

# **Town of Sterling WARRANT**

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



**May 3, 2014 Saturday**  
Special Town Meeting 3:30pm  
Annual Town Meeting 4pm  
Chocksett Middle School Gym  
40 Boutelle Road

# **Finance Committee Report**

To the voters of Sterling,

Your Finance Committee respectfully submits its report, the department's requests and the town budget recommendations for the fiscal year 2015, beginning July 1, 2014 and ending June 30, 2015.

The Finance Committee recommendations minimize year to year tax bill increases while maintaining services, supporting new projects and strengthening the town's financial position. As in the past few years, our challenge has been depressed revenues with continued cost pressures.

The recommendations will increase the average house tax bill by 2.8%. Additionally, two debt articles will increase the average house tax bill by approximately \$10 for a replacement fire truck and \$76 for the senior center.

## **Capital Fund**

The Finance Committee and the Capital Fund Committee both recommend reversing the four year reduction of the Capital Fund and begin growing the fund.

Both committees recommend funding new debt from raise and appropriate instead of the capital fund. Additionally, the committees no longer support funding bundled "various" capital articles from the Capital Fund.

The town will continue funding existing debt and lease payments from the Capital Fund for the ambulance and 2 fire trucks for a FY15 total of \$163,416.

These recommendations will grow the Capital Fund by \$50,000.

## **New Borrowing**

The Finance Committee recommends borrowing as a source of funding for the Senior Center article and the replacement Fire Department Pumper Truck article. Borrowing spreads the cost over many years and reduces the burden on existing tax payers for an asset with long future life.

The Finance Committee also recommends that these articles are contingent on the passage of a proposition 2-1/2 debt exclusion. A debt exclusion protects the town's excess levy capacity which is a primary financial reserve.

Unlike general overrides, debt exclusions are temporary and only exclude the principle and interest payments from the levy limit.

## **New Growth**

Since 2008, the “Great Recession” sharply reduced the town's revenue growth. “New Growth” revenue resulting from construction and development dropped and remains low. Several years ago, the town enjoyed \$200,000 to \$400,000 of new growth revenue annually. Next year we expect \$90,000. Fortunately, the town's financial reserves and careful planing allowed us to provide excellent schools, safety and protection, roads, snow removal, recreation and other high quality services that we all expect.

The town's financial reserves are not endless. The Stabilization fund and the Capital fund remain strong but are smaller. The Finance Committee and the Capital Fund Committee are recommending two significant strategic changes;

- 1) Reduce our financial reliance on reserves and begin re-growing our reserves.
- 2) “Tap” the breaks on spending. Protect our assets, support existing services and minimize new services.

We would like to thank the voters, departments, boards and committees for the contributions and continued support in our efforts to provide a balanced budget to meet the needs of the town.

Respectfully Submitted by,

The Town of Sterling Finance Committee

Robert Brown, Chairman

Barbara Bartlett

Joseph Sova, Vice Chairman

Mary Cliett

Gerald Kokernak

Edward Sweet

Cynthia Secord

**TOWN OF STERLING  
OPERATING BUDGET FY15**

	FY14 Approved	FY15 Request	FY14-FY15 Percent Diff.	FY15 FinCom Recommended	FY14-FinCom Percent Diff.
Town Operating Budget					
Moderator					
Salary	\$500	\$500	0.0%	\$500	0.0%
Expense	\$150	\$150	0.0%	\$150	0.0%
TOTAL	\$650	\$650	0.0%	\$650	0.0%
Selectman					
Salary	\$4,500	\$4,500	0.0%	\$4,500	0.0%
Expense	\$2,500	\$4,500	80.0%	\$2,500	0.0%
TOTAL	\$7,000	\$9,000	28.6%	\$7,000	0.0%
Town Administrator					
Salary	\$95,504	\$87,472	-8.4%	\$87,472	-8.4%
Wages	\$73,562	\$74,978	1.9%	\$74,978	1.9%
Expense	\$67,000	\$70,000	4.5%	\$70,000	4.5%
TOTAL	\$236,066	\$232,450	-1.5%	\$232,450	-1.5%
Accountant					
Salary and Wages	\$42,911	\$43,689	1.8%	\$43,689	1.8%
Expense	\$2,900	\$4,700	62.1%	\$4,700	62.1%
TOTAL	\$45,811	\$48,389	5.6%	\$48,389	5.6%
Financial Audit					
Expense	\$19,500	\$19,500	0.0%	\$19,500	0.0%
TOTAL	\$19,500	\$19,500	0.0%	\$19,500	0.0%
Treasurer / Collector					
Salary	\$56,587	\$57,699	2.0%	\$57,699	2.0%
Wages	\$84,832	\$86,521	2.0%	\$86,521	2.0%
Tax Title	\$1,500	\$5,000	233.3%	\$5,000	233.3%
Expense	\$37,705	\$38,691	2.6%	\$38,691	2.6%
TOTAL	\$180,624	\$187,911	4.0%	\$187,911	4.0%
Assessors					
Salary	\$4,500	\$4,500	0.0%	\$4,500	0.0%
Wages	\$45,048	\$42,841	-4.9%	\$42,841	-4.9%
Expense	\$51,250	\$55,000	7.3%	\$55,000	7.3%
TOTAL	\$100,798	\$102,341	1.5%	\$102,341	1.5%
Town Clerk					
Salary	\$61,741	\$62,956	2.0%	\$62,956	2.0%
Wages	\$38,878	\$40,886	5.2%	\$40,886	5.2%
Training	\$2,500	\$3,500	40.0%	\$3,500	40.0%
Expense	\$10,020	\$10,795	7.7%	\$10,795	7.7%
TOTAL	\$113,139	\$118,137	4.4%	\$118,137	4.4%

Elections and Registrations					
Wages	\$7,834	\$10,874	38.8%	\$10,874	38.8%
Expense	\$9,600	\$16,100	67.7%	\$16,100	67.7%
TOTAL	\$17,434	\$26,974	54.7%	\$26,974	54.7%
Information and Technology					
Professional Services	\$39,360	\$39,360	0.0%	\$39,360	0.0%
Expense	\$9,925	\$15,300	54.2%	\$15,300	54.2%
WWW Hosting Service	\$2,700	\$5,400	100.0%	\$5,400	100.0%
GIS Hosting Service	\$1,800	\$0		\$0	-100.0%
TOTAL	\$53,785	\$60,060	11.7%	\$60,060	11.7%
Legal Services					
Expense	\$60,000	\$70,000	16.7%	\$60,000	0.0%
TOTAL	\$60,000	\$70,000	16.7%	\$60,000	0.0%
Finance Committee					
Expense	\$200	\$200	0.0%	\$200	0.0%
TOTAL	\$200	\$200	0.0%	\$200	0.0%
Human Resources					
Salary	\$28,998	\$27,880	-3.9%	\$27,880	-3.9%
Expense	\$500	\$500	0.0%	\$500	0.0%
TOTAL	\$29,498	\$28,380	-3.8%	\$28,380	-3.8%
Personnel Board					
Expense	\$500	\$500	0.0%	\$500	0.0%
Merit Pay	\$0	\$4,000		\$4,000	
Training	\$0	\$5,000		\$0	
TOTAL	\$500	\$9,500	1800.0%	\$4,500	800.0%
ADA Committee					
Expense	\$1,500	\$1,500	0.0%	\$1,500	0.0%
TOTAL	\$1,500	\$1,500	0.0%	\$1,500	0.0%
Facilities Management					
Wages	\$25,553	\$26,784	4.8%	\$26,784	4.8%
Expense	\$60,226	\$61,576	2.2%	\$61,576	2.2%
TOTAL	\$85,779	\$88,360	3.0%	\$88,360	3.0%
Planning Board					
Salary	\$500	\$500	0.0%	\$500	0.0%
Expense	\$17,801	\$18,157	2.0%	\$18,157	2.0%
MRPC Expense	\$2,314	\$2,515	8.7%	\$2,515	8.7%
TOTAL	\$20,615	\$21,172	2.7%	\$21,172	2.7%
Board of Appeals					
Wages	\$14,685	\$0	-100.0%	\$0	-100.0%
Expense	\$6,000	\$7,900	31.7%	\$7,900	31.7%
TOTAL	\$20,685	\$7,900	-61.8%	\$7,900	-61.8%
Conservation Commission					
Wages	\$22,341	\$22,787	2.0%	\$22,787	2.0%
Expense	\$734	\$734	0.0%	\$734	0.0%
TOTAL	\$23,075	\$23,521	1.9%	\$23,521	1.9%

Agricultural Commission					
Expense	\$750	\$750	0.0%	\$750	0.0%
TOTAL	\$750	\$750	0.0%	\$750	0.0%
Open Space Committee					
Expense	\$1,000	\$1,000	0.0%	\$1,000	0.0%
TOTAL	\$1,000	\$1,000	0.0%	\$1,000	0.0%
Police Department					
Salary	\$118,914	\$122,481	3.0%	\$122,481	3.0%
Wages	\$1,124,895	\$1,120,459	-0.4%	\$1,120,459	-0.4%
Cruiser	\$38,000	\$39,000	2.6%	\$39,000	2.6%
Expense	\$96,780	\$107,700	11.3%	\$107,700	11.3%
TOTAL	\$1,378,589	\$1,389,640	0.8%	\$1,389,640	0.8%
Dispatch					
Wages	\$236,201	\$241,059	2.1%	\$241,059	2.1%
Expense	\$81,650	\$86,445	5.9%	\$86,445	5.9%
TOTAL	\$317,851	\$327,504	3.0%	\$327,504	3.0%
Fire Department					
Chief Salary	\$89,697	\$91,735	2.3%	\$91,735	2.3%
Wages	\$307,978	\$316,041	2.6%	\$316,041	2.6%
Expense	\$83,120	\$116,000	39.6%	\$116,000	39.6%
Emergency Management Stipend	\$10,000	\$10,000	0.0%	\$10,000	0.0%
Emergency Management Expense	\$1,500	\$1,500	0.0%	\$1,500	0.0%
TOTAL	\$492,295	\$535,276	8.7%	\$535,276	8.7%
EMS Ambulance					
Chief Salary	\$12,200	\$12,200	0.0%	\$12,200	0.0%
Wages	\$251,736	\$263,179	4.5%	\$263,179	4.5%
Expense	\$76,268	\$69,518	-8.9%	\$69,518	-8.9%
TOTAL	\$340,204	\$344,897	1.4%	\$344,897	1.4%
Animal Control					
Wages	\$16,054	\$16,380	2.0%	\$16,380	2.0%
Expense	\$4,000	\$4,000	0.0%	\$4,000	0.0%
TOTAL	\$20,054	\$20,380	1.6%	\$20,380	1.6%
Inspection Services					
Contracted Services	\$51,130	\$52,560	2.8%	\$52,560	2.8%
Salary and Wages	\$17,012	\$32,364	90.2%	\$32,364	90.2%
Wire Inspector	\$11,750	\$12,750	8.5%	\$12,750	8.5%
Plumbing Inspector	\$10,000	\$10,000	0.0%	\$10,000	0.0%
Gas Inspector	\$5,500	\$5,500	0.0%	\$5,500	0.0%
Sealer of Weights and Measures	\$1,200	\$1,200	0.0%	\$1,200	0.0%
Expense	\$5,550	\$5,550	0.0%	\$5,550	0.0%
TOTAL	\$102,142	\$119,924	17.4%	\$119,924	17.4%
Board Of Health					
Salary	\$309	\$309	0.0%	\$309	0.0%
Inspectors	\$75,769	\$75,963	0.3%	\$75,963	0.3%
Expense	\$4,530	\$4,530	0.0%	\$4,530	0.0%
Wachusett Home Health Care	\$1,500	\$1,500	0.0%	\$1,500	0.0%

Montachusett Public Health		\$2,500		\$2,500	
TOTAL	\$82,108	\$84,802	3.3%	\$84,802	3.3%
Animal Inspector					
Salary	\$1,000	\$1,000	0.0%	\$1,000	0.0%
Expense	\$900	\$900	0.0%	\$900	0.0%
TOTAL	\$1,900	\$1,900	0.0%	\$1,900	0.0%
Council on Aging					
Wages	\$96,987	\$115,349	18.9%	\$115,349	18.9%
Home Care	\$400	\$400	0.0%	\$400	0.0%
Title VII Nutrition and Wheat	\$4,500	\$4,500	0.0%	\$4,500	0.0%
Senior Tax Work-off Program	\$15,000	\$15,000	0.0%	\$15,000	0.0%
Expense	\$13,802	\$14,492	5.0%	\$14,492	5.0%
TOTAL	\$130,689	\$149,741	14.6%	\$149,741	14.6%
Veteran's Services					
Benefits	\$38,000	\$38,000	0.0%	\$33,000	-13.2%
Wages	\$4,200	\$4,284	2.0%	\$4,284	2.0%
Expense	\$1,900	\$1,900	0.0%	\$1,900	0.0%
TOTAL	\$44,100	\$44,184	0.2%	\$39,184	-11.1%
Extension Service					
Expense	\$510	\$510	0.0%	\$510	0.0%
TOTAL	\$510	\$510	0.0%	\$510	0.0%
Conant Public Library					
Salary	\$70,070	\$72,738	3.8%	\$72,738	3.8%
Wages	\$182,663	\$187,771	2.8%	\$186,351	2.0%
Expense	\$95,017	\$101,714	7.0%	\$101,714	7.0%
TOTAL	\$347,750	\$362,223	4.2%	\$360,803	3.8%
Recreation					
Salary and Wages	\$57,096	\$58,270	2.1%	\$58,270	2.1%
Expense	\$6,120	\$6,300	2.9%	\$6,300	2.9%
TOTAL	\$63,216	\$64,570	2.1%	\$64,570	2.1%
Historical Commission					
Expense	\$1,000	\$1,000	0.0%	\$1,000	0.0%
TOTAL	\$1,000	\$1,000	0.0%	\$1,000	0.0%
Memorial and Veterans Day					
Expense	\$5,400	\$5,600	3.7%	\$5,600	3.7%
TOTAL	\$5,400	\$5,600	3.7%	\$5,600	3.7%
DPW					
Board Salary	\$1,800	\$1,800	0.0%	\$1,800	0.0%
Salary	\$62,783	\$64,039	2.0%	\$64,039	2.0%
Wages	\$569,928	\$581,323	2.0%	\$581,323	2.0%
Expense	\$297,401	\$306,901	3.2%	\$306,901	3.2%
Hydrant Rental	\$26,675	\$26,675	0.0%	\$26,675	0.0%
Street Lights	\$31,090	\$30,613	-1.5%	\$30,613	-1.5%
Trash Pickup	\$525,845	\$541,621	3.0%	\$541,621	3.0%
TOTAL	\$1,515,522	\$1,552,972	2.5%	\$1,552,972	2.5%

DPW Snow and Ice					
Wages	\$60,000	\$60,000	0.0%	\$60,000	0.0%
Expense	\$116,000	\$116,000	0.0%	\$116,000	0.0%
TOTAL	\$176,000	\$176,000	0.0%	\$176,000	0.0%
Insurance and Benefits					
Health Insurance	\$971,360	\$1,068,311	10.0%	\$1,068,311	10.0%
Medicare	\$50,254	\$53,884	7.2%	\$53,884	7.2%
Unemployment	\$20,000	\$20,000	0.0%	\$20,000	0.0%
Liability Insurance	\$115,355	\$115,355	0.0%	\$115,355	0.0%
TOTAL	\$1,156,969	\$1,257,550	8.7%	\$1,257,550	8.7%
Worcester County Retirement					
Assessment	\$475,704	\$515,291	8.3%	\$515,291	8.3%
TOTAL	\$475,704	\$515,291	8.3%	\$515,291	8.3%
Debt Service					
Principle	\$1,314,500	\$1,300,000	-1.1%	\$1,300,000	-1.1%
Interest	\$381,023	\$333,558	-12.5%	\$333,558	-12.5%
TOTAL	\$1,695,523	\$1,633,558	-3.7%	\$1,633,558	-3.7%
TOTAL TOWN OPERATING BUDGET	\$9,365,935	\$9,645,216	3.0%	\$9,621,796	2.7%



**THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF STERLING  
SPECIAL TOWN MEETING  
MAY 3, 2013**

**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, 40 Boutelle Road, in said Sterling on

**SATURDAY AFTERNOON, THE THIRD DAY OF MAY, 2014**

at **THREE THIRTY (3:30) o'clock in the afternoon**, then and there to act on the following articles:

**ARTICLE 1. Transfer Free Cash to Capital Fund**

To see if the Town will vote to transfer a sum of money from Free Cash to the Capital Investment 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 will report at the Special Town Meeting on this article.

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

**ARTICLE 2. Transfer Free Cash to Stabilization Fund**

To see if the Town will vote to transfer a sum of money from Free Cash to the Stabilization Fund in accordance with the provisions of MGL Ch40:5B , as amended, or take any action relative thereto.

**Submitted by:** Finance Committee

**Recommendation:** The Finance Committee will report at the Special Town Meeting on this article.

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

**ARTICLE 3. Fund Deficit in Snow and Ice Account**

To see if the Town will vote to transfer 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 relative thereto.

**Submitted by:** DPW Board / Town Accountant

**Recommendation:** The Finance Committee will report at the Special Town Meeting on this article.

**Summary:** This article transfers money from available funds 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.

#### **ARTICLE 4. Bills from Prior Fiscal Years**

To see if the Town will vote to transfer from available funds, a sum of money to pay any outstanding prior fiscal year's invoices, or take any action relative thereto.

**Submitted by:** Town Accountant

**Recommendation:** The Finance Committee will report at Special Town Meeting on this article.

**Summary:** Several small balances totaling approximately \$950 in prior year grant reimbursements and prior year bills need to be paid.

#### **ARTICLE 5. Transfers During FY14**

To see if the Town will vote to transfer funds within the FY14 Operating Budget, from one account to another, or from available funds to the FY14 Operating Budget, or take any action relative thereto.

**Submitted by:** Town Administrator

**Recommendation:** The Finance Committee will report at Special Town Meeting on this article.

**Summary:** At the time this Warrant went to press, there were no transfers.

#### **ARTICLE 6. Replace Water Truck #2**

To see if the Town will vote to transfer from Water Department Retained Earnings the sum of \$ 24,000 to replace Water vehicle #2 with a Ford transit van.

**Submitted by:** Department of Public Works

**Recommendation:** Department of Public Works Board recommends passage of this article.

**Summary:** This Transit van will replace a worn out and rotted 1999 F250. This article is on the Special Town meeting warrant because the Mechanic's consensus is the truck will have a hard time making July 1<sup>st</sup>.

And you are directed to serve this warrant by posting up attested copies thereof, one at each of the following locations in Sterling, fourteen (14) days at least before the time for holding said meeting:

Mary Ellen Butterick Municipal Building  
Conant Public Library  
Sterling Post Office  
Sterling Police Station  
Sterling Municipal Light Building

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 \_\_\_\_\_ th day of April 2014.

**Sterling Board of Selectmen**

\_\_\_\_\_  
Ronald Furmaniuk, Chairman

\_\_\_\_\_  
Brian Patacchiola

\_\_\_\_\_  
Robert Cutler

**THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF STERLING  
ANNUAL TOWN MEETING  
MAY 3, 2014**

**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, 40 Boutelle Road, in said Sterling on:

**SATURDAY, THE THIRD DAY OF MAY, 2014**

**at four (4:00) o'clock in the afternoon,** then and there to act on the following articles:

**ARTICLE 1. Compensation of Elected Officers**

To see if the Town will vote to fix the salaries and compensation of all elected officers of the Town as provided by MGL Ch41:108 , as amended, and as voted in Article 8 of this warrant, or take any action relative thereto.

**Submitted by:** Finance Committee

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

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

**ARTICLE 2. Authorize Treasurer to Borrow Money**

To see if the Town will vote to authorize the Town Treasurer with the approval of the Board of Selectmen to borrow money from time to time in anticipation of the revenue of the Fiscal Year beginning July 1, 2014, in accordance with the provisions of MGL Ch44:4 , 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 MGL Ch44:17 as amended, or take any action relative thereto.

**Submitted by:** Treasurer/Collector

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

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

**ARTICLE 3. Compensating Balance Agreements**

To see if the Town will vote, pursuant to MGL Ch44:53F , as amended, to authorize the Town Treasurer/Collector to enter into compensating balance agreements for the fiscal year beginning July 1, 2014, or take any action relative thereto.

**Submitted by:** Treasurer/Collector

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article allows the Treasurer/Collector to enter into compensating balance agreements with banking institutions as needed for the operation of the department. A compensating balance is a way of paying for the services the bank provides by maintaining a specified, minimum balance in a non-interest or low interest bearing account.

#### **ARTICLE 4. Chapter 90 Funding**

To see if the Town will vote to accept Chapter 90 funds, as funded by the Commonwealth of Massachusetts for highway resurfacing and/or other related work or expenditures, as allowed by state Chapter 90 regulations, said sum to be expended by the Department of Public Works, with approval of the Board of Selectmen, and in accordance with the DPW's 5-year Capital Plan reviewed annually by the Capital Plan Committee, or take any action relative thereto.

**Submitted by:** Department of Public Works

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

**Recommendation:** The Capital Committee will report at Town Meeting on this article.

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article allows the Town to expend money under the guidelines of Chapter 90 for road maintenance, road equipment purchases, and certain allowable highway projects, which are then reimbursed by the Commonwealth.

#### **ARTICLE 5. Fund Senior Center**

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the sum of \$2,710,000, or any other sum, to fund the architectural design, Owner's Project Manager, complete construction, and all items and services related to completing a new Senior Center with community usage, to be built on the corner of Boutelle Road and Muddy Pond Road, identified as Town Assessor's Parcel Number 11 on Town Assessor's Map Number 137, and listed in the Registry of Deeds Book Number 03588, Page Number 0132, said sum to be expended by the Senior Center Building Committee, with the advice and consent of the Board of Selectmen, with any unused funds to be returned to the town upon completion of the project, and as funding therefor, to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum pursuant to MGL Ch44:7 or any other enabling authority, and to issue bonds and notes therefor; provided, however, that the appropriation authorized hereunder shall be expressly contingent upon approval by the voters of the Town of a so-called Proposition 2 1/2 debt exclusion question, or take any action relative thereto.

**Submitted by:** Senior Center Design and Building Committee

**Recommendation:** The Senior Center Design & Building Committee recommends passage of this article.

**Recommendation:** The Finance Committee recommends passage of this article ONLY IF the project is financed as excluded debt. This is the same financing used for the police station and the fire station.

**Recommendation:** The Board of Selectmen recommends passage of this article as excluded debt.

**Summary:** The need for a new Senior Center was identified a decade ago. Town owned property at Muddy Pond Road and Boutelle Road has been selected and approved by the town. An Owner's Project Manager has assisted in the preliminary design and cost analysis. Whitman & Bingham, an engineering firm, has submitted and received approval of site plans by the Planning Board. Storm water, wetlands, and drainage plans have been approved by the Conservation Commission. Septic system plans have been approved by the Board of Health.. After several compromises, the size of the new Senior Center will be approximately 6,500 SF. Based on other recent construction projects, and the experience of the OPM, the Building Committee is recommending an amount of \$2,710,000 for the construction of the building and development of the site. A fully functional senior center can only enhance the offerings of our community.

#### **ARTICLE 6. Amend Personnel Bylaws**

To see if the Town will vote to amend the Personnel Bylaw Sections 1 thru 17, and by inserting in its place the proposed Town of Sterling Personnel Bylaw, copies of which are available for inspection at the Town Clerk's office and which is also published at the end of this warrant; or take any action relative thereto.

**Submitted by:** Personnel Board

**Recommendation:** The Personnel Board recommends the passage of this article.

**Recommendation:** The Finance Committee TAKES NO POSITION on this article.

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** The intent of the proposed changes to the Personnel Bylaw is to reflect that the only provisions that should be in the Personnel Bylaw are a wage and classification plan and benefits which may be accrued over time, such as vacation days, sick days, and holidays, etc. Any other terms and conditions of an employee's employment, such as procedures for granting leave and the type of leave available, any workplace policies such as the use of computers and the internet, work place violence, dress code, harassment, as well as hiring and promotion procedures, etc. are more appropriately contained in an Employee Personnel Handbook that is, in essence, a written collection of personnel policies and procedures that are approved by the Board of Selectmen.

#### **ARTICLE 7. Amend Personnel Classification Plans**

To see if the Town will vote to amend the Personnel Bylaw by replacing in their entirety "Attachment A – Classification Plan" and "Attachment B – Compensation Schedule", with the new "Attachment A – FY2015 Classification Plan Regular Non-Union Positions", and the new "Attachment B – FY2015 Classification Plan Union Positions", and the new "Attachment C – FY2015 Compensation Schedule for Regular Non-Union Positions", and the new "Attachment D— FY2015 Compensation Schedule for Union Positions", and the new "Attachment E—Fire Call Force Personnel", new Attachment F—Stipend Positions", and new "Attachment G—Part-Time Temporary Positions", copies of which are available for inspection at the Town Clerk's office and which are also published at the end of this warrant; or take any action relative thereto.

**Submitted by:** Personnel Board

**Recommendation:** The Personnel Board recommends the passage of this article.

**Recommendation:** The Finance Committee TAKES NO POSITION on this article.

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article will adjust the Classification Plan and the Compensation Plan Attachment A, Regular Non-Union positions by establishing Six (6) Grade Levels and a corresponding new Compensation Schedule for Regular Non-Union positions in Attachment C that is competitive with the market place. This article contains a separate Classification Plan for union positions (Attachment B and Attachment D) that has been adjusted by 2% consistent with the federal inflation rate and the Consumer Price Index. This article also contains a new Classification and Compensation Plan for the Fire Call Force (Attachment E) with one grade level. There are no changes recommended for Attachment F – Stipend Positions and Attachment G—Part-Time Temporary Positions.

#### **ARTICLE 8. FY15 Town Operating Budget**

To see if the Town will vote to raise and appropriate the sum of \$ 9,291,796 or any other sum; and to further appropriate, from the Ambulance Receipts Account, the sum of \$ 325,000 or any other sum; and to further appropriate, from the Cemetery Perpetual Care Account, the sum of \$ 5,000 or any other sum; for a total appropriation of \$ 9,621,796 , 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, 2014 and ending June 30, 2015, as shown in the operating budget attached to this warrant; or take any action relative thereto.

**Submitted by:** Finance Committee

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This is the general budget article that funds the Town departments for the coming fiscal year. A breakdown of the Town Department budgets can be viewed in this booklet.

## **ARTICLE 9. Water Dept. Operations -- Enterprise Fund**

To see if the Town will vote to appropriate the sum of \$ 1,005,810 , or any other sum, from water department revenue, and further to appropriate \$ 40,000 from Water Enterprise Retained Earnings for extraordinary or unforeseen expense, as determined by the DPW Board and approved by the Finance Committee, for a grand total appropriation of \$1,045,810 to operate the Water Department the Water Department Enterprise Fund for Fiscal Year 2015 under the provisions of Massachusetts General Laws, Chapter 44, section 53F ½ , as follows:

Salaries/Wages	\$ 224,609
Expenses	\$ 343,850
Principal & Interest	<u>\$ 275,414</u>
Subtotal (1)	\$ 843,873

Plus:

Gen. Fund Reimb.\* \$161,937

Subtotal (2) \$1,005,810 from FY15 water charges and fees

Plus:

Reserve Fund \$ 40,000 from Water Enterprise Retained Earnings

Grand Total App. \$1,045,810

\* The Water Enterprise will raise \$161,937 , from the ratepayers to reimburse the General Fund for indirect costs such as group insurance, Medicare, and retirement expenses.

Total FY15 Water Revenue appropriation is: \$ 1,005,810 , plus \$ 40,000 from Retained Earnings, for a Grand Total Appropriation of \$1,045,810 ; or take any action relative thereto.

**Submitted by:** Department of Public Works Board

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article funds the Water Department budget solely from water revenue including charges, fees, and retained earnings; none is from taxation. This article includes a Reserve Fund for extraordinary or unforeseen expense of \$40,000. This Reserve Fund will only be used upon recommendation of the Board of Public Works and approval by the Finance Committee.

## **ARTICLE 10. WRSD Net Minimum Contribution, Debt, & Interest**

To see if the Town will vote to raise and appropriate the sum of \$ 8,988,885 , or any other sum, 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 MGL Ch71:16B , as amended, and Section 4 of the Wachusett Regional School District Agreement, as amended, for its share of operational costs and of debt and interest charges of the Wachusett Regional School District, or take any action relative thereto.

**Submitted by:** Wachusett Regional School District Committee

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article funds the Town's portion of the Wachusett Regional School District's annual budget equal to the net minimum contribution (\$8,061,197), as directed by the State, plus the costs for transportation (\$ 500,159 ), plus debt and interest for the high school and oil remediation (\$ 427,529 ).

## **ARTICLE 11. WRSD Above Net Minimum Contribution**

To see if the Town will vote to raise and appropriate \$1,164,684 , or any other sum, above the net minimum contribution, as requested by the Wachusett Regional School District, as Sterling's share of the

WRSD annual budget, provided said budget does not exceed \$ 81,307,859 for the fiscal year 2015, or take any action relative thereto.

**Submitted by:** Wachusett Regional School District Committee

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article funds the Town's portion of the Wachusett Regional School District's annual operating budget that is *above the amount voted* in Article 10 for fiscal year 2015. The total WRSD assessment increase in Sterling's FY15 budget, combining Article 10 and Article 11, is 3.1 % above last year.

#### **ARTICLE 12. Montachusett Regional Vocational Technical School Assessment**

To see if the Town will vote to raise and appropriate the sum of \$687,975 , in accordance with MGL Ch71:16B , as amended, and Sections #4C and E of the Montachusett Regional Vocational Technical School District Agreement for its share of operational and capital costs of the Montachusett Regional Vocational Technical School District, and to transfer, from the Capital Fund, the sum of \$ 12,987, or any other sum, for the purpose of paying the Town's portion of the debt and interest for the Montachusett Regional Vocational Technical High School Building Project for a total appropriation of \$ 700,962 or take any action relative thereto.

**Submitted by:** Montachusett Regional Vocational Technical School District Committee

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

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

#### **ARTICLE 13. Town Reserve Fund for FY15**

To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$100,000, or any other sum, into the Reserve Fund for fiscal year 2015 in accordance with the provisions of MGL Ch40:6, as amended, or take any action relative thereto.

**Submitted by:** Finance Committee

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

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

#### **ARTICLE 14. 1835 Town Hall Maintenance**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$5,000, or any other sum, to fund the maintenance of the 1835 Town Hall for Fiscal Year 2015, said sum to be expended by the 1835 Town Hall Committee, with the advice and consent of the Board of Selectmen; or take any action relative thereto.

**Submitted by:** 1835 Town Hall Committee

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

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

#### **ARTICLE 15. New Vehicle for the Police Chief**

To see if the town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$38,000, or any other sum, to purchase and fully equip a new vehicle for the police department, to replace the Police Chief's vehicle, and to authorize the Board of Selectmen to dispose of the existing vehicle replaced by the new vehicle by sale or trade and to take any other action as necessary to effectuate the purposes of this vote; or take any other action relative thereto.

**Submitted by:** Police Department

**Recommendation:** The Finance Committee does NOT support the passage of this article.

**Recommendation:** The Board of Selectmen does not recommend the passage of this article.

**Summary:** The police chief's vehicle, a 2007 Ford Explorer, needs replacement due to age and mileage.

#### **ARTICLE 16. Repair Police Station Roof**

To see if the town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$10,000, or any other sum, to rebuild the roof of the police station to eliminate icing caused by winter weather, and to authorize the Board of Selectmen to enter into such agreements and take other action as necessary to effectuate the purposes of this vote; or take any other action relative thereto.

**Submitted by:** Facilities Technician

**Recommendation:** Capital Committee recommends passage of this article.

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** The roof of the police station requires extensive remediation due to the formation of ice dams in winter months. The ice dams are causing permanent roof damage, and without remediation they will result in a total roof replacement at much greater expense.

#### **ARTICLE 17. Repair Fire Station Roof**

To see if the town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$25,000, or any other sum, to rebuild the roof of the fire station to eliminate icing caused by winter weather, and to authorize the Board of Selectmen to enter into such agreements and take other action as necessary to effectuate the purposes of this vote; or take any other action relative thereto.

**Submitted by:** Facilities Technician

**Recommendation:** Capital Committee recommends passage of this article.

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** The roof of the fire station requires extensive remediation due to the formation of ice dams in winter months. The ice dams are causing permanent roof damage, and without remediation they will result in a total roof replacement at much greater expense.

#### **ARTICLE 18. Fund Various Capital Items**

To see if the Town will vote to raise and appropriate, transfer from available funds or transfer from the Capital Fund the sum of \$51,500, or any other sum, for the purpose of funding the following capital expenditures, and to authorize the Board of Selectmen to enter into agreements and take any other actions necessary to effectuate the purposes of this vote:

- A. Stainless Steel Chimney Liner—Conant Library, \$3,500 by the Board of Selectmen
- B. Replace Old Windows—Conant Library, \$10,000 by the Board of Selectmen
- C. Bathroom exhaust controls, inside lighting controls, and hot water circulation--Conant Library, \$7,000 by the Board of Selectmen
- D. Re-carpet two hallways—Butterick Building, \$7,000 by the Board of Selectmen
- E. Key Card System for the Police Dept.—Police Station, \$5,000 by the Board of Selectmen
- F. Telephone Switch and Software—Butterick Building, \$19,000 by the Board of Selectmen

**Total Expenditure: \$51,500**

or take any other action relative thereto.

**Submitted By:** Capital Committee

**Recommendation:** The above items have been reviewed and approved by the Capital Committee.

**Recommendation:** The Finance Committee recommends the passage of this article contingent on funding it through GENERAL TAX REVENUES (raise and appropriate).

**Recommendation:** The Board of Selectmen recommends the passage of this article.



**ARTICLE 19. Replace 6 wheel Dump Truck #24**

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds or the Capital Fund, the sum of \$ 148,000, or any other sum, to purchase and equip a new 6 wheel 42,000 lb dump truck with sander, said sum to be expended by the Department of Public Works, and to authorize the Board of Selectmen to enter into such agreements and take other action as necessary to effectuate the purposes of this vote; or take any other action relative thereto.

**Submitted by:** Department of Public Works

**Recommendation:** Capital Committee recommends passage of this article.

**Recommendation:** Finance Committee recommends passage of this article.

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This truck will replace a 16 year old 6 wheel dump truck with a combination sander body. The combination body/sander is rotted to the point of replacement and to replace would cost \$35,000. The cab and chassis is worth about \$ 7,000 to \$8,000.

**ARTICLE 20. Rehabilitate 1984 Motor Grader**

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds or Capital Fund the sum of \$19,700, or any other sum, to repair, re-equip and rehabilitate a 1984 grader, said sum to be expended by the Department of Public Works, and the authorize the Board of Selectmen to enter into such agreements and take other action as necessary to effectuate the purposes of this vote; or any action relative thereto.

**Submitted by:** Department of Public Works

**Recommendation:** Capital Committee recommends passage of this article.

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** The Grader is one of the DPW frontline snow and ice removal machines. It is used for removal of thick ice in certain circumstances as well as winging back of snow banks during heavy snow winters. Rehabilitating this machine will give the Town 15 + years of continued service. Replacement would cost in excess of \$ 250,000.

**ARTICLE 21. Ultraviolet Disinfection Upgrade**

To see if the Town will vote to transfer from the Water Enterprise Retained Earnings, the sum of \$110,000 , or any other sum, to refurbish, repair and re-equip the Ultraviolet system and associated water quality equipment at the West Sterling well field, said sum to be expended by the Department of Public Works, and to the authorize the Department of Public Works Board to enter into such agreements and take other action as necessary to effectuate the purposes of this vote; or take any action relative thereto.

**Submitted by:** Department of Public Works

**Recommendation:** The Department of Public Works Board recommends passage of this article.

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** The West Sterling well field has two (2) ultraviolet disinfection vessels that get rotated into service regularly (1 at a time). The ballasts which power the lamps are obsolete and nonexistent in the marketplace. The upgrade to the UV would include new ballasts, lamp wires and connectors, High Output lamps and sensors. The newer High Output lamps will double the existing UV dose to the potable water produced and help enhance the public health and safety of the system.

**ARTICLE 22. AMI Water meter upgrades**

To see if the Town will vote to transfer from the Water Enterprise Retained Earnings, the sum of \$40,000 or any other sum, to convert the water meter system over to an automatic read AMI (Advanced Metering Infrastructure) system and to authorize the Water Department to enter into such agreements and take other

action as necessary to effectuate the purposes of this vote., said sum to be expended by the Department of Public Works Board, or take any action relative thereto.

**Submitted by:** Department of Public Works

**Recommendation:** The Department of Public Works Board recommends passage of this article.

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** The Water Department, in conjunction with SMLD, has successfully completed a pilot program to test 50 smart water meters on the AMI system. This is the first step to convert 200 of the systems 2250 meters to the AMI. It is expected that the new system will be the same or similar to the system currently in use by the Sterling Municipal Light Department.

### **ARTICLE 23. Return Funds to Water Enterprise Retained Earnings**

To see if the Town will vote to return excess funding from Article #24 FY'12 (\$1,288.43), Article #26 FY'13 (\$91.70), and Article #25 FY'13 (\$16,050.00) to the Water Enterprise Retained Earnings, or take any action relative thereto.

**Submitted by:** Department of Public Works

**Recommendation:** The Department of Public Works Board recommends passage of this article.

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This is a housekeeping article which returns excess funding from previous articles to Water Enterprise Retained Earnings.

### **ARTICLE 24. Fund Principal and Interest for 2004 Fire Truck**

To see if the Town will vote to transfer the sum of \$62,400, or any other sum, from the Capital Fund, for the cost of the Fiscal Year 2015 principal and interest payments due on the fire truck purchased in 2004, or take any action relative thereto.

**Submitted by:** Fire Chief

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

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article takes money out of the Capital Fund to pay the principal and interest payments associated with the Fire Truck for fiscal year 2014. The Town approved the purchase of the new truck at the May 2004 Town Meeting. At that time, it was explained that the truck would be paid for out of the Capital Fund.

### **ARTICLE 25. Fund Lease-Purchase Payment for 2010 Pumper Tanker**

To see if the Town will vote to transfer the sum of \$62,149, or any other sum, from the Capital Fund for the cost of the Fiscal Year 2015 principal and interest payments due on the Pumper-Tanker leased in 2010 or take any action relative thereto.

**Submitted by:** Fire Chief

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

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

**Recommendation:** The Board of Selectmen recommends passage of this article.

**Summary:** This article takes money out of the Capital Fund to pay the FY14 lease payment associated with the Pumper Tanker for fiscal year 2015. The Town approved the purchase of the new truck at the May 2011 Town Meeting. At that time, it was explained the truck would be paid for out of the Capital Fund through a ten-year lease-purchase.

**ARTICLE 26. New Ambulance - Fund Principal and Interest**

To see if the Town will vote to transfer the sum of \$38,867, or any other sum, from the Capital Fund, for the cost of the Fiscal Year 2015 principal and interest payments due on the new ambulance authorized for lease-purchase at the 2013 Annual Town Meeting, or take any other action thereto.

**Submitted by:** Fire Chief

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

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article takes money from the Capital Fund to pay the FY15 lease for the ambulance approved at the Town Meeting in 2013. This is the first annual payment of a five year lease-purchase

**ARTICLE 27. Fire Department 4x4 Utility Vehicle Replacement**

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds or from the Capital Fund the sum of \$75,000, or any other sum, to purchase and equip a new 4x4 pickup style utility vehicle for the Fire Department to replace Squad 1 vehicle, and to authorize the Board of Selectmen to dispose of the existing vehicle replaced by the new vehicle by sale or trade and to take other action as necessary to effectuate the purposes of this vote; or take any other action relative thereto.

**Submitted by:** Fire Chief

**Recommendation:** The Capital Committee DOES NOT recommend the passage of this article.

**Recommendation:** The Finance Committee does not recommend the passage of this article.

**Recommendation:** The Board of Selectmen does not recommend passage of this article.

**Summary:** This will replace a vehicle which has rotting issues and was involved in an accident in January 2013. There have been significant front end and mechanical issues since the accident and subsequent repairs. This new vehicle will be set up for forestry response taking over the work of the current 1999 pick up. It will have a crew cab, thus allowing for additional fire personnel to respond to brush and forestry incidents as well as serve as a service truck to aid in all aspects of firefighting and training.

**ARTICLE 28. Fire Truck Engine 2 Replacement for \$590,000**

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds or from the Capital Fund the sum of \$590,000, or any other sum, to purchase and equip a new fire engine to replace Engine 2, and to authorize the Board of Selectmen to dispose of the existing vehicle replaced by the new vehicle by sale or trade and to take any other action necessary to effectuate the purposes of this vote; and as funding therefor, to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum pursuant to G.L. c.44, §7 or any other enabling authority, and to issue bonds and notes therefor; provided, however, that the appropriation authorized hereunder shall be expressly contingent upon approval by the voters of the Town of a so-called Proposition 2 1/2 debt exclusion question, or take any action relative thereto.

**Submitted by:** Fire Chief

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

**Recommendation:** The Finance Committee recommends the passage of this article contingent on financing the purchase on a five-year bond funded AS EXCLUDED DEBT.

**Recommendation:** The Board of Selectmen recommends the passage of this article as excluded debt.

**Summary:** This will replace a 17 year old Rescue Pumper. Engine 2 is the primary structural response apparatus of the department. In FY 2013, \$30,000 was appropriated by the Capital Committee for the repair of the tank straps and to mitigate body corrosion throughout the truck. As major apparatus vendors came in to bid on that work, many other significant rot issues were discovered throughout the truck including the split frame rail. These issues are of such significant concern that the truck may need to be taken out of service if they are not addressed.

**ARTICLE 29. Fire Department Engine 2 Refurbishment for \$220,000**

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds or from the Capital Fund the sum of \$220,000, or any other sum, to repair, re-equip and refurbish Engine 2, a Pierce Saber Rescue/Pumper, and authorize the Board of Selectmen to enter into such agreements and take other action as necessary to effectuate the purposes of this vote; or take any other action relative thereto.

**Submitted by:** Fire Chief

**Recommendation:** The Capital Committee recommends PASSING OVER this article.

**Recommendation:** The Finance Committee recommends passing over this article.

**Recommendation:** The Board of Selectmen recommends passing over this article.

**Summary:** This will provide necessary repairs and refurbishment to a 17 year old Rescue Pumper. Engine 2 is the primary structural response apparatus of the department. In FY 2013, \$30,000 was appropriate by the Capital Committee for the repair of the tank straps and to mitigate body corrosion throughout the truck. As major apparatus vendors came in to bid on that work, many other significant rot issues were discovered throughout the truck including the split frame rail. These issues are of such significant concern that the truck may need to be taken out of service if they are not addressed. As a result, this money will be added to the FY 2013 appropriation to make these repairs, extending the life of the truck another 5-7 years.

**ARTICLE 30. Fire Department Firefighter Protective Clothing**

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds or from the Capital Fund the sum the sum of \$36,900, or any other sum, to purchase structural firefighting protective clothing, and to authorize the Fire Chief and the Board of Selectmen to take any actions necessary to effectuate the purposes of this vote, or take any other action relative thereto.

**Submitted by:** Fire Chief

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

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This is the first of two consecutive years of purchasing new and updated structural firefighting gear and equipment for firefighters. The last protective clothing purchase was in 2008 when all protective clothing was brought up to current NFPA standards. Current standards require gear to be maintained and inspected annually. The average life of structural firefighting gear is 5 years based on use, and we have averaged 5 to 10 years depending on the activity level and types of exposure to our firefighters.

**ARTICLE 31. Federal Fire Act Grant 5% Match**

To see if the town will vote to raise and appropriate or transfer from available funds or the Capital Fund, the sum of \$2,600, or any other sum, for 5% of the cost of a new breathing air compressor and fill station for self-contained breathing apparatus (SCBA) for the Fire Department, whose total cost is \$52,000, for which the remainder will be paid for by a Federal Fire Act Grant applied for by the Fire Department, and to authorize the Fire Chief and the Board of Selectmen to take any actions necessary to effectuate the purposes of this vote, or take any other action relative thereto.

**Submitted by:** Fire Chief

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

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This is the matching portion of a grant submitted by the department through the Federal Fire Act Grant. The match, for communities with populations of less than 20,000 is 5% of the request.

### **ARTICLE 32. Fairground Land Purchase**

To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 44, section 5B, to establish a special purpose stabilization fund, to be known as the “Fair Ground Land Purchase Fund”, and raise and appropriate or transfer from available funds the sum of \$50,000, or any other sum, into said dedicated fund, for the sole purpose of (eventually) purchasing land on which the Town will construct a permanent facility for the Sterling Fair, or take any other action related thereto.

**Submitted by:** Fair Committee

**Recommendation:** The Capital Committee DOES NOT recommend the passage of this article.

**Recommendation:** The Finance Committee does not recommend the passage of this article.

**Recommendation:** The Board of Selectmen does not recommend the passage of this article.

**Summary:** This article would create a special purpose stabilization fund, and make the first payment into that fund, to allow the Town to eventually purchase land for a permanent town-owned fairground.

### **ARTICLE 33. Open Space Implementation Committee (OSIC)**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$1,250, or any other sum, to continue the work of the Open Space Implementation Committee, including but not limited to upgrading recreational trails through the Town, mapping, installing trail and boundary markers, and funding the annual trail blazing event, as set forth in greater detail in the 7-year Action Plan outlined in the 2010 Open Space and Recreation Update, and to return any unexpended funds to the Town upon completion of the project, said sum to be expended by the Open space implementation Committee, and the authorize the Board of Selectmen to take any other action necessary to effectuate the purposes of this vote; or to take any other action relative thereto.

**Submitted by:** Open Space Implementation Committee

**Recommendation:** The Finance Committee Recommends passage of this article.

**Recommendation:** The Board of Selectmen recommends passage of this article.

**Summary:** The Open Space Implementation Committee, in collaboration with the Conservation Commission and the Sterling Land Trust, is engaged in a 7-year plan to upgrade recreational trails throughout Sterling. This request funds mapping, trail markers, boundary markers, signs, and the annual trail blazing event.

### **ARTICLE 34. Fund Wachusett Watershed Regional Recycle Center (Earthday)**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$2,985, or any other sum, to satisfy the Town’s financial obligation under the contract with Wachusett Earthday, Inc. for the Fiscal Year 2015, or take any other action relative thereto.

**Submitted by:** Board of Selectmen

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** Sterling residents have the opportunity to bring recycling and household hazardous materials to a permanent year-round collection center for proper disposal. In 2008, Town Meeting voted to authorize the Board of Selectmen to enter into a contract with Wachusett Earthday, Inc., pursuant to Mass. Gen. Laws Chapter 40, Section 4, and with the towns of Boylston, Holden, Paxton, Princeton, Rutland, West Boylston and any other municipality who joins said contract. The term of the original contract was for an initial period of five years, renewable every five years for a maximum term of twenty-five years.

### **ARTICLE 35. Fund Sterling Land Trust Expenses**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$1,300 or any other sum, to be used to pay the expenses of The Sterling Land Trust, to preserve various parcels of land within the Town, said funds to be administered and expended by the Trust, or take any action relative thereto.

**Submitted by:** Board of Selectmen

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

**Recommendation:** The Board of Selectmen recommends

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

#### **ARTICLE 36. Fund Wachusett Greenways Expenses**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$ 1,300 or any other sum, to be used to pay the expenses of the Wachusett Greenways, a six Town collaborative, said funds to be administered and expended by Wachusett Greenways, or take any action relative thereto.

**Submitted by:** Board of Selectmen

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

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

#### **ARTICLE 37. Revolving Accounts**

To see if the town will vote to reauthorize revolving funds for certain town departments under MGL Ch44:53E ½ for the fiscal year beginning July 1, 2014, or take any action relative thereto. Such items may be voted as a block, or singly, or in any combination but however voted, will be treated for accounting and legislative purposes as if each item voted were voted as a separate article.

<b>Revolving Fund</b>	<b>Authorized To Spend from Fund</b>	<b>Revenue Source</b>	<b>Use of Fund</b>	<b>FY2014 Spending Limit</b>	<b>Disposition of FY2014 Fund Balance</b>	<b>Spending Restrictions Or Comments</b>
Recycling	DPW	Fees	Expenses, supplies and contracted services to run the recycling center	\$80,000	Balance available for expenditure	
Fuel	DPW	Fuel charges	Fuel charges for the Light Dept and Water Enterprise Fund	\$60,000	Balance available for expenditure	
Deputy Collector	Treasurer	Fees	Pay Deputy Collector Fees	\$18,000	Balance available for expenditure	
1835 Town Hall	1835 Committee	Fees	Expenses, supplies and contracted services for the 1835 Old Town Hall	\$15,000	Balance available for expenditure	
Planning Board	Planning Board	Fees	Expenses, supplies and contracted services for the Planning Board	\$25,000	Balance available for expenditure	
Council On aging	Council on Aging	Fees	Expenses, supplies and contracted services for the Senior Center	\$50,000	Balance available for expenditure	
Fair Committee	Fair Committee	Fees	Expenses, supplies and contracted services to run the Sterling Fair	\$135,000	Balance available for expenditure	
Hazardous Materials	Fire Chief	Fees	Costs associated with hazardous material incidents	\$55,000	Balance available for expenditure	

Radio Master Box fees	Fire Chief	Fees	Expenses, supplies and maintenance of Radio Master Box system	\$ 3,000	Balance available for expenditure	
Agricultural Commission	Agricultural Commission	Fees	Expenses and supplies for the Commission	\$5,000	Balance available for expenditure	
Recreation Committee	Recreation Committee	Fees	Salaries, expenses, supplies and contracted services to run the Recreation Programs	\$151,900	Balance available for expenditure	

**Submitted by:** Town Accountant

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** Revolving funds allow receipts of one or more specific board, committee or department to be spent without further appropriation, subject to the provisions of the town meeting approval. This article will consider all revolving funds for the Town, but voters have the ability at town meeting to discuss, amend or reject individual revolving funds within this article.

#### **ARTICLE 38. Amend Animal Control Bylaw – License Fees for Owner(s) Over 70 Years Old.**

To see if the Town will vote to amend Chapter 18 of the Town’s General Bylaws, entitled “Animal Control”, by amending Section § 18-4 entitled, “Special Permits and Kennel Licenses”, as follows:

Under subsection C, , after the word “fees”, change “:” (colon) to “. ” (period), and add: the following new sentence: “No fee to license a kennel shall be charged to any kennel owner(s) age 70 years old or older.”, or take any other action relative thereto.

**Submitted by:** Animal Control Advisory Board

**Recommendation:** The Finance Committee TAKES NO POSITION on the passage of this article.

**Recommendation:** The Board of Selectmen recommends passage of this article.

**Summary:** The proposed amendment clarifies the original intent of the Animal Control Bylaw to change the fee schedule for kennel owners 70 years of age and older.

#### **ARTICLE 39. Amend Animal Control Bylaw -- Impoundment Period**

To see if the Town will vote to amend Chapter 18 of the Town’s General Bylaws, entitled “Animal Control”, by amending Section § 18-7, entitled “Impoundment of Animals”, as follows:

Under subsection C relating to the Redemption of Impounded Domestic Animals, change “10 business days” to “7 days”, resulting in the following: “Upon presentation to the ACO of documented proof of ownership, the owner of any animal(s) impounded by the Sterling ACO may, anytime within seven (7) days and upon payment of all accrued fees, charges or fines, redeem said animal(s).”, or take any other action relative thereto.

**Submitted by:** Animal Control Advisory Board

**Recommendation:** The Finance Committee TAKES NO POSITION on the passage of this article.

**Recommendation:** The Board of Selectmen recommends passage of this article.

**Summary:** The proposed amendment to the Animal Control Bylaw will make the Town of Sterling’s Animal Control Bylaw consistent with MGL Ch140:136A-174E, amended by MGL Ch193. This change allows potential cost savings for the Town.

## **Article 40. Amend Town Bylaws Regarding East lake Waushacum**

To see if the Town will vote to amend Chapter 113 of the Town's General Bylaws, entitled "Parks", as shown below with additions shown in *italics* and deletions shown in strikethrough, or take any other action in relation thereto:

### **"Chapter 113. PARKS**

#### **Article I. Sholan Park**

##### **§ 113-1. Parking hours; overnight pass.**

A. Parking at Sholan Park is permitted only between 5:00 a.m. and 9:00 p.m. daily unless otherwise posted.

B. All visitors and vehicles must vacate the park by 9:00 p.m. unless an overnight pass has been issued by the Department of Public Works for the Town of Sterling.

*C. Parking at Sholan Park shall be in accordance with such rules and regulations as may from time-to-time be adopted and amended by the Board of Selectmen, upon recommendation of: the Department of Public Works, the Park, the Recreation Department, the Conservation Commission, the East Lake Waushacum Association, and/or the Sterling Police Department.*

##### **§ 113-2. Parking Restrictions.**

A. Parking at Sholan Park is restricted to the designated parking area only.

B. Only those vehicles displaying the appropriate ~~Town of Sterling resident permit, a temporary guest or visitor pass, parking sticker, pass or permit,~~ or emergency vehicles are authorized to park within this parking area. ~~Unauthorized vehicles parked in the parking area or undesignated areas are subject to a fine of \$50 and/or towing at the owner's expense.~~

~~C. Owners and/or operators of vehicles parked in violation are subject to noncriminal dispositions (citations) pursuant to MGL c. 40, § 21D, issued by the members of the Sterling Police Department. Payment for violations should be made to the Town Clerk for the Town of Sterling in person or by mail within 21 days of the alleged violation.~~

##### **§ 113-3. Permits and passes.**

**A. Resident Parking Stickers:** *Any resident of the Town of Sterling may obtain one Resident Parking Stickers per registered vehicle. Resident Parking Stickers shall permit the holder to park designated motor vehicles and trailers in the Sholan Park parking lot in accordance Sections 113-1 and 113-2 of this Bylaw and use of the Town's Recycling Center in accordance with the Rules and Regulations of the Department of Public Works. Application for a Resident Parking Sticker shall be made in writing upon a form provided by the Town and shall require submission of a valid Massachusetts Driver's License and Motor Vehicle Registration with a Sterling Address. Resident Parking Stickers shall be valid until December 31 of the year of issue.*

**B. Guest Pass:** *Any resident of the Town of Sterling with a Resident Parking Sticker may obtain one daily Guest Pass each day between April 1 and October 31. A Guest Pass shall permit the holder to park one motor vehicle only, in addition to the resident's vehicle, in the Sholan Park parking lot in accordance with Sections 113-1 and 113-2 of this Bylaw. Application for a Guest Pass shall be made in writing upon a form provided by the Town and shall be made by a Sterling Resident with a Resident Parking Sticker. Guest Passes shall expire at 9:00 pm on the day marked on the pass.*

**C. Non-Resident Vehicle Only Parking Permit:** *Each year prior to April 1, the Board of Selectmen may make available a number of non-resident vehicle only parking permits. A non-resident vehicle only parking permit shall permit the holder to park a designated motor vehicle only in the Sholan Park parking lot in accordance Sections 113-1 and 113-2. Application for a non-resident vehicle only parking permit shall be made in writing upon a form provided by the Town and shall require payment of a fee to be determined by the Board of Selectmen. Non-resident vehicle only parking permits shall be valid between April 1 and October 31<sup>st</sup> of the year of issue.*

**D. Non-Resident Vehicle and Trailer Parking Permit:** *Each year prior to April 1, the Board of Selectmen may make available a number of non-resident vehicle and trailer parking permits. A non-resident vehicle and trailer parking permit shall permit the holder to park a designated motor vehicle and*



trailer in the Sholan Park parking lot in accordance Sections 113-1 and 113-2. Application for a non-resident vehicle and trailer parking permit shall be made in writing upon a form provided by the Town and shall require payment of a fee to be determined by the Board of Selectmen. Non-resident vehicle and trailer parking permits shall be valid between April 1 and October 31<sup>st</sup> of the year of issue.

*E. Stickers, permits and passes issued by the Town of Sterling for the purposes described herein remain the property of the Town. Stickers, permits and passes are nontransferable. Holders of stickers, permits and passes must make available the assigned registration, license and/or the sticker, permit or pass upon request. Unauthorized use of stickers, permits and passes are subject to revocation.*

~~*B. A resident permit of appropriate design shall be issued upon proof of residency for a specific vehicle and must be affixed to said vehicle.*~~

~~*F.C. Beginning April 1 of each year a limited number of nonresident parking passes shall be issued for a one year term on a first come first served basis. Nonresident parking Permits and passes shall be issued for a specific vehicle and must be displayed unobstructed and in full view on said vehicle dashboard. Nonresidents will be charged a parking fee as determined by the Board of Selectmen.*~~

*G. The issuance of a parking sticker, pass or permit does not guarantee or reserve a parking space for the holder.*

***H. Penalties and Enforcement:*** Sections 113-1, 113-2 and 113-3 of this Bylaw may be enforced by any Town Police Officer, through any lawful means in law or in equity, including non-criminal disposition pursuant to G.L. c. 40, §21D. If non-criminal disposition is elected, then any person who violates any said provision of this Bylaw shall be subject to the following penalties: First Offense: \$100 fine; Second Offense: \$200 fine; Third or Subsequent Offense: \$300 fine. In addition to the penalties set forth herein, any vehicle found in violation of any said sections of this Bylaw may be moved by or under the direction of any Town Police Officer, at the expense of the owner, to a place where parking is permitted.

#### **§ 113-4. Animals.**

A. Animals shall not be allowed on the beach and picnic areas of the park. ~~Violators are subject to a fine of \$25 for each bylaw offense.~~

B. This section shall not apply to service animals, defined by ADA as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

~~C. This section shall be enforced by the Animal Control Division of the Town of Sterling.~~ *Section 113-4 of this Bylaw may be enforced by any officer of the Town's Animal Control Division, any officer or employee of the Recreation Department or any Town Police Officer, through any lawful means in law or in equity, including non-criminal disposition pursuant to G.L. c. 40, §21D. If non-criminal disposition is elected, then any person who violates any said provision of this Bylaw shall be subject to a fine of \$25.00. In addition to the penalties set forth in this section, any person who violates this section may be prohibited from entering or made to leave the park.*

#### **§ 113-5. Safety rules.**

A. Alcoholic beverages are not permitted at Sholan Park.

B. Residents and visitors must comply with all rules and regulations established for Sholan Park and designated swim areas.

C. Boaters must comply with the current Massachusetts boating regulations and local bylaws as posted.

~~D. These will be enforced by the Recreation Department staff and/or Police Department as required.~~

*Section 113-5 of this Bylaw may be enforced by any Town Police Officer, officer or employee of the Recreation Department or through any lawful means in law or in equity, including non-criminal disposition pursuant to G.L. c. 40, §21D. If non-criminal disposition is elected, then any person who violates any said provision of this Bylaw shall be subject to a fine of \$25.00. In addition to the penalties set forth in this section, any person who violates this section may be prohibited from entering or made to leave the park.*

#### **§ 113-6. East Lake Waushacum.**

A. East Lake Waushacum is a sensitive natural resource and subject to the spread of invasive aquatic weeds and mussels as defined by the State's Department of Agricultural Resources.

~~B. Recipients of a resident permit, guest or visitor pass, and Users~~ intending to use a boat, trailer and/or other equipment in the lake are responsible to make sure it is free of invasive species before entering the park and water. The ~~recipient~~ user also agrees, as a condition of entering the lake, ~~accepting a resident permit or pass~~, that said boat, trailer and/or equipment is subject to inspection for weeds and mussel species.

C. Any evidence of weeds, mussels or denying the inspection will be sufficient cause to deny access to the boat ramp and parking area.

D. The ~~vehicle~~ owner shall remove contaminated equipment from the park.” ;or take any other action relative thereto.

**Submitted by:** Board of Selectmen

**Recommendation:** The Recreation Commission recommends the passage of this article.

**Recommendation:** The Finance Committee TAKES NO POSITION on passage of this article.

**Recommendation:** The Board of Selectmen recommends passage of this article.

**Summary:** The primary purpose of the proposed amendment is to establish more options for parking in connection with use of the beach and boat launch at Sholan Park. The new bylaw, if adopted, will create two classes of non-resident parking stickers, one class for those who wish to park a car and trailer and one class for those who wish only to park a car. East Lake Waushacum is an important natural resource and recreational area for the Town. Unfortunately, parking is limited and must be managed so as to allow public access to the greatest extent possible. Residents will continue to enjoy all areas of Sholan Park using their free resident sticker affixed to their vehicle.

#### **ARTICLE 41. Other Post Employment Benefits (OPEB) Funding**

To see if the Town will vote to raise and appropriate, transfer from available sums or borrow the sum of \$10,000 , or any other sum, to meet the Town’s obligations under the Government Accounting Standards Board (GASB) Statement 45 to fund the Town’s future obligations for the cost of other post-employment benefits (OPEB) ; or take any action thereon or in relation thereto.

**Submitted by:** Board of Selectmen

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** Retirement benefits, and especially retirement health insurance, are a large and growing liability to the Town. This article continues our gradual funding of this liability, as recommended by government accounting standards.

#### **ARTICLE 42. Adoption of the so-called “MULLIN RULE“ Regarding Public Hearings**

To see if the Town will vote to accept, for all boards, committees or commissions holding adjudicatory hearings in the Town, the provisions of MGL Ch39:23D, which provides that a member of a board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member’s absence from one session of such hearing, provided that certain conditions are met, or take any other action relative thereto.

**Submitted by:** Town Clerk

**Recommendation:** The Finance Committee takes no position on this article.

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article will permit board members who miss a session of an adjudicatory hearing to review materials, voice recordings, or video recordings of said session, and participate in the decision of the board.

#### **ARTICLE 43. Eliminate Saturday Voter Registration**

To see if the Town will vote in accordance with the provisions of MGL Ch41:110A, to authorize the Town Clerk’s office to remain closed on Saturdays and to treat Saturday as a legal holiday for the

purposes of calculating the time frame for filing matters in that office; or take any other action relative thereto.

“Section 110A. Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.”

**Note:** When the Town Clerk codified the General bylaws in 2011, it was discovered that this MGL had not been voted and passed at Town Meeting. This local acceptance *will save the Town money* by extending voter registration on a weeknight rather than all day Saturday 8am to 8pm.

**Submitted by:** Town Clerk

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** This article will avoid a Saturday voter registration day. By adopting MGL Ch41:110A, the deadline will fall on a Friday. It changes the calculation of the voter registration date 20 days prior to Town Meeting. If the deadline falls on a Sunday or Holiday, the current law requires the Town Clerk's Office to be open on a Saturday until 8pm. By passage of this article it will allow the Town Clerk's office to remain open for voter registration until 8pm on a regular business day (Monday – Friday) until 8pm.

#### **ARTICLE 44. Deadline for Candidate to Obtain Nomination Papers**

To see if the Town will vote to accept the provisions of MGL Ch53:9A, providing that the final date for obtaining blank nomination papers for nomination to 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, or take any other action relative thereto.

**Notes:** When the Town Clerk codified the General bylaws in 2011, it was discovered that this MGL had not been voted and passed at Town Meeting. This will streamline and clarify the nomination paper deadlines for the candidates at Town Election.

**Submitted by:** Town Clerk

**Recommendation:** The Finance Committee TAKES NO POSITION on the passage of this article.

**Recommendation:** The Board of Selectmen recommends

**Summary:** This article will allow the Town Clerk's office to establish a date certain for candidates to obtain nomination papers. Currently the deadline is at the discretion of the Town Clerk. As a practical matter a candidate must obtain nomination papers in time to collect sufficient signatures to be certified before the deadline for submission expires. If this MGL is accepted, the deadline for obtaining nomination papers is 48 weekday hours prior to the hour on which the papers are submitted to the Registrars. For example, if the papers are due by 5pm on Monday, the deadline to obtaining the papers is 5pm on the previous Thursday (since Saturday and Sunday are not counted.)

#### **ARTICLE 45. Apply Stabilization Fund to Reduce Tax Rate**

To see if the Town will vote to transfer \$10,000, or any other sum, from Stabilization Fund, to stabilize the tax rate, or take any action relative thereto.

**Submitted by:** The Finance Committee

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

**Recommendation:** The Board of Selectmen recommends the passage of this article.

**Summary:** The purpose of this article is to reduce the tax increase that would otherwise occur.

**ARTICLE 46. Citizens Petition to Increase the Board of Selectmen from three (3) to five (5)**

To see if the Town will vote to accept the recommendation of the “2009 Sterling Town Government Study Committee” and increase the number of members of the Board of Selectmen from three (3) to five (5), and accept the following amendments to the General Bylaws of the Town

**Town of Sterling  
Citizen’s Petition**

**Article XXXXX:** Increase the number of members of the Board of Selectmen from three (3) to five (5). To see if the Town will vote to accept the first recommendation of the “2009 Sterling Town Government Study Committee” and increase the number of members of the Board of Selectmen from three (3) to five (5), and accept the following amendments to the General Bylaws of the Town.

**Article IX: Selectmen**

**Chapter 107-15 ½: Change in Composition of the Board of Selectmen**

**There shall be a Board of Selectmen composed of five members elected for terms of three years each. At the next ensuing election held as part of the first Annual Town Meeting after approval of this amendment, three Selectmen shall be elected, one for two years, and two for three years, and thereafter electing their successors for three years.**

**Submitted by:** Petition

**Description:** The 2009 Sterling Town Government Study Committee made several recommendations and the first of these recommendations read (as extracted from the official report, see page 4).

***A. Recommendations on Town structure***

*Although the Committee did consider changes to the legislative branch of Sterling’s government (Open Town Meeting), the Committee decided that no major structural changes would be recommended. There are some policy recommendations related to Open Town Meeting in Part C.*

*The first structural change recommendations have to do with the head of the Town’s executive branch, the Board of Selectmen, and the Town Administrator.*

***1. Increase the Number of the Board of Selectmen.*** *The Committee believes that because of the increased time demands of our society, the increasingly diverse population in Sterling, and the complex issues that local government has to address, serious consideration should be given to increasing the size of the Board of Selectmen from three to five. We believe that an expanded board offers the following advantages:*

*(a) A five-member board would increase the chances that the board would be more diverse and therefore more representative of the Town as a whole, and that a board of five members will reduce the chances of divisive polarity of opinions that can be counterproductive to the proper functioning of the board.*

*(b) A lighter workload for each member, giving the board more time to focus on long range planning and policy-making.*

*(c) Debate and decision-making would be more vigorous, as any one member of the board would have to convince at least two other members to take a given action.*

*(d) Attract more candidates to run for the board, as the shared (and therefore lighter) workload would not be as intimidating to citizens considering running for the board.*

We believe that this recommendation is as true today as it was when the committee provided its report on April 30, 2012.

A copy of the 2009 Sterling Town Government Study Committee report presented to the Board of Selectmen is available for download and viewing on the website of the Town of Sterling at

[http://www.sterling-ma.gov/Pages/SterlingMA\\_Boards/STGSCreport.pdf](http://www.sterling-ma.gov/Pages/SterlingMA_Boards/STGSCreport.pdf)

**Submitted by:** Citizens Petition

## **ARTICLE 47. Citizens Petition - Fiscal Year 2015 Article to Establish 1835 Town Hall Committee**

### **Section 1, Establishment**

There is hereby established an 1835 Town Hall Committee, consisting of not less than three (3) and not more than seven (7) residents of the Town of Sterling. Members shall be nominated by the 1835 Town Hall Committee and appointed by the Board of Selectmen for staggered terms of three years. Members on the Committee as of the effective date of this bylaw shall continue to serve until expiration of the term for which they were appointed. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment. At its first regular meeting of the fiscal year, the members shall choose, by majority vote of those present and voting, a Chairperson, Vice Chairperson, and Clerk.

### **Section 2, Duties**

It shall be the duty of the committee to make recommendations for the refurbishment, restoration, and maintenance of the 1835 Town Hall, and to oversee the use of the 1835 Town Hall as a Community Center for public open meeting space and limited municipal offices. In performing its duties, the committee shall comply with all applicable Town Bylaws and Massachusetts General Laws, including but not limited to the Open Meeting Law and the Public Records Law, as well as with directives and requests from the Board of Selectmen or Town Administrator consistent with the Committee's duties.

### **Section 3, Removals**

A member who fails to attend, whether in person or by remote participation if authorized to do so, one third of the regular meetings of the Committee in any fiscal year shall be removed by the Board of Selectmen, either on its own initiative or upon recommendation of a majority of the remaining members of the Committee, unless the Board of Selectmen determines that there were extenuating circumstances excusing the absences and that the work of the Committee will not be impacted negatively by such member's remaining on the Committee. Any member of the Committee may, after a hearing, be removed for cause by the Board of Selectmen.

**Submitted by:** Citizens Petition

## **ARTICLE 48. Annual Town Election**

To elect by ballot on Monday, May 12, 2014 from 7:00am to 8:00pm at the Houghton Elementary School on 32 Boutelle Road, the following officers:

- One (1) seat for Board of Assessors to serve for three years
- One (1) seat for Board of Health to serve for three years
- Two (2) seats for Library Trustees to serve for three years
- One (1) seat for Board of Selectman to serve for three years
- One (1) seat for Constable to serve for three years
- One (1) seat for Department of Public Works Board to serve for three years
- One (1) seat for Planning Board to serve for five years
- One (1) seat for Sterling Housing Authority to fill a vacancy for one year
- One (1) seat for Sterling Municipal Light Board to serve for three years
- Two (2) seats for Wachusett Regional School District Committee to serve for three years;

And to give their vote, yes or no, on the following questions:

Shall the Town of Sterling be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to fund architectural design, Owner's

Project Manager, complete construction and all items and services related to completing a new Senior Center with community usage to be built on the corner of Boutelle Road and Muddy Pond Road, identified as Town Assessor's Parcel Number 11 on Town Assessor's Map Number 137, and listed in the Registry of Deeds Book Number 03588, Page Number 0132 ?

Yes\_\_\_\_\_

No\_\_\_\_\_

Shall the Town of Sterling be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to purchase and equip a new pumper fire truck?

Yes\_\_\_\_\_

No\_\_\_\_\_

The polls shall be opened on Monday, May 12, 2014 at seven (7:00) o'clock in the forenoon and shall remain open until eight (8:00) o'clock in the evening.

And you are directed to serve this warrant by posting up attested copies thereof, one at each of the following locations in Sterling, seven (7) days at least before the time for holding said meeting:

Mary Ellen Butterick Municipal Building  
Conant Public Library  
Sterling Post Office  
Sterling Police Station  
Sterling Municipal Light Building

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 \_\_\_\_\_th day of April, Two Thousand and Fourteen.

**By the  
Sterling Board of Selectmen**

\_\_\_\_\_  
Ronald Furmaniuk, Chair

\_\_\_\_\_  
Brian Patacchiola

\_\_\_\_\_  
Robert Cutler

**Town of Sterling, Massachusetts**  
**FY 2015 Personnel Bylaw**  
**Effective July 1, 2014**

**SECTION 1: AUTHORIZATION and DISCLAIMER**

Pursuant to the authority contained in MGL Ch41, Sections 108A and 108C [MGL Ch41:sec 108A and 108C], the Town of Sterling establishes a Personnel Bylaw (this bylaw) that consolidates all provisions pertaining to the administration of its personnel including among other things, the compensation plan, and a Personnel Board (“the Board) for the purpose of administering said plans or other provisions of its bylaws pertaining to personnel, determining any questions arising there under, and advising the town in any matters pertaining thereto.

The Classification Plan and/or Compensation Plan or any other provisions of this Bylaw may be amended by vote of the Town at either an Annual or Special Town Meeting. No amendment shall be considered or voted on by Town Meeting unless the proposed amendment has first been considered by the Personnel Board. The Board, of its own motion, may propose an amendment to the plans, policies or other provisions of this Bylaw based on its findings resulting from its investigations. The Personnel Board shall report its recommendations on any proposed amendment to the Board of Selectmen. The Board shall submit any amendment to this Bylaw that has a financial impact to the Finance Committee for their review and comment. The Board shall make its recommendations with regard to any amendment at the Town Meeting at which such amendment is considered.

The Personnel Board hereinafter referred to as the Board may, at its own discretion, or on the advice of the Appointing Authority (as defined herein), or on the advice of the Town’s Administration, draft and adopt procedures that it believes to be required for the purpose of administering this bylaw and the Personnel practices of the Town. Such procedures shall be enacted by the Personnel Board after:

- A. Conducting a public hearing if required under MGL Ch 30A, Section 2 or MGL Ch 41, Section 108A and 108C
- B. They have been reviewed and approved by a majority of the members of the Personnel Board at an open meeting

Nothing in any of the Town of Sterling’s Personnel Rules, Policies, Procedures or other documents relating to employment with the Town of Sterling (“the Town”) creates any express or implied contract or guarantee of continued employment for a specific term. No past practices or procedures, whether oral or written, from any express or implied agreement or contract to continue such practices or procedures. No promises or assurances, whether written or oral, which are contrary to or inconsistent with the limitations set forth in this paragraph create any contract of employment unless: 1) the terms are put in writing, 2) the document is labeled “Contract,” 3) the document states the duration of employment, and 4) the document is signed by the Board of Selectmen or Appointing Authority.

Employees of the Town that are not otherwise covered by a collective bargaining agreement, employment agreement, or State Civil Service statutes are at-will employees. Either party may terminate the employment relationship at any time with good cause as long as it is not based on a



**TOWN OF STERLING, MASSACHUSETTS  
FY 2015 PERSONNEL BYLAW**

discriminatory motive. The Term "Good Cause" shall include but not be limited to the following: incapacity other than temporary illness, inefficiency, incompetence, insubordination and conduct unbecoming the office.

This Bylaw shall apply to all Town Departments and to all positions of all employees in the service of the Town, whether full or part-time, temporary, seasonal, special, per diem or any other type of employment, other than those positions which are filled by popular election, those under the jurisdiction of the School Committees, those within the Municipal Light Department, and those positions which are covered by separate agreements between any employee or Association of Employees and the Town developed through Collective Bargaining. If any agreement between an employee or Association of Employees and the Town does not address any item addressed in Section 10 B, C, and D, then the provisions of Section 10 B, C, and D shall apply to those employees.

**SECTION 2: PERSONNEL BOARD**

**A. MEMBERSHIP**

There shall be a Personnel Board consisting of five (5) members appointed by the Board of Selectmen, the Town Moderator and the Finance Committee, each entity having one vote for a total of three (3) votes. The membership of the Board shall be made up of residents of the Town who are neither employees of the Town, nor appointed or elected officials of the Town. Members should have a working knowledge of personnel practices and procedures in a municipal or corporate work setting. All members of said Board shall be residents of the town and shall serve without compensation. Except when an appointment is made to serve the balance of an unexpired term, each member of the Board shall serve for a term of three years. Appointments shall be made in such a fashion that they will expire on June 30<sup>th</sup> of a given year. Each member shall continue to hold office until their successor has been appointed, qualified and sworn in by the Town Clerk, but in no instance for a period of greater than sixty (60) days after their term has expired. Members of the Personnel Board serving upon the effective date of this Bylaw shall serve until the expiration of their respective terms. Upon the expiration of such terms members shall be appointed for successive three-year terms by vote of the Board of Selectmen, the Moderator and the Finance Committee as specified above.

If a member resigns or a member's office becomes vacant by removal from the Town, or any other cause, their successor shall be appointed for the balance of the unexpired term of such member. The Town Clerk shall have sole authority to determine if a person has fulfilled their oath of office, or moved out of town or a position is otherwise vacant. A member may be removed from the Personnel Board at any time, with or without cause, by vote of the Board of Selectmen, the Moderator and the Finance Committee in the same manner as appointments are made.

**B. ORGANIZATION**

The Personnel Board shall organize annually, as soon as possible after July 1st of each year, at the call of the then Chairman, or lacking a Chairman any member of the Board, and shall elect a Chairman and appoint a Secretary from among its members. The Chairman shall hold office until his/her successor has been elected. In the event a vacancy occurs in the office of the Chairman,

**TOWN OF STERLING, MASSACHUSETTS  
FY 2015 PERSONNEL BYLAW**

the Personnel Board shall elect a successor Chairman from among its members, such successor to serve until the next organizational meeting of the Personnel Board and until his/her successor has been elected. A majority of the Board shall constitute a quorum for the transaction of business. A majority vote of the Board shall determine the action the Board must take in all matters upon which it is authorized or required to pass under this Bylaw. In the event that a bare quorum of the Board only is present, there must be a unanimous vote. A bare quorum of the Board may not enact or amend any existing policy or procedures.

**C. ADMINISTRATION**

The Board shall be responsible for the review and recommendation of all changes to the Town's Personnel Bylaw, and the establishment of all policies pertaining to the provision of human resource services to employees covered by the provisions of this Bylaw that it deems necessary for the proper administration thereof.

**D. PERSONNEL RECORDS**

The Human Resources Administrator, as agent of the Personnel Board, shall be responsible for the maintenance of official personnel files for all employees in the service of the Town, other than those under the jurisdiction of the School Committees, or those within the Municipal Light Department, including therein such information as required by law or as deemed desirable by the Personnel Board. Said records shall be kept in the office of the Town Treasurer/Collector and shall include all original documentation pertaining to each employee in accordance with applicable state and/or federal regulations. Department heads may maintain files supporting departmental actions. . Department Heads shall furnish such information as shall be requested by Human Resources Administrator on behalf of the Personnel Board.

Current and/or former Town employees have the right to examine their personnel files pursuant to G.L. c. 149, Sec. 52C. No personnel files may be taken out of the Treasurer/Collector's office without consent of the Human Resource Administrator.

The Human Resources Administrator, as agent of the Personnel Board, shall provide a copy of the Personnel Bylaw to each new employee and Department Head. The employee shall execute an acknowledgement form indicating receipt of the Bylaw. The original signed acknowledgement shall be placed in the employee's personnel file.

Pursuant to G.L. c. 149, Sec. 52C, the HR Administrator will notify an employee within (10) days of placing information in an employee's personnel file that is, has been used, or may be used, to negatively or positively affect an employee's qualification for employment, promotion, transfer, additional compensation or subject to disciplinary action.

**E. AUTHORITY**

The Human Resources Administrator, from time to time, will review provisions of this Bylaw and shall recommend any changes or adjustments to the Personnel Bylaw and the Classification Compensation Plan for approval by the Personnel Board. Such reviews shall be made at intervals as the Human Resource Administrator or Board deems necessary and, to the extent which the

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Board considers practicable, shall include all occupational groups in the Classification Plan (Attachment A).

The Board may employ assistance and incur expenses as it deems necessary, subject to the appropriation of funds therefore.

Each year, the Personnel Board shall make a recommendation at the Annual Town Meeting for an appropriate compensation adjustment for all employees in the Town through either a “step increase” or a “cost of living adjustment”, or some other means.

**SECTION 3: DEFINITIONS**

As used in the Bylaw, the following terms shall have the meaning indicated:

**ABSENCE** - Any time an employee is not at work during a scheduled work period.

**ADMINISTRATIVE AUTHORITY** - The elected or appointed official or Board, Committee, Commission, or other Agency having jurisdiction over a function or activity.

**ALLOCATION** - The placing of a position in its proper classification or grade level, based upon duties required by the Town to be performed, the level of accountability, independence and supervisory responsibilities exercised.

**ANNIVERSARY DATE** - The date of initial employment to a position as an employee of the Town.

**APPOINTING AUTHORITY** - Any person(s), Board, Committee, Commission, or other Agency who has the right to hire or discharge employees.

**CLASS** - A group of positions in the Town service sufficiently comparable in respect to duties and responsibilities so that the descriptive title may be used to designate each position allocated to the Class, that comparable qualifications shall be required of the incumbents, that comparable tests of fitness may be used to choose qualified employees.

**CLASSIFICATION PLAN** - Class specifications and position titles and rules for administering the classification of positions as approved by the Personnel Board and Town Meeting. appearing as Attachment A in this Bylaw.

**COMPENSATION GRADE** - A salary range (Minimum/Maximum) consistent with a Classification Level appearing in the Town’s Compensation Plan in this Bylaw (Attachment B).

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**COMPENSATION PLAN** - Specified rates of pay for each job classification included in the Classification Plan (Attachment A) and Benefits as included in the various sections of this Bylaw. these bylaws.

**CONTINUOUS SERVICE** - Length of employment with the Town of Sterling, uninterrupted except for authorized military leave, vacation leave, sick leave, court leave, disability, maternal/paternal leave, or any other authorized leave of absence, if applicable and covered in the terms of this bylaw. Service shall not be considered as continuous if there is a break of service resulting in an employee being in a non-pay status for a period of time exceeding thirty (30) days excepting authorized leaves of absence.

**DEPARTMENT** – A functional unit of town government with employees.

**EMPLOYEE** - Any person who is paid by the Town for services rendered to the Town and occupies a position in the Classification Plan (Attachment A or Attachment B) or is a member of a collective bargaining group, excluding elected officials, independent contractors, Municipal Light Department employees, and persons under the direction of the School Committees.

**EXEMPT POSITION**- - An employee who is classified as "exempt" under the provisions of the Fair Labor Standards Act (FLSA) is required to perform management, administrative responsibilities or require specialized professional qualifications and is paid a salary for all hours worked and therefore is not eligible for overtime compensation.

**FULL PAY STATUS**: An employee who is legally employed by the Town and is entitled to be paid in accordance with the provisions of this Bylaw a specific dollar amount, expressed as either an annual rate, weekly rate or hourly rate as shown in the Town's Classification and Compensation Plan (Schedules B, C, D and E) excepting authorized leaves of absence in accordance with this Bylaw.

**GOOD STANDING**: An employee who is legally employed by the Town and is compensated through the Town's payroll for their services on a continuous basis and is eligible for benefits covered in this Bylaw.

**IMMEDIATE FAMILY**: Defined as spouse, mother, father, child, including step child, brother, sister, brother-in-law, sister-in-law, mother-in-law, father-in-law, grandparents, grandchild, aunt, uncle, , niece, nephew, step parent, step sister, step brother, , person residing in the same household or partner.

**INTERIM APPOINTMENT** – Employees who are filling in for a more senior person for a continuous period of time greater than ten (10) working days. Employees may receive special pay consideration as determined based on the recommendation of the Town Administrator or

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Appointing Authority and subject to the approval by the Personnel Board. The rate of compensation will be based on length of assignment, the level of the employee's performance and the classification level (salary range) of the senior person, market conditions and qualifications of the employee subject to verification of available funding.

**JOB CLASSIFICATION** - A particular job title within the Classification Plan.

**MAXIMUM RATE OF PAY** - The highest rate of pay in a classification level.

**MINIMUM RATE** - The lowest rate of compensation in a classification level

**NON-EXEMPT POSITION** – In accordance with the provisions of the FLSA, an employee who is not classified as an exempt employee. Non-exempt employees will be paid overtime at a rate of pay of 1 and ½ times their regular hourly rate of pay for all hours that the Town requires an employee to work greater than 40 hours in a work week.

**PART-TIME EMPLOYEE:** An employee who is required to work up to 52.2 weeks per year for less than 20 hours on average each week; or for irregular or occasional employment at an hourly rate of pay.

**PAY RATE** – A specific dollar amount, expressed either as an annual rate, weekly rate, or an hourly rate as shown in the Classification and Compensation Plan (Attachments A and B).

**PER DIEM PAY RATE:** A specified daily rate of pay paid to an employee when on-call or when required to work and is expressed as either an hourly or daily rate of pay.

**POSITION** - An office or post of employment in the Town service with duties and responsibilities calling for full time, part time, temporary or seasonal employment of one person in the performance and exercise thereof.

**POSITION RATING SYSTEM:** Is a fair, objective way of classifying or comparing positions to one another based upon the evaluation of common functions of positions such as the nature of work knowledge, skill and ability requirements to carry out a positions duties, the scope of responsibility, accountability level of independence, purpose and nature of work contacts and physical and sensory demands, hazards of the work environment and occupational risks.

**RATE OF PAY** - A sum of money designated as compensation for personal services on an hourly, daily, weekly, monthly, annual or other basis.

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**REGULAR FULL TIME EMPLOYEE** - Any employee who is employed no less than forty (40) hours per week, up to 52.2 weeks per year for the department or position in which that person is employed.

**REGULAR PART TIME EMPLOYEE** - Any employee who works at least 20 hours or more each week for up to 52.2 weeks per year, but less than a normal work week for the department or position in which that person is employed. These employees are eligible for town benefits on a pro-rated basis (actual hours required to work as a percentage of a full-time work schedule of 40 hours per week).

**SALARY RANGE** - The dollar difference between minimum and maximum rates for a particular compensation grade.

**SEASONAL EMPLOYEE** - An employee whose duration of employment in a position is for a specified period of time such as a specific number of hours per week or a summer season. Seasonal employees are not entitled to town benefits regardless of the hours worked during the specified season.

**SEPARATION** – Leaving a position by any type of personnel action including but not limited to resignation, layoff, dismissal, removal, permanent disability and death.

**SINGLE RATE OF PAY** - A rate of pay for a special, temporary or seasonal position for which there is no range.

**STEP RATE** - A specific rate of pay in a salary range in a Classification Level as specified in Attachment A of this Bylaw.

**TOWN** - The Town of Sterling, Commonwealth of Massachusetts.

**WORK WEEK:** A work week is defined as a period of time consisting of seven (7) consecutive twenty-four hour days Monday to Sunday, 12:01 A.M. to 12:00 A.M.

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**SECTION 4: CLASSIFICATION PLAN**

**A. ADMINISTRATION**

The Human Resource Administrator shall be responsible for the administration of the Classification Plan (the Plan), establishing only such procedures as may be consistent with the policies as established in the Bylaw.

The Human Resource Administrator shall maintain written descriptions of the jobs or positions in the Plan describing the essential characteristics, requirements and general duties. The descriptions shall not be interpreted as either complete or restrictive and employees shall continue to perform any duties assigned by an employee's superior(s).

The Human Resource Administrator shall, from time to time not to exceed three (3) years, review the wage and salary schedules of all positions subject to the Plan in order to keep informed as to pay rates and policies outside the service of the town, and be in a position to recommend to the Town any action deemed desirable to maintain a fair and equitable (competitive) pay level.

The Human Resource Administrator shall review the duties of all employees subject to the Plan at intervals of not more than three (3) years. The Human Resource Administrator upon receipt of substantiating data may recommend to the Personnel Board for approval a new position to the classification schedule, or reclassify an existing position to a different group, subject to the subsequent ratification of this action by formal amendment of this By-Law by vote of the Town Meeting. Any change that requires an additional appropriation of funds is subject to the recommendation of the Finance Committee and approval of Town Meeting.

The allocation of a position is based on the application of a Position Appraisal Method consisting of a set of universal evaluation criteria or minimum qualifications that are required to successfully perform the essential functions of a position. Each position is assigned a numerical point value based on the application of degree levels within each of the evaluation criteria; the sum point total will determine which grade level a position is to be classified.

The Personnel Board shall vote to retain or change the Classification and Compensation Plan for the forthcoming year by December 10<sup>th</sup> of each year in conjunction with the development of the Town's Annual Budget, subject to the subsequent ratification of its action by formal amendment of that section of this Bylaw at the next Annual Town Meeting. This vote shall be sent to all appointing authorities as well as the Finance Committee and Department Heads.

**B. POSITION CLASSIFICATION**

No person shall be appointed, employed or paid as a Town employee in any position under the Classification Plan and Compensation Plan under any title, grade, or salary other than that of the class, title, grade, or salary listed in the Classification Plan and Compensation Plan for that position.

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**C. EMPLOYEE CATEGORIES**

All positions subject to the provisions of the Personnel Bylaw of the Town shall fall into one of the following categories:

- a. Regular Full-Time
- b. Regular Part-Time
- c. Part-Time
- d. Seasonal

Regular Full Time and Regular Part Time employees are the only employees eligible for employee benefits.

**D. POSITION TITLE**

The title of each position, as established by the Classification Plan (Attachment B), shall be the official title of every position allocated to the class and the official title of each incumbent of a position so allocated, and shall be used to the exclusion of all others on payrolls, budget estimates and other official records and reports pertaining to the position.

**SECTION 5: COMPENSATION PLAN**

**A. APPLICATION**

It is the policy of the Town to develop and maintain a compensation plan that is competitive with the market place enabling the Town to recruit and retain a quality work force. External salary data is collected on a regular basis from comparable communities as determined from the geographical recruitment area as well as operational and demographic criteria on a position by position basis. The Town may make changes to the salary ranges for each grade level as it deems necessary in order to maintain competitiveness with the market place.

The compensation of employees provided for in this section shall be subject to the availability of appropriated funds by Town Meeting. It is further understood that salary adjustments including step increases are not automatic but are subject to the appropriation of funds.

**B. PAY AND SALARY SCHEDULE**

The Compensation Schedule annually approved by the Town Meeting and appended to this Bylaw (Attachment B) shall consist of hourly rates, where appropriate, and annual salaries, on a grade and step schedule except for those wages that are presented as either a single rate or range. Massachusetts

**C. PAY RATE FOR NEW PERSONNEL**

The hiring rate of pay shall be between the minimum of the salary range of the position's Classification Level for which the new employee is hired up to step 3 without prior approval of



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the Personnel Board, where the employee's prior work experience, training, or education warrants such action. The Board may approve any request for a higher salary step after investigating such requests for assignment to a higher salary step, and conferring with the Human Resources Administrator, and the immediate supervisor or the department head relative to any assignment to a higher rate and to ensure that funds are available. An appointing authority must request approval from the Personnel Board prior to assigning any new employee to a rate higher than step 3.

**D. "PERSONAL RATE" OF PAY**

Any rate of pay which is above the maximum salary for a position as established by the Town's Classification and Compensation Plan, shall be deemed to be a personal rate of pay, and shall apply only to the incumbent. When such incumbent leaves the employ of the Town, or is transferred to another position or a new maximum higher than the employee's personal rate is established, the personal rate shall disappear.

**SECTION 10: EMPLOYEE BENEFITS**

**A. APPLICATION**

**Regular Full-Time Employees** - All of the employee benefits listed below apply to regular full time employees.

**Regular Part-Time Employees** - All of the below listed employee benefits, with the exception of holidays apply to regular part time employees. These employees are eligible for all employee benefits on a pro-rated basis (actual hours required to work as a percentage of a full-time work schedule of 40 hours per week).

Part-time or Seasonal Employees are not eligible for any employee benefits, listed below.

**COMPENSATED ABSENCES**

**B. HOLIDAYS**

The following eleven (11) days or dates, shall be recognized as legal holidays within the meaning of this Bylaw on which days employees shall be excused from all duty not required to maintain essential Town services.

Regular full-time employees will be entitled to one day's pay at regular straight time rates for each holiday. If the holiday falls on a Saturday, it will be observed on the previous work day and if it falls on Sunday, it will be observed on the following work day.

Regular part-time employees scheduled to work on a holiday shall receive pay based on their regular scheduled hours for that day. If an employee is not scheduled to work on a particular holiday, the employee shall not be eligible for pay for that holiday.

The designated holidays are:

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**NEW YEAR'S DAY  
MARTIN LUTHER KING DAY  
PRESIDENT'S DAY  
PATRIOTS' DAY  
MEMORIAL DAY  
CHRISTMAS DAY**

**LABOR DAY  
COLUMBUS DAY  
VETERANS' DAY  
THANKSGIVING DAY  
INDEPENDENCE DAY**

Payment under the provisions of this section shall be made provided the eligible employee shall have worked on the last regularly scheduled working day prior to and the next regularly scheduled working day following such holiday, or was in full pay status on such preceding and following days in accordance with the provisions of this By-Law.

When any of the holidays listed above falls within a sick leave period, it shall be granted as a holiday and no charge made to the employee's sick leave credits.

When any of the holidays listed above fall within a vacation period, it shall be granted as a holiday not as vacation leave.

Any regular full-time or regular part-time employee on a normal work schedule whose services are required and who works on any unscheduled holiday, so designated by an Act of the Legislature as a state wide holiday, shall receive additional compensation at the rate of time and one-half of their regular straight time hourly rate for each hour of portion thereof worked on the unscheduled holiday.

Any act of the General Court establishing any day or days designated as a state holiday shall be granted to all regular full-time and regular part-time employees covered by this Bylaw.

**C. VACATION PAY**

Employees will accumulate vacation pay on a monthly basis, on the last day of each full month worked in accordance with the provisions of this section listed below. Regular full time employees are eligible for vacation as follows:

- After completing six (6) months of continuous service, the employee is eligible for six and 2/3 hours of paid vacation at a normal day's pay for each full month of continuous service to the Town from the date of hire.
- After one (1) year and up to a maximum of five (5) years service, the employee is eligible for six and 2/3 (6 2/3) hours of paid vacation at a normal day's pay for each full month of continuous service provided to the Town, but not to exceed a maximum of eighty (80) hours.
- After five (5) and up to a maximum of fifteen (15) years service, the employee is eligible for 10 hours of paid vacation at a normal day's pay for each full month of continuous service provided to the Town, but not to exceed a maximum of 120 hours.

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- After fifteen (15) years and up to twenty (20) years service, the employee is eligible for 160 hours of paid vacation earned and paid as above.
- After twenty (20) years service, the employee is eligible for 200 hours of paid vacation earned and paid as above.

Employees who are eligible for 160 or 200 hours of paid vacation may elect to work no more than one (1) vacation week and receive vacation pay plus their regular straight time pay for that week, but only after prior approval has been received from the employee's Department Head or Board, Committee, Agency or Commission responsible for the employee's Department.

Vacation time shall not be cumulative from year to year except for up to 80 hours which may be held over to be used during the next fiscal year at a time that is mutually agreeable to the employee and their department head.

The choice of vacations shall be on the basis of seniority in the department and approved by the department head. Department heads shall post the vacation schedule annually.

In case of retirement or termination of employment, the employee shall be paid for all accrued vacation time earned up to the termination date.

**D. SICK LEAVE**

Each regular full time employee shall earn sick leave credit with pay at the rate of 10 hours for each month of continuous employment with the Town, to a maximum of 120 hours per fiscal year. The sick leave credit of a regular part-time employee shall be prorated in accordance with the provisions of this section for regular full-time employees.

The maximum number of such days of sick leave credit that may be accumulated is one hundred ninety (190) days. Employees will accumulate sick leave on a monthly basis, on the last day of each full month worked and in accordance with the other provisions of this section.

The Office of the Treasurer/Collector is responsible for maintaining records of sick leave days accumulated and used for all eligible employees within the Town and reporting same to the Human Resources Administrator.

The Town at its exclusive discretion, reserves the right to request a written certificate from a Town selected physician, at the cost to the Town, establishing incapacity as a condition of payment of sick leave benefits or for an employee who seeks to return to work after being absent, whether paid or unpaid, to determine the employee's fitness for work.

If an employee uses sick leave for purposes other than legitimate illness or non-working injury as well as in an excessive manner, the employee may, at the sole discretion of the Town, be subject to disciplinary action up to and including termination of employment.

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Payments made under the provisions of this section shall be limited in the case of an employee who is receiving Workers Compensation payments to the difference between the total amount paid to the employee in Workers Compensation and the employee's regular pay. In the event of such payments, the Town may debit the employee's accumulated sick leave by such amounts as it determines to be equitable in relation to such payments.

Only employees who retire in good standing from employment with the Town of Sterling shall be paid ten (10) percent of the value of their unused sick leave, at the time of retirement. It is to be understood that the payment of any amount under this rule will not change the employee's pension benefit.

**E. BEREAVEMENT LEAVE**

Regular full time and regular part time employees shall be given up to three (3) working days leave with a normal day's pay for the purpose of making arrangements and attending the funeral of a member of his/her immediate family.

**F. JURY DUTY LEAVE**

Employees required to serve on a jury shall promptly notify their immediate supervisor or Department Head. A regular full time and regular part time employee called for jury duty shall be paid by the Town an amount equal to the difference between the compensation paid the employee for a normal working period and the amount paid by the court excluding any allowance for travel and lodging, upon presentation of an affidavit of jury pay granted.

**SECTION 11: CIVIL SERVICE LAW**

Nothing in this Bylaw or in the Classification or Compensation Plans shall be construed to conflict with MGL Ch 31.

**SECTION 12: SEPARABILITY PROVISION**

In the event that any provision of this Bylaw, or application thereof, shall be held to be invalid by any court of proper jurisdiction, this shall not be construed to affect the validity of any other provision, or application thereof, of this Bylaw.

**SECTION 13: ACTION TAKEN UNDER PRIOR BYLAWS PRESERVED**

The repeal of this bylaw or portion thereof heretofore adopted shall not be construed to revoke, invalidate or otherwise alter acts done, ratified or confirmed in compliance therewith under authority thereof, or any rights accrued or established or any action, suit or proceeding commenced or had in any case, nor shall any such repeal affect any punishment, penalty or forfeiture incurred under any such prior bylaw.

**Attachment A**  
**FY 2015 Classification Plan**  
**Regular Non-Union Positions**  
(Proposed to be effective on July 1, 2014)

<b>Proposed Grade Level</b>	<b>Current Grade Level</b>	<b>Position Title</b>
<b>I</b>	<b>2</b>	Clerk Typist
	<b>3</b>	Library Technician II
	<b>2</b>	Library Technician I
	<b>4</b>	Custodian
	<b>3</b>	Van Driver
<b>II</b>	<b>4 or 5</b>	Admin Assistant ( Bldg, Assessor, Planning)
	<b>4</b>	Library Associate I
	<b>4</b>	Outreach Aide (COA)
	<b>3</b>	Meal Site Coordinator (COA)
<b>III</b>	<b>5</b>	Assistant Town Collector
	<b>5</b>	Assistant Town Treasurer
	<b>6</b>	Associate Health Agent
	<b>2</b>	Program Assistant (Rec)
	<b>6</b>	Executive Assistant (DPW)
	<b>5</b>	Assistant Town Clerk
	<b>4</b>	Animal Control Officer
	<b>5</b>	Library Associate II
<b>IV</b>	<b>7</b>	Asst. Library Dir (Child Services)
	<b>7</b>	Working Foreman
	<b>6</b>	Facilities Maintenance Technician
	<b>7</b>	Conservation Agent
<b>V</b>	<b>7</b>	COA Director
	<b>8</b>	HR Administrator
	<b>8</b>	Town Clerk
	<b>8</b>	Town Accountant
	<b>8</b>	Town Treasurer/Collector
	<b>8</b>	Asst Supt (DPW)
	<b>Vacant</b>	Town Planner
	<b>7</b>	Recreation Director
	<b>8</b>	Health Agent
	<b>8</b>	Building Commissioner
<b>VI</b>	<b>10</b>	DPW Superintendent

**Attachment B**  
**FY 2015 Classification Plan**  
**Union Positions**  
(Proposed to be effective July 1, 2014)

Grade	Position	Department
2		
3	Laborer	DPW
4		
5	Asst. Mechanic	DPW
	Truck Driver	DPW
	Dispatcher	Police
6	Firefighter/EMS	Fire
	Firefighter/Mechanic	Fire
	Company Officer	Fire
	Executive Assistant	Police;Fire;Selectmen/Town Administrator
	Equipment Operator	DPW
	Mechanic	DPW
	Water Technician I	DPW
7	Firefighter/Paramedic	Fire
	Company Officer/Fire Inspector	Fire
	Head Dispatcher	Police
	Sr Water System Technician	DPW
	Senior Water Technician	DPW
8	Patrolman	Police
9		
10	Sergeant	Police
11		

**Attachment C**  
**Compensation Schedule**  
**Non-Union Regular Positions**  
**(Proposed to be effective as of July 1, 2014)**

Proposed Grade Level	Hourly Salary Range Minimum	Hourly Salary Range Mid-Point	Hourly Salary Range Maximum
I	\$13.18	\$15.50	\$18.45
II	\$14.26	\$17.83	\$19.96
III	\$16.40	\$20.50	\$23.78
IV	\$18.86	\$23.57	\$26.40
V	\$22.63	\$28.29	\$33.95
VI	\$31.68	\$39.60	\$47.52

Proposed Grade Level	Annual Salary Range Minimum	Annual Salary Range Mid-Point	Annual Salary Range Maximum
I	\$27,520	\$32,364	\$38,524
II	\$29,775	\$37,229	\$41,676
III	\$34,243	\$42,804	\$49,653
IV	\$39,380	\$49,214	\$55,123
V	\$47,251	\$59,070	\$70,888
VI	\$66,148	\$82,685	\$99,222

**ATTACHMENT D**  
**FY 15 COMPENSATION SCHEDULE**  
**Union Positions**  
(Proposed to be effective July 1, 2014)

GRADE	STEPS												
	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>1</b>	9.93	10.23	10.54	10.85	11.18	11.51	11.86	12.22	12.59	12.95	13.34	13.74	14.16
<b>2</b>	11.41	11.76	12.13	12.47	12.85	13.24	13.64	14.05	14.47	14.89	15.34	15.80	16.28
<b>3</b>	13.15	13.54	13.93	14.35	14.78	15.23	15.69	16.16	16.64	17.14	17.66	18.19	18.74
<b>4</b>	15.11	15.57	16.03	16.51	17.01	17.51	18.04	18.58	19.14	19.72	20.31	20.91	21.54
<b>5</b>	17.39	17.91	18.44	18.99	19.56	20.16	20.76	21.38	22.01	22.68	23.36	24.06	24.78
<b>6</b>	41,704	42,966	44,251	45,556	46,928	48,320	49,779	51,282	52,827	54,394	56,027	57,702	59,444
<b>7</b>	47,973	49,431	50,889	52,413	53,980	55,612	57,267	58,987	60,771	62,578	64,471	66,408	68,387
<b>8</b>	55,047	56,699	58,399	60,150	61,956	63,814	65,729	67,700	69,732	71,824	73,979	76,198	78,484
<b>9</b>	61,652	63,502	65,406	67,369	69,390	71,471	73,616	75,825	78,099	80,442	82,856	85,340	87,901
<b>10</b>	69,051	71,123	73,256	75,453	77,717	80,049	82,451	84,924	87,472	90,096	92,799	95,583	98,450
<b>11</b>	77,337	79,658	82,048	84,508	87,044	89,655	92,346	95,115	97,969	100,909	103,935	107,053	110,265
<b>6</b>	19.97	20.57	21.20	21.82	22.47	23.14	23.84	24.56	25.30	26.05	26.84	27.63	28.47
<b>7</b>	22.97	23.67	24.37	25.10	25.86	26.63	27.43	28.25	29.10	29.97	30.88	31.80	32.75
<b>8</b>	26.37	27.15	27.97	28.82	29.67	30.57	31.48	32.42	33.39	34.40	35.43	36.50	37.59
<b>9</b>	29.52	30.41	31.32	32.26	33.23	34.23	35.25	36.32	37.40	38.53	39.69	40.87	42.10
<b>10</b>	33.07	34.07	35.08	36.13	37.23	38.34	39.48	40.68	41.89	43.15	44.44	45.78	47.15
<b>11</b>	37.04	38.16	39.29	40.47	41.69	42.94	44.23	45.55	46.92	48.33	49.78	51.27	52.81



**Attachment E**  
**Compensation Schedule**  
**Call Fire Force Positions**  
**(Proposed to be effective as of July 1, 2014)**

Proposed Grade Level	Hourly Salary Range Minimum	Hourly Salary Range Mid-Point	Hourly Salary Range Maximum
I	\$13.18	\$15.50	\$18.45

**Attachment F**  
**Stipend Positions**

(Proposed to be effective as of July 1, 2014)

<b>Position Title</b>		<b>Amount</b>
<b>ADA Coordinator</b>		<b>\$1,500</b>
<b>Animal Inspector</b>		<b>\$1,000</b>
<b>Emergency Management Director</b>		<b>\$10,000</b>
<b>Gas Inspector</b>		<b>\$5,500</b>
<b>Plumbing Inspector</b>		<b>\$10,000</b>
<b>Swealer of Weights and Measures</b>		<b>\$1,200</b>
<b>Veteran's Agent</b>		<b>\$3,900</b>

**Attachment G**  
**Temporary Positions**

(Proposed to be effective as of July 1, 2014)

Position Title	Minimum/Hour	Maximum/Hour
Police Special Officer	\$8.25	\$9.60
Constable		\$9.25
Matron	\$15.00	\$25.00
Election Worker		\$8.25
Register of Voters		\$8.50
Assistant Register of Voters		\$8.25
Recycling Attendant		\$11.00
Seasonal Laborer	\$9.25	\$10.00
Seasonal truck Driver	\$17.00	\$20.00
Lifeguard	\$10.00	\$14.00
Season Recreation Assistant	\$8.50	\$14.00
Van driver (COA)		\$9.46
Food inspector		\$30.00
Account Clerk		\$15.00
Parking Clerk		\$25.00
Assistant Building Inspector		\$25 per Inspection
Assistant Plumbing Inspector		\$25 per Inspection
Wire Inspector		\$35 per Inspection
Assistant Wiring Inspector		\$35 per Inspection



# Town of Sterling

## Town Clerk

1 Park Street, Sterling, MA 01564

Phone: 978-422-8111 x2308

Fax: 978-422-0289

Email: [TownClerk@sterling-ma.gov](mailto:TownClerk@sterling-ma.gov)

## WARRANT

for

**SPECIAL and ANNUAL TOWN MEETING on Saturday, May 3, 2014  
and ANNUAL TOWN ELECTION on Monday, May 12, 2014**

To either of the Constables of the **Town of Sterling:**

**GREETINGS:** In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in both the Special and the Annual Town Meeting at: **CHOCKSETT SCHOOL GYM - 40 Boutelle Road**  
**on Saturday, May 3rd** from 3:30PM to approximately 11:00PM for the purpose of voting said Town Meetings as follows:

**SPECIAL TOWN MEETING for Articles 1 through 6 and  
ANNUAL TOWN MEETING for Articles 1 through 48**

and **ANNUAL TOWN ELECTION** to vote in:

**PRECINCT 1 and 2 at HOUGHTON SCHOOL - 32 Boutelle Road**

on **Monday, THE TWELVETH OF MAY, 2014**, from 7:00AM to 8:00PM for the following purpose: To cast their votes in the Annual Town Election for the candidates for the following offices:

**Board of Assessors (1) for 3 year term**

**Board of Health (1) for 3 year term**

**Board of Selectmen (1) for 3 year term**

**Constable (1) for 3 year term**

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

**Library Board of Trustees (2) each for 3 year terms**

**Planning Board (1) for 5 year term**

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

**Sterling Housing Authority (1) for 1 year term**

**Wachusett Regional School Committee (2) for 3 year term**

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting. Given under our hands this 14th day of April, 2014.

Ronald A. Furmaniuk, Chairman, Board of Selectmen

Brian J. Patacchiola

Robert F. Cutler

This Warrant will be posted on the Town Website and posted at the following locations:

Butterick Municipal Building

Town Library

Sterling Municipal Light Building

Sterling Police Station

Sterling Post Office

Method of service of warrant

by

Constable's signature

4-15-14

Date