

**MINUTES
BOARD OF SELECTMEN
OPEN SESSION
December 1, 2009**

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

Thomas Ruggiero was absent.

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

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

Public Input

None.

Chairman's Comments

None.

Town Administrator's Report

Mr. Wrigley reported the following:

- Year-to-date budget update: Through the end of November, the Town's property tax collection rate is 96.7 percent, very close to the past two years. Local receipt revenue is, at present, 18 percent of that budgeted, down from 21 percent in FY 2009 and 2008. Departments have been told to limit remaining FY 2010 expenditures to those needed for basic operations.
- Should the Board decide to appeal the EPA and DEP decisions on Marlboro's amended discharge permit, Mr. Wrigley requests that OAR, as the experts, write the appeals, from which Town Counsel could prepare those for the Town.
- The remainder of Mr. Wrigley's report will be covered in the Executive Session on negotiations with the Assabet Water Company.

Eagle Scout Recognition

The Board recognized Daniel H. Blanton with a certificate and letter of appreciation for his project to build and install seven kiosk markers in the Gardener Hill conservation land. Each kiosk has a map showing its location on the property and includes the newly created Blue Trail.

Ms. Sturgis moved to provide a Letter of Greeting to Daniel H. Blanton of Stow Troop 1 for his Eagle Scout Court of Honor on December 27, 2009; Ms. Spear seconded; and all voted in favor. The Board then signed the letter and certificate.

Annual Reappointment of Police Officer

A newly hired police officer was inadvertently omitted from the July 1 annual appointment list. Tonight's reappointment was to correct the error.

Ms. Sturgis moved to re-appoint Officer Thomas Maskelenko to an annual term ending June 30, 2010; Ms. Farrell seconded; and all voted in favor.

Additional Funding for Master Plan Work by Ciccolo Group

In response to a request by Michelle Ciccolo of the Ciccolo Group, LLC to increase her contract amount for Master Plan work by \$6,710, for services up to and through January 14, 2010. (A correction to a date error in the November 19, 2009 contract modification will be submitted by Ms. Ciccolo.) The Planning Board voted to support the request and asked the Board of Selectmen to split the cost, as the boards had previously.

Ms. Spear moved that the Board approve payment of \$3,355.00 to the Ciccolo Group from the Selectmen's Engineering Services account (0200-10-122-70-73000-0000), per the Master Plan Committee's November 24, 2009 request; Ms. Sturgis seconded. Ms. Farrell, Spear, and Sturgis voted in favor; Mr. Dungan abstained. The motion carried.

Selectmen's Vote at Annual MMA Conference

Ms. Spear moved that the Board delegate the Chairman's authority to vote at the 2010 MMA business meeting to Ms. Sturgis; Ms. Farrell seconded; and all voted in favor.

Selectmen's Webpage Content

Members briefly commented on the Board's page on the Town website:

- Make the General Bylaws easier to find.
- Embed the Board's newly defined priorities in the text of the Selectmen's page.

Ms. McLaughlin will follow up.

Minuteman School Building Project

Superintendent Edward Bouquillon, Dover representative Ford Spaulding, and Stow representative Alice DeLuca visited the Board to present the School District's Regional Strategic Planning Process and Facility Assessment. Research done for the plan regarding student educational needs included a wide range of stakeholders, including the businesses that hire Minuteman graduates.

The 22-month long strategy for improvement includes a facilities upgrade plan, which is being done by a Capital Planning Building subcommittee, chaired by Mr. Spaulding. This will be its first refurbishment since the school opened in 1974.

The first phase covers energy conservation measures and includes replacement of the energy infrastructure, such as the boiler and electrical system. The school has a contract with Seimens Corp, which requires that the upgrade will save \$275.0k in energy costs per year (or Siemens pays the bill).

The next step is to gain MSBA approval of a full facility renovation, estimated at \$54.0 M. Minuteman requested \$1.0M for feasibility studies in its Letter of Interest, 40 percent of which will be reimbursed with \$660.0k to bond. MSBA has committed to devoting 20 percent of its funds to career technical schools, going forward. If the member towns approve the feasibility study, the expense will show up in FY 2010 budgets. In parallel with the project activities, Minuteman is creating a task force to review the District Agreement with the member towns, which was written in the 1970s. One goal is to make the benefits of joining the District more attractive than simply paying out-of-district tuition.

Members are being recruited for a School Building Committee, which will be forming in January. Interested people should contact Ms. DeLuca.

Next Step on ACOE Assabet River Sediment and Dam Removal Feasibility Study

With the deadline for comments to the Army Corps of Engineers Assabet River Sediment and Dam Removal Feasibility Study, the Board agreed to schedule a Joint Boards meeting to consolidate comments and submit a single letter to the ACOE and the study's funder, DEP.

Next Step on Marlborough WWTF Permit Amendment

Mr. Wrigley reported that in a conference call among interested parties this afternoon, including Mr. Witten, OAR Director Alison Field-Juma, and Allan Fierce, there was consensus to file two appeals: one on DEP's decision and one on EPA's. The grounds are volume and phosphorus loading. Mr. Witten and Mr. Wrigley support the appeals. The deadlines for DEP and EPA appeals are December 16 and January 14, respectively.

The Board agreed that OAR and Mr. Fierce would drive the process with Stow Town Counsel using much of their info in the Town's appeals, that is, Mr. Witten will not need to develop his own brief. There was discussion on whether Stow's appeal need be contingent on the OAR Board's vote to appeal.

Following discussion, Ms. Spear moved to have Town Counsel file the appeals on behalf of the Town; Ms. Farrell seconded; and all voted in favor.

Ms. Spear and Mr. Fierce will write a letter to US Rep Tsongas, MA Rep Hogan, and MA Senator Eldridge asking for their support of the appeals. Mr. Fierce will call the Board on OAR's vote, after its meeting on Wednesday night.

Future Use of Pompositicut School Building

Mr. Dungan asked the Board how they should proceed to determine future uses of the Pompo building. It was agreed that a task force be created with an appropriate charge, per the Board's recent policy on committee management.

Ms. Sturgis agreed to draft the charge.

Establish Policy on Fundraising

The Board postponed creating a policy on Town fundraising, when Ms. Sturgis asked to know the MSBA's position on school building fundraising. It was agreed that Ms. Sturgis would contact the MSBA and/or Town Counsel with her question.

Finalize Board Priorities

The Board continued its discussion of the Board's priorities from the November 17 meeting. Member agreed that the top priority was water to the Lower Village and Town Center. This was followed by, in no particular order, increasing affordable housing, the elementary school building project, economic development, a senior/community center, Assabet River protection, and the future use of the Pompo building. Once a month, the Board will review these programs.

Ms. Spear agreed to write a memo communicating the Board's priorities to the public. It will be added to the Selectmen's webpage.

Liaison Reports

Tri-Town: Ms. Farrell reminded people that the Tri-Town meeting was the next night.

ESBC: Ms. Sturgis reported that a large part of the ESBC meeting was on the stone building, which was attended by a large crowd. She said the committee reiterated its position and stated that it would cost \$1.0M to keep the apple barn [stone building] in place.

At 8:40 p.m., Mr. Dungan moved that the Board enter Executive Session for the purpose of discussing municipal water contract negotiations (per MGL C 39, s 23b) and not to return to regular session after adjourning; Ms. Farrell seconded; and all voted in favor by roll-call vote: Spear – yes; Sturgis – yes; Dungan – yes; Farrell – yes.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved as amended, December 15, 2009