

**MINUTES  
SPECIAL TOWN MEETING  
FEBRUARY 15, 2005**

At a legal meeting of voters of the Town of Sterling qualified to vote in town affairs, held on Monday the fifteenth day of February at seven (7:00) o'clock in the evening at the Chocksett School on Boutelle Road, the registrars checked in 186 of the 5364 registered voters of the town. Counters sworn in were Larry Noyes, Robert (Duffy) Lanciani, Michael Pineo and Ed McNamara. The Moderator, Peter Monaghan called the meeting to order at 7:12pm.

A moment of silence was held in honor of long time resident and town employee Stuart (Stu) Johnson who passed away on February 6, 2005.

**ARTICLE 1:** Motion made by Donlin Murray, after reading the article as follows, the motion was seconded by Richard Sheppard. Robert Spencer of 33 Kendall Hill Rd spoke on behalf of the article and showed a brief slide presentation. There was no further discussion.

Voted to transfer from the Capital Fund, and authorize the Board of Selectmen to spend, up to FOUR HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$485,000.00), for the purpose of purchasing for conservation and passive Recreation purposes, by negotiated purchase or otherwise, a certain property, located on Tara Lane, consisting of 33 acres, more or less, shown as "Town Conservation Land" on a plan entitled "East Lake Waushacum Overlook Conservation Project", made by CABCO Consult and dated 01/09/2005; and that any gifts, grants, reimbursements and other funds received for the purpose of the purchase of said land shall be deposited directly to the Capital Fund so that the net impact on the Capital Fund shall not exceed \$93,000.00. Said land is to be conveyed to the Town of Sterling under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as it may hereafter be amended and other Massachusetts statutes relating to Conservation, to be managed and controlled by the Conservation Commission of the Town of Sterling. The Conservation Commission shall also be authorized to file on behalf of the Town of Sterling any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts or the United States under the Self-Help Act (Chapter 132A, Section 11) and/or any other state or federal programs including those in aid of conservation land acquisition and to receive and accept such grants and reimbursements, including grants from private parties, for this purpose and/or any others in any way connected with the scope of this Article; and again these funds will be paid directly to the Capital Fund so that the net impact on the Capital Fund shall not exceed \$93,000.00; and the Board of Selectmen be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of The Town of Sterling to effect said purchase; and by this vote the Town also rescinds Article number eleven of the September 22, 2003, Special Town Meeting.

2/3rds vote is required on this article.

**PASSED**

**2/3RDS VOTE DECLARED BY MODERATOR**

**ARTICLE 2:** Motion made by Paul Sushchuk and after reading the article as follows, the motion was seconded by Mr. Sheppard. There was no discussion on this article

Voted to acquire, for Agricultural Preservation and Conservation purposes, by donation, a Conservation Restriction (CR) over a certain property known as the Rittenhouse Orchard, located on Kendall Hill Road, consisting of 13 acres, more or less, shown as "Orchard CR" on a plan entitled "East Lake Waushacum Overlook Conservation Project" made by CABCO Consult and dated 01/09/2005; that the CR on said property to be conveyed to the Town of Sterling under the provisions of Massachusetts General Laws, Chapter 40, Section 8C as it may hereafter be amended and other Massachusetts statutes related to conservation, to be managed and controlled by the Conservation Commission of the Town of Sterling; that said acquisition shall be contingent upon the Town's purchase of the property that is the subject of Article 1 of this warrant; and the Conservation Commission be authorized to file on behalf of The Town of Sterling any and all applications deemed necessary for grants and reimbursements from any state or federal programs in aid of conservation land acquisition or stewardship, and to receive and accept such grants or reimbursements, including grants from private parties, for this purpose and/or any others in any way connected with the scope of this Article; and that said funds so collected shall be paid to the Capital Fund so that the net impact on the Capital Fund shall not exceed \$93,000.00 for the acquisition of the property that is the subject of Article 1 and Article 2 of this warrant; and the Board of Selectmen be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of The Town of Sterling to effect said acquisition.

**PASSED**

**UNANIMOUS VOTE**

Paul Sushchuk spoke on behalf of the Board of Selectmen to thank all the many individuals that were involved. They acknowledge the following individuals and groups for their hard work and diligent effort; The Open Space Committee, Conservation Commission, Trust for Public Land, Finance Committee and the Capital Fund Committee. They also personally thanked Representative Louis Evangelitis and Senator Robert Antonioni for working so diligently obtaining this grant on behalf of the Town of Sterling. They also thanked the East Lake Waushacum Association, Ralph Meunier and the Rittenhouse family.

**ARTICLE 3:** Richard Sheppard made motion to move the words of the article, seconded by Donlin Murray.

There was no discussion on this article.

Voted to transfer from stabilization to the Communication Wage account the sum of \$4,500 to fund the Town Dispatchers contract for fiscal 2005.

**PASSED**

**2/3RDS VOTE DECLARED BY MODERATOR**

**ARTICLE 4:** Richard Sheppard made motion to move the words of the article, second by Donlin Murray.

Voted to transfer from stabilization to an After School Late Bus Account, under the control of the Board of Select- men, the sum of \$3,600.00 to be used to provide one after school late bus for three days per week for Sterling students at Wachusett Regional High School from March 1, 2005 to the end of the 2004-2005 school year with any funds remaining at the end of Fiscal 2005 to be transferred back to the stabilization account.

**PASSED**

**2/3RDS VOTE DECLARED BY MODERATOR**

Motion made and seconded to adjourn the meeting. The Moderator declared the meeting adjourned at 7:45pm

Respectfully submitted

Melanie J. Clark  
Town Clerk