

THE COMMONWEALTH OF MASSACHUSETTS

**TOWN OF STERLING
ANNUAL TOWN MEETING
MAY 14, 2007**

Worcester, ss.

To the Warrant Officer or either of the Constables of the Town of Sterling in the county of Worcester:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the Inhabitants of the Town of Sterling qualified to vote in elections and Town affairs to meet at the Chocksett School on Boutelle Road, in said Sterling on

MONDAY EVENING, THE FOURTEENTH DAY OF MAY, 2007

at seven (7:00) o'clock in the evening, then and there to act on the following articles:

ARTICLE 1. To see if the Town will vote to raise by taxation and appropriate the sum of \$8,480,317 and to further appropriate, from the EMS Receipts Account, the sum of \$273,306, or any other sum for the payment of salaries and compensation, payment of debt and interest and for charges, expenses and outlays of the Town departments, for the ensuing fiscal year, beginning July 1, 2007 and ending June 30, 2008, or take any action in relation thereto.

Submitted by: Finance Committee

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This is the general budget article that funds the Town departments for the coming fiscal year. A breakdown of the Town Department budgets can be viewed on the preceding spreadsheets.

ARTICLE 2. To see if the Town will vote to fix the salaries and compensation of all elected officers of the Town as provided by Section 108 of Chapter 41 of the General Laws, as amended, and as voted in Article #1 of this warrant, or take any action in relation thereto.

Submitted by: Finance Committee

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article fixes the salaries and compensation for all elected officials as presented in the general budget.

ARTICLE 3. To see if the Town will vote to raise and appropriate \$7,891,214 which is equal to Sterling's net minimum contribution, as provided by the Commonwealth of Massachusetts, plus the cost of Sterling's share of WRSD transportation costs and our portion of the WRSD debt and interest costs, in accordance with Section 16B of Chapter 71 of the General Laws, as amended, and Section #4 of the Wachusett Regional School District Agreement, as amended, for its share of operational costs and of debt and interest charges of the Wachusett Regional School District, or take any action in relation thereto.

Submitted by: Board of Selectmen

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article funds the Town's portion of the Wachusett Regional School District's annual budget equal to the net minimum (\$7,208,272), as directed by the State, plus the costs for transportation (\$323,361) and debt and interest (\$359,581).

ARTICLE 4. To see if the Town will vote to raise and appropriate the sum of \$993,827 above the net minimum contribution as requested by the Wachusett Regional School District, or take any action in relation thereto.

Submitted by: Finance Committee

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article funds the Town's portion of the Wachusett Regional School District's annual budget that is above the amount necessary to fund the net minimum contribution as required in Article 2 above for fiscal year 2008. Last year the total for this item was \$974,420. This year's figure was arrived at by calculating the town department's operating budget increase (excluding changes relating to debt, interest and extraordinary items) and allowing for up to the same percentage increase in the school's operating budget (excluding changes relating to debt and interest). This article effectively establishes a ceiling on the Sterling contribution over the net minimum required, however, the actual number is expected to be lower based on the collective efforts of the five regional towns to work with the WRSD administration on a fiscally responsible budget.

ARTICLE 5. To see if the Town will vote to raise and appropriate \$595,029, in accordance with Section 16B of Chapter 71 of the General Laws, as amended, and Section #4C and E of the Montachusett Regional Vocational School District Agreement for its share of operational and capital costs of the Montachusett Regional Vocational School District, and to transfer, from the Capital Fund, the sum of \$12,048, for the purpose of paying the Town's portion of the debt and interest for the Montachusett Regional High School Building Project for a total appropriation of \$607,077, or take any action in relation thereto.

Submitted by: Board of Selectmen

Recommendation: Both the Finance Committee and Capital Fund Committee recommend the passage of this article.

Summary: This article funds the Town's portion of the Montachusett Regional Vocational School District's annual budget and debt service.

ARTICLE 6. To see if the Town will vote to amend the Zoning Map of the Town of Sterling by re-zoning 11 Parcels of land, totaling 55.53 +/- acres, from Rural Residential and Farming to Light Industrial, (portions of some parcels are currently zoned Light Industrial) and listed in the Assessors' Map Plan Book as: Map 66, Lot 26 (1.8 acres to be re-zoned), Map 71, Lot 1 (4.5 acres to be re-zoned), Map 71, Lot 2 (8.6 acres to be re-zoned), Map 71, Lot 3 (8.41 acres to be re-zoned), Map 72, Lot 49 (7.96 acres to be re-zoned), Map 72, Lot 50 (1.1 acres to be re-zoned), Map 85, Lot 50 (16 acres to be re-zoned), Map 85, Lot 51 (2 acres to be re-zoned), Map 85, Lot 52 (3.73 acres to be re-zoned), Map 85, Lot 52, "Parcel A" (0.71 acres to be re-zoned) and "Parcel B" (0.72 acres to be re-zoned). Parcels A and B are shown on a plan recorded at the Worcester District Registry of Deeds in Plan Book 834, Plan 4, or take any other action in relation thereto.

Submitted by: Petition

Recommendation: The Finance Committee believes this will have a positive impact on the town's finances however the finance committee defers making a recommendation until town meeting.

Summary: This article, if approved will change the zoning from Rural Residential and Farming to Light Industrial. The property is located directly south of land fronting on Chocksett Road which is currently zoned Light Industrial, easterly of Leominster Road (Route 12), and directly westerly of land fronting on Clinton Road (Route 62).

ARTICLE 7. To see if the Town will vote to amend the Zoning Map of the Town of Sterling by re-zoning three (3) parcels of land totaling 2.83 +/- acres from Rural Residential and Farming to Commercial, identified in the Sterling Assessors' Map Plan Book as: Map 66, Lot 2 (0.99 acres), Map 66, Lot 3 (0.97 acres) and Map 66, Lot 4 (0.87 acres) and being 140 and 134 Leominster Road and 84 Laurelwood Road respectively, having frontage on the westerly side of Leominster Road across the road from Chocksett Crossing and from the Sterling Police Station, or take any action in relation thereto.

Submitted by: Petition

Recommendation: The Finance Committee believes this will have a positive impact on the town's finances however the finance committee defers making a recommendation until town meeting.

Summary: This article, if approved, will change the zoning of the land to Commercial, effectively extending the current strip of Commercial land northerly almost to I-190.

ARTICLE 8. To see if the town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$10,000 to pay for the painting of centerlines on Town roads, said sum to be expended by the Department of Public Works, or take any action in relation thereto.

Submitted by: Department of Public Works

Recommendation: The Finance Committee recommends passage of this article.

Summary: This article will be used to fund the painting of yellow center lines on Town roads.

ARTICLE 9. To see if the Town will vote to raise and appropriate the sum of \$20,000, as a portion of the sum needed to be used with funds already appropriated, to pay the cost of the work necessary to provide for the ongoing revaluation and the annual operation of the Assessors' department, said sum to be expended by the Board of Assessors for said purposes, or take any action in relation thereto.

Submitted by: Board of Assessors

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article raises money needed to provide for the ongoing operation and revaluation work that is needed to be accomplished on an annual basis.

ARTICLE 10. To see if the Town will vote to appropriate the sum of \$318,899, contingent upon the Commonwealth of Massachusetts' funding of the Chapter 90 program, said sum to be reimbursed by the Commonwealth of Massachusetts for highway resurfacing and/or other related work or expenditures as allowed by the State Chapter 90 regulations, said sum to be expended by the Department of Public Works, or take any action in relation thereto.

Submitted by: Department of Public Works

Recommendation: The Finance Committee defers on this article until Town Meeting. The Finance Committee would like a more specific accounting of these funds.

Summary: This article allows the Town to expend money under the guidelines of Chapter 90 for road maintenance, equipment purchases, and other various projects which is then reimbursed by the Commonwealth.

ARTICLE 11. To see if the Town will vote to raise and appropriate the sum of \$24,250 for hydrant rental, said sum to be paid to the Department of Public Works and used as revenue for the Water Department, or take any action in relation thereto.

Submitted by: Department of Public Works

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article is self explanatory

ARTICLE 12. To see if the Town will vote to raise and appropriate \$7,500 to fund the Senior Citizen Work-Off Abatement Program for fiscal year 2008, or take any action in relation thereto.

Submitted by: Board of Selectmen

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This program allows seniors to work in various Town departments and receive an abatement on their taxes. The maximum amount that a household can earn in abatements is \$750. The amount appropriated would allow for a maximum of ten individuals earning the maximum amount, more people could be allowed to work but their total earned could not exceed the \$7,500 appropriated in the article.

ARTICLE 13. To see if the Town will vote to set the salary of the Municipal Light Board as follows: Chairman \$600; Clerk \$600; Third member \$600; said sum to be an expense of the Municipal Light Department, or take any action in relation thereto.

Submitted by: Sterling Municipal Light Department

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article sets and funds the salary for the Municipal Light Board Members for FY2008.

ARTICLE 14. To see if the Town will vote to include in the tax levy for electricity used for street lights the sum of \$40,000 and that said sum and the income from the sale of electricity to private consumers or for electricity supplied to municipal buildings or for municipal power, and for jobbing and other revenues during the current fiscal year, be appropriated for the Municipal Lighting Plant or Department, the whole to be expended by the Manager of municipal lighting under the direction and control of the Municipal Light Board for the expense of the Plant or Department for the said fiscal year, as defined in Section 57 of Chapter 164 of the Massachusetts General Laws or any other appropriate sections or chapters, and that if this sum and said income shall exceed said expense for said fiscal year, such excess shall be transferred to the Depreciation Fund, Construction Fund or any fund of said Department and appropriated and used for the purpose of maintaining the Plant or Department thereto as may thereafter be authorized by the Municipal Light Board or take any action in relation thereto.

Submitted by: Sterling Municipal Light Department

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article funds the Town's streetlights for fiscal year 2008.

ARTICLE 15. To see if the Town will vote to raise and appropriate the sum of \$1,500, to be used for expenses for Wachusett Greenways, a six Town collaborative, said funds to be administered and expended by Wachusett Greenways, or take any action in relation thereto.

Submitted by: Board of Selectmen

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article would provide financial assistance to the six Town collaborative working on the Wachusett Greenways project, including the Rail Trail in Sterling.

ARTICLE 16. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,500, to be used for expenses for The Sterling Land Trust, an organization dedicated to the preservation of various parcels of land within the Town, said funds to be administered and expended by the Trust, or take any action in relation thereto.

Submitted By: Board of Selectmen

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article would provide financial assistance to the Sterling Land Trust which maintains various parcels of land within the Town for the passive recreational use of the residents.

ARTICLE 17. To see if the Town will vote to raise and appropriate the sum of \$100,000, to fund the Reserve Fund for fiscal year 2008 in accordance with the provisions of General Law Chapter 40, Section 6, as amended, or take any action in relation thereto.

Submitted by: Finance Committee

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article funds the Reserve Fund, which is used by the Finance Committee to cover unexpected shortfalls in department budgets.

ARTICLE 18. To see if the Town will vote to raise and appropriate the sum of \$5,000, to fund the maintenance of the 1835 Town Hall for fiscal 2008, said sum to be expended by the 1835 Town Hall Committee, or take any action in relation thereto.

Submitted by: 1835 Town Hall Committee/Board of Selectmen

Recommendation: The Finance Committee recommends passage of this article.

Summary: This article provides for the maintenance of the 1835 Town hall.

ARTICLE 19. To see if the town will vote to transfer from the Capital Fund the sum of \$60,000 to purchase a new 1 ton 4x4 pickup truck with plow and sander and with all other pertinent attachments and equipment and to authorize the payment of the purchase price in part from proceeds of the trade in or auction of a 1995 Ford F-350 pickup truck and the balance in cash out of said appropriation, said sum to be expended by the Department of Public Works, or take any action in relation thereto.

Submitted by: Department of Public Works

Recommendation: The Finance Committee and the Capital Committee recommend the passage of this article.

Summary: This new truck would replace a 12-year-old vehicle. This truck is used on a daily basis for varied duties including plowing, patching, brush chipping, etc. It has over 90,000 miles on it. A great deal of hours are on this truck due to the fact it often is at a work site standing still or plowing slowly. The cab, body and other major components are badly rusted out.

ARTICLE 20. To see if the Town will vote to transfer from the Capital Fund the sum of \$9,000 as the Town's 5% match for a Federal Fire Act Grant applied for by the Fire Department for an upgrade to the current Self-Contained Breathing Apparatus (S.C.B.A.) valued at \$180,000, or take any action in relation thereto.

Submitted By: Fire Chief

Recommendation: Both the Finance Committee and the Capital Committee recommend the passage of this article.

Summary: The Fire Department will be applying for a Federal Grant to purchase new Self-Contained Breathing Apparatus (SCBA) to replace the existing three generations of SCBA that is over ten years old and does not meet current NFPA or firefighter safety standards. As part of the grant requirement, if successful, the town will need to provide a 5% match to the funds. If unsuccessful any money approved will be returned to the Capital Fund.

ARTICLE 21. To see if the town will vote to transfer the sum of \$40,000 from the Capital Fund for the purposes of purchasing a new Fire Department S.U.V. and all appurtenant equipment for the Fire Chief, the old SUV to be transferred to the police department to be used as an Animal Control vehicle or take any action in relation thereto.

Submitted by: Fire Chief / Board of Selectmen

Recommendation: Both the Finance Committee and the Capital Committee recommend the passage of this article.

Summary: This will replace a ten year old S.U.V. and will support the fire department command functions, specifically those of the fire chief. The current vehicle will remain in service and be used as an ACO vehicle.

ARTICLE 22. To see if the Town will vote to transfer from the Capital Fund the sum of \$15,000 to purchase an Animal Control Vehicle complete with equipment as needs dictate, or take any action in relation thereto.

Submitted By: Citizens Petition

Recommendation: This article was received after the Finance Committee and the Capital Committee had finished budget deliberations and therefore will make a recommendation at Town Meeting.

Summary: This article is self explanatory.

ARTICLE 23. To see if the Town will vote to transfer from the Capital Fund the sum of \$26,000 for the the purchase of a replacement vehicle currently used by the Police Chief, or take any action in relation thereto.

Submitted By: Police Chief

Recommendation: Both the Finance Committee and the Capital Committee recommend the passage of this article.

Summary: This article provides funding for a new vehicle for the police Chief. The car being replaced is a 1999 model year.

ARTICLE 24. To see if the town will vote to transfer the sum of \$150,000 from the Capital Fund for the purposes of purchasing a used Rescue Truck to replace the 1986 Rescue, Truck or take any action in relation thereto.

Submitted by: Fire Chief

Recommendation: Both the Finance Committee and the Capital Committee recommend the passage of this article.

Summary: The original Capital Plan request was to purchase a new Heavy Rescue. Two years ago the purchase price was \$175,000, last year it increased to \$210,000 and this year's projected cost was \$310,000. The department has researched newer model Rescue Trucks that are used but still in good physical and operating condition that will meet the need of the department and will save the town money. The fire department is requesting \$150,000 be allocated toward the purchase of a used vehicle and appurtenant equipment. Without the pre-approved funding, the department is unable to negotiate with companies offering the used vehicles. If a vehicle is not purchased within fiscal year 2008 the money will be returned to the Capital Fund and a new request for funding will be made at next year's Annual Town Meeting.

ARTICLE 25. To see if the Town will vote to transfer from the Capital Fund the sum of \$12,000 for the purchase of a new copier for the Town Hall, or take any action in relation thereto.

Submitted By: Board of Selectmen

Recommendation: Both the Finance Committee and the Capital Fund Committee recommend the passage of this article.

Summary: This article provides money for the purchase of a replacement copier for the Town Hall which is over 10 years old.

ARTICLE 26. To see if the Town will vote to transfer from the Capital Fund the sum of \$25,000 for the purchase for replacement and upgrade of the Phone systems in the Town Hall, DPW Building and the Police Station or take any action in relation thereto.

Submitted By: Board of Selectmen

Recommendation: Both the Finance Committee and the Capital Fund Committee recommend the passage of this article.

Summary: This article will pay for new equipment to be installed in the respective buildings to allow for among other things an automated operator, voice mail, call forwarding, etc.

ARTICLE 27. To see if the Town will vote to transfer from the Capital Fund the sum of \$20,000 for the purchase of software to be incorporated with the Town's accounting software in order to integrate the Treasurer's receipts and reconciliation or take any action in relation thereto.

Submitted By: Treasurer/Collector

Recommendation: Both the Finance Committee and the Capital Fund Committee recommend the passage of this article.

Summary: This article will provide funds for software that will integrate with the existing financial software to allow one software package to do all of the financial inputs and reconciliations of accounts.

ARTICLE 28. To see if the Town will vote to transfer from the Capital Fund the sum of \$17,100 for the purchase the following items:

Refurbishment of Engine 2	\$10,000
Computer for ACO	\$500
Freezer for Council on Aging	\$1,600
Buoys for the Recreation Department	\$3,000
Training Aids for the DPW	\$2,000

or take any action in relation thereto.

Submitted By: Capital Committee

Recommendation: Both the Finance Committee and the Capital Fund Committee recommend the passage of this article.

Summary: This article provides funding for (A) \$10,000 for Engine 2 which is a 1997 Pierce Rescue Pumper that has had continuous problems with rust and rot due to the breakdown between the body and mounted components due to dissimilar metals. This is the newest Engine in the department and it is vital that this work be done now in order to keep it maintained and available for its expected useful life which is anticipated to be 20 – 25 years (B) \$500 for a computer for the Animal Control officer (C) \$3000 for buoys for the swimming area at the lake (D) \$2000 for the DPW for a laptop computer a VCR and TV for training equipment for the DPW.

ARTICLE 29. To see if the Town will vote to raise and appropriate the sum of \$785,831.67 to operate the Water Department. The Finance Committee recommends that the following sums be appropriated to operate the water department:

Salaries	\$164,186.81
Expenses	<u>\$238,650.00</u>
Subtotal	\$402,836.81

Debt & Interest	\$302,427.50
Indirect Costs	<u>\$ 80,567.36</u>
Total	\$785,831.67

The total of \$785,831.67 to come from water revenue with \$80,567.36 of that amount to be appropriated to the general fund, or take any action in relation thereto.

Submitted by: Department of Public Works Board

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article funds the Water Department budget solely from water revenue for fiscal year 2008.

ARTICLE 30. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$26,750 said sum contingent on receipt of a grant from the Massachusetts Historical Commission, to perform design of universal accessibility additions and renovations to the 1835 Town Hall. Said sum to be expended by the 1835 Town Hall Committee or take any action in relation thereto.

Submitted By: 1835 Town Hall Committee

Recommendation: The Finance Committee defers the discussion of this article to Town Meeting. The Finance Committee has not seen a long-term use assessment of the 1835 Town Hall and is concerned about continued expenditures without a long-term plan for use of the building.

Summary: This article creates matching funds for a study because complete design plans are required to apply for grants to aid in the construction of accessibility additions.

ARTICLE 31. To see if the Town will vote to amend the General By-Laws of the Town of Sterling by repealing “Acceptance of Public Ways” **Section 2.** or take any action thereon.

Section 2 currently reads “the acceptance of ways may only take place at an Annual Town Meeting”.

Submitted By: Planning Board

Recommendation: The Finance committee recommends against the passage of this article.

Summary: This amendment will allow roads to be accepted as public ways at any Town Meeting, Special or Annual. The current requirement that this be only done at an Annual Town Meeting was adopted on May 17, 2004 to allow for DPW budgets to include funds for their plowing and maintenance prior to the next winter season. This hasn’t worked and has only served to make such acceptance more burdensome.

ARTICLE 32. To see if the Town will vote to transfer from the Capital Fund the sum of \$87,355 to the General Fund to offset the cost of the Fire Truck debt and interest for fiscal 2008, or take any action in relation thereto.

Submitted by: Capital Fund Committee

Recommendation: Both the Finance Committee and the Capital Fund Committee recommend the passage of this article.

Summary: This article takes money out of the Capital Fund to pay the debt and interest payments associated with the Fire Truck for fiscal year 2008. The Town approved the purchase of the new truck at the May 2004 Town Meeting and it was explained at that time that the truck would be paid for out of the Capital Fund.

ARTICLE 33. To see if the town will vote to continue a revolving Account as allowed by Chapter 44, Section 53E ½ of the General Laws, as amended, for the purpose of Recycling, and further the amount spent from this account is not to exceed \$125,000 within the fiscal year, with said account to be under the control of the Department of Public Works, or take any action thereto.

Submitted by: Department of Public Works

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article must be voted on each year to maintain a revolving recycling account for the purposes of operating the drop off recycling facility at the Department of Public Works yard. Money is collected at the facility for various drop off items and disposal of these items and is paid for out of this account.

ARTICLE 34. To see if the town will vote to continue a revolving Account as allowed by Chapter 44, Section 53E ½ of the General Laws, as amended, for the purpose of providing a Fuel Revolving Fund, and further the amount spent from this account is not to exceed \$125,000 within the fiscal year, said account to be used for the purchase and accounting of fuel for the various town departments with said account to be under the control of the Fire Chief, or take any action thereto.

Submitted by: Fire Department

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article must be voted on each year to maintain a revolving fuel account for the purpose of operating a fuel delivery system at the Department of Public Works yard for all Town vehicles. Money is paid into this account by the various Town departments utilizing the fuel. Fuel purchases and fuel system maintenance expenses are paid out of this account.

ARTICLE 35. To see if the Town will vote to continue a Revolving Account as allowed by Chapter 44, Section 53E ½ of the Massachusetts General Laws, as amended, for the purposes of administering the Deputy Tax Collector fees and the amount spent from this account is not to exceed \$15,000 in the fiscal year said amount to be under the control of the Treasurer/Collector, or take any action in relation thereto.

Submitted By: Treasurer/Collector

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article would continue a revolving fund for the collection and payment of fees collected by the Town's Deputy Tax Collector.

ARTICLE 36. To see if the Town will vote to continue a Revolving Account as allowed by Chapter 44, Section 53E ½ of the Massachusetts General Laws, as amended, for the purpose of collecting fees and revenue income to defray the expenses of the 1835 Town Hall, and to be used for its upkeep, the amount spent from this account is not to exceed \$15,000 within the fiscal year, with said account to be under the control of the Town Hall Committee, or take any action in relation thereto.

Submitted by: Sterling Town Hall Committee

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article provides for funds generated by the use of the 1835 Town Hall to be used for the maintenance of the 1835 Town Hall.

ARTICLE 37. To see if the Town will vote to continue a Revolving Account as allowed by Chapter 44, Section 53 E ½, of the Massachusetts General Laws, as amended, for the purpose of collecting Planning Board Fees not covered by other General Laws and using said funds for the operation of the Planning Board, the amount spent from this account is not to exceed \$35,000 within the fiscal year, with said account to be under the control of the Planning Board, or take any action in relation thereto.

Submitted by: Planning Board

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article continues a revolving fund for the support of Planning Board operations.

ARTICLE 38. To see if the Town will vote to continue a Revolving Account as allowed by Chapter 44, Section 53 E ½ of the Massachusetts General Laws, as amended, for Council on Aging said account to be used for the purpose of expenses, contractual services, and equipment for COA related programs, the amount spent from this account is not to exceed \$25,000 within the fiscal year, with this account to be under the control of the Council on Aging, or take any action in relation thereto.

Submitted by: Council on Aging

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article continues a revolving fund for the support and funding of Council On Aging related programs.

ARTICLE 39. To see if the Town will vote to continue a Revolving Account as allowed by Chapter 44, Section 53 E ½ of the Massachusetts General Laws, as amended, for the purposes of running the Fair, which the amount spent from this account is not to exceed \$125,000 within the fiscal year, said account to be used to receive funds for and to pay the expenses of the Town fair, with this account to be under the control of the Fair Committee, or take any action in relation thereto.

Submitted by: Fair Committee

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article continues a revolving fund that is used to fund the Town fair.

ARTICLE 40. To see if the Town will vote to name the park currently known as the Muddy Pond Community Park located at the corner of Muddy Pond Road and Griffin Road to Sterling Greenery Community Park or take any action in relation thereto.

Submitted by: Sterling Play Area Recreation (Sub) Committee (S.P.A.R.C.)

Recommendation: The Finance Committee defers to Town meeting on this article.

Summary: In February of 2007, Sterling Greenery committed to in-kind donations totaling more than \$86,000 for the new park. This includes renovating the pond, building a waterfall, installing plantings in and around the pond, and installing pavers in the park. The naming rights for the park set forth by the Sterling Play Area Recreation (Sub) Committee (S.P.A.R.C.) was \$40,000 or greater in either cash or in-kind donations.

ARTICLE 41. To see if the Town will vote to accept Village Lane as a public way, in its entirety, together with all easements, as laid out and shown on a plan on file with the Town Clerk's Office. Such acceptance will not be final until the Title for the road has been cleared of all outstanding Orders of Conditions as may have been issued by the Sterling Conservation Commission or the DEP and the As-Built Plan, Roadway Layout Plan, and the Deed(s), to the aforesaid have been recorded in the Worcester Registry of Deeds at the expense of the Applicant / Developer and duly delivered along with clear title to the Board of Selectmen, or take any action in relation thereto.

Submitted by: Planning Board

Recommendation: The Finance Committee defers to town meeting on this article.

Summary: This article is self explanatory

ARTICLE 42. To see if the Town will vote to accept Lesley Lane as a public way, in its entirety, together with all easements, as laid out and shown on a plan on file with the Town Clerk's Office. Such acceptance will not be final until the Title for the road has been cleared of all outstanding Orders of Conditions as may have been issued by the Sterling Conservation Commission or the DEP and the As-Built Plan, Roadway Layout Plan, and the Deed(s), to the aforesaid have been recorded in the Worcester Registry of Deeds at the expense of the Applicant / Developer and duly delivered along with clear title to the Board of Selectmen, or take any action in relation thereto.

Submitted by: Planning Board

Recommendation: The Finance Committee defers to town meeting on this article.

Summary: This article is self explanatory.

ARTICLE 43. To see if the Town will vote to accept Sandy Ridge Road as a public way, in its entirety, together with all easements, as laid out and shown on a plan on file with the Town Clerk's Office. Such acceptance will not be final until the Title for the road has been cleared of all outstanding Orders of Conditions as may have been issued by the Sterling Conservation Commission or the DEP and the As-Built Plan, Roadway Layout Plan, and the Deed(s), to the aforesaid have been recorded in the Worcester Registry of Deeds at the expense of the Applicant / Developer and duly delivered along with clear title to the Board of Selectmen, or take any action in relation thereto.

Submitted by: Planning Board

Recommendation: The Finance Committee defers to town meeting on this article.

Summary: This article is self explanatory.

ARTICLE 44. To see if the Town will vote to accept Pine Woods Lane as a public way, in its entirety, together with all easements, as laid out and shown on a plan on file with the Town Clerk's Office. Such acceptance will not be final until the Title for the road has been cleared of all outstanding Orders of Conditions as may have been issued by the Sterling Conservation Commission or the DEP and the As-Built Plan, Roadway Layout Plan, and the Deed(s), to the aforesaid have been recorded in the Worcester Registry of Deeds at the expense of the Applicant / Developer and duly delivered along with clear title to the Board of Selectmen, or take any action in relation thereto.

Submitted by: Planning Board

Recommendation: The Finance Committee defers to town meeting on this article.

Summary: This article is self explanatory.

ARTICLE 45. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the Fiscal Year beginning July 1, 2007, in accordance with the provisions of Chapter 44, Section 4, of the General Laws, as amended, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of Chapter 44, Section 17, of the General Laws, as amended, or take any action in relation thereto.

Submitted by: Treasurer/Collector

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article allows the Treasurer with the approval of the Board of Selectmen to borrow money as needed.

ARTICLE 46. To see if the Town will vote pursuant to Chapter 44, Section 53F of the General Laws, as amended, to authorize the Town Treasurer/Collector to enter into compensating balance agreements, for FY2008, or take any action in relation thereto.

Submitted by: Treasurer/Collector

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article allows the Treasurer/Collector to enter into compensating balance agreements with banking institutions as needed for the operation of the department.

ARTICLE 47. To see if the Town will vote to amend the Town of Sterling General By-Laws by deleting the current **ALARMS** section in its entirety and inserting the following or take any action in relation thereto:

Section 1. Purpose

The purpose of this By-Law is to protect the public safety and well being by ensuring that alarm systems installed in the Town of Sterling are designed, installed and maintained to achieve the following:

- a. Maximum protection for life and property
- b. Conformity of system design with local, state and national standards and Sterling Police & Fire Department standard operating guidelines.
- c. Reduction of needless and/or false alarms.
- d. High reliability.
- e. Ease of operation and understanding.

Section 2. Enforcement and Appeal

The terms of this by-law shall be enforced by the Sterling Police Chief or Fire Chief or his/her designee. Appeals from the Chief's determinations shall be made to the Sterling Board of Selectmen within thirty (30) days from their receipt by the appellant. All necessary records will be maintained by the Sterling Fire Department.

Section 3. Fees and Penalties

- a. All Fees and penalties prescribed by this By-Law shall be paid to the Town of Sterling through the Town Collector and shall inure to the use of the town. All bills will be sent to the Sterling Fire Department.
- b. The Fire or Police Chief is authorized to set and or to change any fees prescribed by this By-Law from time to time, with the prior approval from the Board of Selectmen.

Section 4. Alarms which automatically dial the dispatcher answered telephones in the Sterling Dispatch Center and deliver a recorded message.

- a. Must use the telephone number(s) provided by the Chief of Police or Fire Chief.
- b. Any such alarm which uses either the Police Department or Fire Department emergency number will incur a penalty of \$100.00 for the second and each subsequent offense.

Section 5. Municipal Alarm System

- a. Any fire alarm system installed to meet the requirements as a Protected Premises Fire Alarm System (as defined by NFPA 72 Chapter 6) shall be connected to the Municipal Alarm System by an AES 7750F type compatible radio master box purchased, installed and maintained by the owner of the protected premises. Systems shall be configured to ensure that the maximum amount of information available is transmitted to the dispatch office, including but not limited to point, device, zone, supervisory, trouble or other specific information for identifying the origin, location and/or type of alarm signals. Zone configurations are to be approved by Fire Chief or his/her designee. All radio master box installations shall be approved by the Fire Department and installed to ensure reliable and consistent operation.
- b. Any premise connected to the Municipal Alarm System shall be required to have a Knox Box installed and provided by the owner of the premise. The Fire Chief or his/her designee shall approve of the location of the Knox Box prior to installation.
- c. All new installations and all upgrade installations shall be designed to meet the provisions of these requirements. Installers shall be required to submit a "Municipal Alarm Connection Permit" application prior to the installation of any equipment. The Fire Chief or his/her designee must sign off on the design and application prior to the installation of any equipment. The Police Chief will be

notified of any occupancy that is setup to monitor security signals through the Municipal Alarm System. All new installations shall be fully tested in the presence of the appropriate Code Official for acceptance and approved before the system is placed in service. In the case of new construction, no premise shall be allowed occupancy without this approval.

- d. It shall be the option of the owner of a premise connected to the Municipal Alarm System as to whether or not the security system is monitored through the radio master box or central station.
- e. There shall be an annual fee of not less than \$300 charged to the owner of an alarm system monitored by the Municipal Signaling System. A fee of \$100 annually shall be charged for a premise requiring street or call box access only. The term of service will run from July 1 to June 30. Failure to pay the fee will initiate civil court action. Annual fees shall be submitted to the Fire Department before June 30.
- f. The owner shall be required to provide an updated list of contact information and responsible party information to the Fire Department at the time payment is made.
- g. Should an alarm system connection be made to the system between January 1 and June 30 of a given term, the subscriber will be responsible for paying \$175 fee for the partial term of service. This fee is to be paid prior to final inspection of the installation.
- h. Any Alarm System in its entirety shall be properly maintained in good working order by the system owner.
- i. Testing and maintenance shall be in accordance with NFPA 72 Section 7-3. The Fire Department shall be informed of the test prior to its performance. Written documentation as to test results shall be kept on file on the premises and forwarded to the Fire Department.

Section 6. False Alarms

- a. The owner of any alarm, whether directly connected to the Dispatch Center, automatically dialed with a recorded message to the dispatch center, phoned in by an answering service or by any other person or otherwise causes a physical response by either the Sterling Police Department or the Sterling Fire Department will incur a penalty of \$25 for the third and each subsequent false alarm during any given calendar year.
- b. The determination as to whether an alarm was false or not will be made by the Chief of Police or the Fire Chief, after consultation with the responder(s) and the Fire Chief or Chief of Police if necessary

Submitted by: Fire Department

Recommendation: The Finance Committee recommends the passage of this article.

Summary: This article changes the existing By-Law to allow for the alarm systems currently being handled by the Fire Department to charge for the service and ensure the proper maintenance and upkeep of the Municipal Alarm System.

ARTICLE 48. To see if the Town will vote that a general section of **NOISE** be added to the General by-Laws of the Town of Sterling, MA. Furthermore, that under the general heading of “NOISE”, the following be included as:

Section 1.a

That during the hours of 7:00 A.M. to 7:00 P.M, no person, business or commercial operation in Sterling, MA shall produce noise in excess of 55 dBA measured at any point along the lot lines or 45dBA during the

hours of & 7:00 P.M. to 7:00A.M. (dBA shall mean the A-weighted sound level in decibels, as measured by a general purpose sound level meter complying with the provisions of the American National Standards institute, "Specifications for Sound Meters ANSI 1.4 1983" properly calibrated and operated on the "A" weighting network)

Section 1.b

Any person, firm, business or corporation violating, disobeying or refusing to comply with any section of this by-law shall be subject to a fine of not more than \$100 for the first offense and not more than \$300 for any subsequent offense. Each day during any portion of which such violation is allowed to continue shall be considered a separate offense.

Section 1.c

It shall be the duty of the Sterling Police Department to enforce this by-law and the duty of the Selectmen and the Constables of Sterling to enforce and collect said fines or take any action in relation thereto.

Submitted by: Citizen Petition

ARTICLE 49. To elect by ballot on Monday, May 21, 2007, at 7:00 AM at the Houghton School on Boutelle Road, the following officers:

- One Selectman to serve for three years
- One Selectman to serve for one year
- One Assessor to serve for three years
- One Health Board Member to serve for three years
- Two Constables to serve for three years
- Two Library Trustees to serve for three years
- One Public Works Board Member to serve for three years
- One Light Board Member to serve for three years
- One Planning Board Member to serve for five years
- Two Housing Authority Members to serve for five years
- One Wachusett School Committee Member to serve for two years
- One Wachusett School Committee Member to serve for three years

Also to choose by ballot or otherwise, such other officers as may be necessary.

The polls shall be opened on Monday, May 21, 2007 at seven (7:00) o'clock in the forenoon and shall remain open until eight (8:00) o'clock in the evening.

And you are directed to serve this warrant by posting up attested copies thereof, one at the Mary Ellen Butterick Municipal Building and one at the Conant Public Library in Sterling, seven (7) days at least before the time for holding said meeting.

Hereof fail not and make due return of this warrant with your doings thereto to the Town Clerk at the time and place of meeting as aforesaid.

Given under our hands this twentieth day of April 2007.

Sterling Board of Selectmen

Paul M. Sushchik, ,Chairman

Donlin K. Murray,

