

TOWN OF STERLING  
BOARD OF SELECTMEN  
February 11, 2015

MEETING:	Roll Call: Selectman Cutler - Present. Selectman Kilcoyne – Present. Selectman Patacchiola – Present. At 7:05 pm, Selectman Patacchiola called the meeting to order.
Minutes:	After discussion: Selectman Kilcoyne moved to approve the public session minutes of January 28 <sup>th</sup> , 2015. Selectman Cutler 2 <sup>nd</sup> . Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.
Open Meeting Law Complaint	<p>An Open Meeting Law complaint was filed on February 6<sup>th</sup> 2015 relative to the meeting of January 7, 2015 and the Board's decision to enter into Executive session. A response is required by February 27, 2015. Town Counselor, Gregg Corbo addressed the board regarding the allegations. He reported that the complaint alleges 3 violations of the Open Meeting Law.</p> <ol style="list-style-type: none"><li>1. Posted meeting notice for Executive session was not sufficiently detailed. Attorney Corbo reported that he has reviewed the recording of that meeting and that it appeared to him that the Chair properly made the motion to go into Executive session. Therefore, it is his opinion that there are not sufficient grounds to find a violation of the Open Meeting Law.</li><li>2. Motion to vote to go into Executive session was not properly made Attorney Corbo reported that he has reviewed the recording of that meeting and that a roll call vote was taken. Therefore, it is his opinion that there are not sufficient grounds to find a violation of the Open Meeting Law.</li><li>3. Minutes of the meeting are not sufficiently detailed Attorney Corbo recommends that the public session minutes be amended to reflect that the Executive session was pursuant to Exemption 1 and the minutes accurately reflect the motion that was made by the chair. Therefore, he suggests as a remedial action that a second draft of the minutes be drawn up and those minutes be approved at the next meeting. With that action, Town Council can prepare an appropriate response to the Attorney General's Office.</li></ol> <p><b>VOTE:</b> Chairman moved that the minutes be amended for approval at the next meeting to reflect the relative prior motion and to authorize Town Council to address and to respond to the Open Meeting Law Complaint. Selectman Cutler 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.</p>
Firefighters Commendation	<p>The Board of Selectmen publically commended the following members of the Sterling Fire Department for participating in the organized relief efforts to assist fellow firefighters from the Long Beach Fire Department during the aftermath of Hurricane Sandy:</p> <p>Firefighter / Paramedic Jamieson Shea (organized the trip) Firefighter / EMT Sarah Colburn Firefighter / EMT James DiVirgilio Firefighter Brandon Hamilton Firefighter James Healy Firefighter / EMT Juan Hernandez Firefighter Matt McAuliffe Firefighter / EMT James Turner</p> <p>The Board of Selectmen extended the appreciation and admiration for their selflessness and dedication to fellow firefighters.</p>
Monthly Police Report	<p>Chief Gary Chamberland reported the following for the month of December:</p> <p><b><u>Personnel, Training and Equipment:</u></b></p> <ul style="list-style-type: none"><li>• Posted position for a part-time emergency medical dispatcher.</li><li>• Officer Mucci completed second phase of field training and is progressing well.</li></ul>

- Personnel order pertaining to shift assignments was issued.
- In service training is continuing.
- Chief attended a class on the new gun laws that went into effect on 1 Jan 2014.
- State inspection of Sterling lock up facility. One minor violation was found and has been corrected. (Water temperature in one of the cells was not hot enough).
- Debra Macarthur completed training on Dispatchers Dealing with Disasters.
- Chief attended training on Bomb Threat Assessment Training.
- Had PSAP site survey by General Dynamics for the upgrade to the Sterling dispatch center.

**Community Interaction:**

- **ALTECH** Industries donated two AED's to the police department.
- AAA of Southern New England recognized our department for a Pedestrian Safety Award and singled out Officer Lane Pomeroy for her dedication to traffic safety.
- Basic handgun safety class held at the Police Station on 22 January 2015.
- Received thank you letter from Troop 1 for assistance with their Christmas Tree Sale.

**General Police Business:**

- Budgets were completed and submitted.
- Three arrest during the month. (Possession w/Int marijuana, OUI, Domestic Assault)
- Twenty-nine incidents reported. Including two house break ins. One was a vacant home where copper piping was taken. One larceny from a local restaurant leaving without paying for meal. Case solved using social media. Several fraud cases reported.
- Thirteen crashes during the month. Four of them on Route 12, three at exit 6 off ramp all rear end collisions. One at Route 12 and Chocksett also a rear end collision.
- Thirty-three citations or warnings issued during ninety-two traffic stops.

**January Report**

**Personnel, Training and Equipment:**

- Probationary Officer Mucci completed the Field Training Officer Program.
- Hired Kim Thebeau as part-time dispatcher.
- Garrett MacArthur completed Dealing with Disaster training.

**Community Interaction:**

- Partnered with Project Child Safe, we received a supply of gun safety locks. Contact Michelle at the police station if anyone needs one.

**General Police Business:**

- Blizzard preparation order drafted and implemented. Little police activity during the actual storm due to driving ban.
- Seven arrests during the month, including three OUI's, two domestic assaults, disorderly conduct arrests and outstanding warrants.
- Sixty-one motor vehicle stops and twenty-five citations issued.
- Twenty-four crashes during the month. Four at Chocksett and Leominster Roads, three were rear end type.
- Twenty incidents were investigated during the month.

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between the Boards needs to be improved. The Personnel Board was uncertain as to the role of their board. After discussion, the Personnel Board is now cognizant of the fact that they are an advisory Board to the Board of Selectmen. As such, the Personnel Board will seek approval and direction from the Select Board in their endeavors to provide service to the Town.

Human Resource Staffing

After Discussion, VOTE: Chairman Patacchiola moved that the position of Human Resource Director be eliminated from the 2016 budget. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried. The current Interim Mike Szlosek is well versed in HR administration and therefore he reportedly feels confident that the position can be handled by him with assistance of current staff. A consultant may be hired, per diem, for future salary surveys.

Proposed Handbook and Bylaw Changes

After discussion, it was determined that the handbook and bylaw changes are in rough draft only and will need more work prior to their approval by the Board. The personnel Board intends to continue to request the input of Department Heads and Boards as they move forward in completing the Handbook. The Town Administrator along with Town Council will work with the Personnel Board to address the problems and inconsistencies within the handbook and to determine the best course of action for amending the bylaw.

Open Town  
Meeting  
Warrants

VOTE: Selectman Cutler moved to open the warrant for the Annual Town Meeting and Special Town Meeting. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.

The Board will vote upon the closure date of the warrants at their next meeting. The Town Clerk will be contacted as to her preference for the closure date.

Cable Access  
Contract

Selectman Kilcoyne has attended meetings with Sterling Lancaster Community Television representatives and the Town of Lancaster. He reports that he is confident that the agreement being presented to the Sterling Board of Selectmen is fair and equitable. SLCT will provide the additional service of televising additional board meetings, provided they get approval from the boards to have their meetings filmed and SLCTV is adequately staffed to do so. (The cable company took the opportunity to ask for people to join their workforce.) SLCTV representatives Robert Bloom and Richard Maki voiced their willingness to broadcast Pre-Town Meeting in order to have questions answered prior to the official Town Meeting and therefore expedite the Town Meeting process. After further discussion, **VOTE:** Selectman Cutler moved to ratify and approve the Sterling Lancaster Community Television Corporations Access Agreement through December 22, 2018. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.

Alzheimer's  
Memory Ride

After discussion: Selectman Cutler moved to approve the request for the Ride to End Alzheimer's bicycle event for July 18, 2015. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.

Senior Center  
Update

Maureen Cranson presented the following Senior Center update to the Board:

- The Senior Center Building Committee continues the process of getting the Senior Center designed and built in a timely manner and on budget. They have completed many steps toward that goal.
- Over the course of the last couple of months they have reviewed several designs options presented by Turowski 2.
- Much discussion, some trimming and a preferred schematic design were ready to go for a preliminary estimate.
- Plans, elevations and systems were reviewed. In the midst of this Sean Hamilton from the SMLD joined us and shared insight from his department. Sean's offered the department's services. They would bring the electric from Muddy Pond to the building, prepare for the

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	<p>lighting on the project and be with us each step of the way which would be an overall savings to the project.</p> <ul style="list-style-type: none"><li>• Estimated numbers came in high. Therefore, they revisited and changed some of the design while trying to preserve the overall square footage and functionality of the building.</li><li>• The Committee will meet with the ACG, engineers, DPW, SMLD, BOH and a few citizens with site development experience on Feb. 19th. Site development exceeded the cost estimated in the projected budget. Therefore, the Committee will be addressing site development options that will reduce the costs such as the redesign of the septic, flow of the property and obtaining fill already owned by the town.</li><li>• Turowski 2 is in the process of preparing the construction documents.</li><li>• The Committee has requested a meeting with the Planning Board on Feb. 25th.</li><li>• The project is currently on schedule with the original time line. The committee will continue to meet in order to address issues in a timely fashion.</li></ul> <p><b>NOTE: References to 'committee' includes the Project Managers ACG</b></p>
Local Election Date 2016	<p>After discussion: <b>VOTE:</b> Chairman Patacchiola moved that the Board take no action to set the local election date in order to accommodate/coordinate the school calendar until the school addresses maintenance and contractual repair issues that have been of concern to the Board. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.</p>
Wachusett Earth day Agreement	<p>Wachusett EarthDay is an organization that collects regional hazardous waste. After discussion, <b>VOTE:</b> Selectman Kilcoyne moved that the Board approve the agreement with Wachusett Earthday, Inc. until June 2, 2016. Selectman Cutler 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.</p>
Approve entertainment License	<p>After Discussion: <b>VOTE:</b> Selectman Cutler moved that the Board approve the Entertainment License for FISHCO, 228 Leominster Road. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried. David Fisher is in the process of having a function facility built at that address.</p>
Town Administrator's Report	<p><b><u>Veteran's Agent</u></b></p> <p>The current Veteran's agent, Gerald Burke, will terminate his employment as the VA at the end of the month. After discussion: <b>VOTE:</b> Chairman Patacchiola moved that the Board authorize the Town Administrator to research the possibility, and to enter into discussions with surrounding towns regarding the formation of a Veteran's Service District, in order to professionalize this position. Selectman Kilcoyne 2<sup>nd</sup>. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried. Lancaster Town Administrator has taken the lead in finding an interim Veteran's agent that will provide service to the towns for which Mr. Burke provided service, Sterling, Lancaster and West Boylston.</p> <p><b><u>Update Building Projects</u></b></p> <p><b><u>1835 Town Hall Roof</u></b> – It is the goal of the Select Board to preserve the 1835 Town Hall, for future generations. Therefore, with \$150,000.00 of budgeted money, the Board has directed the Town Administrator, with the support of the Facilities Technician, to make the new roof a reality. The Town Administrator met with the architects and requested that the scope of work be limited to the roof. However, the architects presented a plan that exceeded the scope of the intended project, as well as the budgeted amount of money. Therefore, the Town Administrator has been instructed by the Board to make it abundantly clear to the architects that the project must be limited to the roof and only structural repairs necessary to withstand the snow load. The Town Administrator will report back to the Board at the next meeting.</p>

**Exterior Painting of 1835 Town Hall**

The Sheriff's department was asked to consider the exterior painting of the South side of the 1835 Town Hall. The possibility of lead in the paint would make it necessary for the building to be scraped by a contractor who is certified in lead abatement. Also, the height of the building may pose an issue for the available workforce through the Sheriff's program. The Town Administrator will continue to address this issue and report at future meetings.

**Interior Painting of Butterick Building**

The Sheriff's program has returned to paint the walls in the offices on the main floor of the Butterick Building. The offices will be impacted during this project. However, the staff will continue to provide service. The public is asked to be patient during this process.

**Lead Paint Issue**

The Chairman of the Board of Selectmen, the Chairman of the Board of Health, a representative of the Planning Board and the Town Administrator met with Town Counsel to discuss options for action to be taken regarding the lead paint issue on Main Street. The possibility of a lead paint bylaw was discussed and a draft of such a bylaw was presented by counsel. Town Counsel addressed the issue of the Board of Health's police powers as described in MGL Chapter 111 sec 122-125 and gave the Board of Health an interpretation of the scope of their ability to enforce the health laws. Also, the Town bylaw, 81-1, pertaining to hazardous waste and waste recovery, was considered as a means to compel enforcement. The Board of Health Chairman will discuss this information with his Board, at their next meeting. The Town Administrator will report back to the Board on this issue.

**Update Budget/Finance**

The Town Administrator attended the joint meeting between the Finance Committee and the Capital Committee. The town is awaiting the bid for insurance through MIIA.

**Report WRSD "Budget Summit"**

Bob Brown, Chairman of the Finance Committee attended the Budget Summit for the Wachusett Regional School District Budget Summit. He will get that information to the Board of Selectmen. Copies of the slides that were presented at that meeting will be forwarded to the Selectmen.

**Joint Purchasing Program**

The company that has been chosen to provide the joint purchasing is WBMason. A meeting between the WBMason Representative and Department Heads will be scheduled in order to seamlessly implement the program. The estimated savings off the list price is 57%.

**DPW**

The DPW Superintendent, Bill Tuttle, has reported that the snow removal budget has been expended. Approval of the expenditures will be addressed at a future meeting.

**Auditor Update**

The auditors have begun work and they will be asked to attend a future meeting to provide and update.

No one wished to speak for public session.

**VOTE:** Selectman Patacchiola moved to adjourn at 9:55 pm. Selectman Cutler 2<sup>nd</sup>. Selectman Kilcoyne - Aye. Selectman Cutler - Aye. Selectman Patacchiola - Aye. Motion Carried.

Public Session:

Adjourn

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