 8:00pm. Chairman Patacchiola 2nd. Selectman Cutler- Aye Selectman Kilcoyne - Abstained. Chairman Patacchiola – Aye. Motion Carried</p> <p>After discussion: VOTE: Selectman Cutler moved to approve the 1 day alcohol license for the Eight Point Sportsmen's club for October 25 from 4:00pm – Midnight. Chairman Patacchiola 2nd. Selectman Cutler- Aye Selectman Kilcoyne - Abstained Chairman Patacchiola – Aye. Motion Carried</p>
Neighbor to Neighbor Policy	<p>It is the consensus of the Board that the Neighbor to Neighbor Program should be established as a non-profit organization, under section 501 (c) (3) of the Internal Revenue Code. The Board requests that the Finance Committee vote on this issue, at their next meeting, after which the Board of Selectmen will discuss and vote. In the interim, the Board will continue to assist in the administration of the program. To that end, and after discussion, VOTE: Selectman Cutler moved that Lisa Call, Neighbor to Neighbor Representative, be allowed to purchase 100 gallons of oil, in emergency situations, prior to the Select Board's meeting approval for disbursements, if 2 out of the 3 Neighbor to Neighbor Program representatives agree that it is a necessity. Selectman Kilcoyne 2nd. No vote taken on this motion.</p> <p>After further discussion: VOTE: Chairman Patacchiola moved that Lisa Call, with the approval of Ed Sweet (Finance Committee Neighbor to Neighbor Representative), may disburse funds to purchase oil, in emergency situations. There is a yearly cap of \$1,000.00, to be used for this purpose. The cost of oil will be applied to the total allowable disbursement, per recipient. Selectman Kilcoyne 2nd Selectman Cutler- Aye Selectman Kilcoyne - Aye Chairman Patacchiola – Aye. Motion Carried</p> <p>After discussion: Vote Chairman Patacchiola moved that the Neighbor to Neighbor policy be amended to read that the committee shall consist of 3 members. The Finance Committee and member of public shall be appointed jointly by the Finance Committee and the Board of Selectmen. Selectman Cutler 2nd Selectman Cutler- Aye Selectman Kilcoyne - Aye Chairman Patacchiola – Aye. Motion Carried. The Town Administrator will ask Ed Sweet, Representative of the Neighbor to Neighbor program from the Finance Committee, to endorse, in writing, the changes that were voted this evening, by the Select Board.</p>
Business and Correspondence	<p><u>Signage Issue</u></p> <p>On September 5, 2014 a letter was sent to the Planning Board requesting that the Planning Board consider the ambiguity of the current signage by-law and to have a joint meeting with the Selectmen in order to draft a new signage bylaw, to be considered at the spring Annual Town Meeting. The Chairman of the Planning Board responded with a request that the Select Board give them clarification as to the goals and steps that should be taken to resolve the sign bylaw issue. No specific date was established</p>

for a joint meeting, at this time. In 2001 there was a proposal at Town meeting to change the Town Signage bylaw which was voted down at Town Meeting. The Town Administrator suggested that the same proposal could be brought forward again at Town Meeting. The current bylaw was codified in 1965.

Town Counsel has suggested the Select Board appoint a committee to consider all signage issues. This committee would be charged with bringing forth a signage proposal that would improve, clarify and be more specific so that compliance and enforcement would be simplified. Mark Brodeur, the enforcement officer has engaged a 3 step process. Landlords were notified of illegal signs. Then business owners were notified. By October 1st, he will initiate follow-up visits to those who are non-compliant. The consensus of the Board was that the Town Administrator will ask the Enforcement Officer to attend a future meeting, at which time, the process for sign approval will be outlined. Selectman Cutler asked that the minutes reflect his reticence in not appointing a committee to address all the signage issues.

Lead Paint Issue

The report, regarding paint chips that were collected on Town property on the corner of Main and Maple, indicates that the paint has a high lead content and therefore, the Select Board is concerned for the public safety. Since the current State laws do not apply to private, commercial property, Chairman Patacchiola has drafted a bylaw that would give the Town authority to advocate and take action regarding situations such as the one that currently exists. The consensus of the Board was that the Town Administrator will further amend, vet, and request input from Town Counsel and the Board of Health, regarding this proposed new bylaw, prior to resubmission, at a future meeting.

MMA Breakfast

On October 17th the Town of Sterling will host the Massachusetts Municipal Association Legislative Breakfast in the Selectman's room. Coffee and muffins will be available at 8 a.m., with introductions and presentations starting at 8:15. The meetings will conclude by 10 a.m. This is a "listening Tour". Municipal officials will meet with Legislators. It is a public meeting.

MMA New Legislative Agenda

- Restore revenue Sharing
- Fix the School Finance Law
- Fund Key Programs and Obligations
- Support Fairness in Local Taxation
- Oppose unfunded Mandates
- Invest in Essential Public Infrastructure
- Invest in Essential Public Technology
- Empower Community-Driven Planning and Zoning
- Allow Cities and Towns to Effectively Manage
- Commit to Constant Communication and Direct Dialogue

Rolling Thunder

Jim Sullivan, member of the Legion, brought forth, to the Board a request from Rolling Thunder Inc. Of Massachusetts a request to consider placing the "empty chair" in a Municipal space to represent MIAs and POWs. The chair would be properly identified as the honorary "empty chair". The Town Administrators will let the sponsors know that the Select Board agrees to this proposal and would like input from the veterans as to the placement of this symbolic chair.

Fire Department Retirements

Ed McNamara and Richard Traina are retiring from the Fire Department. Mr. McNamara has served for 34 years and Mr. Traina has served for 24 years. In honour of their service to the Town of Sterling, a retirement banquet will be held at the Chocksett Inn on Friday, November 7, 2014.

Public Session

Insurance Services Office

The ISO is currently updating their master data base regarding fire safety in Sterling. Previous data was compiled in 2007. When this process is complete, the property insurance rates will be redetermined. It is very possible that with the additional hydrants that have been installed, along with the better service, better response times and better training by the Fire department, that Fire insurance rates may decline, slightly.

Auditor

Selectman Kilcoyne requested an update on the process of hiring a new auditor. The Town Administrator reported that a number of potential candidates had been contacted and the proposals are due next week.

Senior Center

Architect bids were opened on Tuesday. There were 7 applicants. The Senior Center Building Committee will interview top candidates and the Board will be presented with the finalist(s) in October. The proposed timetable is still viable, as long as the Board can sign an executed contract by the 3rd week in October.

Mr. Kumar addressed the Board with the following concerns: *(answers)*

Finance

- Would like an update on Town's finances via the Finance Committee including capital and stabilization funds, as well as the tax projections for coming year(s)

Personnel

- Would like an update on Personnel Handbook including proposed completion date *(TA responded: The personnel Board is still working on updating current draft(s). Board has not been advised as to the proposed completion date. In order to address issues with the Personnel Board, there must be a joint meeting with the Moderator, Personnel Board and Board of Selectmen)*
- The online (official) personnel by law contains highlighted typos and he would like clarification on a note that states "sections 6, 7, 8 and 9 were not printed in the warrant. Therefore, they were not voted at the Annual Town Meeting on May 3, 2014. *(see above)*
- Why no Personnel Board minutes posted since June (on website) *(see above)*

Auditor

- When will new auditor be chosen? *(addressed prior to Public Session)*
- Has last year's management letter been addressed? *(Selectman Kilcoyne: Mr. Aponte, Town Accountant will be asked to address the problems in the management letter. All candidates for the new Auditor positions have been given copies of the letter. TA: Mr. Aponte will be asked to publish results of the actions taken/to be taken on the management letter.)*
- Last two years we missed key filings, are we on track to do that again? *(TA and Selectman Kilcoyne)*

Economic Development

- Would like an update covering the Economic Developments current and long term plans to address growth and development of the Town. *(Chairman Patacchiola and Selectman Kilcoyne agreed that the EDC should be asked to attend a BOS meeting to address the progress of the committee)*

Select Board

- Would like more substantive issues to be addressed at Selectman's meetings
- Would like to see more joint meetings with Boards and Committees *(Selectman Kilcoyne: Has met recently with Capital and Finance Committee members and discussed the establishment of a long term Financial Planning Committee.)*

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- What about the gas pipeline? Do we know if it impacts us? *(Chairman Patacchiola: The Town has not been approached regarding this issue. TA: The proposed pipeline would run on the other side of Rte. 2, in the Groton/Pepperell area and not directly impact Sterling)*
- Questioned expired school building lease agreement. *(Chairman Patacchiola: The TA is currently working on this issue. TA: He is currently talking with other towns, regarding this issue)*
- Update on the senior center *(Addressed prior to Public session)*
- Does the Senior Center Building Committee have a charge? *(TA and Selectman Kilcoyne explained that the Senior Center Building Committee has considered the proposed charge and will be resubmitting a cleaner/more condensed version of the charge, to the Select Board, which eliminates points that will be addressed by the OPM. This issue will be voted at a future meeting)*
- Has vote been taken on Board's policies and procedures? *(TA: Vote was taken and Policies and Procedures document was approved on September 10, 2014)*
- Update on Goals *(Chairman Patacchiola stated that a quarterly report on the progress of goals is due in October or early November.)*
- Questioned objective of Saturday Town Meeting, stating that there was a decrease in voter attendance, when the meeting was moved to Saturday. *(Chairman Patacchiola stated that it was premature to make that decision but the Board will consider the significant decrease in participation when they address this issue at a future meeting.)*

Adjourn

VOTE: Chairman Patacchiola moved to adjourn at 8:57pm. Selectman Cutler 2nd. Selectman Cutler- Aye
Selectman Kilcoyne - Aye Chairman Patacchiola – Aye. Motion Carried

materials list: 2014 9 10 minutes, Warrant, Police Report, ADA application, one-day alcohol applications, neighbor to neighbor policy, signage bylaw proposal, lead analysis report,