

**Stow Board of Selectmen
March 9, 2021
Stow Town Building & Via Zoom**

ATTENDANCE: Chair Thomas Ryan, Megan Birch-McMichael and James Salvie participated in person; Cortni Frecha and Ellen Sturgis participated via Zoom.

Also in attendance Town Administrator Denise Dembkoski.

Mr. Ryan called the meeting to order at 7:02 p.m.

Public Input: None

Chairman's Comments:

Chairman Ryan welcomed the new Executive Assistant, Joyce Sampson, to the Town of Stow.

There is a "Stuff a Cruiser" food drive for WHEAT Community Connections, sponsored by the Police Department and the Nashoba Rotary Club on Saturday, March 27th from 11 a.m. to 2 p.m. Residents can bring donations to the Lower Village Common by the Stow Plaza. This is in conjunction with the Bolton and Lancaster Police Departments.

Nomination papers for the May Annual Town Election are still available until March 17th from the Town Clerk and papers are due back to the Town Clerk by 5 p.m. on March 19th.

The Town Clerk mailed out the census forms; please return them if you haven't already done so.

One year ago this week, COVID arrived and started to create havoc resulting in lockdowns, general mayhem as well as many tragic deaths around the world. We are making progress; please keep up with your precautions and hopefully the end is in sight.

Chairman Ryan thanked, on behalf of the Board and himself, all the essential workers, doctors, nurses, grocery store workers, and all the town employees and residents who kept things going this past year.

Appointments:

Meredith Wood to the Cultural Council through March 9, 2024.

Selectman Salvie moved to appoint Meredith Wood to the Stow Cultural Council, for a three-year term expiring March 9, 2024. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0.

Rebecca Lynch to the Cultural Council through March 9, 2024.

After a brief discussion with Ms. Lynch, Selectman Salvie moved to appoint Rebecca Lynch to the Stow Cultural Council, for a three-year term expiring March 9, 2024. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0.

Officer David Goguen to the position of Acting Police Sergeant

Police Chief Michael Sallese said they are developing a promotional process, which takes time, and the department is lacking 2 supervisor positions. Officer Goguen has been a Senior Patrol Officer for the past 6 years, a Police Officer with Stow for 32 years and a Police Officer for a total of 35 years. He has the respect of the members of the department and is well-versed in our policies and procedures.

Selectman Salvie moved to appoint Officer David Goguen as Acting Police Sergeant for the Stow Police Department, for the remainder of a two-year term expiring June 30, 2021 and subject to reappointment thereafter, or until the appointment of two permanent Police Sergeants. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0.

The Chairman noted that Town Administrator Dembkoski also supports this appointment.

Public Hearing – Honey Pot Hill Orchards, Inc. – Farmers Series Pouring License

At 7:18 p.m. Chairman Ryan read the Public Notice into the record:

Notice is hereby given under Chapter 138 of the General Laws that Honey Pot Hill Orchards Inc, for premises located at 138 Sudbury Road, Stow, has applied for an on-premises liquor license under section 19B(n) Farmer Series Pouring Permit.

A public hearing will be held on the license application on Tuesday, March 9, 2021 at 7:15 p.m. in the Stow Town Building, 380 Great Road, with attendance via Zoom as the only method to participate.

Selectman Salvie moved that the public hearing for the liquor license application for Honey Pot Hill Orchards at 138 Sudbury Road in Stow be opened. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0 by a roll call vote.

Chelcie Martin (representing Honey Pot Hill Orchards) wanted to publicly thank Denise for her assistance with this process. Ms. Martin said they are applying for a pour permit for just their cider tent. They did the cider tent on weekends in the fall the past two years and hope that getting the pour permit will allow them to do a summer series for the people of Stow.

Chairman Ryan clarified that the Orchard already has a license from the state to make cider; this is for a pouring license. Ms. Martin said that is correct and they already renewed that license for 2021.

The Chairman opened the meeting to comments from the public.

Tom Talpey, 170 Whitman Street, asked Ms. Martin if these products are made onsite. Ms. Martin stated they started making their own hard cider last year.

Mr. Talpey asked if the license they are pursuing is specific to the tent and does this change over time; would you need a new license if you leave the tent. Ms. Martin stated they began the process 2 years ago and thought they were all set. They discovered that a pour license to pour the alcohol into a cup and sell it on premises was required. The tent itself needs to be permitted for a pour permit and they would have to apply for an amendment if they want to pour on another part of the property.

Sherri Kotosky, 101 Kingland Road, said it is an excellent idea and she is really excited to hear about it.

Selectman Salvie is very happy to see the fruition of this whole process and is satisfied with the list of 9 conditions recommended by the Police and Fire Departments.

Selectwoman Birch-McMichael said it is a phenomenal addition. She asked about the hours and dates and if they are getting permits for entertainment, and what the impact is going to be on the abutters. Ms. Martin said that in the fall they were doing it 11 a.m. to 4 p.m. on the weekends. They don't want to be open later in the fall, and for the summer nothing past sunset on Fridays and Saturdays. They talked with the abutters and the first few events this summer will be for Stow residents.

Selectwoman Sturgis asked if they are serving food given that it is alcohol. Ms. Martin said they served food on the property during the fall and that won't change. Selectwoman Sturgis asked about the hours, noting that Ms. Martin is the manager and lives on the property, so are there ABCC or local rules that the manager has to be onsite in the cider tent the entire time, and will it be Ms. Martin only. Ms. Martin said her husband has been involved through this process and when she is not there he will step in. Selectwoman Sturgis stated that Ms. Martin's husband needs to go through the CORI process and TIPS training; she wants her to have a back-up.

Selectwoman Frecha commended Ms. Martin for navigating the process and added that she has managed a small restaurant and echoed what Selectwoman Sturgis said. She asked if there is an amendment process if Ms. Martin wanted to add her husband as a responsible party or a manager. Town Administrator Dembkoski said there is no legal requirement to have more than one manager and that the manager is not required to be there all hours of operation; they are responsible for the staff that works under them and serves the alcohol. Ms. Martin said that she does not serve and every server in the tent is TIPS certified including her husband. Town Administrator

Dembkoski said they don't need to put anyone else on file with the town; the ABCC just requires a designated manager that would be responsible for the actions that take place there.

Chairman Ryan noted the conditions that the Police and Fire Departments mentioned need to be imposed upon this. Town Administrator Dembkoski said they could do summer hours and fall hours. Days and hours of operation were discussed. Selectwoman Frecha asked that the Monday Columbus Day holiday be rolled into this application.

Selectman Salvie moved that the public hearing for the liquor license application for Honey Pot Hill Orchards at 138 Sudbury Road in Stow be closed. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0 by a roll call vote.

The public hearing closed at 8:02 p.m.

After a thorough discussion the Board agreed on the following:

For July and August, Fridays and Saturdays from 11 a.m. to 8:30 p.m.

For September, October, and November, Saturdays and Sundays from 11 a.m. to 7 p.m., to include the Monday holiday of Columbus Day, October 11, 2021.

Selectman Salvie moved to approve the Section 19B(n) Farmer Series on-premises liquor license application for Honey Pot Hill Orchards at 138 Sudbury Road in Stow, as described in the application received January 22, 2021 and subject to final approval by the Massachusetts Alcoholic Beverages Control Commission with the following conditions:

- 1) Servers will be T.I.P.S. Certified (T.I.P.S. - Training and Intervention Procedures for Servers).*
- 2) Identifications will be checked prior to entering the designated area.*
- 3) Alcohol consumption will occur only within the designated area which will be clearly marked by rope, fence, or other barricade.*
- 4) On site workers at the designated area for alcohol will be certified as Crowd Managers.*
- 5) Persons under the age of 21 will not be admitted unless with a parent or guardian.*
- 6) The site will adhere to the Fire and Building Departments recommendations.*
- 7) The site will adhere to all State Laws and Alcoholic Beverages Control Commission regulations.*
- 8) There will be a successful walk through by Police and Fire public safety personnel prior to opening.*
- 9) Access will be maintained for emergency vehicle access while the site is occupied.*
- 10) The site will operate for the serving of alcohol only during the hours of 11 a.m. to 7 p.m. during the months of September, October, and November on Saturdays, Sundays, and Columbus Day provided however during the months of July and August the hours will be 11 a.m. to 8:30 p.m. on Fridays and Saturdays.*

Selectwoman Frecha seconded the motion, and it was approved unanimously 5-0.

The hearing concluded at 8:08 p.m.

Public Hearing – Minute Man Air Field - Flammable Storage

At 8:09 p.m. Chairman Ryan read the Public Notice into the record:

Notice is hereby given, that the Board of Selectmen will conduct a public hearing, in accordance with M.G.L. c.148, on the application by Donald G. McPherson for the installation of a 70,000 cubic foot gaseous hydrogen trailer for Alaka'i Technologies, situated at Minute Man Airfield at 302 Boxborough Road.

A public hearing will be held on the license application on Tuesday, March 9, 2021 at 7:45 p.m. in the Stow Town Building, 380 Great Road, with attendance via Zoom as the only method to participate.

Selectman Salvie moved to open the public hearing on the application for a license for installation of a 70,000 cubic foot gaseous hydrogen trailer for Alaka'i Technologies at Minute Man Air Field. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0 by a roll call vote.

Chairman Ryan recognized Donald McPherson, who asked the applicant to make the presentation.

Glenn Austin introduced himself and Bill Spillane; their company is Alaka'i Technologies and they are working on an air mobility vehicle also referred to as an eVTOL: electric vertical take-off and landing vehicle. Theirs is unique in that it operates off of hydrogen. To continue testing and to work on the research and development of this vehicle they have to have hydrogen onsite. The quantity is above the threshold that requires a permit that the Fire Department issues.

Jon Eisenberg of Arup, a consulting and engineering firm at 60 State Street in Boston, stated that he and his colleague Victoria Grimes are both chemical engineers and fire protection engineers. They have worked as a team with Alaka'i since November 2018, along with Chief Landry and Captain Benoit of the Stow Fire Department, to make sure all the fire safety protocols and compliance requirements that are contained in 527 CMR, the MA Comprehensive Fire Safety Code, are followed.

Victoria Grimes of Arup stated that the license is a state-driven requirement cited in MGL Ch. 147; it is a requirement to hold a land license for the storage of flammable materials above certain thresholds. The trailer being leased is a DOT certified vehicle for transport over public highways; the tanks on the trailer are all ASE certified tanks.

Mr. Austin stated that with hydrogen, if it leaks, it goes straight up. If there was a leak, it has no danger of starting a ground fire. It is as far away from the public as it can be.

Daniel Krantz, 43 Hickory Lane, said as a direct abutter and adjacent to Minute Man the idea of hydrogen as a sustainable project is a fabulous idea and he would like to hear from the Fire Chief as he puts his trust there. Mr. Krantz knows hydrogen is colorless, odorless and highly flammable and asked if there is a blast radius.

Fire Chief Joe Landry said any release of hydrogen is an automatic release straight up into the environment.

Alaka'i has added flame protection, which is above the standard on the DOT tank. This assists the department if they are going into a scene so they are not caught off guard by an unrecognized hazard in the area.

Patrick Holmes, 241 Boxboro Road, said he is not a direct abutter and asked if the license is 70,000 cubic feet but it is a 32,000 cubic foot trailer, how long does 32,000 cubic feet last, and how does this gas get from where it is being generated to there; are you generating it on site or will we now have tractor trailer traffic on our road.

Mr. Austin said that it is not being generated on site; it is being trucked in from somewhere.

Mr. Eisenberg said when the cylinders are empty they will be taken up the road and refilled. They are in research and development; they could use a full trailer in 6 days if they are doing a lot of testing or it could sit there for 2-3 weeks.

Bob Fredericks, 7 Westview Lane, said that residents of Regency at Stow are close to the airport, so if this were to explode what is the blast radius. Mr. Eisenberg said their analysis has not included a blast model; the code requires them to maintain certain separation distances which they are meeting.

Selectman Salvie moved that the public hearing for a license for flammable storage at Minute Man Air Field be closed. Selectwoman Birch-McMichael seconded, and the motion was approved 5-0 by a roll call vote.

The public hearing closed at 8:53 p.m.

Chairman Ryan said he is comfortable with the installation and with what Chief Landry has said.

Selectwoman Birch-McMichael asked about septic and if the Board of Health looked at the plan and commented. Town Administrator Demboski said the BOH wants to see the final license and the final plan that the Selectmen agree on and support.

Selectwoman Frecha has heard from a few people with concerns on winding Boxboro Road about additional traffic. She would like clarification on how often a truck may go out to refill the cylinders. Bill Spillane responded that it is similar in size to a Ford F250. During high test periods it could be as much as once every week or every other week. In low test periods once a month to once every two months.

Selectwoman Sturgis appreciates the Fire Chief being clear on how he fits into this. She thanked them for the presentation and looks forward to seeing more about what this is all about.

Selectman Salvie asked Chief Landry if he has any specific conditions. Chief Landry said that everything they have put in place meets all the codes and standards. Captain Benoit did a site visit of where the trailer is going and is comfortable with the distances from the buildings and the runway. Both companies have gone above the requirements that they follow.

Selectman Salvie moved to approve the license for installation of a 70,000 cubic foot gaseous hydrogen trailer for Alaka'i Technologies at Minute Man Air Field at 302 Boxborough Road in Stow. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously 5-0.

The hearing concluded at 9:04 p.m.

Minuteman Regional Vocational Technical High School Budget Presentation

Edward A Bouquillon, PhD, Superintendent-Director, and Minuteman School Committee representative Alice DeLuca were present via Zoom to give the FY22 Budget Summary. The Operating Budget is \$20,731,416 which is up 2.4%; Operating Capital/Debt is \$1,134,679 which is up 68%; the MSBA Project Debt is \$5,774,493 which is up 26.3%. The MSBA is peaking for a few years. Revenue is calculated as assumptions, based on revenue projections done earlier in the fall. Student interest in high-quality career and technical education (CTE) continues; enrollment is beyond approved design capacity. The school is designed to hold 628 and they have 634 students. Next year they are projecting about 690 students. They receive twice as many applications as they have room for. The Overall Budget Summary for FY22 Operating & Capital is \$27,640,588, which is 8.4% above FY21.

Stow's FY22 Preliminary Assessment is \$1,580,804, which is an increase of about \$294,751. Stow's enrollment has been increasing somewhat dramatically; up 24% over last year, and up over 120% from two years ago. They are using a 4-year rolling average to calculate the assessment.

Ms. DeLuca asked Dr. Bouquillon to highlight the adult programs at night. He said Minuteman Technical Institute, which is their post-secondary institute, received a \$110,000 grant to train folks in carpentry and in advanced manufacturing. Last night they had 10 new carpentry students begin, all women, mostly all of color. They are working with the North Atlantic States Carpenters Union and some MA Career Centers. They have a waiting list to get into the program. Next week they are going through Council on Occupational Education (COE) accreditation. When complete, students who apply to Minuteman Technical Institute at night will be able to access Federal student loans and Pell grants.

Police Hiring and Promotional Process Overview

Town Administrator Dembkoski and Chief Sallese have been working on a policy for hiring; it is one step in trying to comply with police reform and the requirements of training and vetting the candidates. The Patrol Officer process was posted on March 1st and the Chief said they already have 31 applications. There is a Hiring Committee composed of 2 residents that are unaffiliated with any board or employee, the Detective, the Lieutenant and a dispatcher. They will review the candidates and make recommendations to her and Chief Sallese, who will then conduct the background checks and forward a recommendation to the Board of Selectmen. Resumes and applications reviewed by the Hiring Committee will be absent of any personal information; they won't know names or gender until they interview. They are prepared to have one candidate academy trained and can afford to have one non-academy trained, which can help with a more diversified police force. The Sergeant process is similar, and they will swap out some members of the committee. The Chief added that for the Sergeant process they may add the step of area police chiefs doing a secondary interview. He is really excited about the patrol position and seeing people from all different backgrounds and communities applying.

Selectwoman Birch-McMichael loves the idea of "blinded resumes" as it takes the initial bias out and you are judged by your resume.

Selectman Salvie likes the idea of bringing in a non-law enforcement person for a non-professional law enforcement prospective. If we are thinking of moving toward a model where we are going to pay for or subsidize the academy tuition he would support a line item in the budget for that. He would rather see that be an actual policy. Chief Sallese would also like to create a position of a student officer.

Selectwoman Frecha is grateful for the inclusivity, the tone of this process with the blind resumes, for including people who may not have been to the academy yet, and having civilians on the committee to choose candidates. Chairman Ryan will see how this works out; he thinks they have done fairly well over the last few years with a different model. He is not 100% sure that he agrees with funding somebody through the academy.

Bias-Free Professional Policing Updated Policy

Chairman Ryan stated the Board has copies of the old policy and the new policy and asked for an update and why we should be changing it.

Chief Sallese said this will make us a better police department by replacing an existing policy with a more comprehensive one. The new policy will hold accountable those officers who interact with the public in a manner that is not within the rules and regulations of the Stow Police Department and not within MA law. This policy also brings us in line with the reform act; in part the new law states that everyone is entitled, as a civil right, to bias-free professional policing. If there is an incident and an officer is found to be policing with bias they can be decertified as a police officer, meaning they can no longer work anywhere as an officer.

Selectman Salvie moved that the Selectmen vote to approve the updated Police policy, on Bias-Free Professional Policing, as presented by Chief Michael Sallese. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously 5-0.

COVID-19 Vaccines

The Town Administrator has been working on a letter with surrounding towns requesting that the Board endorse setting up a regional COVID vaccination site to fulfill a geographic inequity.

Selectman Salvie moved that the Selectmen vote to support the cooperative work of regional stakeholders to establish a professional regional vaccination site in the Nashoba Valley, to address geographic inequity. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0.*

**The 16 communities of the Nashoba Valley (Ashburnham, Ashby, Ayer, Berlin, Bolton, Boxborough, Dunstable, Groton, Harvard, Lancaster, Littleton, Lunenburg, Pepperell, Shirley, Stow, Townsend)*

Town Administrator's Report

Denise Dembkoski had several updates:

- They are moving forward with a modified and downsized Camp Stow; it is scaled back to 50 campers, with proper precautions. Laura (Greenough) is working with the Board of Health and state guidelines. Almost all 50 slots are filled. She is still working on plans for the beach for the summer.
- The online permitting system for the Building Department is going live soon with a target date of April 1st. When it is up and running, we will work to get annual licensing and permitting for other departments up online with the \$40,000 grant that she received.
- She has been selected to represent the 3 communities in collective bargaining with the school unions. This begins this Thursday with a meeting with the teachers' union.
- She has received the draft Audit Reports for FY 2020 and will work to clear up the current year's issues and the prior years' unresolved matters. She recommends that the auditors come before the board as an independent party and present their findings and she will schedule them for a brief session.
- Plantation and Stow Elderly Housing have reached a settlement with the abutters. It will be between Stow Elderly Housing and the DEP on the next steps to permit water filtration. Abutters can appeal the DEP permit; that would be between SCHC (Stow Community Housing Corporation) and the DEP directly.
- Per the Governor's office, 13% of all eligible MA residents are now fully vaccinated. There was talk about federal relief; these new funds are scheduled to cover COVID-related expenses through 2024.
- The state is still working to help folks 65 and older get vaccinated. Now that it is open to teachers and other categories the spots are being taken immediately. About 1/3 of the population over 65 has been vaccinated.

- The Board received the full unredacted meeting file packet but the packet was redacted for the website. As the Local Licensing Authority she feels they should see all the information. The Board discussed this and it was decided that the full paper copy be available in the office to the Board, and a paper appendix to reduce the electronic packet.

Liaison Reports

- Selectman Salvie – the Library Building Committee met with Kate Hogan re: state funding. It was the first time in the 10 years that he has been involved with the Library Building Project that they have talked about that subject seriously and this building committee is taking seriously the idea of maximizing the current space in the current Library before thinking about expanding the footprint of the building.
- Selectwoman Birch-McMichael – no report
- Selectwoman Frecha – the Community Preservation Committee met last night and voted to support Stow Acres, the Kane land, the pickle ball courts, and Hallock Point. They were not able to vote to fund the Town Hall due to lack of funds. They will be sending a letter to the Selectmen’s office offering that they can support the project for \$1.75 million. The Conservation Commission confirmed the wetlands flags for Athens Lane which is the first step for a potential large development. Former Selectperson Ingeborg Hegemann Clark is receiving the Worcester Business Journal’s Hall of Fame award. It recognizes her lifetime contributions to advancing women in science and the protection of the region’s natural resources. “Ingeborg, you rock!”
- Selectwoman Sturgis said most of her committees meet after today. She asked if we have job descriptions for what committees can decide or what their staff can decide without their commissions; can something come to Town Meeting without the commission or committee approving it. The Town Administrator said most of the committees are spelled out in the Charter, and many of the committees are advisory only. Selectwoman Sturgis said she will check the Charter; she is concerned about decisions around the lakes without some larger discussion.
- Chairman Ryan - no report

Meeting Minutes

- *February 23, 2021 – Selectman Salvie moved to accept the meeting minutes of the February 23, 2021 open session meeting. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0.*
- *February 23, 2021 Executive Session - Selectman Salvie moved to accept the meeting minutes of the February 23, 2021 executive session and to release them to the public. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0.*

Correspondence – no questions from the Board members.

Adjournment: *At 10:15 p.m. Selectman Salvie moved to adjourn. Selectwoman Birch-McMichael seconded, and the motion was approved unanimously 5-0.*

Respectfully submitted,

Joyce Sampson, Executive Assistant

Materials Used at Meeting

Draft Minutes

Meeting Packet

PowerPoint Presentation by Minuteman Regional School Superintendent