

**MINUTES**  
**BOARD OF SELECTMEN**  
**Open Session**  
**May 26, 2009**

Present at the meeting that was held at the Town Building were Selectmen Thomas Ruggiero, Laura Spear, and Ellen Sturgis.

Selectmen Stephen Dungan and Kathleen Farrell were absent.

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

The Board's clerk, Mr. Ruggiero, serving as the meeting's chairman, called the meeting to order at 7 p.m.

**Public Input**

None.

**Chairman's Comments**

Mr. Ruggiero read a proclamation of appreciation to the Town's Emergency Medical Technicians in recognition of National EMS Week.

**Town Administrator's Report**

Mr. Wrigley reported the following:

- On May 15, he attended a state government public hearing on raising revenue and cutting costs. To cut costs, the Governor is proposing that municipalities join the state GIC (group insurance) plan. But the proposal has a major flaw, in not considering union negotiations, as required by MGL 150E. He looked at GIC savings a year ago; there was a 2 to 3-percent savings but without the same benefits as the Town's current plan.
- On June 25, he will attend a workshop presented by the Attorney General on long-term planning for municipal finances.
- At 10 months into FY 2009, the Town finances are in good shape. Looking to FY 2010, based on the Senate budget, Stow's budget still has a \$110.0k surplus.
- On the SMMA contract for school building design services, he is still working with the MSBA to remove the waiver of subrogation, which could hurt Stow (and all the towns). He asked the Board to vote to approve the contract, given successful removal of the clause. The Board briefly discussed approval of contracts in general and it was agreed that Mr. Wrigley would execute the contract himself, per policy and past practice.

**Meeting Minutes**

**April 14:** Ms. Sturgis moved to accept the April 14, 2009 minutes, as submitted; Ms. Spear seconded; and all voted in favor.

**April 28:** Ms. Sturgis moved to accept the April 28, 2009 minutes, as submitted; Ms. Spear seconded; and all voted in favor.

### **Track Road Easement P&S for the Rail Trail**

The Purchase & Sale agreement was returned to the seller's attorney for minor corrections, to be executed by the Board at a later meeting.

### **Deed for Wildlife Woods Open Space Parcels**

The Board voted to accept the land parcels as specified in May Town Meeting Article 47, "Land Acceptance – Open Space in Wildlife Woods," by executing an acceptance form provided by Town Counsel.

Ms. Sturgis moved that the Stow Board of Selectmen vote to accept the conveyance of land and easements as authorized by Stow Annual Town Meeting 2009, Article 47, with respect to the Open Space parcels, easements and roadways contained within the "Wildlife Woods" subdivision, and that the Board of Selectmen be hereby authorized to execute an acceptance form so noting. Ms. Spear seconded; and all voted in favor. The Board then signed the acceptance form and Ms. McLaughlin notarized it.

### **Butternut Farm Liquor License**

The Board approved the annual liquor license for Butternut Golf Course, as altered and approved by the ABCC, as follows:

Ms. Sturgis moved to approve the license and Mr. Ruggiero seconded. Ms. Sturgis and Mr. Ruggiero voted in favor, Ms. Spear abstained. The motion carried and the Board signed the license.

### **Stow Acres Liquor License**

The Board voted to approve the Stow Acres liquor license, as altered according to the new statute allowing liquor sales on the courses and approved by the ABCC, as follows:

Ms. Sturgis moved to approve the ABCC-approved license for Stow Acres, in which the premises include both the north and south courses; Ms. Spear seconded; and all voted in favor.

### **One-Day Liquor License for USAF**

Ms. Sturgis moved to issue a one-day liquor license to the United States Air Force for their "Eating Out" event at the Collings Foundation for their May 29 event; Ms. Spear seconded; and all voted in favor. The Board then signed the license.

### **Orders of Taking for Six Roads Approved at Town Meeting**

The Board approved six Orders of Taking, by separate votes, for the six roads accepted by May Town Meeting, Articles 48-53.

Ms. Sturgis voted to accept the Order of Taking for Ladyslipper Lane, STA 0+00-6+47.8, as voted at Annual Town Meeting 2009; Ms. Spear seconded; and all voted in favor

Ms. Sturgis voted to accept the Order of Taking for Foxglove Lane, STA 0+00-6+47.8, as voted at Annual Town Meeting 2009; Ms. Spear seconded; and all voted in favor

Ms. Sturgis voted to accept the Order of Taking for Woodland Way, STA 0+81.95-19+81.37, as voted at Annual Town Meeting 2009; Ms. Spear seconded; and all voted in favor

Ms. Sturgis voted to accept the Order of Taking for Whispering Way, STA 10+00-13+00, as voted at Annual Town Meeting 2009; Ms. Spear seconded; and all voted in favor

Ms. Sturgis voted to accept the Order of Taking for Kettell Plain Road, as voted at Annual Town Meeting 2009; Ms. Spear seconded; and all voted in favor

Ms. Sturgis voted to accept the Order of Taking for Cider Mill Road, Ms. Spear seconded; and all voted in favor.

Following the votes, the Board members signed the Orders of Taking.

### **Board of Selectmen's Meeting Schedule**

Ms. Sturgis asked the Board to consider meeting on a different night, beginning in the fall, so that she could attend another meeting on the second Tuesday of the month.

In order for the Board to discuss this at a future meeting, Mr. Ruggiero asked Ms. McLaughlin to get meeting information from the Town Clerk and to check with other Boards on their schedules and preferences.

### **Date for Special Town Meeting**

The Board voted to open the warrant for a Special Town Meeting, tentatively scheduled for October 19, 2009. Ms. Sturgis moved to open the warrant for a fall Town Meeting; Ms. Spear seconded; and all voted in favor.

### **Liaison Reports**

**ESBC:** Ms. Sturgis reported the following:

- The ESBC will hold Sustainable Design Forums for the public on two dates: the evening of June 2 at Hale School and the morning of June 9 at the Town Building.
- She, the school building architect, Building Commissioner Craig Martin, and Stow's Local Emergency Planning Committee (LEPC) met on the use of the new school as a shelter and the use of land behind the Fire Station.

**Public Safety:** Mr. Ruggiero reported that Fire Chief McLaughlin had taken the lead in managing the Town's response to Swine Flu. The chief held a meeting of the Local Emergency Planning Committee, teleconferenced with Mass Dept of Public Health, and was in contact with the Center for Disease Control. He continues to monitor the situation. At this time, there are no confirmed cases of the flu in Massachusetts or New England.

### **Correspondence:**

Regarding the Lions Club letter requesting the Selectmen's recognition of a member's accomplishments, Mr. Ruggiero recommended that the question of how the Board handles recognitions be on the next agenda, when all Board members are present.

**Other:** Resident Bill Byron asked about Ms. Spear's abstention from the Butternut Farm liquor license vote: was it by choice or necessity? Ms. Spear said it was by choice. A brief discussion followed, which was then settled when Ms. Spear explained that it did not have to do with her lack of attendance at the hearing but that the Board was now voting on a decision that had already been made. It was from that vote that she chose to abstain.

At approximately 8:25 p.m., Ms. Sturgis moved that the Board enter Executive Session, for the purpose of discussing employee union contracts and not to return to Open Session before adjourning; Ms. Spear seconded; and the Board voted in favor by roll-call vote.

Respectfully submitted,

Susan McLaughlin  
Administrative Assistant

Approved as submitted, June 16 2009