

**MINUTES
BOARD OF SELECTMEN
October 9, 2012**

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

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

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

Public Input

The Town Clerk announced dates for voter registration and absentee ballots.

Chairman's Comments

Mr. Kern reminded people of two Town events:

- Fire Department Open House and Fire Prevention Week (on behalf of the Chief).
- Town meeting and election dates.

Town Administrator's Activities Report

Mr. Wrigley reported on the following:

- He ended his volunteer work for his hometown of Orange and thanked the Board for giving him the opportunity to serve.
- Good news that Free Cash has been certified at \$1,395,000. This is because local receipts exceeded forecasts and the Town departments continued to return unexpended expenses. He hopes to give some back to the taxpayers.
- The NRSB science lab borrowing was voted down by Lancaster and Bolton. There is a question of whether the MSBA grant will be available going forward.
- Regarding Town Meeting warrant articles, he received the debt impacts of the building projects today and will have more information for taxpayers before the October 29 meeting.
- The transfer of the Pompo School building from the District to the Town is on track.
- State Fire Marshal Steve Coan asked him to help interview candidates for the position of Fire Academy CEO.

Meeting Minutes

July 10: Mr. Hawkes moved to accept the July 10, 2012 minutes, as amended, Mr. Salvie seconded; and all voted in favor.

August 28: Mr. Salvie moved to accept the August 28, 2012 minutes, as written, Mr. Ryan seconded; and all voted in favor.

September 28: Mr. Salvie moved to accept the September 28, 2012 minutes, as written, Mr. Ryan seconded; and all voted in favor, with Mr. Bernklow abstaining.

New Pole Location

Following a duly noticed public hearing, the Board voted to approve a new utility pole on Maple Street near the Bolton Line.

At 7:10 p.m., Mr. Kern opened the public hearing by reading the hearing notice and abutters' list. There were no abutters present.

Kevin Kittridge, an engineer from Hudson Light & Power, explained that an additional pole was needed in that location to support lines being run from Bolton into Stow by Lighttower Fiber Networks for an extension of service. He showed the Board the location of the proposed pole, per the diagram showing Pole 26 ½. Board members asked a few questions to clarify the purpose. The Board wanted assurance that the Highway Department approved of the pole location. Mr. Kittridge replied that Mr. Kelly had been in touch with them and the surveyor.

There were no comments from the public, so Mr. Kern closed the hearing at 7:30 p.m.

Mr. Salvie moved that the Hudson Light & Power and Verizon New England Inc. be granted permission to erect a joint pole according to the Plan 12-02, dated September 24, 2012, and conditional on consultation with the Stow Highway Department; Mr. Bernklow seconded; and all voted in favor. Following the vote, the Board members signed the order.

Certificate of Appreciation for Beverly Benoit

With a special birthday coming up, Beverly Benoit's family asked if the Board would prepare a certificate recognizing her long service to the Town and community.

With help from her daughter-in-law Karen, the Board prepared the following certificate:

A Proclamation in Tribute to Beverly Lewis Benoit

On this 9th day of October 2012, the Stow Board of Selectmen hereby bestows their best wishes and sincere thanks to Beverly Lewis Benoit on the occasion of her soon-to-come Grand Birthday.

Beverly has given herself to the Stow community for much of her life here. For example, she was an active member of the Stow Cub Scouts for over 50 years. She continues her many years of service to the Council on Aging, including driving the COA van. She worked in the Stow schools wearing several hats: as a school bus driver and also in the cafeteria and nurse's office. And she was a matron for the Stow Police, keeping an eye on women under arrest.

In addition to her contributions to the Town, she was an active member of St. Isidore's Church, where she served as a CCD teacher, a choir member, and a member of the Ladies Sodality. She and her husband David Lewis ran the Central Garage, located at the corner of Great Road and Gleasondale Road.

The Board of Selectmen takes this opportunity to acknowledge Beverly's dedication and contributions to Stow and to wish her much continuing joy with her children, grandchildren, and great grandchildren.

Thank you, Bev!

Mr. Salvie moved to issue this Certificate of Appreciation to Bev Benoit; Mr. Bernklow seconded; and all voted in favor. The Board then signed the certificate, which was to be presented to Ms. Benoit at a family party for her birthday.

Attorney General's Decision on Open Meeting Law Complaint re Elementary School Building Committee

Resident Janet Stiles visited the Board to present her thoughts on the Open Meeting Law and a complaint she filed with the Attorney General's (AG's) Office regarding the Elementary School Building Committee. This is a summary of her comments.

On 9/17/12, the AG found an ESBC co-chair in violation in the use of email regarding a citizens' petition to save the Larsen Apple Barn, which was on the warrant and ballot of May 2011 Town Meeting and Election, respectively. Likewise, in 2006, the AG found the Board of Selectmen in violation, again for the use of email. She questioned whether elected officials should continue to get better information than the public and the fairness of this to anyone trying to bring a concern to the town. Even if the emails are later made public, using the Public Records Law, they are no longer timely and can be expensive and difficult to obtain. She recommended not only strengthening and extending the Open Meeting Law but also following a code of honor in service, understanding that everyone should have equal access to information.

Appointment to Stow Historical Commission

Patrick Hopkins visited the Board to request appointment to the Historical Commission, recruited for the vacant position by his neighbor and Commission member Bob Cutler. Mr. Hopkins explained his interest and desire to give back to his community, now that time permitted. Dorothy Spaulding, chair of the Commission, said they had met and welcomed Mr. Hopkins and asked the Board to appoint him.

Mr. Bernklow moved to appoint Patrick Hopkins to the Historical Commission, to fill an unexpired three-year term, ending June 30, 2014; Mr. Salvie seconded; and all voted in favor.

One Day Liquor License

At the request of the caterer for an upcoming wedding, the Board issued a one-day liquor license for the event.

Mr. Salvie moved to issue a one-day liquor license to Julia Aubin of Currier & Chives for an October 27 wedding at the First Parish Church; Mr. Bernklow seconded; and all voted in favor. The Board then signed the license.

Board of Selectmen's "Letter to the Editor"

Mr. Salvie presented his draft of a Letter to the Editor regarding the Board's reasoning in voting all three capital building projects at the same Town meeting. The Board agreed that it was an accurate description and voted to submit it to the newspapers.

Mr. Ryan moved to send the letter on the Town's capital projects, drafted by Jim Salvie, dated October 12, 2012, with review comments, to the Stow Independent and the Beacon-Villager for publication prior to town Meeting; Mr. Hawkes seconded; and all voted in favor.

Support of Warrant Articles

Mr. Kern opened the discussion by asking if members needed any additional information on the warrant articles. No one did.

At the October 23 meeting, he will ask for the Board's votes on each building project.

After one question on a common water system for the fire station and library, the rest of the discussion was on the Town's debt resulting from borrowing for one or more of the projects. The

Board wished to show voters that there will be a temporary (six-year) spike in property taxes as a result of borrowing and there are ways to mitigate it, as Mr. Wrigley suggested. It was also suggested that the Community Preservation Fund percentage could be temporarily reduced, though that did not reach consensus.

At 8:20 p.m., Mr. Kern permitted Mr. Wrigley to head home.

Liaison Reports

Cable committee: Will meet Thursday on final negotiations for the renewal of the Comcast contract.

SMAHT: Hired a consultant to help develop affordable housing, to be paid \$7,200 in the next year.

Multi-Use Track Road: Has a draft agreement between the Assabet National Wildlife Refuge and the Town to use ANWR's parking lot for Track Road, with the provision that the Town plow the lot.

ESBC: RECESS (fundraising group) presented Mr. Kern a \$40,000 check toward Center School project expenses. The Board will invite the group in.

Public Safety: Traffic on Columbus Day weekend was better this year than last. There was one detail officer at Honey Pot and good communication between the Martins and Stow Police.

ZBA: Linear Retail's proposed new sign was approved by ZBA and can now be built.

Mr. Hawkes and Mr. Salvie are trading liaisons, with Mr. Hawkes taking over MAGIC and Mr. Salvie the ZBA.

Correspondence

No discussion.

At 8:35 p.m., Mr. Hawkes moved to adjourn; Mr. Bernklow seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved November 13, 2012