

MINUTES
BOARD OF SELECTMEN
June 16, 2009

Present at the meeting that was held at the Town Building were Selectmen Stephen Dungan, Kathleen Farrell, Laura Spear, and Ellen Sturgis. Mr. Ruggiero joined the meeting in progress.

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

Chairman Dungan called the meeting to order at 7 p.m.

Public Input

None.

Chairman's Comments

Mr. Dungan thanked Mr. Ruggiero for chairing the last meeting and reminded members that the Board will meet again next week.

Town Administrator's Report

Mr. Wrigley reported the following:

- On May 29, DEP met in Stow with representatives from Conservation, Health, and the Lake Boon Commission (LBC) on the LBC's appeal of Conservation's denial for a lake drawdown. At that time, DEP requested additional information from the LBC before making its decision. The LBC met on June 15 to reconsider their position and would report their decision to the selectmen.
- The Mass School Building Authority (MSBA) agreed to delete a Waiver of Subrogation clause from its contract template, as requested by Mr. Wrigley. This change better protects the Town.
- On June 8, aides from Sen John Kerry's office held "office hours" in Stow to meet with interested residents.
- With NRSD staff, he will attend a June 9 MSBA working session on reimbursement procedures. The payment and reimbursement procedures will affect the Town's financing of the school building project. At present, the Owner's Project Manager and Town Accountant are developing an accounting process for this.
- On June 18, he will meet with an aide to Rep. Niki Tsongas on the federal stimulus program.
- He asked the Board to approve the transfer of not more than \$5,000 from the Fire Chief salary account to the call firefighter salary account.
- The Department of Public Utilities hopes to have a negotiated rate for Assabet Water Co's Harvard Acres customers by early July.

Mr. Wrigley proposed a way for the Board to define its responsibilities regarding the Master Plan by using MGL C81D as a blueprint. This was discussed in more detail later in the meeting.

Meeting Minutes

May 5: Ms. Sturgis moved to accept the May 5, 2009 minutes, as submitted; Ms. Spear seconded; and all voted in favor.

May 13: Ms. Farrell moved to accept the May 13, 2009 minutes, as submitted; Ms. Sturgis seconded; and all voted in favor.

Appointment of Trench Permitting Authority

Ms. Farrell moved that the Board appoint the Stow Building Commissioner as the permitting authority to issue permits and otherwise implement the provisions of the Excavation and Trench Safety regulations (including the regulation of trenches, as that term is defined by M.G.L. c. 82A, s.4 and 520 CMR 14.00), as promulgated by the Commonwealth of Massachusetts Department of Public Safety; Ms. Sturgis seconded; and all voted in favor.

Appointment of New Call Firefighters

Ms. Farrell moved that, on the recommendation of the Fire Chief, the Board appoint the following new call firefighters to one-year terms, expiring on June 30, 2010: Francie Adams, Fred Brooks, Carolyn Fisher, Jason Galofaro, David Hawksley, Frank Patterson, Robert Smart, and Bryan Willett.

Ms. Spear seconded, and all voted in favor.

Annual Appointment of Inspectors

Ms. Sturgis moved that the Board appoint the following inspectors to one-year terms, expiring on May 31, 2010: Wire Inspector: Robert W. Norton; Deputy Wire Inspectors: Michael A. Norton and Charles Weeks; Gas Inspector: Ray A. Smith; Deputy Gas Inspector: Robert Smith; Plumbing Inspector: Eric S. Sahlberg; Deputy Plumbing Inspectors: Ray A. Smith and Adam Sahlberg; Local Building Inspectors: Douglas Hyde and Ray A. Renzoni.

Ms. Farrell seconded, and all voted in favor.

Annual Warrant for Animal Control Officer

Ms. Sturgis moved that the Board issue the annual Dog Control Warrant to the Stow Animal Control Officer, in accordance with MGL Chapter 140, section 151A. Ms. Spear seconded, and all voted in favor.

Transfer Fire Department Funds

At the request of the Town Administrator, Ms. Sturgis moved to transfer up to \$5,000 from the FY 2009 Fire Chief's Salary account to the Call Firefighters Salary account; Ms. Farrell seconded, and all voted in favor.

Stow Acres Liquor License

The Board approved two licenses for Stow Acres on May 23, which ABCC advised because the two courses were divided by a public way. Then Stow was informed that two licenses were not required and that Stow should revise and resubmit the application as a single license covering both the north and south courses. The revision was submitted, approved at the state level, and now needed approval by the local licensing authority, the selectmen.

Ms. Spear moved that the Board approve the Stow Food Services, Inc. liquor license, with the alteration of premises approved by the ABCC on May 28, 2009; Ms. Sturgis seconded, and all voted in favor.

Letter re South Acton MBTA Parking

As agreed at the last meeting, Ms. Spear had revised Allan Fierce's draft letter on South Acton parking for the Stow Board to send to Acton. Ms. Sturgis move to substitute Ms. Spear's letter for Mr. Fierce's; Ms. Spear seconded.

During discussion, Ms. Farrell suggested that a Stow selectmen speak with a member of the Acton Board, as a courtesy before sending a letter. Mr. Dungan agreed to contact the Acton chair.

Permit for Use of West School Parking Lot

Ms. Sturgis moved that the Board approve the use of the Stow West School parking lot by Bob Turner, 212 Harvard Road, on Saturday, June 20, 2009, for the purpose of overflow parking from his residence; Ms. Spear seconded; and all voted in favor.

Board of Selectmen's Master Plan Responsibilities

Mr. Dungan introduced the topic by saying that he had spoken with the Master Plan Committee on areas of the plan that can be done now. Sidewalks are one example. The Planning Board has resurrected the Sidewalk Task Force and agreed to have a selectman as a member.

Discussion points included:

- Top priorities are maintaining rural character, sidewalks, and the aesthetics of Lower Village.
- It's premature for this discussion until the Board sees a draft of the plan.
- Housing is the exact opposite of maintaining a rural character.

Mr. Wrigley suggested looking at the problem from a higher altitude: using the elements in MGL C81D, to outline how to decide on the programs and projects to pursue, e.g. how to measure competing interests and how to set priorities.

FY 2010 Committees and Liaisons

To distribute FY 2010 committee memberships and liaison positions fairly among the Board members, Mr. Dungan asked that each member take four or five positions, with at least one being a committee membership, and that members change to another area if they had been in one area for a long time.

MAPC/MAGIC: Ms. Farrell moved to appoint Laura Spear as the Town's alternate rep to MAPC and as the Selectmen's rep to MAGIC [both for one-year terms, ending June 30, 2010]; Ms. Sturgis seconded; and all voted in favor.

Capital Planning: Ms. Farrell has one more year in her term at the Selectmen's appointee to Capital Planning and said she would like to finish her term to 2010.

Local Access Channel Advisory Committee: Ms. Sturgis move to reappoint Steve Dungan as the Selectmen's appointee to LACAC for a one-year, ending June 30, 2010; Ms. Spear seconded; and all voted in favor

Municipal Affordable Housing Trust: Ms. Sturgis moved to reappoint Steve Dungan as the Selectmen's appointee to the Housing Trust for a one-year term, ending June 30, 2010, and, upon completion of the Housing Production Plan, that Laura Spear will replace him; Ms. Spear seconded; and all voted in favor.

Public Safety Study: Ms. Sturgis moved to reappoint Tom Ruggiero as the Selectmen's appointee to the Public Safety Study Committee for a one-year term, ending June 30, 2010; Ms. Farrell seconded; and all voted in favor.

Sidewalk Task Force: Ms. Farrell moved to appoint Tom Ruggiero to the Sidewalk Task Force for a one-year term, ending June 30, 2010; Mr. Dungan seconded; and all voted in favor.

The final FY 2010 membership and liaison list is as follows:

Committee Memberships

- Capital Planning Committee Kathy Farrell, 3-yr., ending 6/30/10
- Elementary School Building Comm Ellen Sturgis, indefinite term
- Local Access Channel Advisory Steve Dungan, 1-yr., ending 6/30/10
- MAPC Selectmen's alternate Laura Spear, 1-yr, ending 6/30/10
- MAGIC Selectmen's rep Laura Spear, 1-yr, ending 6/30/10
- Master Plan Committee Steve Dungan, indefinite term
- Municipal Affordable Housing Trust Steve Dungan, 1-yr, ending 6/30/10
until plan complete, then Laura Spear will replace him for the remainder of term
- Public Safety Study Committee Tom Ruggiero, 1-yr., ending 6/30/10
- Sidewalk Task Force Tom Ruggiero, 1-yr, ending 6/30/10

Liaisons/ Contacts, Annual July 1 to June 30

- Assabet River Rail Trail Committee Kathy Farrell
- Community Preservation Laura Spear
- Conservation and Open Space Kathy Farrell
- Council on Aging Tom Ruggiero
- Finance Committee Ellen Sturgis
- Fire/Highway/ Police Tom Ruggiero
- Health, Board of Tom Ruggiero
- Historical Commission Susan McLaughlin
- Lower Village Subcommittee Ellen Sturgis
- Nashoba Regional School Comm Ellen Sturgis
- Planning Board Laura Spear
- Recreation Commission Tom Ruggiero
- Tri-Town Kathy Farrell
- Zoning Board of Appeals Ellen Sturgis

Selectmen's Meeting Schedule

Following up on the May 26 discussion, Ms. Sturgis moved to meet on the first and third Tuesdays of the month, starting in September and ending after May Annual Town Meeting; Ms. Spear seconded. Four voted in favor (Dungan, Ruggiero, Spear, and Sturgis) and one opposed (Farrell). The motion carried.

Liaison Reports

ESBC: Ms. Sturgis reported:

- Successful June 2, 2009 ESBC forum on Green and Sustainability Design,
- Stow will receive 49.11 percent reimbursement for school building design funds spent so far,
- Many communities will be grateful to Mr. Wrigley for catching and resolving the Waiver of Subrogation issue in the MSBA contracts.

Master Plan: Mr. Dungan reported that the plan would be available in mid-September for a 30-day public comment period, with a version ready for adoption by Town Meeting on October 19.

NRSD: Ms. Sturgis said the school district was holding a public workshop for ideas to reduce the FY 2010 budget by \$1.0M.

At 9:00 p.m., Ms. Sturgis moved to adjourn; Ms. Spear seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved as submitted, July 14, 2009