

**MINUTES
BOARD OF SELECTMEN
September 27, 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.

Mr. Salvie called the meeting to order shortly after 7:00 p.m.

Public Input

None.

Chairman's Comments

Mr. Salvie acknowledged the loss of Edward R. "Ted" Perry, Sr., who passed away on September 10, 2011. Mr. Perry was a strong voice in the Concerned Citizens of Stow, a seniors' group active in Town affairs.

Town Administrator's Report

Mr. Wrigley reported on the following:

- Lower Village water:
Town Counsel Jon Witten is working with the House Counsel on the process for a change to the conservation restriction on the Deerfield Lane open space parcel (to permit a well). He said that, after nine-plus months of work, Stow is being told that one "can't get there from here." He wants House Counsel to explicitly state the reasons in writing.
- Special Town Meeting articles on capital projects:
Noting that he has drafted articles for space use needs analyses for the three projects, he walked the Board through the deliverables and process of pre-design development.

At the next meeting, Mr. Salvie wants a Joint Boards meeting with Capital Planning and Finance to discuss support for these articles. If done as debt exclusions, the Board must vote on the wording of the ballot questions on October 11.

Regarding the method of funding, Mr. Wrigley weighed the benefit of using available assets instead of borrowing. While borrowing gives voters who did not attend Town Meeting a voice in the decision, in the form of a ballot question, these projects request relatively small amounts for the pre-design work and the Town has ample cash available. Using available funds would save the cost of holding a special Town election.

Repairs to Randall Library:

- Library repairs: As requested, he checked with Craig Martin on the status of the repairs, funded at \$100,000 by Town Meeting. The work is proceeding and Mr. Martin and Mr. Reed are collaborating on it.

Meeting Minutes

August 9: Mr. Ryan moved to accept the August 9, 2011 minutes, as amended, subject to verification of the property redemption date; Ms. Spear seconded; and all voted in favor.

August 23: Ms. Spear moved to accept the August 23, 2011 minutes, as amended; Mr. Ryan seconded; and all voted in favor, with Mr. Bernklow abstaining.

Borrowing for Elementary School Building Project

Pam Landry asked the Board to approve a one-year bond anticipation note of \$6,700,000, which, at a net interest rate of 0.303 percent, will provide significant savings over time. The \$9.2 M already borrowed combined with this \$6.7M totals the \$15.9 M Town's share of the budgeted project cost.

Ms. Spear made the following motion; Mr. Ryan seconded, and all voted in favor.

To approve the sale of a \$6,700,000 1.50 percent General Obligation Bond Anticipation Note (the "Notes") of the Town dated September 30, 2011, and payable September 28, 2012, to Eastern Bank at par and accrued interest plus a premium of \$79,730.00.

That in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 16, 2011, and a final Official Statement dated September 22, 2011, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

That the consent to the financial advisor bidding for the Notes, as executed prior to the bidding for the Notes, is hereby confirmed.

That the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

That each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Mr. Kern signed the Clerk's certification of the vote and the Board signed the borrowing documents for Ms. Landry.

Fire Station Improvement Project

Chief Mike McLaughlin visited the Board to present his department's present and future needs and the necessary building improvements to support its work.

Highlights include:

- Department has outgrown the building. He invites residents to visit before the Special Town Meeting.
- The water problem has taken its toll. Same with the electrical system.
- Wise to keep second ambulance with next purchase because medical calls were a 50-50 split of all calls and continue to go up. This will need space, as will a small rescue boat, to be purchased with a grant.
- Expensive equipment needs better storage. For example, the self-contained breathing apparatus (SCBA) equipment needs protection to preserve it.
- The chief spends much more time on emergency management responsibilities than ever before. He leads the local emergency response team and there are federal and state standards to meet and reports to file. This work increase affects administrative space.
- He has an open mind on what the project should be. For example, his team is looking at other towns' new firehouses for lessons learned. The Maguire document, which has some proposed renovations, was simply a marketing proposal for the former chief. He wants what is best for his department, the selectmen, and the town.
- The building has 5,000 sq ft, 3,900 sq ft of which is for parking emergency vehicles inside. Some vehicles must be parked outside. Equipment, including SCBA, is stored along the walls. When firefighters suit up, they must do it in the narrow bays between vehicles.
- If expansion is chosen, there is space in front toward Crescent Street and a bit in back.
- Asked if a satellite station would be a viable alternative, he said that the present station is ideally located, with the longest run being to Lake Boon. A satellite is feasible but will be expensive to staff.

Mr. Salvie's feedback was that it is clear that the Fire department needs more space and he encouraged the chief to collect even more statistics and facts to back up his case.

Statewide Public Works Municipal Mutual Aid Agreement

Chief McLaughlin asked the Board to approve a mutual aid agreement for public works, similar to the police and fire agreement approved several months ago. He and Superintendent of Streets Mike Clayton support it.

Ms. Spear moved that the Town opt in to the Statewide Public Works Municipal Mutual Aid Agreement, pursuant to MGL Chapter 40, Section 4K; Mr. Ryan seconded; and all voted in favor.

Mr. Salvie signed the vote certification, which the Chief will submit to MEMA.

Street Acceptances

Public hearings were held and votes taken for the acceptance of six streets as public ways. The hearings began at 8:00 pm, as posted and advertised, and the same process was used for each: the hearing was opened, purpose stated, list of abutters read, questions taken from the Board and attendees, and hearing closed.

The order of the streets and votes were as follows:

Fox Court, Cricket Court, Salamander Lane, Cardinal Court, Wildlife Way, and Woodpecker Court, where Ms. Spear moved to open and close each hearing; Mr. Ryan seconded; and all voted in favor. Two abutters attended: David Farley of Fox Court, and Todd Albretton of Woodpecker Court, both of whom had questions on the advantages of having streets become public ways.

Following the public hearings, four Orders of Laying Out of Ways were voted:

- Ms. Spear voted to approve the laying out of **Fox Court and Cardinal Court**, as designated in the Report and Order of Laying Out, dated September 27, 2011; Mr. Ryan seconded; and all voted in favor.
- Ms. Spear voted to approve the laying out of **Salamander Lane and Cricket Court**, as designated in the Report and Order of Laying Out, dated September 27, 2011; Mr. Ryan seconded; and all voted in favor.
- Ms. Spear voted to approve the laying out of **Wildlife Way**, as designated in the Report and Order of Laying Out, dated September 27, 2011; Mr. Ryan seconded; and all voted in favor.
- Ms. Spear voted to approve the laying out of **Woodpecker Court**, as designated in the Report and Order of Laying Out, dated September 27, 2011; Mr. Ryan seconded; and all voted in favor.

The streets are planned for acceptance at the November 7 Special Town Meeting. Accordingly, the Board signed the reports, which will be submitted to the Town Clerk prior to the meeting.

Appointment of Election Workers

The Board took the following votes to appoint election workers:

- **Unenrolled:** Mr. Ryan moved to appoint the Unenrolled election workers for a one-year term ending August 31, 2012, from the list prepared by the Town Clerk, dated September 22, 2011; Ms. Spear seconded; and all voted in favor.
- **Republican:** Mr. Ryan moved to appoint the Republican election workers for a one-year term ending August 31, 2012, from the list prepared by the Town Clerk, dated September 22, 2011; Ms. Spear seconded; and all voted in favor.
- **Democrat:** Mr. Ryan moved to appoint the Democrat election workers for a one-year term ending August 31, 2012, from the list prepared by the Town Clerk, dated September 22, 2011; Ms. Spear seconded; and all voted in favor.

Designation of Special Municipal Employees

The Board voted a updated list of Special Municipal Employees, to be filed with the State Ethics Commission, that included additions, deletions, and changes to the prior list:

Ms. Spear moved to adopt the list of Special Municipal Employees, dated September 27, 2011; Mr. Bernklow seconded; and all voted in favor. (The list is on file in the Selectmen's and Town Clerk's offices.)

Transportation Update

Prior to the meeting, Mr. Dungan asked Mr. Salvie for the Board's approval to issue a press release on parking for the West Acton train station, which is now the same cost for out-of-townners as for residents. Members agreed to give Mr. Dungan the ok and post the news on the Town website.

Liaison Reports

Inadvertently left off the agenda.

Future agenda topics:

None requested.

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

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved as amended, October 25, 2011