

**MINUTES
BOARD OF SELECTMEN
June 1, 2010**

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

Selectman Stephen Dungan was absent.

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

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

Public Input

Lew Halprin, 82 Pine Point Road, read a letter to the Board regarding prior Town Meeting restrictions on removing the Larsen blacksmith shop and the apple barn and his concern about the sudden need to move the blacksmith shop now, when it is scheduled for Phase 2 of the project. .

Janet Stiles, 58 Pine Point Road, urged the Board to take a leadership role in preserving the blacksmith shop and apple barn because of their historical significance.

Martha Remington, chair of the Bolton Historical Commission, presented the Board with a letter from the Bolton Commission, asking the selectmen to take the long view and preserve the two historic Larsen buildings at the Center school site.

Chairman's Comments

Ms. Spear made several public service announcements. She sent congratulations to resident Louise Peacock, one of the founders of Stow's Warm Hearts, who received an Unsung Hero award at the State House in May. And she congratulated the graduating DARE Class of 2010, Center School 5th graders, and thanked Police Officer Thraen for running the program.

Town Administrator's Report

Mr. Wrigley reported the following:

- Police Chief Trefry and he recommend that the Board vote to execute his proposed Mutual Aid Agreement for police services with the Town of Boxborough. Stow already has similar agreements with the other neighboring communities.
- The Fire, Police and Health departments are applying for a Homeland Security grant for a mobile message board, to be used for roadside display of important public safety and health information. Recently, the Police Department received a grant for a new dispatch console. He noted that the departments are the best ones to write their own grants, knowing their needs and grant sources. Having a grant writer in Stow, as has been proposed in the past, would not give the Town great advantage.
- He, Town Counsel, and Recreation Commission members met with the representatives of the Community Park general contractor and engineering company to resolve the drainage problem. He hopes that the negotiations will result in an agreement among the parties. Meanwhile, the park is open and all but the rear ball field is in use.

- Per the Code of Massachusetts Regulation for MSBA school building committee appointments, the Board may retain Ellen Sturgis on the ESBC and may also appoint a current selectman as a new member. The MSBA should be informed in writing of the final appointments.

Stow Assabet River Rail Trail Committee Visit

Four members of the Stow ARRT visited the Board to ask advice on use of Track Road, now that the Town has the Albright easement. The immediate question is whether to pave it, possibly partnering for grant funds with the Town of Maynard (currently at the 25-percent design phase).

Member Ross Perry said that Superintendent of Streets Clayton estimated the cost of materials to pave a 12-foot wide section from Sudbury Road to Crow Island at \$340.0k. With labor, which would have to include tree removal and elevation of some sections, the total cost could be \$1.0M. The ARRT committee members were not in agreement about the need to pave Track Road. Also, the federal funding sources from which Maynard is seeking funds might not support car access, so partnering with Maynard for funds might now work.

Mr. Rising recommended meeting with Recreation, Conservation, and Highway to map out a plan.

The committee also noted that there is no direct way to connect with the Hudson section of the rail trail. The most viable option is to go through the wildlife refuge, if permitted, and create a network of paths.

Lastly, the chair polled the members about their willingness to continue to serve, several were willing, and they were asked to work with the selectmen's liaison to re-define their mission and options.

Chapter 61 "Quick Response Team" Recommendations

Vin Antil, chair of the Chapter 61 Land Evaluation/Study Committee and Open Space Committee visited the Board to get feedback on the committee's recommendation to amend the selectmen's Chapter 61 evaluation process. Subsequent to that recommendation, Ms. Spear met with former Land Use Task Force members about the differences in the two committees' recommendations, the most significant being a five-day vs three-week time period to prepare a report for a joint boards meeting. The Quick Response Team said that it would need three weeks, not five days, to prepare a report of the type specified by the task force.

Ms. Spear said that the task force members she talked to still felt this could be done in five days and that the intent was that existing material would be gathered during that period, not new information created.

Mr. Wrigley did not agree that five days was adequate and suggested that the disconnect might be in the task force's language for the operating procedure, which states an analysis, not just collecting existing files from the departments. (The operating procedure uses wording such as "analysis of the location," environmental assessment," and "impact of potential development on Town services.")

Mr. Antil suggested creating a list of files the departments could collect to see if those would suffice for the joint boards' decision-making needs. He agreed to see members of the response team for information available in their departments or committees.

Meeting Minutes

Mr. Kern moved to accept the May 18, 2010 minutes, as submitted; Mr. Ruggiero seconded; and all voted in favor.

Permit for Positive Spin for ALS Bike Ride

Based on the approval of the Public Safety Officer and receipt of a liability insurance certificate, Mr. Ruggiero moved to approve a permit for the annual Positive Spin for ALS bike ride on Sunday, June 13, 2010; Mr. Kern seconded; and all voted in favor.

Issuance of Notes and Bonds for the Elementary School Building Project

The Board voted to authorize the Treasurer-Collector to borrow for the elementary school building project, using the following vote prepared by Bond Counsel.

Mr. Salvie moved that we hereby determine, in accordance with G.L. c. 70B, that the amount of the cost of the elementary school construction project school project authorized by votes of the Town passed on May 8, 2007 (Article 36, as amended by a vote of the Town passed May 4, 2009 (Article 35), May 15, 2007 (Question 1 and Question 2), October 19, 2009 (Article 1) and October 29, 2009 (Question 1) not being paid by the school facilities grant is \$19,706,752 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c. 70B.

Mr. Ruggiero seconded; and all voted in favor. As the Board's Clerk, Mr. Salvie signed the certification of the Board's vote, which will be delivered to the Town Accountant and Treasurer-Collector.

Annual Warrant for Animal Control Officer

Mr. Ruggiero moved to approve the annual animal control warrant, in accordance with the provisions of Mass General Law Chapter 140, Section 137; Mr. Salvie seconded; and all voted in favor. The chair signed the warrant, which will be delivered to the Board of Health.

Annual June 1 Appointments

Based on the Building Commission's recommendations for inspectors, Mr. Ruggiero moved to appoint the following individuals to a one-year term, ending on May 31, 2010; Mr. Salvie seconded; and all voted in favor:

- Building Commissioner: Craig Martin
- 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
- Forest Fire Warden: Fire Chief Michael McLaughlin

Pompo Use Study Committee Appointments

Five members were appointed individually using the following motion: "I move to appoint ... to the Pompo Use Study Committee, for a term ending when a recommendation has been presented and adopted at the 2011 Annual Town Meeting:"

- Mr. Ruggiero moved to appoint Ann Deluty, Mr. Salvie seconded; and all voted in favor.
- Mr. Salvie moved to appoint Gus Stathis; Mr. Kern seconded; and all voted in favor.

- Mr. Kern moved to appoint Mike Busch; Mr. Salvie seconded; and all voted in favor.
- Mr. Salvie moved to appoint Jim Sauta; Mr. Ruggiero seconded; and all voted in favor.
- Mr. Kern moved to appoint Paul Chaisson; Mr. Salvie seconded; and all voted in favor.

The Board encouraged the two additional applicants to join the committee as Associates.

Elementary School Building Committee Selectmen's Representative

The Board appointed a selectman to the ESBC, agreeing that the selectmen have a fiduciary responsibility to the Town and should be represented. They also agreed to have former Selectman Ellen Sturgis continue as a committee member.

Mr. Salvie moved to rescind the July 24, 2007 appointment of Ellen Sturgis as the Selectmen's representative to the ESBC, appoint Ellen Sturgis to the ESBC, and to appoint Charles Kern as a full member; Mr. Ruggiero seconded; and all voted in favor, with Mr. Kern abstaining. The motion passed. Mr. Salvie noted that his motion did three things: unappoint Ms. Sturgis as a selectman, appoint her as an individual; and appoint Mr. Kern as a selectman.

The MSBA will receive a written notice of the membership change.

Stow-Boxborough Mutual Aid Agreement

Upon the recommendation of the Town Administrator and Police Chief, Mr. Kern moved to accept the Stow-Boxborough Mutual Aid Agreement for Law Enforcement, dated June 1, 2010; Mr. Ruggiero seconded; and all voted in favor. Copies of the executed agreement will be delivered to the Boxborough Board of Selectmen and appropriate Town departments.

Parking Changes on Hartley Road

Upon the request of Public Safety Officer Sgt. Lima, a temporary parking ban was instituted for Hartley Road during the school construction project.

Mr. Salvie moved to approve the parking change [described in Sgt. Lima's 4/30/10 memo], subject to the Fire Chief's acceptance; Mr. Kern seconded; and all voted in favor.

Sgt. Lima will discuss with Chief McLaughlin and confirm their agreement with the Board.

FY 2011 Selectmen's Committee Memberships and Liaison Assignments

The Board voted the following committee membership for its members:

- Mr. Salvie moved to appoint Mr. Kern to the Capital Planning Committee for a 3-yr. term, ending 6/30/13; Mr. Ruggiero seconded; and all voted in favor.
- Mr. Kern moved to appoint Mr. Dungan to the Local Access Channel Advisory Committee for a 1-yr. term, ending 6/30/11; Mr. Ruggiero seconded; and all voted in favor.
- Mr. Salvie moved to appoint Ms. Spear as the Selectmen's alternate to MAPC for a 1-yr. term, ending 6/30/11; Mr. Ruggiero seconded; and all voted in favor.
- Mr. Ruggiero moved to appoint Ms. Spear as the Selectmen's representative to MAGIC for a 1-yr term, ending 6/30/11; Mr. Kern seconded; and all voted in favor.
- Mr. Kern moved to appoint Mr. Salvie to the Municipal Affordable Housing Trust, for a 1-year term, ending 6/30/11; Mr. Salvie seconded; and all voted in favor.
- Mr. Salvie moved to appoint Mr. Ruggiero to the Public Safety Study Committee for a 1-yr. term, ending 6/30/11; Mr. Kern seconded; and all voted in favor.

- Mr. Ruggiero moved to appoint Mr. Salvie to the Pedestrian Walkways Committee, for a 1-yr term, ending 6/30/11; Mr. Kern seconded; and all voted in favor.

The Board agreed to the following liaisons for the coming year:

- Assabet River Rail Trail Committee, Steve Dungan
- Community Preservation, Steve Dungan
- Conservation and Open Space, Laura Spear
- Council on Aging, Tom Ruggiero
- Finance Committee, Charlie Kern
- Fire/Highway/ Police, Tom Ruggiero
- Health, Board of, Tom Ruggiero
- Historical Commission, Laura Spear
- Lower Village Subcommittee, Laura Spear
- MinuteVan, Steve Dungan
- Nashoba Regional School Comm, Jim Salvie
- Planning Board, Laura Spear
- Pompo School Study Committee, Charlie Kern
- Recreation Commission, Tom Ruggiero
- Tri-Town, Jim Salvie
- Zoning Board of Appeals, Laura Spear

Letters to DHCD Regarding Plantation Apartments II and Pilot Grove Apartments II

Ms. Spear asked the Board to approve the drafts of two letters she wrote to the Department of Housing and Community Development in support of the new Plantation and Pilot Grove projects.

Mr. Salvie moved to accept the two letters to send to DHCD; Mr. Kern seconded; and all voted in favor.

Blacksmith Shop Update

Ms. Spear suggested that a Joint Boards meeting be called to discuss interest in the blacksmith shop by any Town department or committee and a date of June 10 was set. She said that a Request for Bids would be prepared at the same time. The deadline for input to the Selectmen's Office was June 4.

Standard Operating Procedures

Ms. Spear explained the list of possible SOPs in their meeting packets and asked members for their thoughts on the necessity of standard operating procedures. There was agreement that the concept is good.

She suggested four possibilities for future consideration and asked members to think more about it now that they have the context.

Liaison Reports

None with the exception of Ms. Spear, who announced that there are proposed changes to the Zoning Act: the Comprehensive Land Use Reform and Partnership Act.

At 9:40 p.m., Mr. Salvie moved to adjourn; Mr. Ruggiero seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved as submitted, June 15, 2010