

Minutes
STOW FINANCE COMMITTEE
April 28, 2009
7:30 PM
Town Building
Approved

Call to Order

Charles Kern called the meeting to order at 7:30 pm. Present were David Walrath, James Salvie, Gary Bernklow, Ann Deluty, Christopher Sarno and Elizabeth Tobey, Secretary.

Guest: Bob Collings and Lenny Golder

Discussion of Article 57

Members met with Bob Collings to discuss his concerns with Article 57-Amend Zoning Bylaws: Zoning District Map. Mr. Collings asked that they hear his arguments against the article and reconsider their vote to approve the article at Town Meeting.

Mr. Collings suggested that the article doesn't reference the zoning only the wording. He feels that is incorrect. He made a presentation of zoning maps of the town of stow.

He was asked if he was currently in dispute with the town regarding zoning. He stated that he was in litigation since June 18, 2008 regarding his proposal of 5 house lots on 55 acres, with some constraints and lines on maps that are in dispute.

Charlie stated that the position of planning is they would like to refer to a map with changes through May of 2004.

Mr. Collings stated there are two maps and they are not the same.

Charlie then explained that the article refers to the basic zoning map only, not the maps with Hydrography included.

Mr. Collings suggested that the Planning baseline map is different than the baseline map received from the Town Clerk. He has no objection to our maps being current.

Jim explained that the article will use the May 1, 1995 map plus all the amendments to May 17, 2004 that would be included with the map, it doesn't amend the map itself but it does amend the definition.

Mr. Collings then stated that the May 1, 1995 map says, "for planning purposes only" and the 2004-rezoned map w/amendments does not. He questioned why the MAPC information was removed and suggested it makes the new map different than the 1995 map. He stated he would probably be happy if the new map still had the disclaimer on it.

He then showed the committee a survey map from an engineer. On the survey are the flood plain (conservation) line, FEMA line, and the flood plain (conservation/recreation) line, they are consistent to scale. The new lines are not accurate.

Lenny Golder stated the zoning district is accurate. In terms of basic zoning issues it all has the same validity.

Charlie asked if this is an element with the litigation with the town and Mr. Collings said, "yes it is part of it". He then asked if his basic issues were:

1. The delineation of the flood plain line is drawn improperly
2. The disclaimer is missing

Mr. Collings agreed that they were the basic issues. Charlie suggested he has an honest disagreement about where the flood plain is, but it is outside the warrant article.

Jim suggests that the bylaw seems to roll all of the changes through the years into one bylaw. By passing it, it is not stating what is right and what is wrong.

Chris suggested Mr. Collings was using the Finance Committee to create a new reason to argue against the map.

Charlie explained that that Article is housekeeping, not an attempt to sneak in anything. It is a roll up to get us up to date. This map reflects amendments up to May 17, 2004.

Lenny explained that the 1995 map disclaimer came with the MAPC maps with their information on it.

There was a brief discussion regarding the disclaimer. Some members like the idea of the disclaimer staying on the maps.

Charlie asked if anyone wanted to reconsider the recommendation concerning Article 57- Amend Zoning Bylaw: Zoning District Map.

Jim suggested to Lenny that they add a disclaimer to the maps if not for arguing purposes only. Lenny was agreeable to suggest that to the Planning Board.

Dave moved to reconsider the vote on Article 57- Amend Zoning Bylaw: Zoning District Map.

No second was heard.

The Motion failed

The members thanked Mr. Collings for his presentation.

Mr. Collings exited at 8:45 pm.

Correspondence

- Board of Health Swine Flu Notice
- Memo regarding vacancies on the Finance Committee

Meeting Minutes

David Walrath moved to approve April 21, 2009 minutes as submitted. James Salvie seconded the motion.

The motion carried unanimously (Kern, Salvie, Bernklow and Walrath)

Reserve Fund Transfer Requests

Fire Department – Antenna at the Communications Center - \$2,502.50

The transfer will be used to replace the Fire Department antenna at the communications center. Our Radio Company recommends that this be repaired right away before we burn out the fire radio. This was an unbudgeted and unforeseen expenditure.

James Salvie moved to approve the reserve fund transfer request in the amount of \$2,502.50 for replacement of the Fire Department antenna. David Walrath seconded the request.

The motion carried unanimously (Kern, Walrath, Salvie and Bernklow)

Randall Library – Emergency Electrical Repairs - \$3,346.00

The transfer will be used to pay for the repairs to the electrical panel that included replacing the breaker and removing rust from the interior of the cabinet and sealing it. This was an unbudgeted and unforeseen expenditure.

David Walrath moved to approve the reserve fund transfer request in the amount of \$3346.00 repairs to the electrical panel at the Library.

The motion carried unanimously (Kern, Walrath, Salvie and Bernklow)

Article 34-Capital Requests

Item 1 – Town Building Wiring Project

David Walrath moved to approve the Town Building wiring project (listed as Emergency generator for Town Building in the warrant) in the amount of \$45,000. Gary Bernklow seconded the motion.

The motion carried unanimously (Kern, Walrath, Salvie and Bernklow)

Item 3 – Expansion of Town Building Parking Lot

Gary Bernklow moved to approve the expansion of the Town Building parking lot in the amount of \$50,000. David Walrath seconded the motion.

The motion carried unanimously (Kern, Walrath, Salvie and Bernklow)

Item 9 – Hale School Roof Repairs

David Walrath moved to approve the Hale School Roof Repairs in the amount of \$50,000. James Salvie seconded the motion.

The motion carried unanimously (Kern, Walrath, Salvie and Bernklow)

Other Business

No other business at this time

Future meetings

May 4, 2009 pre-Town Meeting

Adjournment

A motion to adjourn was made by David Walrath at 9:15 pm. James Salvie seconded the motion. The motion carried unanimously (Kern, Walrath, Bernklow and Salvie).

Respectfully submitted,

Elizabeth A. Tobey,
Secretary