

**Select Board Meeting Minutes**  
**Tuesday, July 12, 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. and noted that the meeting is being recorded.

**Public Comment:** None

**Board Member Comments:**

Ms. Sturgis noted that Claire “Peg” Kennedy recently passed away. She was the town’s oldest citizen, and was the recipient of the Boston Post Cane. Mrs. Kennedy was given the cane in 2020 during Covid, and the Council On Aging arranged a car parade in her honor. (The Boston Post Cane is given to the oldest resident of the town, in a tradition that dates back to 1909 when the now defunct Boston Post newspaper distributed the walking canes to 700 New England towns.)

**Town Administrator (TA) Report**

- As of July 7<sup>th</sup> there are 8 positive Covid cases in town, or a 2.51% positivity rate.
- The TA thanked former resident Sassy Parker for her candid conversation regarding LGBTQ rights which was Thursday, June 23<sup>rd</sup> at the Community Center. There was a great turnout and everyone who attended found it to be very informative.
- Nomination papers are available for the September 6<sup>th</sup> Special Town Election. Mail-in ballots and early voting will be available; more information will be coming soon. The last day to take out papers is Friday, July 15<sup>th</sup> and the deadline to return them is Tuesday, July 19<sup>th</sup> at 5 p.m.
- The TA gave an update on the Open Meeting Law provision allowing fully remote meetings; it is set to expire at 12:01 a.m. on Friday, July 15<sup>th</sup>. Without an extension, boards must start meeting with at least a quorum in person. The TA has given board and committee chairs language from town counsel to add to their agendas if they are currently having fully remote meetings.
- The new telephone system has been installed and is functioning. We appreciate everyone’s patience during this transition.
- The Request for Qualifications (RFQ) for the Owner’s Project Manager (OPM) for the library project is out on the market and proposals are due in early August. Once the OPM is under contract the RFQ for the full design will be finalized and posted.

**Appointment to the Lake Boon Commission (LBC)**

The vacancy on the LBC was posted on May 16<sup>th</sup> and there was one applicant, Daniel Tereau. The TA shared the application with Dan Barstow of the LBC. The office has received two objections to this appointment.

Daniel Tereau was present via Zoom. He gave a brief background of his qualifications and said that different views always have a place, but you try to find common ground as a community.

Dan Barstow, 99 Pine Point Road, spoke in support of the appointment personally, and not as a representative of the LBC. He thanked Kris Krablin, who recently resigned from the LBC, for her years of service.

*Board member Frecha moved to appoint Daniel Tereau to the Lake Boon Commission, to fulfill the remainder of a three-year term expiring June 30, 2023. Board member Hegemann seconded the motion and it passed unanimously.*

#### **Appointment to the Zoning Board of Appeals**

Andrew Crosby was present via Zoom. He is an associate member and would like to contribute as a full member of the board.

*Board member Frecha moved to appoint Andrew Crosby as a full member of the Zoning Board of Appeals, to fulfill the remainder of a five-year term expiring June 30, 2025. Board member Hegemann seconded the motion and it passed unanimously.*

#### **Appointment of Call Firefighter/EMT**

Judson Swinimer has resigned as a full-time firefighter but would like to stay on as a call firefighter/EMT.

*Board member Frecha moved to appoint Judson Swinimer to the position of Call Firefighter/EMT through June 30, 2023. Board member Hegemann seconded the motion and it passed unanimously.*

#### **Permit for Stow Conservation Trust Bike for the Woods**

Jim Salvie was present via Zoom. Mr. Salvie said this ride has been done in previous years. It is a family-friendly charity ride to benefit the Stow Conservation Trust

*Board member Frecha, with the approval of public safety officials, moved to approve the use of Stow public ways for the Stow Conservation Trust "Bike for the Woods" on Sunday, August 28, 2022 from 9 a.m. to 12 noon. Board member Hegemann seconded the motion and it passed unanimously.*

#### **Request for Stop Sign at Garner Road and Harvard Road**

Police Chief Michael Sallese was present as a representative of the Traffic Safety Advisory Committee (TSAC) to discuss the request for a stop sign that was brought to the TSAC by a resident. Chief Sallese said there is a large area of pavement at this intersection and no traffic control devices. If the Select Board approves this, there will be notification to the public for 2 weeks and then the Highway Department will put up the traffic sign and it will become a regulated intersection. The Board discussed having a sign alerting drivers to a new traffic pattern, or similar, being on the roadside prior to the intersection.

*Board member Frecha moved to approve the request by the Traffic Safety Advisory Committee to place a Stop Sign at the intersection of Garner Road and Harvard Road. Board member Hegemann seconded the motion and it passed unanimously.*

#### **Stow Acres North Course Purchase & Sale Agreement**

This is the next step in the Stow Acres process. If the Town does not receive the grant that it has applied for, there are contingencies in the agreement.

*Board member Frecha moved that Select Board members sign the Purchase & Sale Agreement for the North Course of Stow Acres, as presented at this meeting. Board member Hegemann seconded the motion and it passed unanimously.*

### **Highway Department Collective Bargaining Agreements**

Last fall the Highway Department voted to unionize with the Teamsters, and negotiations began at the beginning of the calendar year. The one-year agreement was for fiscal year 2022. The three-year agreement is more comprehensive. One of the plusses of the contract is training benefits provided by the Teamsters, including CDL training and safety training which would be onsite for the department. There is an opt-out for the highway and cemetery employees, who would still be under the contract but not represented by the union.

*Board member Frecha moved to ratify the new One (1) Year and Three (3) Year Collective Bargaining Agreements for the Highway Department Teamsters Union, as presented at this meeting. Board member Hegemann seconded the motion and it passed unanimously.*

### **Disposition of Surplus – Planning Department**

The TA said there is a new plotter in the copy room where everyone has access to it. The Planning Department would like to dispose of their malfunctioning plotter that is no longer being used.

*Board member Frecha moved to approve the request from the Planning Department for the Disposition of Surplus, namely a 2011 Hewlett-Packard wide format plotter no longer used by the department. Board member Hegemann seconded the motion and it passed unanimously.*

### **Special Event Permit and Guidelines**

The Board agreed with the additions that were made to the policy as requested at the prior Select Board meeting.

*Board member Frecha moved to approve the Special Event Permit and Guidelines as presented at this meeting to include fees of zero for non-profit organizations and \$50 for for-profit organizations. Board member Hegemann seconded the motion for discussion.*

Members of the public in attendance and via Zoom offered comments about the guidelines.

Town Clerk Linda Hathaway asked that the term “raffle license” be changed to “raffle permit” under “Additional Permitting and Cost Requirements.”

The Board discussed the “Attendance” section and increased the amount of people that may be at the event from 20 to 35. The motion was amended by Ms. Frecha as follows:

*Board member Frecha moved to approve the Special Event Permit and Guidelines with the following amendments:*

- *the number of attendees which will require a permit will be 35 or more, and*
- *the term ‘raffle license’ will be changed to ‘raffle permit’;*

*and the permitting guidelines will include fees of zero for non-profit organizations and \$50 for for-profit organizations. Board member Hegemann seconded the motion and it passed unanimously.*

## **Code of Conduct Policies**

At the June 21, 2022 Select Board meeting it was recommended that the Code of Conduct Policy be sent out with all board and committee reappointment letters. However, the current policy is specific only to the Select Board. The Town's insurance company, MIIA, has written a policy that is endorsed by the MA Municipal Association (MMA) for board and committee members. Additionally, the Town Administrator has drafted an Employee Code of Conduct Policy which references the MA Inspector General's (IG) Code of Conduct for Public Employees, and a Visitors Code of Conduct Policy which was recommended by our insurance company.

The Board discussed adapting the current Select Board Code of Conduct to all boards and committees. The Board discussed sending the draft to all boards and committees for input.

Members of the public in attendance offered comments about the policy. Deb Woods, who has submitted her name for the Charter Review Committee, and Hector Constantzos, candidate for Select Board, both said they would not sign this code of conduct if approved.

*Board member Frecha moved to table the Board and Committee Code of Conduct policy. Board member Hegemann seconded the motion and it passed unanimously.*

Employees are not required to sign the IG's policy; this new Employee Code of Conduct Policy will place an acknowledgement in an employee's file stating that they have read and understand the Town's new policy. The Board suggested it be modified to state "paid employees." Members of the public in attendance offered comments about the policy. Conservation Director Kathy Sferra was present via Zoom and said that employees have not seen this draft and have not been given the chance to give feedback.

*Board member Hegemann moved to table the discussion of the Employee Code of Conduct policy for further review and review of the state's code (of conduct). Board member Frecha seconded the motion and it passed unanimously.*

The Board discussed removing the last bullet point of the Visitors Code of Conduct.

*Board member Frecha moved to table, for further discussion, the Visitor Code of Conduct policy until the Board has reviewed the other two code of conduct policies. Board member Hegemann seconded the motion and it was passed unanimously.*

## **Fiscal Year 2022 – Year End Transfers**

The transfers, if approved by the Board tonight, will also be approved by the Finance Committee tomorrow, July 13, 2022. This allows the Town to meet the July 15<sup>th</sup> deadline for year-end transfers. The transfers total \$64,099 of which just under \$50,000 is for the Snow & Ice Account.

*Board member Frecha moved to approve the Fiscal Year 2022 year-end transfers, as presented by the Town Administrator. Board member Hegemann seconded the motion and it passed unanimously.*

## **Meeting Minutes**

June 14, 2022

Ms. Frecha noted that on page 5, the motion to designate the Randall Library Building Exterior Design Committee as Special Municipal Employees stated “Randall Library Building Committee.” It should reflect the proper name of the committee. This will be revoted at the next meeting.

*Board member Frecha moved to accept the meeting minutes of the June 14, 2022 meeting as drafted. Board member Hegemann seconded the motion and it passed unanimously.*

June 21, 2022

Ms. Sturgis noted that during the EDIC discussion she said she was concerned that it would be seen as adding to the perception that Stow was anti-business, and would like this added to the minutes.

*Board member Frecha moved to accept the meeting minutes of the June 21, 2022 meeting with amendments. Board member Hegemann seconded the motion and it passed unanimously.*

**Correspondence:** No comments

## **Adjournment**

*At 8:38 p.m. Board member Frecha moved to adjourn. Board member Hegemann 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.*