

**MINUTES
OPEN SESSION
BOARD OF SELECTMEN
April 12, 2011**

Present at the meeting that was held at the Town Building were Selectmen Stephen Dungan, Charlie Kern, Tom Ryan, James Salvie and Laura Spear. Town Administrator Bill Wrigley was also present.

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

Public Comment

The Chair asked for public comment.

Lew Halprin addressed the Board about Article 5 on the upcoming Annual Town Meeting warrant, a citizens' petition vote seeking a secret form of voting for the budget for the Nashoba Regional School District. Mr. Halprin stated that the article would not prevent anyone from voting the way they chose, or prevent a full discussion, it would merely prevent anyone from seeing how others voted and help prevent intimidation. There would be no significant delay. He acknowledged that some have expressed concern that this should be in the form of a by-law amendment. Mr. Halprin also addressed Article 41, a citizens' petition article to preserve the Larsen Apple Storage Barn. He said the Apple Barn could serve the same purpose for preservation of our agricultural heritage as the Blacksmith Shop, and that the West School does for early education. He considered the proposal to be "level funded" because revenue it would generate would balance the cost of any required change orders. There should be no need to bring the building up to the building code, and visitors could use the bathroom in the school.

Chairman's Comments

Chairman Spear thanked all who participated in the recent community clean-up day, and those who organized it. She thanked Greg Troxel and Ross Perry and the rest of the "perambulation team" for the recent perambulation of a portion of the town's bounds. She thanked the Moderator, Town Clerk, and all those who participated in the recent "Recruitment Night" for prospective town officials. She acknowledged and thanked the members of Stow TV for producing the well-received April Fool's Day program, "The Wild Side of Stow." She noted that Senator Jamie Eldridge held two community forums to discuss the state budget in Acton and Marlborough, and gave details.

Town Administrator's Report

Mr. Wrigley noted that the Harvard Acres well program is complete. There are a total of 58 loans, totaling approximately \$660,000, all with 10-year terms at an annual interest rate of 2%.

About half of the betterment liens have already been recorded and the rest will be recorded soon. He noted the efforts of many town employees in accomplishing this task and the Board thanked him for his work on this.

Mr. Wrigley reported that he had reviewed and approved language for a letter from the Nashoba Regional School Committee stating their intent to vacate the Pompositticut School building in January 2013 and he expected the Committee to approve the letter in that form at their next meeting.

He reported that staff had been in contact with officials of DEP concerning the modification of the conservation easement on the town-owned land near Deerfield Lane and that work was on-going.

There was a brief discussion of how the Town operating a water department was still an option and the status of the equipment left by Assabet Water Company.

Multi-Use Track Road Committee Appointment

The Board met with Michael Kaskiewicz, one of several applicants for positions on the Multi-Use Track Road Committee. Mr. Kaskiewicz is a long-time resident of Stow and Maynard and lives near the Assabet River, parallel to Track Road. He acknowledges the community consensus to make Track Road more accessible and desires to help make sure it is done right, particularly with respect to the potential impact on the Assabet River.

On a motion by Mr. Dungan, seconded by Mr. Ryan, the Board voted unanimously to appoint Michael Kaskiewicz to a two-year term on the Multi-Use Track Road Committee, ending June 30, 2013.

Historical Commission Appointment

The Board met with Robert Cutler, who has applied to fill the vacancy on the Historical Commission. Mr. Cutler has an extensive history of service to the town, including service in the fire department when it was all volunteer. He seeks to help preserve the history of the Town.

On a motion by Mr. Dungan, seconded by Mr. Ryan, the Board voted unanimously to appoint Robert Cutler to an unexpired two-year term on the Historical Commission, ending June 30, 2013.

Meeting with Historical Commission

Daisy Dearborn and Dot Spaulding of the Historical Commission met with the Board concerning the management of the West School. A prospective Eagle Scout has made his Eagle Scout project filming aspects of the West School for presentation at area schools, and he has succeeded in raising money for his project. The current West School maintenance budget is adequate for

repairs but Daisy will speak to Bill about upkeep. Phase I of the historical inventory is complete, there is no specific date yet for completion of Phase II. They are preparing for the days that the School is open to the public and the programs they anticipate putting on and at this time need nothing specific from the Board of Selectmen.

There was a brief discussion of the on-going inventory project.

Meeting with Town Clerk concerning 2010 federal census.

Town Clerk Linda Hathaway met with the Board and described two options for the new division of Stow into two precincts. Technically, this division is overdue. Each of the two options, which were described on maps, described roughly a north-south split using Great Road and the Assabet River as the dividing line. The options differed insofar as one option included slightly more "territory" on the east side of Town in the northern precinct. The Town Clerk recommended her first option. After some discussion of added costs, the Board saw no reason to disagree with the Town Clerk's recommendation and gave a sense of the Board agreeing with her. A formal vote will occur before the deadline of June 22, 2011.

Ms. Hathaway briefly addressed Article 43 on the town meeting warrant, which allows nomination papers to be pulled no later than 48 hours before they must be returned, and limits the number of signature sheets that must be given to the candidate.

Meeting with Pompo Re-use Study Committee

The Board met with Jim Sauta, chair, and Mike Busch of the Pompo Re-use Study Committee for an update. The Committee reiterated its plan to present two rough options in a presentation at the upcoming Annual Town Meeting, one with the Library, one without. Including the Library necessarily limits the size of the proposed community center and what can be included in the re-design. The Committee formally requested that a fall Town Meeting be scheduled for voters to vote design funds for whichever option they prefer. In response to questions from Mr. Kern, Mr. Sauta said that the Committee would soon begin to develop building and operational cost estimates for each option, and those should be available for the fall Town Meeting. A public forum is scheduled for May 15 to further share and discuss the two options with citizens.

Randall Road Sidewalk Easement

After a brief discussion, Mr. Dungan moved to sponsor the town meeting article asking the town to accept the sidewalk easement adjacent to a portion of Randall Road. Mr. Ryan seconded. All voted in favor.

Town Meeting Article Recommendations

The Chair noted that it is not necessary for the Board to make recommendations at Town Meeting on individual articles, but it may choose to do so. The Board held the following discussions and took the following actions on certain articles:

1. Article 5 -- Secret Ballot for Nashoba Regional School District budget items.

The Board noted that the intent of this article was to apply to this town meeting and future town meetings. Mr. Dungan said he had become persuaded that there really are actions occurring that have the effect of intimidating certain voters, and he thought the article was a good idea. Mr. Salvie noted that he did not like the idea that the votes of town officials would also be secret. Mr. Dungan moved that the Board support Article 5, but there was no second. The motion failed. There was no further motion.

2. Article 6 - Nashoba Regional School District assessment.

Mr. Salvie said that based on discussions at Tri-town meetings it could be anticipated that there would be an objection to the assessment from the Nashoba Regional School District, item 71 in the FY12 budget. He said he thought the school district had demonstrated that they had made real cuts and an effort to keep the assessment as low as possible without laying off teachers. Mr. Ryan said he supported the assessment this year because the District had made a good faith effort, but that the District would have to listen to the message from Bolton and Lancaster in the future.

On a motion by Mr. Salvie, seconded by Mr. Dungan, the Board voted unanimously to support item 71 in the FY12 budget, the Nashoba assessment.

3. Article 35 -- Community Preservation Expenses

Mr. Ryan questioned the utility of these expenditures and the Town Administrator explained that it provides administrative support to the Community Preservation Committee. Ms. Spear offered to bring more information to a future meeting. There was no motion.

4. Article 39 -- National Guard Tax Relief

Mr. Ryan noted that while he was not against the idea of this article, he found it vague, particularly with regard to what it would cost. Ms. Spear agreed and suggested that the Board wait to decide whether to support it or not for more information from the Board of Assessors as to how they planned to approach it. This met with general approval and there was no motion.

5. Article 40 -- Amend Zoning Map on Wireless Service Facility District

Ms. Spear noted that the Planning Board was holding a public hearing on this article at that very moment and suggested the Board hold off on considering it. This met with general approval and there was no motion.

6. Article 41 -- Preserve Larsen Apple Storage Barn.

Several members noted that the vagueness and timing of this citizens' petition article were problematic, since there must be some costs and most likely it would cause a delay in the project schedule. On a motion by Mr. Dungan, seconded by Mr. Salvie, the Board voted unanimously to recommend disapproval of this article.

7. Article 44 -- Revocable Agricultural Licenses

In response to a question from Mr. Ryan, Ms. Spear explained that this article was in response to leases that the Conservation Commission has had on land on Tuttle Lane and near Arbor Glen. Town Counsel had become concerned that there should not be conveyances of long-term interests in land without Town Meeting approval. There was some confusion about the exact meaning of the term "agricultural uses" in the article, and Ms. Spear offered to get more information. This met with general approval and there was no motion.

The Chair noted that STOWS was scheduled for Wednesday, April 27 at 7:30 and any Selectmen who wished to attend were welcome.

Review of Priorities Grid

Ms. Spear read the edits she had made after receiving information from individual Selectmen and there was a general discussion with some more comments. Mr. Dungan noted that he believed with his departure from the Board a committee should probably be formed to follow up on transportation issues, in particular the shuttle to the So. Acton train station. Mr. Salvie suggested adding the Randall Library as a new priority, and Board members noted that it would be important to determine more clearly the Selectmen's scope of authority, if any, over the building. Mr. Wrigley noted with regard to the Town Building parking situation that after DEP's waiver of its concerns he had asked Mike Clayton to schedule the parking lot work. As a result, it appeared to Board members that this item had been accomplished and could come off the Grid.

Master Plan Implementation

Ms. Spear thanked Mr. Dungan and Mr. Salvie for the re-prioritized spreadsheet and asked all Board members to isolate the 2 or 3 categories that they felt were the most important, as well as the 3 or 4 of the "High" priorities that they felt were the highest. This would be discussed at a future meeting.

Sustainable Communities Consortium

Ms. Spear reported that at a recent MAGIC meeting she learned that the Town could join the Sustainable Communities Coalition, a group of area towns organized for the purpose of receiving federal money for livable and sustainable communities. Though Stow has no project in mind at

this time, joining the Coalition would make us possibly eligible for grants in the future. It is another source of potential funds. Participation requires signing a contract for a multi-year commitment, and she recommended that the Town Administrator be the contact person, though he could delegate participation to whomever he wished.

On a motion by Mr. Dungan, seconded by Mr. Salvie, the Board voted unanimously to authorize the Town Administrator to sign the agreement for the Town to join the Sustainable Communities Coalition.

Liaison Reports

Mr. Dungan noted that there are four applicants for the Multi-Use Track Road Committee. He would be transferring much of the material he has accumulated on this subject to Don Rising for continuity.

He reported that he would like to remain involved in the LACAC cable advisory committee, but the Town Administrator believed the cable governance agreement might require the participation of a selectman.

Mr. Ryan reported that it was hoped that a recommendation for the new Police Chief could be brought to the Selectmen's meeting of April 26.

Mr. Kern reported that the Conservation Commission is concerned about a silt problem at the construction site for the new elementary school.

Ms Spear reported on the recent MAGIC meeting she attended. The Acton Board of Health received a grant for regional nursing services. There was discussion about the Mass Central trail/bus path. Funding is dwindling for the 2012-15 TIP and the region has been advised to focus on just one project. The Planning Board is holding a hearing on the proposed change in the Wireless overlay district and CLURPA.

Mr. Salvie noted that there was progress in working with abutters by the Pedestrian Walkways Subcommittee.

There being no further discussion, upon a motion by Mr. Dungan, seconded by Mr. Ryan, the Board adjourned at 9:35 p.m.

Respectfully submitted,

James H. Salvie
Clerk