

**MINUTES
BOARD OF SELECTMEN
May 18, 2010**

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

Also present was Town Administrator William Wrigley.

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

Public Input

Melissa Rollins and the “Bee” congratulated the Board on their victory in the RECESS Spelling Bee at Springfest, and presented Board members with souvenir water bottles. The Board expressed its appreciation.

Chairman’s Comments

Ms. Spear thanked the Springfest organizing committee, all who volunteered at Springfest, and all who attended for a successful and fun event.

Ms. Spear noted that at Springfest she had the honor of accepting the donation of a display case for the Stow musket, which was handcrafted by Jeff Baker and his company, Image 4, to National Park Service specifications. The musket will be displayed at the Randall Library. She expressed her gratitude on behalf of the Town.

Ms. Spear noted the progress of the MAPC Bike rack reimbursement project, and the appearance of bike racks at locations throughout the Town, including at the library and Town Building.

Ms. Spear noted that there would be a retirement gala for several NRSD teachers on May 16 at 5:30 p.m. at the high school and urged all who could attend to do so.

The Chair noted that the Memorial Day parade would take place on May 31.

The Chair expressed condolences on behalf of the Board and the Town to the family of long-time Planning Board administrative assistant Lois Costello, who passed away last week.

Town Administrator’s Report

Mr. Wrigley reported the following:

Through March 2010, Local Receipts are tracking significantly ahead of projections. He said he anticipates ending the fiscal year with a surplus in this revenue account.

As a result of discussions occurring at a recent MAGIC meeting, the Town Administrator and Police Chief Trefry are working with their counterparts in Boxborough to develop a mutual aid agreement. The Town already has similar agreements with most of its other neighboring municipalities. The Town Administrator hopes to have a draft ready for approval by the Board by its first meeting in June.

In early June the Town Administrator, Town Counsel, and representatives of the CPC and Recreation Commission will be meeting with representatives of the general contractor and engineer on the Stow Community Park project to attempt to resolve the drainage issue. Although the park is now open, the drainage issue remains unresolved. The Town faults the general contractor for not building the park to specifications; the general contractor faults the engineer for having a change order approved that allegedly is the cause of the drainage problem (the Town and engineer deny that any such change order was approved). The Town Administrator is optimistic the situation can be resolved expeditiously.

The Town Administrator reported he will be meeting with Lycott Engineering, Inc. about continued herbicide treatment of Lake Boon. Annual Town Meeting appropriated \$10,000 for this purpose. He is negotiating the terms of the contract, seeking in particular to insert an indemnification clause in the contract to protect the Town in the event of suit.

Eagle Scout Recognition – Peter J. Gjeltema

Peter J. Gjeltema visited with the Board, and the Chairman presented him with a certificate on behalf of the Board recognizing his outstanding achievement in attaining the rank of Eagle Scout. The Board wished Mr. Gjeltema well in his future endeavors.

Conservation Commission appointment – Helen Castles

The Board met with Helen Castles, a resident who has applied to be appointed to the vacancy on the Conservation Commission. Ms. Castles was the only applicant, and is currently serving as the Board's non-voting associate. The Conservation Commission has recommended her appointment. The Board questioned her on her background, which includes extensive hydrology and wetlands function experience, and understanding of the requirements of the position. Upon the recommendation of the Conservation Commission, Mr. Dungan moved that the Board appoint Helen Castles to the Conservation Commission, to serve an unexpired term through June 30, 2010 and thereafter a three-year term to expire June 30, 2013; Mr. Salvie seconded; and all voted in favor.

Meeting Minutes

May 3, 2010: Mr. Dungan move to accept the minutes of the May 3, 2010 meeting as submitted; Mr. Ruggiero seconded; the vote was 3 in favor with 2 abstentions (Mr. Kern and Mr. Salvie).

May 12, 2010: Mr. Dungan moved to accept the minutes of the May 12, 2010 meeting as submitted; Mr. Ruggiero seconded; the vote was all in favor.

Permit for Annual Memorial Day Parade

Mr. Dungan moved to grant a permit for the annual Memorial Day Parade on May 31; Mr. Ruggiero seconded; all voted in favor.

Appointment of Call Firefighter Lieutenants

The Board reviewed the applications of Firefighters Tim Gray and George Taylor to be appointed call Lieutenants, and information from the Fire Chief concerning their training. Upon the recommendation of the Fire Chief and Town Administrator, Mr. Dungan moved that the Board appoint Mr. Gray and Mr. Taylor to serve as call Lieutenants for the Fire Department, with a term ending June 30, 2011; Mr. Ruggiero seconded; and all voted in favor.

Board of Selectmen Meeting Schedule

The Chair inquired whether Board members could accommodate a move of Board meetings from the first and third Tuesdays of each month to the second and fourth, which historically has been the Board's meeting night and would also ease the parking situation at the Town Building. All Board members were amenable to the change, but Mr. Dungan suggested that the change be postponed to the fall to accommodate summer vacation plans that may have already been made. Board members agreed, and the Chair noted that beginning in September the Board would meet on the second and fourth Tuesdays of each month. The Chair also reminded Board members to notify Administrative Assistant Susan McLaughlin as soon as possible of summer vacation schedules.

One Day Liquor License for Decibels Foundation

The Board reviewed the application materials of a non-profit organization for a one day liquor license for a golf tournament at Wedgewood Pines Country Club, and noted that this event has occurred annually without incident. Mr. Dungan moved that the Board grant a one-day liquor license to Decibels Foundation for use at Wedgewood Pines Country Club on June 21, 2010; Mr. Ruggiero seconded; all voted in favor.

Request for Support for Amendment to Municipal Relief Bill

The Chair noted that Alice DeLuca, the Town's representative to the Minuteman Regional Vocational Technical High School Board, had requested the Board's support of a proposed amendment to SB 2424, the proposed Municipal Relief Bill. That amendment, however, had been defeated in the State House and Senate the prior week, thus there was presently nothing for the Board to act upon.

Interviews with Applicants for Pompositticut Re-use Study Committee

The Board continued its interviews with applicants for the Pompositticut Re-use Study Committee.

Paul Chaisson met with the Board and expressed his interest in the position. Mr. Chaisson has experience on the Council on Aging Board and extensive building experience. In response to a question from the Chair, he said his extensive experience with building matters qualifies him for the position. He acknowledged that he has no experience with public building projects but thought he could learn that. He said he thought there were no uses of the building that were “off the table,” and renting part of the facility could not be excluded also, but thought there was a real need for expanded senior facilities.

Rob Aldape also thought there was a need for expanded senior services but would also like to explore the possibility of using Pompo for expanded library facilities. He has been on the Board of Trustees of Randall Library for several years, and also serves on the state Board of Library Commissioners. He was not sure whether there was space to rent part of the facility to private sector uses. He acknowledged “zero building experience” but felt his experience on town and state boards (including the capital planning committee as well) made up for that. As a science teacher he thought his schedule was more flexible than many others’ would be.

The Chair asked Board members how they would like to proceed, and the Town Administrator noted that there should be individual votes on each candidate. Mr. Kern and Mr. Salvie expressed reluctance to vote since they had not been present for the interviews of the other candidates (conducted on April 20). A suggestion was made from the audience that the two new Board members could view Stow TV’s recording of the April 20 meeting, which Mr. Kern and Mr. Salvie agreed to do. On that basis, the Chair postponed a vote on any of the candidates until the next meeting of the Board.

Update of Priorities Grid

The Chair noted that the Board had agreed to revisit its priorities grid once the Board re-organized, but that the Master Plan was not yet finalized. The Town Administrator recommended that the Board revisit its priorities after the Master Plan was finalized and released, and the Chair agreed.

Blacksmith Shop

Ellen Sturgis, co-chair of the Elementary School Building Committee, joined the Board for a discussion of the Blacksmith Shop. Ms. Sturgis stated that because of site work anticipated to be done by Hudson Light & Power this summer, particularly the installation of new utility poles, the Blacksmith Shop on the Center School site had to be moved from that site no later than July 31. A May 17 memo from the ESBC to the Board noted that the Historic Commission had made efforts two to three years ago to interest town boards in moving or taking the Blacksmith shop, with no response, and that there was no current plan for use or moving of the Blacksmith Shop from the Historic Commission or any other town board or department. The ESBC does not have any money available to move the building except perhaps \$25,000 left in contingency funds. Furthermore, the Planning Board’s Notice of Decision required that the Board take responsibility for removing the Blacksmith Shop from the site.

The ESBC's consultants were asked to solicit quotes on the cost of moving the building intact. Based on two quotes, the cost of moving the Blacksmith Shop intact, except for the floors and chimney (which cannot be moved) is between \$87,000 and \$140,000. The difference in price depends on whether the party doing the moving must pay prevailing wages (which, in turn, depends on whether the building move is funded by a private party or through municipal funds). These quotes assume a short move, within the Town.

The Board discussed how to proceed and accepted the Town Administrator's recommendation that the Board issue a request for bids, rather than a full RFP, in order to simplify the award of the contract to the bidder with the best price. The Board considered the conditions to be put in the request for bids and accepted the suggestions in the ESBC's May 17 memo with modifications. The conditions the Board settled upon were:

- Eligible applicants can be private or public entities;
- Preference will be given to the intended use of the building in an agricultural setting;
- Preference will be given to the intended use of the building for community of public use (not necessarily by a public entity, but where the public visits or is welcome);
- Further repairs to the building shall be the responsibility of the successful applicant;
- Preparation of the new location upon which the Blacksmith Shop shall sit will be the responsibility of the successful applicant;
- Coordination of the moving date shall be made between the Owner's Project Manager (CMS, Inc.) and the successful applicant, in consultation with the Center School Contractor;
- The Blacksmith Shop would be taken "as is" and would be moved no later than July 31; and
- The awarding of the bid shall be made by the Board of Selectmen, in consultation with the ESBC, the Historic Commission, and the Town Administrator.

In addition, the Board discussed the usefulness of making informal inquiries among town departments and private sector entities to attempt to interest a qualified party to take the Blacksmith Shop. Mr. Kern pointed out that the Board should publicize its efforts to the maximum extent possible. Thus, the Board directed that a memo go to all town boards, committees, and departments before a request for bids is issued, giving them one more chance to express interest. Also, the Board directed that the bid be advertised in "informal" venues like the *Stow Independent* and Craig's List.

Re-appointment of Ellen Sturgis to Elementary School Building Committee

Ms. Sturgis noted that she needed to be re-appointed in some capacity to the ESBC since she was no longer a Selectman if she were to continue on as part of the committee. The Board expressed

its collective desire that, because of Ms. Sturgis's involvement in this project over more than four years, she remain a member of the ESBC, presumably as the Selectman's designee if that was acceptable to the MSBA. Ms. Sturgis said she believed the MSBA had relaxed its requirements on such matters and that this would be acceptable to them, and that she would update the Board on as frequent a basis as the Board desired. An audience member urged the Board to appoint a Selectman as a voting member of the ESBC, because so much money was at stake and she thought the residents would demand direct involvement by the Selectmen, though she believed Ms. Sturgis's continued involvement was also necessary. Mr. Dungan said he thought this was duplicative, and Mr. Salvie expressed his confidence that Ms. Sturgis would keep the Board informed. Nonetheless, the Board wanted more direct confirmation from the MSBA that it would accept a Selectman-designee, rather than a Selectman, on the ESBC and directed the Town Administrator to look into this. The Board considered what status Ms. Sturgis currently had on the ESBC, and the Town Administrator opined that whatever her current status, she remained a member of the ESBC until the Board took action to replace or re-appoint her. Thus, in order to ascertain the MSBA's requirements better, the Board postponed until the next meeting any action on Ms. Sturgis's re-appointment.

Ms. Sturgis updated the Board on the status of the project. The request for bids did go out on May 4, and several bidders have pre-qualified. Sub-contractor bids were due on May 24, and the contract was expected to be awarded on June 4. The ESBC expects to turn over the site to the successful bidder on June 21.

A "Clerk of the Works" was to be interviewed on May 24.

The ESBC had received a "primer" at its most recent meeting on change orders and had granted Building Inspector and ESBC member, Craig Martin, authority to authorize change orders of up to \$75,000.

Finally, Ms. Sturgis reported that she had heard from the MSBA that, although they had changed their rules on matching privately raised donations to eliminate such matches, she was recently informed that they would treat the Center School project as "grandfathered" under the old rules, and that privately raised funds would receive some matching amount, expected to be about 0.5-1% of the project. The Board expressed its pleasure at this news.

Additionally, the 100% drawings are now available.

Priority Grid Status Updates

The Town Administrator reported that negotiations on the Lower Village water issue continued and that there was nothing new to report.

The Chair reported that the Planning Board was to meet with representatives from SMAHT (Stow Municipal Affordable Housing Trust) that evening to review the planning and zoning proposals in the draft Housing Production Plan. Additionally, Town Meeting granted the right

for SMAHT to loan funds. Additionally, the Board of Selectmen approved two \$20,000 grants from SMAHT funds.

The Chair reported that the Town of Belmont was the only town serviced by Minuteman Vocational Technical High School not to approve the feasibility study for renovating and expanding Minuteman. Belmont's town meeting is not over, and the issue might be revisited. Arlington still needs to vote, but the vote is expected to be favorable.

On economic development, the applicant granted a license to sell used cars in Lower Village has begun doing so.

On the re-use of Pompo, the Board has completed its interviews and plans to appoint the committee at the next meeting.

On the Assabet River, Mr. Dungan reporter that Ingeborg Hegemann Clark (from the Conservation Commission) participated in an interview with DEP about the Assabet River. He will follow up in regards to the status.

Liaison Reports

The Chair asked all Board members, especially those who are new to the Board, to review the list of committee and liaison assignments and be ready to express preferences at the next meeting. All assignments are available.

Mr. Dungan and Mr. Kern acknowledged that they would see the Master Plan Committee to completion. Its last meeting is scheduled for May 25.

Mr. Ruggiero updated the Board on the progress of the Walkway Committee. The committee sponsored a public meeting the previous night and planned to sponsor a booth at Springfest,

Mr. Dungan reported that the Cable Advisory Committee explored an offer from Google to see if the town is eligible for high speed internet and responded to a request for proposals. He also reported that Lew Halprin contacted Comcast in regards to converting channel 10 from exclusively Hudson programming to include more Stow programming.

Mr. Dungan attended a meeting of the MinuteVan group, a regional group exploring the possibility of shuttle service to the South Acton train station. A local land owner may be interested in offering a local shuttle parking lot on his parcel; however, this may or may not require re-zoning (Municipal use in a Residential district) and requires further investigation. He asked if the Board minded if he sponsored a survey of interest for local residents, and the Board agreed that he should proceed.

The Chair reminded members of the MMA Conference on June 12.

The Chair said she would distribute copies of the CPC's comments on the Master Plan draft to the Board.

The Chair reported that the Planning Board is reviewing the Special Permits for the Butternut golf course and Stow Shopping Center. The Planning Board will also be meeting with the owners of the Stow Shopping Center to review their proposal for new pylon signs, replacing the existing sign.

She also reported that MAGIC had received a letter from MAPC regarding TIP (Transportation Improvement Program) priorities. Only one is related to Stow: the Assabet River Rail Trail, which is reported as significant but not critical or urgent.

At approximately 9:12 p.m., there being no further business, Mr. Dungan moved to adjourn; Mr. Ruggiero seconded; and all voted in favor.

Respectfully submitted,

James H. Salvie
Clerk

Approved as submitted, June 1, 2010