

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

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

Selectmen Kathleen Farrell and Thomas Ruggiero were 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:

- In the Pine Bluff/Parker litigation, the Land Court issued a summary judgment in favor of the Town, which means that the land can be developed for any type of recreation.
- In a budget meeting with NRSD officials, they said they were striving for a level-funded FY 2011 budget. The Minuteman Regional School assessment will decrease.
- Based on department requests and other preliminary figures, there is potential for a level-funded budget (less than his goal of level services). Upcoming milestones for the budget development are a) his preliminary budget on February 2, b) Joint Boards meeting on February 16, and c) his budget recommendation on March 16.
- The Board of Assessors and Mass Department of Revenue have a preliminary agreement on the Fire Academy land in Stow: DOR will pay the Town at the rate of municipal property for the next four years.
- Emerson Hospital will cease to provide its Advanced Life Support service shortly, much sooner than the expected date of October 2010. Pro-EMS, an ALS ambulance service from Cambridge, is proposing to pick up the 10 communities served by Emerson, if all 10 communities buy in and agree to an increase in billing rates. Mr. Wrigley and Chief McLaughlin recommend that the Board accept the proposal.
- He will attend the February 4 MAGIC meeting on regional sharing of municipal services.

Borrowing for Elementary School Project

Treasurer-Collector Pam Landry asked the Board to authorize borrowing for the school building project planning. The note is for one year at 1.25-percent interest from Eastern Bank.

Ms. Sturgis moved that the Board authorize the Treasurer-Collector to borrow the remaining \$1.6M for elementary school building planning, as approved by May 2009 Town Meeting; Ms. Spear seconded; and all voted in favor. The Board members then signed the note.

Land Use Evaluation Process and Staffing

Mr. Dungan opened the discussion with a review of the Selectmen's program on land use evaluations: forming the Land Use Evaluation Task Force, receiving the resulting report, and taking steps to implement the recommendations. Working with representatives for the Planning Board and Conservation Commission, Ms. Spear and Mr. Dungan created a chart for making usage decisions on land parcels. Entitled "Decision-Making for New Parcels of Land," dated 1/7/10, the chart lists sources of land, e.g., conventional development or Chapter 61, by use restrictions, e.g., zoning bylaw, and opportunities and actions, e.g., involving particular committees in the decision making. The chart was to be brought to the representatives' boards for implementation. The Planning Board had proposed a change, which was agreed to.

Ms. Spear moved that the Board adopt "Land Use Decision Making for New Parcels of Land," as defined in the chart dated 1/7/2010; Ms. Sturgis seconded; and all voted in favor.

Ms. McLaughlin reported the names of representatives that land-use boards sent to be members of the Chapter 61 Land Evaluation/Study Committee, the group recommended in the Land Use Task Force (LUFT) final report. The representatives included both staff members and public officials. Discussion followed on whether public officials could serve when the LUFT had specified staff.

Following discussion, Ms. Spear made the following motion:

That the Board of Selectmen approves the following members for the working group named Chapter 61 Quick Response Team, as described in the Land Use Task Force final report, dated July 2009.

- Agriculture Commission – as needed
- Assessors – John Bolton
- Conservation Commission – Pat Perry
- Health – Betty Cormier
- Open Space Committee – Vin Antil
- Planning Board – Karen Kelleher
- Selectmen – Susan McLaughlin

Mr. Dungan seconded. Ms Spear and Mr. Dungan voted in favor; Ms. Sturgis voted opposed. The motion carried.

Highgrove Estates Chapter 40B Application Comments

The Board discussed submitting a letter on the proposed Highgrove Estates 40B project to MassHousing, the subsidizing agency. Several boards and committees would like to comment and the Planning Board had already begun a letter.

Ms. Sturgis moved that the Board authorize the Planning Board to compile comments from the Town boards and submit them to MassHousing by February 10 on behalf of the Board of Selectmen; Ms. Spear seconded; and all voted in favor.

The Board agreed to review a draft of the letter at its February 2 meeting.

Priority of Minuteman School Building Project

Minuteman School Committee representative Alice DeLuca asked the Board to add support of the Minuteman school building project to its list of priorities, noting 1) the MSBA approved the funding, 2) the annual cost to Stow will be \$2.50 per resident, and 3) leadership is needed from

Stow. Discussion followed, noting that the Board's role here is the same as its role on the Center School building project.

Ms. Sturgis moved to add the Minuteman building project to the Board's FY 2010 priorities; Ms. Spear seconded; and all voted in favor.

Ms. DeLuca said the Minuteman School Committee voted to update the regional agreement, which could help the member towns, expecting to complete the task by November 2010. She also said they were still working on creating a building committee.

Meeting Minutes

December 1, 2010 Executive session: Ms. Sturgis moved to accept the Dec 1 executive session minutes, as amended; Ms. Spear seconded; and all voted in favor.

December 15, 2010: Ms. Spear moved to accept the Dec 15 minutes, as amended; Ms. Sturgis seconded; and all voted in favor.

MAGIC on Regionally Shared Municipal Services

The Board discussed an upcoming MAGIC meeting at which the focus would be how certain municipal services could be shared among the member communities. Stow's MAGIC representatives Laura Spear for the Selectmen and Donna Jacobs for the Planning Board wished to gather ideas for the meeting.

Mr. Wrigley said that while this subject has been examined by the Mass Municipal Association, Dept of Revenue, and Metropolitan Planning Agency, little has been implemented. He suggested gathering information on what has already been done and what works and what does not. Ms. Spear was interested in what Acton and Boxboro are doing that works. She said she would send Ms. Jacobs a list of what Stow has today, adding suggestions on a senior center and affordable housing.

Mass Municipal Association Resolutions

The MMA asked member communities to support three resolutions to be proposed at Selectmen's meeting at the annual conference later in January. Mr. Dungan who, as chair, has authority to vote cannot attend the meeting and the Board delegated the responsibility to Ms. Sturgis. The resolution and votes follow.

Health insurance plan design: Ms. Sturgis moved that the Board approve MMA Resolution 4254, calling for health insurance plan design authority for cities and towns; Ms. Spear seconded; and all voted in favor.

Police Career Incentive Pay: Ms. Spear moved that the Board approve MMA Resolution 4255, calling for action to prevent unfunded state mandates in the police career incentive pay programs; Ms. Sturgis seconded; and all voted in favor.

Unfunded State Mandates: Ms. Sturgis moved that the Board approve MMA Resolution 4256, opposing current and future unfunded local mandates; Ms. Spear seconded; and all voted in favor.

Banner Policy

Mr. Dungan will do another revision for the next meeting.

Press Release for EPA and Mass DEP Appeals

Mr. Dungan and Ms. Spear will discuss a suggested change to Mr. Dungan's draft, after which he will submit it to the Stow Independent for publication.

Letter to Rep Cory Atkins on Unfunded State Mandates

Having received input from various departments, Mr. Dungan is now ready to revise the letter and send it.

Ms. Sturgis moved to approve the edited letter on unfunded mandates to Rep. Atkins; Ms. Spear seconded; and all voted in favor.

Selectmen's Master Planning

Mr. Dungan said the consultant would have a draft of the Master Plan ready to release for review on January 25 with the project now in sight of the goal.

Liaison Reports

Affordable Housing

Ms. Spear reported on a DHCD meeting she attended with the Stow Community Housing Corp on their proposed projects. In the last funding round, only 23 of the 100 projects were funded. The next round is in February.

The Municipal Affordable Housing Trust has changed its priority from defining the RFP process to creating a grant program.

Planning Board

Ms. Spear reported on the Planning Board's meeting with Sen Eldridge and Rep Hogan, where the Planning Board expressed its opposition to the LUPA and CPA-2 legislation.

Nashoba School Committee

Ms. Sturgis said there will be a budget meeting on February 4.

Lower Village Planning Committee

Ms. Sturgis said they are looking at traffic speeds.

SpringFest Committee

Ms. Sturgis said they are meeting on February 3.

Elementary School Building Committee

Ms. Sturgis said they are waiting to hear from the Mass Historical Commission.

Before the meeting adjourned, resident Bill Byron asked for clarification on the ALS change, which Mr. Wrigley answered.

At 8:25 p.m., Ms. Sturgis moved to adjourn; Ms. Spear seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved as amended, February 2, 2010