

AGENDA
BOARD OF SELECTMEN
March 22, 2011
7:00 p.m.
Town Building

Public Input

Chairman's Comments

Town Administrator's Report

Meeting Minutes

Visitors

- 7:10 p.m. Veterans' Services Officer Appointment
- 7:20 p.m. Eagle Scout recognition
- 7:30 p.m. Permit for annual Run for the Woods on May 22

Discussion

Town Administrator's Recommended FY 12 Budget

Selectmen approve warrant and budget

Plan for working session on priorities and Master Plan implementation

Support for updated bottle bill – MASSPIRG request

Public Hearing:

- 8:00 p.m. Sunday liquor license hours

Selectmen's Master Planning

Liaison Reports

Correspondence

Adjournment

Posted 3/18/11

Correspondence

Town:

Memo from Town Clerk on Open Meeting Law re agendas, rec'd 3/8

Application for Historical Commission appointment, rec'd 3/9

Building permit reports for February, rec'd 3/9

Request for permit for fundraising walk in June, rec'd 3/10

Resident letter on sidewalk needs, rec'd 3/10

Resident request for Eagle Scout recognition, rec'd 3/12

General:

Comcast 2011 annual notice filing, rec'd 3/11

News on MassWorks Infrastructure Program grants (www.mass.gov/mpro), rec'd 3/15

Boston MPO notice on transport planning MOU amendments, 4/12 deadline, rec'd 3/15



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

NOTICE OF VACANCY

VETERANS' SERVICE OFFICER
Part-Time

Duties: This is a part-time position responsible for processing veterans' applications for benefits pursuant to MGL, Ch. 115, together with providing needed technical assistance to veterans on an as-requested basis.

Qualifications: Preferred candidates should be honorably discharged from any branch of the military and should have at least three years of experience serving as a Veterans' Service Officer in Massachusetts within the last five years.

Wages: The annual salary amount is \$1,818, for FY 2012.

Term: One-year term beginning April 1, 2011.

Application: A cover letter and resume should be submitted to William Wrigley, Town Administrator, Town Building 380 Great Road, Stow, MA 01775. Questions should be addressed to William Wrigley at 978-897-2927. Applications are due on or by March 15, 2011. Stow is an equal opportunity employer.

Posted March 1, 2011

Stow Selectmen's Office

From: Brian Stearns [bstearns@townofhudson.org]
Sent: Tuesday, March 01, 2011 4:19 PM
To: selectmen@stow-ma.gov
Subject: RE: Veterans' Services Officer appointment

Hi Phoebe,

Yes, I would very much like to continue as the Stow Veterans Agent. Thank You.

Brian Stearns

From: Stow Selectmen's Office [selectmen@stow-ma.gov]
Sent: Tuesday, March 01, 2011 12:14 PM
To: Brian Stearns
Subject: Veterans' Services Officer appointment

Hello Brian,

Susan said she mentioned something to you about the annual appointment date coming up for the Veterans' Service Officer when you came in the other day. The official date is April 1, and we have to post the opening for at least ten days in advance, even when we have someone in place who wants to continue. Because of this, we just wanted to have you confirm that you are interested in continuing as Veterans' Services Officer. I'm attaching a copy of the posting for your records, but you do not need to formally reapply. Please just let us know by email that you want to continue.

Thank you,
Phoebe

Susan McLaughlin

Phoebe Haberkorn

Selectmen's Office

Town of Stow

978-897-4515

Stow Selectmen's Office

From: tjhangen@comcast.net
Sent: Tuesday, March 15, 2011 8:21 PM
To: selectmen@stow-ma.gov
Cc: thompsonhangen@comcast.net; dhangen@comcast.net
Subject: Re: commendation letter for Eagle Scout

Dear Ms. Haberkorn,

That would be wonderful! We will plan to come at the beginning of the meeting on the 22nd and thank you very much for the opportunity. We look forward to it!

The Hangen family

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

From: "Stow Selectmen's Office" <selectmen@stow-ma.gov>
To: tjhangen@comcast.net
Sent: Tuesday, March 15, 2011 1:53:08 PM
Subject: RE: commendation letter for Eagle Scout

Dear Ms. Hangen,

Thank you for your email letting the Selectmen know about your son's upcoming Eagle Scout Award. Congratulations to him for this wonderful accomplishment, and to you as a supportive parent!

The Selectmen enjoy opportunities to recognize Eagle Scouts, and usually present a certificate and letter at one of their public meetings. These meetings occur twice a month on the second and fourth Tuesdays, starting at 7 PM. The next meeting will be on March 22. Is there any chance your son (and other family members) would be available to attend this meeting? We try to schedule visits for the beginning of the meeting, and they are generally brief. If this date isn't convenient, other upcoming meetings are on April 12 and 25. Please let us know what would be best for you. You can let us know by email, or call the office at the number below.

Best wishes,
Phoebe Haberkorn

Susan McLaughlin
Phoebe Haberkorn
Selectmen's Office
Town of Stow
978-897-4515

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

From: tjhangen@comcast.net [mailto:tjhangen@comcast.net]
Sent: Saturday, March 12, 2011 12:57 PM
To: selectmen@stow-ma.gov
Subject: commendation letter for Eagle Scout

Dear Honorable Selectmen of the town of Stow,

3/18/2011

I am writing to announce that our son, Thompson Jeffrey Hangen, of 102 Boon Road in Stow, who is a member of Troop 5 Littleton of the Nashua Valley Council of the Boy Scouts of America, will be receiving his Eagle Scout Award on March 25th, 2011 at the Church of Jesus Christ of Latter-day Saints 616 Great Road, Littleton MA. He will be honored along with 2 other Scouts in our troop who live in the town of Boxboro, in a ceremony beginning at 6:30 pm.

We are very proud of his achievement and wanted to let the town Board of Selectmen know and to invite one of you to attend if you felt so inclined. We wonder if it might be possible for the Board to write a brief letter of congratulation or commendation to him for this award. This needn't be received by 3/25 since I know that is short notice, but the letter would mean a great deal to him. Thank you for your consideration.

Sincerely,

Tona Hangen
102 Boon Road, Stow
978-568-9706
thangen@comcast.net

Stow Selectmen's Office

From: Coney, Aims [Aims.Coney@hp.com]
Sent: Thursday, March 17, 2011 5:00 PM
To: selectmen@stow-ma.gov
Subject: RE: Run for the Woods Permit

Hello Susan

I've got all the pieces in place- Insurance Certificate, USATF Sanction, and Sgt Lima's OK. I've even I've spoken to Tom Rosiello, Paster at First Parish. So, I'm ready for the 22nd.

But, if it fits the Selectmen's calendar better to wait to next month, I'm fine with that.

-Aims

From: Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]
Sent: Thursday, March 17, 2011 3:29 PM
To: Coney, Aims
Subject: RE: Run for the Woods Permit

Hi Aims,
Would you like to come to the selectmen's meeting next Tues, March 22, or wait until an April meeting, 4/12 or 4/26?

Has Tim Lima weighed in on your plan and route and have the two insurance documents arrived? I asked Sgt Lima if he had advice or concerns, in case you haven't spoken to him yet.

If there's any thing further I can do, please let me know.

I need to post the agenda by 5 pm tomorrow.
Thanks
Susan

Susan McLaughlin
Phoebe Haberkorn
Selectmen's Office
Town of Stow
978-897-4515

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

From: Coney, Aims [mailto:Aims.Coney@hp.com]
Sent: Thursday, March 03, 2011 10:21 PM
To: selectmen@stow-ma.gov
Subject: RE: Run for the Woods Permit

There are two parts to the insurance coverage, the SCT's certificate of insurance and the USATF's. In past years I've given you copies of both.

From: Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]
Sent: Thursday, March 03, 2011 2:46 PM

3/18/2011

To: Coney, Aims
Subject: RE: Run for the Woods Permit

Hi,
Is that the Certificate of Insurance?

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

From: Coney, Aims [mailto:Aims.Coney@hp.com]
Sent: Thursday, March 03, 2011 1:41 PM
To: selectmen@stow-ma.gov
Subject: RE: Run for the Woods Permit

The one piece I may not have by the 22nd is the USATF sanction. But, if it's ok with you let's shoot for the 22nd and hope USATF is back to us by then.

-Aims

From: Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]
Sent: Thursday, March 03, 2011 1:25 PM
To: Coney, Aims
Subject: RE: Run for the Woods Permit

Hi Aims,
Thanks for the long notice. Let's take care of it soon.

Would March 22 give you enough time to check with Sgt Lima again this year about safety and traffic? And I remember a conflict with the First Parish over the need for parking one year (Boy's Choir of Harlem?). Would you mind checking in with them, just in case you need to coordinate. And lastly, there's the Certificate of Insurance naming the Town of Stow as additionally insured.

If not March 22, the next two dates are April 12 and April 26.

Best,
Susan

Susan McLaughlin
Phoebe Haberkorn
Selectmen's Office
Town of Stow
978-897-4515

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

From: Coney, Aims [mailto:Aims.Coney@hp.com]
Sent: Thursday, March 03, 2011 12:47 PM
To: selectmen@stow-ma.gov
Subject: Run for the Woods Permit

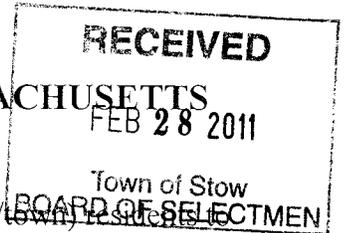
Hello Susan and Phoebe

I'd like schedule a few minutes with the Selectmen to request a permit for the Run for the Woods. Our date this year is May 22, the second day of Springfest.

Thank you,

3/18/2011

**RESOLUTION IN SUPPORT OF UPDATING THE MASSACHUSETTS
BOTTLE BILL**



Whereas The Massachusetts Bottle Bill, enacted in 1982 has allowed (your city/town) residents to enjoy a cleaner environment by creating an incentive for users of certain beverage containers to recycle those used containers; and,

Whereas, states with deposit laws have higher residential recycling rates of beverage containers than those of non-deposit states, and;

Whereas litter decrease in states with Bottle Bills averages 70-85%, and,

Whereas, through the Massachusetts Bottle Bill, we recycle nearly 80% of containers of deposit containers, but only 20% on non-deposit containers, and

Whereas the Governor of the Commonwealth, and members of the Massachusetts Senate and House of Representatives have recognized that the original bottle bill does not take into account those beverages such as bottled water, sports drinks, and teas.

Whereas the addition of bottled water, sports drinks and teas to the Bottle Bill will decrease the total volume of municipal solid waste that is needed to be collected, thus saving disposal fees and landfill space.

Be It Resolved

That we, the (members of your city/town's council, board of alderman, etc. or mayor) commemorate the 27th anniversary of the implementation of the Massachusetts Bottle Bill.

Furthermore, Be It Resolved That: the (City/Town) of _____ be placed on record as being in support of the Massachusetts Beverage Container Deposit Law and encourages it's strengthening through expanding the list as recommended by the Governor in his proposed budget and currently being considered by the House and Senate Joint Committee on Telecommunications, Utilities and Energy.

Furthermore, Be It Resolved that the (City/Town) goes on record in supporting programs that encourage residents and visitors to return or recycle all beverage containers and other recyclable materials to fully utilize the currently available recycling programs.

Be it Further Resolved that the (City/Town) instructs our state representatives and state senators, and our governor to support and vote in favor of updating the Massachusetts Container Beverage Law.

Mayor/ Chairman, Board of Selectmen

City/Town of

Date



MASSPIRG

**Standing Up
To Powerful Interests**

Updated Bottle Bill:

Formal Title: An Act Updating the Bottle Bill.

Sponsors: Rep. Alice Wolf, Sen. Cynthia Creem

House Contact: Kathleen.Hornby@mahouse.gov; Senate Contact: catherine.anderson@masenate.gov

House Docket # 00263, Senate Docket #00045

The bottle bill is the state's most successful and effective recycling program. The Bottle Bill is not only good for the environment, it decreases litter, increases recycling, helps our cities and towns improve their recycling rates and decreases the need for litter collection.

This bill would (a.) expand the bottle bill to include water, sports drinks, flavored teas, juices, and other on the go beverages. (b.) reestablish the Clean Environment Fund, using forfeited deposits to improve recycling and other environmental projects (c.) provide relief to redemption centers, who have not had a raise in 20 years. This bill would not increase the 5¢ deposit, nor cost the state any money.

This bill update calls for a 5¢ deposit on beverage containers that were not included in the original bottle bill because they did not exist at the time.

This important bill was given a favorable report by the Telecommunications, Utilities & Energy Committee in July 2010, and proceeded from the Senate Rules Committee to Senate Ways and Means. With the clock running out, it did not make it to the floor. Now, with the very strong support that this bill enjoys in the House and Senate, as well as with the public, we are hopeful that the legislature will enact this bill at the beginning of the session.

- **Since the Bottle Bill's inception in 1983, over 30 billion containers have been redeemed,** contributing to a healthier environment, and cleaner and safer communities.
- **An amazing 80% of beverages that are covered by the bottle bill are redeemed/recycled.** But only 22% of non-deposit containers are recycled – the rest become litter, clog our storm drains, or are thrown in the trash.
- **Strong Public Support:** The public is very supportive of the bottle bill, seeing the positive effect that it's had on the environment.
- **Producer Responsibility:** Bearing the cost of a product's waste should be the responsibility of beverage producers and consumers, not taxpayers and communities. The bottle bill is a model for this kind of sustainable financing.
- **Creates Green Jobs:** Job gains have been shown in nearly every state that updates their deposit system. Many of these jobs come in the recycling sector, which produces important – and sustainable – raw materials to be used in manufacturing.
- **Updating our bottle bill will boost recycling,** save our communities the cost associated with disposal and litter cleanup, estimated at 4-7 million annually.
- **Saves petroleum:** These plastic bottles are made of 99% petroleum - what an inappropriate waste to bury our valuable oil in landfills or burn it out or incinerators.
- **Endorsed by Over 150 Cities and Towns, and by over 50 advocacy groups throughout the State.** Enacting the update would save our cities and towns significant amounts, from lowering disposal costs, litter collection costs, and storm drain cleaning.
- **Decrease Landfill Use:** The state is running out of landfill space. The 1.1 billion containers that we send to landfills every year would fill Fenway Park to overflowing.
- **Saves Energy, Saves Oil:** Most of the containers under the update are made of PET plastic, 99% of which is petroleum. Recycled PET is badly needed for textiles.
- **Keeps Current With Consumer Habits:** The original bottle bill was never meant to be non-reactive to consumer trends. Now that 1/3 of our containers are not covered by the 27-year old law, we need to update it.
- **Supports the Redemption Centers:** The bill includes provisions to increase the handling fee (not paid by the state). These small family-owned businesses have not had an increase in handling fees in 20 years. Many of them have been forced to close due to increases in their costs.



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

Notice Of Public Hearing
Hours of Sunday Liquor Sales for On-premise Licensees

The Board of Selectmen will hold a public hearing on Tuesday, March 22, 2011 at 8:00 pm in the Town Building, 380 Great Road, Stow, MA on the question of changing the Town of Stow's permitted hours for serving alcoholic beverages on Sundays.

A new law amending M.G.L. c. 138, §33B authorizes local liquor licensing authorities (Board of Selectmen) to permit on-premise licensees (restaurants) to sell alcoholic beverages beginning at 10:00 a.m. on Sundays. The Town of Stow currently permits restaurants to begin serving liquor at 11:00 a.m.

At the conclusion of the public hearing, the Board will decide whether to change the start time of Sunday alcohol sales in restaurants from 11:00 a.m. to 10:00 a.m.

All concerned residents and business owners are encouraged to attend to present their views. Comments may also be sent in writing but must be received before the public hearing to be considered.

For more information about the Commonwealth's liquor licensing regulations, see the Alcoholic Beverages Control Commission website, <http://www.mass.gov/abcc/>.

For questions about the hearing, contact the Board of Selectmen's office at 897-4515 or selectmen@stow-ma.gov.

Laura Y. Spear
Chairman, Board of Selectmen

Posted 2/25/11
The Stow Independent
One time: 3/2/11

Today's rules

**Town of Stow, Massachusetts
Regulations Governing the Sale of Alcoholic Beverages**

Restaurants: Liquor may be sold or served between the hours of 8:00 A.M. and 1:00 A.M. the following day.

Exceptions:

- On Saturdays, no liquor may be sold or served after the hour of 1:00 A.M. of the following Sunday.
- On Sundays, liquor may be sold or served between the hours of 11:00 A.M. and 1:00 A.M. of the following day.
- Liquor may be sold or served on all holidays between the hours of 8:00 A.M. and 1:00 A.M. of the following day, except on Memorial Day and Christmas Day. Liquor may be sold only between the hours of 12:00 noon and 1:00 A.M. of the following day on Memorial Day and Christmas Day.
- On December 31, sales or service may continue until 2:00 A.M. January 1 provided New Year's Day falls on a secular day. However, if January 1 falls on a Sunday, sales or service may continue only until 1:00 A.M.
- On July 3, sales or service may continue until 2:00 A.M. July 4. However, if July 4 falls on a Sunday, sales or service may continue only until 1:00 A.M.
- On Election Day and Primary Day, license holders may open and close at the regular hours.
- All liquor shall be removed from the tables and bars and disposed of within thirty (30) minutes after closing hour.

Package Stores: Monday through Saturday, stores may not open earlier than 8:00 A.M. and may not remain open later than 11:00 P.M. Stores may open at 12:00 noon on Sundays, per Acts of 2004, Chapter 65, sections 21-22.

Exceptions:

- May remain open until 11:30 P.M. on any business day which immediately precedes a holiday.
- May be open the usual hours on all holidays except Memorial Day, Thanksgiving, and Christmas Day, on which days stores must remain closed all day.
- On Election Day and Primary Day, stores may open and close at the regular hours.

All Businesses: All outside sign lights must be extinguished at the closing hour: Your cooperation is requested as failure to comply with the above regulations may mean the suspension or revocation of your license.

STOW BOARD OF SELECTMEN
December 2008

Er Wolden

MGL C138, s 33B

[Text of section effective until July 1, 2010. For text effective July 1, 2010, see below.]

Section 33B. The local licensing authority of any city or town which accepts this section may authorize licensees under section twelve to sell alcoholic beverages between the hours of eleven o'clock ante meridian and twelve o'clock noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday.

Chapter 138: Section 33B. Sales of alcoholic beverages by on-premise licensees on Sundays and certain legal holidays; sales between 10:00 A.M. and 12:00 noon

[Text of section as amended by 2010, 131, Sec. 93 effective July 1, 2010. See 2010, 131, Sec. 202. For text effective until July 1, 2010, see above.]

Section 33B. The local licensing authority of any city or town which accepts this section may authorize licensees under section twelve to sell alcoholic beverages between the hours of 10:00 a.m. and 12:00 noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday.

STM warrant article approved, Oct 25, 2010

Article 4. Change in Hours for Serving Alcohol in Restaurants

To see if the Town will vote to accept the provisions of Section 33B of Chapter 138 of the Massachusetts General Laws, printed below, to allow the Board of Selectmen (Local Licensing Authority) to expand the hours when restaurant liquor license holders may sell alcoholic beverages, or take any other action relative thereto.

MGL Chapter 138 section 33B:

The local licensing authority of any city or town which accepts this section may authorize licensees under section twelve to sell alcoholic beverages between the hours of 10:00 a.m. and 12:00 noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday.

(Board of Selectmen)

The Finance Committee recommends approval of this article. It is important to note that this article by itself does not authorize expanded hours for the sale of alcohol by restaurants. In fact, all this article does is increase the parameters from which the local licensing authority, which in Stow's case is the Selectmen, may authorize alcohol sales by Stow restaurants.