

**MINUTES
BOARD OF SELECTMEN
February 24, 2009**

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 p.m.

Public Input

The Town Clerk announced the dates of the Spring election and the Town census and referred residents to the Town website for information.

Chairman's Comments

Mr. Ruggiero explained to the audience that the Harvard Acres/Assabet Water issue had been added to the already full agenda and would be discussed later in the meeting.

Town Administrator's Report [

See FY2010 Joint Boards meeting below.

Meeting Minutes

February 10, 2009: Ms. Farrell moved to accept the 2/10/09 minutes, as amended; Mr. Dungan seconded; and all voted in favor.

Open Space Committee Appointment

Vin Antil, Committee Chair, introduced Brian Mulcahy and requested that the Board appoint Mr. Mulcahy to fill the Open Space vacancy. Mr. Mulcahy explained his background and interest. It was noted that Open Space members have "indefinite" terms and Mr. Antil presented an updated charge for the committee, now that the Open Space and Recreation Plan was complete.

Mr. Dungan moved to appoint Brian Mulcahy to the Open Space Committee; Ms. Sturgis seconded; and all voted in favor.

Renewal of Snow Property Borrowing

Treasurer/Collector Pam Landry asked the Board to renew the Snow property bond, specifically \$540k at 2.4-percent interest from Eastern Bank. Ms. Farrell moved to approve the Snow property borrowing; Mr. Dungan seconded; and all voted in favor.

Town Administrator's Annual Joint Boards Meeting on the Financial State of the Town

At 7:15 pm, Mr. Wrigley convened his annual meeting with the Assessors, Capital Planning, Finance, school representatives, and the Selectmen, as required by Town charter.

Nashoba Regional Superintendent Michael Wood said the district had reduced its budget to a 3.68-percent overall increase, looking at Bolton's request for a maximum of 4 percent.

Minuteman Regional Superintendent Ed Bouquillon said the district would have a 2.9-percent increase. Stow's assessment will be down one to two percent due to a 15-student drop in Stow's enrollment. He said they would draw from the E&D account, in addition to saving \$250,000 in copying, IT, and the elimination of two high-level administrative positions

Capital Planning Chair Jean Lynch said the committee has \$698,000 in requests. This includes \$200,000 for a new ambulance; \$100,000 for document preservation from CPA funds; \$33,000 for a police cruiser; \$100,000 for fire/rescue turnout gear; \$15,000 for an air compressor for Highway; and \$135,000 for NRSD school building repairs.

The Board of Assessors Principal Assessor Dotty Wilbur reported new growth at \$275,000, with the hope that personal property will pull it up some. They are on track for \$150,000 in local receipts.

Finance Chair Charlie Kern said that Finance is presently meeting with the department heads to review their budgets. The annual public hearing on the FY 2010 budget is scheduled for March 19, 2009

Town Administrator Wrigley said that developing the municipal budget is always a fluid process and he is adjusting figures as updated information becomes available. The budget is presently at a 3.3-percent increase. The budget he brings to the Selectmen for approval on March 24 will be less than a 3-percent increase.

A resident asked Mr. Wrigley and Stow's School Committee rep Brian Burke whether they were considering denying COLA increases to employees, as an expense reduction measure. Mr. Wrigley replied that the measure was unnecessary at present for the municipal budget. Mr. Burke said the school committee considered it but decided there is not enough time in this budget cycle to do so.

This concluded the Joint Boards meeting.

Liaison Reports

Assabet River Rail Trail: Mr. Dungan reported that the committee had voted on a route for the trail through Stow. It includes a section through the wildlife refuge. He is meeting on Friday with Libby Herland from Mass Fish & Wildlife to further discuss this option, to which she has given a preliminary green light.

Elementary School Building Project Update

Ms. Sturgis spoke of the Town's developing partnership with the MSBA and updated the Board on progress from last March.

This included a green initiative for new building and renovation, hiring an Owner's Project Manager, and issuing a Request for Services for building design.

The plan is to request funding for construction at a Fall Town Meeting and start construction in September 2010.

Liaison Reports, continued

Land Use Task Force: Mr. Robart said the task force met the previous Thursday to prioritize the use of land in town and identify the resources needed to implement the Master Plan. At the next meeting, they will have a proposal for hiring a Town/Planner/Community Development Manager.

Update on Federal Stimulus Package

Mr. Wrigley said there is a huge list of state-level projects competing for \$9-\$11B federal stimulus funds, including the UMass Medical complex and all of the state university sites. Because the state-level requests are so large, we should keep our expectations low at the town level.

Affordable Housing Projects Update

Mr. Dungan began the discussion by reminding people of the June 2007 Housing Summit, at which time the committees agreed that affordable housing projects were important for Stow. That was almost two years ago. For this meeting, Mr. Dungan asked for updates from each group involved, what to do now; why reaching 10-percent affordable housing is important to Stow; what the Board can do to facilitate their efforts; and which groups are in the driver's seat for moving forward.

First discussed was whether to keep or dissolve the town's Affordable Housing Partnership. The Partnership was established to own Stow's affordable housing program, before affordable housing trusts existed. Partnerships evaluated the affordable component of new housing proposals and advocated for affordable units. And the Mass Department of Housing and Community Development (DHCD) required that towns have partnerships to qualify for certain grants.

Mike Kopczynski and Greg Jones reported that today's Affordable Housing Partnership is no longer active, nor is it needed now that there is an Affordable Housing Trust. Mr. Dungan agreed to call DHCD to see if a partnership is still required for grants. If not, the Board will dissolve it.

The discussion touched briefly on the difference between the Housing Trust and Housing Authority regarding property ownership. Housing Authority Chair Bob Larkin said that, by law, the Authority is sheltered from liability, whereas the Trust and its trustees can be held liable in legal actions.

Asked who is the monitoring agent for the town's comprehensive permits, Mr. Larkin said the Authority has that responsibility.

Mr. Jones described a proposal by the Stow Community Housing Corp to add 67 units to the town's affordable housing inventory. At Plantation Apartments, SCHC would add 37 units of supported housing (a new form of assisted living) and partner with Minuteman Senior Services for support needs. In addition, 30 new units would be added to Pilot Grove Apartments. SCHC is actively pursuing the project, negotiating with abutters and landowners and identifying funding.

Asked how the Board could help, Mr. Jones said a letter from the Town, via the Board or Housing Trust, to assure the SCHC Board that this project is needed and desired would be helpful.

Representing the Community Preservation Committee, Kathy Sferra reported that the Town has \$680,000 in CPA funds available for affordable housing projects. The Committee is still working on its program to purchase affordable deed restrictions on existing housing. The program is still awaiting approval at the state level; the problem seems to be that the state wants to see new housing made affordable, not existing housing.

Planning Board Chair Laura Spear said they adopted an Inclusionary Zoning Bylaw to increase affordable housing in new developments (or receive funds in lieu of housing units). One consequence of the bylaw was smaller new developments.

It was noted that the Zoning Board of Appeals' role in affordable housing is to approve comprehensive (40B) permits.

Municipal Affordable Housing Trust Chair Mike Kopczynski reported that the Trust has funds from the Arbor Glen development. By statute, there is little restriction on the use of the Trust's funds and the Trust can own property. He said Stow is presently 62 units short of the 10 percent requirement.

Since its creation, the Trust wrote operating rules for itself, which were approved by Town meeting, and it has issued an RFP for existing buildings suitable for affordable housing. There were two responses to the RFP and the Trust is moving forward on them.

Summarizing the discussion, Mr. Dungan suggested that the SCHC and Housing Trust are the groups to lead affordable housing efforts.

Asked how the Board could help, Mr. Jones said:

- 1) Property adjoining Pilot Grove is in Chapter and the Town will have the Right of First Refusal. SCHC will be applying for grants with deadlines. It will help for the Board to decide on its purchase option expeditiously.
- 2) To help assure the SCHC Board of the Town's support, a letter stating this is needed. A financial commitment will be needed later.

Mr. Dungan wants to educate residents about the value of affordable housing and asked other boards for suggestions on how to do so.

Harvard Acres/Assabet Water Co. Rate Hike Issue

Mr. Wrigley opened the discussion by explaining the Mass Department of Public Utilities (DPU) hearing process and the Town's involvement. He has petitioned DPU for a "limited participation" role in the hearing. Two people from Harvard Acres, Jack Mileski and Amy Barnes, have requested more direct roles as "interveners" and Rep Kate Hogan has also requested a role.

Mr. Wrigley has spoken with Kate McKeevy, who will hear Assabet Water's proposal, and with DPU counsel, and he believes the process will be proper and transparent. DPU has set November as a tentative decision time.

Ms. Sturgis, referring to the proposed rate hike, said Lower Village was sold as a "no cost" solution. Mr. Wrigley responded that Assabet Water's upgraded system was designed before Lower Village was involved and there was no relationship between the two. He said that thinking they are connected is incorrect.

Resident Jim Ogg said the proposed rate increase would cause property values to drop by \$9M, which will need to be made up "somewhere."

It was generally agreed that it would be helpful for the Board of Health to meet with Harvard Acres residents. Health Agent Jack Wallace said the Board is committed to working with the residents to find a solution. He invited them to attend the Board's March 19 meeting.

The final part of the discussion concerned next steps. Mr. Wrigley said all the parties should take a team approach working with DEP, to make this work in the next nine months.

A resident said he heard that Assabet Water planned to charge “fire protection” fees to all people along the pipeline. Mr. Ruggiero replied that the Town has no policy on charging for fire protection, a fact that is known to DPU. He restated that the Town is not a party to this contract; it is between the two private parties: Assabet Water and Harvard Acres residents.

It was agreed that Mr. Wrigley would write a letter to DPU that clarifies the fire protection issue and supports granting intervener status to Mr. Mileski and Ms. Barnes and that he and Mr. Ruggiero would sign on behalf of the Town. The residents in attendance expressed their appreciation.

At 9:50 pm, Ms. Farrell moved to adjourn; Ms. Sturgis seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved as amended, March 10, 2009