

**MINUTES  
BOARD OF SELECTMEN  
March 27, 2012**

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 at 7:00 p.m.

**Public Input**

Resident Lew Halprin asked if the Board would accept public input in writing, for this part of the meeting. Not everyone can attend in person. Mr. Salvie said yes and that people could send their input by email to the selectmen's office.

**Chair's Comments**

Mr. Salvie gave the dates and locations of several upcoming events: public forum on the proposed NRSD high school athletic complex, rabies clinic, hazardous waste collection day, and dog license renewals.

**Annual Visit from Legislators**

Senator Jamie Eldridge and Representative Kate Hogan visited the Board with updates on legislation and other items of interest.

Senator Eldridge listed his budget priorities and the status of legislation on the Community Preservation Act, bottle bill, and water infrastructure funding. He encouraged DHCD Undersecretary Gorenstein to fund the Stow Community Housing Corporation's Pilot Grove II affordable housing in Stow. A decision is expected in May.

Representative Hogan announced the good news that Massachusetts has \$1.5 billion in its Rainy Day Fund, one of the highest amounts in the U.S. She listed her initiatives, which included eliminating double poles, SAFE grant program for seniors, and the MetroWest Veterans' Consortium. Her legislation includes Mass Health hardship funding, Board of Agriculture expansion, and the issue of the Medical Examiner's release of bodies to the families.

Sen. Eldridge and Rep. Hogan responded to many questions from Board members, including those on zoning reform, DEP regulations, public transportation, and the Green Communities Act.

**Update on Elementary School Building Project**

At Mr. Salvie's request, committee co-chair Ellen Sturgis, owner's project manager Paul Griffin of Construction Monitoring Services and general contractor Joseph Stella attended the meeting to provide updates on three topics:

1. A recent public safety incident involving live utilities during building demolition
2. Availability of CHPS documentation
3. Status of Phase 2 of the project

### **1. Live Utilities During Building Demolition**

Mr. Salvie asked the project representatives to explain how it happened that a backhoe struck “live” gas and electrical lines while demolishing the Stone Building and part of the old section of Center School.

Mr. Stella and Mr. Griffin presented their views of the situation. Mr. Stella maintained that they were working in a “safe condition” despite the unexpected damage and that the people on site reviewed the incident and decided to move forward. Mr. Griffin said it is a requirement to have written confirmation from the utilities that “all is clear” and referred to a report he sent the Board. Mr. Griffin said the demo contractor was overly aggressive in demolishing the stone building at that time, as it was not scheduled for demolition until a later date.

Other possible contributing factors were mentioned, including some miscommunication, the absence of the site supervisor at that time.

Mr. Wrigley advised that the Town go directly to the utilities – Hudson Light & Power and Northstar – to ask them how the process usually works and how Stow should proceed. It was agreed that Mr. Griffin and Building Commissioner Martin will do so.

### **2. CHPS (Collaborative for High Performance Schools) Certification Documentation**

Mr. Griffin said he has given Mr. Stella 30 days to supply the required documents to the architect. The credit for meeting these green-building criteria is two percent of the total project cost, or \$600,000. Mr. Stella said he is confident that they will meet the criteria and Mr. Griffin said the information is there and only needs to be pulled together.

### **3. Phase 2 Status**

Mr. Griffin said they were doing well and had a few problems. Mr. Stella said there is a two- to three-week time impact due to unforeseen issues and that he pushed back on why these were not in the design documents. He is concerned that he is taking on risk by speeding things up and needs more flexibility, not absolutes, from the architects.

### **Raising Backyard Chickens**

Stow Conservation Trust members Janet Moffat and Bob Wilber visited the Board to announce a new program to celebrate the importance of farms to Stow, with a kick-off presentation on raising backyard chickens. A demonstration will be held at Mistletoe Farm, followed by a Coop Loop, a tour of chicken coops in town.

### **Town Administrator’s Report: Fiscal Year 2013 Budget Recommendation**

Mr. Wrigley presented his budget recommendation for the upcoming fiscal year for the Board’s acceptance. After reducing the New Growth figure from \$373,692 to \$200,000, income is projected to increase by 4.12 percent and expenses are budgeted at a 3.03 percent. He cited several specific increases including the costs of employee benefits, town-wide insurance and bonds, and some increase in employee hours.

Following his presentation, Ms. Spear moved to accept the Town Administrator’s fiscal year 2013 budget, dated March 23, 2012; Mr. Ryan seconded; and all voted in favor.

### **Vote on Borrowing for NRS D Athletic Complex**

Mr. Wrigley explained his recommendation to debt exclude borrowing for the NRS D high school athletic complex, should the warrant article pass at Town Meeting. This would require a Town Election vote, which the Board must authorize tonight.

Mr. Bernklow made the following motion, seconded by Mr. Ryan:

Pursuant to MGL Chapter 54, Section 42C, I move to place the Town Administrator's ballot question on the debt exclusion of the NRSD athletic complex, dated March 27, 2012 and subject to any perfecting language by Bond Counsel, on the May 15, 2012 Annual Town Election ballot.

The motion passed by unanimous vote.

### **Commercial Solar Installations and Contracts**

Mr. Ryan gave an overview of his work with the assessors to create property tax agreements with two commercial solar businesses planning installations in Stow. The agreements would need Town Meeting approval and the question was whether they would be ready by the Annual Town Meeting on May 7.

Mr. Wrigley advised that two articles go on the Town Meeting warrant with enough specificity as to their purpose to meet the "Four Corners" rule. It was agreed the Board could move No Action if the agreements were not well enough defined in time. Mr. Wrigley agreed to draft the warrant articles by the end of the week.

### **Liaison Reports**

**Fire Station Building Committee:** Evaluations of design firms will be complete next week.

**Capital Planning Committee:** Continues to meet with the departments.

**Community Center Building Committee:** Held three interviews of design firms last week, with three remaining this week.

**Multiuse Track Road Committee:** Decision to do \$8,500 aerial photo done for wetland mapping.

**Library Building Committee:** Compiling evaluation scores of design firms this week.

**Planning Board:** Withdrawing its request for Lower Village traffic plan funding, for now.

**SMAHT:** Updating its Comprehensive Permit Plan and planning to hire an affordable housing coordinator with CPA funds.

**Conservation Commission:** Approved maintenance at Pine Bluff and working with the Stow Conservation Trust on the Head Life Course.

**Nashoba Regional School District:** Public forums being held on the proposed athletic complex.

### **Appointment to Shared Transportation Resources Grant Committee**

The Board appointed Mr. Wrigley as the Town of Stow's representative on the Community Innovation Challenge Shared Transportation Resources Grant Committee, for an indefinite term, on a motion made by Mr. Ryan; seconded by Ms. Spear; and unanimously approved..

### **Revision of Hudson Road Automotive Class II License**

The Board had to re-vote approval of a car sales license because of a mismatch between the business name on the license and its legal name.

Mr. Ryan moved to re-issue the Class II Used Car Sales License, approved on March 13, 2012 by this Board, to Gerald Looney, owner of Hudson Road Automotive, with a correction to the legal name of the business, such that it now reads, "BGL Automotive Corp, d/b/a Hudson Road Automotive." Mr. Bernklow seconded and all voted in favor.

**Appreciation of Russ and Kathleen Willis**

Board members wished to recognize residents Russ and Kathleen Willis for their contributions to the Town of Stow on the occasion of their move to California and voted to issue Certificates of Appreciation, moved by Mr. Ryan, seconded by Ms. Spear, and unanimously approved.

Mr. Salvie read the following text of the certificate into the public record:

***A Proclamation in Tribute to  
Russ and Kathleen Willis for their Service to the Town of Stow***

*On this 27<sup>th</sup> day of March 2012, the Stow Board of Selectmen hereby bestows their best wishes and sincere thanks to Russ and Kathleen Willis on the occasion of their return to California.*

*Russ and Kathleen embody the spirit of community service that makes Stow what it is. Russ chaired the Light Pollution Study Committee and served on the Lower Village Planning Subcommittee. Kathleen served on the Planning Board and was its representative on the Community Preservation Committee and Master Plan Committee. They both volunteered for the Medical Reserve Corps.*

*The Board wishes them a future of happiness, filled with kitties, island breezes, and good beer.*

At 9:45 p.m., Ms. Spear moved to adjourn; Mr. Bernklow seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin  
Administrative Assistant

Approved May 29, 2012