

TOWN OF STERLING
BOARD OF SELECTMEN
January 28, 2015

<p><i>MEETING:</i></p>	<p>Roll Call: Selectman Cutler - Present. Selectman Kilcoyne – Present. Selectman Patacchiola – Present. At 7:12 Chairman Patacchiola called the meeting to order.</p> <p>The Chairman announced that the Board would like to offer a special commendation to the staff of the Fire Department. The following members of the Fire Department staffed the fire station Monday January 26 and Tuesday January 27 during the Blizzard.</p>
<p>Storm Commendations</p>	<p>Chief / EMD David Hurlbut Lieutenant / EMT Thomas Kokernak Lieutenant / Paramedic Kevin Grebinar Firefighter / Paramedic Erik Ares Firefighter / Paramedic Jamieson Shea Firefighter / Paramedic George Kinahan Firefighter / Paramedic David Greenwood Paramedic / Assistant EMD James Emerton Firefighter / EMT James DiVirgilio Firefighter / EMT Juan Hernandez Firefighter / EMT Benjamin Ash Firefighter / EMT Sarah Colburn Firefighter / EMT Nicholas Finizio Firefighter Corey Shosey Firefighter Brandon Hamilton Firefighter Matthew McAuliffe Firefighter Fil Santos Firefighter Nicholas Parker</p>
	<p>The Board also Commended the Department of Public Works for the fine job that they did in clearing the roads and public ways during the blizzard. Reportedly the DPW had 20 pieces of equipment pressed into service, which included 4 subcontractors.</p> <p>The Police Department was also thanked for being available to handle possible problems during the storm.</p> <p>Chairman Patacchiola also personally thanked Vice Chairman Kilcoyne for running two Select Board meetings during the month of December due to the Chairman's absence.</p>
<p>Minutes</p>	<p>VOTE: Selectman Patacchiola moved to accept the public meeting minutes from November 26, 2014. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye Selectman Patacchiola – Aye. Selectman Cutler - Abstained. Motion Carried.</p> <p>VOTE: Selectman Patacchiola moved to accept the public meeting minutes from January 7, 2015. Selectman Kilcoyne 2nd. Selectman Kilcoyne - Aye Selectman Patacchiola – Aye. Selectman Cutler - Abstained. Motion Carried.</p>
<p>Tax Title Sales Meeting with</p>	<p>Treasurer Ann Cervantes presented her proposal for tax title sales. She explained that by selling the Municipality's interest in a tax taking (a "tax title") the Town will convert delinquent tax receivables into immediate revenue. This practice is accepted through the Massachusetts General Law, Chapter 60, s. 52. Ms Cervantes presented a list of properties that are currently under tax title and the information</p>

pertaining to the money that is owed on each property. The money owed on the properties, that are being recommended for auction, totals approximate \$451,000.00.

The process for moving forward with the auction is to put a notice in the paper and to notify the property owner of the intent to place the tax title up for auction. The treasurer expects that some of the titles will be redeemed and some owners will enter into agreements with the town prior to the auction. The consensus of the Board is that it would be administratively advantageous to auction these tax titles. If the town refrains from selling the tax titles, it would continue to accrue the 16% interest for these delinquent properties but once the titles are sold, the third party is entitled to any interest that accrues after the sale. Opening bid for the tax titles is the total amount currently due to the Town.

VOTE: Selectman Kilcoyne moved a motion to have the Treasurer and staff move forward and proceed with a Tax Title Auction by April 1, 2015. Selectman Cutler 2nd. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.

Personnel Board

Discuss Recognition Program

After discussion: **VOTE:** Selectman Cutler moved to instruct the Personnel Board to NOT proceed with the Employee Recognition Program at this time. Selectman Kilcoyne 2nd. Discussion followed.

Amended motion: Selectman Cutler moved that the Personnel Board immediately cease moving forward on the Employee Recognition Program and to instead move forward with a Collective Recognition Program and to keep the Select Board apprised of the various ideas regarding this collective recognition, prior to spending valuable time developing or implementing those ideas. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.

The Chair announced that the Town Council will be available at the next meeting, February 11, to discuss the following agenda items, Role of Personnel Board, Proposed Handbook, Proposed Bylaw changes, and Human Resource Staffing

Annual Town Meeting 2015 Issues

Lead Paint Mitigation

In preparation for the opening of the warrant for the Town Meeting, the Board discussed the public health issue, caused by the contamination of public ways by exterior flaking lead paint. The board discussed options for addressing the issue. Their options include:

- Modify the wording of State and Federal laws to suit the needs of the Town
- Elicit input from Board of Health in order to craft a bylaw that addresses the specific needs of the community (A preliminary draft of a proposed Lead Paint Bylaw has been presented to Town Counsel. The draft requires timelines that would enable the enforcement and due process of the proposed bylaw.)
- Enlist the Board of Health and the Building Inspector to possibly address the current lead paint health issue through the enforcement of current laws.

The consensus of the Board was to narrow their efforts to specifically address commercial buildings with flaking lead paint health issue of lead paint on public ways due to exterior flaking paint on commercial buildings. The Chairman and the Town Administrator will move forward by contacting the Board of Health and the Building Inspector regarding the creation of a bylaw that will be applicable to lead based paint on the exterior of commercial buildings.

Master Plan

The Board discussed the development of a Master plan. The Chairman introduced the idea of website based permitting as implemented in Seattle, Washington. The Planning Board may initiate a Master plan, however it is not contingent upon the Planning Board, therefore the Chairman will distribute Master plan information to the other members to consider for a future discussion.

Town Charter

There are two main routes to incorporate a town charter.

1. Electing a home rule charter commission (a commission of 9 members) "frame a charter" for the Town upon petition of 15% of the voters. Preliminary report must be done within 16 months with a maximum of 18 months to produce the final report. Two public hearings must be held. Per provisions of MGL Chapter 43B. Per MGL Chapter 39, sec 23, the commission may examine any and all features relating to the municipality's structure and may propose a form of government that they determine will be responsive to the town.
2. Petitioning the State legislature for special legislation ("the home rule petition"). This is driven by citizen petition, in case there is opposition from the governing body. The citizen petition brings the question to a local election where the citizens decide whether there should be a charter commission and, if so, a charter commission is elected. The commission then researches and presents their findings. They either determine that a Town Charter is not in the Town's best interest or they present a charter to the voters. Once approved by the voters, it must be approved by the Attorney General's office. Currently the town is ruled according to by law, enacted by Town Meeting. A charter would create a Constitution for the Town. The charter is a governing document that is superior to the Board of Selectmen and until amended, superior to Town Meeting. Amendments require the vote of the Legislature. The Board will reconsider this topic at a future meeting.

Warrant approval
for Animal
Control

As dictated in the Massachusetts General Law Chapter 140 Section 151A, the Board of Selectmen must issue this warrant to the Animal Control Officer on an annual basis. It establishes the official procedures by which the Animal Control Officer is to perform his duties. After discussion: VOTE: Selectman Patacchiola moved that the Board sign the Animal Control Officer's Warrant, in accordance with MGL Chapter 140, Sec. 151(a). Selectman Cutler 2nd. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.

Agricultural
Commission
Appointment

After discussion: VOTE: Selectman Cutler moved that Jennifer Janowicz be appointed to the Agricultural Commission. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried. Ms. Janowicz will fill the vacancy created by the departure of Blue Favreau from the Commission.

Senior work off
minimum wage

The Commonwealth of Massachusetts raised the minimum wage to \$9.00 per hour on January 1, 2015. Currently, the Sterling Senior Work-off program workers are allowed \$8.00 per hour, toward their taxes, which is in compliance with the Federal minimum wage. Therefore, the Town is not required to increase the wage to \$9.00. An increase would mean that the workers would work fewer hours to obtain the same monetary benefit toward their taxes. An increase would not impact the town's budget. VOTE: Selectman Cutler moved to pay the Senior work-off volunteers the STATE minimum wage of \$9.00 per hour. Selectman Kilcoyne 2nd. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.

DLTA Grant

The Board was asked to approve a letter of endorsement for the District Local Technical Assistance Grant provided by the Montachusetts Regional Planning Agency. The Economic Development Committee has requested assistance from the MRPC to review commercial zoning and to look at areas in which to improve zoning and increase opportunity. The grant application has been submitted. As part of the process, and endorsement letter is required. VOTE: Chairman Patacchiola moved that the Board endorse the grant application. Selectman Cutler 2nd. Selectman Kilcoyne – Aye. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Motion carried.

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Approve One day alcohol

After Discussion: VOTE: Selectman Cutler moved to approve a one-day liquor license for the 8 point Sportsmen's Club for February 21 from 4pm – Midnight. Chairman Patacchiola 2nd. Selectman Cutler – Aye. Chairman Patacchiola – Aye. Selectman Kilcoyne – Abstained. Motion carried.

Town Administrator's Report

Census

The Town Clerk has reported that the census vendor has gone into receivership. Therefore, residents will receive a blank Census to be completed with information for all members of the home.

Town Web-site

The new website continues to be updated and enhanced. Users are reminded that they can navigate to the home page by clicking on the Town Seal. A Town Meeting section will be added to the web page.

Status Municipal Buildings

The interior of Municipal Building, main floor offices, will be painted by the prisoner's from the Sheriff's program. This will begin next week. The 1835 Town Hall needs the exterior South side painted. The Town Administrator and the Facilities Technician will speak with the Sheriff's department to see if they can also do that project.

The Town Administrator has spoke with the Finance Committee regarding the roof replacement for the 1835 Town Hall. An RFP will be developed by an architect.

ZBA request

The Zoning Board of Appeals has 2 openings for Alternate members. Anyone interested in volunteering should contact the Zoning Board or the Selectmen's office.

Annual Reports

Annual reports are due at the Town Clerk's office by March 11, 2015.

Up-date Budget/Finance

The requested increase for Fiscal Year 2016 Operating Budget is about 2.8%. (Excludes School budget) Health Insurance rates may be moderated because the Town has gone out to bid for services.

Purchasing of Office Supplies

The Town Administrator has researched the option of purchasing office supplies, collaboratively and decided upon WB Mason as the provider. This company will provide a substantial discount off their base price. A contract will be sent to the Town Administrator for review.

Selectman Kilcoyne commended the Sterling Municipal Light Department for providing resources for the electric and utility hook-up to the Senior Center at a reduced cost".

At the next meeting, Sterling Firefighters will be publicly commended for their role in assisting with the Hurricane Sandy disaster.

Developers of Virtual Town Budget will be invited to a future meeting to discuss and explain this tool. It is available to towns at no charge and keeps track of budgets and budget spending.

Public Session:

Mr. Rivers advised the Board that the Town of Hubbardston has received \$500,000.00 in a State grant toward a new senior center. It was stated in the newspaper that the grant money was not a BLOCK grant but that the funds could be used as seed money to make them eligible to apply for a BLOCK grant. He would like the Town of Sterling to pursue this opportunity.

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Also, Mr. River's reported that he wished to publically commend Sean Hamilton, Manager of the Sterling Municipal Light Department and his staff for receiving a 1.5 million dollar grant for energy resiliency for grid storage. The Select board also extended their commendation to Mr. Hamilton.

VOTE: Selectman Patacchiola moved to adjourn at 9:08pm. Selectman Cutler 2nd. Selectman Kilcoyne - Aye. Selectman Cutler – Aye. Selectman Patacchiola – Aye. Motion Carried.

materials list: minutes, Tax Title info, Personnel Bd Proposed bylaw changes, Charter info, ACO Warrant, Janowicz appl. for AC, minimum wage info., DLTA App., Eight Point Sportsmen's Club applications, census info,

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