

**MINUTES
BOARD OF SELECTMEN
January 8, 2013**

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

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.

Chairman's Comments

None.

Town Administrator's Activities Report

Mr. Wrigley reported on the following:

- Our public safety and child daycare providers are meeting to identify steps they can take for security.
- This might be his last report on the Pompo transition from NRSD to the Town. They are down to a short punch list. An exhaust vent to the furnace needs repair; Craig Martin and Bill Clearly are working on it.
- The state is being too optimistic on its revenue increase for FY2014. He is adjusting his FY14 budgeting accordingly.

Meeting Minutes

None.

Used Car/Class 2 License Renewals for 2013

Mr. Salvie moved to rescind the earlier Class 2 license issued to Dennis Scafidi and to issue a new Class 2/used car sales license to Dennis Scafidi, dba Infinite Automotive, 102 Great Road, Stow MA, to expire on December 30, 2013, the purpose being to have the correct business name on the license; Mr. Hawkes seconded; and all voted in favor.

Mr. Salvie moved to issue a 2013 Class 2/ used car license to Auto Support Engineering, Inc., 370 Hudson Road, Stow, MA, to expire on December 30, 2013; Mr. Bernklow seconded; and all voted in favor. The Board signed both licenses.

Meetings with Stow NRSD school committee representatives

Mr. Hawkes reported that the question of the towns holding regular meetings with their school committee representatives was discussed at the Tri-Town Meeting and was desired by all three towns. Quarterly meetings were preferred. Mr. Bernklow will explore these meetings, necessarily on an "off-meeting" night. Board members preferred a Tuesday night meeting.

Public Hearing on Hudson Light & Power Request for Pole Locations

At 7:15 p.m., Mr. Kern re-opened the public hearing begun on December 11, 2012, by reading the legal notice, which had been re-posted for January 8, 2013:

Notice of Public Hearing

Notice is hereby given, in accordance with MGL Chapter 166, section 22, that the Board of Selectmen will conduct a public hearing regarding a pole location request by the Hudson Light and Power Department to locate utility poles as follows:

- *Six (6) poles on the northerly side of Delaney Street at 125-ft intervals, beginning 725 ft west of the northern corner of the intersection with Main Street, Bolton, and*
- *Sixteen (16) poles southeast of the intersection of Delaney Street and Great Road, seven (7) of which are on the north side of the road and nine (9) of which are on the south side of the road.*

The public hearing will be held on Tuesday, December 11, 2012 at 7:40 p.m. in the Stow Town Building, 380 Great Road, Stow, MA.

Posted 12/3/12

He then read the abutters' lists and asked abutters to indicate if they were present. Abutters Garry Balboni and Lynn Colletti indicated they were present.

Mr. Kern introduced Hudson Light & Power engineer Jim Kennedy and said the last time they met, the question was whether the pole installations would cause unsafe conditions, in particular the one pole at the ET&L driveway that was in dispute at the earlier hearing. He said the Public Safety officials met and decided there were no public safety issues with the HL&P plan.

Mr. Salvie said the following were essential conditions:

- Work no done during rush hour.
- All poles on the corner must be at least 10 feet back.

Mr. Kern asked who was paying for the pole installations; Mr. Kennedy said it was REM-Syncarpha, the commercial solar business.

Abutter Lynn Colletti said there were inconsistent distances on the plan and she doesn't know how the poles affect her. Mr. Kennedy clarified the distance question and said the map together with the white paint on the roadway would show her where the poles would be located.

Abutter Gary Balboni said that when he met on site with the public safety officials, the assistant superintendent of streets agreed with his idea of putting the wires underground.

Mr. Kennedy said HL&P would not run the high-power lines down Harvard Road, a residential road, and they put their trunk lines on main roads, such as Great Road. Mr. Balboni repeated his objection to the plan. The abutter at 854 Great Road was concerned about roadside trees near his house being cut down; Mr. Kennedy and Tree Warden Bruce Fletcher explained that it would only be two leaders that would interfere with the wires. Mr. Kennedy said the poles would not be on his land.

Abutter Jeanne Colosi of ET&L said she objected to having to fight another battle and that the wires must go underground.

Since the Fire Chief was present, Mr. Salvie asked him to clarify Mr. Morse's comment about running the wires underground. Chief McLaughlin said Mr. Morse qualified his statement by saying, "if feasible." He said the wires are high enough that, collectively, the officials did not see anything unsafe. Mr. Kennedy reiterated that running high-voltage lines underground, in addition to high costs, presents potentially greater maintenance problems.

Short questions from abutters, such as tree cutting, and responses from Mr. Kennedy continued for some time. None was discussed in depth.

At the end of the hearing, Mr. Bernklow asked why the wires could not go down Old Bolton Road and Mr. Kennedy replied that it would double the cost and HL&P has a policy of not routing high-voltage lines on poles in residential areas, if possible.

Mr. Salvie said the abutters should be able to get answers from Mr. Kennedy and Mr. Kennedy agreed. The pole locations would be marked with stakes before the actual installation. Mr. Hawkes said the public safety concerns had been addressed. Mr. Bernklow said the poles should have minimal impact and he did not have enough information to know why the Old Bolton Road option was not viable. Mr. Salvie said if there are no public safety concerns and the poles are in the public way, he did not feel he could require a different more expensive route.

At 8:07 p.m., Mr. Kern closed the public hearing and the Board voted on the pole locations.

Mr. Salvie moved that the Board approve the pole locations as proposed by the Hudson Light & Power Department in its two proposed orders, dated November 28, [2012] for Poles P161-176 and Poles P19-24; Mr. Hawkes seconded. Three members voted in favor (Hawkes, Kern, and Salvie) and one opposed (Bernklow). The motion carried.

A DVD of the hearing is available on request.

Next Steps: Fire Station Building Committee

Committee members Chief McLaughlin, Ross Perry (Capital Planning member), Chris Sarno (Finance Committee member), and Roger Tuttle (resident and member-at-Large) visited the Board to update the Board on its activities since town Meeting and to inquire about the next steps their committee should take.

Mr. Kern opened the discussion by noting that the Town officials put three capital projects before the town and they were all voted down. We are doing something wrong. He wants to step back and make a reasonable plan to minimize the effect on the taxpayer.

Mr. Salvie concurred, adding that people want to see "the big picture," which is what they tried to do.

Mr. Perry suggested that the committee refine their design and come back with a new plan, and then the selectmen, Finance, and Capital Planning could set the priorities. He asked if they had the Board's support.

Mr. Salvie favored forming an oversight committee for all three projects, to take the long view, suggesting that the building committees stop spending any money until the oversight committee was formed. Mr. Perry said the oversight already exists with the selectmen, Finance, and Capital Planning members on the building committees but Mr. Kern said it was the selectmen's job to carry out the will of town Meeting, which had said "No."

Mr. Wrigley pointed out the value of this oversight function and noted that he suggested this approach in 2011, to avoid the result they got. The presentation needed direction and control. For example, there should be one presentation to Town Meeting as an overview of the building and town committee presentations. Lastly, he reiterated a point he made previously – that when the Police Station was built, the agreement was that the Fire Station would be next.

The discussion closed with Mr. Perry asking if the committee could continue work if no money was spent.

Following discussion, it was decided to put the topic on the next meeting agenda. Then Mr. Salvie moved to have all three building committees go into “a holding pattern” and not spend any money; Mr. Hawkes seconded; and all voted in favor.

Update on economic development efforts/Lower Village water

Businessman Richard Presti and Planning Coordinator Karen Kelleher visited the Board to report on activities around a finding a water source for the Lower Village businesses on the south side of Great Road.

Mr. Presti, who owns the property where Erkinnon Buick and Steppingstone’s Pre-school had been located, said there were recent discussions about siting a well on Town-owned conservation land, the Heritage Lane open space parcel. This land abuts Mr. Presti’s property and, by dropping a well there instead of on his property, the well-head protection area would not take up a large portion of Mr. Presti’s property, creating “wasted” land. Instead, it would allow him greater opportunity and flexibility to develop his property.

Early discussions with other business property owners indicated their willingness to have the project owner funded, that is, to drill and run pipes for the south side of Great Road.

He recounted how a high-end 100-seat restaurant decided to locate in Sudbury instead of his property because of the water problem and it was why he lost Steppingstone’s. If he could develop the land instead, he would make jobs both short-term (construction) and long-term (businesses).

Mr. Salvie said that the Conservation Commission was holding its first meeting regarding the Article 97 process for the Heritage Lane open space on January 15. Mr. Wrigley said the Conservation Commission needed to approve this quickly in order to be prepared to take the request to Town Meeting in May. From there, it would go to the state legislature for final approval.

Interest in 323 Great Road property

Members of the Planning Board joined the selectmen to discuss their interest in purchasing the property at 323 Great Road. Chair Lori Clark said the Board feels this is an uncommon opportunity to acquire land in the Town center for the possibilities they outlined previously.

Mr. Kern asked what problem would be solved by purchasing the land, to which Ms. Clark replied that the major use would be a public water supply. The land is being offered at \$350,000 and has some access problems. There had been discussions with an abutter about a possible land swap as a solution.

Ms. Clark suggested a cross-boards discussion and Mr. Salvie asked if the Planning Board would

drive this effort, the answer to which was “Yes.” It was generally agreed to form a task force with members of the Board of Selectmen, Planning Board, Affordable Housing Trust, Community Preservation, Conservation, and Capital Planning. Mr. Wrigley advised that the committee was not as important as having someone doing the due diligence and asking the right questions.

Before the Board adjourned, Lew Halprin arrived with small gifts for the Board – 2013 photo calendars of West School events. He said Mrs. Connie Schwarzkopf had made another donation to the West School fund and the calendars were printed using a small amount of the donation.

At 9:40 p.m. Mr. Hawkes moved to adjourn; Mr. Bernklow seconded; and all voted in favor.

Respectfully submitted,

Susan McLaughlin
Administrative Assistant

Approved January 22, 2013