

Board of Selectmen Meeting Minutes  
Tuesday, May 11, 2021  
Stow Town Building & via Zoom

Present in the Warren Room: Chairman Thomas Ryan, Megan Birch-McMichael, James Salvie, and Ellen Sturgis. Cortni Frecha was present via Zoom.

Also present: Town Administrator Denise Dembkoski.

Chairman Ryan called the meeting to order at 7 p.m.

**Public Input:** Dorothy Granat was present via Zoom to discuss the emails she recently sent to the Town and the Building Commissioner about various issues over the past 3 ½ years. Ms. Granat was advised to speak with the Town Administrator as the Building Commissioner is a town employee and falls under her purview.

This is Chairman Ryan's last regular Board meeting, and on behalf of the Board Selectwoman Sturgis presented him with a 'limited edition' sweatshirt with the town seal. They have more things planned for him in the future. Chairman Ryan said it was a pleasure serving with them. He thanked the staff and volunteers of the Town.

**Chairman's Comments:** The Chairman thanked everyone who stepped forward at the Town Election. He is grateful that people ran for public office. He congratulated Ellen Sturgis and Zack Burns. He thanked Town Clerk Linda Hathaway and Assistant Town Clerk Deb Seith for their hard work leading up to and during the Election, and he thanked the voters. Town Meeting is Saturday, May 22 beginning at 9 a.m. There will be an indoor and outdoor component due to COVID-19.

#### **Appointments**

There have been 3 Highway Department positions posted.

*Selectwoman Sturgis moved to appoint Derek Hopper as a full-time Highway Department Mechanic. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

*Selectwoman Sturgis moved to appoint Jerry Camara as a full-time Highway Department Tree/Grounds Driver Laborer. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

*Selectwoman Sturgis moved to appoint Nicholas Whalen as a temporary Highway Department Tree/Grounds Driver Laborer. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

#### **Surplus Goods and Equipment from Stow TV**

*Selectwoman Sturgis moved to declare as surplus, the goods and equipment on the list provided by Stow TV Director Jonathan Daisy, valued at less than \$10,000 and belonging to the Town, and to authorize the disposal of these surplus items. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

#### **FY 2020 Audit Report – Zackary Fentross, Melanson Audit Manager**

Mr. Fentross was the Audit Manager in charge of the June 30, 2020 audit for the Town of Stow. He wants the takeaway from the presentation to be that the Town is in a good financial position.

The independent Auditor's Report shows that the Town has received a 'clean opinion' which is the best that a town can receive from an independent audit. Stow has received this in the past. There is a paragraph titled "Emphasis of Matter;" there is an ongoing investigation being conducted by the state and he is unable to answer any questions on this matter. Mr. Fentross proceeded to review the Management Letter for the Board.

In response to a question from Selectman Salvie, Mr. Fentross said employees were very forthcoming and provided information in a timely manner. The Board appreciated the presentation and thanked him for his clarity.

This Audit Report, and those from prior years, are on the Town's website on the Town Accountant's webpage.

## **2021 Annual Town Meeting Article Discussion**

### Article 3 - Wage and Salary Schedules for Fiscal Year 2022

*Selectman Salvie moved that the Board support and recommend approval of Article 3. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

### Article 4 - General Budget for Fiscal year 2022

Selectwoman Sturgis discussed her strong support of the Assistant Town Administrator/Human Resources Director position. Selectman Salvie thinks it would be more effective to call out certain things in Article 4 at Town Meeting as opposed to a general support of the entire Article.

*Selectman Salvie moved that the Board support Article 4, and in particular, the addition of the Assistant Town Administrator position. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

### Article 35 - Capital Requests

The Finance Committee comment for Item 6 actually refers to Item 5, although FinCom supports both trucks. The Fire Department is still waiting to see if they will receive a grant for Item 4; that item may be removed on the Town Meeting floor. The Finance Committee has voted favorably on Item 9.

Selectman Salvie noted that the Capital Planning Committee has previously approved these items.

*Selectwoman Sturgis moved that the Board of Selectmen support the Capital Requests for Fiscal 2022.*

*Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

### Article 38 - Legal Services

Selectman Salvie said this amount is larger than it has been, but he wanted to point out that we are defending the Town and only in one lawsuit are we the plaintiff and we are not paying for that. The Town Administrator said there are 2 cases that are becoming active and will increase costs.

*Selectman Salvie moved that the Board of Selectmen recommend approval by Town Meeting of Article 38.*

*Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

### Article 39 - Implementation of MS4 Stormwater Permits Requirement

Town Administrator Dembkoski stated that this is a requirement and we must comply with NPDES permits and MS4 requirements. The EPA gave cities and towns a timeline for this and it is now time. This will be ongoing. The Board did not take a formal position on this article.

### Article 45 - Bylaws and Regulations amendment to change the Board of Selectmen Name

Selectwoman Birch-McMichael said it is important for the Board to take a position on this and it is a necessary change. The word 'man' is not synonymous with 'person' anymore.

Selectman Salvie feels they should not be bound by what some people in 1683 decided to call this Board.

Selectwoman Frecha added that 'female' is not synonymous with 'woman.' Even by calling us Selectwoman and Selectman we are calling out our differences. It doesn't have anything to do with our gender.

Chairman Ryan does not support this but feels it is inevitable. He does not see it as a 'miniscule cost.' He noted that it doesn't change his view of his colleagues on the Board.

The Town Administrator said it is the cost of the time to go through the website and go through the changes.

Selectman Salvie said that by that standard every article has a cost; it will cost less than \$100 to scrub the website.

*Selectwoman Sturgis moved that the Selectmen support Article 45 to change the name to Select Board.  
Selectwoman Birch-McMichael seconded the motion, and it was approved 4-1 with Chairman Ryan opposed.*

#### Article 47 - Online Permit and License Fees & Article 48 - Online Budgeting Software

*Selectman Salvie moved that the Board of Selectmen recommend that Town Meeting approve Articles 47 and 48.  
Selectwoman Sturgis seconded the motion, and it was approved unanimously.*

#### Article 49 - Salary Reserve Line to Implement Salary and Classification Changes

*Selectman Salvie moved that the Board of Selectmen recommend that Town Meeting approve Article 49.  
Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

#### Article 50 - Acceptance of Great Road Land Donation

*Selectwoman Sturgis moved that the Selectmen support Article 50 for the acceptance of the Great Road land.  
Selectman Salvie seconded the motion, and it was approved unanimously.*

#### Article 51 - Hallock Point Chapter 61 Land Purchase

Selectwoman Sturgis is not in favor of this, she is concerned about the use of CPC money (Community Preservation Committee) for a piece of property that was not listed on any priority list. She is concerned that we will not have money for the properties that have been discussed for decades. She feels the trail system will not be used as it goes around people's houses. She appreciates the amount of work that has gone into this and supports it going to a Town Meeting vote.

Selectwoman Birch-McMichael understands what her colleague is saying, but she is looking at it as having sat on the permitting process for the Planning Board and would be fine with it going to development. It should be put to a vote at Town Meeting. She does not have a strong position on it.

Selectman Salvie regards this as a transaction and the policy questions are minimal. It is 'high profile' and the Selectmen should take a position. His biggest issue is the notion that it has an impact on the local neighborhood more than the town as a whole but you can say that about any Town resource or piece of conservation land. He is impressed by the local neighborhood involvement and the fundraising efforts.

Selectwoman Frecha believes the trails will get used as there are existing conservation trails going behind people's houses. It is an opportunity to view the water in a way that is not characteristic of a lot of our town properties. She does not see development of this property as a gain and is in favor of this. She agrees with Selectwoman Sturgis about how this was funded (by CPC), and not the Town Hall.

Chairman Ryan feels it will be a good piece of property and the Board's support will give others an incentive to work out other creative solutions. He is in favor of it.

Town Administrator Dembkoski stated there is a contingency with a purchase and sale of a 3-acre parcel of land. There was a bid opening today and it was favorable and above the price indicated in the Warrant, and with the donations coming in, the amount in the Article may be amended to a lower number on the Town Meeting floor.

*Selectman Salvie moved that the Board of Selectmen recommend that Town Meeting approve Article 51.  
Selectwoman Birch-McMichael seconded the motion, and it was approved 4-1 with Selectwoman Sturgis opposed.*

#### Article 52 - Pickleball Court

Town Administrator Dembkoski said that at the Community Preservation meeting last night, the 2016 plan for the original Town Center Park was presented and it showed a hard court for some type of recreation. The Selectmen had approved that conceptual design, along with other boards and Town Meeting. Town Center Park is under the care, custody, and control of the Board of Selectmen, with 6.5 acres down to the pond under the care, custody, and control of the Conservation Commission.

The motion will be for the Pickleball Court to be at Town Center Park. The expectation is that it will come in less than \$65,000, possibly \$44,000, but it will stay as \$65,000 at Town Meeting. Parking and sound should not be an issue at this location. The cost to put it elsewhere could potentially be higher.

Selectwoman Sturgis said that CPC funds are usually matching funds; the people that are in favor of this should have done fundraising. Just because it is a smaller amount of money does not mean that fundraising should not have been done. She feels it has been presented poorly.

Selectwoman Frecha said the Town is made up of different groups of people. We are a collective of all sorts of interests and we should be funding something like this.

Discussion ensued about there not being information with hard costs and a budget to back up the numbers.

*Selectman Salvie moved that the Board recommend that Town Meeting approve Article 52. Selectwoman Birch-McMichael seconded the motion, and it was approved 4-1 with Chairman Ryan opposed.*

#### Article 53 - Kane Land Walking Path Design and Construction

Selectwoman Sturgis would like to see this supported as we don't do a lot in the Gleasondale area. There is also an Eagle Scout project which will be building boardwalks along the walking path.

*Selectwoman Sturgis moved that the Board approve Article 53. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

Selectman Salvie noted for the record that the town is not doing the bridge work in Gleasondale.

#### Article 54 - Stow Acres Conservation Restriction Purchase

*Selectwoman Sturgis moved that the Board support Article 54. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.*

The Board discussed logistics at the Annual Town Meeting. They will all sit inside, together on the stage facing the audience, with a 4-foot buffer between them and sharing a microphone.

The Board will not be having a meeting on Tuesday, May 18; the Board's next meeting will be on Saturday, May 22 at 8:30 a.m. prior to the Annual Town Meeting.

#### **Board & Committee Appointment Process**

The Board discussed how people were traditionally appointed to a board or committee. They agreed that a candidate should attend a meeting of the board/committee that they want to join and meet with the Chair.

Selectmen Salvie said there should be a written policy, and the only requirement in the Charter is for the Town Administrator to recommend.

The Board did not take any action on this process at this meeting.

#### **Recreation Department Boating Permit**

*On the recommendation of the Lake Boon Commission, Selectwoman Sturgis moved to grant a Commercial Use Permit to the Stow Recreation Department for its boating program for Camp Stow and the Town Beach, for the 2021 season and valid through December 31, 2021, and to waive the \$5 fee. Selectwoman Frecha seconded the motion, and it was approved unanimously.*

#### **Town Administrator's Report**

- There is a Stow Acres Public Forum tomorrow night to present updated plans and concepts.
- Selectwoman Sturgis asked about Town buildings reopening. The target is when state offices reopen.
- Selectwoman Sturgis asked if Bose is leaving Stow. The TA said yes, and there was a meeting to discuss what the best use of the property would be, and that there has been interest in the property. Bose has to do well testing for PFAS prior to selling.

## **Liaison Reports**

- Selectwoman Birch-McMichael: The Town Hall Restoration Committee is meeting tomorrow night. They have split into 3 groups, including fundraising and community outreach.
- Selectman Salvie: He would like the Board to be in discussions regarding Town Hall restoration. Regarding the Randall Library, the Building Committee discussed the 2012 Engineer Report stating that books cannot go on the second floor. He feels the report was vague and that they are not bound by an 8-year-old report. The existing space should be used as efficiently as possible. LACAC (Local Access Channel Advisory Committee) had its first negotiation session with the Xfinity attorney.
- Selectwoman Sturgis: The Recreation summer positions have been posted. Minuteman High School has 4 students (3 sophomores and 1 adult student) going on to the National Skills USA competition. She reminded people that the Council on Aging has many good programs. She attended the recent MAGIC (Minuteman Advisory Group on Interlocal Coordination) meeting and the MAPC (Metropolitan Area Planning Council) offers regional workshops.
- Selectwoman Frecha: The Conservation Commission has lifted the leash advisory that was in place due to the pandemic. There is still 'please leash your dogs' in certain areas. Permit applications for the water portion of the Plantation II project have been submitted.
- Chairman Ryan: Most of his liaisons for the past 10 years have been with public safety. He felt it was important and helpful to him as a selectman, prior to the new hiring process, to be part of the interviews for finalists for public safety positions. He suggested that the new Board consider keeping this tradition.

## **Meeting Minutes**

April 27, 2021: *Selectwoman Sturgis moved to approve the meeting minutes of the April 27, 2021 meeting as presented. Selectwoman Frecha seconded the motion, and it was approved unanimously.*

November 12, 2019 Executive Session: *Selectwoman Sturgis moved to approve and release the meeting minutes of the November 12, 2019 Executive Session as presented. Selectman Salvie seconded the motion, and it was approved 4-0-1 with Selectwoman Birch-McMichael abstaining.*

September 24, 2019 Executive Session: *Selectwoman Sturgis moved to approve and release the meeting minutes of the September 24, 2019 Executive Session as presented. Selectwoman Frecha seconded the motion, and it was approved 4-0-1 with Selectwoman Birch-McMichael abstaining.*

July 11, 2017: *Selectwoman Sturgis moved to approve the meeting minutes of the July 11, 2017 meeting as presented. Selectman Salvie seconded the motion, and it was approved 4-0-1 with Selectwoman Birch-McMichael abstaining.*

May 10, 2017: *Selectwoman Sturgis moved to approve the meeting minutes of the May 10, 2017 meeting as presented. Selectman Salvie seconded the motion, and it was approved 4-0-1 with Selectwoman Birch-McMichael abstaining.*

February 14, 2017: *Selectwoman Sturgis moved to approve the meeting minutes of the February 14, 2017 meeting as presented. Selectman Salvie seconded the motion, and it was approved 4-0-1 with Selectwoman Birch-McMichael abstaining.*

## **Correspondence**

Selectwoman Birch-McMichael wanted to confirm that the letter from the resident regarding Nan's Market has gone to the Planning Department.

Regarding the letter from the resident who spoke at the beginning of the meeting, Selectman Salvie wanted to confirm that she is aware of the appeals process from decisions made by the Building Inspector.

**Adjournment**

At 10 p.m. Selectwoman Sturgis moved to adjourn. Selectwoman Birch-McMichael seconded the motion, and it was approved unanimously.

Respectfully submitted,

*Joyce Sampson*

Executive Assistant

***Documents used at this meeting:***

*Documents can be found in the Selectmen's Office in the meeting folder.*