

AGENDA
BOARD OF SELECTMEN
May 27, 2008
7:00 p.m.
Town Building

Public Input

Chairman's Comments

Town Administrator's Report

Meeting Minutes

Visitors

- 7:10 p.m. Update on Snow leasing for farming – Agricultural Commission representative
- 7:20 p.m. Update and vote on Verizon cable license – Cable License Advisory chairman
- 7:30 p.m. Update on Lower Village traffic plans – Lower Village Committee representative

Action/Discussion

- Elect officers for upcoming year
- Approve Orders of Taking for Farm Road, Militia Circle, and Whispering Way
- Approve event permit for annual ALS bike ride
- Approve annual entertainment permit for Beef n' Ale
- Approve one-day liquor license for Sunshine Kids golf outing
- Approve one-day liquor license for Stow Firefighters Association Family Fun Day
- Ratify SpringFest parade permit and Board approval of future town-sponsored parades
- Discuss and approve Mass School Bldg Assn Initial Compliance Certification

Selectmen's Master Planning

- Discuss plans for Senior Center and coordination with Land Use Task Force – Jason

Liaison Reports, if any

Adjournment

Posted 5/23/08

Correspondence

Town:

CC of Middlesex Retirement System notice to employee, rec'd 5/2
Organization for the Assabet River endorsement of Track Road easement for Rail Trail, rec'd 5/2
Lake Boon Gazette, April 2008, rec'd 5/2
CC of resident letter to Recreation Commission re office administration, rec'd 5/2
ZBA decision on Robert Road side-yard setback, rec'd 5/2
Building Permits report for April, rec'd 5/7
Resident letter on Town Building parking expansion request, rec'd 5/7
Resident letter on Walcott Street yard flooding, rec'd 5/7
Superintendent of Streets reply to Walcott Street water issue, rec'd 5/12
Resident letter on wind speeds and need for anemometer, rec'd 5/12
CC of Community Preservation Committee memo to Master Plan Comm on use of CPA funds, rec'd 5/12
CC of NRSD Superintendent letter to Mass School Building Authority on regulation revisions, rec'd 5/12
Request for MART Advisory Board appointee, rec'd 5/13
Announcement of ITAC Coordinator's role and new office location, rec'd 5/15
Retirement letter from Ken Desmond, long-time Wiring Inspector, rec'd 5/16
CC of resident letter to Randall Library Trustees on donation of American Chestnut trees, rec'd 5/18
Notice of appeal re ZBA decision of Robert Road variance, rec'd 5/20
CC of Conservation Comm memo to Master Plan Comm re including Open Space plan, rec'd 5/21
Notice to post Housing Authority vacancy for co-appt with Authority, rec'd 5/21
Request from Box Mill Road realty to accept Cider Mill Road as a public way, rec'd 5/21
Planning Board request for comments on Special Permit for shopping center building add, rec'd 5/21
Six emails from residents re Fire Chief search, rec'd 5/22
Letter from JWO Consultant Services re update on Arbor Glen affordable housing, rec'd 5/22/08
ZBA decision on Derby Woods Planned Conservation Development, rec'd 5/22/08
Letter from Comcast on transition to digital cable offerings, rec'd 5/22

General:

Comcast financial balance sheet for FY ending 12/21/2007, rec'd 5/2
Introduction to new Verizon representative, rec'd 5/2
Announcement of regional workforce strategies conferences, May-June, rec'd 5/6
Announcement of 5/28 Boston MPO elections, rec'd 5/15
Middlesex Retirement System letter on revenue shortfalls, rec'd 5/19
MBTA Advisory Board notice of May 29 meeting, Boston, rec'd 5/19

Susan McLaughlin

From: lhalprin@earthlink.net
Sent: Friday, May 23, 2008 3:01 AM
To: selectmen@stow-ma.gov
Cc: stowtv@stow-ma.gov; Arny@rcn.com; bob@mong.stow.ma.us; G.Scraggs@comcast.net; rglorioso@comcast.net; peter@epsteinandaugust.com
Subject: Review of Verizon Cable License Progress for Selectmen



Ltr to
Selectmen.doc

Hi Susan,

Attached is a short review of the Verizon Cable License status and a request that the Selectmen approve going ahead to schedule a final public meeting and signing on their June 24 meeting.

Please include this status and request in the Selectmen's study packet in preparation for my being on the agenda this Tuesday to review this status and answer any questions they might have.

Thanks,
Lew

Date: May 23, 2008
To: Stow Board of Selectmen
From: Stow Cable License Advisory Committee
Subject: Request Approval for Public Meeting at June 24 Selectmen's Meeting

For several months, the Stow Cable License Advisory Committee has been negotiating with Verizon about the terms of their requested license to provide video cable service to the residences in Stow. The State requires that the Town provide a license to any company that can show they are competent to provide video cable services, does not allow that license to be exclusive, and must provide substantially the same terms as provided to any incumbent Stow cable operator (Comcast). This means that if we find Verizon capable of providing video cable service, we must provide them a license to provide that service in Stow similar to the license we currently have with Comcast.

Our first draft of a Verizon video cable license was almost identical to the current Comcast video cable license. Verizon, in an effort to have all their video cable licenses with Massachusetts Towns to be similar, provided us instead with their draft license, which although similar to the Comcast license, had substantial differences. At that time, the Stow Cable License Advisory Committee, with funds from the PEG Advisory Committee, hired attorney Peter Epstein, a lawyer experienced in video cable licenses in Massachusetts, to represent the Town in negotiating the final license. We were especially concerned that the Verizon and Comcast licenses be substantially the same in order to avoid any law suites from Comcast if the Verizon license contained advantages not in the Comcast license.

We are now very close to a final draft of a video cable license for Verizon with the following major terms:

- A 15-year license will be provided to Verizon by the Town of Stow.
- Verizon will pay the Town of Stow 2.5% of gross revenues received from providing video cable services to Stow customers for the purpose of supporting Stow cable channels.
- Verizon will provide Stow with \$90,000 to be used to purchase and maintain video equipment needed for Stow cable channel operations.
- Verizon will provide Stow with \$50,000 in place of constructing a video network between Town buildings (as was provided by Comcast) that would be used to allow originating video programming from any Town building or school.
- Verizon will provide connections of their Stow cable system to all Town buildings and schools at no cost.
- Verizon will provide Stow two channels in the Verizon Stow cable system for local programming as well as provide for watching the Verizon Bolton cable channel on the Stow cable system when that channel becomes operational.

There are many smaller items of the license that are being reviewed by council and are not expected to cause any difficulty reaching agreement.

The Cable Committee would like to suggest that a final public hearing be scheduled during the June 24 Selectmen's meeting to be followed by the signing of the final Verizon video cable license. To do this, several weeks of public notices in the paper and meeting posting is required which would be done immediately if approved by the Selectmen.

If approved, the following steps will be taken:

- Notice in the June 4th Stow Independent.
- Notice in the June 11th Stow Independent.
- Notice on the Stow TV Channel 9 starting June 4
- Posting the meeting with the Town Clerk.

The following is the text of the notice that would be published:

**PUBLIC NOTICE
TOWN OF STOW
CABLE TELEVISION LICENSING HEARING**

The Board of Selectmen of the Town of Stow, Massachusetts has scheduled a public hearing to be held on June 24, 2008 at 7:30 pm in the Selectmen's Hearing Room at the Stow Town Building, 380 Great Road, Stow, MA 01775. The purpose of the hearing is to consider the cable television licensing process in Stow and the application for a cable television license received from Verizon New England, Inc. Applications, reports and statements filed or prepared pursuant to Massachusetts cable television licensing regulations are available for public inspection at the Town Clerk's office during regular business hours and for reproduction at a reasonable fee. For more information on the hearing, interested parties can call the Board of Selectmen's Office at (978) 897-4515.

Although final approval has not been reached by Verizon on several items requested by Stow, we feel they will be reached by June 24, especially if Verizon is made aware that signing on June 24 is dependent on agreement on all terms by that date, otherwise signing will not occur.

The Stow Cable Advisory Committee recommends that the Stow Board of Selectman approve the scheduling of a public meeting within the June 24 Selectmen's meeting. The Committee is expected to recommend at that meeting that the Selectmen sign the proposed Verizon video cable license for the Town of Stow.

Lewis Halprin, chairman
Stow Cable License Advisory Committee

Susan McLaughlin

From: Myke Farricker [mykefarricker@gmail.com]
Sent: Monday, May 05, 2008 5:45 PM
To: Susan McLaughlin
Subject: 2008 Positive Spin for ALS bike ride

Hi, Susan -

It was nice to talk with you again today. I'm writing to again ask for a permit for our annual Positive Spin of ALS bike ride to raise money for research and patient care for those afflicted with ALS, or Lou Gehrig's disease. Our ride is sponsored again this year by the Massachusetts Chapter of the National ALS Association. The ride will take place on Sunday, June 22. It begins and ends at The Longfellow Club in Wayland, starting at 7:00 a.m. We're anticipating 50 riders this year. By the time they reach Stow, they will be spread out in single riders, or twos and threes, so there won't be a big group of riders riding through Harvard at the same time.

Last year was an exciting year for us, and with your help, we were able to surpass the \$600,000 amount raised over the past 7 years to help others.

Thank you for your help in the past, and this year as well. I'm attaching our bike route. Please let me know if you need anything else from me. I hope you have received the Certificate of Insurance from the ALS Association. If not, let me know and I'll make sure one is sent to you.

Take care,

Myke Farricker
General Manager
The Longfellow Clubs
Committee Member, 2008 Positive Spin for ALS
508-320-1102 cell phone

5/13/2008

Positive Spin for ALS - June 22, 2008

50 Mile Route - ORANGE

Follow route signs with ORANGE "50" label only

On-road assistance available from SAG vehicles with ORANGE flags on antennae

In an emergency, or to call a SAG vehicle, Dial 339-225-1008

Mile	Description	Town
0.1	R onto Rte 20 - CAUTION follow cones	Wayland
0.2	R into Papa Gino's Parking Lot	Wayland
0.3	R onto Old County Road - Becomes River Road	Wayland
1.0	L onto Water Row	Wayland
1.3	L onto Rte 27 (Maynard Road) - CAUTION	Sudbury
2.7	Straight at traffic light, Sudbury Center	Sudbury
3.1	Straight on Hudson Road (don't follow Rte 27 which bears right)	Sudbury
7.1	Hudson Road becomes State Road	Stow
7.5	State Road becomes Main Street	Hudson
9.8	Straight at traffic light, Rte 62	Hudson
10.8	Straight at traffic light, Tower Street	Hudson
10.9	Tropic Sun Tanning Salons - Water/Restroom Station	Hudson
11.1	Straight at traffic light, (Toohey Pharmacy - Manning/Broad Street)	Hudson
11.4	R onto Rte 62 West at circle	Hudson
11.5	Bear R onto Rte 85 (Lincoln Street)	Hudson
11.7	Straight at traffic light, Lincoln Street becomes Hudson Road	Hudson
13.4	L on Century Mill Road	Bolton
14.7	Cross Under Rte 495	Bolton
15.1	Bear R at Y Intersection	Bolton
15.4	S at Stop Sign	Bolton
16.0	R onto Watoquadoc Road (Nashoba Winery on left)	Bolton
16.2	R onto Rte 117 at stop sign	Bolton
17.2	Cross Under Rte 495	Bolton
19.1	L onto East End Road	Bolton
19.4	Bear R staying on East End	Bolton
19.7	East End becomes Stow Road	Harvard
21.0	R onto Eldridge	Harvard
21.5	Stay straight heading onto Garner Road (don't bear left!!!)	Stow
22.1	Hard L at "No Name" sign	Stow
22.2	Bear R back onto Taylor (up hill)	Stow
24.3	Bear R onto Boxboro Road	Stow
24.8	Straight across West Acton Road onto South Acton Road (careful not to take right!!!!)	Stow
27.1	L at Rte 27 sign (Martin Street)	Acton
27.2	Jones Field - Water/Restroom Station	Acton
27.4	Cross Railroad	Acton
27.5	R onto Central at "Y"	Acton
27.8	Bear R onto Main (Rte 27) at STOP sign	Acton
27.9	L at traffic light onto school	Acton
28.3	L onto Piper Road	Acton
29.2	Cross Rte 2, Piper becomes Taylor	Acton
29.7	R onto Minot Avenue	Acton
30.3	R onto Concord Road @ "T"	Acton
31.0	R onto Great Road, (Rte 119), at STOP sign	Acton
31.2	L onto Pope Road	Acton

32.5	R onto Strawberry Hill Road	Acton
34.5	L onto Barretts Mill Road at stop sign	Concord
35.2	R onto Lowell Road at STOP sign	Concord
36.1	R onto Keyes	Concord
36.5	R onto Main Street	Concord
36.5	Bear R staying on Main Street (Rte 62)	Concord
36.8	Straight at traffic light	Concord
37.0	Bear L staying on Main Street (Rte 62)	Concord
37.3	Bear L staying on Main Street (Rte 62) - Cross under railroad bridge	Concord
37.7	L on Old Road to Nine Acre Corner	Concord
37.8	Cross Rte 2	Concord
39.6	R onto Sudbury Road	Concord
39.7	Verrill Farm - Water/Restroom Station	Concord
40.3	Straight at traffic light across Rte 117, Sudbury becomes Concord Road	Sudbury
42.7	L at stop sign, staying on Concord Road (sign says Pantry)	Sudbury
43.6	L onto Lincoln Street at Lincoln Sudbury High School	Sudbury
44.4	R on Water Row	Sudbury
46.4	Cross Rte 27 (Maynard Road) - CAUTION	Wayland
46.6	R onto River Road - becomes Old County	Wayland
47.4	L into Papa Gino's parking lot	Wayland
47.5	L onto Rte 20 - CAUTION - follow cones	Wayland
47.7	L into Longfellow	Wayland
47.8	Finish - CONGRATULATIONS!	Wayland

The Licensing Board for the

Stow, MA

Name of City or Town

RECEIVED

SEP 20 2007

Town of Stow
BOARD OF SELECTMEN

APPLICATION FOR AN ENTERTAINMENT LICENSE (SEVEN DAYS)

The undersigned respectfully applies for an entertainment license as follows:

LOCATION OF PREMISES 108 Great Rd Stow MA CLASS OF LIC. _____

DESCRIPTION OF PREMISES 3 story ~~baser~~ building, basement & 3rd floor storage
1st floor kitchen & dining, 2nd floor bar & dining

RADIO _____ TELEVISION _____ JUKEBOX _____ AMPLIFIERS _____ PHONO _____

CABLE TV _____ WIDESCREEN TV _____ CASSETTE OPER. TV _____ MOVIES _____

INSTRUMENTAL MUSIC Yes No. of Instruments NO more than 3
Type of Instruments listening music, guitar, keyboard What floors 2ND

VOCAL MUSIC yes No. of persons (1)

DANCING BY PATRONS NO Type of dancing _____
What floors? _____ Size of dance floor _____

EXHIBITION OR TRADE SHOW NO describe _____

PLAY NO describe _____

MOVING PICTURE SHOW NO describe _____

FLOOR SHOW NO describe _____

ATHLETIC EVENT NO describe _____

As part of the above entertainment, will any entertainer, employee or person on the licensed premises be permitted to be unclothed or in such attire as to expose to view any portion of the areola of the female breast or any portion of the pubic hair, cleft of the buttocks, or genitals?

NO YES _____ Explain in what manner such person will be presented _____

Did you hold an entertainment license from the Board pursuant to section 183A of Chapter 140? NO If yes, was it for the exact same entertainment being requested in this petition? _____

Date 9/20/07

Firm or Trade Name Ye Olde Beef N Ale
Business Name NIMN INC
Manager Signature Cherise Thonberg

NUMBER

16

FEE

THE COMMONWEALTH OF MASSACHUSETTS

Town of Freetown

This is to Certify that CATHERINE GRANBERG, MM, INC, dba

NAME

THE OLDE BEEF 'N ALE, 105 GREAT RD

ADDRESS

IS HEREBY GRANTED A LICENSE

For ENTERTAINMENT

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 12/31/27 unless sooner suspended or revoked.

10/30 2007

Signature of Commissioner
Thomas R. Spillane
21018 SHIRLEY
James Robert

ENTERTAINMENT LICENCES .

ACTON: \$100 ANNUAL.

CONCORD: \$100 ANNUAL, ZERO RE-NEWAL FEE EACH YEAR AFTER. SUNDAY LICENCE \$20.

MUDSON: \$100 PER CATEGORY EG LIVE BAND, POOL TABLE
JUKEBOX. etc.

\$35 ONE DAY.

ALL OTHER TOWNS HAD TAKEN AN EARLY LOOONG
WEEKEND MIA.

ISABEL .

5-23-2008 .

TOWN OF STOW
STOW, MASSACHUSETTS 01775

RECEIVED

MAY 07 2008

Town of Stow
BOARD OF SELECTMEN

APPLICATION FOR SPECIAL LIQUOR LICENSE

Date: MAY 8, 2008

Name of Applicant(s)

Home Address & Telephone

Nancy Ledgard Quinn
(Event Chairperson)

1163 High St., Acton, MA 01720
home (978) 897-2079
cell (617) 515-0897 *

Name of Organization

Address

Sunshine Kids Foundation
C/o Nancy Quinn
58 Main St., Maynard, MA 01754

2814 Virginia, Houston, TX
77098

Date(s) for which license is requested: June 28, 2008

Hours of sales: 6:00 pm - 12:00 am

Type of beverage(s) to be sold: _____

Event for which license is requested: 'Puttin on the Ritz' Gala

Profit or non-profit? non-profit (# 760020802) Foundation
(Benefit for Sunshine Kids)

Location of event: Collings Foundation, Barton Road,
Stow, MA

The undersigned will be responsible for the license, if granted.

Signature(s): Nancy Ledgard Quinn

Susan McLaughlin

From: Inspector [building@stow-ma.gov]
Sent: Friday, May 16, 2008 7:58 AM
To: Susan McLaughlin
Subject: RE: Sunshine Kids one-day liq license for Collings

Hi Susan,

Yes we did talk briefly about applying the one inspection to both the Springfest & Sunshine Kids since the events are so close. I did want to talk to JP about it.

I did speak to JP and we are both OK with issuing the certificate to Sunshine Kids/Collings Foundation based on the May 12, 2008 inspection.

Thanks,

Craig

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

From: Susan McLaughlin [mailto:selectmen@stow-ma.gov]
Sent: Thursday, May 15, 2008 5:04 PM
To: Craig Martin
Subject: Sunshine Kids one-day liq license for Collings

Hi Craig,

About the Sunshine Kids one-day liquor license for Collings – it's scheduled for June 28, 6pm to midnight.

I remember we talked about the possibility of using the current Collings inspection (for the SpringFest dance on 5/17) for the Sunshine Kids event but I can't remember if the time lapse is too long.

Sorry if you already told me this. Too many special events going on at once!!!

Thanks.
Susan

Susan McLaughlin
Selectmen's Office
978-897-4515

TOWN OF STOW
STOW, MASSACHUSETTS 01775

APPLICATION FOR SPECIAL LIQUOR LICENSE

Date: MAY 22, 2008

Name of Applicant(s)

JOHN P. BENOIT

Home Address & Telephone

O'CONNELL WAY
STOW 568-0510

Name of Organization

STOW FIREFIGHTERS ASSOCIATION

Address

16 CRESCENT
STOW MA

Date(s) for which license is requested: JUNE 14, 2008

Hours of sales: _____

Type of beverage(s) to be sold: BEER & WINE

Event for which license is requested: FAMILY FUN DAY & MUSPER

Profit or non-profit? NON PROFIT

Location of event: CENTER SCHOOL 408 GREAT RD
(OUTSIDE GROUNDS)

The undersigned will be responsible for the license, if granted.

Signature(s):

J.P. Benoit



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

May 14, 2008

To the Springfest Organizing Committee:
Re: Annual SpringFest Parade

Dear Committee Members,

This letter is to confirm that the Chairman of the Board of Selectmen, on behalf of the Board, approves a permit for the Town's SpringFest Parade, to be held on May 17, 2008.

The permit is issued with the understanding that the Police Chief and Public Safety Officer have approved your plan for the parade.

The Board will vote to ratify this approval at its next regular meeting on May 27, 2008.

Yours truly,

Stephen Dungan, Chairman
On behalf of the Board of Selectmen

cc: Police Department
Fire / Rescue Department
Highway Department

Susan McLaughlin

From: Michael Wood [mwood@nrsd.net]
Sent: Tuesday, May 13, 2008 2:12 PM
To: Stephen Dungan
Cc: George King; Ellen Sturgis; Amy Finkel Hastings; TownAdministrator
Subject: Update on ICC

Hi Stephen,

The Chair of the School Committee raised questions about areas of concern that I forwarded to the MSBA for clarification. Cathy's main concern was that the document placed the financial appropriation responsibility on the district, rather than requiring the Town of Stow to be the fiscal agent for the project, including getting the ability to appropriate from the NRSD committee (see #8).

I am attaching a copy of the Initial Certificate of Compliance for your review and comments as to what questions you, the Board of Selectmen and Bill, might have before I go further with conversations with MSBA.

I finally talked with the MSBA General Council George Driscoll today and his opinion is that #8 could be changed to insert Town of Stow in line 2, but other than that he felt that our regional agreement was sufficiently clear that the towns have responsibility for capital. I asked if that could be inserted and he answered that he would have to get back to me on that. In a nutshell he is of the opinion that the MSBA only does business with the school district and that the ICC needs to stay as pure as possible so that it can be used with all school districts across the state.

A couple of points of interest:

It will need your signature as CEO for the town unless by Charter that is Bill. Regardless, if you want the BOS to vote on this when it is finalized I will be happy to come and answer any questions.

Also, the school district will be the financial agent for the project and we will be responsible for having a MCPPO on board. We will have ours by September so we should be all set.

Mr. Driscoll stressed that this should be run by our attorney, which I will be doing on the District's behalf but it may be wise for the Town to do so as well for the Town's interests.

I am waiting to hear back from Mr. Driscoll about a couple of revisions: adding Town of Stow to #8; adding a clause about this document is reflective of the NRSD regional agreement; and, clarifying who signs on behalf of the Town.

When I hear back I will send you a clean copy. Call or email me if you have any questions.



5/15/2008

Michael L. Wood
Superintendent of Schools
superintendent@nrsd.net
(O) 978.779.0539 x3002
(F) 978.779.5537

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Massachusetts School Building Authority

Timothy P. Cahill
Chairman, State Treasurer

Katherine P. Craven
Executive Director

INITIAL COMPLIANCE CERTIFICATION

This Initial Compliance Certification must be completed by all Eligible Applicants who have submitted a Statement of Interest to the Massachusetts School Building Authority ("MSBA") and have been invited to collaborate with the MSBA on a Feasibility Study or a Project Scope and Budget Conference. The MSBA will not consider a district to be eligible for a school building renovation or construction grant until the district has properly submitted an Initial Compliance Certification to the satisfaction of the MSBA.

Unless otherwise specified, all capitalized terms shall have the meanings ascribed to such terms in M.G.L. c. 70B or 963 CMR 2.00 et seq.

1. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that it has read and understands, and shall remain in compliance with, (a) M.G.L. c. 70B, (b) chapter 208 of the Acts of 2004, (c) 963 CMR 2.00 et seq., and (d) all other rules, policies, and procedures of the MSBA.

2. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that the school building renovation and construction grant program established by M.G.L. c. 70B is a discretionary program based on need, as determined by the MSBA. The NASHOBA REGIONAL SCHOOL DISTRICT hereby further acknowledges and agrees that it shall have no entitlement to receive approval or funding for a proposed project or any other purpose except at the sole discretion of the MSBA.

3. The NASHOBA REGIONAL SCHOOL DISTRICT hereby agrees to work in collaboration with the MSBA in all phases of the process, including at least: (a) identifying perceived deficiencies with school buildings, (b) validating those deficiencies, (c) identifying educationally and financially sound solutions to validated problems, (d) agreeing on the project scope and budget, (e) implementing the solution as agreed upon, and (f) the final project audit and close-out. The NASHOBA REGIONAL SCHOOL DISTRICT hereby further acknowledges and agrees that, to remain eligible for project approval and potential funding from the MSBA, The NASHOBA REGIONAL SCHOOL DISTRICT must work with the MSBA through all phases of the MSBA's process including at a minimum the phases described above.

4. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that to qualify for any funding from the MSBA, The NASHOBA REGIONAL SCHOOL DISTRICT must comply with M.G.L. c. 70B and 963 CMR 2.00 et seq.

which require MSBA collaboration and approval at each step of the school facility grant approval process. Any actions taken, costs incurred or agreements entered into for the repair, renovation or construction of school facilities without the explicit prior written approval of the MSBA shall not be eligible for grant funding.

5. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies and can demonstrate that it has expended the minimum maintenance expenditure requirements required by M.G.L. c. 70B, § 8 and 963 CMR 2.17 and hereby further acknowledges and agrees that the MSBA may not approve any project for any school district that fails to meet such maintenance expenditure requirements.
6. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that the perceived deficiencies, as set forth in the Statement of Interest submitted to the MSBA, are not (a) a result of negligence, (b) under warranty with material suppliers or installers and/or are the subject of or could be the subject of, ongoing litigation, or (c) a result of lack of adequate routine or capital maintenance by The NASHOBA REGIONAL SCHOOL DISTRICT.
7. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that it will consider all available options for remedying the deficiencies asserted in the Statement of Interest, including, to the extent applicable, regionalization or tuition agreements with adjacent school districts, district assignment policies within the school district, rental or acquisition and any necessary rehabilitation or usage modification of any existing building which could be made available for school use.
8. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that, before the MSBA can grant final approval of a Project, the NASHOBA REGIONAL SCHOOL DISTRICT must vote to authorize and appropriate the full amount of funding for the potential project necessary to meet the total project budget as agreed to by the MSBA and as described in 963 CMR 210 (10)(c).
9. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that, in connection with an Approved Project, it shall use all standard forms, contract documents, contract language, and format for local votes or approvals that may be developed by the MSBA and as may be amended by the MSBA from time to time.
10. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that it shall comply with and submit to the MSBA any other certifications, statements, or forms that the MSBA may require for an Approved Project.
11. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that no Total Facilities Grant, or any portion thereof, shall be disbursed by the MSBA until a Feasibility Study Agreement, Project Scope and Budget Agreement and/or a Project Funding Agreement have been fully executed for the Approved Project.

12. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that it has provided or will provide the MSBA with all audit materials requested by the MSBA in connection with any Prior Grant Projects, Waiting List Projects, and any other projects for which the NASHOBA REGIONAL SCHOOL DISTRICT has received or will receive funding from the MSBA. The NASHOBA REGIONAL SCHOOL DISTRICT hereby further acknowledges and agrees that it shall continue to cooperate with the MSBA and provide any additional documentation or information that may be requested by the MSBA in connection with any Assisted Facility.
13. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that the school building for which it has submitted a Statement of Interest is not a school that has been the site of an approved school project pursuant to G.L. c. 70B or chapter 645 of the Acts of 1948 within the ten (10) years prior to the MSBA's project application date, or that any potential project would be unrelated to such previously approved project in the same school.
14. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that it has not sold, closed, or otherwise removed from service any school building or facility, within the last ten (10) years and acknowledges and agrees that no Total Facilities Grant for an Approved Project shall issue to replace or partially replace a school facility that was sold, leased, or otherwise removed from service in the last ten years. Further, the NASHOBA REGIONAL SCHOOL DISTRICT acknowledges and agrees that the Authority in its sole discretion shall make the final determination about whether an approved project replaces a school facility removed from service.
15. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that it may be liable for any obligations previously reimbursed by grant payments if it removes a facility from service, that the Authority may stop making grant payments associated with any facility removed from service and that no future grants shall issue until the MSBA is satisfied that prior obligations have been met.
16. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that it shall base its site selection for an Approved Project on cost and environmental factors, including an awareness of soil conditions and their probable effect on foundation and site development costs, transportation effects, dislocation of site occupants and relationship to other community facilities. The NASHOBA REGIONAL SCHOOL DISTRICT hereby further acknowledges and agrees that if the MSBA were to approve a project for the NASHOBA REGIONAL SCHOOL DISTRICT, (a) the MSBA will not pay for any costs associated with acquiring the site or remediating the site, and (b) certain site specifications and requirements will have to be met.
17. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that throughout the planning and construction of an Approved Project, if such final approval is received from the MSBA, the NASHOBA REGIONAL SCHOOL DISTRICT shall follow procedures and practices satisfactory to the MSBA such as

will assure maximum attention to the operating and capital cost effects of program and design decisions, materials and systems selections.

18. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that it is current on any payments that it may owe to the MSBA and does not have any outstanding amounts past due to the MSBA.
19. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that there is no lawsuit threatened or pending against the MSBA to which the ASHBURNHAM-WESTMINSTER REGIONAL SCHOOL DISTRICT is a party and which implicates the MSBA in any way.
20. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that it has read specifically 963 CMR 2:03 (2)(a)-(g) and certifies that it has complied or will comply with each of the obligations described there and further acknowledges and agrees that failure to comply with each obligation as determined by the MSBA may be grounds for denial of a Total Facilities Grant or rescission of a Total Facilities Grant already issued.
21. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that if the NASHOBA REGIONAL SCHOOL DISTRICT and the MSBA execute a Feasibility Study Agreement, the NASHOBA REGIONAL SCHOOL DISTRICT shall promptly develop, implement and actively pursue a fraud, waste and abuse detection and prevention program in connection with any potential school construction or renovation project and Approved Project, if any, and develop written procedures to detect and prevent fraud, waste and abuse.
22. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that it will meet the minimum standards for Massachusetts Certified Public Procurement Officer (MCPPO) training as required by the Office of the Inspector General and the MSBA.
23. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that if approved for a project by the MSBA, that the school facility that is the site of said project will remain in use as an educational facility for the instruction of school children as required by 963 CMR 2.03 (2)(b).
24. The NASHOBA REGIONAL SCHOOL DISTRICT hereby certifies that it has read and understands 963 CMR 2.19 and acknowledges and agrees that if the MSBA determines that any of the information provided by the NASHOBA REGIONAL SCHOOL DISTRICT in this Initial Compliance Certification or in any other documentation submitted to the MSBA is false or intentionally misleading, the MSBA may revoke any and all grant payments approved for the NASHOBA REGIONAL SCHOOL DISTRICT and may recover any previous payments made to the NASHOBA REGIONAL SCHOOL DISTRICT.

25. The NASHOBA REGIONAL SCHOOL DISTRICT hereby acknowledges and agrees that the MSBA reserves the right to modify and supplement the Initial Compliance Certification form at any time and may require the NASHOBA REGIONAL SCHOOL DISTRICT to complete a revised Initial Compliance Certification.

By signing this Initial Compliance Certification, I hereby certify that I have read and understand the terms of this Initial Compliance Certification and hereby acknowledge and agree on behalf of the Eligible Applicant that each of the above statements is true, complete and accurate.

By:
Title: Chief Executive Officer
Date:

By signing this Initial Compliance Certification, I hereby certify that I have read and understand the terms of this Initial Compliance Certification and hereby acknowledge and agree on behalf of the Eligible Applicant that each of the above statements is true, complete and accurate.

By:
Title: Superintendent of Schools
Date:

By signing this Initial Compliance Certification, I hereby certify that I have read and understand the terms of this Initial Compliance Certification and hereby acknowledge and agree on behalf of the Eligible Applicant that each of the above statements is true, complete and accurate.

By:
Title: Chair of the School Committee
Date: