

**MINUTES
BOARD OF SELECTMEN
October 14, 2008**

Present at the meeting that was held at the Town Building were Chairman Thomas Ruggiero and Selectmen Stephen Dungan, Kathleen Farrell, Jason Robart, and Ellen Sturgis.

Also present were Town Administrator William Wrigley and Administrative Assistant Susan McLaughlin.

Chairman Ruggiero called the meeting to order at 7:00 p.m.

Public Input

None.

Town Administrator's Report

Mr. Wrigley reported on the following topics:

- Kunelius case: The court's finding in favor of the defendants has been appealed.
- State budget cuts: state departments are expected to see 7- to- 10 percent cuts. Stow's local receipts look ok so far. The Town will be financing the new fire truck and refinancing Snow in the spring.
- Dogs at Delaney: He met with the Board of Health and US Fisheries and Wildlife on the new rules for dogs and possible banning in November. Pat Huckaby of F&W agreed to hold enforcement of the ban until a public meeting was held on the issue. The meeting was being scheduled.
- Professional development: a Dept of Revenue conference
- Ongoing meetings with his working groups
- Contract between the Town and Montachusett Area Regional Transportation (MART) was executed, after a long period of negotiation.

November 4, 2008 Election Warrant

Ms. Farrell moved to sign the warrant for the November 4, 2008 election; Mr. Dungan seconded; and all voted in favor. Board members signed the warrant for the Town Clerk.

Visit from Senator Pam Resor

The Board recognized Senator Pam Resor as she retires after 18 years in the legislature. Mr. Ruggiero expressed thanks from the Board, Town Administrator, and town for her advocacy for Stow and her district and Ms. Sturgis presented the highlights of her achievements, beginning with the senator's involvement in the W.R. Grace remediation in Acton. As a token of Stow's appreciation, the Board presented her with a photograph of wildlife by a local photographer.

Meeting Minutes

September 23, 2008: Mr. Dungan moved to approve the minutes, as amended; Mr. Ruggiero seconded; and all voted in favor.

Appointment of Call Firefighters

At the request of Fire Chief Mike McLaughlin, the Board appointed three new call firefighters. Mr. Dungan moved to appoint the following three call firefighters: Kristopher Blakely, Jonathan Evers, and Scott Morse; Ms. Farrell seconded; and all voted in favor.

Snow Land Recreation Project Update

Bob Wilber, who is leading the project, gave the Board a brief overview of the recent activities and accomplishments, such as the current review of a draft maintenance plan. Mr. Wilber and Mr. Wrigley answered questions from Board members about future steps, including successful permitting with the Planning Board and Zoning Board of Appeals.

Mr. Wilber asked the Board for feedback on a specific element of the layout, in which the recreational and agricultural users would share a path onto the site. He said the Planning Board wished to know if the selectmen supported it. Following Mr. Wilber's explanation of the layout, all the Board members agreed that the sense of the meeting was to support the concept of the shared use of the area.

Mr. Wilber did not know the state's decision of Stow's application for the matching urban Self Help grant but called the timing, with the economic problems, "unfortunate."

Lundy Land Survey Report

Mr. Dungan reported on the recent EarthTech evaluation of the Lundy land as an alternative route for the rail trail. At a September 9 meeting with the consultants, the committee's consensus was that the Lundy string of parcels was not a viable alternate route for the rail trail from both an engineering and financial perspective.

Liaison Reports

Elementary School Building Committee: The Board's liaison Ms. Sturgis was joined by Greta Morgan, an associate member of the ESBC, to propose creating a Town account into which private funds raised for the building project could be deposited. Mr. Wrigley offered to work with Town Counsel to set up an agreement and mechanism for accepting and expending the donations.

Selectmen's Master Plan Expenses

Mr. Dungan reported that the Master Plan Committee is ready to hire a consultant for the last phase of readying the plan and the Planning Board and Selectmen had agreed to co-fund the effort to complete the Master Plan. To seal the agreement, the Board took the following vote.

Mr. Dungan moved to expend an amount not to exceed \$5,000 to pay the Selectmen's share of the Ciccolo consulting charges; Mr. Robart seconded; and all voted in favor.

Then, Mr. Dungan, on behalf of the Master Plan Committee, moved to expend an amount not to exceed \$2,000 to cover the expense of a town-wide Master Plan 2008 survey; Mr. Robart seconded; and all voted in favor.

Next, Mr. Robart, on behalf of the Land use Task Force, moved to approve expenditure not to exceed \$5,000 for a feasibility study of the uses of the following Town-owned land: the Kane well site (Parcel 34-2 on Maps U7 and U8) and the westerly portion of the Pompo land (Parcel 92 on Map R9); Mr. Dungan seconded.

Following discussion, the Board voted four in favor (Dungan, Robart, Ruggiero, and Sturgis) and one opposed (Farrell). The motion passed.

Mr. Wrigley and Mr. Robart pointed out that now is the time to engage Town Counsel regarding land in Conservation restriction, specifically, 1) under what circumstances can the Town use it for municipal development; 2) what are the steps to do so; and 3) what are the ramifications. The Town and Board of Selectmen should have this in writing.

Other notes of interest reported were that a final meeting on the Master Plan survey was scheduled for October 23 and that the Land Use Task Force joint boards meeting on the Chapter 61 process was well attended by representatives from each board, with the public forum now planned for early December.

Chairman's Comments

Mr. Ruggiero noted two points: 1) Ms. Farrell is stepping down from the Affordable Housing Trust and Mr. Dungan has agreed to take her place, and 2) Msrs Dungan, Ruggiero, and Wrigley are acting on resident Brian Martinson's complaints about the Lower Village.

At 9:13 p.m., Ms. Farrell moved to adjourn; Mr. Dungan seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant, Board of Selectmen

Approved as amended, October 28, 2008