

**MINUTES
BOARD OF SELECTMEN
August 28, 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

None.

Chair's Comments

Mr. Kern reminded people of the upcoming joint boards meeting and public forums for the three capital building projects.

Town Administrator's Activities Report

Mr. Wrigley had just returned from vacation and was working his way through the many emails he received while he was away.

Meeting Minutes

July 10 and July 24: The Board's Clerk, Mr. Ryan, is writing the July 10 minutes and a section of the July 24 minutes, filling in for times when Ms. McLaughlin was out. They will be available for review at a later date.

August 14: Mr. Ryan moved to accept the minutes of August 14, 2012, as amended; Mr. Hawkes seconded; and all voted in favor, with Mr. Salvie abstaining.

Appointment to the Board of Health

Chairman Marcia Rising said that with the resignation of long-term member Sylvia Daley, the three-member board had a vacancy to fill until the May Town Election. Former member Gordon Landis applied for the seat. Being an elected position, this was a joint appointment by the Board of Health and Board of Selectmen.

Mr. Ryan moved to appoint Gordon Landis to the Board of Health to fill an unexpired three-year term until the 2013 Town Election; Mr. Salvie seconded. The five selectmen and Ms. Rising all voted in favor.

Three One-Day Liquor Licenses

The Board issued the following one-day liquor licenses for three non-profit group events in Stow.

1. Collings Foundation

Mr. Salvie moved to issue a one-day all-alcohol liquor license to Robert Collings for a jazz festival at the Collings Foundation on September 9, 2012. Mr. Bernklow seconded and all voted in favor.

2. Eye of the Storm

Mr. Salvie moved to issue a one-day wine and malt liquor license to Kirsten Mong for the Eye of the Storm Equine Rescue fundraiser at Applefield Farm on September 22, 2012. Mr. Bernklow seconded and all voted in favor.

3. Stow Conservation Trust

Mr. Salvie moved to issue a one-day all-alcohol liquor license to Carol Gumbart for the Stow Conservation Trust Harvest Ball at the Collings Foundation on October 13, 2012. Mr. Bernklow seconded and all voted in favor.

Annual Stow Gobbler 5K Road Race

The organizers for the 6th annual Stow Gobbler road race, NRHS freshmen Zach Honig, Jacob Hangen, and Nick Piccioli, visited the Board to request permission to run on the Town roads. They expect from 800 to 1,000 runners and walkers, with the proceeds going to Habitat for Humanity and the Stow Community Chest. The event is sponsored by the Recreation Commission and has the necessary insurance coverage.

Mr. Hawkes moved to approve the use of public ways for the Annual Stow Gobbler Road Race on Thanksgiving Day, November 22, 2012. Mr. Salvie seconded and all voted in favor.

Recognition of Two Troop 1 Eagle Scouts

Erick Benoit and Harrison Krantz, two Stow Troop 1 scouts, were invited to receive commendations from the Board for having attained the rank of Eagle Scout. For their projects, Mr. Benoit re-landscaped the fire station grounds and Mr. Krantz built an information kiosk at the Community Park. Their Court of Honor ceremony was scheduled for September 15.

The commendations, read into the public record, were as follows:

Be it known that the Stow Board of Selectmen hereby extends its warmest congratulations to Erick Benoit [Harrison Krantz] in recognition of his induction into the Eagle Court of Honor on September 15, 2012, and be it further known that the Stow Selectmen extend their best wishes for his future success.

Acceptance of Country Club Estates Open Space

The Board accepted this 12.71-acre open space parcel, deeded to the Town as a requirement of the Planning Board's subdivision approval of Country Club Estates. The parcel is shown on Assessor's Map R-11 as Parcel 11B and abuts the subdivision. The developer proposed this parcel as a waiver from the subdivision rules, in lieu of providing 10 percent of the subdivision as Open Space. Being specified "for conservation purposes" in the sub-division approval means that the parcel is protected under Article 97 of the Amendments to the Massachusetts Constitution and needs approval of the General Court to change its use.

The parcel had already been accepted by a prior board in 2008 but never went to a Town Meeting for approval; now it is being re-voted and will be brought to the October 29, 2012 Special Town Meeting for approval.

As has been the case with other Open Space parcels, members questioned whether such parcels should be free from permanent Conservation Restrictions, so that they could be used for other municipal purposes, such as providing well water. It was generally agreed that, in this case, the decision had been made long ago to accept this parcel with these conditions and could not be

changed now. The time for these discussions is when the Planning Board is first considering an application for a Planned Conservation Development (PCD) or a subdivision.

Following discussion, Mr. Bernklow moved to accept the 12.71-acre Country Club Estates open space parcel, as specified and defined by the Planning Board as a condition in the Subdivision Approval for the Country Club Estates (Fairway Drive) Subdivision and Mr. Salvie seconded. Four members voted in favor (Bernklow, Hawkes, Kern, and Salvie) and one voted opposed (Ryan). The motion passed.

Appointment to the Stow Historical Commission

Ms. Carolyn Hastings, the appointee, did not attend the meeting due to an unfortunate miscommunication. Commission chairman Dorothy Spaulding told the Board that the Commission did not have enough members for a quorum and that she and the other member recommended appointing Ms. Hastings. The Board agreed to appoint her in absentia and invite her to visit at a later date.

Mr. Salvie moved to appoint Carolyn Hastings to the Stow Historical Commission for a three-year term, ending June 30, 2015. Mr. Hawkes seconded and all voted in favor.

Smart Sewering Project

Mr. Hawkes and Mr. Salvie, being involved with this MAPC project, told the Board that sewerage in the Lower Village is not a priority at present. If water could be provided under a similar agreement, the town would be interested. Planning Board Coordinator Karen Kelleher said she sent a letter declining MAPC's invitation to participate.

Town-owned Parcel in Gleasondale

Ms. Emily Beyette, descendent of the Gleason family and owner of the Gleason homestead at 449 Gleasondale Road attended the meeting to meet the Board and explain her desire to buy back a small parcel of land the Gleason family sold to the Town in 1847, as the site for a school. The parcel is shown on Assessor's Map U-8 as Parcel 12. Ms. Beyette provided the Board with a packet including the parcel on the Assessor's Map, a timeline of the school planning and land purchase, and a brief history of the Gleason family in Stow.

Ms. Beyette said she wished to add this parcel to her existing property to plant gardens and lawn. She would work with the Town whenever river access was needed.

During discussion, Mr. Salvie noted that the land was near the Gleasondale Mill and the Town might want to provide water to the Mill.

It was agreed that the Board would begin the process laid out in MGL Chapter 30B for identifying "surplus municipal property;" Ms. McLaughlin will check with other boards and departments on whether they have use for the land. If none does, the next step is to offer it for purchase at a public auction.

Surplus Equipment and Furnishings at Pompo Elementary School

Mr. Ryan summarized the situation of a pending sale of the contents of the Pompositicut School building. The school district is holding a sale of the contents and will then have the Owner's Project Manager of the Center School project dispose of the remaining items before returning the building to the Town. Mr. Ryan said he wants the NRSD superintendent to call off the sale and leave all the contents there for the Town.

Mr. Wrigley reported that Superintendent Wood is now offering the contents to the Town and he assured the Board that the district has already agreed to return the building to the Town in clean, safe, and fully functional condition. He said that, per statute, if the value is less than \$25,000, the district can dispose of the contents however they choose, not involving the Town. Also, the OPM is responsible for getting rid of unwanted items, so this should all be complete before his contract ends (soon).

After discussion, Mr. Salvie moved to accept the superintendent's offer of August 27 and coordinate with the OPM to identify property in Pompo to be taken by the Town and to separate out property to be disposed of, pursuant to the OPM's contract. Mr. Bernklow seconded and all voted in favor.

Mr. Bernklow, the Board's NRSD liaison, said he wants to be sure that the Board drives this. Mr. Wrigley will contact Mr. Wood in the morning; Ms. McLaughlin will get the deadline from one of the Town's reps on the project and send it to all departments with instructions for viewing and claiming the property.

Approval of LACAC/CLAC Hearing on Comcast License Renewal

Mr. Bernklow introduced the topic of the Comcast license renewal process and explained that the Board is only delegating the process of holding the public hearing to the combined cable TV committee. The selectmen retain the authority to negotiate and approve the Comcast cable license.

Mr. Salvie moved to authorize the combined LACAC and CLAC committees to conduct the public hearing on Comcast cable license renewal, as described in the Public Hearing Delegation Letter, dated August 28, 2012; Mr. Ryan seconded; and all voted in favor. The Board then signed the letter.

Third Annual Ken Harrod Memorial Bike Ride

The selectmen approved the Harvard Firefighters Association request to ride through Town for an annual bike ride in memory of one of their fallen members. It was suggested that Chief Bosworth's feedback on the route be forwarded to Harvard.

Mr. Bernklow moved to approve the use of public ways for the 3rd Annual Ken Harrod Memorial Bike Ride on Saturday, September 22, 2012, contingent upon receiving satisfactory insurance certification; Mr. Ryan seconded; and all voted in favor.

Public Input

Mr. Hawkes asked Mr. Kern if Kent Seith, president of the Lake Boon Association, might address the Board with some "Public Input." Mr. Seith reported on the success of this year's Lake Boon Water Carnival where, among other events, a group of 30 to 40 residents enjoyed a band on the beach Friday night.

At 8:30 p.m., Mr. Kern excused Mr. Wrigley from the rest of the meeting.

Liaison Reports

Cable committee: The committee and Comcast have reached an agreement and there will be a public hearing on September 19.

NRSD: The school committee will have a presentation from the architect, SMMA, on the science labs tonight.

MAGIC: Continues to explore sub-regional housing coordination.

SMAHT: Looking at partnering with Habitat for Humanity for affordable housing.

Economic development: Holding an exploratory meeting in early September to assess Stow businesses' interest in forming an Economic Development Committee.

ESBC: Site walk last night; students will be at their desks on September 4; the punch list is mainly cosmetic.

Planning Board: Reviewing site plan of Delaney Street commercial solar installation. Applications for subdivisions are beginning to come in again.

At 8:45 p.m., Mr. Hawkes moved to adjourn; Mr. Bernklow seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved October 9, 2012