

Select Board Meeting Minutes
Tuesday, September 27, 2022
Stow Town Building & Zoom

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

Chair Birch-McMichael called the meeting to order at 7 p.m. The Chair reminded everyone that the meeting is being recorded, and that Public Comment is for items not on the agenda.

Public Comment - none

Board Member Comments

Mr. Constantzos noted that this is Hispanic and Latin American Heritage month (celebrated annually in the United States from September 15 to October 15).

Mr. Constantzos wished a Happy New Year to all those that follow the Jewish traditions, as it is Rosh Hashanah (the evening of September 25 to the evening of September 27).

Mr. Constantzos said that the MA Water Resource Authority (MWRA) has reduced its fee to join the system. However, Stow does not have the infrastructure in town and the cost to run water main pipes cost is \$1 million per mile to run a water main pipe.

Town Administrator (TA) Report

- As of September 22, there are 8 cases of COVID-19 in town which is a 3.3% positivity rate.
- The Flu Clinic will be at Pompo on Saturday October 15; information including pre-registration requirements is on the Town's website and Facebook page.
- The BOH has free COVID-19 home test kits. They are available at Pompo, the Stow Food Pantry, the Board of Health office, and the Randall Library. The kits will also be available at the Flu Clinic.
- The next "Discussions with Denise" is Wednesday, October 5 at Pompo from 9:30 a.m. to 10:30 a.m. and there is no appointment required. Anyone is welcome to come in and meet with her.
- October is Breast Cancer Awareness Month. Last year we did remembrance flags outside at Town Building and this year we will do remembrance walls at Pompo, the Library, and Town Building. Folks can stop by and fill out a ribbon in memory of or in support of someone, or to share words of encouragement.
- Next Tuesday, October 4 is the Joint Board meeting on the Town Hall project at the Town Hall. The Select Board meeting will begin at 6:45 p.m. as there is other business to discuss.
- On Friday, September 16 representatives from the Town met with the MVP grant representative from the state for a walkthrough of Stow Acres. After the tour they discussed the grant requirements and timelines. The process has officially kicked off and we are in the initial stages.

FY23 Appraisals – Assessor Kristen Fox

Principal Assessor Kristen Fox was present via Zoom.

The fiscal 2023 values were approved by the Department of Revenue, Division of Local Services on September 9, and are posted on the Town website. Ms. Fox posts them every year for about a week to

give residents the opportunity to see their property value. Single family homes have increased an average of 15% this year, and condominiums are up about 9%. The increase for Middlesex County is 15-20%. This increase in value does not indicate or determine the increase in property taxes. Fiscal 2023 is an interim adjustment year, which means that even though the values are adjusted it is not with the same level of detail as a recertification year which occurs every five years. Anyone with questions should call the Assessors' Office, and Ms. Fox encouraged people to go to the Assessor's webpage and click on Vison Online Database to view your property record card which gives the details of your house and last year's value.

Appeal of Public Shade Tree Removal at 389 Taylor Road

Tree Warden Bruce Fletcher was present in the Warren Room.

Mr. Fletcher received a request from the resident at 389 Taylor Road to cut a public shade tree, to be done with other tree work that he is doing on his property. Mr. Fletcher said the tree is alive and healthy, although it has a significant lean and a lopsided crown. The tree has three significant targets if it were to fall: the wires, the road, and the house across the street. Mr. Fletcher did not declare it an imminent danger and held a posted hearing. At the hearing he received two letters, one objecting the cutting down of the tree and one in support of cutting the tree. Per MA General Law Ch. 87, §4, an appeal of the objection to the cutting of the public shade tree goes before the Select Board.

Paul Carbary, 389 Taylor Road, stated he is the man who is requesting the tree removal.

Tom and Lisa Blough, 386 Taylor Road, said there are no trees of the same height to block the wind and this tree catches all the wind. They support the removal of the tree.

Board member Frecha moved to support the removal of the 30-inch white pine tree in front of 389 Taylor Road. Board member Sturgis seconded the motion and it passed unanimously.

Randall Library Trivia Event

Randall Library Trustee Chair Andy Riecker was present via Zoom.

The Library Trustees are trying to raise money for the Library, not the Trust, and would like the Select Board to participate in the event which will be in person at the Library on Friday, October 28 at 7 p.m. Police Chief Michael Sallese, Senator Jamie Eldridge and Representative Kate Hogan have already agreed to participate. The details of how teams pay to participate or how residents can pay to support a team is still being determined. The Board would like to have more details but will save the date.

Board member Frecha moved that a subset of the Select Board participate in the Randall Trustees Trivia Event. Board member Sturgis seconded the motion and it passed unanimously.

Town Administrator Performance Evaluation

At the meeting on September 13, Board members were asked to send edits of the initial draft review to Asst TA/HR Director Dolores Hamilton. The new performance evaluation was reviewed by the Board. Ms. Frecha said they are closer but she is not ready to release this as the final version of the document. Mr. Constantzos said this is a great improvement but he is a bit confused about the section headings.

Chair Birch-McMichael said this is the second year this form has been used, and it was selected by the Select Board last year from samples of evaluations from other towns.

Ms. Sturgis said the current year's goals should be attached and be mentioned in each section. She feels the paragraphs should be a summary and not direct quotes in order to send a clear message.

Ms. Hegemann deferred to leaving the review as written as it is a verbatim compilation of sentences that individuals wrote, and that this could be noted on the document.

The Board asked that the following be added to the performance evaluation:

"The following comments are a compilation of individual Board members' comments."

Ms. Sturgis still opposed this, saying the process is poorly done and this conversation should happen in Executive Session as it is a personnel issue, which is an exception to the Open Meeting Law. A public document should be a summary of the general sense of how the Board feels. The public does not get to see what each person wrote.

Ms. Frecha proposed that the Board review the process for next year, so they are able to give feedback in a better way.

Board member Frecha moved to approve the Town Administrator Performance Evaluation for the period of September 1, 2021 to August 31, 2022 as amended.

Ms. Sturgis seconded the motion and it passed 4-1 with Ms. Sturgis opposed.

Town Administrator FY23 Goals

Board members discussed the list of 14 draft goals. Eight were removed and some of the remaining goals were amended. A second draft which will include goals one, two, three, four, twelve and thirteen, with two new goals being added for a total of eight goals, will be part of the next meeting at which the Board will do a final edit and approval. The two new goals are continuing to move the Stow Acres project forward, and continue to provide necessary resources and staffing for departments for efficient operations.

Draft of Economic Development and Industrial Commission (EDIC) Charge

Planning Board (PB) Chair Lori Clark, EDIC Chair Tom Farnsworth, and Chair Birch-McMichael met to discuss the new mission statement drafted by the EDIC. Each Chair has brought this statement to their board for discussion, and the three Chairs will meet again and come to a consensus that will then be shared with each board. The Chair said they also discussed the accuracy of the definitions, in particular the 'EDIC members' definition.

The Board discussed having a concrete deliverable, possibly in the area of becoming business friendly. The Board discussed how this is referenced in the charge, worded as 'develop baseline information and studies'. The TA asked if information was gathered from surrounding towns, so that we can work some of those ideas into a deliverable.

Mr. Constantzos would like it clearly defined that the EDIC is to promote businesses in Stow, represent businesses or business interests to the Board, and represent the Town to businesses. Other Board members see that as part of the advocacy, the working with boards and commissions, and being a liaison. The Board discussed that the liaison role needs to be clarified so that the EDIC does not represent themselves as having authority to promise things to businesses. The EDIC could advise a

business about what our bylaws state, and gather input and advocate for the business with the appropriate department or board.

Any changes from Board members should be sent directly to the Town Administrator by the end of this weekend. A final draft will be brought to the PB, the EDIC and this Board for a final charge.

Select Board Correspondence

Ms. Sturgis said in prior years Board members would have a large envelope on the table at the meeting full of correspondence, and that more recently correspondence is being scanned for the Board. She would like a general list summarizing what correspondence has come in, because when people email something to the Select Board they are expecting the Board to see it. Regarding committee applications, although it is the TA's job to recommend someone, the Board members do not know the names of other people that have applied.

Much discussion ensued about the issue of correspondence received by the Select Board office.

The Board discussed having the TA give the names of the applicants to the Select Board when there is more than one application for a board or committee vacancy.

Mr. Constantzos moved to have the Select Board see the names of all applicants. Board member Sturgis seconded the motion and it passed 3-0-2 with Ms. Hegemann and Chair Birch-McMichael abstaining.

Correspondence

Mr. Constantzos asked about the Collings Foundation settlement agreement and if information about the agreement was sent to nearby residents. The TA said it was in the newspaper, it is on the website, and there was a formal press release.

Ms. Sturgis appreciated Allan Fierce's email about the wells that was directed to the Board of Health.

Mr. Constantzos asked about the Code of Conduct being back on the agenda. This was tabled until the Board got more information. The Chair said there are ways to deal with board and committee members through the state and that she is not putting it back on the agenda unless a Select Board member asks her to do so. Discussion ensued about the Code of Conduct.

Ms. Dembkoski reiterated that we do not tolerate bullying or harassment of employees in any way by anyone. She said should there be any type of lawsuit the first thing an attorney is going to do is ask for our Code of Conduct that has been signed off. It is a recourse to show that we protect our employees and that we do not tolerate it. There is no requirement to have it, we just need to take a position that we will not tolerate it and we will take any necessary steps to address complaints.

Adjournment

At 9:26 p.m. Board member Frecha moved to adjourn. Board member Sturgis 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.