

**TOWN OF STERLING
SPECIAL TOWN MEETING
MAY 12, 2008**

Worcester, ss.

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

GREETINGS:

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

MONDAY EVENING, THE TWELFTH DAY OF MAY, 2008

at six thirty (6:30) o'clock in the evening, then and there to act on the following articles:

ARTICLE 1. To see if the Town will vote to transfer the sum of \$416,792 from Free Cash, and to transfer the sum of \$171,000 from an available fund, "Sale of Land Revenue received from the Commonwealth of Massachusetts", for a total of \$ 587,792, to the Capital Fund, as allowed by the bylaws of Sterling; or take any action relative thereto.

Submitted by: Finance Committee

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

Summary: This article transfers funds from an available fund, Free Cash, into the Capital Fund. It also transfers into this fund the \$171,000 proceeds of the sale of the conservation restriction on the Town land off Holden and Princeton Roads, as accepted by Article 4 of the Special Town Meeting of May 14, 2007.

ARTICLE 2. To see if the Town will vote to transfer the sum of \$270,061 from Free Cash to the Stabilization Fund in accordance with the provisions of Chapter 40, Section 5B, General Laws, as amended, or take any action in relation thereto.

Submitted by: Finance Committee

Recommendation: The Finance Committee recommends passage of this article.

Summary: This article transfers funds from an available fund, Free Cash, into the Stabilization Fund.

ARTICLE 3. To see if the Town will vote to transfer the sum of \$42,151.67 from Insurance recovery receipts to the Stabilization Fund, or take any action in relation thereto.

Submitted by: Finance Committee

Recommendation: The Finance Committee recommends passage of this article.

Summary: This article will transfer funds received from our insurance carrier for damages incurred at the Fire Station from an electrical malfunction. Funds to perform repairs to the Fire Station were appropriated at the Special Town Meeting May 14, 2007 article 5; Massachusetts General Law prohibits use of insurance funds over \$20,000 without an appropriation.

ARTICLE 4. To see if the Town will vote to transfer from available funds, a sum of money to pay an outstanding fiscal year invoice, or take any action in relation thereto.

Submitted by: Town Administrator

Recommendation: The Finance Committee will report at Town Meeting.

Summary: At the time this Warrant was published, there were no outstanding bills. If none are received before Town Meeting, this article will be withdrawn.

ARTICLE 5. To see if the Town will vote to transfer from the Capital Fund the sum of \$10,000, or any other sum, for the purchase for replacement and upgrade of the Phone systems in the Town Hall, DPW Building and the Police Station or take any action in relation thereto.

Submitted By: Board of Selectmen

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

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

ARTICLE 6. To see if the Town will vote to transfer funds within the FY08 Operating Budget, from one account to another, or take any action in relation thereto.

Submitted by: Town Administrator

Recommendation: The Finance Committee will report at Town Meeting.

Summary: At the time this Warrant was published, there was one transfer request from the DPW, to transfer \$15,000 from the DPW Superintendent salary to DPW expenses. If other transfer requests are received before Town Meeting, they may be included in this article.

ARTICLE 7. To see if the Town will accept the provisions of Chapter 59, Section 5L of the Massachusetts General Laws, which provides that any taxes due under Chapter 59 by a member of the Massachusetts National Guard or Reservist or a dependent of a member of the Massachusetts National Guard or Reservist shall be deferred while that member is on active service outside the Commonwealth of Massachusetts and for the next 180 days after that service, and that no interest or penalties shall be assessed for any period before the expiration of those 180 days.

Submitted by: Board of Selectmen and Veterans Services Officer

Recommendation: The Finance Committee recommends passage of this article.

Summary: This would allow the deferment of taxes due of any Massachusetts National Guard and Reservists who are serving outside the Commonwealth of Massachusetts for 180 days (approximately 6 months) after their return to Massachusetts. It would also forgive interest, penalties and fines for this period.

ARTICLE 8. To see whether the town will vote to transfer from the Stabilization Fund the sum of \$ 27,000, or any other sum, to cover the costs associated with the negotiated agreement with the union representing members of the police department or take any other action in relation thereto.

Submitted by: Board of Selectmen

Recommendation: The Finance Committee recommends passage of this article.

Summary: This article provides funding for the current FY08 year of the new Police Collective Bargaining agreement, effective July 1, 2007 through June 30, 2010. At the time of the May 2007 Annual Town Meeting, this contract had not yet been settled, therefore funds were placed into Stabilization at that time to be used for this purpose. The funding for FY09 for this contract is contained in the Police Department FY09 operating budget to be voted by this year's Annual Town Meeting.

ARTICLE 9. To see whether the town will vote to transfer from the Stabilization Fund, or from available funds, the sum of \$25,000, or any other sum, to cover the costs associated with a 3% step increase, effective January 1, 2008, for Non-Union employees of the Town who have successfully completed a performance review, or taken any other action in relation thereto.

Submitted by: Board of Selectmen

Recommendation: The Finance Committee recommends passage of this article.

Recommendation: The Personnel Board does not support the passage of this article.

Summary: This article provides funding for 3% step increases for regular full time and part time non-Union personnel who have successfully completed a performance evaluation in early 2008.

ARTICLE 10. To see if the Town will vote to transfer from the Stabilization Fund, or from available funds, a sum of money, to the Snow and Ice Account to cover the deficit in the snow and ice budget for the current fiscal year or take any action in relation thereto.

Submitted by: DPW Board / Town Administrator

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

Summary: This article transfers money from the Stabilization Fund into the DPW Snow and Ice Account to cover the deficit in the account caused by the snow and ice storms of this past winter and spring.

ARTICLE 11. To see if the Town will vote to transfer from the Capital Fund the sum of \$39,000, or any other sum, for the purchase of the following capital items:

Building Inspector Vehicle	\$12,000
Purchase new Sound System	\$27,000

Submitted By: Capital Committee

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

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

Summary: This article funds a portable sound system and camera for use at Town Meeting, as well as for various Board/Committee meetings throughout the year. We have been operating with a system that is over 10 years old; the sound quality and recording/playback capabilities are no longer reliable. This article also funds the balance of the lease for the Building Inspector's vehicle. This vehicle replaces a 1999 Ford Ranger Pickup truck that was too costly to repair.

ARTICLE 12. To see if the Town will vote to transfer from the Stabilization Fund, or from available funds, the sum of \$18,754, to pay for tuition of a Sterling student attending the Norfolk County Agricultural School in Walpole, said sum to be expended by the Board of Selectmen, or take any action in relation thereto.

Submitted by: Board of Selectmen

Recommendation: The Finance Committee recommends passage of this article, in accordance with State law.

Summary: A Sterling student has been attending to Norfolk County Agricultural School in Walpole. Under MGL Chapter 74 Sections 7C and 8A, the Town of Sterling is obligated to provide both transportation and tuition for this student. The Town will be reimbursed on the Cherry Sheet the following year for transportation only. This article funds FY08 tuition for this student; FY08 transportation was funded at the October 15, 2007 Special Town Meeting.

ARTICLE 13. To see if the Town will vote to create a Special Stabilization fund for Chocksett Crossing mitigation, and further, to transfer \$92,000 from the Stabilization Fund, \$41,400 from Free Cash, and \$9,200 from available funds, for a total of \$142,600, into this Chocksett Crossing Mitigation Special Stabilization Fund, or take any action in relation thereto.

Submitted by: Board of Selectmen

Recommendation: The Finance Committee recommends passage of this article.

Summary: This article will place all the mitigation fees (\$4,600 per unit) from the Chocksett Crossing development together into one fund, to be used toward mitigation projects associated with Chocksett Crossing.

ARTICLE 14. To see if the Town will vote to Transfer \$106,000, or any other sum, from the Chocksett Crossing Mitigation Special Stabilization Fund to pay for the design of traffic improvements at the intersection of Leominster Road and Chocksett Road, or take any action in relation thereto.

Submitted by: Board of Selectmen

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

Summary: The intersection of Leominster Road and Chocksett Road has more vehicle accidents than any other intersection in Sterling. In order to determine how best to proceed with traffic improvements at this intersection, a public hearing will be scheduled within the next few months. Funds from this article will then be used to design those traffic improvements. If the design is completed and approved by FY2010, this intersection will be eligible to receive State funding for construction through the Massachusetts Highway Transportation Improvement Program in FY2011.

ARTICLE 15. To see if the Town of Sterling will approve the borrowing of \$2,000,000 by the Wachusett Regional School District as authorized by the vote of the Regional District School Committee on February 25, 2008 for the purpose of paying the costs for environmental remediation and cleanup of the oil contamination at the Jefferson School Building, including ongoing operating, assessment and remediation efforts as required by the Department of Environmental Protection or otherwise, and incurring debt by the issuance of bonds or notes under Chapter 214 of the Acts of 2007 and Section 15 of the Amended Wachusett Regional School District Agreement, and to that end the District Treasurer, with the approval of the Regional District School Committee, be authorized to issue bonds or notes therefor; and to authorize the Superintendent to enter into and execute all contracts necessary or otherwise material to such work and to act or do anything relative thereto.

Submitted by: Wachusett Regional School District Committee

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

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

Summary: This article authorizes WRSD to borrow money over a 20 year period to fund remediation and cleanup of the oil contamination at Jefferson School. Sterling's share for FY09 will be \$7,462 and is included in the FY09 WRSD assessment in the Annual Town Meeting. Due to the structure of the borrowing, principal and interest costs will increase in future years, with Sterling's share not expected to exceed \$30,000 in any one year.

And you are directed to serve this warrant by posting up attested copies thereof, one at the Mary Ellen Butterick Municipal Building and one at the Conant Public Library in Sterling, fourteen (14) days at least before the time for holding said meeting.

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

Given under our hands this tenth day of April 2008.

Sterling Board of Selectmen

Donlin K. Murray, Chairman

Richard A. Sheppard

Paul M. Sushchyk