

**MINUTES
BOARD OF SELECTMEN
June 14, 2011**

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

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

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

Public Input

The Town Clerk announced that there is new information available on the Open Meeting Law and public record retention schedules, which she will distribute.

Chairman's Comments

Mr. Salvie offered the Board's congratulations to the following groups:

- The Nashoba High School graduating class,
- Habitat for Humanity for raising \$45,000 at its recent event at the First Parish Church,
- The Mass Fire Services for the building dedication ceremony in Stow,
- The Stow Municipal Affordable Housing Trust for receiving approval of the Town's Housing Production Plan by the Department of Housing and Community Development.

Town Administrator's Report

Mr. Wrigley reported the good news that Local Receipts to date are higher than anticipated.

Meeting Minutes

April 26: Ms. Spear moved to accept the April 26, 2011 minutes, as written, Mr. Ryan seconded; and four members voted in favor, with Mr. Bernklow abstaining.

May 24 Open Session: Ms. Spear moved to accept the May 24, 2011 Open Session minutes, as amended; Mr. Ryan seconded; and all voted in favor.

May 24 Executive Session: Ms. Spear moved to accept the May 24, 2011 Executive Session minutes, as written, Mr. Ryan seconded; and all voted in favor. Contract negotiations having concluded, Ms. Spear moved to release the May 24, 2011 Executive Session minutes to the public record; Mr. Ryan seconded; and all voted in favor.

Registrar of Voters Appointment

Robert Walrath joined the Board for appointment to a second term as a Registrar of Voters. Mr. Salvie noted the Stow Democratic Town Committee's letter requesting his reappointment.

Ms. Spear moved to appoint Robert Walrath as a Registrar of Voters for a three-year term, ending on June 30 2014; Mr. Ryan seconded; and all voted in favor.

Recreation Commission Appointment

Two applicants visited the Board seeking appointment to one vacancy on the Commission: Eric Bachtell and Dan Nicholson. Mr. Bachtell has been an associate member for the past four years and worked on the Community Park implementation team. Mr. Nicholson has participated informally in the Commission's work at Lake Boon. As an art teacher and coach in several sports, he said he would bring a fresh approach to recreational activities, beyond the typical organized sports, encouraging children's free play and creativity. Board members said they were pleased to have two good candidates, noting that the usual path for committee appointments is to appoint associate members to full members and that Mr. Bachtell is an associate.

Following discussion, Mr. Ryan moved to appoint Eric Bachtell to the Recreation Commission for a one-year term, ending on June 30 2012; Mr. Bernklow seconded, and all voted in favor. Mr. Salvie asked Mr. Nicholson to join the Commission as an associate member.

Planning for Capital Projects

Finance Committee chair Ann Deluty and Capital Planning Committee chair Steve Jelinek joined the Board and Mr. Wrigley to discuss Mr. Wrigley's recommendation to form a planning team to look at the major upcoming capital projects: a community/senior center, a fire house, and the Randall Library, together with the planned reuse of the Pompositticut Elementary School.

Mr. Wrigley suggested that, with the community facing three major capital projects, planning for them should be tied into the Master Plan implementation program being undertaken by the Board. At this time, two groups are looking at Pompo with competing needs and a new or add/reno fire station project, while not having the same level of sponsorship at the moment, has been an acknowledged need for years.

Mr. Salvie said, with a fall Town Meeting, they should look at the library and Pompo use ahead of time, understanding the Town's debt service and how much taxpayers are willing to carry. They should not wait to consider it on Town Meeting floor.

Mr. Jelinek noted that the only project for which the Capital Planning Committee had numbers was the firehouse. In terms of the planning effort, Ms. Deluty said the Finance Committee members are eager to get involved.

Mr. Wrigley recommended that a cost/benefit qualitative analysis, as well as a financial evaluation, analysis was needed for all three projects but that one committee could not evaluate the qualitative merits and finances of all three. He said that coordination among all three projects at this time is needed.

The selectmen, Finance and Capital Planning agreed that coordination, education, and communication are important and it is best to have a coordinated presentation from the three groups and the Planning Board for Town Meeting.

Regarding the mechanics of accomplishing this, it was agreed to create a "Master" planning committee, composed of Mr. Kern and representatives from Finance and Capital Planning, to define the deliverables and what information is needed for each of the projects by June 28.

Ms. Spear moved to create an Ad Hoc Capital Project Development Committee, composed of Mr. Kern, Ms. Deluty, and Mr. Jelinek or such other representatives as the Finance Committee and the Capital Planning Committee may appoint; Mr. Ryan seconded; and all voted in favor.

Gift of Bench to Lower Village Common

This topic was tabled in order for Karen Kelleher and Phil Moseley to bring a proposal on benches from the Lower Village Common to the Board, probably on June 28. Ms. Spear moved to table the topic; Mr. Ryan seconded; and all voted in favor.

Permit for “Bike for the Woods”

Mr. Ryan moved to permit the annual Bike for the Woods bike ride, scheduled for Sunday, August 21, 2011, as indicated on the route map submitted by Chris Spear and as approved by Public Safety Officer Lima and contingent upon receipt of the required Certificate of Insurance; Mr. Kern seconded. Four voted in favor, with Ms. Spear recusing herself.

Recognition of Retired Police Chief Mark Trefry

Mr. Salvie read the following proclamation for Chief Mark Trefry into the public record. Chief Trefry retired from the force on January 1, 2011:

RESOLUTION IN TRIBUTE TO MARK H. TREFRY

WHEREAS, Mark H. Trefry has worked in the service of the Town of Stow since 1974, first as a firefighter and later as a police officer; and

WHEREAS, Mark H. Trefry rose through the ranks of the Stow Police Department, from an Auxiliary and Special Police Officer in the 1970s to a Patrolman in 1981, Sergeant in 1984, Lieutenant in 2002, and finally Chief in 2005; and

WHEREAS Mark H. Trefry was responsible, as Chief, for effectively leading the Stow Police Department in efforts to modernize their communications equipment, introduce green technology, and expand community outreach; and

WHEREAS Mark H. Trefry retired from service as Chief on January 1, 2011;

NOW, THEREFORE, the Stow Board of Selectmen do resolve and declare:

On behalf of the Town of Stow, we sincerely thank Mark H. Trefry for his 37 years of service and dedication to the public safety of the Town of Stow and his tireless efforts to make the Stow Police Department modern and effective, while preserving the essence of community policing. We thank him and will always remember him for this work, but also for his kindness, gentleness, and good humor. He has been a good policeman, Chief, friend and neighbor to the entire Town. Thank you Mark!

Mr. Ryan then moved to recognize Retired Police Chief Mark H. Trefry’s outstanding service to the Town of Stow, with the proclamation just read; Ms. Spear seconded; and all voted in favor.

One-year Appointments

Ms. Spear moved to appoint the following officials to one-year terms, ending on June 30, 2012:

- Donald B. Rising as Stow’s Assabet River Trail Committee Representative
- Edward A. Brown as Stow’s Advisory Member to the Hudson Light and Power Board
- Henry Hagopian III as Stow’s NRSB Audit Committee representative
- Timothy Allaire, Michael Busch, and John Sangermano to the Recreation Commission
- Catherine Desmond as Street Numberer

- Bruce E. Fletcher as Tree Warden
- Jeffrey J. Lance, Philip Moseley, and George A. Veracka to the Veterans' Graves Committee
- Jonathan D. Witten, Esq. of Huggins & Witten, LLC as Town Counsel
- Michael E. Clayton as Superintendent of Streets
- As full-time Firefighters:
Captain John Paul Benoit, Barry Evers, Mark W. Guerin, Michael Stevens, and Gregory A. Vogel
- As Special Police Officers:
Robert E. Blanton, Jonathan Butler, John Connors, John Fantasia, James F. Finneran, Lee Heron, Enrico Maldari, and Michael Smith
- For Prisoner Watch duty:
Rachel Belanger, Deborah Richardson, Darlene Trefry, and Richard Tower
- As an Auxiliary Police Officer: Darlene Trefry
- As Public Safety Dispatchers:
Jonathan Butler, John Fantasia, Samantha Howard, Darlene Trefry, Justine St John, and Nancy L. Campbell

Mr. Ryan seconded; and all voted in favor.

Two-year Appointments

Ms. Spear moved to appoint the following officials to two-year terms, ending on June 30, 2013:

- As full time Police Officers: Sgt. Timothy J. Lima, Sgt Ralph Marino, Detective Michael J. Sallese, Detective Steven B. Sturtevant, Prosecutor Gary P. Murphy, Sean M. Collins, David J. Goguen, Robert Nelson, Darren J. Thraen
- To the Stow Municipal Affordable Housing Trust: Donna Jacobs, Michael Kopczynski, and Quince Papanastassiou
- To the Springfest Organizing Committee: Karen Kelleher

Mr. Ryan seconded; and all voted in favor.

Three-year Appointments

Ms. Spear moved to appoint the following officials to three-year terms, ending on June 30, 2014:

- Pamela Landry as Treasurer-Collector
- Jeffrey D. Smith as Trustee of the Randall Relief Fund, the Randall Town Fund and the Town Farm Fund
- Julie Martin-Sullivan and Elizabeth Painter to the Agricultural Commission
- Robert Mong to the Cable License Advisory Committee
- William Clayton as a Cemetery Trustee
- Lawrence Hartnett as Constable
- Leslie Kriebel to the Historical Commission
- Cindy Curley to the Lake Boon Commission
- Donna Jacobs to the Metropolitan Area Planning Council

Mr. Ryan seconded; and all voted in favor.

Mr. Salvie recused himself from the following vote to reappoint his wife, Kathy Sferra, to the Conservation Commission.

With Mr. Kern chairing, Ms. Spear moved to appoint Kathy Sferra to the Conservation Commission to a three-year term, ending on June 30, 2014; Mr. Ryan seconded; and four members voted in favor.

Selectmen's FY 2012 Committee Appointments and Liaison Assignments

Completing work begun at the May 24 meeting, the Board voted the members' committee appointments and liaison assignments for the upcoming year.

Ms. Spear moved to make the selectmen's FY 2012 committee appointments, ending on June 30, 2012, as follows:

- Local Access Channel Advisory Committee: Gary Bernklow
- MAPC Selectmen's Alternate: Laura Spear
- MAGIC Selectmen's Rep.: Laura Spear
- Stow Municipal Affordable Housing Trust: Laura Spear
- Pedestrian Walkways Planning Subcommittee: Jim Salvie

Mr. Ryan seconded; and all voted in favor.

Ms. Spear moved to make the selectmen's FY 2012 liaison assignments, ending on June 30, 2012, as follows:

- Community Preservation: Gary Bernklow
- Conservation and Open Space: Laura Spear
- Council on Aging: Gary Bernklow
- Finance Committee: Gary Bernklow
- Fire/Highway/Police: Thomas Ryan
- Health, Board of: Thomas Ryan
- Historical Commission: Thomas Ryan
- Multi-Use Track Road Committee: James Salvie
- Nashoba Regional School District: James Salvie
- Planning Board: Laura Spear
- Pompo Use Study Committee: Charles Kern
- Randall Library Trustees: Charles Kern
- Recreation Commission: Thomas Ryan
- Transportation Advisory Committee: Laura Spear
- Tri-Town (goes with NRSD): James Salvie
- Zoning Board of Appeals: Laura Spear

Mr. Ryan seconded; and all voted in favor.

Elementary School Building Project Report

Mr. Kern updated the Board on two legal matters:

- Stella Construction, the general contractor, is responsible for paying the ironworkers' compensation suit. The financial exposure for the Town is \$50,000.
- The Cincotta site-preparation litigation with Stella, at \$100,000, has little chance of exposure for the Town.

Letter of Support for Assabet River Rail Trail funding to Boston MPO

The Board took action to encourage the Boston Metropolitan Planning Organization (MPO) to keep the Assabet River Rail Trail on its list of priority projects for funding. The project was dropped from the current Transportation Improvement Plan and pushed into the Long Range Plan for 2016-2020. This means that the federal funds for the design study of Track Road (80 percent of the cost with 20 percent from the Town, approved by Town Meeting) are not available.

Mr. Ryan moved that the Board send the letter of support for ARRT funding, dated June 5, 2011, as written, to the Boston MPO; Ms. Spear seconded; and all voted in favor.

Historical Commission Posting

Mr. Ryan moved that the Board adopt the revised Historical Commission posting, dated June 14, 2011, as written; Mr. Kern seconded; and all voted in favor.

Employees Local 1156 Contract Approval

Mr. Ryan moved to approve the Employees Local 1156 Memorandum of Agreement, dated June 14, 2011, for a 1-percent Cost of Living Adjustment for Fiscal Year 2012; Mr. Bernklow seconded; and all voted in favor.

Master Plan Implementation and Priorities

It was agreed that the Board would request updates from the Lake Boon Commission on the health of the lake, from the Conservation Commission on Elizabeth Brook phosphorus testing and education, and from the Board of Health on Lower Village property owners' DEP non-compliance.

Liaison Reports

Stow Municipal Affordable Housing Trust: pleased with DHCD's approval of Stow's Housing Production Plan.

Historical Commission: historic properties inventory project is running a bit behind. The West School needs repairs.

Conservation Commission: Highgrove Estates project on West Acton Road wants to begin construction.

Planning Board: hearing for the Town Building parking lot expansion is tonight. The Board accepted the Lower Village report and disbanded the committee.

MMA Selectmen's Conference: Mr. Kern and Ms. Spear attended. Ms. Spear will present her report to the Board.

Pedestrian Walkways: final plans have been received and the Town can now go out to bid. Two easements will be needed.

Fall Special Town Meeting: dates to be set at the June 28 meeting.

Multiuse Track Road Committee: an "energetic" committee.

ESBC: making up some of the lost time.

Pompo Reuse: operating the building will be a substantial cost. They are trying to quantify it.

Fire-Rescue: Chief McLaughlin just graduated from an advanced 13-week program. Stow sent an ambulance to Brimfield after the tornadoes.

Historical Commission: Mr. Ryan thanked Mr. Wayne Fletcher for his years of service as a commission member.

Recreation Commission: the Community Park project is closing out.

There were no agenda items requested for future meetings.

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

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved as amended, July 26, 2011