

Select Board Meeting Minutes  
Tuesday, October 26, 2021  
Stow Town Building & Zoom

Present in the Warren Room: Chair Ellen Sturgis, Megan Birch-McMichael, Zack Burns, Cortni Frecha, James Salvie, Town Administrator Denise Dembkoski

Chair Sturgis called the meeting to order at 7 p.m.

**Public Input:** None.

**Board Member Comments:**

Chair Sturgis: The Planning Board has a public hearing at 7:30 p.m. tonight on the proposed zoning changes. The Police Department recommends Trick or Treating hours of 5-8 p.m. on Sunday, and there are safety tips on Stow's website.

Board member Salvie: Mark Roberts and his dog "Mocha" began their 4Paws 4Wheels 4Hunger roll/stroll across the state on September 18th at the New York border and after 5 weeks they have made tremendous progress. They are in Plymouth tonight and will be at the Sagamore Bridge on Thursday. He drove their safety car for a few days and it was touching to see people who would stop to give him money along the way. They expect to arrive in Provincetown on November 8th. Mark and "Mocha" are getting a lot of publicity and are 60% towards their goal of \$100,000.

Board member Burns: At the recent Capital Planning meeting, the committee voted unanimously to recommend the approval of Stow Acres. He conveyed to the committee the Select Board's unanimous support of the project and the praise the Board gave to the Town Administrator and staff on negotiating the project.

**Appointment: Highway Department Tree Worker**

Nicolo Antonelli is a current employee who has been doing tree work for the Town for the past year.

*Board member Salvie moved to appoint Nicolo Antonelli to the position of full-time Tree Worker for the Stow Highway Department. Board member Burns seconded the motion and it passed unanimously.*

**Town Administrator (TA) Report**

The Special Town Meeting is this Saturday at Hale School, check in begins at 9 a.m. and the meeting starts at 10 a.m. For indoors, masks are required but no social distancing is required. There will be a section inside for the hearing impaired. There will be an outside area where attendees can hear and vote, but they must come inside to speak. Please bring your own chair.

The Planning Board public hearing is tonight, and the vote on Saturday at Town Meeting is only to change the zoning, it is not about a specific project. There is information relative to the zoning change on the website. The TA reviewed the expectations of the potential Masters Academy International school, which is purchasing the property at the former Bose location.

Regarding Stow Acres, should the Town not purchase and protect a majority of the north course, the town will have a full-scale development there. It is a lot of money being spent, but it is Community Preservation funds that have already been collected from residents' taxes for this specific purpose, to protect open space and to protect the community.

The Town Administrator set the record straight about some rumors going around. Her job is to provide information and to make recommendations. The Select Board, the Planning Board, and Town Meeting are the decision makers. Her job here, and in prior communities, is always in the best interest of all of the residents of

the community. Chair Sturgis said the Board is incredibly grateful for the Town Administrator's leadership. The Board has a role to play and they couldn't do it without her.

Board member Salvie addressed false assumptions and false facts. The warrant is not a manual to all issues that will be discussed with arguments pro and con, it is a simple document that puts people on notice of the questions that will be addressed at Town Meeting, with the information being presented at the meeting. Regarding transparency, in the past year and a half the Board's packets have been online and members of the public are seeing information at the same time that the Board is. The Board meetings are not press conferences, they are meetings that the public has a right to attend, watch, and listen. It is only through courtesy that the Chair lets members of the public ask questions and make comments. The search for the Town Administrator, and any position in town, has never been limited to residents; you want the best person available.

#### **Disclosure Form for Daniel Nicholson – continued**

Recreation Director Laura Greenough and Daniel Nicholson were present via Zoom.

This type of agreement was done about 5 years ago when projects beyond the scope of the maintenance person needed to be done but did not reach the point of needing to hire an employee. In response to a question of what type of projects are not appropriate for current staff to do, Laura said her maintenance crew is more custodial staff at the beach, they do not have a lot of hands-on experience. The cost would be approximately \$5000 for the fiscal year. Board member Salvie, expressing his dislike for this process but saying he will vote for it because of its de minimis value, said that historically work has been done in town with no disclosure forms being filed. He thinks hiring a board member for money should be the last thing done and not the first.

Board member Birch-McMichael agreed with member Salvie. She added that projects that are going to be yearly or every few years should be in the budget, and she would prefer a competitive bidding process in the future.

*Board member Salvie moved to approve and authorize the Chair to sign the Special Municipal Employee disclosure form for Daniel Nicholson. Board member Frecha seconded the motion and it passed unanimously.*

#### **American Heritage Museum/Collings Foundation Settlement Agreement**

Chair Sturgis stated that this has been in litigation for years, and this settlement prevents the Town from going to court. The Select Board and the Zoning Board of Appeals met with the Town Administrator, the Town's attorney, and the judge who ran the mediation sessions. This settlement is a compromise that the Board felt was in the best interest of the Town.

Board member Burns added that everybody in the discussion had the safety of the residents and the nuisance to the residents as a top priority. Going to court could have rendered no control over safety or nuisance.

#### **Establish designee for settlement requirements**

*Board member Salvie moved to establish the Town Administrator as Designee for the settlement requirements for the American Heritage Museum/Collings Foundation Settlement Agreement. Board member Burns seconded the motion and it passed unanimously.*

#### **Third-Party expert to advise and educate on federal and state safety regulations and requirements**

During mediation it was not discussed how this third-party would be agreed to or what requirements were necessary, the Town just needed to have a say in who was selected. James Rollison has been an expert witness for aircraft manufacturers, he does safety training on WWII aircraft and has been a pilot for more than 46 years. He also does work for the Collings Foundation. The role is to discuss with the Town Administrator the necessary safety measures and to develop a checklist, for every aircraft and every pilot, for compliance with FAA (Federal Aviation Administration) and NTSB (National Transportation Safety Board) standards and requirements.

Board member Frecha asked how can he remain objective if he is doing work for the Collings Foundation. The Town Administrator said that she will receive information from him and that she will be certifying the safety

documents. She added that we may not be able to find someone on our own to do this type of work for us. The Board's consensus was that the candidate is a very qualified and informed person.

*Board member Salvie moved to authorize the Town Administrator to retain James H. Rollison as a third-party expert to advise and educate on federal and state safety regulations and requirements. Board member Burns seconded the motion and it passed unanimously.*

### **Liquor License Requirements for 2022**

The Board discussed required training for managers and employees at establishments that hold a Section 12 Liquor License. The Police Chief had inquired about crowd management, and at this point the facilities in Stow meet the exemptions for crowd management training requirements. The Board briefly discussed One Day Liquor Licenses and decided this would be addressed at a future meeting. The Town Administrator has a draft of a One Day Liquor License Policy, in addition to drafts of an Event Policy, an Entertainment Policy, and a Sunday Entertainment Policy.

*Board member Salvie moved to set the following as requirements for holding a Section 12 Liquor License in Stow, namely that, for managers and employees of such establishments the managers shall have successfully completed an alcoholic beverage server training program such as Training for Intervention Procedures by Servers (TIPS) for restaurants and lounges, or Beverage Alcohol Training (BAT) for package stores. Managers must become re-certified every three years and provide the Town with an updated certificate. All other employees of the licensed establishment such as cashiers and waitresses who sell alcoholic beverages shall successfully complete either the TIPS or BAT training by the next renewal period or within 30 days of employment and shall become recertified every three years thereafter. All such certification and training requirements shall begin on March 31, 2022 for managers and by the end of the subsequent renewal year for other effected employees, and must become re-certified every three years, thereafter. Board member Burns seconded the motion and it passed unanimously.*

### **License Fees for 2022 – Liquor, Common Victualer, Class II**

Board member Birch-McMichael suggested keeping the fees the same as 2021 due to ongoing COVID-19 issues plus supply chain issues. The Board members were in agreement.

*Board member Salvie moved that liquor license fees for 2022 be established at:*

*Restaurants – All Alcohol - \$1,100*

*Restaurants – Wine & Malt - \$440*

*Package Stores – All Alcohol - \$2,000*

*Package Stores – Wine & Malt - \$880*

*And, Board member Salvie moved that Common Victualer license fees for 2022 remain the same rate as charged in 2021 (\$25).*

*And, Board member Salvie moved that Class II/used auto sales license fees for 2022 remain the same rate as charged in 2021 (\$100).*

*Board member Burns seconded the motion and it passed unanimously.*

### **Select Board Statement of Support on Stow Acres Project**

Chair Sturgis had asked Board member Burns to prepare a draft statement, and the Board discussed which highlights will be read by the Chair at the Special Town Meeting. The full statement will be posted on the Town's website.

*Board member Salvie moved to approve the Select Board statement of support for the Stow Acres project with amendments as suggested by the Town Administrator. Board member Frecha seconded the motion and it passed unanimously.*

#### **MAGIC Letter of ARPA (American Recovery Plan Act) Funding Advocacy**

The Board reviewed a revised letter that was received today. Board member Burns, the MAGIC (Minuteman Advisory Group on Interlocal Coordination) Select Board representative, expressed concern about the letter. The Board agreed and did not vote on the letter.

#### **Strategic Planning**

##### Select Board Goals

The Board reviewed the list of their top goals. The Town Administrator is working on updating and creating policies for the Board to review. The Board will also be reviewing the older policies that need to be readdressed.

The Board discussed meeting with the Planning Board about business in Lower Village and other locations, and also meeting with the Economic Development Industrial Commission and the Lower Village Revitalization Subcommittee. The Town Administrator was asked to do research and make recommendations on the right way for making changes in Lower Village, including water. Lower Village is already a part of her goals.

The Board questioned whether some of the goals are more TA goals and not goals of the Board. Most of the Board's goals will involve meeting with other relevant boards to discuss the issue, then decide what to do about the goal, if anything. This would most likely involve folding some things into the TA's goals for the next year.

#### **Meeting Minutes**

*Board member Salvie moved to approve the minutes of the October 12, 2021 meeting as drafted. Board member Burns seconded the motion and it passed unanimously.*

**Correspondence:** None.

#### **Adjournment**

*At 9:18 p.m. Board member Birch-McMichael moved to adjourn. Board member Burns seconded the motion and it passed unanimously.*

Respectfully submitted,

*Joyce Sampson*

Executive Assistant

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

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