

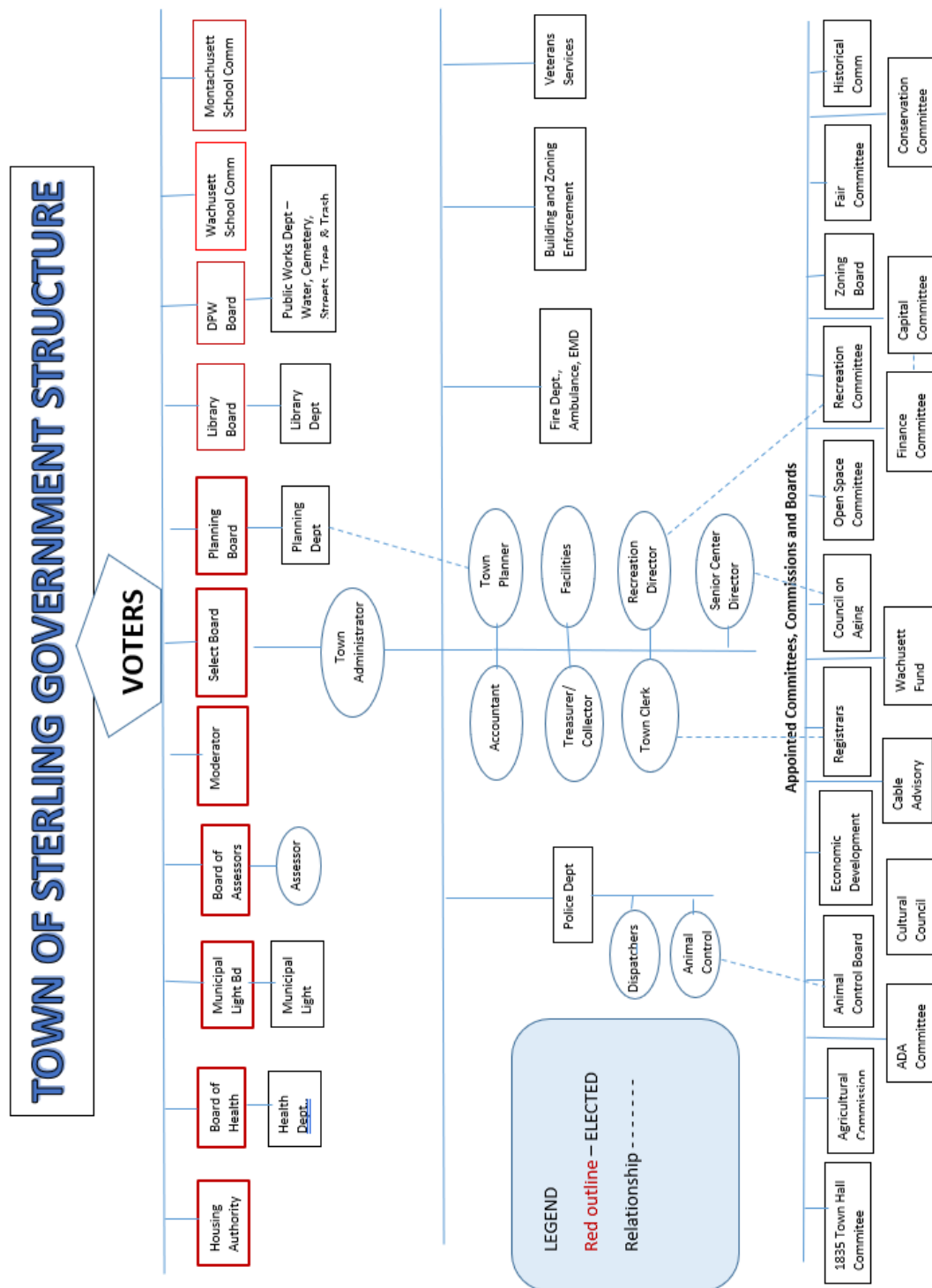
# Town of Sterling WARRANT

Attention – Voters and Taxpayers  
**Please bring this WARRANT to Town  
Meeting**



**May 1, 2023 Monday**  
Annual Town Meeting 6:30 PM Chocksett  
Middle School Gym 40 Boutelle Road

17  
18  
19



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**THE COMMONWEALTH OF MASSACHUSETTS**  
**TOWN OF STERLING**  
**ANNUAL TOWN MEETING**  
**May 1, 2023**

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 Middle School gym, 40 Boutelle Road in Sterling on:

MONDAY EVENING, THE FIRST DAY OF MAY, 2023 at Six Thirty (6:30 PM) in the evening, then and there to act on the following articles:

85 **ARTICLE 1: FY2024 TOWN OPERATING BUDGET**

86 To see if the Town will vote to raise and appropriate or transfer from available funds,  
 87 **\$13,295,903.00** or any other sum, and to further appropriate from the Ambulance Receipts  
 88 Account, \$500,000, and to further appropriate, from the Cemetery Perpetual Care Account,  
 89 \$10,000 and to further appropriate, from the Water Enterprise Fund \$70,176; for a total  
 90 appropriation of **\$13,295,903.00** for the payment of salaries and compensation, payment of debt  
 91 and interest and for charges, expenses and outlays of the Town Departments, for the ensuing  
 92 fiscal year, beginning July 1, 2023 and ending June 30, 2024, as shown in the municipal operating  
 93 budget printed at the back of this Warrant; or take any action in relation thereto.

94 ***Passage requires a Majority vote***

95  
 96 ***Motion: Move that the Town raise and appropriate the sum of \$12,715,727 and to transfer the***  
 97 ***additional sum of \$580,176 from the additional sources identified in the Warrant, under Article***  
 98 ***1, for a total appropriation of \$13,295,903, to be expended as shown in the municipal operating***  
 99 ***and Omnibus Budget as printed at the back of the Warrant.***

100

101 Submitted by: Town Administrator  
 102 Recommendations: Select Board recommends approval  
 103 Finance Committee recommends approval

104

105 ***Summary: This article authorizes spending and appropriates expenditures from the Town's***  
 106 ***General Fund for the Town's Fiscal Year 2024 Annual Operating Budget. Town departments and***  
 107 ***operations expenses are projected and paid from the General Fund budget for the coming fiscal***  
 108 ***year beginning July 1, 2023. A breakdown of the departmental budget requests, operations***  
 109 ***costs and town-wide unclassified expenses are included at the end of this warrant.***

110 **ARTICLE 2: WACHUSETT REGIONAL SCHOOL DISTRICT ASSESSMENT**

111 To see if the Town will vote to raise and appropriate or transfer from available funds, **\$13,135,104**  
 112 or any other sum, for the payment of the Town's assessment for the Wachusett Regional School  
 113 District ("WRSD") plus the cost of Sterling's share of WRSD transportation costs and the Town's  
 114 portion of WRSD debt and interest costs, for the ensuing fiscal year, beginning July 1, 2023 and  
 115 ending June 30, 2024; or take any action in relation thereto.

116 ***Passage requires a Majority vote***

117

118 ***Motion: Move that the Town raise and appropriate \$13,135,104 for the Town's Assessment to***  
 119 ***the Wachusett Regional School District.***

120

121 Submitted by: Wachusett Regional School Committee  
 122 Recommendations: Select Board recommends approval

Finance Committee recommends approval (4-2)  
***Summary: This article authorizes spending and the appropriation of funds from the Town's General Fund to pay the Wachusett Regional School Committee Assessment for the coming fiscal year.***

### **ARTICLE 3: MONTACHUSETT VOCATIONAL REGIONAL SCHOOL ASSESSMENT**

To see if the Town will vote to raise and appropriate or transfer from available funds, **\$1,018,231** or any other sum, for the payment of the Town's assessment for the Montachusett Vocational Regional School ("MVRs") for the ensuing fiscal year, beginning July 1, 2023 and ending June 30, 2024; or take any action in relation thereto.

***Passage requires a Majority vote***

***Motion: Move that the Town raise and appropriate \$1,018,231 for the Town's Assessment to the Montachusett Regional Vocation Technical School.***

Submitted by: Montachusett Vocational Regional School Committee

Recommendations: Select Board recommends approval

Finance Committee recommends approval

***Summary: This article authorizes spending and appropriation of funds from the Town's General Fund to pay the Montachusett Vocational Regional School Committee Assessment for the coming fiscal year.***

### **\*\*\*\*\* CONSENT AGENDA - ARTICLES 4 THROUGH 11 \*\*\*\*\***

***The first grouping of "consent agenda" items includes eight (8) individual articles, numbered four (4) through twelve (12). These articles represent annual fund transfers that are generally routine in nature, reoccur each year and typically do not require any explanation or debate.***

### **ARTICLE 4: SNOW & ICE DEFICIT (Consent)**

To see if the Town will vote to transfer from Free Cash, **\$225,000** or any other sum, to the Snow and Ice Account to cover any deficit in the snow and ice budget for the current fiscal year (FY23); or take any action in relation thereto.

***Passage requires a Majority vote***

Submitted by: Department of Public Works Board /Town Administrator

Recommendations: Select Board recommends approval

Finance Committee recommends approval

***Summary: This article transfers money into the Department of Public Works ("DPW") Snow and Ice Account to cover the deficit in the account caused by the snow and ice storms of this fiscal year.***

161 **ARTICLE 5: ELECTED OFFICERS COMPENSATION (Consent)**

162 To see if the Town will vote to fix the salaries and compensation of all elected officers of the Town  
163 as provided by Chapter 41, Section 108 of the General Laws [MGL Ch. 41 §108] as follows and as  
164 presented in Article 4 of this Warrant; or take any action in relation thereto.

165	Select Board Member:	\$1,500 per year
166	Board of Assessors Member:	\$1,500 per year
167	Board of Health Member:	\$300 per year
168	Planning Board Member:	\$300 per year
169	DPW Board Member:	\$600 per year
170	Town Moderator:	\$500 per year

171 ***Passage requires a Majority vote***

172  
173 Submitted by: Select Board  
174 Recommendations: Select Board recommends approval  
175 Finance Committee recommends approval

176 ***Summary: This article authorizes the compensation for elected officials as presented and***  
177 ***appropriated in the general omnibus budget, except the Sterling Municipal Light Board.***

178 **ARTICLE 6: MUNICIPAL LIGHT BOARD COMPENSATION (Consent)**

179 To see if the Town will vote to set the salary of the Sterling Municipal Light Board members as  
180 provided by Chapter 41, Section 108 of the General Laws [MGL Ch. 41 §108], as follows: Chairman  
181 \$1,500; Clerk \$1,500; Third member \$1,500; said sum to be an expense of the Sterling Municipal  
182 Light Department; or take any action in relation thereto.

183 ***Passage requires a Majority vote.***

184  
185 Submitted by: Sterling Municipal Light Board  
186 Recommendations: Select Board recommends approval  
187 Finance Committee recommends approval

188 ***Summary: In accordance with MGL Ch. 41, §108, Town Meeting is required to annually set the***  
189 ***salaries of elected officials. This Article authorizes the salaries of the elected members of the***  
190 ***Municipal Light Board. The expense is funded by Light Department revenues and has no impact***  
191 ***on the tax rate.***

193 **ARTICLE 7: STABILIZATION FUND (Consent)**

194 To see if the Town will vote to transfer **\$250,000**, from Free Cash to the Stabilization Fund, in  
195 accordance with the provisions of Chapter 40, Section 5B of the General Laws [MGL Ch. 40 §5B],  
196 as amended; or take any action in relation thereto.

197 ***Passage requires a Majority vote***

198  
199 Submitted by: Town Administrator

Recommendations: Select Board recommends approval  
Finance Committee recommends approval

***Summary: This article transfers funds from Certified Free Cash to the Stabilization Fund as part of the Town's long-term savings plan. This will increase the balance of the fund to \$1,171,256.***

#### ARTICLE 8: CAPITAL INVESTMENT FUND (Consent)

To see if the Town will vote to transfer **\$400,000**, from Free Cash to the Town's Capital Investment Fund; or take any action in relation thereto.

***Passage requires a Majority vote.***

Submitted by: Town Administrator

Recommendations: Select Board recommends approval  
Finance Committee recommends approval (4-2)

***Summary: This article transfers money from Certified Free Cash into the Capital Fund as part of the Town's long-term capital plan. This increases the balance of the fund to \$3,433,338.***

#### ARTICLE 9: OPEB TRUST FUND (Consent)

To see if the Town will vote to transfer **\$217,000**, from Free Cash to the Town's Other Post-Employment Benefits ("OPEB") Trust Fund, in accordance with the provisions of Chapter 32B, Section 20 of the General Laws [MGL Ch.32B §20], as amended; or take any action in relation thereto.

***Passage requires a Majority vote.***

Submitted by: Town Administrator

Recommendations: Select Board recommends approval  
Finance Committee recommends approval (4-2)

***Summary: This article transfers funds from Certified Free Cash to the Other Post-Employment Benefits ("OPEB") Trust Fund as part of the Town's long-term savings plan. This is roughly a \$15 million liability to the town. The updated balance is \$1,350,256.***

#### ARTICLE 10: RESERVE FUND FOR FY24 (Consent)

To see if the Town will vote to appropriate from Free Cash the sum of \$100,000 for the Reserve Fund for Fiscal Year 2024 in accordance with the provisions of Chapter 40, Section 6 of the General Laws [MGL Ch 40:06] as amended; or take any action in relation thereto.

***Passage requires a Majority vote.***

Submitted by: Town Administrator

Recommendation: Select Board Recommends Approval  
Recommendation: The Finance Committee Recommends Approval



**Summary: This article proposes an appropriation to fund the Reserve Fund, which is used by the Finance Committee to cover unexpected shortfalls in department budgets.**

## **ARTICLE 11: AMBULANCE RECEIPTS TO CAPITAL INVESTMENT FUND**

### **(Consent)**

To see if the Town will vote to transfer from Ambulance Receipts the sum of \$150,000 to the Capital Investment Fund; or take any action in relation thereto.

**Passage requires a Majority vote.**

Submitted by: Town Administrator

Recommendation: Select Board Recommends Approval

Recommendation: The Finance Committee Recommends Approval (5-1)

**Summary: Each year Ambulance Receipts in the sum of \$500,000 are used to offset the Town's budget. This additional \$150,000 being transferred to the Capital Investment Fund would be used as a reimbursement payment for the new ambulance request in Article 15. Funds totaling \$400,000 will be transferred for full reimbursement over three years.**

## **ARTICLE 12: PRIOR YEAR WARRANT ARTICLES (Consent)**

To see if the Town will vote to transfer the total sum of \$ 22,664.02 which represents the remaining balances from previous Town Meeting warrant articles or other active accounts listed below, to the Capital Investment Fund, or take any action in relation thereto.

01999-58017	FY22 ATM #16E DPW Leaf Blower	\$ 573.80
01999-58018	FY22 ATM #16F DPW Truck Loader	\$ 565.00
01999-58023	FY22 ATM #16I Butterick Oil Tank Removal	\$ 150.00
01999-58056	FY22 ATM A#22 Compensation Study	\$ 5,000.00
01999-58112	FY19 A#12C Houghton Water Heater	\$ 11.80
01999-58011	FY21 #7E Library Elevator Engineering	\$ 9,755.32
01999-58105	FY18 A#30 Open Space Rec Plan	\$ 6,474.67
01999-58123	FY19 A#14C Replace Printers	\$ 133.43
		<b>\$ 22,664.02</b>

**Passage requires a Majority vote.**

Submitted by: Town Administrator

Recommendation: Select Board Recommends Approval

Recommendation: Finance Committee Recommends Approval

**Summary: The purpose of this Article is to transfer appropriations from prior Annual Town Meetings that are no longer needed for the specified purposes back to the Capital Investment Fund so that they may be appropriated for other purposes.**

277 **\*\*\*\*Motion: Move that the Town, by unanimous consent, combine articles 4-12 into a**  
278 **Consent Calendar and to approve those articles that have not been requested to be "held" in**  
279 **one vote as shown in the Warrant.**

280  
281 **Passage requires a majority vote**

282 **\*\*\*\*\* END OF CONSENT AGENDA \*\*\*\*\*-----**  
283 **----- WATER ENTERPRISE FUND -----**

284 **ARTICLE 13: FY2024 WATER OPERATING BUDGET**

285 To see if the Town will vote to appropriate \$1,311,286, or any other sum, from Water Department  
286 Revenue, and further to appropriate \$40,000 from Water Enterprise Retained Earnings, to the  
287 Water Department Reserve Fund for extraordinary or unforeseen expense as determined by the  
288 Department of Public Works ("DPW") Board and approved by the Finance Committee, for a total  
289 appropriation of **\$1,311,286** to operate the Water Enterprise Fund for Fiscal Year 2024 under the  
290 provisions of Chapter 44, Section 5F1/2 of the General Laws [MGL Ch. 44 §53F1/2], as follows, or  
291 take any action in relation thereto:

Water Salary/Wages	\$303,700
Water Expense	\$516,066
Water Reserve Fund	\$40,000
Water Benefits	\$112,804
Water Debt	\$338,716
<b>Department Total</b>	<b>1,311,286</b>

292  
293 **Passage requires a Majority vote.**

294  
295 **Motion: Move that the Town vote to appropriate from Water Department Revenue the sum**  
296 **of \$1,311,286 as printed in the Warrant under Article 13.**

297  
298 Or take any action in relation thereto.

299 Submitted by: DPW Superintendent / Department of Public Works Board

300 Recommendations: Select Board recommends approval

301 Finance Committee recommends approval

302 ***Summary: This article funds the Water Enterprise annual operating budget solely from water***  
303 ***revenue including charges, fees, and retained earnings; none is from taxation. This budget also***  
304 ***includes funding for a new expense for Corrosion Control Study and Testing. This is a mandated***  
305 ***activity required by the Massachusetts Department of Environmental Protection. Also included***  
306 ***is a Reserve Fund allocation for extraordinary or unforeseen expenses - the reserve fund is only***  
307 ***used upon the recommendation of the DPW Board and approval of the Finance Committee. The***  
308 ***total water revenue needed for Fiscal Year 2024 is \$1,311,286.***

## ARTICLE 14: WATER DEPARTMENT CAPITAL

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, **\$980,000** or any other sum, to be expended for the replacement of certain Town water mains and all costs incidental or related thereto and other capital expenditures for the water department, as recommended by the Finance Committee and the Capital Planning Committee and as shown in the chart below; and to meet this appropriation, to authorize the Treasurer, with the approval of the Select Board to borrow said sum under G.L. c.44, §8(5), or any other enabling authority; and that the Select Board is authorized to execute all documents and take such actions as may be necessary to effectuate the purposes of this vote; said sum to be expended by the Department of Public Works Board with the approval of the Select Board and Town Administrator/Chief Procurement Officer; or take any action in relation thereto.

Project	Amount	Funding Source
New Water Source	\$115,000	Water Retained Earnings
Wheeled Excavator, purchase and equip	\$75,000	Water Retained Earnings
Truck 27 – Full Sized utility w/plow, purchase and equip	\$90,000	Water Retained Earnings
West Sterling Variable Drives and Generator Replacement	\$700,000	\$120,000 Water Retained Earning \$580,000 Borrowing Authorization

***Passage requires a 2/3rds vote.***

**Motion: Move that the Town vote to approve capital expenditures for the Water Department in the sum of \$980,000 with \$400,000 transferred from Water Retained Earnings and authorizing the Treasurer/Collector to borrow the sum of \$580,000 under applicable statutes and as set forth in the warrant.**

Submitted by: Finance Committee  
Recommendations: Select Board recommends approval  
Finance Committee recommends approval  
Capital Committee recommends approval

***Summary: This article authorizes and appropriates funding for the Town's Water Department capital needs. The largest project are variable drives and generator replacement of the West Sterling pump house.***

----- **END OF WATER ENTERPRISE ARTICLES** -----

----- **CAPITAL IMPROVEMENT PLAN** -----

*The Fiscal Year 2024 Capital Improvement Plan is presented below. The Moderator will address each item in turn during the presentation of each of the article.*

## ARTICLE 15: CAPITAL PROJECTS AND FUNDING SOURCES

To see if the Town will vote to transfer a total of \$1,632,200 from the following funding sources: From Free Cash (FC) a total of \$682,200; from the Capital Investment Fund (CIF) \$865,000; from the Sale of Used Equipment Fund (SUE) \$40,000; and from Cemetery Lot Sales Fund (CLS) \$45,000, for the capital expenditures shown in the chart below and anything incidental or related thereto; or take any action in relation thereto.

Item Number	Department	Request	Cost	Funding Source
1	Facilities	Extraordinary Maintenance <i>TH wiring, sprinkler compliance</i>	\$40,000	FC
2	Facilities	Butterick Windows	\$80,000	CIF
3	Library	Security Cameras	\$29,000	FC
4	Fire	Additional Apparatus Cost	\$25,000	FC
5	Fire	HVAC/Mini-Split Day Room	\$20,000	FC
6	Fire	Jaws of Life – Engine 4	\$16,000	FC
7	Fire	Attack Hose and Nozzle	\$35,000	FC
8	Fire	Ambulance 1 Replacement, purchase and equip	\$400,000	CIF
9	Police	Radio Licenses	\$10,000	FC
10	Police	Squad Room Renovation	\$30,000	FC
11	Police	New computers	\$5,000	FC
12	DPW	Truck 8 rehab	\$10,000	FC
13	DPW	Truck 5 Replacement, purchase and equip	\$70,000	CIF
14	DPW	Truck 9 Replacement, purchase and equip	135,000	CIF
15	DPW	Road Plates	\$10,000	FC
16	DPW	Wide Area Mower	\$80,000	\$50,000 CIF \$30,000 CLS
17	DPW	Wheeled Excavator (split with Water Dept.), purchase and equip	\$75,000	\$40,000 SUE \$15,000 CLS \$20,000 FC
18	DPW	RT140/62 90% Design	335,000	FC
19	OSIC	Trail Maintenance	\$6,000	FC
20	Hist. Comm.	Historic Gravestone Repair	\$8,000	FC
21	Schools	School Security <i>Key fob entry and cameras</i>	\$100,000	CIF
22	Town Clerk	Election Equipment	\$15,000	FC
23	Recreation	Aeravator/seeder	\$16,000	FC
24	Admin	E. Lake Washacum Treatment	\$19,000	FC
25	Admin	Wachusett Greenways	\$1,600	FC
26	Admin	Sterling Land Trust	\$1,600	FC
27	Admin	Grant Match/Engineering	\$30,000	CIF
28	Fair Cmte	Insurance	\$30,000	FC

Said amounts shall be for the purposes stated and all costs incidental or related thereto. Appropriated funds to be administered under the direction of the requesting department; or take any action in relation thereto.

***Passage requires a 2/3<sup>rd</sup> vote.***

**Motion:** Move that the Town vote to transfer a sum totaling \$1,652,200 using Free Cash (FC) in the amount of \$682,200, the Capital Investment Fund (CIF) in the amount of \$865,000, Sale of Used Equipment (SUE) in the amount of \$40,000, and Cemetery Lot Sales (CLS) in the amount of \$45,000 for capital items as presented in Article 15 of the warrant.

Submitted by: Town Administrator  
Recommendations: Select Board recommends approval  
Finance Committee recommends approval (4-2)  
Capital Committee recommends approval (5-1)

***Summary: This article provides funding for a portion of the Town's Capital Plan for Fiscal Year 2024 related to the purchase of public safety and public works equipment and vehicles, and facilities improvements. It is expected that this portion of the Capital Plan will be funded from Free Cash, Capital Investment Fund, Sale of Used Equipment, and Cemetery Lot Sales***

## ARTICLE 16: DPW FACILITY FEASIBILITY STUDY

To see if the Town will vote to appropriate \$50,000 from the Capital Investment Fund for the purpose of studying the Town's options of the DPW facility.

***Passage requires two-thirds vote***

**Motion:** Move that the Town vote appropriate \$50,000 from the Capital Investment fund for the purpose of a feasibility study for the DPW facility.

Submitted by: Town Administrator  
Recommendations: Select Board recommends approval  
Capital Committee recommends approval (5-1)

***Summary: This article looks for support to study the options the Town has moving forward for the DPW facility. Options include renovation, replacement of the current building in the current location, building in a new location, and others. Options of a new building range in cost up to \$25 million.***

----- **END OF CAPITAL IMPROVEMENT PLAN** -----

----- **PERSONNEL & HUMAN RESOURCES** -----

## ARTICLE 17: JOB CLASSIFICATION

To see if the Town will vote to amend the General Bylaws, Chapter 201 Personnel Bylaw to update Attachment 1 – Classification Plan as updated by the Compensation Study completed in FY 2023 and funded by previous Town Meetings; or take any action in relation thereto.

<b>Grade</b>	<b>Position</b>
<b>I</b>	No positions assigned
<b>II</b>	Custodian
	Library Associate I
	Meal Site Coordinator
	Van Driver
<b>III</b>	Administrative Assistant - Building/Zoning
	Administrative Assistant - DPW
	Administrative Assistant - Health
	Animal Control Officer
	Administrative Assistant - Assessor
	Assistant Town Clerk
	Associate Agent - BOH
	Executive Assistant - Police
	Executive Assistant - Fire
	Executive Assistant - Water/DPW
	Library Associate II
	Program Assistant
	Outreach Aide
	Sr. Van Driver/Dispatch
	Volunteers & Operations Coordinator
<b>IV</b>	Land Use Coordinator
	Library Youth Services Director
<b>V</b>	Assistant Library Director
	Assistant Town Collector
	Assistant Town Treasurer
	Facilities and Maintenance Technician
	Sr. Executive Assistant - SB and TA
<b>VI</b>	Conservation Agent
	COA Director
	Health Agent
	Recreation Director
	Town Clerk
<b>VII</b>	No Positions Assigned

<b>VIII</b>	Building Commissioner
	Town Accountant
	Town Planner
	Treasurer/Collector
<b>IX</b>	No positions Assigned
<b>X</b>	DPW Director

**Passage requires majority vote**

**Motion:** Move that the Town vote to amend the General Bylaws, Chapter 201, Attachment 1 – Classification Plan, as presented in the Article 17 of the Warrant.

Submitted by: Town Administrator  
Recommendations: Select Board recommends approval  
**Summary:** This updates the job classifications as studied and presented to the Select Board through the compensation study.

## **ARTICLE 18: COMPENSATION SCHEDULE**

To see if the Town will vote to amend the General Bylaws, Chapter 201 Personnel Bylaw to update Attachment 2 – Compensation Schedule as updated by the Compensation Study completed in FY 2023 and funded by previous Town Meetings; or take any action in relation thereto.

Grade/Step	1	2	3	4	5	6	7	8	9	10	11
<b>1</b>	\$ 15.33	\$ 15.95	\$ 16.58	\$ 17.25	\$ 17.94	\$ 18.66	\$ 19.40	\$ 20.18	\$ 20.98	\$ 21.82	
<b>2</b>	\$ 16.60	\$ 17.27	\$ 17.96	\$ 18.68	\$ 19.43	\$ 20.20	\$ 21.01	\$ 21.84	\$ 22.71	\$ 23.63	
<b>3</b>	\$ 19.00	\$ 19.76	\$ 20.56	\$ 21.39	\$ 22.25	\$ 23.14	\$ 24.06	\$ 25.03	\$ 26.02	\$ 27.06	\$ 28.15
<b>4</b>	\$ 20.03	\$ 20.84	\$ 21.67	\$ 22.54	\$ 23.45	\$ 24.38	\$ 25.36	\$ 26.37	\$ 27.42	\$ 28.52	\$ 29.66
<b>5</b>	\$ 22.31	\$ 23.20	\$ 24.12	\$ 25.09	\$ 26.10	\$ 27.14	\$ 28.22	\$ 29.34	\$ 30.52	\$ 31.74	\$ 33.02
<b>6</b>	\$ 27.14	\$ 28.22	\$ 29.34	\$ 30.52	\$ 31.74	\$ 33.02	\$ 34.33	\$ 35.70	\$ 37.13	\$ 38.62	\$ 40.17
<b>7</b>	\$ 30.84	\$ 32.07	\$ 33.35	\$ 34.69	\$ 36.08	\$ 37.52	\$ 39.02	\$ 40.58	\$ 42.20	\$ 43.89	\$ 45.64
<b>8</b>	\$ 33.12	\$ 34.45	\$ 35.83	\$ 37.29	\$ 38.74	\$ 40.29	\$ 41.91	\$ 43.58	\$ 45.32	\$ 47.14	\$ 49.02
<b>9</b>	\$ 39.89	\$ 41.48	\$ 43.14	\$ 44.87	\$ 46.66	\$ 48.53	\$ 50.47	\$ 52.48	\$ 54.58	\$ 56.77	\$ 59.04
<b>10</b>	\$ 53.76	\$ 55.91	\$ 58.15	\$ 60.47	\$ 62.89	\$ 65.40	\$ 68.02	\$ 70.74	\$ 73.57	\$ 76.51	\$ 79.57

**Passage requires majority vote.**

Submitted by: Town Administrator  
Recommendations: Select Board recommends approval

**Motion:** Move that the Town vote to amend the General Bylaws, Chapter 201, Attachment 2 – Compensation Schedule, as presented in the Article 18 of the Warrant.

**Summary: This updates the job classifications as studied and presented to the Select Board through the compensation study. The salary schedule has been updated by 3% from the previous year.**

## **ARTICLE 19: COMPENSATION SCHEDULE – CALL FIRE FORCE**

To see if the Town will vote to amend the General Bylaws, Chapter 201 Personnel Bylaw to update Attachment 3 – Compensation Schedule Call Fire Force; or take any action in relation thereto.

Grade Level	Hourly Salary Range Minimum	Hourly Range Mid-Point	Hourly Salary Range Maximum
I	State Minimum	22.25	28.80

**Passage requires majority vote.**

**Motion: Move that the Town vote to amend the General Bylaws, Chapter 201, Attachment 3 – Compensation Schedule Call Fire Force, as presented in the Article 19 of the Warrant.**

Submitted by: Town Administrator

Recommendations: Select Board recommends approval

**Summary: This updates the job classifications as studied and presented to the Select Board through the compensation study. The salary schedule for call fire fights has been updated to reflect the cost of living adjustment of 3%.**

## **ARTICLE 20: STIPEND POSITIONS**

To see if the Town will vote to amend the General Bylaws, Chapter 201 Personnel Bylaw to update Attachment 4 – Stipend Positions; or take any action in relation thereto.

Position Title	Amount
ADA Coordinator	\$1,500
Animal Inspector	\$3,680
Emergency Management Director	\$10,000
Board of Registrars (3)	\$300
Registrar of Voters	\$1,500

**Passage requires majority vote.**

Submitted by: Town Administrator

Recommendations: Select Board recommends approval

**Motion: Move that the Town vote to amend the General Bylaws, Chapter 201, Attachment 4 – Stipend Positions, as presented in Article 20 of the 2023 Warrant.**

**Summary: This article updates the stipend positions for the Town of Sterling.**



## ARTICLE 21: MISCELLANEOUS POSITIONS

To see if the Town will vote to amend the General Bylaws, Chapter 201 Personnel Bylaw to update Attachment 6 – Miscellaneous Positions; or take any action in relation thereto.

Position Title	Minimum/Hour	Maximum/Hour
Seasonal Laborer	State Minimum	\$20
Seasonal Truck Driver	\$17	\$23.50
Lifeguard	State Minimum	\$20
Seasonal Recreation Asst.	State Minimum	\$20
Food Inspector		\$40
Parking Clerk		\$25
Assistant Building Inspector		\$50/inspection
Assistant Plumbing and Gas Inspector		\$50/inspection
Wiring & Asst. Inspector		\$50/inspection

***Passage requires majority vote.***

**Motion: Move that the Town vote to amend the General Bylaws, Chapter 201, Attachment 6 – Miscellaneous Positions, as presented in Article 21 of the Warrant.**

Submitted by: Town Administrator

Recommendations: Select Board recommends approval

***Summary: This updates the miscellaneous positions for the increase in state minimum wage.***

## ARTICLE 22: LONGEVITY SCHEDULE

To see if the Town will amend the Personnel Bylaws, Chapter 205-5 section C as follows, by deleting the language shown in ~~strike through~~ replacing it with the following language; or take any action in relation thereto:

~~C.~~

~~Merit and longevity increases.~~

~~(1)~~

~~The Compensation Schedule will include a merit and longevity step increase plan, which shall apply only to regular non-union positions (full time and part time) as detailed in Attachment A, and only if those employees have not received another increase other than COLA due to their own employment contracts. The merit and longevity step increase plan enables employees to move up within their respective job grades via steps based on the number of years of service. The movement to the next step depends on the employee receiving a favorable annual performance evaluation under Section D-7 of the Town of Sterling Employee Handbook. The following step index is based on the employee's length of service for the Town as of July 1 of each year:~~

~~Increase percentage~~

- Step 1: 0 < 2 years — 0%
- Step 2: 2 < 5 years — 2%
- Step 3: 5 < 10 years — 3%
- Step 4: 10 < 15 years — 3%
- Step 5: > 15 years — 3%

~~(2)~~

~~Employees shall receive a percentage increase to their base salary based on the step index for each year that they are within that step. The maximum an employee can be paid is the top of the job grade for that year, except as provided in Subsection E of this section.~~

Replace with:

The Compensation Schedule will include a merit and longevity step increase plan, which shall apply only to regular non-union positions (full-time and part-time) as detailed in Attachment 1, and only if those employees have not received another increase other than COLA due to their own employment contracts. This longevity schedule is meant to reward employees for their long-term service with the Town of Sterling. These longevity payments shall be made in one lump sum in a warrant to be determined by the Treasurer/Collectors Office in conjunction with Personnel/HR Director in the Fiscal year after the completion of their milestone year. Any employee beyond the top step shall receive the top step at the completion of the next year. This may only occur once.

Increase percentage

- Step 1: 3<sup>rd</sup> year \$250
- Step 2: 5<sup>th</sup> year \$500
- Step 3: 10<sup>th</sup> year \$1,000
- Step 4: 15<sup>th</sup> year \$1,500
- Step 5: 20<sup>th</sup> year \$2,000
- Step 6: 25<sup>th</sup> year \$2,500
- Step 7: 30<sup>th</sup> year \$3,000
- Step 8: 35<sup>th</sup> year \$3,500

***Passage requires majority vote.***

Submitted by: Town Administrator

Recommendations: Select Board recommends approval

**Motion: Move that the Town vote to amend the Sterling Personnel Bylaw, Chapter 205-5, section C presented in Article 23 of the Warrant.**

***Summary: This updates the longevity schedule to include one-time payments to employees for their years of service in the Town of Sterling.***

----- LOCAL ACCEPTANCE STATUTES -----

## ARTICLE 23: MGL ACCEPTANCE – NOMINATION PAPERS

To see if the Town will vote to accept MGL Chapter 53 Section 9A; or take any action in relation thereto.

Section 9A. In any city or town which accepts this section, in a city by vote of the city council subject to the provisions of its charter, and in a town by vote of the town meeting, the following provisions shall apply with respect to nomination papers: —

The final date for obtaining blank nomination papers for nomination to city or town office shall be forty-eight week-day hours prior to the hour on which nomination papers are required to be submitted to the registrars of voters for certification.

Each candidate shall file with the city or town clerk, prior to obtaining blank nomination papers, a statement containing his name and address, and the city or town office for which he intends to be a candidate.

No candidate for city or town office shall receive more blank nomination papers than will contain the number of signatures required to place his name in nomination, multiplied by five.

***Passage requires majority vote.***

**Motion: Move that the Town Accept MGL Chapter 53 Section 9A.**

Submitted by: Town Clerk

Recommendations: Select Board recommends approval

***Summary: Acceptance of this article changes the time required to submit nomination papers to forty-eight week-day hours prior meaning that the final day to submit papers would be a Friday rather than a Saturday on years when the weekend plays a part in the timing.***

## ARTICLE 24: MGL ACCEPTANCE – VETERANS PROPERTY TAX EXEMPTION

To see if the Town will vote to accept MGL Chapter 59 Section 5, cl. 22F, which allows certain property tax exemptions for otherwise eligible veterans who have resided in the commonwealth for one (1) year prior to the date of filing for exemption, rather than the default requirement of two (2) years; or take any action in relation thereto.

***Passage requires majority vote.***

**Motion: Move that the Town accept MGL Chapter 59 Section 5, cl. 22F to decrease the residency requirement for Veteran Property Tax Exemptions from two years to one year.**

Submitted by: Veterans Agent

Recommendations: Select Board recommends approval

***Summary: The General Laws offer several different property tax exemptions for veterans, but to qualify, the individual must have resided in the Commonwealth for two years prior to the date of filing for the exemption. If this statute is accepted, the residency requirement will be lowered to one year.***

534 ARTICLE 25: MGL ACCEPTANCE – MUNICIPAL OFFICER

535 INDEMNIFICATION

536 To see if the Town will vote to accept MGL Chapter 258 Section 13; or take any action in relation  
537 thereto.

538 Shall the town vote to accept the provisions of section thirteen of chapter two hundred and  
539 fifty-eight of the General Laws which provides that the town shall indemnify and save harmless  
540 municipal officers, elected or appointed, from personal financial loss and expense including  
541 reasonable legal fees and costs, if any, in an amount not to exceed one million dollars, arising  
542 out of any claim, demand, suit or judgment by reason of any act or omission except an  
543 intentional violation of civil rights of any person under any law, if the official at the time of such  
544 act or omission was acting within the scope of his official duties or employment?

545 *Passage requires majority vote.*

546  
547 Motion: No Motion, No action.

548  
549 Submitted by: Select Board

550 Recommendations: Select Board recommends approval

551 *Summary: This article will accept the MGL which will require the Town of Sterling indemnify*  
552 *and hold harmless municipal officers – elected or appointed for their town duties.*

553  
554 -----GENERAL, PROTECTIVE, AND ZONING BYLAWS-----

555 ARTICLE 26: GENERAL BYLAW TRASH USER FEES

556 To see if the Town will vote to amend the Town's General Bylaws Chapter 136 Section 6, No user fee for  
557 Town Collection, and additions shown in bold/underline; or take any action in relation thereto.

558 Residential property owners and tenants shall not be charged any user fee for the Town's collection and  
559 disposal of residential trash up to a maximum weekly volume established by the Board of Public  
560 Works. The Board of Public Works may assess a reasonable user fee for the purchase of excess volume  
561 by any residential customers through the sale of bags or other mechanism. The maximum weekly  
562 volume and any excess volume fee shall be established and may be amended from time-to-time by  
563 the Board of Public Works after conducting a public hearing, notice of which shall be published in a  
564 newspaper of general circulation in the town once in each of two successive weeks, the first  
565 publication to be not less than fourteen days before the day of said hearing, and by posting such  
566 notice in a conspicuous place in the town hall and on the Town's website for a period of not less than  
567 fourteen days before the day of said hearing.

568 *Passage requires majority vote.*

569  
570 Motion: Move that the Town vote to amend Chapter 136 Section 6 of the Town's General  
571 Bylaws relative to trash collection fees as presented in Article 26 of the Warrant.

Submitted by: DPW Board/Director

Recommendations: Select Board recommends approval

***Summary: With the Town's new automated curbside trash and recycling program, this existing bylaw prohibited the Town from charging a fee to accommodate additional weekly volumes of trash for residents beyond what will fit in the totes. This bylaw will allow the Board of Public Works to provide overflow trash measures at a cost for those who require it. The fee for the excess volume would be set at a public hearing and amended from time to time as prices fluctuate.***

## ARTICLE 27: ACCESSORY DWELLING UNIT BYLAW

To see if the Town will vote to amend the Accessory Dwelling Unit bylaw (Section 301-2.3.5 of the Protective Bylaw) as follows, with deletions shown in ~~striketrough~~, or take any action in relation thereto:

### 301-2.3.5 Accessory Dwelling Unit Use

Accessory Dwelling Units (ADUs) offer the potential for assisting homeowners to produce additional income to offset rising property taxes, maintenance and repair costs, and other housing expenses that are often a burden for some homeowners. ADUs also add tax revenue to the community based on the increase in square footage of living space. Adding moderately priced rental units to the housing stock to meet the needs of smaller households and making housing units available to moderate income households who might otherwise have difficulty finding housing is critical in providing affordable housing to all income ranges.

One ADU is permitted on each lot in Single Family Dwelling use in Rural Residence and Farming, Neighborhood Residence, Commercial, and Town Center Districts in the Town subject to this Section 301-2.3.5. ADUs are prohibited in the Light Industrial District *except for those lots in the Light Industrial District in single-family dwelling use as of May 1, 2023.*

#### A. Use by Right or by Special Permit

(1) By Right: Within a Single-Family Dwelling, including an attached garage.

(2) By Special Permit from the Board of Appeals: As or within a detached Accessory Structure.

#### B. ADU Requirements

Each ADU is subject to and shall comply with the following:

(1) The owner of the lot shall reside in either the Single-Family Dwelling or ADU.

(2) *Only one ADU is allowed per lot.*

(3) *ADUs shall not result in additional curb cuts for the lot they are located on.*

(4) *The ADU shall be clearly subordinate to the primary dwelling.*

(5) *Once constructed, the ADU cannot be enlarged beyond the square footage approved with the original permit.*

(6) *ADUs are limited to one bedroom.*

(7) *The ADU cannot be occupied by more than two adults.*

(8) The ADU shall have a separate entrance from that used by the Single-Family Dwelling.

(9) (The ADU shall contain separate sanitary, sleeping and cooking facilities.

- (10) ~~Prior to the issuance of a building permit or special permit for an ADU, the applicant shall provide written proof from the Board of Health (or its qualified agent) that there is an adequate supply of drinking water (Town water or private well) and adequate provision for sewage disposal (private septic system).~~ *The ADU shall have an adequate supply of drinking water (town or private) and adequate provision for sewage disposal (private septic system) as determined by the Board of Health or its qualified agent. BOH authorization is required prior to the issuance of a Building Permit.*
- (11) ~~For a by-right ADU, the outside appearance of the Single-Family Dwelling is and remains that of a Single-Family Dwelling. The ADU must maintain the residential and rural character of the neighborhood. Exterior modification, including new detached structures, must match the existing architectural elements of the single-family home.~~
- (12) The ADU shall have heat that is adequately supplied and controlled by a thermostat located within the ADU.
- (13) The *total* ADU floor area shall not exceed eight hundred (800) square feet of *gross* living area *and shall contain all utilities*, unless the lot owner complies with the provisions of Section 301-2.3.5(E), Affordability Restrictions for inclusion of the ADU on the Town's Subsidized Housing Inventory, in which case the *total gross* floor area of the ADU may be up to 50% of the gross floor area of the Single-Family Dwelling or 1,200 square feet, whichever is smaller.
- (14) All turnaround and parking areas shall be provided on the Lot.
- (15) All dimensional controls set forth in Section 301-2.5 for a Single-Family use shall be met.
- (16) Daily, weekly or short-term rentals less than thirty (30) days are prohibited.
- (17) On a nonconforming lot that is nonconforming for lack of required lot area, an ADU is allowed following all of the requirements of this Section and Section 301-2.2.4 of these bylaws, as long as the lot is greater than 20,000 square feet.
- (18) Any new ADU shall conform to all adopted state and town laws, bylaws, codes, and regulations. No ADU shall be occupied until a certificate of occupancy has been issued by the Building Commissioner ~~where required~~.

C. *Additional Requirements for Detached Units*

- (1) *The gross living area square footage shall not exceed eight hundred (800) square feet and porches shall be considered part of the gross living area square footage.*
- (2) *While detached ADU's are allowed to be located above and within garages, garages cannot be built onto or added to a detached ADU.*
- (3) *Detached ADUs are accessory structures and must remain so.*
- (4) *Ownership of ADU and primary single-family home cannot be split.*

D. *New Construction*

An ADU may be constructed as part of the original construction on a lot intended for Single-Family Dwelling use subject to the requirements of this Section 301-2.3.5.

E. *Affordability Restrictions*

In order for an ADU to count towards the Town's Subsidized Housing Inventory maintained by the Massachusetts Department of Housing and Community Development (DHCD), the lot owner and the Town shall submit a Local Action Unit application under the Local Initiative Program to DHCD. The lot

owner and the Town shall do all things necessary to cause the ADU to be counted on the Town's Subsidized Housing Inventory (SHI).

DHCD approval is required prior to the issuance of a building permit for an ADU exceeding 800 square feet of living area if affordability restrictions are being proposed.

***Passage requires majority vote.***

**Motion: Move that the Town vote to amend Section 301-2.3.5 of the Protective Bylaw relating to Accessory Dwelling Units as presented in Article 27 of the warrant.**

Submitted by: Planning Board

Recommendations: Select Board, Planning Board recommend approval

***Summary: Last year's revisions to the ADU bylaw did not provide the Zoning Board with sufficient guidance on how to ensure that ADUs remain subordinate to the existing single-family structure, especially detached ADUs. Last year the Zoning Board dealt with a detached ADU Special Permit application that, if built, would have created an elaborate detached ADU that essentially created two single-family dwellings on one lot, which is not the intent of this bylaw.***

## **ARTICLE 28: ACCESSORY DWELLING UNIT BYLAW**

To see if the Town will vote to amend Section 301-2.3.5 of the Protective Bylaw, Item B.4 (requirements for accessory dwelling units) as follows, with deletions shown in ~~striketrough~~ and additions shown in *italics*; or take any action in relation thereto:

- (4) ~~Prior to the issuance of a building permit or special permit for an ADU, the applicant shall provide written proof from the Board of Health (or its qualified agent) that there is an adequate supply of drinking water (Town water or private well) and adequate provision for sewage disposal (private septic system).~~ *The ADU shall have an adequate supply of drinking water (town or private) and adequate provision for sewage disposal (private septic system) as determined by the Board of Health or its qualified agent. BOH authorization is required prior to the issuance of a Building Permit.*

***Passage requires majority vote.***

**Motion: Move that the Town vote to amend Section 301-2.3.5 of the Protective Bylaw, Item B.4, relating to Accessory Dwelling Units as presented in Article 28 of the Warrant.**

Submitted by: Planning Board

Recommendations: Select Board, Planning Board recommend approval

***Summary: This amendment is intended as a backstop if the first ADU zoning amendment fails. This amendment will ensure that all ADUs have an adequate supply of drinking water and provision for sewage disposal prior to the issuance of a Building Permit.***

693 **ARTICLE 29: TEMPORARY MORATORIUM ON NON-MEDICAL**  
694 **MARIJUANA ESTABLISHMENTS**

695 To see if the Town will vote to amend the Protective bylaw so as to repeal Section 301-4.9A relating to a  
696 temporary moratorium on Non-Medical Marijuana Establishments, as the moratorium has expired and it  
697 is no longer necessary to keep in the Bylaw; or take any action in relation thereto.

698 **§ 301-4.9A Temporary moratorium on non-medical marijuana establishments.**

699 § 301-4.9A.1. Purpose. On November 8, 2016, the voters of the commonwealth approved a law  
700 regulating the cultivation, processing, distribution, possession and use of marijuana for personal use (new  
701 MGL c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which  
702 allows certain personal use and possession of marijuana, is effective on December 15, 2016 and (as  
703 amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control  
704 Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018, and  
705 to begin accepting applications for licenses on or before April 1, 2018. Regulations to be promulgated by  
706 the Cannabis Control Commission may provide guidance on certain aspects of local regulation of  
707 marijuana establishments for non-medical marijuana. The regulation of marijuana for personal use raises  
708 novel legal, planning, and public safety issues, and the Town needs time to study and consider the  
709 regulation of marijuana establishments for non-medical marijuana and address such issues, as well as to  
710 address the potential impact of the state regulations on local zoning and to undertake a planning process  
711 to consider amending the Zoning Bylaw regarding regulation of marijuana establishments for non-medical  
712 marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the  
713 Town for marijuana establishments for non-medical marijuana so as to allow the Town sufficient time to  
714 address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

715 § 301-4.9A.2. Definition.

716 **NON-MEDICAL MARIJUANA ESTABLISHMENT**

717 A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or  
718 any other type of licensed marijuana-related business as defined in MGL c. 94G.

719 § 301-4.9A.3. Temporary moratorium. For the reasons set forth above and notwithstanding any other  
720 provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the  
721 use of land or structures for a non-medical marijuana establishment and other uses related to personal  
722 use of marijuana. The moratorium shall be in effect through June 30, 2018, or until such time as the  
723 Town adopts Zoning Bylaw amendments that regulate non-medical marijuana establishments,  
724 whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to  
725 address the potential impacts of recreational marijuana in the Town, consider the Cannabis Control  
726 Commission regulations regarding non-medical marijuana establishments, and shall consider adopting  
727 Zoning Bylaw amendments in response to these new issues. This temporary moratorium shall not affect  
728 in any way the use of land or structures for registered marijuana dispensaries (for medical marijuana),  
729 which are governed by Section of this Zoning Bylaw.

730 ***Passage requires two-thirds vote.***  
731



**Motion: Move that the Town vote to amend Section 301-4 of the Protective bylaw so as to repeal of the Temporary Moratorium on non-medical marijuana establishments as presented in Article 29 of this Warrant.**

Submitted by: Planning Board

Recommendations: Select Board, Planning Board recommend approval

***Summary: This section of the Protective Bylaw expired at the end of June 2018. Since then, the Town has adopted provisions that regulate non-medical marijuana establishments (see Section 301-4.9B), and thus, there is no longer a need to keep Section 301-4.9A.2 on the books. Repealing this section does not allow for new marijuana establishments in Town and the status quo remains.***

### **ARTICLE 30: PRIMROSE LANE ACCEPTANCE**

To see if the Town will vote to accept as a public way the roadway known as Primrose Lane, as heretofore laid out by the Select Board and shown on a plan of land entitled "Subdivision Plan Resubmittal Primrose Lane Sterling, MA," dated June 20, 2022, prepared by Cabco Consult, recorded with the Worcester South District Registry of Deeds in Plan Book 965, Plan 71, on file with the Town Clerk, and to authorize the Select Board to acquire by gift, purchase, and/or eminent domain the fee to and/or easements in Primrose Lane, for all purposes for which public ways are used in the Town of Sterling, and any drainage, utility, access, and/or other easements related thereto, all as shown on the plan; or take any action in relation thereto.

***Passage Requires a majority vote***

**Motion: Move that the Town vote to accept Primrose Lane as a public way as presented in Article 30 of the warrant.**

Submitted by: Planning Board

Recommendations: Select Board Recommends approval

Planning Board recommends approval

***Summary: This article would accept Primrose Lane as a public roadway in the Town of Sterling.***

-----END OF GENERAL, PROTECTIVE, AND ZONING AMENDMENTS-----

### **ARTICLE 31: WEST STERLING SCHOOLHOUSE REFERENDUM**

To see if the Town should continue to keep, maintain, and update the West Sterling Schoolhouse located adjacent to the intersection of Route 62 and Route 140.

***Passage requires majority vote***

**Motion: Move that the Town vote to keep and maintain the West Sterling Schoolhouse.**

Submitted by: Select Board

Recommendations: Select Board, Finance and Capital do not recommend approval

Historical Commission recommends approval

**Summary: This is a non-binding referendum of ATM voters whether the Town is interested in keeping and maintaining while investing in the structure including ADA compliance, well, septic, etc. A no vote may result in the Town dispossessing itself of the asset.**

## **ARTICLE 32: NAMING OF SOFTBALL FIELD 1 – GRIFFIN ROAD**

To see if the Town will name softball field 1 at the Griffin Road fields for Jo-Anne Cummings in honor of her 35 years of service to Sterling Recreation programs.

**Passage requires majority vote**

**Motion: Move that the Town vote to name a Griffin Road softball field after Jo-Anne Cummings.**

Submitted by: Select Board

Recommendations: Select Board recommends approval

## **----- CITIZENS PETITION -----**

## **ARTICLE 33: PRINCIPAL USE CHANGE**

To see if the Town will vote to amend the Protective Bylaws, Article 2, Section 2.3.1 Table of Principal Uses, as shown, with the addition shown **bold/underline** and deletion shown in the strike through:

### **D. Industrial, Wholesale or Extensive Uses**

	RR	NR	C	TC	LI
1. Bus or Railroad station	N	N	Y	Y	Y
2. Rail or motor freight terminal; bus storage yard	N	N	SP	N	Y
3. Mobile Home Park	N	N	N	N	N
4. Wholesale, warehouse, or distribution facility	N	N	SP	N	Y
5. Open lot storage of building materials	N	N	<del>SP</del>	N	Y
Contractors equipment and similar materials			<u>N</u>		
6. Storage of coke, coal, sand, or other minerals	N	N	N	N	Y
Whether indoors or not					

**Summary: The proposed zoning change would no longer allow any new permits for a Contractors Yard on commercially zoned properties. This would preserve the original intent of commercial zoning and allow abutting neighbors to enjoy their properties without this industrial use on the commercial property. It would keep Contractor Yards including their ancillary materials within the appropriate light industrial zoning. With the majority of commercial properties in Sterling having abutting rural residential or neighborhood residential zoned property, this change would retain and improve the quality of life and preserve the property values of those abutting residents. This change would not restrict a commercial property from allowing any commercial use currently allowed in the Table of Uses for the Town of Sterling.**

## ARTICLE 34: PRINCIPAL USE CHANGE

To see if the Town will vote to amend the Protective Zoning Bylaws Article 2, section 2.3.1, Table of Principal uses, #15, Retail Sales Including Antique Shops, to allow by special permit retail sales including antique shops in district RR.

### Principal Uses

### Districts

	RR	NR	C	TC	LI
15. Retail Sales including antique shops	<del>N</del>	N	Y	Y	SP
15a. Retail sales including antique shops	SP	N	Y	Y	SP

-----END OF CITIZENS' PETITIONS-----

## ARTICLE 35: CHAPTER 18 ANIMAL CONTROL BYLAWS

To see if the Town will vote to amend § 18-2 of the Town's General Bylaws, Animal Control, Definitions, relative to the terms: Euthanasia, Feral Cat, Neutered, Nuisance, and Spayed, with deletions shown in ~~strike through~~ and additions shown in **bold/underline**, or take any action in relation thereto.

§ 18-2 Definitions.

### EUTHANASIA

~~The putting to death of any animal in a humane manner.~~ **To take the life of an animal by the administration of barbiturates in a manner deemed acceptable by the American Veterinary Medical Association Guidelines on Euthanasia, or by gunshot in the case of an emergency.**

### ~~FERAL CAT~~

~~A cat which currently lives in the "wild" and fends for itself, sometimes previously domestic.~~

### NEUTERED

~~Rendered permanently incapable of reproduction.~~ **Referring to a male animal that has had its ability to reproduce surgically altered by a veterinarian or referring to the procedure itself.**

### NUISANCE

Repetitive, domestic animal behavior documented by the ACO to constitute an ongoing violation of § 18-6 of this bylaw and demonstrated by the animal(s) with any of the following actions(s):

A. Frequently running at large; or

B. Causing constant disturbance by excessive barking or other noise making; or

C. Chasing vehicles or bicycles; or

~~D. Molesting, Threatening,~~ attacking, or interfering with ~~persons or other domestic animals on public property~~ **livestock and other domestic animals or persons, but such threat, attack, or interference was not a grossly disproportionate reaction under all the circumstances;** or

E. Recurring deposits of dog waste; or

F. Causing damage to another's property.

#### **SPAYED**

~~Rendered permanently incapable of reproduction.~~ **Referring to a female animal that has had its ability to reproduce surgically altered by a veterinarian or referring to the procedure itself.**

*Passage requires majority vote.*

**Motion: Move that the Town vote to amend §18-2 of the Town's General Bylaws, Animal Control, Chapter § 18-2, Definitions, as presented in Article 35 of the Warrant.**

Submitted by: Animal Control Officer Kelly Jones with the approval of the Animal Control Advisory Board.

Recommendations: Select Board recommends approval

***Summary: The purpose of this article is to update the definition for Euthanasia in accordance with MGL, to update the definitions of Nuisance, Spay, and Neuter to more modern and socially acceptable terminology, and to eliminate the term Feral Cat, as it appears nowhere else in the Bylaws.***

### **ARTICLE 36: CHAPTER 18 ANIMAL CONTROL BYLAWS**

To see if the Town will vote to amend § 18-3 of the Town's General Bylaws, Animal Control, Licensing and Rabies Vaccination, as shown below, with deletions shown in ~~striketrough~~ and additions show in **bold/underline**, or take any action in relation thereto.

§ 18-3 Licensing and rabies vaccination.

E. Whoever is the owner or keeper of a dog, ~~or~~ cat, or **ferret** in the commonwealth six months of age or older shall cause such dog, ~~or~~ cat, **or ferret** to be vaccinated against rabies by a licensed veterinarian using a licensed vaccine according to the manufacturer's directions, and shall cause such dog, ~~or~~ cat, **or ferret** to be revaccinated at intervals recommended by the manufacturer. Unvaccinated dogs, or cats, or ferrets acquired or moved into the commonwealth shall be vaccinated within ~~90~~ **30** days after the acquisition or arrival into the commonwealth or upon reaching the age of six months, whichever last occurs. It shall be the duty of each veterinarian, at the time of vaccinating any dog, ~~or~~ cat, **or ferret**, to complete a certificate of rabies vaccination which shall include, but not be limited to the following information: the owner's name and address; a description of the animal, including breed, sex, age, name and distinctive markings; the date of vaccination; the rabies vaccination tag number; the type of rabies vaccine used; the route of vaccination; the expiration date of the vaccine; and the vaccine lot number. The veterinarian shall issue a tag with each certificate of vaccination. The tag shall be secured by the

owner or keeper of such dog, ~~or~~ cat, or ferret to a collar or harness made of suitable material to be worn by the dog, ~~or~~ cat, or ferret; provided, however, that the owner of a cat or ferret may choose not to affix a tag to his cat or ferret, but shall have the tag available for inspection by authorized persons. In the event that a tag is lost, the owner or keeper of the animal shall, upon presentation of the original vaccination certificate, be issued a new tag. ~~In addition, any person who fails to comply with any provisions of this section shall be charged a fine of \$25 per animal.~~ **Whoever violates this section shall be punished by a fine of not more than \$100.**

***Passage requires majority vote***

**Motion: Move that the Town vote to amend § 18-3 of the Town's General Bylaws, Animal Control, Licensing and Rabies Vaccination, as presented in Article 36 of the Warrant.**

Submitted by: Animal Control Officer Kelly Jones with the approval of the Animal Control Advisory Board.

Recommendations: Select Board recommends approval

***Summary: The purpose of this article is to bring the Animal Control Bylaws regarding Rabies Vaccination into compliance with MGL c140 s145B, with the inclusion of ferrets, an update to the deadline for vaccinating newly acquired animals or animals new to the commonwealth, and to update the fine for violation of this section.***

## **ARTICLE 37: CHAPTER 18 ANIMAL CONTROL BYLAWS**

To see if the Town will vote to amend § 18-4 of the Town's General Bylaws, Animal Control, Special Permits and Kennel Licenses, relative to the correct penalties for violation in accordance with MGL c140, s137A: Kennel licenses, with deletions show in ~~strike through~~ and additions show in **bold/underline**, or take any action in relation thereto.

§ 18-4. Special permits and kennel licenses.

G. Penalties for violations of § 18-4 shall be:

(1) ~~Reserved~~ **A person who violates this section shall be assessed a fine of \$500 for a first offense and a fine of not more than \$1,000 for a second or subsequent offense.**

~~(2) The fine for the first offense committed by a person shall be \$50.~~

~~(3) The fine for the second offense shall be \$100.~~

~~(4) The fine for a third offense shall be \$300.~~

~~(5) For a fourth or subsequent offense, the fine shall be \$500.~~

***Passage requires majority vote***

**Motion: Move that the Town vote to amend § 18-4 of the Town's General Bylaws, Animal Control, Special Permits and Kennel Licenses, as presented in Article 37 of the Warrant.**

908 Submitted by: Animal Control Officer Kelly Jones with the approval of the Animal Control Advisory  
909 Board.

910 Recommendations: Select Board recommends approval

911 ***Summary: The purpose of this article is to update the penalties for violations of § 18-4 Special permits***  
912 ***and kennel licenses in accordance with the fines stated in MGL c140 s137A: Kennel licenses.***

## 913 **ARTICLE 38: CHAPTER 18 ANIMAL CONTROL BYLAWS**

914 To see if the Town will vote to amend § 18-6 of the Town's General Bylaws, Animal Control, Owner  
915 Responsibility, relative to Enforcement, with deletions shown in ~~striketrough~~ and additions show in  
916 **bold/underline**, to include the addition of penalties for violations of MGL c140 s174F: "Confinement of  
917 animal in a motor vehicle causing exposure to extreme heat or cold; protection of animal by animal  
918 control or law enforcement office or fire fighters; penalties", or take any action in relation thereto.

919 § 18-6 Owner Responsibility.

920 F. Enforcement; penalties for violation.

921 (2) In addition to the remedies set forth in this bylaw and in MGL c. 140, §§ 136A to ~~174E~~ **174F**,  
922 inclusive, including but not limited to MGL c. 140 § 157A, or any other applicable provision of  
923 law, this section may be enforced through any lawful means in law or in equity, including, but  
924 not limited to, noncriminal disposition pursuant to MGL c. 40, § 21D. If noncriminal disposition is  
925 elected, then any person who violations any provision of this section shall be subject to the  
926 following penalties for offenses for which no specific penalty is prescribed elsewhere in this  
927 bylaw:

928 ***Passage requires majority vote***

929 **Motion: Move that the Town vote to amend §18-6 of the Town's General Bylaws, Animal**  
930 **Control, Owner Responsibility, as presented in Article 38 of the Warrant.**

931 Submitted by: Animal Control Officer Kelly Jones with the approval of the Animal Control Advisory  
932 Board.

933 Recommendations: Select Board recommends approval

934 ***Summary: The purpose of this article is to include the newest addition of Massachusetts Animal***  
935 ***Control Laws, MGL c140 s174F to Sterling's Animal Control Bylaws to ensure the protection of animals***  
936 ***by Animal Control, Law Enforcement Officers, and Firefighters when an animal is found inside an***  
937 ***excessively hot or cold vehicle and to allow Animal Control to enforce penalties for this offense.***

## 938 **ARTICLE 39: CHAPTER 18 ANIMAL CONTROL BYLAWS**

939 To see if the Town will vote to amend § 18-7 of the Town's General Bylaws, Animal Control,  
940 Impoundment of Animals, relative to the duration of impound, with deletions shown in  
941 ~~striketrough~~ and additions shown in **bold/underline**, or take any action in relation thereto.

942 § 18-7 Impoundment of animals.

B. Duration of impound. Each animal in the Municipal Impound may be held for a period of up to 48 hours. In the event that such animal's owner cannot be identified within 48 hours, said animal shall be deemed a stray animal and transferred as such to an approved animal facility for the remainder of the state-required ~~ten-day~~ **7-day** holding period.

***Passage requires majority vote***

**Motion: Move that the Town vote to amend § 18-7 of the Town's General Bylaws, Animal Control, Impoundment of Animals, as presented in Article 39 of the Warrant.**

Submitted by: Animal Control Officer Kelly Jones with the approval of the Animal Control Advisory Board.

Recommendations: Select Board recommends

***Summary: The purpose of this article is to update the previously required 10-day holding period to the newly required 7-day holding period in accordance with MGL c140 s167: Ordering dogs to be restrained.***

972

-----**ANNUAL TOWN ELECTION**-----

973 **ARTICLE 40: ANNUAL TOWN ELECTION**

974 To elect by ballot on Monday, May 8, 2023 from 12:00pm to 7:00pm at the Houghton  
975 Elementary School Gym on 32 Boutelle Road, the following officers:

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

977 (1) Board of Assessors for 3 year term

978 (1) Board of Health for 3 year term

979 (1) Select Board for 3 year term

980 (1) Constable for 3 year term

981 (1) Department of Public Works Board for 3 year term

982 (2) Board of Library Trustees for 3 year terms

983 (1) Board of Library Trustees – 1 years to fill vacancy

984 (1) Planning Board for 5 year term

985 (1) Sterling Housing Authority for 5 year term

986 (1) Sterling Municipal Light Board for 3 year term

987 (1) Wachusett Regional School Committee for 3 year term

988

989 Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, **2023**.

990

991 **STERLING SELECT BOARD:**

992

993

994

995 \_\_\_\_\_  
Maureen Cranson

\_\_\_\_\_  
John Kilcoyne

\_\_\_\_\_  
David Smith