

**MINUTES  
BOARD OF SELECTMEN  
September 14, 2010**

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

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**

None.

**Chairman's Comments**

Ms. Spear highlighted two items for residents:

- She requested residents to complete two Town-wide surveys with upcoming deadlines of September 30: 1) Suggestions for the future use of the Pompositticut Elementary School and 2) Interest in a commuter rail shuttle to South Acton MBTA station.
- She announced an informational meeting on the Harvard Acres/Assabet Water situation that is scheduled for Thursday night at the Hale Middle School.

**Town Administrator's Report**

Mr. Wrigley said all of his activities are related to agenda items later in the meeting and he would report his activities on them as they arose.

**Meeting Minutes:**

**August 17:** Mr. Salvie moved to accept the August 17, 2010 minutes, as amended; Mr. Dungan seconded; and all voted in favor.

**Veterans Graves Committee donation**

The Board accepted a cash gift to the Town as follows:

Mr. Dungan moved to accept a \$45.00 gift on behalf of the Town from George Veracka, to be used for expenses of the Veterans Graves Committee; Mr. Salvie seconded; and all voted in favor.

**Deputy Gas Inspector appointment**

The Board corrected an annual appointment of a deputy inspector, as follows:

Mr. Dungan moved to appoint Adam Sahlberg as a Deputy Gas Inspector for a term ending on May 31, 2011 and retroactive to June 1, 2008; Mr. Salvie seconded; and all voted in favor.

**Historical Commission update**

Now that there are four applicants for the four open positions, the Board agreed to schedule the appointments for its next meeting, on September 28.

**Tom Ruggiero's liaison and committee appointments**

Board members agreed to temporarily cover former Selectman Ruggiero's committee memberships and liaison assignments, as follows:

Council on Aging	Mr. Dungan
Health, Board of	Mr. Salvie
Fire, Police and Highway departments	Mr. Kern
Pedestrian Walkway Subcommittee	Mr. Salvie
Public Safety Study Committee (inactive)	Ms. Spear
Recreation Commission	Mr. Salvie

It was agreed that assignments would be reviewed again after the upcoming election of a fifth selectman.

**Lake Boon drawdown: Lake Boon and Conservation commissions**

Mr. Wrigley said this meeting with the Conservation and Lake Boon commissions was being held because the Dept of Environmental Protection (DEP) would like the Board of Selectmen's support of its Superceding Order of Conditions (SOC) on the lake drawdown for weed control. All parties – the state and the two local commissions – are now agreeable to the base document and DEP Joseph Bellino's draft. No vote is required but the Board could choose to take one. Either way, the DEP will issue the SOC, as now written. The Highway Department has agreed to remove boards in the dam, as needed for the drawdown.

Conservation Commission member David Coppes reviewed how the present situation came about. Years ago, as part of a lake management plan, the Lake Boon Commission proposed a winter drawdown to freeze the weeds. The old permit had expired and, when a renewal was requested, the Conservation Commission felt there was no plan in place to address the potential problem of many shallow wells going dry. Therefore, they denied the permit. The Lake Boon Commission, in turn, appealed to DEP.

Lake Boon Commission chair Conray Wharff explained the commission's total lake management plan, in place for many years, of which drawdown is one piece. Others are herbicides, groundwater runoff, and septic tank pumping. He said that the lake population has changed over the years; what were once summer homes are now year-round and have not been upgraded as needed. He said that public input has been sought and adequate preparation done for the possible consequences of the drawdown.

Health agent Jack Wallace said the Board of Health views the plan favorably and will step in, if necessary. It is a very conservative drawdown. He recommended that existing shallow wells be tested to ensure that the water is potable.

Two Stow residents who live on the lake spoke as well: Cindy Curley, present LBC member, and Don Hawkes, former LBC member and Association member. Mr. Hawkes felt that lake residents should be better informed, while Ms. Curley felt that communication was good. It was agreed to do more outreach. The Conservation Commission reported that Town Counsel advised Conservation to hold another public hearing (because a Superior Court appeal is still pending.) Lastly, it was agreed that there should be more clarity on who owns certain tasks and that more outreach to residents would be helpful.

Following discussion, Mr. Dungan moved to support the Lake Boon Commission's plan for drawdown, as documented in the draft of the Superceding Order of Conditions, DEP # 299-0490; Mr. Salvie seconded; and all voted in favor.

**Town Farm Fund: Randall Relief Fund and Randall Town Fund Trustees**

Following up on the Board's vote in July to assign administration of the Town Farm Fund to the Randall Town Fund and Randall Relief Fund Trustees, the trustees visited the Board to discuss the funds and their work. First, the trustees said that administering the Town Farm Fund made sense and would be help support their charter.

Dorothy Sonnichsen described the Randall funds for the Board. The Randall Town Fund is a constant \$20,000 and the trustees can only spend any interest it collects. The Randall Relief Fund tries to stay at \$60,000 but has dropped to \$53,000 in the poor economy. Annual contributions go to Warm Hearts and individuals. Unlike the Community Chest, the Randall Relief Fund can give money directly to individuals. For example, the fund has helped people with rent and utility bill assistance, among other needs.

When a request is received, the three trustees look into the request, including whether the requestor meets the Funds' criteria, one of which is a six-month residency. Each trustee is a long-time resident who has special knowledge of one or more groups in needed.

When asked by the selectmen how people can get help, the trustees said to call the Council on Aging, Warm Hearts, or any of the trustees directly: Louise Peacock, Jeff Smith, and Dorothy Sonnichsen.

**Harvard Acres water update**

Mr. Wrigley reported on activities related to the insolvency of the Assabet Water Company and its impact on the Harvard Acres residents for whom it is their sole source of water. He said that the state has finally admitted defeat in finding a buyer for the company and a declaration of bankruptcy by Assabet would create a crisis for the residents. Many state agencies and town boards have formed an emergency management team to keep a water supply available while identifying alternatives. The most pressing need today is to stop Assabet from filing bankruptcy. At the state level, the House Ways and Means chair was scheduled to proposed legislation later in the week.

Mr. Wrigley also reported the following: 100 residents or roughly half of those needing water have already picked up well permit applications from the Board of Health. The Dept of Environmental Protection can issue some variances. Residents' representative Jack Mileski held a "trade fair" to connect drillers with residents.

Ms. Spear summarized by noting that the Town is doing all that it can to help residents who are dealing with a private company.

**Lower Village water update**

Mr. Wrigley said it is possible that the Stow Elderly Housing Corporation (SEHC), owner of the Plantation Apartments, could create and manage a water facility on property owned by the Town on Deerfield Lane. The Town and Lower Village businesses could then lease their lines for water.

The question for SEHC is how much capital to invest in this project. As non-profit elderly housing, they have tight margins.

This use of the land would require a vote of Town Meeting and will likely be on the Special Town Meeting warrant. Ms. Spear said that the Planning Board and Conservation Commission were favorable.

### **Warrant for Special Town Meeting**

Mr. Wrigley briefly outlined the major articles from the Board of Selectmen for a November Special Town Meeting:

- 1) Language from special legislation for the state to provide funds for loans to any Harvard Acres residents who must drill wells.
- 2) Cash reserve for same.
- 3) Vote to allow use of Deerfield Lane land for Lower Village water and allow Town to negotiate with SEHC for water facility and leasing.

In addition, articles might come from other departments and committees, such as the Community Preservation Committee.

Mr. Dungan moved to open the warrant for a November 8, 2010 Special Town Meeting tonight, September 14 and close it on September 28, 2010; Mr. Salvie seconded; and all voted in favor.

### **Comments on Stow Elderly Housing Corporation Special Permit**

Ms. Spear presented an analysis she did of the Plantation II Comprehensive Permit Application currently under review by the Zoning Board of Appeals, using a 2002 policy issued by the then Board of Selectmen.

She said she will distribute the policy to present Board members for their comments.

### **Liaison Reports**

**Pedestrian Walkway Subcommittee** – beginning outreach.

**Nashoba Regional School District** – \$4.5 M in additional state funds received.

**Municipal Affordable Housing Trust** – continuing work on loan documents.

**Community Preservation** –potential Special Town Meeting articles include an historical preservation restriction for the Weatherbee farmhouse on Hudson Road and an affordable housing deed restriction on a small house on the Plantation II property.

**Pompo Reuse Study** – creating a Gantt chart for project planning and interviewing potential users.

**Elementary School Building Project** – a) 2,000 yards of loam to move, b) finding more ledge than expected; c) decided not to propose Town Meeting article for additional classrooms at this time. (Although fall enrollment is close to the 10-year projection, birthrates in town are declining, so it is hard to make the case. The ESBC prefers to wait 10 years and see.)

At 9:10 p.m., Mr. Dungan moved to adjourn; Mr. Salvie seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin  
Administrative Assistant

Approved as submitted, September 28, 2010