

**AGENDA**  
**BOARD OF SELECTMEN**  
**July 26, 2011**  
**7:00 p.m.**  
**Town Building**

**Public Input**

**Chairman's Comments**

**Town Administrator's Report**

**Meeting Minutes**

**Visitors**

- 7:10 p.m. Middlesex County Retirement update, Board Chairman Thomas Gibson
- 7:25 p.m. Regional nursing services and field drivers, Board of Health Chairman Marcia Rising

**Discussion/Action**

- Wildlife Woods open space maintenance
- Approve Stow Café Common Victualer license
- Set town meeting warrant opening and closing dates
- Gift bench acceptance policy
- Discuss invasive plant problem at Delaney

**Liaison Reports**

**Correspondence**

**Executive Session**, for the purpose of discussing Fire Chief contract negotiations, per MGL C.39, s.23b.

**Adjournment**

Posted 7/22/11

**Correspondence**

**Town:**

Letter of interest in Stow Housing Authority or Municipal Affordable Housing Trust, rec'd 7/13

Town Farm Fund Trustee email on fund accounting method, rec'd 7/15

IT Director email on status of off-site backups, rec'd 7/18

Planning Board decision on Town Building parking lot expansion, rec'd 7/20

Planning Board decision on Homestead Lane hammerhead lot, rec'd 7/22

**General:**

Dept of Telecomm and Cable decision on Verizon and FCC video franchising reform, rec'd 7/15

Boston MPO notice of comment period for FY 2012 Unified Planning Work Program, rec'd 7/17

Boston MPO notice of 8/3/11 open house, Boston, rec'd 7/17

"Last Drink" OUI, Q2 data, rec'd 7/20

State request for Stow Veterans' Dept info, rec'd 7/21

"Keep the 5<sup>th</sup> District Intact" notice of 8/1 breakfast meeting, rec'd 7/22

MAPC Hubway Bike Share program announcement, rec'd 7/22

NSTAR/Northeast Utilities merger update, rec'd 7/22

Boston MPO TransReport, July/Aug edition

**Board of Selectmen's Office**

**From:** Selectmen [selectmen@stow-ma.gov]  
**Sent:** Thursday, July 21, 2011 3:10 PM  
**To:** Anthony Parrinello  
**Cc:** James H. Salvie; Bill Wrigley  
**Subject:** revised agreement on Wildlife Woods, 7/21/11

Dear Anthony,

To follow up on our phone call, attached is a revised agreement on the Wildlife Woods mowing for your consideration.

Town Administrator Bill Wrigley revised the following points of the agreement:

- **Added:** You will serve as a Named Volunteer to the Town, under the Town Administrator's supervision, which means that you are covered by the Town's liability insurance for this activity.
- **Deleted:** The requirement that the contractor indemnify the Town for its actions.

Please see if the revision addresses your earlier concerns. If there are still issues, please let Jim and Bill know so that you can work them out together.

Thank you very much for your work on this, Anthony.  
Best regards,  
Susan

**Contract Between the Town of Stow, Massachusetts and  
Anthony Parrinello of Wildlife Woods, Stow, MA, on the  
Care and Maintenance of Certain Wildlife Woods Open Space Areas**

Whereas the Town of Stow is the owner of certain real property in the subdivision known as "Wildlife Woods", said real property consisting in part of open space areas pursuant to approvals granted by the Stow Planning Board; and

Whereas the Town of Stow, through its Board of Selectmen wishes to maintain portions of said open space by mowing grass areas and removal of natural debris; and

Whereas Anthony Parrinello, a resident of the "Wildlife Woods" subdivision has agreed to assume oversight for said maintenance subject to the specific conditions noted below; and

Whereas Mr. Parrinello and the Town of Stow, through its Board of Selectmen mutually benefit from the contracted arrangement contained herein;

Now therefore in consideration of the mutual covenants contained herein, the parties agree as follows:

The Town of Stow agrees to permit -Anthony Parrinello to care for and maintain selected open-space areas of the Wildlife Woods development, as shown on the attached map, dated July 5, 2011 said map to be considered attached hereto made part of this contract

The care and maintenance of the selected open space areas will be on an ongoing basis, consisting of:

- Bi-weekly mowing of common areas, beginning on or about May 1 and ending November 1, each and every year and
- Semi-annual clean up, during the months of April and November, to remove leaves, fallen limbs and other debris.

Maintenance shall be limited to mowing and clean up of debris. Tree removal shall be prohibited.

Mowing of the area between Lots 60 and 61 Whispering Way shall be limited to an 8-foot wide path to access the open space. Private and Town property boundaries shall be maintained and not disturbed.

The use of pesticides and herbicides on the open space parcels subject to this contract is prohibited.

Mr. Parrinello will serve as a named volunteer of the Town of Stow, under the supervision of the Town Administrator. As such, Mr. Parrinello will be covered under the Town's liability policy.

The mowing and clean-up service shall be performed by a private landscaping contractor hired by Anthony Parrinello. The landscaping contractor shall provide Mr. Parrinello a Certificate of Insurance on an annual basis and Mr. Parrinello shall promptly forward said Certificate to the Stow Town Administrator. The Certificate of Insurance is to list the "Town of Stow" as additional insured as to any and all services performed on land owned by the Town of Stow in Wildlife Woods and as shown on the attached map.

The minimum acceptable limits of liability coverage, to remain in full force and effect at all times, are as follows:

- General Liability: \$1,000,000 each occurrence/ \$2,000,000 products/completed operations aggregate and \$2,000,000 general aggregate
- Workers Compensation: Statutory coverage for Massachusetts/ Employer Liability: \$500,000 each accident/ \$500,000 disease policy limit and \$500,000 disease each employee.

~~In addition to providing Mr. Parrinello a Certificate of Insurance on an annual basis, the landscape contractor shall provide Mr. Parrinello an agreement or other documentation stating that the contractor shall hold the Town of Stow harmless for any acts or actions performed by the contractor and/or the contractor's agents, employees or subcontractors. This agreement or other documentation shall be forwarded promptly by Mr. Parrinello to the Stow Town Administrator.~~

Mr. Parrinello or his designee shall be responsible for the oversight of the landscape contractor's activities to ensure all appropriate areas are maintained in the appropriate manner and all work is performed to a satisfactory level. Residents of the neighborhood will manage the collection and payment of all fees in relation to the work anticipated in this contract. ~~The Town assumes no administrative burden, financial costs or oversight associated with the performance of the activities approved by this contract~~

This contract may be amended by mutual, written agreement of the parties. This Contract shall expire on November 1, 2012 unless extended by mutual, written agreement of the parties.

In witness whereof, this Agreement has been executed this 26<sup>th</sup> day of July 2011.

**Town of Stow  
Board of Selectmen**

**Anthony Parrinello**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

No. 11

7 July 2011 PM

THE COMMONWEALTH OF MASSACHUSETTS

Town of Stow

APPLICATION FOR LICENSE

(GENERAL)

TO THE LICENSING AUTHORITIES:

The undersigned hereby applies for a license in accordance with the provisions of the Statutes relating thereto

Stow Cafe, Maximiano Fernandes, owner

(Full name of person, firm or corporation making application)

To operate as a Common Victualer

STATE CLEARLY  
PURPOSE FOR  
WHICH LICENSE  
IS REQUESTED

At 118 Great Road, Stow, MA 01775

GIVE LOCATION  
BY STREET  
AND NUMBER

in said City of Stow  
Town of Stow  
in accordance with the rules and regulations made under authority of said Statutes.

Received \_\_\_\_\_ 19\_\_\_\_ Signature of Applicant

Hour \_\_\_\_\_ A.M. \_\_\_\_\_ P.M. \_\_\_\_\_ Address \_\_\_\_\_

Approved \_\_\_\_\_ 19\_\_\_\_ License Granted \_\_\_\_\_ 19\_\_\_\_

**FOR BOARD OF HEALTH USE ONLY**

Date Received <u>6/24/11</u>	Date Inspected <u>6/23 6/24/11</u>	Approved By <u>John P. Waller</u>	Permit # Issued <u>FDS-11-36</u>
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THE COMMONWEALTH OF MASSACHUSETTS

TOWN OR CITY OF Stow

**Food Establishment Permit Application**

*(Application must be submitted at least 30 days before the planned opening date)*

1. Establishment Name: <u>Stow Cafe</u>																
2. Establishment Address: <u>118 Great Road, Stow, MA. 01775</u>																
3. Establishment Mailing Address (if different): <u>SAME</u>																
4. Establishment Telephone No: <u>978 897 9330</u>																
5. Applicant Name & Title: <u>MAXIMIANO FERNANDES, OWNER</u>																
6. Applicant Address: <u>47 ELMWOOD SE, MAYNARD/MA, 01754</u>																
7. Applicant Telephone No: <u>508 981 2135</u> 24 Hour Emergency No: <u>508 981 2135</u>																
8. Owner Name & Title (if different from applicant):																
9. Owner Address (if different from applicant):																
10. Establishment Owned By: <input type="checkbox"/> An Association <input type="checkbox"/> A Corporation <input checked="" type="checkbox"/> An Individual <input type="checkbox"/> A Partnership <input type="checkbox"/> Other Legal Entity _____	11. If a Corporation or Partnership, give name, title, and home address of officers or partner. <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:40%;"><u>Name</u></th> <th style="width:20%;"><u>Title</u></th> <th style="width:40%;"><u>Home Address</u></th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	<u>Name</u>	<u>Title</u>	<u>Home Address</u>												
<u>Name</u>	<u>Title</u>	<u>Home Address</u>														
12. Person Directly Responsible For Daily Operations (Owner, Person in Charge, Supervisor, Manager, etc.)																
Name & Title:	<u>MAXIMIANO FERNANDES</u>															
Address:	<u>47 ELMWOOD SE, MAYNARD/MA, 01754</u>															
Telephone No:	<u>508 981 2135</u>															
Emergency Telephone No:	<u>SAME</u> Fax: _____															
13. District or Regional Supervisor (if applicable)																
Name & Title:																
Address:																
Telephone No:																
	Fax: _____															

## Stow Selectmen's Office

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**From:** Stow Selectmen's Office [selectmen@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 10:59 AM  
**To:** Town Clerk; Karen Kelleher; Bill Bosworth; Craig Martin; Cyndie Colosi; Dotty Wilbur; Kay Desmond; Kristen Domurad; Mike McLaughlin; Pam Landry; Pat Perry; Rachel Belanger  
**Subject:** Common Victualer license for Stow Cafe?

Hello,

Please let me know if your department has any concerns about the Board of Selectmen issuing a Common Victualer license to the new owner of the Stow Café, Maximiano Fernandes.

If you have concerns, please send them to me by next Tuesday, July 12. The Board is scheduled to vote on this Tues evening.

FYI: Health agent Jack Wallace has signed off on the Café's operation and the owner has a business certificate from the Town.

Thank you for your help.  
Susan

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

**Board of Selectmen's Office**

**From:** Mike McLaughlin [FireChief@stow-ma.gov]  
**Sent:** Thursday, July 21, 2011 5:20 PM  
**To:** 'Susan McLaughlin'  
**Cc:** 'Craig Martin'  
**Subject:** RE: Common Victualer license for Stow Cafe?

Susan,

We inspected the Stow Café this afternoon with Craig Martin. There were a few items that needed to be taken care of for which we gave the owner 30 days to correct. The fire department would support having the Board of Selectmen approve the license at their next scheduled meeting.

Thank you.

Mike

Mike McLaughlin  
Stow Fire Chief  
Stow Fire Department  
16 Crescent Street  
Stow, MA 01775  
(978) 897-4537 Office  
(978) 580-7774 Cell

**From:** Susan McLaughlin [mailto:selectmen@stow-ma.gov]  
**Sent:** Friday, July 15, 2011 3:51 PM  
**To:** 'Mike McLaughlin'  
**Subject:** RE: Common Victualer license for Stow Cafe?

Thanks, Chief. Have a great weekend.

**From:** Mike McLaughlin [mailto:FireChief@stow-ma.gov]  
**Sent:** Friday, July 15, 2011 3:20 PM  
**To:** 'Susan McLaughlin'  
**Cc:** 'Jack Wallace'; 'Craig Martin'  
**Subject:** RE: Common Victualer license for Stow Cafe?

Susan,

Craig and I spoke yesterday and we will inspect the Café together.

Thank you.

Mike

**From:** Susan McLaughlin [mailto:selectmen@stow-ma.gov]

7/22/2011

**Sent:** Friday, July 15, 2011 3:14 PM  
**To:** 'Mike McLaughlin'; Craig Martin  
**Cc:** Jack Wallace  
**Subject:** RE: Common Victualer license for Stow Cafe?

Hello gentlemen,

The Board tabled issuing the Common Victualer license to the Stow Café until they had heard from the Planning Board. The Planning Board has since said it has no issues with issuing the license.

The new owners will contact Craig for the inspection (after their meeting with their insurance agent, which was scheduled for yesterday). I visited with the couple at the café and think (hope) that I explained the process clearly.

The next selectmen's meeting is July 26 and it would be good to issue the license then.

Mike,

Craig said he would coordinate with you to do the inspection. Jack has already issued the Board of Health permit, so that's all set.

Please let me know if I can help in any way.

Thanks.

Susan

**From:** Mike McLaughlin [mailto:FireChief@stow-ma.gov]  
**Sent:** Tuesday, July 12, 2011 11:09 AM  
**To:** selectmen@stow-ma.gov; 'Town Clerk'; 'Karen Kelleher'; 'Bill Bosworth'; 'Craig Martin'; 'Cyndie Colosi'; 'Dotty Wilbur'; 'Kay Desmond'; 'Kristen Domurad'; 'Pam Landry'; 'Pat Perry'; 'Rachel Belanger'  
**Subject:** FW: Common Victualer license for Stow Cafe?

Hello all,

I spoke with Jack Wallace and we would like to re-inspect the property with the change of business ownership. The Board can approve the license tonight pending our follow up inspection.

Thank you,

Mike

Mike McLaughlin  
Stow Fire Chief  
Stow Fire Department  
16 Crescent Street  
Stow, MA 01775  
(978) 897-4537 Office  
(978) 580-7774 Cell

**From:** c1stowfire@verizon.net [mailto:c1stowfire@verizon.net]  
**Sent:** Tuesday, July 12, 2011 10:35 AM  
**To:** Mike McLaughlin  
**Subject:** Re: Common Victualer license for Stow Cafe?

Chief,

7/22/2011

I would request the following:

1. Testing of the fire alarm system.
2. Inspection certificate for the hood system.
3. Update of contact list.

JP

*Sent via DROID on Verizon Wireless*

-----Original message-----

**From:** Mike McLaughlin <FireChief@stow-ma.gov>  
**To:** Barry Evers <beversl2@gmail.com>, C-1 <c1stowfire@verizon.net>, "George Taylor (George Taylor)" <sandersonsf@yahoo.com>, Mark Guerin <MGuerin4@verizon.net>, Tim Gray <tgray75179@verizon.net>  
**Sent:** Tue, Jul 12, 2011 14:25:19 GMT+00:00  
**Subject:** FW: Common Victualer license for Stow Cafe?

Any thoughts on this?

I will try to get more information.

Thanks.

Chief

**From:** Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]

**Sent:** Friday, July 08, 2011 10:59 AM

**To:** Town Clerk; Karen Kelleher; Bill Bosworth; Craig Martin; Cyndie Colosi; Dotty Wilbur; Kay Desmond; Kristen Domurad; Mike McLaughlin; Pam Landry; Pat Perry; Rachel Belanger

**Subject:** Common Victualer license for Stow Cafe?

Hello,

Please let me know if your department has any concerns about the Board of Selectmen issuing a Common Victualer license to the new owner of the Stow Café, Maximiano Fernandes.

If you have concerns, please send them to me by next Tuesday, July 12. The Board is scheduled to vote on this Tues evening.

FYI: Health agent Jack Wallace has signed off on the Café's operation and the owner has a business certificate from the Town.

Thank you for your help.

Susan

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

7/22/2011

## Stow Selectmen's Office

**From:** Inspector [building@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 3:10 PM  
**To:** selectmen@stow-ma.gov  
**Subject:** RE: Common Victualer license for Stow Cafe?

Susan,

Permit fee is paid. Just need final inspection.

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

**From:** Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 2:40 PM  
**To:** Inspector  
**Subject:** RE: Common Victualer license for Stow Cafe?

Excellent. Thanks, Craig. I'll contact the new owner.

Is any payment due?

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

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

**From:** Inspector [mailto:building@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 12:38 PM  
**To:** selectmen@stow-ma.gov  
**Subject:** RE: Common Victualer license for Stow Cafe?

Susan,

The previous Owner pulled a building permit for interior renovations on July 1, 2010. The final inspection has not been called for. I would not hold up the license, but the new Owner should call me to schedule the inspection.  
Thanks,

Craig

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

**From:** Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 10:59 AM  
**To:** Town Clerk; Karen Kelleher; Bill Bosworth; Craig Martin; Cyndie Colosi; Dotty Wilbur; Kay Desmond; Kristen Domurad; Mike McLaughlin; Pam Landry; Pat Perry; Rachel Belanger  
**Subject:** Common Victualer license for Stow Cafe?

Hello,

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Thank you for your help.  
Susan

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

## Stow Selectmen's Office

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**From:** Karen Kelleher [planning@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 12:14 PM  
**To:** selectmen@stow-ma.gov  
**Cc:** Laura Spear; Lori Clark  
**Subject:** RE: Common Victualer license for Stow Cafe?

Hi Susan.

I am not aware of any outstanding issues with this site but I can't give you an official response until the Planning Board meets.

Karen Kelleher  
Planning Coordinator  
Town of Stow  
380 Great Road  
Stow, MA 01775  
978-897-5098  
978-897-2321 (Fax)  
www.stow-ma.gov

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

**From:** Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 10:59 AM  
**To:** Town Clerk; Karen Kelleher; Bill Bosworth; Craig Martin; Cyndie Colosi; Dotty Wilbur; Kay Desmond; Kristen Domurad; Mike McLaughlin; Pam Landry; Pat Perry; Rachel Belanger  
**Subject:** Common Victualer license for Stow Cafe?

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Thank you for your help.  
Susan

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

**Stow Selectmen's Office**

**From:** Conservation Commission [Conservation@Stow-MA.gov]

**Sent:** Friday, July 08, 2011 11:02 AM

**To:** selectmen@stow-ma.gov

**Subject:** RE: Common Victualer license for Stow Cafe?

Hi Susan,

Con Com has no outstanding issues with this site or the business.

Pat

*Patricia R. Perry  
Stow Conservation Commission  
380 Great Road  
Stow, Massachusetts 01775  
978-897-8615  
978-897-4534 fax  
conservation@stow-ma.gov  
www.stow-ma.gov*

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

**From:** Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]

**Sent:** Friday, July 08, 2011 10:59 AM

**To:** Town Clerk; Karen Kelleher; Bill Bosworth; Craig Martin; Cyndie Colosi; Dotty Wilbur; Kay Desmond; Kristen Domurad; Mike McLaughlin; Pam Landry; Pat Perry; Rachel Belanger

**Subject:** Common Victualer license for Stow Cafe?

Hello,

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Thank you for your help.  
Susan

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

## Stow Selectmen's Office

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**From:** John P. Wallace [health2@stow-ma.gov]  
**Sent:** Monday, July 11, 2011 8:43 AM  
**To:** selectmen@stow-ma.gov  
**Subject:** RE: Common Victualer license for Stow Cafe?

Susan,  
We have no concerns at the present time.  
Jack

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**From:** Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 10:59 AM  
**To:** Town Clerk; Karen Kelleher; Bill Bosworth; Craig Martin; Cyndie Colosi; Dotty Wilbur; Kay Desmond; Kristen Domurad; Mike McLaughlin; Pam Landry; Pat Perry; Rachel Belanger  
**Subject:** Common Victualer license for Stow Cafe?

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Susan

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

## Stow Selectmen's Office

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**From:** Town Clerk [townclerk@stow-ma.gov]  
**Sent:** Thursday, July 07, 2011 3:19 PM  
**To:** selectmen@stow-ma.gov  
**Cc:** James H. Salvie  
**Subject:** RE: Stow Cafe business certificate?  
Yes! That was issued last week. Best, Deb

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

**From:** Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]  
**Sent:** Thursday, July 07, 2011 12:41 PM  
**To:** Town Clerk  
**Cc:** James H. Salvie  
**Subject:** Stow Cafe business certificate?

Linda,

Please confirm that your office issued a business certificate to Stow Café's new owner, Maximiano Fernandes. An email reply is fine.

Thank you.  
Susan.

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



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
07/21/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> ALPHA INSURANCE AGENCY INC 648 CENTRAL ST LOWELL MA 01852	<b>CONTACT NAME:</b> PHONE A/C, No. 978-459-4547		<b>FAX A/C, No.:</b> 978-459-6131
	<b>E-MAIL ADDRESS:</b> ALPHAINSURANCE@HOTMAIL.COM		
<b>INSURED</b> STOW CAFE MAX FERNANDES 118 GREAT RD # 04 STOW MA 01775 508-981-2135	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
	INSURER A: ARBELLA		
	INSURER B: HARTFORD		
	INSURER C:		
	INSURER D:		
INSURER E:			
INSURER F:			

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	<input checked="" type="checkbox"/> GENERAL LIABILITY			BP NB 24002	07/21/11	07/21/12	EACH OCCURRENCE	\$ 1,000,000	
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000	
	<input type="checkbox"/> CLAIMS-MADE	<input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:							PERSONAL & ADV INJURY	\$ 1,000,000
	<input type="checkbox"/> POLICY	<input type="checkbox"/> PROJ-ECT	<input type="checkbox"/> LOC					GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COM/OP AGG	\$ 2,000,000	
	<b>AUTOMOBILE LIABILITY</b>						COMBINED SINGLE LIMIT (Ea accident)	\$	
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$	
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident)	\$	
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	\$	
	<input type="checkbox"/> HIRED AUTOS							\$	
	<input type="checkbox"/> NON-OWNED AUTOS							\$	
	<input type="checkbox"/> UMBRELLA LIAB	<input type="checkbox"/> OCCUR					EACH OCCURRENCE	\$	
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE	\$	
	<input type="checkbox"/> DEDUCTIBLE							\$	
	<input type="checkbox"/> RETENTION \$							\$	
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>	<input type="checkbox"/> Y / N	N/A	TBI	07/21/11	07/21/12	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS	<input type="checkbox"/> OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/>					E.L. EACH ACCIDENT	\$ 500,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$ 500,000	
							E.L. DISEASE - POLICY LIMIT	\$ 500,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

<b>CERTIFICATE HOLDER</b> TOWN OF STOW 380 GREAT RD STOW MA 01775 FAX# 978-897-4534	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

## Major Milestones for Special Town Meeting 2011

7/26/11

- Tues, July 26: Selectmen set opening and closing dates for the warrant.
- \_\_\_\_\_ Warrant opens.
- Fri, Sep 30 (recommended): Warrant closes. Deadline for STM articles and ballot questions to Selectmen's Office.
- Thurs, Oct 6 (recommended): Finance Committee holds public hearing on Town Meeting articles and provides recommendations on warrant articles to voters.
- Weds, Oct 12: Deadline for Finance Committee recommendations to Selectmen's Office.
- Thurs, Oct 13: Deadline for final ballot questions to Town Clerk.
- Weds, Oct 19: Warrant submission to The Stow Independent.
- Thurs, Oct 20: Warrant posting.
- Wed, Oct 26: Warrant mailed town-wide.
- Fri, Oct 28: Deadline for voter registration.
- Tues, Nov 1, 2:00 PM: Deadline for Town Meeting presentations to Town Clerk.
- Wed, Nov 2: Town Moderator holds STOWS meeting.
- Mon, Nov 7: Special Town Meeting.
- Thurs, Nov 17: Special Town Election.

## Board of Selectmen's Office

**From:** Selectmen [selectmen@stow-ma.gov]  
**Sent:** Thursday, July 21, 2011 5:09 PM  
**To:** Marcia Rising; Betty Cormier; Cyndie Colosi  
**Cc:** Bill Bosworth; Bill Wrigley; James H. Salvie  
**Subject:** FW: need for a Field Driver - your input please

Hi Betty,

Per our conversation, I'm forwarding Chief Bosworth's thoughts on the question of field drivers for your upcoming conversations on this. Could you please send to Sylvia? I am missing her email address. I have not heard from Mike Clayton or Chief McLaughlin yet.

Hi Marcia,

I will add a brief discussion of this to your visit to the Selectmen next week.

Thank you.  
Susan

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

**From:** Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 11:53 AM  
**To:** Marcia Rising; Cyndie Colosi; Bill Bosworth; Mike McLaughlin; Mike Clayton  
**Cc:** James H. Salvie; Bill Wrigley  
**Subject:** need for a Field Driver - your input please

Hi everyone,

A situation this week with loose cows on a golf course brought to light the need for an active Field Driver. Every year, Town Meeting votes the selectmen as field drivers but it really has no practical basis. It probably made sense when the selectmen were farmers or worked here in town.

Chair of the Board of Selectmen Jim Salvie would like to receive a proposal from Town staff on how to fill this position.

I'll be happy to draft the proposal with your input. As a start, please tell me how your department currently handles these incidents, e.g. who gets the initial phone calls (Susan Latham? Police dept?), who contacts the owner, who rounds up the critters, etc.

I heard that animal inspector Phyllis Tower serves as the field driver for Boxboro, for which she receives fees and mileage reimbursement. Some similar arrangement in Stow could work. Town Meeting could be asked to approve funds for this expense.

Would the Board of Health be willing to contact neighboring towns to see how they manage this? And how does Phyllis serve Boxboro in this capacity? If not, I can do it.

FYI, here is a section of the Mass General Law on field drivers.

MGL Ch 49, s 24:

Every field driver shall take up horses, mules, asses, neat cattle, sheep, goats or swine going at large in the public ways, or on common and unimproved land within his town and not under the care of a keeper; and any other inhabitant of the town may take up such cattle or beasts so going at large on Sunday, and for taking up such beasts on said day the field driver or such other inhabitant of the town may in tort recover for each beast the same fees which the field driver is entitled to receive for taking up like beasts.

7/22/2011

Many thanks.  
Susan

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

## Board of Selectmen's Office

**From:** Stow Selectmen's Office [selectmen@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 2:40 PM  
**To:** Chief William Bosworth  
**Subject:** RE: need for a Field Driver - your input please

This is a great help, Bill. Thanks, as always.  
Susan

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

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

**From:** Chief William Bosworth [mailto:stowchief@comcast.net]  
**Sent:** Friday, July 08, 2011 12:52 PM  
**To:** selectmen@stow-ma.gov  
**Subject:** RE: need for a Field Driver - your input please

Susan, FYI in regards to the loose cows this past Wednesday the Police Department received approximately a dozen phone calls on these loose cows on Maple St. and Kettle Plain Rd., several came in on the 911 system. We sent a cruiser to the area for public safety reasons, we obviously don't want a car vs. cow accident, and dispatcher Butler then called Susan Latham and Phyllis Tower to assist us in this matter, both of whom were very helpful. Phyllis was able to go to the scene and retrieve the cows and lead them back to their proper location.

In similar calls in the past on Hudson Rd. Bradley Ln. Stow Acres CC, Gleasondale Rd. to name a few, the department has been swamped with incoming calls reporting loose cattle in yards or roadways etc. We are not properly equipped or trained at the Police Dept. to retrieve the livestock, but we certainly do send cruisers to the scene to try to assist, and to help with traffic public safety issues etc. I feel that there is a definite need in the Town of Stow for a part time field driver, and Phyllis Tower would be a great person to reach out to and see if she would be interested in the position.

The other issue regarding this matter is that persons, who have livestock on their property in town, need to make sure that they have the proper fencing/facility holding these animals in, and that it is properly maintained. A lot of times when we finally get these animals back to where they belong, the fencing is not in proper condition to hold in the animals, which I believe was the case the other day.

We have not had any major property damage or injuries thus far involving cattle, horses, cows, pigs etc, but it is just a matter of time. There was some turf damage last year at Stow Acres done by loose cows off of Athens Ln, which the owners were none too pleased with.

If I can be of any further assistance please let me know

Thanks  
Bill Bosworth

**William Bosworth**  
**Chief of Police**  
**Stow Police Department**

7/22/2011

305 Great Road  
Stow, MA 01775  
(978) 897-4545

**From:** Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]  
**Sent:** Friday, July 08, 2011 11:53 AM  
**To:** Marcia Rising; Cyndie Colosi; Bill Bosworth; Mike McLaughlin; Mike Clayton  
**Cc:** James H. Salvie; Bill Wrigley  
**Subject:** need for a Field Driver - your input please

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Many thanks.  
Susan

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

To: Stow Board of Selectmen  
From: Laura Spear, Selectman  
Re: Lower Village Common Gift Bench Policy  
Date: July 20, 2011

Note: Revisions since the July 19 memo appear in red.

Objective: This memo presents a revised Gift Bench policy for consideration by the Board of Selectmen and attempts to address concerns in regards to funding, installation costs, specific locations, maintenance, and who would project manage such donations.

Revised Proposed Policy

Considering the questions and input from the Board at our July 12, 2011 meeting, I propose the following revised policy and motion and will ask the Chair to include this on a future agenda. Please bring your comments to our meeting once the agenda item is scheduled.

**Proposed Policy for Accepting Donated Benches**

July 20, 2011

Over the years, the Town of Stow has received several generous donations from citizens and community organizations. This policy specifies conditions for the Board of Selectmen's acceptance of offers to donate benches for public use on Town-owned land:

1. Adequate funding will be provided to address both the cost of a bench as well as its installation:
  - a. Donations may be in the form of donor-provided purchase, delivery, and installation of the bench. This is the preferred option.
  - b. Alternatively, if a cash donation is made, the Board of Selectmen will determine if the cash donation is sufficient to cover:
    - The cost for the Town to purchase the bench
    - A memorial/honorary plaque, if requested
    - Bench delivery
    - Bench installation
  - c. If the donation is not sufficient to cover all costs, the Board of Selectmen will determine if sufficient Town services and funds are available to cover all implementation and costs before accepting the donation.
2. Donated benches will be of the Garden Memorial Bench model in Weathered Wood, available from Conversion Products Inc., or an equivalent model. An exception may be granted if existing benches for the specific location are of a different model: The goal would be to maintain consistency in design.
3. Installation standards will consist of concrete slabs under the benches for minimal landscape maintenance and anchoring devices for the benches.
4. Donations must be approved in advance by the sponsoring board or committee before they are presented to the Board of Selectmen for acceptance (Planning Board for placement on the Lower Village Common, Recreation Commission for placement on recreational land, Conservation Commission for placement on conservation and open

- space land, School Committee for parcels that contain schools, Town Administrator for other municipal land).
5. The proposal of a specific bench to the Board of Selectmen must identify the exact model, cost for purchase and installation, who will install the bench, the exact location of the bench installation, and the project manager.
  6. Once the Board of Selectmen has accepted a donation for a public bench, the appropriate liaison will work with the sponsoring board or committee, the Highway Department, and the designated project manager to oversee the acquisition and installation of the bench in the approved location.
  7. The Town accepts no liability for damages to any benches from vandals or third parties. *[For discussion: Do we need to include liability language? Alternative language: Once the Board of Selectmen has accepted a bench, the Town of Stow has full ownership and may act on it without permission from the owner.]*
  8. The Town has the right to remove any donated bench that has been damaged, and in the view of the Town, beyond repair.

**Proposed Motion:** I move that we approve the July 18, 2011 policy for accepting donated benches [as amended], contingent upon review and approval by the Superintendent of Streets.

Additional Comments

1. The June 28 memo to the Board of Selectmen requested that we adopt the Lower Village Common concept plan as depicted in the Lower Village Sub-Committee Final Report. The pages that described the concept plan were included with the memo. The goal would be to show that accepting a bench would be consistent with the concept plan.

The Lower Village Common concept plan specifies a small attractive area with plantings, an historic tableau, benches for sitting, a new flagpole, and a bike rack. The intent of the concept plan is to serve as a guide so that donations and town projects would support the vision for the Lower Village common. A donated bench would be consistent with this concept while Adirondack chairs and playground equipment, for example, would not.

Although the June 28 memo proposed a policy for accepting gifts for the Lower Village Common, the policy could apply to gift benches for all Town-owned land. Therefore, I recommend we address the Lower Village Common concept plan separately if desired.

2. The June 28 memo asked that the Planning Board and the Board of Selectmen establish locations for memorial/honorary benches on the Lower Village Common. Rather than get involved with this minutia, I recommend that the exact locations for specific benches should be included as part of the acceptance of a specific gift and not part of a general policy. Otherwise, we would have to design exact locations on all Town-owned land that could benefit from a bench. The Planning Board supported this recommendation separately.
3. The June 28 memo asked that the Board of Selectmen and Planning Board adopt a standard style bench for the Lower Village Common. Although a spec sheet for one model was included as part of the policy proposal, I am concerned that specific models can become outdated or prices may change. As an alternative, the revised proposal specifies “the Garden

Memorial Bench model in Weathered Wood, available from Conversion Products Inc., or an equivalent model.” The exception was added to address locations such as the Stow Recreational Park, which already has benches of a different model installed.

4. The June 28 memo asked that the Board of Selectmen and Planning Board adopt specific installation standards including concrete slabs under the benches so that there is zero landscape maintenance required and also anchoring devices for the benches. The objective is to have no landscape maintenance. For maintenance of the bench, the proposed model was selected specifically for its durability. We may need to replace the bench eventually; however, that will most likely be many years in the future. Some communities simply discard benches if they reach a certain point of maintenance needs. The revised policy includes language to address this concern. (Note that we did not address this when we accepted the Bose speaker or the bike racks from the MAPC grant.)
5. The June 28 memo focused primarily on funding. The goal would be to ensure that donations, whether a physical bench or a cash donation to acquire a bench, provide adequate funds for installation. Because this is a policy, it needs to address potentially multiple future opportunities. If we will only accept gift benches if installation funding is included, the Town may lose out on some opportunities. Although the Highway Department is not available now to install a bench, it may have time in the future. And although we may not want to use Town funding now, in the future, we may decide that the installation fee is small enough for the value of a donation. Again, the goal is to use private funds for all needs; however, *the Board should decide whether it wants to lock the Town from any use of future town services or funding for gift benches*. The current proposal gives the Town some leeway and the opportunity to turn down a gift if funding is inadequate.
6. Our July 12 meeting had discussion regarding that guidelines be adopted in consultation with the Superintendent of Streets. I spoke with him about this, and he is aware of the concern and expecting a policy to review.
7. Another concern was in regards to who would project manage the implementation. I consider implementation and its project manager to be included in any proposal for a specific gift, rather than the general policy. The Board may not want to identify implementation details or a project manager as part of a policy – that person or committee may not be around in the future. *For discussion is whether we want a Town representative or the donor to be responsible for project management, or do we care.*

Once we approve a policy, only then we can respond to a specific offer of a donation. One additional thought: I believe many of the comments came from problems associated with accepting past gifts. I recommend that the Board consider creating a more generic Town-wide gift acceptance policy to make gift acceptances consistent for all Town boards and committees. For example, see Appendix A for Wellesley’s policy, which was adopted at the 2009 Town Meeting for inclusion as part of the Town’s general bylaws.

## Appendix: Town of Wellesley Gift Acceptance Bylaw Policy

**5.6. Acceptance of Gifts.** The purpose of this section is to authorize the acceptance of Gifts for any public purpose, and to specify policies and procedures for doing so. *(Section added ATM 2009)*

a. Town Boards authorized to accept Gifts (money, tangible property, real estate) It is the Town's policy to respect the authority in Town boards and committees to accept gifts as provided by statute. This includes, but may not necessarily be limited to the following Town boards which are authorized to accept gifts of money, tangible property and/or real estate to the extent hereinafter set forth.

i. The Board of Selectmen is authorized to accept gifts of money and tangible property on behalf of the Town (G.L. c.44 §§53A, 53A1/2).

ii. The School Committee is authorized to accept gifts of money for educational purposes. (G.L. c. 44, §53A, and c.71, Section 37A), and of tangible property as a matter of town policy.

iii. The Board of Trustees of the Wellesley Free Library is authorized to accept gifts of money for library purposes (G.L. c.78 § 7, 11) and for purposes of library construction or renovations (G.L. c.78 §19K), and of tangible property as a matter of town policy.

iv. The Natural Resources Commission is authorized to accept gifts of money and tangible property for conservation and parkland purposes, subject to the approval of the Board of Selectmen (G.L. c.40, §8C)

v. Gifts of real estate, or interests in real estate, may only be accepted by Town Meeting on the recommendation of the Board of Selectmen.

b. Protocol for accepting gifts.

i. Any town board accepting, recommending the acceptance of, or declining a gift shall adopt a written policy consistent with this bylaw. Any such policy or amendment thereto shall be adopted only after at least one public hearing. All such policies shall be on file with the Town Clerk and posted on the Town website.

ii. All Town boards and officers not specifically authorized hereinabove to accept a gift on behalf of the Town shall refer the proffered gift to the Board of Selectmen if it recommends that the gift be accepted. (The Town recognizes that G.L. c.44, §53A provides that a Town officer or department may accept a gift of money, but the statute also stipulates any expenditure of such a gift must be approved by the Board of Selectmen. Therefore, it is Town policy to require the acceptance be voted by the Board of Selectmen at the outset of the gift). Any Town board not hereinabove provided for, believing it is authorized to accept gifts, may ask the advice of the Board of Selectmen and/or Town Counsel.

iii. The donee board shall have the discretion to approve or decline any proposed gift, whether restricted or not, subject to the provisions of this section. In the event a board declines a gift that decision shall be dispositive of the matter.

In considering a gift, boards should make the following determinations:

1. Whether the gift is appropriate to the mission and needs of the Town and the particular board;
2. Whether the gift is unrestricted or, if restricted, given in reasonably broad and flexible terms to maximize usefulness;
3. Whether the gift is irrevocable;
4. Whether the gift imposes undue financial burden on the Town;
5. Whether the the long-term impacts of the gift, particularly where there could be significant future or ongoing operations and maintenance or capital costs associated with the gift have been accounted for;
6. Whether the terms of the gift permit the Town to apply the gift to related purposes in the event the designated purpose is fully funded or is no longer practical, necessary or able to be performed.

In the event a board has reason to believe a gift could cause or result in an appearance of impropriety, the board shall consult with the Town Counsel prior to accepting the gift.

Restricted gifts shall be assigned to a project or existing account consistent with the donor's desired use, as long as such restriction(s) do not conflict with Town by-laws or state or federal law, in which case the Town shall ask that the restriction(s) be removed or decline the gift.

c. Grants. Any Town department is authorized to apply for grants, and to accept grant funds, provided the board or committee of such Town department has authorized the filing of grant application, or in the case of no application having been required, has authorized acceptance of the grant funds.

d. Accounting. All funds received by any board shall be deposited with the Treasurer. The Town of Wellesley Financial Services Department is responsible for providing for the financial administration of any gift to the town. If necessary, Financial Services shall track the proposed use of any such gift and shall maintain separate records of accounts showing receipts and disbursements.

Interest, if any, generated by a gift shall accrue to the Town's general fund unless expressly provided otherwise by the terms of the gift.

The donee board shall be responsible for acknowledgement of gifts and shall provide receipts as needed for stockticker/IRS purposes.

e. Reporting. All donee boards shall prepare an annual report of such gifts including amounts, purposes and such other details as required by the Finance Director. These reports shall include both restricted and unrestricted funds. Reports on gifts shall be filed with the Finance Director, and included in the Town's Annual Report. The report shall cover gifts received in the prior fiscal year and shall be submitted in time to be included in the annual report.