

Select Board Meeting Minutes
Tuesday, July 26, 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 said that the meeting is being recorded, and participants via Zoom are to use the “hands up” function for public comment.

Chair Birch-McMichael has become aware of a false narrative created with no factual backup as to why the Board and Committee Code of Conduct item has been put back on the agenda; the Chair put it back at the request of a board member. Ms. Frecha had sent a markup of the policy and there was not time to add the document to this meeting for discussion. The Chair removed the item from the agenda.

Chair Birch-McMichael has received emails suggesting that not every member of every board should be painted with the same wide brush stroke. The Chair said the hope was that a blanket policy would allow for self-correction for board members that were misbehaving. In the absence of the policy the Select Board still has tools, including executive session and public censure, at their disposal. Uncivil behavior towards staff members or other board members, elected or appointed, will not be tolerated.

Public comment is for items not on tonight’s agenda. The Chair will not allow for disparaging comments about people. She reminded people that they can email Select Board members, the Select Board office, and the Town Administrator via the website; members are open to hearing feedback.

Chair Birch-McMichael said that they do not legislate this Board through Facebook or other forms of social media. It is a tool that is not equitable to this Board as not everyone has access to it. The Chair requested that if people have issues that they contact the Board or the office directly via email.

Public Comment:

Town Clerk Linda Hathaway was present via Zoom and reminded residents that the state has sent out the vote by mail applications. Please remember to indicate which party’s ballot you want to have sent to you. If this is not indicated you will not get a ballot by mail. Early voting will start on August 27th for those who want to vote in person prior to election day.

Board Member Comments: None

Town Administrator (TA) Report

- As of July 21st there are 18 positive Covid-19 cases in town which is a 6.74% positivity rate.
- On Saturday, July 16th the Lt. Governor, acting as the Governor, signed an extension to the Open Meeting Law remote meeting legislation which will allow for fully remote meetings through March 31, 2023.
- The Town Beach has been closed for swimming until further notice due to algae blooms. The Nashoba Associated Boards of Health conducted a visual inspection today at Lake Boon. The information is posted on the Town’s website.

- Regarding the Bose campus and the Masters Academy, there are many rumors and much speculation. It is all still in process and when the TA has information she will present it.

Appointment of Call Firefighter – Jonathan Foster

Fire Captain Barry Evers said that Mr. Foster has a lot of fire and EMS experience through work with other fire departments. Mr. Foster was present via Zoom and added that he began in 2003 in Ashland. He recently graduated from paramedic school.

Board member Frecha moved to appoint Jonathan Foster to the position of Call Firefighter/EMT through June 30, 2023.

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

Appointment of Full-time Firefighter/EMT – Matthew McNulty

Fire Captain Barry Evers said that Mr. McNulty was a recruit in 2017 and has been a very active member of the call department. He was recently appointed as the EMS coordinator for the department. Mr. McNulty said he is grateful for the opportunity. Mr. McNulty's grandfather William Duggan, a retired Maynard police detective, was present and pinned the badge on his grandson.

Board member Frecha moved to appoint Matthew McNulty to the position of Full-time Firefighter/EMT through June 30, 2023.

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

State Primary and Special Town Election Warrants

Town Clerk Linda Hathaway was present via Zoom and said that to meet legal requirements, the Select Board signs the warrants and the Constable will post them in the appropriate places.

Board member Frecha moved to approve and sign the State Primary and Special Town Election Warrants, as presented at this meeting.

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

Assign Police Officers for September 6, 2022 Election

Board member Frecha moved to assign one (1) police officer for the September 6, 2022 election.

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

Police Detail at Elections – Chapter 92 Section 72 of the Act of 2022

The Massachusetts VOTES Act of 2022 states that the Select Board decides the number of police detail officers needed at each election. This vote will redelegate authority back to the Police Chief, who will work in collaboration with the Town Clerk to determine the number of officers needed at elections.

Board member Frecha moved to delegate authority given to the Select Board in Chapter 92, Section 72 of the act of 2022, to detail a sufficient number of police officers or constables for each building that contains polling places for one or more precincts at every election therein to preserve order and to protect the election officers and supervisors from interference with their duties and to aid in enforcing the laws relating to elections, to the Chief of Police.

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

Update to Police Department Policy 1.15 - Handling Juveniles

Police Chief Michael Sallese explained that this update to the existing policy has updated guidance on how officers will be handling juveniles including de-escalation techniques and alternatives to the juvenile justice system. Chief Sallese said “You can’t arrest your way out of every problem, so we have to have alternatives...”

Board member Frecha moved to approve the updated Police Department Policy 1.15, Handling Juveniles, as presented at this meeting.

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

Common Victualler License – Mug & Muffin

The TA said the application has been reviewed and everything is in order, and the Board of Health has issued a food permit. Mr. David Hill was present and said he is the owner of the Stow Brook Gulf business and is opening the Mug & Muffin now that the previous coffee shop has closed after 20 years. He hopes to provide better, faster, and less expensive service. He plans to open on Monday, August 1st with hours of 5 a.m. to 2 p.m. initially, with the hopes of eventually staying open until 6 p.m.

Board member Frecha moved to approve and sign a Common Victualler license for Stow Brook Gulf d/b/a Mug & Muffin, located at 626 Great Road in Stow.

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

Green Advisory Committee Proposal

Arnold “Arnie” Epstein, Chair of the Green Advisory Committee (GAC) and Sharon Brownfield, Vice-Chair of the GAC were present via Zoom.

Chair Birch-McMichael said there will not be a vote on this tonight as she wants the Capital Planning Committee and the Finance Committee to weigh in on this, as this would have a financial impact.

The proposal is asking that new municipal buildings not employ fossil fuels for heating or hot water, with exceptions considered for backup and emergency uses or where elimination of fossil fuels is not feasible or practicable, and that major renovations of existing municipal buildings would eliminate or significantly reduce the use of fossil fuels where practical. The Town should “lead by example” as it plans for major additions of new housing and retrofits to existing housing.

Green Communities grants are available for all-electric municipal construction. Stow has received \$388,000 to date in Green Community grants for municipal building retrofits of the Police Station, the Town Building and the Highway Department office.

The proposal included suggested wording for a Policy to Not Employ Fossil Fuels for New Municipal Buildings, Major Renovations, or HVAC Upgrades.

Building Commissioner Frank Ramsbottom was present via Zoom and said that if adopted this policy would apply to the renovations of the Randall Library.

The Board members discussed the policy and had positive things to say about the proposal, and will discuss this further at a future meeting.

Permit for 2022 Ride to Defeat ALS Bike Ride

This is an annual event to benefit the ALS (Amyotrophic Lateral Sclerosis) Association.

Board member Frecha moved, with the approval of Public Safety officials, to approve the use of Stow public ways for the 2022 Ride to Defeat ALS Bike Ride on Sunday, September 18, 2022.

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

Board and Committee Code of Conduct Policy

This item was removed from the agenda by Chair Birch-McMichael at the beginning of the meeting.

Designate as Special Municipal Employees - Randall Library Building Exterior Design Committee

This vote was to correct a clerical error in a prior vote and corrected the name of the committee.

Board member Frecha moved to designate the Randall Library Building Exterior Design 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 and it passed unanimously by a roll call vote.

Meeting Minutes

Board member Frecha moved to accept the meeting minutes of the July 12, 2022 meeting as drafted.

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

Correspondence

Ms. Sturgis asked that all the emails that come to the Select Board email be included in the correspondence.

Ms. Frecha spoke about the Planning Board request for comments on The Cottages at Wandering Pond. The TA said if the Select Board has specific comments it can be scheduled on an agenda.

Adjournment

At 7:58 p.m. Board member Frecha moved to adjourn. Board member Hegemann seconded the motion and it passed unanimously by 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.