

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

At a legal meeting of voters of the Town of Sterling qualified to vote in town affairs held on Monday the 14<sup>th</sup> day of May at 7:00 (7:00) o'clock in the evening at the Chocksett School on Boutelle Rd, the registrars checked in 204 of the 5442 registered voters of the town. Moderator, Peter Monaghan called the meeting to order at 7:03pm.

Counters sworn in were Michael Radzicki, Ron Pichierri, Robert Protano and Vern Gaw.

Pledge of allegiance was recited. The Moderator went over the basic rules of Town Meeting and asked all non voters to stand and be recognized.

**ARTICLE 1.** Voted 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.

John Potter of the finance committee moved on the words of the article, seconded.

Line items were read by moderator

**PASSED                      UNANIMOUS**

**ARTICLE 2.** Voted 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.

Motion made to move on words of the article, seconded.

**PASSED                      UNANIMOUS**

**ARTICLE 3.** Voted to raise and appropriate \$7,854,515 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  
Move on words and seconded.

Mr. Plourde made a motion to amend article from \$7,891,214.00 to 7,854,515.00.

Vote on amendment – amendment carried

No further discussion as amended.

**PASSED                      UNANIMOUS**

**ARTICLE 4.** Voted to raise and appropriate the sum of \$959,406.00 above the net minimum contribution as requested by the Wachusett Regional School District,

Mr Potter made motion to move on the words of the main article, seconded.

Mr. Plourde made motion to amend amount of article from \$993,827 to \$959,406.00.

Mr. Kroll of 86 Chace Hill Rd would like to know where the increases are coming from this year.  
Superintendent Pandiscio responded.

Vote taken on amendment. Passed

Vote taken on article as amended

**PASSED**

**UNANIMOUS**

**ARTICLE 5.** Voted 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.

Mr. Williams made a motion to move on the words of the article, seconded.

No discussion on article

**PASSED**

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

**ARTICLE 6.** Voted 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.

Motion made to move on the words of the article, seconded.

Mr. Protano spoke for the planning board supporting this article.

Quinn Stuart, 70 Clinton Rd asked if there was impact report done on this property. Mr. Heinold stated that there was not.

Ann Desmaris made a presentation on this article. Mr. Heinold fielded questions.

Mr Sushchyk read a letter from Walt Sanders of the Industrial Development Committee recommending the zoning change.

Motion made to move the question, seconded. Motion carried.

**PASSED**

**2/3rds VOTE DECLARED BY MODERATOR.**

**ARTICLE 7.** Voted 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.

Mr. Suschcyk made a motion to move on the words of the article, seconded

Mr Protano spoke on behalf of the Planning board supporting this article.

Finance in favor

**PASSED                      2/3rds VOTE DECLARED BY MODERATOR.**

**ARTICLE 8.** Voted to raise and appropriate 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.

Motion made to move on the words of the article, seconded

**PASSED                      UNANIMOUS**

**ARTICLE 9.** Voted 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.

Mr. Murray, made a motion to move on the words of the article, seconded.

**PASSED                      UNANIMOUS**

**ARTICLE 10.** Voted 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.

Mr. Manring, made a motion to move on the words of the article, seconded.

William Gauld, Nancy Kristoff, Russell Philpot, James Gettens, questioned this article

Mr. Williams made motion to move the article, seconded.

**PASSED                      UNANIMOUS**

**ARTICLE 11.** Voted 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.

Mr. Manring, made a motion to move on the words of the article, seconded. No discussion

**PASSED                      UNANIMOUS**

**ARTICLE 12.** Voted to raise and appropriate \$7,500 to fund the Senior Citizen Work-Off Abatement Program for fiscal year 2008.

Motion made to move on the words of the article, seconded. No discussion

**PASSED                      MAJORITY**

**ARTICLE 13.** Voted 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.

Motion made to move on the words of the article, seconded

**PASSED                      MAJORITY**

**ARTICLE 14.** Voted to include in the tax levy for electricity used for street lights the sum of \$29,995 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

Ken Williams of the Light Board, made a motion to move on the words of the article with an amendment to decrease the amount from \$40,000.00 to \$29,955.00, seconded.

Vote on amendment taken, amendment carried.

Claire Stidsen asked how many street lights in town, Mr. Williams stated there were 480.

Vote on article as amended

**PASSED                      UNANIMOUS**

**ARTICLE 15.** Voted 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.

Motion made to move on the words of the article, seconded.

**PASSED                      UNANIMOUS**

**ARTICLE 16.** Voted to raise and appropriate 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.

Motion made to move on the words of the article, seconded.

**PASSED                      UNANIMOUS**

**PASSED      2/3rds VOTE DECLARED BY MODERATOR**

**ARTICLE 22.** Voted to transfer from the Capital Fund the sum of \$15,000 to purchase an Animal Control Vehicle complete with equipment as needs dictate,

Motion made to move the words of the article, seconded.

Doug Davis explained the need for an animal control vehicle

Motion made and second to amend article to add “said sum to be expended by the Chief of Police” after the words “as needs dictate”.

Vote taken on amendment – amendment passed

Vote taken on article as amended

**PASSED                      UNANIMOUS**

**ARTICLE 23.** Voted 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.

Moton made to move on the words of the article, seconded

**PASSED                      UNANIMOUS**

**ARTICLE 24.** Voted 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

Motion made to move on the words of the article, seconded.

**PASSED                      2/3rds VOTE DECLARED BY MODERATOR**

**ARTICLE 25.** Voted to transfer from the Capital Fund the sum of \$12,000 for the purchase of a new copier for the Town Hall.

Motion made to move on the words, seconded. Mr. Kroll of Chace Hill Rd questioned if we looked into leasing a copier instead of buying. Mr. Turner stated that it would cost more to lease.

Mr. Williams made motion to move the article, passed

**PASSED                      2/3rds VOTE DECLARED BY MODERATOR**

**ARTICLE 26.** Voted 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.

Motion made to move on the words of the article, seconded

**PASSED                      2/3rds VOTE DECLARED BY MODERATOR**

**ARTICLE 27.** Voted 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 Treasure’s receipts and reconciliation.

Motion made to move on the words, seconded

**PASSED                      UNANIMOUS**

**ARTICLE 28.** Voted 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

Motion made to move on the words of the article, seconded.

Motion made to amend the article to read “**said sum to be expended by Board of Selectmen**”

Vote taken on amendment, amendment **passed**

Motion made to move the article, seconded

Vote taken on article as amended

**PASSED          2/3rds VOTE DECLARED BY MODERATOR**

**ARTICLE 29.** Voted 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:

<b>Salaries</b>	\$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

Motion made to move on the words, seconded

**PASSED          MAJORITY VOTE**

**ARTICLE 30.** Voted to raise and appropriate 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

Motion made to move on the words, **source of funding, raise and appropriate**, motion seconded

**PASSED          MAJORITY VOTE**

**ARTICLE 31.** Voted to amend the General By-Laws of the Town of Sterling by repealing “Acceptance of Public Ways” **Section 2.**

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

Motion made to move on the words, seconded.

Mr. Protano of the Planning board spoke on this article.

**PASSED                      MAJORITY VOTE**

**ARTICLE 32.** Voted 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.

Motion made to move on the words of the article, seconded

**PASSED                      2/3rds VOTE DECLARED BY MODERATOR**

**Motion made to consider a consent agenda for articles 33-39, seconded**

**PASSED                      MAJORITY**

**ARTICLE 33.** Voted 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.

**ARTICLE 34.** Voted 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.

**ARTICLE 35.** Voted 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.

**ARTICLE 36.** Voted 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.

**ARTICLE 37.** Voted 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.

**ARTICLE 38.** Voted 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.

**ARTICLE 39.** Voted 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.

**ARTICLES 33-39**

**PASSED                      MAJORITY VOTE**

**ARTICLE 40.** Voted 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

Motion made to move on the words of the article, seconded.

**PASSED                      MAJORITY VOTE**

**ARTICLE 41.** Voted 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.

Motion made to move on the words of the article, seconded

Planning Board recommends passing articles 41 thru 44.

**PASSED                      MAJORITY VOTE**

**ARTICLE 42.** Voted 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.

Motion made to move on the words of the article, seconded

**PASSED                      MAJORITY VOTE**

**ARTICLE 43.** Voted 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

Motion made to move on the words of the article, seconded

**PASSED                      MAJORITY VOTE**

**ARTICLE 44.** Voted 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.

Motion made and second to move on the words of the article.

**PASSED                      MAJORITY VOTE**

**ARTICLE 45.** Voted 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.

Motion made to move on the words of the article, seconded

**PASSED                      MAJORITY VOTE**

**ARTICLE 46.** Voted 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.

Motion made to move on the words of the article, seconded.

**PASSED                      UNANIMOUS**

**ARTICLE 47.** Voted to amend the Town of Sterling General By-Laws by deleting the current **ALARMS** section in its entirety and inserting the following:

#### 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

Motion made to move on the words of the article, seconded.

Tom Kokernak of the fire dept. explained this article.

**PASSED                      MAJORITY VOTE**

**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

Motion made to move the words of the article, seconded.

Motion made by Lance Harris of 93 Redstone Hill Rd. and seconded to amend article to add the following, this regulation shall not apply to the following:

1. Emergency police, fire and ambulance vehicles
2. Police, Fire, DPW, civil and national defense activities
3. Domestic equipment, such as lawn mowers and power saws between the hours of 7:00am and 8:00pm.
4. Snow removal equipment.
5. Human or animal noises unless mechanically amplified.
6. Farm equipment.
7. Locomotive Trains.

Motion made to move to vote on the amendment

Vote taken on the amendment – **DEFEATED**

Motion made by Mr. Sushchuk to table this article and form a study committee to come up with a recommendation for a noise bylaw

Motion made and seconded to TABLE the article,

**TABLED                      2/3rds VOTE DECLARED BY MODERATOR**

**ARTICLE 49.** Voted 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.

Motion made to adjourn meeting to May 21, 2007 for the purpose of election of town officer by ballot at which no other town business will be conducted and at commencement of which town meeting will be dissolved

Meeting adjourned at 11:20pm.

Respectfully submitted

Melanie J. Clark  
Town Clerk