

**MINUTES
BOARD OF SELECTMEN
July 20, 2010**

Present at the meeting that was held at the Town Building were Selectmen Stephen Dungan, Charles Kern, James Salvie, Thomas Ruggiero, and Laura Spear.

Also present was Administrative Assistant Susan McLaughlin. Town Administrator William Wrigley was absent.

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

Public Input

Lew Halprin, 82 Pine Point Road, read aloud a July 20, 2010 letter to the Board about his dream of having a Larsen Heritage Park consisting of a renovated blacksmith shop and stone apple barn, coexisting with the new school building at Center School. He said several recent decisions by the Board had not been adequately discussed before reaching a decision, using the sale of the blacksmith shop as an example. He said, as a member of the community, he accepts whatever actions Town government lawfully approves but he is ashamed at the unnecessary loss of important parts of our town's history.

Janet Stiles, 58 Pine Point Road, raised the issue of a letter she had filed over three months ago and subsequent email communications with Ms. Spear regarding how the Board would address her complaints. Ms. Spear interrupted Dr. Stiles and told her that the item was on the agenda for this meeting.

Chairman's Comments

Ms. Spear commented on the following:

- There are two surveys on the Town website: one for pedestrian walkways and one for a South Acton commuter train shuttle.
- Congratulations to the two of 1000 Places to Visit in Massachusetts that are in Stow: Honey Pot Hill Orchard and the Delaney Project.
- There are opportunities for volunteers to serve on Town committees. These can be found on the Town website.

Meeting Minutes

June 15: Mr. Dungan moved to accept the June 15, 2010 minutes, as amended; Mr. Salvie seconded; and all voted in favor.

Friends of the COA Gift of a 20-passenger Bus to the COA

Allen Wheeler, President of the Friends of the COA visited the Board to donate a gift of funds to buy a 20-passenger bus to provide transportation for Stow's senior and disabled residents. Mr. Wheeler said the present bus is permanently out of commission and Jim Sauta, also in attendance, found a "new" used vehicle to replace it.

Mr. Dungan moved to accept the following gift on behalf of the Town of Stow from the Friends of the Council on Aging to the Council on Aging, in accordance with MGL Chapter 44, section 53a: funds to purchase a used 2005 Ford Diamond 20-passenger bus with wheelchair lift, as identified in the dealer's July 1, 2010 vehicle description. Mr. Ruggiero seconded and all voted in favor.

Mr. Sauta, Mr. Wheeler, and Ms. Toole will coordinate the purchase of the vehicle.

Stow Cultural Council Appointment

Patsy Mullin visited the Board to apply for the vacancy on the Cultural Council, bringing extensive experience in financial management, fundraising, and grant writing. Council Chair Ann Deluty was unable to be present but sent a strong message of support from the present members.

Mr. Dungan moved to appoint Patricia J. Mullin to the Stow Cultural Council for a three-year term, ending on July 19, 2013; Mr. Salvie seconded; and all voted in favor.

Permit for Annual "Ride for the Woods" Fundraiser

Stow Conservation Trust member Chris Spear visited the Board to request a permit for this year's Ride for the Woods event. He provided a Certificate of Liability Insurance and the Public Safety Officer's recommendations.

Mr. Dungan moved to approve a permit for the annual SCT Ride for the Woods, on Sunday, August 22, 2010; Mr. Ruggiero seconded; and four members voted in favor. Ms. Spear recused herself because Mr. Spear is her spouse. The motion passed.

Complaints Regarding Elementary School Building Committee and Board of Selectmen

Chairman Spear opened the discussion by explaining the difference between a public hearing and a public meeting, noting that tonight was a public meeting.

She said the Board would be talking about the request from Historical Commission associate member Janet Stiles for a hearing on a complaint she filed with the selectmen on April 6 about the Elementary School Building Committee's handling of the Larsen apple barn and blacksmith shop and a second complaint she file about a subsequent selectmen's meeting on April 20, chaired by then-Chair Dungan, on the handling of her original complaint.

Ms. Spear read aloud four conditions put forth by Dr. Stiles regarding the management of the discussion to resolve her grievance: that Ms. Spear not chair the meeting but that the ESBC liaison, Mr. Kern, chair instead; that she have 45 minutes to present her points; that the ESBC have one representative to present its points; and that the April 20 meeting be addressed separately.

The other four Board members agreed that the conditions should not be met.

Ms. Spear read each of Dr. Stiles' 10 points in the April 6 letter, and the Board found that none had merit. Ms. Spear then noted that the complaint had been publicly aired and the items responded to. She heard no concerns.

Mr. Salvie moved to take no action on the grievances described by Janet Stiles in a letter dated April 6, 2010; Mr. Dungan seconded; and all voted in favor.

Regarding the April 20 meeting, chaired by Mr. Dungan, Board members agreed that the ESBC did a good, and especially fair, job. They also agreed that Mr. Dungan was extremely fair at the April 20 meeting.

Mr. Salvie moved to take no action on the grievance filed regarding the April 20 meeting; Mr. Ruggiero seconded; and all voted in favor.

Review Multiuse Recreation Pathway Committee Vacancy Posting

Pedestrian Walkways Planning Sub-committee (PWPS) Chair Kris Wile visited the Board to express her group's concern that the selectmen's newly envisioned Multiuse Recreation Pathway Committee (MRPC) seemed to have an overlapping charter and responsibilities with her group. If they were confused, she thought the public would be confused, too.

She also said that the PWPS is creating a master plan of walkways and trails in Stow and asked that the MRPC bring its plans to the PWPS for incorporation.

Mr. Dungan reworded parts of the MRPC posting to clarify the difference between the two groups.

Mr. Salvie moved to approve the revised description of the Multiuse Recreation Path Committee, as submitted by Mr. Dungan; Mr. Dungan seconded; and all voted in favor.

Track Road Future Steps and Assabet River Rail Trail

With Stow's ARRT representative Don Rising visiting the Board, Ms. Spear gave a summary of status of the federal ARRT funds and the Boston MPO's update to its Transportation Improvement Plan (TIP), saying two actions are needed: to get Stow back on the TIP (2011-2013) and for Mr. Rising, who has worked on the Track Road/Albright easement since the beginning, to work with MRPC to look at design options, allowing access to federal funds to help move Track Road use forward.

Following discussion, Mr. Dungan moved to approve submission of the letter dated July 10, 2010, marked as Draft 2, to Mr. David Mohler, Chair, Transportation Planning and Program Committee, Boston MPO; Mr. Salvie seconded; and all voted in favor.

Town of Stow/NRSD Agreement on Pompositticut/Center Building Project

Ms. McLaughlin explained the background of the agreement and why this version, written by Bond Counsel, needed to be executed for borrowing to occur.

Mr. Dungan moved to approve this Intermunicipal Agreement, identified as EAP&D draft 7/7/10, pursuant to Mass General Law Chapter 40, Section 4A, by and between the Town of Stow, Massachusetts and the Nashoba Regional School District regarding the Pompositticut/Center School building project; Mr. Ruggiero seconded; and all voted in favor.

Board members signed the agreements, to be sent next to the NRSD School Committee to be signed at its next meeting, in August.

2010 Town Boundaries Validation

Mr. Salvie moved to approve the US Census Bureau's boundary data for the Town of Stow, as shown of the final boundary validation maps, dated May 27, 2010; Mr. Dungan seconded; and all voted in favor.

Permit for Annual National MS Society Fundraiser

Mr. Dungan moved to approve a permit for the annual National MS Society bike ride, retroactive to Saturday, July 17, 2010; Mr. Salvie seconded; and all voted in favor.

Blacksmith Shop Status

Ms. Spear said she received a copy of the contract from Town Counsel on the previous Friday, which she sent to the Painters for review. She will speak again with Town Counsel tomorrow.

Mr. Kern explained how utility relocations required removal of the blacksmith shop.

Ms. Spear noted the other reasons for moving the structure: space needed for road curb alignment, erosion control, and construction site fencing and school safety concerns.

Review Historical Commission Vacancy Posting

Ms. Spear presented a draft vacancy posting for the Historical Commission, requesting comments from the Board. The 1.5 page posting includes an extensive list of responsibilities and a set of priorities for FY 2011. In crafting the posting, she said she asked many people what goodness they want to bring forward

Ms. McLaughlin provided the Board with her suggestions on the Commission's future, based on her experience as a former Commission member.

The Board approved of Ms. Spear's description and suggested three additions, which Ms. Spear will incorporate.

Connie Schwarzkopf of Harvard Road said there should be recognition of the West School Society because it still owns things inside the school. She said the relationship between the Historical Commission and the Society needs to be worked out and the two groups could do that.

Mr. Dungan moved to accept and post the Historical Commission posting, as amended on July 20; Mr. Ruggiero seconded; and all voted in favor.

Prior Notice to Town Departments for Permits and Licenses

Ms. Spear said the topic came from a message from the Planning Board, asking that it be notified about permits the selectmen may execute. The Board received a proposal from Ms. McLaughlin for an on-line method of reaching out.

It was generally agreed that an on-line method was the most efficient.

Mr. Dungan said the Board should also find out who, beside the Planning Board, wishes to be informed, as he is not aware of anyone. The Planning Board may wish to have this because they want to Board to reconsider issuing a license based on an outstanding Planning Board issue.

Ms. Spear said she would check with the Board of Health to see if they had any information that would be useful. She suggested adding the Historical Commission to the list.

Mr. Salvie noted that there are restrictions on what conditions the Board can use to deny licenses, per both bylaw and state statute. Ms. McLaughlin said that examples were the two issues the Planning Board brought to the selectmen; they were zoning related and did not meet the criteria for denying the licenses.

Ms. Spear said she would defer the electronic notification process for a future SOP discussion.

Review Standard Operating Procedures

Ms. Spear drafted a general Standard Operating Procedure manual, based on those of towns across Massachusetts, which she reviewed with the Board.

Mr. Ruggiero noted Mr. Wrigley's caution to the Board the last time it created a lot of SOPs, to avoid "putting yourself in a box" by being too narrow but rather allow enough flexibility to deal with individual situations as they arise.

Following discussion, Mr. Salvie moved to accept the draft SOP Guide, as reflected in email of July 15; Mr. Dungan seconded; and all voted in favor.

Review Selectmen's Priorities

Ms. Spear reviewed the selectmen's priorities and will update the grid.

Liaison Reports

Assabet River: Mr. Dungan discussed test results for phosphate loading.

Public Safety: Mr. Ruggiero reported that the Highway Superintendent had submitted the paperwork for Chapter 90 funds.

School Building Project: Mr. Kern said it was covered in the Priorities discussion.

MinuteVan: Mr. Dungan said they will try to identify transportation grants. Acton is selling their residents parking stickers for \$25.

Community Preservation: Mr. Dungan said they are on summer hiatus.

Master Plan: Mr. Dungan said it is complete and they are issuing the final document.

Pedestrian Walkways: Mr. Salvie said they are signing a contract for Phase construction, to be done in the 2010 construction season.

Regional deer/tick study: Ms. Spear said the Agricultural Commission does not see this as a burning issue.

Lower Village Committee: Ms. Spear said they are putting the roundabouts on hold and doing a Lower Village Master Plan.

At 9:20 p.m., Mr. Dungan moved to adjourn; Mr. Salvie seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved as amended, August 3, 2010