



## **TOWN OF STOW**

### **SPECIAL TOWN MEETING**

MONDAY, OCTOBER 29, 2012

7:00 P.M.

HALE MIDDLE SCHOOL AUDITORIUM

### **SPECIAL TOWN ELECTION**

TUESDAY, NOVEMBER 6, 2012

7:00 A.M. to 8:00 P.M.

CENTER SCHOOL GYMNASIUM



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## **Stow Finance Committee Report on Capital/Debt Exclusion Articles**

The following is an overall summary on the financial implications of the approval of the three municipal capital projects. It does not address the NRSD Science Labs project which was voted down by a Special Town Meeting in Lancaster, which means the project will not move forward.

In our analysis for the Community Center project, we used the \$2,500,000 project (Article 1) vs. the \$6,000,000 project (Article 2), as that is the one recommended by both the Community Center Project Community, as well as the Finance Committee.

For purposes of this summary, the average taxpayer calculations are based on “Class 101” properties (the overwhelming majority of properties in town). Based on data available from the assessment made last year, the average taxpayer’s home value is about \$430,000 and pays approximate \$7,680 in annual taxes. To calculate the effect on your own taxes you can divide your assessed value by \$430,000 and multiply that factor by the various average tax calculations shown below. The calculations also assume the share of revenue by other sources, including state aid, excise taxes and new growth remain constant.

It is important to note that this Special Town Meeting will not be voting on constructions costs associated with the Library, Fire and Community Center projects, but only the initial design and engineering costs needed prior to any construction. Combined, the design costs considered in this Warrant for the three projects amount to \$700,000. This amount is broken down as follows:

Pompo/Community Center	\$110,000
New Fire Station	\$390,000
Library Add/Reno	<u>\$300,000</u>
TOTAL	\$700,000

However, the implication by approving these design cost articles is that the articles for the construction costs will come before the town as early as May 2013 Town Meeting. Therefore, the warrant articles in this warrant do show estimated total projects costs for each project. It is important to note that these are estimates only and include the design costs above:

Pompo/Community Center	\$2,500,000
New Fire Station	\$7,200,000
Library Add/Reno	<u>\$3,700,000</u>
TOTAL	\$13,400,000

Though the library’s total project costs show \$3.7 Million, a portion (estimated to be anywhere from 0-20%) of the total project may be funded by Community Preservation funds. It would require approval of the CPC, as well as Town Meeting. This portion would not be paid directly by the Town in the form of debt service, but would come out of Community Preservation funds. These funds are from a 3% surcharge on property tax bills and include some matching funds from the state.

If any of the three articles for design funds are approved at this town meeting, the town would most likely borrow the funds. If the associated construction project(s) is approved, the debt for these design funds would be rolled into the associated long-term debt. Should the subsequent construction projects not be approved at an upcoming town meeting, the design funds would be paid back within five years. If the Town approved all three articles, but failed to approve any of the associated construction projects, the cost to the town would be about \$153,000 a year for 5 years, which translates into about \$52 for the average taxpayer each year for the next five years.

If the Town were to approve all three articles in this warrant, as well as the subsequent construction capital articles, the projects would most likely be bonded for about 20 years. To estimate the approximate debt service for each project, we have assumed an interest rate of 4%. Though rates are very low today (between 2-2.5%), it was not so long ago that they were at 5%. At the end of this summary there is a table that shows current and estimated future debt service assuming all three projects are eventually approved. It also assumes the subsequent projects are approved as early as this coming May and that work would begin shortly thereafter.

Nevertheless, looking at each project individually the costs are broken down as follows:

Project	Design Costs	Total Cost	Est Annual Debt Service	Est Cost Per Avg Taxpayer	% of Avg Tax Bill
Community Center	\$ 110,000	\$ 2,500,000	\$ 184,000	\$ 62.44	0.81%
New Fire Station	\$ 390,000	\$ 7,200,000	\$ 530,000	\$ 179.86	2.34%
Library Add/Reno	\$ 300,000	\$ 3,700,000	\$ 220,000	\$ 92.37	1.20%
<b>TOTAL</b>	<b>\$ 800,000</b>	<b>\$13,400,000</b>	<b>\$ 934,000</b>	<b>\$ 334.67</b>	<b>4.4%</b>

There may also be additional ongoing operational and maintenance costs associated with these projects, which we do not know at this time. Still, it should be pointed out that the Town would assume responsibility for Pompo anyway and that the Library project will not significantly increase the square footage.

The Finance Committee has recommended for approval the \$110,000 in design funds for the \$2.5 Million project for the Community Center (Article 1), along with the \$390,000 and \$300,000 in design funds for both the Fire Station and Library, respectively (Articles 3 & 4). Still, it should not necessarily be read into these recommendations that the Finance Committee will recommend for approval construction funds.

Though in total these three projects will be less expensive than the Center School Project, they will result in a significant increase in the average tax bill when fully bonded if subsequently approved: estimated to be about 4.4% vs. about 5.0% for the Center School.

The debt associated with these three projects if subsequently approved will be well within our “safe” borrowing range and will not likely negatively impact the Town’s credit rating by themselves.

However, the possible increase in taxes due to these capital projects may have a significant effect on the senior population in Stow, many of which live off of fixed incomes, particularly Social

Security. Further, many seniors count their property taxes as their largest annual expense. It should be noted that, as education accounts for over 60% of the budget, that this segment typically uses less in Town services than it pays in property taxes. Though the Finance Committee has recommended approval of these design projects, we do remain concerned about the overall tax burden on this segment of the population. Should substantial numbers of seniors move out of Stow, this alone could have a significant negative effect on the tax rates of those that remain in Stow.

## Debt Service Schedule

BOND ISSUE	Notes	FY2012	FY2013	FY2014	FY2015	FY2020	FY2021	FY2025	FY2029	FY2032	FY2035	FY2039
HALE SCHOOL 9.192M		204,324	205,293	209,855	203,480	201,912						
FLAGG HILL-\$2,993,818		194,610	196,125	197,725	194,225							
SNOW PROPERTY LAND \$577K		37,553	35,113	34,713	34,313	35,613	39,613	35,000				
SNOW PROPERTY CONST \$200K		16,575	16,375	21,175	20,875	18,475	17,875					
CENTER SCHOOL 1ST BOND - \$9.2M		647,713	656,413	659,813	668,013	676,763	674,763	672,919	671,519			
CENTER SCHOOL 2ND BOND - \$8.0M	1	-	166,609	460,000	458,400	457,400	459,600	460,700	457,600	460,950	461,300	
TOTAL TOWN DEBT PAYMENTS	2	1,100,775	1,275,928	1,583,281	1,579,306	1,390,163	1,191,851	1,168,619	1,129,119	460,950	461,300	-
FIRE STATION - \$7.2M	3			162,000	530,000	530,000	530,000	530,000	530,000	530,000		
COMMUNITY CENTER - \$2.5M	3			56,250	184,000	184,000	184,000	184,000	184,000	184,000		
LIBRARY - \$3.7M	3			83,250	220,000	220,000	220,000	220,000	220,000	220,000		
POSSIBLE EST. TOWN DEBT PAYMENTS		1,100,775	1,275,928	1,884,781	2,513,306	2,324,163	2,125,851	2,102,619	2,063,119	1,394,950	461,300	-
% OF TOTAL BUDGET	4	4.8%	5.3%	7.5%	9.5%	7.6%	6.7%	5.9%	5.2%	3.2%	1.0%	0.0%
COST FOR AVG TAXPAYER	5	\$ 373.56	\$ 433.00	\$ 639.63	\$ 852.92	\$ 788.74	\$ 721.44	\$ 713.55	\$ 700.15	\$ 473.40	\$ 156.55	\$ -
TAX CHANGE AVG TAXPAYER		\$ 142.15	\$ 59.44	\$ 206.62	\$ 213.30	\$ (65.39)	\$ (67.30)	\$ (7.88)	\$ (13.40)	\$ (226.75)	\$ (316.85)	\$ (156.55)
% CHANGE FOR AVG TAXPAYER		1.9%	0.8%	2.7%	2.8%	-0.9%	-0.9%	-0.1%	-0.2%	-3.0%	-4.1%	-2.0%
<b>NRSD DEBT - VOTED AS PART OF SCHOOL ASSESSMENT</b>												
NRSD HIGH SCHOOL RENOVATION		188,424	186,731	190,000	190,000	190,000						
NRSD DEFICIT BOND		139,622	140,912									
PROJECTED TRACK DEBT SERVICE			10,666	76,720	75,175	67,453	65,909	58,145				
NRSD DEBT- Assessment		328,046	338,309	266,720	265,175	257,453	65,909	58,145	0	0	0	0
TOTAL POSSIBLE EST. DEBT - (INCL NRSD)		1,428,821	1,614,237	2,151,501	2,778,481	2,581,616	2,191,760	2,160,764	2,063,119	1,394,950	461,300	0

### NOTES

- 1 - This is only an estimate, as the 2nd long -term bond associated with the Center School Project has not yet been bonded.
- 2 - This line represents the estimated municipal debt obligation for the town based on articles already approved.
- 3 - The debt service estimates are approximations by the Finance Committee based on total project costs as shown in the Warrant and are approximations based on 20 year bonds at 4% interest.
- 4 - The % of total budget assumes 5% budget increases in the first two years and 3% thereafter.
- 5 - Cost for the average taxpayer is an estimate based on 2012 assessment data. The average taxpayer assumptions are based on a property value of about \$430K.

*Please note that only years where there is a significant change in debt service are shown.*





## **WARRANT FOR OCTOBER 29, 2012 SPECIAL TOWN MEETING**

To either of the Constables of the Town of Stow, in the County of Middlesex, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Stow, qualified to vote in Elections and Town Affairs, to assemble in

### **HUGH MILL AUDITORIUM AT THE HALE MIDDLE SCHOOL**

In said Town on

**MONDAY, THE TWENTY-NINTH DAY OF OCTOBER 2012**

**AT 7:00 P.M.**

Then and there to act on the following Articles, namely:

#### **Article 1. Design Funds for Community Center Building Project – Plan 1**

To see if the town will vote to borrow the sum of one hundred and ten thousand dollars (\$110,000), or any other sum, for the purpose of funding the architectural and engineering services necessary for project design development and complete construction documents for basic building and systems improvements to Pompositticut School, in order to meet code compliance in converting the School into a community center, including related administrative expenses and any other costs incidental or related thereto; that the total cost of the proposed improvements is estimated at this time to be two million five hundred thousand dollars (\$2,500,000), however, it is acknowledged that this estimate is nonbinding and subject to change as a result of project details developed during the design phase; and that an affirmative vote on this article shall be null and void and of no further force and effect unless the town approves by affirmative vote a ballot question to exempt the amount required to pay for the bonds to be issued hereunder from the provisions of Proposition two and one-half; or take any other action relative thereto.

(Community Center Building Committee)

*The Finance Committee recommends approval of this article. This design option allows immediate use of the building with a portion being fully renovated at a modest cost.*

*The town must take some action with this town-owned building. The alternative, to demolish the building, would cost \$1M, which is 40% of the cost to proceed with this plan. The committee feels that it would not be financially prudent to take that alternative.*

*The overall cost of the project of \$2.5 Million (which would include the design funds in this article) would represent about a \$62/yr additional tax burden for the average taxpayer over the next 20 years. If the subsequent project was not approved within a few years, the \$110,000 design funds alone would represent about a \$8/yr additional tax burden for the average taxpayer over the next 5 years.*

## **Article 2. Design Funds for Community Center Building Project – Plan 2**

To see if the town will vote to borrow the sum of one hundred and fifty thousand dollars (\$150,000), or any other sum, for the purpose of funding the architectural and engineering services necessary for project design development for the demolition of the Pompositticut School and for the construction of a community center building on this site, including related administrative expenses and any other costs incidental or related thereto; that the total cost of the proposed community center project is estimated at this time to be approximately six million dollars (\$6,000,000), however, it is acknowledged that this estimate is nonbinding and subject to change as a result of project details developed during the design phase; and that an affirmative vote on this article shall be null and void and of no further force and effect unless the town approves by affirmative vote a ballot question to exempt the amount required to pay for the bonds to be issued hereunder from the provisions of Proposition two and one-half; or take any other action relative thereto.

(Community Center Building Committee)

*The Finance Committee does not recommend approval of this article. This asset is in sound condition and it is not reasonable to demolish. The tax implications of a \$6M construction are too high given the option stated in article 1.*

*The overall cost of the project of \$6.0 Million (which would include the design funds in this article) would represent about a \$150/yr additional tax burden for the average taxpayer over the next 20 years. If the subsequent project was not approved within a few years, the \$150,000 design funds alone would represent about a \$11/yr additional tax burden for the average taxpayer over the next 5 years.*

## **Article 3. Design Funds for Fire Station Building Project**

To see if the town will vote to borrow the sum of three hundred ninety thousand dollars (\$390,000), or any other sum, for the purpose of funding the architectural and engineering services necessary for project design development and complete construction documents for the

construction of a new fire station on the current Crescent Street site to replace the existing fire station, including related administrative expenses and any other costs incidental or related thereto; that the total cost of the proposed fire station project is estimated at this time to be approximately seven million two hundred thousand dollars (\$7,200,000), however, it is acknowledged that this estimate is nonbinding and subject to change as a result of project details developed during the design phase; and that an affirmative vote on this article shall be null and void and of no further force and effect unless the town approves by affirmative vote a ballot question to exempt the amount required to pay for the bonds to be issued hereunder from the provisions of Proposition two and one-half; or take any other action related thereto.

(Fire Station Building Committee)

*The Finance Committee recommends approval of this article.*

*The current fire station is 47 years old and has significant issues. The structure itself is well out of compliance with current code and is failing. The space itself is noticeably insufficient. The lack of space lends itself to numerous safety concerns. Further, there is not enough space to house all of our existing fire equipment today.*

*Though the proposed design of about 14,000 square feet (plus an additional 3,300 sq ft basement), represents about a 3x increase on the existing space (not counting the shipping container currently used), the space is actually smaller than most comparable fire stations currently being built and a majority of the increase in space is just to maintain the existing functionality in a more safe manner.*

*Due to the failing structure and strict seismic requirements for essential facilities, such as the fire station, the cost of renovating was prohibitively expensive. This also meant that any possible add/reno project would not be an efficient use of funds. Though the Pompo site was considered as an alternative, the possible savings here are not clear. Further, there are few, if any, examples of a viable mixed use facility involving a fire department, outside of public safety uses. The fact that it would be shared with a Community Center was a further concern.*

*The overall cost of the project of \$7.2 Million (which would include the design funds in this article) would represent about a \$180/yr additional tax burden for the average taxpayer over the next 20 years. If the subsequent project was not approved within a few years, the \$390,000 design funds alone would represent about a \$29/yr additional tax burden for the average taxpayer over the next 5 years.*

#### **Article 4. Design Funds for Randall Library Building Project**

To see if the town will vote to borrow the sum of three hundred thousand dollars (\$300,000), or any other sum, for the purpose of funding the architectural and engineering services necessary for project design development and complete construction documents for the extensive renovation of and an addition to the Randall Library, including related administrative expenses and any other costs incidental or related thereto; that the total project costs are estimated at this time to be approximately three million seven hundred thousand dollars

(\$3,700,000), however, it is acknowledged that this estimate is nonbinding and subject to change as a result of project details developed during the design phase; and that an affirmative vote on this article shall be null and void and of no further force and effect unless the town approves by affirmative vote a ballot question to exempt the amount required to pay for the bonds to be issued hereunder from the provisions of Proposition two and one-half; or take any other action related thereto.

(Randall Library Building Committee)

*The Finance Committee recommends approval of this article.*

*The town is already responsible for the maintenance of this building. Prior to the design work done this summer, the presence of water leaks was well known. The specific causes and the extent of damage were not fully understood. The consultant's report shows that parts of the '1974' addition are the cause of the leaks, and that the addition has surpassed its expected life. Repairs to it would provide only an expensive and temporary fix.*

*The proposed project, if approved at a future town meeting, would provide a permanent solution to the leaks, along with a full rehabilitation of the main house and a new addition. We feel that this expenditure is reasonable given the extent of the problems and the need to assure the continuing availability of the library for future generations. The costs associated with upkeep of the library cannot be avoided by the town.*

*The project may be eligible for an estimated \$700,000 in Community Preservation Act funds. These funds, if approved by the CPC and passed at Town Meeting, would bring the net cost to approximately \$3 Million.*

*The overall cost of the project of \$3.7 Million (which would include the design funds in this article) would represent about a \$92/yr additional tax burden for the average taxpayer over the next 20 years. If the subsequent project was not approved within a few years, the \$300,000 design funds alone would represent about a \$22/yr additional tax burden for the average taxpayer over the next 5 years.*

## **Article 5. Funds for Nashoba Regional High School Science Labs and Other Work**

To see if the Town will vote to approve the \$8,010,035 borrowing authorized by the Nashoba Regional School District, for the purpose of paying costs of renovating core science classrooms, partial roof replacement and window replacement at the District High School, 12 Green Road, Bolton, MA, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District must receive a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in

excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) forty-five and ninety-five one hundredths percent (45.95%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; the approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2 ½); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA; or take any other action relative thereto.

(Nashoba Regional School District School Committee)

*The Finance Committee does not recommend approval of this article.*

*Although we recognize the dated nature of the NRHS science labs, we do not feel that the benefit of one additional science classroom justifies the substantial costs associated with this article.*

#### **Article 6. Pompo Building Maintenance**

To see if the Town will vote to raise and appropriate or appropriate and transfer from available funds the sum of fifty thousand dollars (\$50,000), or any other sum, for the purpose of providing building maintenance services to Pompositticut School, including but not limited to providing heating oil, electricity, annual fire alarm testing, labor and expenses required to maintain DEP water system certification, snow plowing and wages for facility management, until the Annual Town Meeting in May 2012; or take any other action relative thereto.

(Board of Selectmen)

*The Finance Committee recommends approval of this article. This is for a partial year of maintenance costs for Pompo, which the Town will soon take ownership of, and would represent about a \$17 additional tax burden for the average taxpayer this fiscal year. It would be prudent to continue to provide minimum maintenance to the building.*

#### **Article 7. Transfer Funds for Fire Station Public Safety Tower Rental**

To see if the Town will vote to appropriate sixty-one thousand one hundred sixty-nine dollars and ninety-five cents (\$61,169.95), or any other sum, from the Receipts Reserved for Appropriation, Insurance Reimbursements in Excess of \$20,000 account for the purpose of paying for a temporary tower rental and replacement of the 1960s radio tower destroyed during the Halloween 2011 nor'easter storm, or take any other action relative thereto.

(Fire Department and Town Accountant)

*The Finance Committee recommends approval of this article. This amount, which represents the insurance proceeds from the destruction of the old tower, combined with the \$27,830 approved at the May 2012 Town Meeting, will fully fund both the rental of the temporary tower, as well as purchase and installation of the new replacement tower. The original radio tower was destroyed in the storm last year. The insurance claim proceeds are required to go into the general fund.*

#### **Article 8. Acceptance of Arbor Glen Open Space Access Easement**

To see if the Town will vote to accept an access agreement with Pulte Homes of New England, LLC for access easements to pedestrian trails and Town of Stow conservation land within the Arbor Glen Condominium project, recorded in Book 48083, Page 475, as shown on the plan entitled “Access Easement Arbor Glen Condominiums in Stow, MA,” prepared for Pulte Homes of New England, LLC, dated February 4, 2011, or take any other action relative thereto.  
(Board of Selectmen)

*The Finance Committee is in favor of acceptance of Article 8. There do not appear to be any issues with this easement.*

#### **Article 9. Acceptance of Fairway Drive Open Space**

To see if the Town will vote to accept a parcel of land given to the Town of Stow by Stow Woodlands LLC, of approximately 12.714 acres on the easterly side of Edson Road, and being shown as Parcel C1 on a PLAN OF LAND IN STOW, MA, prepared for S.C.C. Associates, Inc. 58 Randall Road, Stow, MA, by Acton Survey and Engineering of Acton, MA, dated February 3, 1998, and which plan is filed with the Middlesex Registry of Deeds as Plan No. 264 of 1998, recorded in Book 28298, Page 44, as an Open Space parcel, with a Perpetual Restriction imposed on the use of the land, providing in substance that the land be kept in its natural state and that the land shall not be built upon or developed, or take any other action relative thereto.

(Board of Selectmen)

*The Finance Committee is in favor of Acceptance of Article 9.*

#### **Article 10. Street Acceptance – Sylvan Drive**

To see if the Town will vote to accept as a public way the following street or portion thereof, as laid out by the Board of Selectmen according to a plan on file with the Town Clerk and authorize the Board of Selectmen to take the fee or easement in said street by eminent domain or otherwise, including easements for drainage, utility or other purposes where shown on said plan or described in the Order of Layout:

“Definitive Subdivision Plan, Derby Woods, A Planned Conservation Development, Stow, Massachusetts, Record Plan for Landwest Development, LLC, Scale: 1” = 40’

dated June 12, 2003, revised: September 19, 2003 and July 28, 2004” by Stamski and McNary, Inc., recorded with the Middlesex South District Registry of Deeds as Plan No. 20 of 2005, (the “Subdivision Plan”).

As-Built Plan of Sylvan Drive for Landwest Development, LLC, Scale: 1” = 40’.by Rose Land Survey, dated April 2, 2012, revised August 10, 2012.

Subject to and together with easements and restrictions of record insofar as the same may be still in force and applicable.

And to authorize the Board of Selectmen to acquire, by purchase, eminent domain, gift or otherwise, for highway purposes, the fee or any lesser interests, as well as easements for drainage, utility, sidewalk, slope and otherwise, in any lands that may be necessary for said Town way; and to determine whether the Town will appropriate money therefore to be provided by taxation, by appropriation from available general funds, by borrowing under the provisions of Chapter 44 of the General Laws or otherwise, or take any action relative thereto.

The easements conveyed are described as follows:

1. The perpetual right and construction easement over, under and upon that certain strip of land ten feet wide along Lots 1, 3, 4, 5, 6 and 7 and Lots 11, 12, 13, 14 and 15, situated adjacent to and parallel with Sylvan Drive, and being shown on the Subdivision Plan as “Utility and Grading Easement”, for the purpose of accommodating completion and maintenance of the subdivision roadway and drainage system, including but not limited to, drainage structures and facilities, lot grading, easement monumenting, and loaming and seeding, and for the purpose of installing, constructing and maintaining utilities of all types and kinds, including, but not limited to, electricity, gas, sewer, telephone, cable and other transmission of intelligence, pipes, transformers, conduits and all other types and kinds of facilities, structures and appurtenances necessary or desirable in order to fully effectuate this grant of easement. Without limiting the generality hereof, said reservation of easement includes the right to perform grading, and to deposit fill and other material necessary for the construction, drainage, support, and maintenance of said Sylvan Drive. Without limiting the provisions of the foregoing easement to the easement area, said reservation includes the right to enter upon said areas with materials, vehicles and equipment in order to effectuate this easement.

2. The perpetual right and construction easement over, under and upon that certain strip of land fifteen feet wide along Lots 2, 16, 17, 18, 19, 20 and 21, situated adjacent to and parallel with Sylvan Drive, and being shown on the Subdivision Plan as “Utility and Grading Easement”, for the purpose of accommodating completion and maintenance of the subdivision roadway and drainage system, including but not limited to, drainage structures and facilities, lot grading, easement monumenting, and loaming and seeding, and for the purpose of installing, constructing and maintaining utilities of all types and kinds, including, but not limited to, electricity, gas, sewer, telephone, cable and other transmission of intelligence, pipes, transformers, conduits and all other types and kinds of facilities, structures and appurtenances necessary or desirable in order to fully effectuate this grant of easement. Without limiting the generality hereof, said reservation of easement includes the right to perform grading, and to deposit fill and other

material necessary for the construction, drainage, support, and maintenance of said Sylvan Drive. Without limiting the provisions of the foregoing easement to the easement area, said reservation includes the right to enter upon said areas with materials, vehicles and equipment in order to effectuate this easement.

3. The perpetual right and construction easement over, under and upon that certain strip of land twenty feet wide along Lots 8, 9 and 10, situated adjacent to and parallel with Sylvan Drive, and being shown on the Subdivision Plan as “Utility and Grading Easement”, for the purpose of accommodating completion and maintenance of the subdivision roadway and drainage system, including but not limited to, drainage structures and facilities, lot grading, easement monumenting, and loaming and seeding, and for the purpose of installing, constructing and maintaining utilities of all types and kinds, including, but not limited to, electricity, gas, sewer, telephone, cable and other transmission of intelligence, pipes, transformers, conduits and all other types and kinds of facilities, structures and appurtenances necessary or desirable in order to fully effectuate this grant of easement. Without limiting the generality hereof, said reservation of easement includes the right to perform grading, and to deposit fill and other material necessary for the construction, drainage, support, and maintenance of said Sylvan Drive. Without limiting the provisions of the foregoing easement to the easement area, said reservation includes the right to enter upon said areas with materials, vehicles and equipment in order to effectuate this easement.

4. The perpetual right and easement over, under and upon those portions of Lot 3, Lot 7, and Lot 10 being shown as “Drainage Easement A” on the Subdivision Plan (such easement areas are collectively referred to as “Easement Areas”) Said easement includes the right to enter upon the Easement Areas for the purpose of installing, constructing and maintaining drainage facilities of all types and kinds, for the purposes of discharge of surface runoff water from Sylvan Drive and to enter upon the Easement Areas with any and all materials and equipment necessary to effectuate this easement.

Additional Easements over the Open Space Land A and Open Space Land B, which Open Space Land is to be conveyed to the Town of Stow are described as follows:

5. The perpetual right and easement to enter onto and pass and re-pass over, under and upon those strips of land being shown as “Drainage Easement A”, “Drainage Easement B”, Drainage Easement C and Drainage Easement D”, (“Easement Areas”), all shown on the Subdivision Plan, for the purpose of installing, constructing and maintaining drainage facilities of every type and kind necessary for the drainage of surface or subsurface water from the roadways and lots shown on the Plan. Without limiting the provisions hereof, said grant of easement includes the right to enter onto the Easement Areas with materials, equipment and vehicles of every name, nature and description necessary to effectuate this reservation of easement;

6. The perpetual right and easement to enter onto and pass and re-pass over and upon that strip of land being shown as, “Drainage System Access Easement”, (“Easement Area”), as shown on the Subdivision Plan for the purpose of installing, constructing and maintaining drainage facilities of every type and kind necessary for the drainage of surface or subsurface water from the roadways and lots shown on the Subdivision Plan and for the purpose of



providing vehicular and pedestrian access to drainage facilities on the Open Space Land. Without limiting the provisions hereof, said grant of easement includes the right to enter onto the Easement Area with materials, equipment and vehicles of every name, nature and description necessary to effectuate this grant of easement;

7. The perpetual right and easement to pass and re-pass over, under and upon that certain strip of land shown on the Subdivision Plan as “Access, Utility, Drainage, Grading and Clear Sight Triangle Easement”, (“Easement Area”), for the purposes of (i) providing ingress and egress to and from said easement area, (ii) installing, constructing and maintaining utilities of all types and kinds, including, but not limited to, electricity, gas, sewer, telephone, cable and other transmission of intelligence, pipes, transformers, conduits and all other types and kinds of facilities, structures and appurtenances necessary or desirable in order to fully effectuate this grant of easement, (iii) installing, constructing and maintaining drainage facilities of every type and kind necessary for the drainage of surface or subsurface water from the roadways and lots shown on the Plan; (iv) grading, re-grading, excavating, performing slope and depositing material and fill necessary for the support, construction, reconstruction, repair and maintenance of the roadways or any other facilities or appurtenances to be constructed to the roadways; (v) maintaining a clear sight area for safe turning by vehicles onto and off of the roadways, which shall include the trimming of trees and removal of vegetation that may affect or limit sight. Without limiting the foregoing, said grant of easement includes the right to enter upon the Easement Area, and any area of the land conveyed hereby adjacent thereto, with materials, equipment and vehicles of every name, nature and description necessary to effectuate this grant of easement.

8. The perpetual right and easement to pass and re-pass over, under and upon that certain strip of land shown on the Subdivision Plan as “Fire Cistern, Access, Utility, Drainage, Grading and Clear Sight Triangle Easement”, (“Easement Area”), for the purposes of (i) installing, construction and maintaining a fire cistern and any appurtenances thereto; (ii) providing ingress and egress to and from said easement area, (iii) installing, constructing and maintaining utilities of all types and kinds, including, but not limited to, electricity, gas, sewer, telephone, cable and other transmission of intelligence, pipes, transformers, conduits and all other types and kinds of facilities, structures and appurtenances necessary or desirable in order to fully effectuate this grant of easement, (iv) installing, constructing and maintaining drainage facilities of every type and kind necessary for the drainage of surface or subsurface water from the roadways and lots shown on the Plan; (v) grading, re-grading, excavating, performing slope and depositing material and fill necessary for the support, construction, reconstruction, repair and maintenance of the roadways or any other facilities or appurtenances to be constructed to the roadways; (vi) maintaining a clear sight area for safe turning by vehicles onto and off of the roadways, which shall include the trimming of trees and removal of vegetation that may affect or limit sight. Without limiting the foregoing, said grant of easement includes the right to enter upon the Easement Area, and any area of the land conveyed hereby adjacent thereto, with materials, equipment and vehicles of every name, nature and description necessary to effectuate this grant of easement.

9. The perpetual right and easement to pass and re-pass over, under and upon that certain strips of land shown on the Subdivision Plan as “Utility and Grading Easement”, (“Easement

Area”), for the purposes of (i) installing, constructing and maintaining utilities of all types and kinds, including, but not limited to, electricity, gas, sewer, telephone, cable and other transmission of intelligence, pipes, transformers, conduits and all other types and kinds of facilities, structures and appurtenances necessary or desirable in order to fully effectuate this grant of easement, (ii) grading, re-grading, excavating, performing slope and depositing material and fill necessary for the support, construction, reconstruction, repair and maintenance of the roadways shown on the plan, including Dunster Drive and Sylvan Drive, or any other facilities or appurtenances to be constructed to the roadways on the Plan. Without limiting the foregoing, said grant of easement includes the right to enter upon the Easement Area, and any area of the land conveyed hereby adjacent thereto, with materials, equipment and vehicles of every name, nature and description necessary to effectuate this grant of easement.

10. The perpetual right and easement to enter onto and pass and re-pass over and upon that strip of land being shown as, “Emergency Access Easement”, (“Easement Area”), as shown on the Plan for the purpose of installing, constructing and maintaining an access roadway for emergency access purposes. Without limiting the provisions hereof, said grant of easement includes the right to enter onto the Easement Area with materials, equipment and vehicles of every name, nature and description necessary to effectuate this grant of easement;

11. The perpetual right and easement to pass and re-pass over, under and upon that certain strips of land shown, as “Sidewalk and Drainage Easement”, (“Easement Area”), for the purposes of (i) installing, construction and maintaining a sidewalk and any appurtenances thereto; (ii) installing, constructing and maintaining drainage facilities of every type and kind necessary for the drainage of surface or subsurface water from the roadways and lots shown on the Plan; (iii) grading, re-grading, excavating, performing slope and depositing material and fill necessary for the support, construction, reconstruction, repair and maintenance of a sidewalk or any other facilities or appurtenances to be constructed to the roadways; Without limiting the foregoing, said grant of easement includes the right to enter upon the Easement Area, and any area of the land conveyed hereby adjacent thereto, with materials, equipment and vehicles of every name, nature and description necessary to effectuate this grant of easement.

(Board of Selectmen)

*The Finance Committee is in favor of Acceptance of Article 10. Superintendent of Streets, Mike Clayton, has indicated that all conditions for acceptance of Sylvan Drive have been met.*

### **Article 11. Town Election**

To vote by ballot on November 6, 2012 at the Center School in said Town of Stow the following ballot questions. The polls are open from 7:00 a.m. to 8:00 p.m.

#### **Question 1**

Shall the Town of Stow be allowed to exempt from the provisions of Proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the architectural and engineering services necessary for project design development and complete construction documents for basic building and systems improvements to Pompositticut

School, in order to meet code compliance in converting the School into a community center, including related administrative expenses and any other costs incidental or related thereto?

## **Question 2**

Shall the Town of Stow be allowed to exempt from the provisions of Proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the architectural and engineering services necessary for project design development for the demolition of the Pompositticut School and for the construction of a community center building on this site, including related administrative expenses and any other costs incidental or related thereto?

## **Question 3**

Shall the Town of Stow be allowed to exempt from the provisions of Proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the architectural and engineering services necessary for project design development and complete construction documents for the construction of a new fire station on the current Crescent Street site to replace the existing fire station, including related administrative expenses and any other costs incidental or related thereto?

## **Question 4**

Shall the Town of Stow be allowed to exempt from the provisions of Proposition two and one half, so-called, the amounts required to pay for the bond issued for the purpose of funding the architectural and engineering services necessary for project design development and complete construction documents for the extensive renovation of and an addition to the Randall Library, including related administrative expenses and any other costs incidental or related thereto?

## **Question 5**

Shall the Town of Stow be allowed to exempt from the provisions of Proposition two and one-half, so-called, the amounts required to pay the Town's allocable share of the bond issued by the Nashoba Regional School District for the purpose of paying costs of renovating core science classrooms, partial roof replacement and window replacement at the District High School, including the payment of all costs incidental or related thereto?

And you are directed to serve this warrant by posting copies attested by you calling same at the Town Building and at each of at least seven (7) other public places at least fourteen (14) days before the time of holding said meeting.

Hereof, fail not and make due return of the warrant with your doings thereon to the Town Clerk or Selectmen on or before the time of said meeting.

Given under our hands this 28<sup>th</sup> of September in the year 2012.

BOARD OF SELECTMEN

Charles Kern, Chairman  
Gary M. Bernklow  
Donald P. Hawkes  
Thomas E. Ryan, III  
James H. Salvie

### Stow Emergency Assistance Form

This is a survey being used town wide in order to keep a record of Stow residents who may need special assistance in the event of an emergency. Being prepared, before an emergency strikes, is the best way to protect yourself and assist emergency responders.

Fill out for each family member. Use other side or additional paper to list all household members that may need help.

Name	D.O.B.
Street	Telephone
Emergency Contact	EC Phone #
Primary Doctor	Dr. Phone#
Pharmacy	RX Phone#

This information is to be used only for Stow's emergency and disaster planning. It may be shared with local emergency planning, police and fire departments.

Check all that apply to you.

- ☐ I do not have a completed File of Life on my refrigerator.
- ☐ My house is hard to find or I do not have # on my house or mailbox.
- ☐ I would need help if power went out for more than a day.
- ☐ I do not have an emergency kit prepared (flashlight, radio, 3 days of food, water & medicine).
- ☐ I do not have an emergency plan for my pet.
- ☐ I do not know how to shelter in place (in my home).
- ☐ I could not drive to a shelter.
- ☐ I would need help leaving my home.
- ☐ I would not be willing to leave my home.
- ☐ I would stay with family or friends if needed.
- ☐ I can't order RX unless I'm nearly out of my current supply.
- ☐ I give my permission to be contacted for further information.

List special needs. Be specific and explain how you will need help (blindness, hearing loss, physical limitations, confusion, etc).

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List any medical equipment required. (oxygen, wheelchair, walker, insulin, wound care, IV therapy, dialysis, nebulizer, etc).

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**Please return this form to Stow Fire Dept., 16 Crescent Street, Stow, MA 01775**



## **Important Voter Information for November 6<sup>th</sup>**

Stow is holding two elections on November 6<sup>th</sup>, the State Election (aka Federal or Presidential) and a special town election. Stow voters will receive two ballots when they check in at the polls. Check the town website for sample ballots. Sample ballots are also posted at the library, the post office and at Town Building.

Center School, 403 Great Road, is the polling location for both precincts. Voter check-in will be in the new gym.

Don't know your precinct? Check the precinct map online.

**State Ballot Questions:** There are four (4) ballot questions on Stow's State Ballot. Three are the same questions state-wide. You will find information in the red Voter booklet from the Secretary of the Commonwealth that was mailed to every household in September or go online at <http://www.sec.state.ma.us> Check the 'Elections and Voting' link. The fourth is a non-binding question specific for our State Senate District. A sample ballot is online at the town website, [www.stow-ma.gov](http://www.stow-ma.gov)

**Special Town Election Ballot:** There are five (5) questions on the town ballot and the five (5) questions correspond to five (5) town meeting articles. All are listed in this warrant. See Article 11, Town Election.

Be prepared, read the ballot questions prior to Nov. 6<sup>th</sup> to save time in the voting booth. We expect over 300 voters per hour. Historically, the busiest times at the polls are between 7 a.m. – 9 a.m. and 5 p.m. – 8 p.m.

### **Parking:**

The main parking area for voters is in the parking lot off of Great Road. There is on-street parking on both sides of Great Road near Center School. Voters may also park at Town Building, Town Hall and Randall Library and then walk to Center School. We encourage car pooling if possible.

Some parking may be available along Hartley Road, at the Center parking lot off of Hartley Road and near Hale School. The Nashoba Regional School District scheduled parent –teacher conferences on Election Day. Parents attending conferences and Center School staff are encouraged to park in these locations near Hartley Road.

## **Lower Village Planning Public Forum**

**Thursday, November 15, 2012**

**7:30 pm—Stow Town Hall**

**Wondering what's been going on in the Lower Village?**

**Why are the traffic islands still in place?**

**Are there plans for revitalization?**



## **Come hear about redevelopment opportunities in Lower Village!**

**The Stow Planning Board will offer a presentation on the past, present and future potential of Lower Village. The meeting will be an opportunity to learn about the status of the Lower Village Committee's planning process and the next steps that can help the Town move forward.**

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**Your ideas are crucial to this important planning effort to make Lower Village a Gateway to Stow that we can all be proud of.**

Town of Stow  
Planning Department

[planning@stow-ma.gov](mailto:planning@stow-ma.gov)

978-897-5098