

Select Board Meeting Minutes
Tuesday, June 14, 2022
Stow Town Building & Zoom

Present in the Warren Room: Megan Birch-McMichael, Ingeborg Hegemann Clark, Cortni Frecha, and Town Administrator Denise Dembkoski

Present via Zoom: Ellen Sturgis

Chair Birch-McMichael called the meeting to order at 7 p.m.

The Chair advised everyone that Stow TV is recording this meeting. The Board will begin using the 'raised hand' feature so that the Chair can unmute a participant when recognized by the Chair.

Anyone speaking during Public Input should state their name and address, limit comments to issues that are not on the agenda, and limit comments to two minutes or less.

For a future agenda, the Board will put together a policy for public comment.

Public Input: None.

Board Member Comments:

Ms. Sturgis gave kudos to the SpringFest Committee for putting the event together. She also commented on how quickly people helped the O'Connell family after the fire at their house and thanked everyone for their support.

Recognition – Eagle Scout Dylan Gross

Mr. Gross's service project was the construction of a 60' by 60' deer enclosure with 8' high fencing on conservation land at Marble Hill to enable the Town to conduct research on forest growth and health.

Board member Frecha moved to recognize Boy Scout Dylan Gross for achieving the rank of Eagle Scout, and to sign the letter and proclamation for his recognition ceremony on Sunday, June 26, 2022. Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

Town Administrator (TA) Report

- Covid cases are down to 32; this is a 7.78% positivity rate.
- Congratulations to Sgt. Cassandra Scott who was selected as the 2022 recipient of the Courage Award by the Massachusetts Association of Women in Law Enforcement. Congratulations to Cassie!
- The TA acknowledged all of the employees in the fire, police, building, and highway departments for the work on the two fires recently in town, the first on May 26 on Wheeler Road and on May 28 off Athens Lane. There were no injuries at either fire and all departments worked together effortlessly. Thank you to the communities who responded with mutual aid.
- Thank you to the SpringFest Committee: Maura Hyland, Sherry Jusseume, Carole Ann Baer, and Jackie Spataro, for all their hard work and organizing SpringFest in only a few months. Thank you

to everyone who participated, volunteered, and attended the event; it was a truly amazing day for our residents.

- The TA has been asked to participate on the Boxborough Town Administrator Screening Committee. This is helping a neighboring community and should have no impact here.
- The TA has informed board and committee chairs that the remote option for government meetings will expire on July 15th unless extended by the MA legislature. The TA has consulted with town counsel and has advised departments of the language to use for public hearing or meeting notices so that we have a plan in place for hybrid meetings if the fully remote option expires. Ms. Sturgis asked if the TA could send a letter to Rep. Kate Hogan on behalf of the Board about this.
- The internal employee DEI group (Diversity, Equity, and Inclusion) made the decision to purchase and display the rainbow flag bunting on public buildings, and it was the decision of the department head of each building to hang them or not. They were not requested or paid for by a private organization. Later in the month the DEI group, in collaboration with the Library, will have an educational forum at the Community Center with a former Stow resident for Pride Month.

Chair Birch-McMichael would like future agenda topics of holding a Joints Board Meeting and to form a Town Hall Usage Committee.

Proclamation for Pride Month

Kelly Lawlor and Hector Constantzos were present via Zoom.

Ms. Lawlor had sent a letter last year asking the Board to do a pride proclamation, and this year she and Mr. Constantzos submitted a draft of a proclamation. The Town is growing and we need to meet that growth with inclusion and equity, and to recognize, accept, and value diversity. She read the poem “Words” by Pauli Murray and ended by saying that words get us to step one to make space for all of the people in our community.

Mr. Constantzos appreciates the work that Denise and the town employees have done and for displaying the pride banners. He said there are people speaking out against the LGBTQ community and that silence is a deadly thing, and when we don’t speak out we are supporting people that speak against. If the Board speaks out it shows support for all the residents in the town of Stow.

All Board members felt it was appropriate to support the proclamation. Ms. Sturgis would like to add a line in the proclamation to show particular and direct support of the DEI group by the Select Board.

Ms. Frecha added that there are different points of view on this and the Board is not invalidating someone else’s beliefs by supporting this proclamation; this is part of the diversity.

Chair Birch-McMichael read the Proclamation for Pride Month into the record (attached).

Board member Frecha moved that the Board sign the Proclamation for Pride Month as presented and amended at this meeting by Kelly Lawlor and Hector Constantzos. Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

Set Special Election Date

The Center School will be closed on Tuesday, September 6th for the state primary and it would be sensible and fiscally responsible to hold the special town election on the same day.

Board member Frecha moved to set Tuesday, September 6, 2022, as the date for the Special Election, to be held at Center School. Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

Modification of Wildlife Woods Open Space Agreement

At the August 10, 2021 Board meeting, the Board received a modification request to the Care and Maintenance of Wildlife Woods Open Space Areas agreement. This was tabled in order for the Board to receive and review documents from the Planning Board and the Conservation Commission.

Anthony Parrinello, 52 Whispering Way, was present as a trustee of the Wildlife Woods Homeowners Association Trust (HOA). The proposed revision to the Care and Maintenance of Wildlife Woods Open Space Areas is the language that the HOA is seeking in order to maintain the common land.

Ms. Hegemann, who is a current member of the Conservation Commission and was a member of the Planning Board when the subdivision was originally approved in 1998, said that the letter the Board received in the packet from Conservation Director Kathy Sferra helped to summarize the information. Ms. Hegemann wanted clarification on the term “forestry standards.” Mr. Parrinello said that Tree Warden Bruce Fletcher had visited the site and used the term “forestry management practices and stewardship.”

Ms. Hegemann suggested the wording “...and that tree pruning and removal should also be done in accordance with the Wetlands Protection Act.” be added to the third bullet point on the proposed revision.

Ms. Frecha, who has taken a forestry class, suggested the Trustees have a forester come out and view the site and to consider having a Forest Management Plan.

Chair Birch-McMichael would like a future agenda topic to address and further discuss this land that is under the Select Board purview.

Board member Frecha moved to modify the Wildlife Woods Open Space Agreement with the Town of Stow as presented in the packet and amended by Ms. Hegemann. Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

Animal Control Warrant and Intermunicipal Animal Control Agreement (IMA)

The Animal Control Warrant is a formality under MA General Law and is done on an annual basis.

The Town shares animal control services with Boxborough and Littleton and the IMA is the annual agreement with the Town of Boxborough. The TA said she will support this agreement for one more year and asked the Board to support it. However, the TA wants to meet with Boxborough (as indicated in section 29) to discuss sections 7 and 19 and the overall contract before next year’s contract is executed.

Ms. Hegemann feels that the indemnification language is harsh, in particular, the use of the word “defend.” The TA said she will look further into this and believes that the language is for one community to hold harmless the other community.

Ms. Frecha asked if there could be a clause to periodically allow for the reorganization of which town has responsibility for what is in the contract. The TA said that the Animal Control Officer (ACO) is an

employee of Boxborough, and that would mean she would have to become an employee of one of the other towns, which she believes should be done every three years.

Ms. Sturgis asked if this was just about the contract and not about the ACO, whom they all agreed is fantastic. Ms. Sturgis wanted to separate those two things.

Board member Frecha moved, in accordance with Chapter 140, section 151A of the Massachusetts General Laws, to approve the annual Animal Control Warrant, dated June 14, 2022, and effective for one year from July 1, 2022 through June 30, 2023, and to authorize the Chair to sign it on behalf of the Board, and further,

Board member Frecha moved that the Select Board approve, and that the Select Board and Town Administrator sign, the Intermunicipal Agreement with the Town of Boxborough for Animal Control Services for the period from July 1, 2022 through June 30, 2023 as presented. Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

Randall Library Committees

Randall Library Building Committee 2.0 (RLBC2) and Library Building Exterior Design Committee

The TA referenced her memo to the Board, which explained that the original Library Building Committee's charge has concluded. She proposed two new committees.

Ms. Sturgis didn't understand the need for two separate committees and would prefer one committee with a subcommittee. She felt that the at-large seats do not require any specific skills. She also thinks it is inappropriate for the Town Administrator to be a member of the committees, as the TA will always have an impact on it and the Library Director, who will be on both committees, reports to the TA. She would prefer five at-large members on the building committee.

Ms. Hegemann prefers the purpose of the Building Exterior Design Committee to be "guide and oversee" instead of "choose", and for the charge to be to "guide and oversee" instead of "guide and approve". Regarding the skill set for both committees, she thinks the candidates should identify their skills in the areas of architecture, historic structures, and landscape architecture. Ms. Frecha added that it could be worded as "preference may be given" to applicants with those skills.

The TA said she kept it as residents-at-large so that members of the original LBC who want to see the project through to the end can apply for the resident-at-large seats on the new committee. The TA put the Building Commissioner on both committees as he can speak to the building code, the green energy materials to be used, etc., and it would not limit us in trying to find candidates from specific trades.

Chair Birch-McMichael said that the town employees that will be on the committees have a lot of the knowledge that would be looked for, but it would be helpful to have someone with knowledge of historic buildings.

The Town Administrator explained that one of her goals set by the Select Board is to see that this project gets done, and this is her way of doing it. She asked if the Board would prefer to have her appoint someone for the committees. Ms. Sturgis did not think it was appropriate for the TA to be a member or to appoint a member.

Ms. Frecha said that the presence of the TA would have a positive, guiding influence and that she holds a position of trust. She feels the reasoning for two separate committees is sound. Ms. Hegemann

agrees that the committees would benefit by the guidance of the TA and would support this as amended, to be the Town Administrator or her designee. Ms. Frecha likens this to a Select Board member being on another committee, as only one voice, and acting as a liaison to the Board. Ms. Sturgis said it is not the same, and suggested that a Select Board member sit on the committee instead.

Board member Frecha moved to establish a Randall Library Building Committee 2.0, composed of nine members, including the Town Administrator or her designee, Library Director, Building Commissioner, two Randall Library Trustees, and four Residents At Large, to serve until the Committee's purpose is fulfilled, per the requirements stated in the Committee description. Preference will be given to individuals with landscape, historical, or architectural experience or interests.

The Committee's purpose is to oversee the full design and construction of the Randall Library renovations and addition. The Committee's charge is to guide the Randall Library Renovation Project. All major decisions shall be brought to the Randall Library Building Committee 2.0 for review, approval and formal submission to the Board of Library Trustees and the Town Administrator for final approval.

Further, Board member Frecha moved to designate the Randall Library Building Committee 2.0 as Special Municipal Employees pursuant to Mass. General Law c.268A. At-Large Members must be registered voters of Stow, and agree to comply with State Ethics and Open Meeting Law requirements.

And,

Board member Frecha moved to establish a Randall Library Building Exterior Design Committee, composed of seven members, including the Town Administrator or her designee, Library Director, Building Commissioner, one RLBC2 At-Large Member, and three Residents not serving on the primary building committee, to serve until the exterior of the building design has been approved by the RLBC2, per the requirements stated in the Committee description. Preference will be given to individuals with landscape, historical, or architectural experience or interests.

The Committee's purpose is to guide and oversee the style and materials for the building and plantings and structures for the landscaping. The Committee's charge is to guide and oversee the exterior look of the Randall Library Renovation Project. During the exterior design process, the Exterior Design Committee will work as a team with several consultants including the Owner's Project Manager (OPM) and the Architect firm. The Exterior Design Committee will ensure proper public outreach is conducted and the public is kept informed about the exterior look of the building.

Further, Board member Frecha moved to designate the Randall Library Building Committee as Special Municipal Employees pursuant to Mass. General Law c.268A. Members must agree to comply with State Ethics and Open Meeting Law requirements.

Board member Hegemann seconded the motion for discussion, and asked for an amendment to the motion to include "Preference will be given to individuals with landscape, historical, or architectural experience or interests." at the end of paragraph one and paragraph four. (This has been added to the motion above for consistency and ease of reference.)

Chair Birch-McMichael asked for a vote, and the motion passed 3-1-0 by a roll call vote: Sturgis -nay; Hegemann -aye; Frecha -aye; Birch-McMichael -aye.

Ms. Sturgis wanted it noted that she was disappointed the Board took those together as they were listed on the agenda as two separate items and written as two separate motions.

One-Day Liquor License Policy

Ms. Frecha wanted to clarify that it is state requirements that a one-day all-liquor license is for non-profits only and that the license holder cannot buy from a regular liquor store. The state has a list of approved wholesalers from which the liquor can be purchased.

Board member Frecha moved to approve the new One-Day Liquor License Policy as presented at this meeting. Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

Town Administrator ARPA Funding Requests

Currently, department heads do a majority of the work on RFPs (Request for Proposals) but there is work that is not being done for procurement of annual services that we use regularly. With the upcoming departure of Town Planner Jesse Steadman, who does a large amount of procurement and grant work, it would be beneficial to hire a part-time person on a trial basis for the upcoming fiscal year. This would be for a flexible number of hours on a weekly basis, with the possibility of benefits.

There was an injury in the fire station and it was determined that the floor needs a surface treatment to prevent further injury.

Board member Frecha moved to approve the request from the Town Administrator to use ARPA funds to hire a part-time Procurement/Grants Administrator for the Town of Stow, on a trial basis for fiscal year 2023, and to further approve the request for the Fire Apparatus Bay floor resurfacing. Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

FY23 COLA for Town Administrator

This was voted at Town Meeting as part of the budget, this will be a formal vote by the Board.

Board member Frecha moved to approve a 3% COLA for the Town Administrator for FY23. Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

Select Board Appointments to Boards and Committees

The Board discussed the openings and what some of the committees do and when they meet.

Board member Frecha moved

to appoint Ellen Sturgis as the Select Board appointee to the Capital Planning Committee, to complete the remainder of an unexpired two-year term expiring June 30, 2023.

to appoint Ingeborg Hegemann as the Select Board appointee to the Complete Streets Committee, for a one-year term expiring June 30, 2023.

to appoint Cortni Frecha as the Select Board appointee to the Local Access Channel Advisory Committee, for a two-year term expiring June 30, 2024.

to appoint Ingeborg Hegemann as the Select Board representative to the Minuteman Advisory Group on Interlocal Coordination (MAGIC), for a one-year term expiring June 30, 2023.

to appoint Megan Birch-McMichael as the Select Board appointee to the Lower Village Revitalization Committee, for a one-year term expiring June 30, 2023.

to appoint Cortni Frecha as the Select Board representative to Tri-Town.

Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

Meeting Minutes

Board member Frecha moved to accept the meeting minutes of the May 24, 2022 meeting as drafted. Board member Hegemann seconded the motion and it passed unanimously on a roll call vote.

Correspondence

Member Sturgis thanked the people who took the time to write in support of the pride banners. Chair Birch-McMichael agreed and said it was a broad spectrum of people who write to the Board.

Next Meeting

The next meeting is Tuesday, June 21, 2022 and not on June 28, 2022, and the agenda will post on Thursday due to the Juneteenth holiday on Monday, June 20, 2022.

Adjournment

At 8:48 p.m. Board member Frecha moved to adjourn. Board member Hegemann seconded the motion and it passed unanimously on a roll call vote.

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.