

**AGENDA**  
**BOARD OF SELECTMEN**  
**June 16, 2009**  
**7:00 p.m.**  
**Town Building**

**Public Input**

**Chairman's Comments**

**Town Administrator's Report**

**Meeting Minutes**

**Action/Discussion**

- Appointment of Trench Permitting Authority: Building Commissioner
- Appointment of new call firefighters
- Annual appointment of inspectors
- Annual warrant for Animal Control Officer
- Stow Acres liquor license – alteration of premises approved
- Letter to MBTA re additional parking at South Acton station
- Permit for parking at the West School parking lot
- Board of Selectmen's Master Plan responsibilities
- Board of Selectmen's committee memberships and liaison assignments
- Board of Selectmen's meeting schedule

**Selectmen's Master Planning**

**Liaison Reports, if any**

**Correspondence**

**Adjournment**

Posted 6/12/09

**Correspondence**

**Town:**

CC of Planning Board letter on Land Use Partnership and Comm Planning acts, rec'd 5/27  
ZBA decisions on 101 Sudbury Rd and Sudbury Rd property Map R-25, Parcel 1A, rec'd 5/28  
Recreation Commission letter of interest in Wildlife Woods open space parcels, rec'd 5/29  
MART Advisory Board request for 2009-2010 rep, rec'd 5/29/09  
Mass Recycle request to support the updated bottle bill, rec'd 6/1  
Building permits report for May, rec'd 6/2  
CC of MassDEP request to Lake Boon Comm for add'l info on lake drawdown, rec'd 6/10/09  
Resident's draft of proposed letter to Acton selectmen re MBTA parking, rec'd 6/12

Suggested motions for June 16 Selectmen's meeting

- **Motion to appoint Trench Permitting Authority:**

I move that the Board appoint the Stow Building Commissioner as the permitting authority to issue permits and otherwise implement the provisions of the Excavation and Trench Safety regulations (including the regulation of trenches, as that term is defined by M.G.L. c. 82A, s.4 and 520 CMR 14.00), as promulgated by the Commonwealth of Massachusetts Department of Public Safety.

- **Motion to appoint new call firefighters**

On the recommendation of the Fire Chief, I move that the Board appoint the following new call firefighters to one-year terms, expiring on June 30, 2010:

Francie Adams  
Fred Brooks  
Carolyn Fisher  
Jason Galofaro  
David Hawksley  
Frank Patterson  
Robert Smart  
Bryan Willett

- **Motion to appoint inspectors**

I move that the Board appoint the following inspectors to one-year terms, expiring on May 31, 2010:

Wire Inspector: Robert W. Norton  
Deputy Wire Inspectors: Michael A. Norton and Charles Weeks  
Gas Inspector: Ray A. Smith  
Deputy Gas Inspector: Robert Smith  
Plumbing Inspector: Eric S. Sahlberg  
Deputy Plumbing Inspectors: Ray A. Smith and Adam Sahlberg  
Local Building Inspectors: Douglas Hyde and Ray A. Renzoni

- **Motion to issue annual warrant for animal control:**

I move that the Board issue the annual Dog Control Warrant to the Stow Animal Control Officer, in accordance with MGL Chapter 140, section 151A.

- **Motion to approve Stow Food Services (d/b/a Stow Acres) liquor license:**

I move that the Board approve the Stow Food Services, Inc. liquor license, with the alteration of premises approved by the ABCC on May 28, 2009.

- **Motion to send MBTA parking letter to Acton Selectmen**

I move that the Board send a letter to the Acton Board of Selectmen regarding the MBTA parking situation in West Acton, as described in Allan Fierce's draft letter, and authorize Steve Dungan to finalize and sign the letter on behalf of the Board.

- **Motion to permit parking at West School on Saturday:**

I move that the Board approve the use of the Stow West School parking lot by Bob Turner, 212 Harvard Road, on Saturday, June 20, 2009, for the purpose of overflow parking from his residence. The Stow Police Chief and the Public Safety Officer support this use of the parking lot for public safety reasons.

*TUNE 16<sup>th</sup> Selectmen*

**Stow Selectmen's Office**

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**From:** TownAdministrator [TownAdministrator@stow-ma.gov]  
**Sent:** Wednesday, May 27, 2009 9:40 AM  
**To:** Mike McLaughlin  
**Cc:** Susan McLaughlin  
**Subject:** RE: New Call Firefighters

Susan, would you include this on the next agenda. Thanx, Bill.

-----Original Message-----

From: Mike McLaughlin [mailto:FireChief@stow-ma.gov]  
Sent: Tuesday, May 26, 2009 4:09 PM  
To: Town Administrator  
Cc: Susan McLaughlin  
Subject: New Call Firefighters

Bill,

I would like to have the following individuals appointed as Call Firefighters. They are completing their formal recruit firefighter training this weekend.

Francie Adams

Fred Brooks

Carolyn Fisher

Jason Galofaro

David Hawksley

Frank Patterson

Robert Smart

Bryan Willett

If you need more information, please let me know.

Thank you,

Mike

Mike McLaughlin  
Stow Fire Chief  
Stow Fire Department  
16 Crescent Street  
Stow, MA 01775  
Phone: (978) 897-4537  
Fax: (978) 461-1400  
Cell: (978) 580-7774



Town of Stow  
**BOARD OF SELECTMEN**

Stow Town Building  
380 Great Road  
Stow, Massachusetts 01775  
(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

To Susan Latham, Animal Control Officer of Stow:

In the name of the Commonwealth of Massachusetts, you are hereby required to proceed forthwith to seek out, catch and confine all dogs within said town not duly licensed, collared or harnessed, and tagged, according to the provisions of Chapter 140 of the General Laws, and you are further required to make and enter a complaint against the owner or keeper of every such dog, and to kill or cause to be killed by methods of execution other than gunshot except in case of emergency, T-61, so-called, an euthanasia solution not under the control of the Federal Drug Enforcement Administration, unless by a veterinarian, succinylcholine chloride, any drugs that have a curariform-like action, electrocution or any other method which causes an unnecessarily cruel death, each dog which after being detained for a period of ten (10) days, shall not then have been duly licensed, collared or harnessed, and tagged, except that any male or any spayed female dog not found to be diseased may be made available for adoption for not less than three dollars (\$3.00), and you shall keep an account of any such adoptions and forthwith pay over the money to the Town Treasurer. Before delivery of any dog so adopted you shall require the purchaser to show identification and to register and procure a license and tag for such dog from the Town Clerk of the town where the dog is to be kept, in accordance with the provisions of Section 137 of said Chapter 140 of the General Laws.

Hereof fail not, and make due return of this warrant with your doing therein, on or before the first day of October next, on or before the first day of January next, and on or before the first day of April next, and at the expiration of your term of office, stating the number of dogs caught, confined and/or killed, or adopted, and the name of the owners or keepers thereof, and whether all unlicensed dogs in said town have been caught, confined and/or killed, or adopted, and the names of persons against whom complaints have been made under the provisions of said MGL Chapter 140, and whether complaints have been made and entered against all the persons who have failed to comply with the provisions of said Chapter 140.

Given under my hand and seal at aforesaid the 16<sup>th</sup> day of June 2009.

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Stephen M. Dungan  
Chairman, Board of Selectmen

THE COMMONWEALTH OF MASSACHUSETTS  
ALCOHOLIC BEVERAGES CONTROL COMMISSION

RECEIVED

JUN 1 2009

Town of Stow  
BOARD OF SELECTMEN

FORM 43

124600003  
License Number

Stow  
City/Town

2/11/09  
Date

Type of Transaction (Please check all relevant transactions)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> New License         | <input type="checkbox"/> New Officer/Director      | <input type="checkbox"/> Pledge of License |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location        | <input type="checkbox"/> Pledge of Stock   |
| <input type="checkbox"/> Change of Manager   | <input checked="" type="checkbox"/> Alter Premises | <input type="checkbox"/> Other _____       |
| <input type="checkbox"/> Transfer of Stock   |  |  |

Stow Food Services, Inc.  
Name of licensee

04 295 3881  
FID of Licensee

Stow Acres Country Club  
D/B/A

Walter E. Lankau, Jr.  
Manager

58 Randall Road Stow MA 01775  
Address: Number Street Zip Code

Annual  
Annual or Seasonal

All Alcohol  
Category: All Alcohol, Wine & Malt

Restaurant  
Type: Restaurant, Club, Package Store,  
Inn, General on Premise, Etc.

Description of Licensed Premises: Building with basement, first floor, second floor, and grounds of the south course and the north course.

Application was filed: 2/13/09 noon  
Date & time

Advertised: 3/11/09 The Stow Independent  
Date & Publication

Abutters Notified  Yes  No

Person to contact regarding this transaction:

Name: Walter E. Lankau, Jr.

Address: 58 Randall Road, Stow, MA 01775

Phone #: 978 568-1100 X 104

MAY 28 2009

Remarks:

The Local Licensing Authorities

By: Thomas Pappas  
MENSON  
Laura Spear

  
Alcoholic Beverages Control Commission

Remarks:

Executive Director  
**APPROVED**

P. K.

## Stow Selectmen's Office

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**From:** Fierce, Allan (LSP) [Allan.Fierce@state.ma.us]  
**Sent:** Friday, June 12, 2009 10:35 AM  
**To:** Stephen Dungan  
**Cc:** Susan McLaughlin (bos)  
**Subject:** RE: letter to Acton selectmen

Steve,

A draft letter is attached. I know you may wish to modify it and to add additional diplomatic niceties. That's fine. Please feel free to call me if you have any questions about the facts or the letter. Kudos to the Selectmen for doing this. Please let me know if you receive any response to the letter.

Allan Fierce  
(O) 617-574-6870  
(cell) 978-621-9850

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**From:** Stephen Dungan [mailto:s.dungan@comcast.net]  
**Sent:** Tuesday, June 02, 2009 3:39 PM  
**To:** Allan (LSP) Fierce  
**Cc:** Susan McLaughlin (bos)  
**Subject:** letter to Acton selectmen

Allan, I want to take you up on your offer to prepare a draft letter re: construction of additional parking at the S. Acton station. We meet again on June 16, so if you can get something to me and Susan before then, we'll make sure it is on our agenda for that evening.

Thanks, Allan.

Steve

6/12/2009

[Stow Letterhead]

June 17, 2009

Board of Selectmen  
Acton Town Hall  
472 Main Street  
Acton, MA 01720

Re: Parking at South Acton Commuter Rail Station

Dear Selectmen:

On behalf of the residents of the Town of Stow, we respectfully request that the Town of Acton move quickly to accept the MBTA's offer to construct a deck over the parking lot at the South Acton commuter rail station, creating a second level of parking there. Our reasons for making this request are as follows.

The presence of the South Acton commuter rail station is an enormously beneficial resource for the entire local area.

First, taking the train saves our area commuters significant time and reduces their stress levels. The alternative, driving to Cambridge or Boston, has become a painfully frustrating, tension-filled nightmare that takes almost twice as long during rush hours as the trip takes on the commuter rail.

Second, taking the train reduces congestion on our local area roads. That twice-daily traffic flow from our area heading towards Boston on Routes 2, 2A, 62, and 117 would be at even higher levels without the South Acton station. The quality of life in our local area is diminished by traffic flows at such high levels on our major traffic arteries.

Third, taking the train avoids contributing to harmful, ground-level pollution generated by commuters' vehicles. In particular, commuter traffic generates significant amounts VOCs and Nitrogen Oxides that pollute the air of eastern Massachusetts, especially during the summertime when those pollutants combine to create ground-level ozone that is particularly harmful to children, the elderly, and those with respiratory ailments.

And, finally, taking the train contributes far less CO<sub>2</sub> to the atmosphere than does commuting to work by car. Given the dire warnings scientists are now making about the grave consequences to mankind and the planet unless CO<sub>2</sub> emissions are reduced significantly, and fast, it behooves us as governmental leaders in our local area to encourage as much use of commuter rail as possible.

Unfortunately, the desire of our citizens to take the train to work, and any efforts we as leaders make to encourage this, are currently hampered by the shortage of available parking at the South Acton commuter rail station. At the station's lot, all the parking spaces for non-Acton residents are almost always taken by the time the 7:18 a.m. train arrives. Although conveniently timed morning trains depart South Acton for Boston at 7:37, 7:58, and 8:41 a.m., these trains leave with many seats unfilled simply because those who might prefer to catch one of these trains have no convenient place to park. Similarly, if you are not commuting to work but are, say, retired or a mother with young children and you want to travel in to Boston by train later in the morning, forget about catching the 9:25 or 11:02 from South Acton. You can't park there.

As a matter of public policy, this is shameful. After 7:18 a.m., due to the shortage of parking spaces at South Acton, hundreds of empty train seats are being hauled daily into Boston by multiple trains while drivers, who but for a parking space would gladly fill those train seats, are inching angrily down Route 2 or 117, contributing to congestion, Boston's unhealthy air, and Global Warming.

We credit the Town of Acton for locating and using a couple of satellite lots to afford parking to additional train users. We know that some residents from Stow are renting spaces on a quarterly or semi-annual basis from Acton at the Jones baseball field, along Stow and Martin Streets in Acton. While they are grateful to Acton for this parking option, some are also reporting occasional denting of their vehicles from the many foul balls hit there. Thus, it is not an ideal solution, nor a sufficient one. More spaces are needed, especially for the not-uncommon train user who does not need a space every day and for whom a long-term daily rental is impractical.

As you know, the shortage of parking at the South Acton station is not a new problem. It has been around for at least the past 5 years. Various options have been discussed but, other than advertising satellite lots and renting spaces at Jones field, nothing else has been implemented. All the talk about shuttle busses has gone nowhere. Perhaps Acton came to the same conclusion Stow did a few years ago when Stow Selectman Greg Jones studied the shuttle bus option here and found that, given the wide range of times people would like to catch the train in the morning and the wider range of times they return home, it would not be economical to run a shuttle bus. The fees that would have to be charged to cover the costs would deter usage.

The only realistic answer is to have more parking made available at or near the train station. And not just a few more spaces. Local area commuters need many more parking spaces.

Luckily, another option discussed previously remains viable, although probably not for long. As you know, as a result of a settlement agreement with environmental groups resolving litigation over "mitigation" requirements for the Big Dig construction, the MBTA incurred an obligation to construct 1,000 parking spaces at commuter rail stations throughout its service territory by the end of 2011. As we understand it, to meet a portion of this commitment, the MBTA has offered to construct a deck over the parking lot at the

South Acton commuter rail station, creating a second level of parking there for between 120 and 130 vehicles. That offer was initially presented to Acton at least a year ago and was again verbalized by the MBTA at a public meeting Acton and the MBTA held in late April of this year to discuss plans for improvements, including accessibility improvements, to the South Acton station and its platform(s).

We are concerned that Acton appears to have taken no action towards accepting that offer, which seems to be an ideal solution to the parking shortage at the South Acton station. We are also concerned that time may be running out. While Acton contemplates the MBTA's offer, the MBTA is undoubtedly lining up other communities in which to construct 1,000 spaces by 2011. Once it fulfills that commitment, Acton – and the rest of the local area – will lose this option to address a critical need.

We urge you, the Acton Board of Selectmen, to do everything within your power to move forward with the Town's acceptance of the MBTA's offer, before it is too late and the offer is withdrawn.

Perhaps we are in error and Acton is actually moving forward with its acceptance of the MBTA's offer. If so, please let us know. But if no action is being taken by Acton, we would appreciate the courtesy of a response explaining why not.

We understand that there are concerns in the immediate neighborhood about adding a second level to the parking lot. Some of these concerns arise out of a fear of additional traffic flowing into the neighborhood to access the station. This concern seems to us to be mitigated by the likelihood that once additional parking is available and commuters are able to ride all the morning trains, not just those at 7:18 a.m. and earlier, the traffic will be more evenly spread out over the course of the morning. Congestion may well be reduced, not enhanced.

We as Selectmen in Stow and Acton are faced with neighborhood opposition on many projects, yet we are not deterred from making the tough decisions that serve the greater public good. That's our job. So, yes, listen to the neighbors and obtain their input, e.g., on the design of the new parking deck. But please do not let them make your decision for you by default.

We look forward to hearing from you.

Sincerely,

[Stow Selectmen]

for its development and estimates of the cost thereof, and shall at the same time furnish a copy of its report to the department of housing and community development. The planning board of a town established under section eighty-one A may be authorized by vote of a town meeting to act as park commissioners therein, and may be vested with all the powers and duties of park commissioners in towns.

**History—**

1936, 211, § 4; 1938, 113; 1947, 340, § 4; 1953, 409, § 7; 1967, 83, § 2; 1973, 795, § 1; 1998, 161, § 277.

**Editorial Note—**

The 1947 amendment struck out former sections 81A to 81J, inclusive, inserted by Acts 1936, ch. 211, § 4, and inserted in place thereof §§ 81A–81Y.

The 1953 amendment substituted “division of planning of the department of commerce” for “state planning board”.

The 1967 amendment changed “department of commerce” to “department of commerce and development” in the former second sentence.

The 1973 amendment deleted the former second sentence and replaced it with two sentences.

The 1998 amendment, effective July 2, 1998, substituted “department of housing and community development” for “division of community services of the department of community affairs” twice.

**Annotations—**

Damages resulting from temporary conditions incident to public improvements or repairs as compensable taking. 23 ALR4th 674.

**§ 81D. Master Plan; Contents; Economic Development Supplement.**

A planning board established in any city or town under section eighty-one A shall make a master plan of such city or town or such part or parts thereof as said board may deem advisable and from time to time may extend or perfect such plan.

Such plan shall be a statement, through text, maps, illustrations or other forms of communication, that is designed to provide a basis for decision making regarding the long-term physical development of the municipality. The comprehensive plan shall be internally consistent in its policies, forecasts and standards, and shall include the following elements:

- (1) Goals and policies statement which identifies the goals and policies of the municipality for its future growth and development. Each community shall conduct an interactive public process, to determine community values, goals and to identify patterns of development that will be consistent with these goals.

(2) Land use plan element which identifies present land use and designates the proposed distribution, location and inter-relationship of public and private land uses. This element shall relate the proposed standards of population density and building intensity to the capacity of land available or planned facilities and services. A land use plan map illustrating the land use policies of the municipality shall be included.

(3) Housing element which identifies and analyzes existing and forecasted housing needs and objectives including programs for the preservation, improvement and development of housing. This element shall identify policies and strategies to provide a balance of local housing opportunities for all citizens.

(4) Economic development element which identifies policies and strategies for the expansion or stabilization of the local economic base and the promotion of employment opportunities.

(5) Natural and cultural resources element which provides an inventory of the significant natural, cultural and historic resource areas of the municipality, and policies and strategies for the protection and management of such areas.

(6) Open space and recreation element which provides an inventory of recreational and resources and open space areas of the municipality, and policies and strategies for the management and protection of such resources and areas.

(7) Services and facilities element which identifies and analyzes existing and forecasted needs for facilities and services used by the public.

(8) Circulation element which provides an inventory of existing and proposed circulation and transportation systems.

(9) Implementation program element which defines and schedules the specific municipal actions necessary to achieve the objectives of each element of the master or study plan. Scheduled expansion or replacement of public facilities or circulation system components and the anticipated costs and revenues associated with accomplishment of such activities shall be detailed in this element.

This element shall specify the process by which the municipality's regulatory structures shall be amended so as to be consistent with the master plan.

Such plan shall be made, and may be added to or changed from time to time, by a majority vote of such planning board and shall be public

record. The planning board shall, upon completion of any plan or report, or any change or amendment to a plan or report produced under this section, furnish a copy of such plan or report or amendment thereto, to the department of housing and community development.

A city or town which has an established master or study plan under section eighty-one A and applies for a state grant from the commonwealth shall prepare and keep on file within such city or town an economic development supplement; provided, however, that such city or town shall not be required to prepare such supplement if such city or town has a supplement on file. Such supplement shall be at least one page in length and shall contain the goals of the city or town with respect to industrial or commercial development, affordable housing, and preservation of parks and open space.

#### History—

1936, 211, § 4; 1947, 340, § 4; 1954, 643, § 1; 1973, 795, § 2; 1990, 78; 1990, 372; 1998, 161, § 278.

#### Editorial Note—

The 1947 amendment struck out former sections 81A to 81J, inclusive, inserted by Acts 1936, ch. 211, § 4, and inserted in place thereof §§ 81A–81Y. Many of the provisions of this section were contained in the earlier repealed § 81B.

The 1954 amendment inserted the former third sentence.

The 1973 amendment added the former fifth sentence.

The first 1990 amendment, (Ch. 78), added the former second paragraph relative to economic development supplement.

The second 1990 amendment, (Ch. 372), completely rewrote and restructured this section.

The 1998 amendment, effective July 2, 1998, in the third paragraph, substituted “department of housing and community” for “division of municipal development, office of local and regional planning of the executive office of communities and”.

#### Annotations—

Damages resulting from temporary conditions incident to public improvements or repairs as compensable taking. 23 ALR4th 674.

#### CASE NOTES

Town meeting's approval of amendment to zoning by-law changing 37 acres of land from residential to commercial zoning district did not contradict town's master plan. *Rando v Town of N. Attleborough* (1998) 44 Mass App 603, 692 NE2d 544. ALM GL c 41, § 81Q was inapplicable to the applicants' claim asserting that the

planning board improperly applied a 1997 master plan, which did not become effective until after the applicants filed their preliminary plan, to the application; according to ALM GL c 41, § 81D, ALM GL c 41, § 81Q did not govern master plans that appeared as a separate section, and the master plan at issue helped to make clear what standards within a board's subdivision rules applied to an applicant. *Lakeside Builders v Planning Bd.* (2002) 56 Mass App 842, 780 NE2d 944.

#### § 81E. Adoption of Official Map.

Each city or town having a planning board established under section eighty-one A may, by action of its city council or town meeting adopt an official map, prepared under the direction of such planning board and showing the public ways and parks therein as theretofore laid out and established by law and the private ways then existing and used in common by more than two owners. Such official map is hereby declared to be established to conserve and promote the public health, safety and general welfare. Upon the adoption of such a map, and upon any change therein or addition thereto made as hereinafter provided, the city or town clerk shall forthwith file with the appropriate registry of deeds a certificate of such action and a copy of such map as adopted or as changed or added to. A copy of such official map or any change thereto, shall be furnished to the department of housing and community development. After a plan bearing an endorsement of approval or accompanied by a certificate as provided in the subdivision control law has been recorded, the ways shown on said plan shall be and become a part of the official map. No public water supply or sewer or other municipal utility or improvement shall be constructed in any public or private way in any city or town having an official map elsewhere than in a subdivision approved under the subdivision control law, unless such way has been placed on or made part of such map.

No permit for the erection of any building elsewhere than in a subdivision approved under the subdivision control law in any city or town having an official map shall be issued unless a way giving access to the lot upon which such proposed building is to stand has been placed on or made a part of such map; provided, that an applicant for a building permit which has been denied under this section shall have the same remedy as a person whose application for a building permit has been denied under section eighty-one Y of this chapter.

If such law is not in effect in any city or town adopting an official map, such city or town shall forthwith provide a board of appeals in the manner set forth in section eighty-one Z, which shall have jurisdiction over appeals under this section in the same manner as provided in sections eighty-one Y to eighty-one AA.

Master Plan Elements and Selectmen's Assignments, 6/16/09

	S. Dungan	K. Farrell	T. Ruggiero	L. Spear	E. Sturgis
Land Use Plan Element					
Housing Element					
Economic Development Element					
Natural and Cultural Resources Element					
Open Space and Recreation Element					
Services and Facilities Element					
Circulation Element					

**Selectmen's FY09 Committee Memberships and Liaisons/Contacts,  
Final version, August 14, 2008**

**Committee Memberships**

- |   |  |
|---|--|
| • Capital Planning Committee                                  | Kathy Farrell, 2-yr., ending 6/30/11                                       |
| • Elementary School Building Comm                             | Ellen Sturgis, indefinite term <i>ELLEN</i>                                |
| • Land Use Task Force   | <del>Jason Robart, ex officio, indef term</del>                            |
| • Local Access Channel Advisory                               | Steve Dungan, 1-yr., ending 6/30/09 <i>STEVE</i>                           |
| • MAPC/MAGIC  | Ellen Sturgis, 1-yr., ending 6/30/09 <i>ELLEN</i>                          |
| • Master Plan Committee                                       | Steve Dungan, indefinite term <i>STEVE</i>                                 |
| • Municipal Affordable Housing Trust                          | <del>Kathy Farrell</del> , 1 yr., ending 6/30/09 <i>STEVE (UNTIL PLAN)</i> |
| • Public Safety Study Committee<br>(Town Admin Working Group) | Tom Ruggiero, 1-yr., ending 6/30/09  |

**Liaisons/ Contacts, Annual**

- |                                     |                            |
|-------------------------------------|----------------------------|
| • Community Preservation Comm       | <del>Ellen Sturgis</del>   |
| • Conservation and Open Space Comms | <del>Ellen Sturgis</del>   |
| • Council on Aging                  | Steve Dungan <i>STEVE</i>  |
| • Finance Committee                 | <del>Jason Robart</del>    |
| • Fire/Highway/ Police              | Tom Ruggiero               |
| • Health, Board of                  | Tom Ruggiero               |
| • Historical Commission             | Susan McLaughlin           |
| • Nashoba Regional School Comm      | Ellen Sturgis <i>ELLEN</i> |
| • Planning Board                    | <del>Jason Robart</del>    |
| • Recreation Commission             | Tom Ruggiero               |
| • Tri-Town                          | <del>Ellen Sturgis</del>   |
| • Zoning Board of Appeals           | Steve Dungan <i>STEVE</i>  |

Added after 7/22/08:

- |                                      |   |
|--------------------------------------|---|
| • Assabet River Rail Trail Committee | Steve Dungan <i>STEVE</i>                                     |
| • Lower Village Subcommittee         | <del>Steve Dungan</del><br><i>NO LAURA</i><br><i>NO STEVE</i> |

Note: Communications with other Town departments and committees will be as needed.

- LAURA WILL TAKE ANY ASSIGNMENTS, AS NEEDED. IS MOST KNOWLEDGEABLE ABOUT MAPC/MAGIC, AFFORDABLE HOUSING TRUST, CPC, PLANNING BOARD AND ZBA.
- ELLEN WOULD LIKE TO CONTINUE EJBC, MAGIC & NRSD.
- STEVE WANTS TO FOCUS ON MASTER PLAN. WILL KEEP LACAC, RAIL TRAIL, ZBA, COA. WILL STAY ON HOUSING TRUST UNTIL PLAN PUBLISHED THIS SUMMER.

conduct of the same shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this section.

- (5) Incumbent Holds Office Until Election - The incumbent shall continue to perform the duties of the office until the recall election. If not recalled, the incumbent shall continue in office for the remainder of the unexpired term. If recalled, such person shall be deemed removed upon the qualification of the successor, who shall hold office for the remainder of the unexpired term. If the successor fails to qualify within five days after receiving notification of election, the incumbent shall thereupon be deemed removed and the office vacant.
- (6) Propositions on Ballot - Ballots used in a recall election shall submit the following propositions in the order indicated:

For the recall of (name of officer)  
Against the recall of (name of officer)

Immediately to the right of each proposition there shall be a square in which the voter, by making a cross mark (X), may vote for either of the said propositions. Under the propositions shall appear the word "candidates", the directions to voters required by Section 42 of Chapter 54 of the General Laws, and beneath this the names of candidates nominated as hereinbefore provided. The proposition for the recall shall fail unless greater than twenty-five percent of the voters cast ballots at the election. If at least two-thirds of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If less than two-thirds of the votes cast is in the affirmative, the ballots for candidates need not be counted.

- (7) Repeat of Recall Petition - No recall petition shall be filed against an officer subjected to a recall election and not recalled thereby during the remainder of such officer's then current term of office.
- (8) Appointment of Person Recalled - No person who has been recalled from an office, or who has resigned from office while recall proceedings were pending against such person, shall be appointed to any town office within two years after such recall or such resignation.

Section 3-2: Board of Selectmen

- (a) Composition, Term of Office - There shall be a board of selectmen consisting of five members elected for terms of three years each, so arranged that the term of office of no more than two members shall expire each year.
- (b) Powers and Duties - The executive powers of the town shall be vested in the board of selectmen which shall be deemed to be the chief executive officer of the town. The board of selectmen shall have all of the executive powers it is possible for a board of selectmen to have and to exercise. The board of selectmen shall serve as the chief policy making agency of the town.

The board of selectmen shall be responsible for:

- (1) the formulation and promulgation of policy directives and guidelines to be followed by all town agencies serving under it;
- (2) in conjunction with other elected town officers and multiple member bodies, the development and promulgation of policy guidelines designed to bring all town agencies into harmony; and
- (3) the maintenance and revision of any master plan developed in accordance with Section 7-7(c).

Nothing in this section shall be construed to authorize any member of the board of selectmen, nor a majority of such members, to become involved in the day-to-day administration of any town agency. It is the intention of this provision that the board of selectmen shall act only through the adoption of broad policy guidelines which are to be implemented by officers and employees serving under it.

- (c) **Licensing Authority** - The board of selectmen shall be the licensing board for the town and shall have the power to issue licenses as otherwise authorized by law, to make all necessary rules and regulations regarding the issuance of such licenses and to attach conditions and to impose restrictions on any such license as it may issue as it deems to be in the public interest, and to enforce all laws relating to all businesses for which it issues any licenses.
- (d) **Appointment** - The board of selectmen shall appoint such members of multiple member bodies who are not elected and individuals who are to serve as representatives or delegates of the town to the governing or advisory boards of regional or district authorities, except where otherwise governed by contract, agreement, bylaw, or this charter.
- (e) **Investigations** - The board of selectmen may make investigations and may authorize the town administrator to investigate the affairs of the town and the conduct of any town agency including any claims against the town. The report of the results of such investigation and any actions resulting therefrom shall be placed on file in the office of the town clerk separate from the minutes of the meetings of the board of selectmen. A report summarizing the results of such investigation shall be printed in the next annual town report.

Section 3-3: School Committee

There shall be schools governed by local or regional school committees as determined by town meeting vote.

- (a) **Local school committee** - The local school committee shall have all of the powers and duties that school committees may have under the constitution and general laws of the commonwealth, and it shall have such additional powers and duties as may be authorized by this charter, by bylaw, or other town meeting vote. The powers of the school committee shall include, but are not intended to be limited to, the following:
  - (1) To appoint a superintendent of the schools and all other officers and employees connected with the schools, to fix their compensation, to define their duties, to make rules concerning their tenure of office, and to discharge them;