

Select Board Meeting Minutes
Tuesday, December 14, 2021
Stow Town Building & Zoom

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

Present via Zoom: Megan Birch-McMichael

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

Public Input:

Dorothy Granat, 11 White Pond Road, expressed her concern regarding bylaws regarding extension of use and structure, and expressed her concern about the license issued last meeting to Mr. Presti.

Board Member Comments:

Deb Woods is still accepting wreaths at 453 Great Road for Wreaths Across America. Volunteers are still needed this Saturday at Brookside Cemetery at 12 noon, and people can email her at dwoods453@aol.com with questions or for more information.

Beginning in January, the Select Board will return to Board members only in the room for the meetings due to the increase in Covid cases.

Recognition

Board member Salvie wanted to mark the passing of Penny Garsik, who died on November 22nd, noting that she was one of those people who helps make a town a community. She volunteered at the COA and helped many families work through the challenges of at-home health care.

Appointments

Appointment of Police Detectives

Chief Michael Sallese, Brendon Fitzpatrick, and Christopher Kusz were present in the Warren Room. Chief Sallese explained that two detective positions opened up during the past year due to promotions. Also, the Citizens Police Academy will begin in February and information is posted on the Police Department website.

Board member Salvie moved to appoint Brendan Fitzpatrick and Christopher Kusz to the position of Police Detective to the Stow Police Department through June 30, 2023. Board member Frecha seconded the motion and it passed unanimously.

Appointment to Stow Housing Authority

Board member Salvie moved to appoint Steve Jelinek to the Stow Housing Authority to fill an unexpired term until the May 2022 Town Election. Board member Frecha seconded the motion and it passed unanimously.

Town Administrator (TA) Report

- There is a need for a bylaw review committee. The TA asked the Board if she and the Asst TA can begin work on the personnel bylaw and have the updates ready for the spring Town Meeting.
- The Local Access Channel Advisory Committee (LACAC) is in the process of contract negotiations with Comcast and hope to have a draft soon.
- The Library Building Committee met last week and unanimously selected Option C, which is the tear down of the 1970 version and building a smaller, more efficient addition.

Litigation Update with Attorney William Hewig

Attorney Hewig gave an update on active litigation cases, including:

In *Perisho v. the Stow Board of Health*, both parties have filed their briefs seeking judgment, and the court will decide who is correct. The hearing is set for June 2022.

The *Town of Stow v. Howard Stein Hudson Associates* is in the discovery phase, and the goal is to settle the case or refer it to mediation to avoid more litigation expenses. This case will be discussed in a March Executive Session.

In *Fisher v. the Stow Zoning Board of Appeals*, Town Counsel has a passive role as this is a case between abutters.

ARPA Funds and Spending Process

The Town Administrator is having the Town's auditing firm review the consultant's calculations for revenue replacement before spending begins. The Board discussed having the TA put together a working group and come back to the Select Board with a draft of proposals so further discussion by the Board is focused. It is important to tie any project to a department that will then be responsible for future expenditures and maintenance.

Request for Amicus Brief in support of OARS appeal of the EPA permit issued to Marlborough Westerly Wastewater Treatment Plant: This agenda item was tabled.

Liquor License Change of Manager – Nickrosz Spirits, Inc. dba Colonial Spirits of Stow

Leonard Nickrosz and Mary Lou Terreri were present via Zoom.

The manager needs to be changed from Leslie Scott Wilson to Mary Lou Terreri. The paperwork has been completed and is ready to be sent to the ABCC (Alcoholic Beverages Control Commission).

Board member Salvie moved to approve the Liquor License Change of Manager Application for Nickrosz Spirits, Inc. dba Colonial Spirits of Stow. Board member Frecha seconded the motion and it passed unanimously.

Board of Health COVID Update

Merrily Evdokimoff and Marcia Rising from the Board of Health (BOH) were present via Zoom.

The BOH met on December 2 and discussed a possible mask mandate for the Town. Ms. Evdokimoff reviewed COVID positivity rates in area towns that have mask mandates. Board member Salvie asked to discuss, at a future time, having a vaccine mandate for Town buildings because we do invite the public into our buildings.

2022 Liquor License Renewals

The licenses for Nancy's Air Field Café and Stowaway Golf will be approved but will not be released until they have a Certificate of Occupancy from the Building Commissioner.

Board member Salvie moved to renew the Town's 2022 Liquor Licenses for the following businesses, and their respective Common Victualer Licenses, and approve the release of said licenses only upon a satisfactory inspection by the Building Department:

- *Stow Food & Beverage LLC (Stow Acres), 58 Randall Rd – On-Premises – All Alcohol & Common Victualer*
- *J. Melone & Sons d/b/a Stowaway Golf, 121 White Pond Rd – On Premises – Wine & Malt & Common Victualer*
- *Nickrosz Spirits, Inc. d/b/a Colonial Spirits of Stow, 117 Great Rd – Package Store – All Alcohol*
- *AL & BC, 8 Hudson Road – Package Store – All Alcohol*
- *Robert Page III LLC d/b/a Butternut Farm Golf Club, 115 Wheeler Rd – On-Premises – All Alcohol & Common Victualer*

- *Wedgewood Country Club of Stow Inc. d/b/a Wedgewood Pines Country Club, 215 Harvard Rd - On-Premises – All Alcohol & Common Victualer*
- *J. Salamone Enterprises, Inc. d/b/a Russell's Convenience Store of Stow, 390 Great Road – Package Store – Wine & Malt*
- *The Air Field Café, Inc. d/b/a Nancy's Air Field Café, 302 Boxboro Rd - On-Premises – All Alcohol & Common Victualer*
- *Red River Rock, Inc. d/b/a Red Ginger Restaurant, 117 Great Road - On-Premises – All Alcohol & Common Victualer*
- *29 Culinary, LLC d/b/a Nan's Market, 271 Great Road – Package Store – Wine & Malt*
- *Honey Pot Hill Orchards LLC, 138 Sudbury Road – Farmer Winery Pouring Permit – Wine & Malt & Common Victualer*

Board member Frecha seconded the motion and it passed unanimously.

2022 Common Victualer Renewals

Board member Salvie moved to renew the Town's Common Victualer Licenses for 2022 for Dunkin Donuts @Stow Gulf Station, 626 Great Road and Delta Epsilon, Inc d/b/a Stow House of Pizza, 156 Great Road.

Further, Board member Salvie moved to renew the Common Victualer License for the Stow Café at 118 Great Road and Emma's Café, 117 Great Road, pending satisfactory receipt of all required documentation and outstanding taxes.

Board member Frecha seconded the motion and it passed unanimously.

Class II license renewals

Board member Salvie moved to renew the Town's Class II License for the following business for 2022:

- *Great Road Fuels, 368 Great Road*

Board member Frecha seconded the motion and it passed unanimously.

Meeting Minutes

Board member Salvie moved to accept the meeting minutes of the November 23, 2021 meeting as written. Board member Frecha seconded the motion and it passed 4-0-1 with Board member Burns abstaining.

Board member Salvie moved to accept the meeting minutes of the December 7, 2021 meeting as written. Board member Frecha seconded the motion and it passed unanimously.

Correspondence

Chair Sturgis thanked Carol Lynn, the Select Board representative to the Green Advisory Committee, for the meeting minutes from the Committee.

Adjournment

At 8:04 p.m., Board member Salvie moved to adjourn. Board member Frecha 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.