

Select Board Meeting Minutes
Tuesday, June 21, 2022
Stow Town Building & Zoom

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

Chair Birch-McMichael called the meeting to order at 7 p.m. The Chair advised everyone participating in the meeting that Stow TV is recording this meeting.

Public Input:

Town Clerk Linda Hathaway was present and said nomination papers for the September 6th special election to fill the vacancy on the Select Board are available through July 15th and are due back on July 19th. You can call or email the Town Clerk's office for more information.

Board Member Comments: None.

Town Administrator (TA) Report

- The TA congratulated Assistant Town Administrator Dolores Hamilton for winning the 37th Emil S. Skop Award which is given annually to a human resources professional who has made outstanding contributions to the field of municipal human resource management and who has made a positive impact on the MA Municipal HR Association and its members.
- The Route 62 bridge is scheduled to be closed for 2 to 3 nights on or around July 6th. When confirmed, the information will be posted on the Town's website and social media.
- The employee diversity group and the Randall Library are hosting a forum this Thursday at 7 p.m. at the Pompo Community Center to hear firsthand about former Stow resident Sassy Parker's battle for equality. This is open to all ages but the content discussed may be mature. This is an educational forum and inappropriate behavior will not be tolerated.

Annual July 1 Appointments

These are all reappointments; there are no new appointments at this time.

Board Member Hegemann moved to make the following appointments of individuals in paid positions, subject to the terms indicated, seconded by Board member Frecha and the motion passed unanimously.

One-year Appointments, with terms ending on June 30, 2023:

- Assistant Town Administrator/Human Resources Director: Dolores Hamilton
- Select Board and Town Administrator Executive Assistant: Joyce Sampson
- Superintendent of Streets: Stephen Nadeau
- Town Counsel: KP Law, P.C.
- Emergency Management Officer: Fire Chief John Paul Benoit
- Tree Warden: Bruce E. Fletcher

- *Full-time Firefighters: John Paul Benoit, Chief; Barry Evers, Captain; Mark W. Guerin, Firefighter/EMT, Call Lieutenant; Judson Swinimer, Firefighter/EMT, Call Lieutenant; Erick Benoit, Firefighter/EMT, Call Lieutenant; Rachel Vroegindewey, Firefighter/EMT*
- *Call Lieutenant: Ryan Boyd, Jonathan Gray*
- *Call Firefighters/EMTs: Paul Armann, Jonathan Beharrell, Timothy Benoit, Cameron Bower, Ron Dostie, Frank Dzerkacz, Kristina Ellis, Richard Falcioni, Jason Galofaro, Camden Herlihy, Todd Jakubek, Jack Kennedy, Bryan Kiley, Stephen Laaper, Yuris Mangolds, Michael Murphy, Matthew Olson, Susan Siewierski, Steven Walsh, Matthew McNulty, Jack Stafford*
- *Call Firefighters: Kevin Benoit, Alejandro Cabrera, Scott Dwinells, Timothy Gray, Benjamin Glover, Timothy Landry, Gregg Silverio, Jeffery Hill*
- *Emergency Medical Technicians: Matheus Alves, Burak Say*
- *Full-time Police Officers: Brandon Murphy, Patrol Officer; Jacob Champoux, Patrol Officer; Troy Paradise, Patrol Officer*
- *Per Diem Special Police Officers: William Bosworth, Jon Butler, John T. Connors, John E. Fantasia, Richard D. Manley, Gary P. Murphy, Michael Smith, Mark H. Trefry, and Jeffrey Beckwith, Lake Boon Officer*
- *Public Safety Dispatchers: John E. Fantasia, Dispatch Supervisor; Jon Butler, Gabriel Lopez, and Sean Marques*
- *Per Diem Part-time Dispatcher: Laurel Brazao*

Remainder of a Three-year Appointment with term ending on June 30, 2024:

- *Treasurer: Brad Brightman*

Three-year Appointments with terms ending on June 30, 2025:

- *Constable: Robert Kirchman*
- *Town Accountant: Julie Costello*
- *Town Clerk: Linda Hathaway*

Miscellaneous Appointments:

- *Street Numbers: Town Clerk's office*

Board member Sturgis moved to make the following appointments of volunteer committee members, the positions having been duly posted, and for which the applicants have applied, seconded by Board member Frecha and the motion passed unanimously.

One-year Appointments, with terms ending on June 30, 2023:

- *Fence Viewers: Select Board*
- *Gleasondale Local Historic District Study Committee: Margaret Costello, Eve Fischer, and Dorothy Spaulding*
- *Green Advisory Committee: Member at Large: John Sangermano; Select Board Appointee: Carol Lynn*
- *Hudson Light & Power Representative: Arnold Epstein*
- *Montachusett Area Regional Transport (MART): Alyson Toole*
- *Recreation Commission: Samantha Altieri, Michael Busch, and Dan Nicholson*
- *Veterans' Graves Committee: Patricia Bolton, Martha Monroe, and Tom Zavorski*

Two-year Appointments with terms ending on June 30, 2024:

- *Local Access Channel Advisory Committee: Meredith Bartlett, Robert Glorioso, Lisa Lavina, and Lee Pappas*
- *SpringFest Committee: Maura Hyland*
- *Stow Municipal Affordable Housing Trust: Cynthia Perkins*

Three-year Appointments with terms ending on June 30, 2025:

- *Cemetery Trustees: Glenn Hammill*
- *Conservation Commission: Ingeborg Hegemann Clark, Liza Mattison, Douglas Morse*
- *Historical Commission: Stacen Goldman, Dorothy Spaulding*
- *Lake Boon Commission: Daniel Barstow*
- *Open Space Committee: Vin Antil, Bill Maxfield*
- *Registrar of Voters: Debra Seith*
- *Trustee of the Randall Relief Fund, the Randall Town Fund, and the Town Farm Fund: Susan Rondeau*

Five-year Appointments with terms ending June 30, 2027

- *Zoning Board of Appeals: Ernest Dodd, Member; Ruth Kennedy Sudduth, Associate Member*

Collings Foundation – “Battle for Bunker Hill” Event

Hunter Chaney, Director of Marketing of the Collings Foundation, was present via Zoom.

This is a living history event to be held on July 23rd and July 24th. There will be encampments as well as rangers and historians from the Bunker Hill Monument and a historian from the Dr. Joseph Warren Foundation. The grounds will be open from 9 a.m. to 5 p.m. and the battle reenactment will be at 1:30 p.m. with approximately 200 reenactors.

Board member Sturgis moved to approve a permit for the Collings Foundation Revolutionary War reenactment “Battle for Bunker Hill” scheduled for Saturday, July 23 and Sunday, July 24, 2022 from 9 AM until 5 PM on the Foundation’s museum property. This includes permission for pyrotechnics to be used in the battle reenactment taking place for approximately one hour beginning at 1:30 PM, fulfilling Section 2, part (d) regarding Major Events in the Settlement Agreement between the Collings Foundation and the Town of Stow, and with the understanding that only one other major event, focusing on World War II, can have pyrotechnics this year.

Board member Frecha seconded the motion and it passed unanimously.

BAN sale for Lower Village Traffic Safety Improvements

This is the annual renewal for the note that was taken out on Lower Village for the work to be done.

Board member Sturgis moved to approve and sign a \$276,000 BAN sale for Lower Village Traffic Safety Improvements. Board member Frecha seconded the motion and it passed unanimously.

Special Event Policy

The office has been using an informal checklist for people requesting a special event. This policy will set the expectations for what can and cannot happen and what is required. The last policy that the TA is

working on is the entertainment license, which is required under MA general law, which is for amplified music or sound.

Board member Frecha asked if the Board- approved special events permits would be posted on the website. The TA said it is something she wouldn't normally do but it could be done, and added that when an event is approved in a public meeting there is a record of it in the minutes. The Board discussed that not all events are for the public, and that events would not be posted.

Board members asked about private parties on private property, and if residents are considered non-profit. The TA said that residents are non-profit and the intention is not for residents to need permits for their own private parties at home, but a request should be made if there is an impact on public safety, i.e., an impact on the public way with traffic and parking. Ms. Frecha asked about having a public address system and music. The TA said that this would trigger the entertainment policy because it would impact the public with the noise. Someone having a party or event at their own home is not an issue unless there is an impact.

The Board tabled this item until the next meeting, pending clarification on what residents are expected to do when having a party on private property.

Designer Selection Procedures

This is the state template used for public building projects of \$1.5 million or more for architectural services. Ms. Hegemann asked for clarification for consistency in the document, specifically:

- to change "applicant" to "designer" in items 5D and 7;
- items 18 and 19, are the same except for the second paragraph of 18; Ms. Sturgis said maybe the second paragraph should be numbered separately;
- for item 26, what is the meaning of the word "making", with respect to contract language; she feels that "entering into" is clearer;
- for item 30, "contracts made for \$10,000 or more shall be in writing", does that imply that contracts for \$9,999 or less can be verbal? The TA said Yes, you do not need a written contract for anything under \$10,000.

Board member Sturgis moved to accept the Designer Selection Procedures as amended at this meeting. Board member Frecha seconded the motion and it passed unanimously.

Economic Development and Industrial Commission (EDIC)

The Town Administrator said she was approached about six months ago by current employees concerned about interactions with members of the EDIC. The TA has worked with the chairs of the EDIC and the Planning Board on this, members of the Planning Board have attended a meeting, the TA has attended a meeting, and the Assistant TA has watched the last several months of meetings. It is the TA's opinion that there is inappropriate behavior, bullying, harassment, and a hostile work environment. An attempt was made to separate employees from the committee. Most of the other boards and committees function with no support from paid employees There is no formal charge for the committee, so the TA feels it is best to abolish it then figure out the charge, working with the Planning Board to determine the best way to move forward, and then decide if the committee should be re-established.

Ms. Hegemann is in support of the recommendation from the Town Administrator.

Ms. Frecha would also support it and added that the Board could say 'disband' rather than 'abolish'. She reminded the Board of former member Zack Burns speaking about "good neighbors" and this could be an opportunity to have a group that could handle questions, comments, and complaints and work on how to have a smoother interaction between people abutting businesses.

Ms. Sturgis is not in favor of this, and was concerned that it would be seen as adding to the perception that Stow was anti-business. There is a mission on the website which is most likely the charge. She heard from several EDIC members who said they did not know this was on the agenda and had not been consulted. She felt that it is not a good sign to abolish this without discussing it with the committee, or without having a proposal in place that would be used to replace the EDIC.

The TA said her concern is for the employees and making sure they can come to work and do their job and feel safe, and not feel bullied or harassed. If the Board wants to keep the committee in place, the alternative is to schedule executive sessions with the individual members of the EDIC. She thought that this was the cleaner and more appropriate way to handle it.

EDIC Chair Tom Farnsworth and EDIC member Kevin Whalen were present via Zoom, and EDIC member Bob Collings was present in the Warren Room. They all agreed it has been difficult to attract people to the committee. Mr. Farnsworth has concerns that the members do not understand his explanation of how they fit into Town government. Mr. Collings said that anybody that is accused of problems deserves to have an opportunity to respond. Mr. Whalen said he would support whatever decision is made and the members should have been notified or spoken to, and been given direction with the opportunity to make corrections.

Ms. Hegemann, Ms. Frecha and Chair Birch-McMichael all agreed that there is no room for bullying and disrespect, and all three would vote to discontinue. However, if there is an alternative and a way to improve the committee's operations, they would consider a reimagining of the committee. The Chair is concerned that the EDIC members are misrepresenting their authority in town and asked how does the Board reign that in. Ms. Frecha said that it is important to have a group in place to advocate for businesses in the Town, and if the current group was allowed to stay in place and continue, the Board should draft a new charge and redefine the committee and consider reappointments as they came up. She would ask the committee not to meet until the Select Board has a new charge for them and that members should not communicate with staff.

The TA clarified that the issues with the EDIC are not a one-meeting situation. The issues go back years and she has heard from former employees about their interactions with the EDIC. There are emails that violate the Open Meeting Law, and if the Select Board wants to continue with the current EDIC, the committee should not be meeting until the issues are addressed.

Mr. Collings admitted that he is most likely the main issue and asked the Board to defer their decision until they have more facts. He offered to resign so the committee can move on. The TA said that Mr. Collings was not reappointed tonight as he did not respond to the office's emails, and that his term expires on June 30th.

Board member Frecha moved to table this discussion until the Board can receive more facts. Board member Sturgis seconded for discussion.

For further discussion, Chair Birch-McMichael said this will be put on a future agenda and she accepted the motion with the caveat that this current EDIC does not meet until further notice from the Select Board. Ms. Hegemann asked how the Board will get more facts. The Chair would like to get information from Hudson and Maynard on their business development committee's charge to see if the Board can come up with language to guide the EDIC.

Ms. Frecha modified the motion to:

Board member Frecha moved to table this discussion until the Board has examined potential charges for this committee by reviewing neighboring towns' committee charges, and with the caveat that the existing EDIC will not meet until that is discussed. Board member Sturgis seconded the motion and it passed unanimously.

Ms. Frecha reiterated that the civility policy that the board put in place last year is meant to be town-wide. The Board created the policy to set a good example, and all boards should read the policy and direct any questions to the Town Administrator.

Correspondence – no comments

Executive Session

At 8:11 p.m. Board member Sturgis moved to convene in Executive Session, pursuant to MGL Chapter 30A, section 21(a) (5), to discuss matters related to a criminal investigation, and to adjourn thereafter. Board member Frecha 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.