

Select Board Meeting Minutes  
Tuesday, November 9, 2021  
Stow Town Building & Zoom

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

Present via Zoom: James Salvie

Absent: Cortni Frecha.

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

**Public Input:** None.

**Board Member Comments**

Chair Sturgis: Thank you to everyone who attended and helped at the Special Town Meeting. Special thanks to Linda Hathaway, Deb Seith, David Walrath, and Denise. Congratulations to our newest Fire Academy graduates: Firefighters Richard Falcione, Timothy Benoit, and Cameron Bower. The Nashoba Rotary Club is holding a drive-through lunch for Veterans on Thursday at the First Parish Church.

Board member Birch-McMichael: The Nashoba Boards of Health is hosting a clinic for Nashoba elementary school students at the Nashoba Regional High School on November 12 and December 3 from 3-6 p.m.

Board member Salvie: Mark Roberts and his dog “Mocha” finished their trek across Massachusetts on Sunday in Provincetown. They raised over \$100,000 for hunger.

**Recognition**

Dorothy Sonnichsen was present via Zoom.

Chair Sturgis read a Certificate of Appreciation for Dorothy Sonnichsen, who is stepping down after 41 years of volunteer service as Trustee, and Treasurer, of the Randall Relief Fund, the Town Fund, and the Town Farm Fund. She was also a member of the Stow Cultural Council from 2004-2010.

**Appointments**

John Paul “JP” Benoit to the position of Fire Chief, Emergency Management Officer, and Forest Warden

*Board member Burns moved to appoint John Paul “JP” Benoit to the position of Fire Chief, Emergency Management Officer and Forest Warden through June 30, 2024, contingent upon successful contract negotiations. Board member Birch-McMichael seconded the motion and it passed unanimously.*

Stephen Laaper to the position of Call Firefighter/EMT to the Stow Fire Department

*Board member Burns moved to appoint Stephen Laaper to the position of Call Firefighter/EMT to the Stow Fire Department through June 30, 2022. Board member Birch-McMichael seconded the motion and it passed unanimously.*

John Kennedy to the position of Call Firefighter/EMT to the Stow Fire Department

*Board member Burns moved to appoint John Kennedy to the position of Call Firefighter/EMT to the Stow Fire Department through June 30, 2022. Board member Birch-McMichael seconded the motion and it passed unanimously.*

### **Town Administrator (TA) Report**

- The TA thanked the 300 voters who attended the Special Town Meeting, and also Linda Hathaway and Deb Seith and their team, Jonathan Daisy and his Stow TV crew, IT Director Ron Eld, and Kathy Sferra and Jesse Steadman for their presentations at Town Meeting.
- Assistant TA Dolore Hamilton is working on a mandatory vaccination requirement policy in response to OSHA's new requirements.
- There is a public forum on the Library Building Project on Thursday, November 18<sup>th</sup> at 7 p.m. The forum will be recorded and replayed for those who cannot attend. This is one of several forums to be held.
- Speaker pro tem Hogan has secured \$300,000 for water cisterns to be installed for firefighting operations; this was secured through the state's ARPA funds.
- Covid cases are on the rise in Stow. Please take all necessary precautions.
- Chair Sturgis asked about the vacancy for a resident to serve on the Traffic Safety Advisory Committee. The preference per the posting is for someone with an engineering background.

### **Public Hearing - Tax Classification Hearing**

Chair Sturgis read the public hearing notice into the record:

The Select Board will hold a public hearing on Tuesday, November 9, 2021 at 7:15 pm in the Town Building, 380 Great Road, Stow, MA on the issue of tax classification. The purpose of the hearing is to allow taxpayers the opportunity to present their views on whether or not Residential, Commercial, Industrial, Open Space, and Personal Property should be taxed with one rate for all property classes, or to use different tax rates for different property classes. The hearing will include a presentation by the Board of Assessors outlining the options available under Chapter 40, Section 56 of the Massachusetts General Laws. At the conclusion of the public hearing the Select Board shall determine whether or not tax classification shall be applied for the Fiscal Year 2022 tax rate. Currently the Town taxes at a single tax rate for all property classes. All concerned taxpayers are encouraged to attend via Zoom to present their views orally or submit them in writing to the office. If there are questions about the hearing, please contact the Assessors' Office at 897-4597.

*Board member Burns moved to open the Tax Classification Public Hearing. Board member Birch-McMichael seconded the motion and it passed unanimously by a roll call vote: Salvie -aye, Burns -aye, Birch-McMichael -aye, Sturgis -aye.*

Principal Assessor Kristen Fox was in attendance and went through the Board of Assessors Fiscal Year 2022 Classification Presentation. Ms. Fox reminded everyone that any and all tax rates discussed are subject to approval by the Department of Revenue. Selecting a minimum residential factor of less than 1 would shift the tax burden to the commercial classes of property.

*Board member Burns moved to close the Tax Classification Public Hearing. Board member Birch-McMichael seconded the motion and it passed unanimously by a roll call vote: Salvie -aye, Burns -aye, Birch-McMichael -aye, Sturgis -aye.*

*Based on information from the Board of Assessors, Board member Burns moved that the Town of Stow adopt a minimum residential factor of 1, to keep a single tax rate for fiscal year 2022, taxing all property classes at one rate. Board member Birch-McMichael seconded the motion and it passed unanimously.*

### **Meeting Minutes**

Board member Salvie asked that a sentence on page 2 be amended, as described in the motion.

*Board member Burns moved to accept the meeting minutes of the October 26, 2021 meeting with amendments, specifically after the sentence "Board member Salvie expressed his dislike for the process but saying he will vote for it" to add in "because of its de minimis value." Board member Birch-McMichael seconded the motion and it passed unanimously.*

### **Public Hearing – Hudson Light & Power Pole Petitions**

Chair Sturgis read the public hearing notice into the record:

Notice is hereby given, in accordance with MGL Chapter 166, section 22, that the Select Board will conduct a public hearing regarding a pole locations request by Hudson Light and Power Department to locate utility poles as follows: HILEY BROOK RD., STOW – locate one (1) pole at a point approximately 110 ft. Southwest of existing pole #5 to serve the new construction at 38 Hiley Brook Rd. GREAT RD., STOW – locate one (1) pole at a point approximately 125 ft. West of existing pole #152 to reduce the overall span of overhead conductors and retain height compliance over the roadway. Also, that permission be and hereby is granted to each of said petitioners to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes. The public hearing will be held on Tuesday, November 9, 2021 at or after 7:30 p.m. at the Stow Town Building, 380 Great Road, Stow, MA. The public may attend the meeting in-person or may continue to participate via remote Zoom access.

*Board member Burns moved to open the Pole Petitions Public Hearing. Board member Birch-McMichael seconded the motion and it passed unanimously by a roll call vote: Salvie -aye, Burns -aye, Birch-McMichael -aye, Sturgis -aye.*

Chris Monsini of Hudson Light & Power (HL&P) was present via Zoom to explain the need for the 2 new poles. There is new construction of a single-family home at 38 Hiley Brook Road which requires a pole so HL&P can provide service. On Great Road the span between poles 152 and 153 is about 225 feet. HL&P prefers a span of under 150 feet. A new pole is needed at this location to reduce the span.

Verizon is listed on the petitions but did not sign. Mr. Monsini spoke with Terry Dolan at Verizon and they do not have any issues. This is a HL&P pole set and maintenance area, Verizon would just be attaching to the pole.

Mike Teliszewski, 41 Hiley Brook Rd, said that at the Site Plan approval process (for 38 Hiley Brook Road) there was no indication that a new pole would be needed. The plan was to place an underground line from pole #6. There is a 60 foot deep no-cut buffer and he wants to make sure that no more trees are coming down along the road or that the driveway or the road is not made wider for this pole.

*Board member Burns moved that the Public Hearing for installations of poles at Great Road and Hiley Brook Road be closed. Board member Birch-McMichael seconded the motion and it passed unanimously by a roll call vote: Salvie -aye, Burns -aye, Birch-McMichael -aye, Sturgis -aye.*

*Board member Burns moved that the Board approve and sign the applications by Hudson Light & Power to install new poles at Great Road and at Hiley Brook Road as indicated in the Order for Joint or Identical Pole Location for each site, received by the Select Board office October 28, 2021, conditioned that the application is not inconsistent with the site plans at either 38 or 41 Hiley Brook Road. Board member Birch-McMichael seconded the motion and it passed unanimously.*

### **Accept Donations on Behalf of the Hallock Point Purchase**

The Town Administrator reported on the breakdown of the final project costs, and once these donations are accepted the project can be closed out.

*Board member Burns moved that the Select Board vote to accept donations on behalf of the Hallock Point purchase, specifically: \$33,255 from Stow Conservation Trust, with \$10,000 going toward the land stewardship and \$22,255 toward the purchase of the property, and up to \$80,000 from the Lake Boon Association for the purchase of the property and to cover legal expenses. Board member Birch-McMichael seconded the motion and it passed unanimously.*

### **Police Department Policies**

Chief Michael Sallese presented two policies for review and discussion. The first policy, U and T Visa Certification, is to assist victims of serious crimes who are deemed to be without lawful immigration status and who come forward to work with the police. The second policy is part of the new police reform bill.

Abby Morgan was present via Zoom and thanked the Chief and the Select Board for these policies.

*Board member Burns moved that the Select Board approve the U and T Visa Certification Policy 9.02, as presented by Chief Michael Sallese. Select Board member Birch-McMichael seconded the motion and it passed unanimously.*

The Board discussed clarifying language in the Reporting Abuse, Excessive Force, or Misconduct policy regarding the Chief Executive Officer and investigations, and if the term CEO should be changed to Town Administrator.

*Board member Burns moved that the Select Board approve the Reporting Abuse, Excessive Force, or Misconduct by Law Enforcement Personnel Policy 9.03, as presented by Chief Michael Sallese, with one modification under Section 5 (V). A. 3, Chief Executive Officer shall be replaced by Town Administrator. Board member Birch-McMichael seconded the motion and it passed unanimously.*

### **Personnel Policies**

Assistant Town Administrator Dolores Hamilton was present via Zoom to discuss three new personnel policies. After discussion the Board made minor changes, as follows:

- Personnel Records Law Policy: add to the second page language to indicate “Although most information in the personnel file is confidential, some information is subject to public record such as name, job title, job description, wage or salary information, and resume with private information redacted.”
- Domestic Violence Leave Policy: change the “c” to “Town” on the second page.
- Personnel Request Policy: under “Applicability” replace “and appointed” with “employee.”

*Board member Burns moved that the Select Board vote to approve the Personnel Records Law Policy, as presented by Assistant Town Administrator/HR Director Dolores Hamilton including the additional language as presented by Ms. Hamilton. Board member Birch-McMichael seconded the motion and it passed unanimously.*

*Board member Burns moved that the Select Board vote to approve the Domestic Violence Leave Policy, as presented by Assistant Town Administrator/HR Director Dolores Hamilton with such scrivener’s error being fixed. Board member Birch-McMichael seconded the motion and it passed unanimously.*

*Board member Burns moved that the Select Board approve the Personnel Request Policy & Form Policy, as presented by Assistant Town Administrator/HR Director Dolores Hamilton with a modification to remove “and appointed” from the Applicability section of the policy. Board member Birch-McMichael seconded the motion and it passed unanimously.*

**Discuss use of American Recovery Plan Act (ARPA) funds**

The Town has received half of its funding. The Town Administrator has retained a consultant, to be paid with ARPA funds, to assist Stow will following all federal spending and reporting requirements. Funds must be committed by December 31, 2024 and spent by December 31, 2026.

**Letter of Support for SEHC for Plantation II Project**

Board member Salvie recused himself from this discussion and vote.

The Board reviewed a letter of support for the Stow Elderly Housing Corporation's (SEHC) application to the MA Department of Housing and Community Development. The Plantation II project will add 37 affordable elderly housing units to the Plantation complex, and 50 existing units at Plantation I will be updated.

*Board member Burns moved that the Select Board vote to approve the letter of support for SEHC for the Plantation II project and authorize the Chair to sign it. Board member Birch-McMichael seconded the motion and it passed 3-0.*

**Strategic Planning**

The Board will be meeting on December 7<sup>th</sup> with the Capital Planning Committee and the Finance Committee. Immediately following, the Board will meet for Select Board goals and planning.

**Correspondence**

Chair Sturgis said the Board received another letter from Ms. Dorothy Granat regarding the policy for Class II licenses; the policy has been reviewed by Town Counsel.

**Adjournment**

*At 8:59 p.m. Board member Burns moved to adjourn. Board member Birch-McMichael 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.*