

AGENDA
BOARD OF SELECTMEN
December 15, 2009
7:00 p.m.
Town Building

Public Input

Chairman's Comments

Town Administrator's Report

Meeting Minutes

Visitors

- 7:15 p.m. Appoint Cultural Council member
- 7:20 p.m. Girl Scout Gold Award recognition

Action/Discussion

- Appoint call firefighter/EMT
- Annual license renewals for liquor, used cars, and common victualers
- Joint Boards response to Assabet River Dam and Sediment Study
- Task force on future use of Pompo building
- Policy on Town fundraising
- Policy on political banners
- Unfunded state mandates for Rep Atkins
- Stow Historical Commission's input to Mass Historical Commission re SMMA Project Notification Form on Larsen Apple Barn and Blacksmith Shop
- Reschedule January 19 meeting

Selectmen's Master Planning

Liaison Reports, if any

Correspondence

Adjournment

Posted 12/11/09

Correspondence

Town:

Comcast notice on commencement of cable license renewal process, rec'd 12/2

US Dept of Commerce request for boundary and annexation changes, rec'd 12/3

Resident letter on Board of Selectmen's priorities, rec'd 12/8

Building Permits report for November, rec'd 12/8

Letter from EOEEA Dept of Energy Resources on Green Communities Program, rec'd 12/8

Request for Letter of Recognition for Alexandra Spear's Girl Scout Gold Award, rec'd 12/3, and invitation to 1/9/2010 ceremony, rec'd 12/10

Notice of submission of site eligibility application for Highgrove Estates, a 40B development on West Acton Road, rec'd 12/10/09

FEMA notice of final flood hazard determination for Stow, rec'd 12/11

General:

Annual customer notification on Verizon FiOS TV, rec'd 12/3

Notice from Mass AG's office on monthly "OUI/Last Drink" mailings, rec'd 12/4

Mass DOT TransReport for December, rec'd 12/10

Selectmen's meeting motions, 12/15/09

Cultural Council appointment

I move that the Board appoint Phyllis Fitzsimmons-Luce to a three-year term on the Stow Cultural Council, ending on December 15, 2012.

Girl Scout Gold Award recognition

I move that the Board of Selectmen provide a Letter of Recognition to Alexandra Spear of Girl Scout Troop 725111 of the Eastern Massachusetts Council for her Girl Scout Gold Award ceremony on January 9, 2010.

Call FF/EMT appointment

On the recommendation of the Fire Chief and Town Administrator, I move that the Board re-appoint paramedic Kevin LaBarge as a call firefighter/EMT for the Stow Fire-Rescue Department, for a term ending June 30, 2010. (Later re-appointments would be annual, from July 1 through June 30.)

Establish policy on Town fundraising?

Establish policy on political banners

I move that the Board adopt the policy on banners, as recommended by the Planning Board, in a memo dated November 19, 2009.



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

STOW CULTURAL COUNCIL
One member

Duties: Stow's Cultural Council Program, administered at the state level by the Massachusetts Cultural Council, receives state funds and grants to distribute to projects in the arts, humanities and interpretive sciences.

Council members meet annually to review applications from individuals, schools, and organizations and decide how to fund the proposals, which include field trips, after school programs, concerts and festivals.

Qualifications: Registered voter of Stow. Interest in the arts, humanities and interpretive sciences. Ability to commit time to grant review process and willingness to be involved in other duties pertaining to local cultural needs.

Term: Appointment by the Board of Selectmen to a three-year term.

Application: The Board of Selectmen will be accepting applications until 5:00 pm on Thursday, December 10, 2009.

Posted November 24, 2009

Stow Selectmen's Office

From: Phyllis Fitzsimmons-Luce [pfitzluce@comcast.net]
Sent: Thursday, October 29, 2009 3:49 PM
To: selectmen@stow-ma.gov
Subject: Stow Cultural Council

116 Gleasondale Rd.
978-897-8802

Dear Board of Selectman,

I recently heard there were openings for volunteers on the Stow Cultural Council. I was in touch with Anne Draudt to learn more, and she described the workings of the Council in some detail. It sounded like work that I would be quite interested in doing. As a result, I am submitting this letter of interest for your review. Thank you for your consideration. I will look forward to hearing from you.

Sincerely,
Phyllis Fitzsimmons

42 Forest Road
Stow, MA 01775



Board of Selectmen
Town of Stow
380 Great Road
Stow, MA 01775

December 3, 2009

GIRL SCOUTS

Dear Members of the Board;

I am very pleased to request a letter of recognition for Alexandra Spear, who will receive her Girl Scout Gold Award in a ceremony on January 9, 2010.

The Girl Scout Gold Award is the highest award that a Girl Scout may earn. This prestigious award is earned by a select group of girls who demonstrate an exceptional commitment to their communities and an outstanding dedication to achievement. For many, the leadership skills, organizational skills, and sense of community and commitment that come from "going for the Gold" set the foundation for a lifetime of active citizenship.

Alexandra has a strong interest in global human rights. For her Gold Award project, she collected craft kits for an orphanage in India, and conducted educational sessions in the community—including at the middle school and high school—about the problems that still exist in southeast Asia from the 2004 tsunami. About 60 kits and several cases of additional supplies were shipped to India, giving the children incredible happiness, as well as the opportunity to draw, be creative, and express themselves.

In order to qualify for the Gold Award, Alexandra needed to complete the following requirements:

- Earn the Girl Scout Gold Leadership award by earning three Girl Scout Interest Project Awards, completing a Studio 2B Focus book, and performing a minimum of 30 hours in a recognized leadership role.
- Earn the Girl Scout Gold Career Award by doing a minimum of 40 hours related to career exploration.
- Earn the Girl Scouts Gold 4Bs Challenge Award.
- Plan and implement her Girl Scout Gold Award project consisting of at least 65 hours of work, much of that leading the efforts of others.

Although Alexandra completed her award this past summer, she entered college in August. The ceremony is scheduled for her winter break, and you are all invited to attend: January 9 at 7:00 p.m. in the Town Hall. Girl Scout cookies will be served.

Thank you for your consideration. Recognition from her community would mean a lot to her and positively impact the younger Girl Scouts in Stow who may aspire to "go for the Gold" as well.

Sincerely,

Laura Spear

Leader of Girl Scout Troop 72511
Girl Scouts of Eastern Massachusetts Council

Stow Selectmen's Office

From: Mike McLaughlin [FireChief@stow-ma.gov]
Sent: Tuesday, December 01, 2009 3:32 PM
To: selectmen@stow-ma.gov
Subject: RE: New Call Paramedic

Susan,

Thank you,

Mike

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

From: Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]
Sent: Tuesday, December 01, 2009 3:07 PM
To: Mike McLaughlin
Subject: RE: New Call Paramedic

Mike, I will put this on the Board's 12/15 meeting agenda. I think your message is enough info for them to feel comfortable making the appointment. If anything more is needed, I'll let you know.

Best,
Susan

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

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

From: Mike McLaughlin [mailto:FireChief@stow-ma.gov]
Sent: Tuesday, December 01, 2009 3:02 PM
To: Susan McLaughlin
Cc: Town Administrator
Subject: New Call Paramedic

Susan,

I would like to have Kevin LaBarge re-appointed as a call FF/EMT. He was a call EMT from 1996 through 2000. He now has the time to rejoin the Stow Fire Department as a paramedic. He currently works full time for American Medical Response providing advanced life support services.

If you need more information, please let me know.

Thank you,

Mike

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

Memo

To: Board of Selectmen
From: Planning Board
CC: Building Commissioner
Town Clerk
Date: November 19, 2009
Re: Banners

As requested, this memo is meant to follow up on our memo, dated November 2, 2009, concerning banners. As previously stated, the Planning Board suggests that the Board of Selectmen adopt a policy for the placement of banners at the existing three locations across Route 117. The Planning Board offers the following recommendations for your consideration:

- Banners shall be restricted to Stow Community events sponsored by a Town Board or Committee, or nonprofit or religious groups with 501(c)(3) Internal Revenue Code status.
- Political and Lobbying banners whether federal, state, local government or privately sponsored are prohibited.
- Commercial Advertising Signs are prohibited.
- The Board of Selectmen shall establish a permit fee, sufficient to cover the cost of the Town installing and removing the banner.
 - The permit fee shall not apply to Town Boards and Committees
 - Any request for waiver of the permit fee shall be subject to approval of the Board of Selectmen.

Even though we are aware of only one incident, we feel strongly that the issue of political and commercial banners should be addressed to prevent future incidents.

Memo

To: Board of Selectmen
From: Planning Board
CC: Building Commissioner
Town Clerk
Date: November 2, 2009
Re: Banners

At its meeting of October 27, 2009, the Planning Board discussed recent complaints about a political banner across Route 117.

Section 6.3.6.6 of the Zoning Bylaw states: "Signs endorsing political campaigns or issues are exempt, provided such signs are no larger than six (6) square feet and are removed within seven (7) days after the election to which they pertain". Although the Bylaw is silent as to the word banner, the Planning Board is of the opinion that banners are considered signs. It is our understanding that the Building Commissioner has also taken this stance, as he has ordered banners on private property removed because they exceeded the size limitation for temporary signs, as stated in the Zoning Bylaw.

Aside from the Zoning Bylaw, it is our understanding that the Selectmen have adopted the practice of permitting banners across Route 117, which until recently, have typically been for municipal and non-profit events. Therefore, we feel that this issue is best addressed by the Board of Selectmen rather than as a Zoning Bylaw Amendment.

In light of the recent complaints; the fact that banner locations are limited to only three, which could become an issue of equal opportunity in political campaigns; and the fact that the Ethics Commission advised caution with political banners, we suggest that the Board of Selectmen revisit its policy for these banners and consider prohibiting political content.

*12/7 reminder sent.**Four responses rec'd.***Stow Selectmen's Office**

From: Stow Selectmen's Office [selectmen@stow-ma.gov]
Sent: Monday, December 07, 2009 2:01 PM
To: Vin Antil; Terri Cole; Susan Wusk; Rachel Belanger; Peter Masters; Pat Perry; Pam Landry; Mike McLaughlin; Mike Kopczynski; Mike Clayton; Mike Busch; Mark Trefry; Marcia Rising; Linda Stokes; Linda Hathaway; Lew Halprin; Laura Greenough; Kristen Domurad; Kay Desmond; Kathleen Willis; Karen Kelleher; Julie Costello; John Bolton; Jeff Lance; Jean Lynch; Jack Wallace; Fred Dodge; Ed Brown; Dwight Sipler; Dotty Wilbur; Donna Kunst; Don Rising; Donna Jacobs (H); Don Hawkes; Deb Seith; Dave Coppes; Craig Martin; Conray Wharff; Charles Kern; Brian Burke; Bob Wilber; Bob Larkin; Bob Barrell; Betsy Stepp; Beth Tobey; Anne VanTine; Alyson Toole; Alice Deluca
Cc: Bill Wrigley; Ellen Sturgis; Kathy Farrell; Laura Spear; Steve Dungan; Tom Ruggiero
Subject: RE: unfunded state mandates, by Mon, Dec 7, please

Hi everyone.

Today is the day for sending unfunded state mandates to be included in Stow's list to Rep Cory Atkins.

In addition to Laura's list below, the Board of Health noted that they test the Lake Boon water for safe swimming, per state mandate. You also received Alice Deluca's email about Education Reform.

Thanks for any contributions you're able to make.
 Susan

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

From: Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]
Sent: Wednesday, November 25, 2009 2:29 PM
To: Vin Antil; Terri Cole; Susan Wusk; Rachel Belanger; Peter Masters; Pat Perry; Pam Landry; Mike McLaughlin; Mike Kopczynski; Mike Clayton; Mike Busch; Mark Trefry; Marcia Rising; Linda Stokes; Linda Hathaway; Lew Halprin; Laura Greenough; Kristen Domurad; Kay Desmond; Kathleen Willis; Karen Kelleher; Julie Costello; John Bolton; Jeff Lance; Jean Lynch; Jack Wallace; Fred Dodge; Ed Brown; Dwight Sipler; Dotty Wilbur; Donna Kunst; Don Rising; Donna Jacobs (H); Don Hawkes; Deb Seith; Dave Coppes; Craig Martin; Conray Wharff; Charles Kern; Brian Burke; Bob Wilber; Bob Larkin; Bob Barrell; Betsy Stepp; Beth Tobey; Anne VanTine; Alyson Toole; Alice Deluca
Cc: Bill Wrigley; Ellen Sturgis; Kathy Farrell; Laura Spear; Steve Dungan; Tom Ruggiero
Subject: unfunded state mandates, by Mon, Dec 7, please

Dear committee chairs and Town staff,
 The Board of Selectmen has been asked by Rep. Cory Atkins of the House Ways and Means Committee to submit a list of unfunded state mandates that the cities and towns are faced with.

Please add to Stow's response by sending items to me by Monday, December 7.

I took the liberty of copying Selectman Laura Spear's list here, as examples. (Thanks, Laura!)

- Special elections: Special state primary, special state election
- Regional school transportation: We are unable to charge anything towards the cost, yet the state is not meeting its obligation to pay.
- Master Plan – This becomes even more important if LUPA or CPA-2 is adopted, requiring a Master Plan.
- Housing Production plan – And, we were told we had to include all types of categories that don't make sense for our town, including building on municipal land (which we don't have a lot of qualifying land to do so).

12/11/2009

- BOH regulations: Check to see whether we need to do water quality testing at Lake Boon as part of the Beaches Act.
- Gun Control Act: Check to see if our police department needs to review Fire Arms Identification Cards. (Quinn Bill does not apply to Stow, right?)
- An Act to Improve the Laws Relating to Campaign Finance, Ethics and Lobbying – Requires all municipal employees to take the online training for the state's conflict of interest law and may affect municipal collective bargaining agreements for overtime. For example, Westborough has filed suit on this very issue.
- MCAS testing
- BMI indexing now is required in schools as part of the Massachusetts in Motion initiative

Many thanks for your help with this at such a busy time.
Susan

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

12/11/2009

Responses to Selectmen's request for unfunded state mandates, 12/11/09

From Jack Wallace:

Susan,

We do test the lake Boon swimming area weekly in order to meet State regs.

Jack

From Mark Trefry:

Hi Susan,

The law requires police officers to attend In-Service Training each year. The training is (4) days per Officer, (8) hours pay for each day, usually paid out at overtime or their shift is filled and we pay out overtime.

From Linda Hathaway:

Is it too late to add the added costs for tracking, filing and document storage for the amended law pertaining to Campaign Finance and Ethics?

See Chapter 28 of the Acts of 2009, **AN ACT TO IMPROVE THE LAWS RELATING TO CAMPAIGN FINANCE, ETHICS AND LOBBYING**, which amends Ethics MGL c 268a and c. 268 b. and Campaign Finance MGL ch 55.

Here's the link to Chapter 28 of the Acts of 2009

<http://www.mass.gov/legis/laws/seslaw09/sl090028.htm>

Linda

From Bob Barrell:

Susan:

How about 40B?

Bob Barrell

Stow Selectmen's Office

From: Town Clerk [townclerk@stow-ma.gov]
Sent: Friday, November 13, 2009 4:19 PM
To: Laura Spear; Tom Ruggiero; Stephen Dungan; Ellen Sturgis; Kathleen Farrell
Cc: Selectmen; TownAdministrator
Subject: unfunded mandates

Hello Everyone,

Noticed on your agenda for Tuesday that you are discussing Unfunded Mandates.

Please add the upcoming Special State Primary and Special State Election to your list of unfunded mandates.

The State Auditor has determined that these elections should be funded by the state but the town clerks do not expect that the we will be reimbursed for the added costs to hold them due to the state's budget deficit.

So feel free to add this to your list.

Linda

* * * * *

Linda Hathaway, CMMC
Stow Town Clerk
Deb Seith, Admin. Assistant
Town Building
380 Great Road
Stow, MA 01775-2127
Tel. 978-897-4514 x 1
FAX 978-897-4534

Website: www.stow-ma.gov

When responding, please remember email is considered a public record.