

Please note: the October 11, 2011 meeting was not properly posted and, so, was not an official meeting. These are “notes,” not “minutes,” and are appended to the official October 25, 2011 minutes.

**MEETING NOTES
BOARD OF SELECTMEN
October 11, 2011**

Present at the meeting that was held at the Town Building were Selectmen Gary Bernklow, Thomas Ryan, James Salvie, and Laura Spear. Mr. Kern was absent.

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

Mr. Salvie called the meeting to order at approximately 7:00 p.m.

Public Input

Richard and Andrew Martin, owners of Honey Pot Hill Orchard in Stow, spoke about citations they had received from the Stow Police Department for directing traffic in the public way on Columbus Day. Andrew Martin read a prepared statement of several pages. Mr. Salvie asked him to keep his comments on policy points, with no personal attacks.

In response to Mr. Martin’s complaint, Mr. Salvie referred Mr. Martin to the citation itself, which explains how to appeal the fines at the Concord District Court. Regarding further discussion, he asked Mr. Martin to submit his complaints in writing, after which he would ask the police department to respond in writing. Then the parties would come together to discuss it. He promised Mr. Martin time on a future agenda.

Annual Stow Gobbler Road Race Permit

This year’s race coordinators Abby Hurd and Allie Allaire asked the Board for a permit for this annual event, a 5-K run/walk on Thanksgiving morning. Last year, there were 800 participants.

In response to a question of whether the Hiley Brook Road construction would be an impediment, Police Sgt. Lima said a special path for the runners would be set up.

Mr. Bernklow moved to issue a permit for the annual Stow Gobbler Road Race to be held on Thursday, November 24, 2011; Mr. Ryan seconded; and all voted in favor, with Ms. Spear recusing herself.

Assabet River Water Quality: OARS Monitoring and Wastewater Treatment Facility Permits

The Board heard a presentation on water quality of the Assabet River by Alison Field-Juma, Executive Director of OARS, OARS Board member Allan Fierce, and Health Agent Jack Wallace. The new OARS (For the Assabet, Concord, and Sudbury Rivers) replaces OAR (Organization for the Assabet River).

Ms. Field-Juma gave an overview of the water sampling that OARS does for the three rivers, referring to the 2009-2010 report recently sent to the Board, and explained the readings for Elizabeth Brook, a tributary of the Assabet. She said the towns that have water sampled fund the testing program. Beginning last year, Stow pays \$1,000 a year toward the cost of the service.

Ms. Field-Juma also updated the Board on the local wastewater treatment facility permits issued by the Mass Department of Environmental Protection. Discharge that affects the rivers' water quality comes from the plants in Hudson, Marlborough, Maynard, and Westborough. She said that this summer is the first time we will see the limited results of the first phase of more controlled discharge; next summer, the full effect will be seen. Draft permits for all the plants, which come from the EPA, should be available for review by now, but they are not out, and she does not know when they will be available. It is important for OARS and the towns to have input.

Lastly, the dam removal study is complete and has been issued. She has heard nothing more about it.

Mr. Wallace said that funding for continued study of the rivers' water quality is very important. He has participated in the sampling in the past and supports the expenditure.

To a question of whether phosphorus could be further reduced by tightening the permits, it was noted that a 95-percent reduction had now been achieved and that not all phosphorus is from point sources. Some occurs naturally.

Joint Boards on Special Town Meeting with Capital Planning and Finance

Members of the Finance and Capital Planning committees joined the Board to discuss funding for three projects being proposed at the November 7 Town Meeting: pre-design work on Pompo re-use, fire station, and Randall library.

Mr. Wrigley presented his recommendations for funding sources for the projects, emphasizing that these are not requests for design funds, but for pre-design work that will scope the projects. Having this information will allow residents to make well-informed choices at annual Town Meeting about whether to invest in design for the projects and to look at the debt schedule in light of these additions, see the impact and ultimate affordability.

He said the town is in a very favorable position regarding Free Cash and the stabilization fund, with a tad under \$2.0M in stored assets and an unused levy capacity of \$1.0M. In addition, unused funds from past school projects can be recaptured to pay for the Pompo re-use pre-design.

Following discussion, a vote was taken on the source of funding for the pre-design work: Mr. Ryan moved to spend from available funds, not borrow; Ms. Spear seconded; and all voted in favor.

Comcast Cable License Negotiations

Stow TV Coordinator Anne VanTine visited the Board regarding renewal of the Comcast cable license contract. The 10-year contract is due to expire next year and she wants to begin planning now. She is working with the two cable committees and the Board's liaison, Mr. Bernklow, on defining a process for "ascertainment" of the cable renewal needs, as outlined in her October 14 report to the Board.

Attorney William August is being employed by the Cable License Advisory and the Local Access Channel Advisory committees for his expertise in cable licensing and is being paid from the [non-operating budget] cable TV account.

Following a brief discussion it was agreed that Mr. August would attend the next Board meeting, at which the cable contract will be discussed.

Town Administrator's Report

Mr. Wrigley reported on the following:

- Town Building parking lot: Lighting has been ordered but don't know when it will be delivered. He congratulated the Highway Department on a good job.
- Elementary school building: He approved weekend work to help catch up on the schedule and the general contractor will be working this weekend.
- Town building repair and painting: There is more work needed than expected, which will cost more than appropriated. He will write a warrant article for the November 7 town meeting requesting additional funds.

Meeting Minutes

September 13: Ms. Spear moved to accept the September 13, 2011 minutes, as drafted; Mr. Ryan seconded; and all voted in favor.

Accept November 7, 2011 Special Town Meeting warrant

Mr. Bernklow moved to accept the November 7, 2011 Special Town Meeting warrant, dated October 4, 2001, with the changes [to the sources of funds for the capital project articles] discussed tonight; Ms. Spear seconded; and all voted in favor.

Update on 53 Great Road

Mr. Salvie said that there is a possibility of a person helping the property owner by purchasing the property and paying the back taxes. There is a meeting on this on Friday.

Certificate of Achievement for St. Isidore Parish's 50th Anniversary

At the request of St. Isidore Parish, the Board recognized its celebration of the 50th anniversary. Mr. Ryan moved to recognize St. Isidore Parish's 50th anniversary with a proclamation that reads as follows:

A PROCLAMATION ON THE OCCASION OF ST. ISIDORE PARISH'S 50th ANNIVERSARY, 1961-2011

WHEREAS, on December 28, 1959, the Archdiocese of Boston purchased two and one-half acres of land on Great Road as the future site of a Catholic church in Stow,

WHEREAS, on June 1, 1961, the church named St. Isidore Parish was blessed and its first Mass offered,

NOW, THEREFORE, on this 11th of October 2011, the Stow Board of Selectmen does resolve and declare:

On behalf of the Town of Stow, we acknowledge the wonderful achievement of the Parish of St. Isidore, so named in honor of the patron of farmers, of the 50th anniversary of its founding, and we sincerely thank its members for their contributions to the Stow community, as parishioners, neighbors, and friends.

Appointments to Stow Municipal Affordable Housing Trust

Two changes were made to the membership of the housing trust with the votes that follow.

Board of Selectmen's representative: Mr. Ryan moved to rescind the June 14, 2011 vote appointing Laura Spear as the Board of Selectmen's representative to the Stow Municipal

Affordable Housing Trust for a one-year term ending June 30, 2012 and to appoint James Salvie in her place; Mr. Bernklow seconded; and all voted in favor.

At-Large member: Mr. Ryan moved to appoint Laura Spear as a member of the Stow Municipal Affordable Housing Trust, to a two-year term ending on June 30, 2013; Mr. Bernklow seconded; and all voted in favor.

Board of Selectmen's priorities grid

Mr. Salvie will update the document and distribute it.

Date for annual tax classification public hearing

The Board set November 15, 2011 as the date for the annual tax classification hearing and vote on the FY 2011 tax rate.

Liaison Reports

School building project: The most recent schedule from the owner's project manager shows Phase I to Phase II on schedule, with the exception of the gym. Roughly 20 percent of the owner's contingency funds are spent.

Community Preservation Committee: No vote on the Larsen apple barn had been taken yet.

SMAHT: They are looking at revisiting the deed restrictions project. The Stow Community Housing Corporation updated the trust on both of SCHC's affordable housing projects:

MAGIC: Stow was not awarded one of the local energy action grants. Only three to five communities will be eligible.

On a related note, Ed Brown will be invited to a December or January meeting for an update on HL&P's alternative to the Green Communities Program. Regarding the Syncarpha proposal for a commercial solar energy facility on Delaney, Mr. Wrigley is working with the assessors to evaluate it and will have an update at the next meeting.

Multiuse Track Road Committee: The public forum was well run by chair John Akers. Property owner Rob Albright attended to give input.

Pedestrian Walkways: The project is now in Phase III. Since funds remain, a change order will be done to continue the walkway toward Old Bolton Road.

Public safety: The town departments made a great response to Hurricane Irene.

Future agenda topics:

None suggested.

At 8:50 p.m., Ms. Spear moved to adjourn; Mr. Ryan seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

