

Select Board Meeting Minutes
Tuesday, April 25, 2023
Stow Town Building & Zoom

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

Present via Zoom: Ellen Sturgis, Hector Constantzos

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

Public Comment

Public Comment is limited to items not on tonight's agenda. Anyone speaking should state their name and address and limit comments to two minutes.

Debbie Woods, Great Road, asked about the status of the Bose property. There is no change.

Mark Forgues thanked Ellen Sturgis for her service to the Town.

Board Member Comments – none.

Town Administrator (TA) Report

- As of April 20, Stow has 6 cases of COVID-19 which is an 8.51% positivity rate. This will be the last report of COVID-19 cases; with the approach of the end of the state of emergency, the state will no longer provide case numbers.
- The Library Building Committee received revised estimates on the library project of approximately \$2 million more than authorized at town meeting. They are entering design development and the two building committees will be reviewing design options for the exterior at their May 3 meeting.
- The TA thanked Jeff Hall of Storybook Tree for his donation of a tree for Arbor Day to Tree Warden Bruce Fletcher. Mr. Fletcher has identified the upper common as the ideal location for the new tree. The TA thanked Mr. Fletcher for always being proactive and responsible when it comes to our public trees.
- The TA thanked the police and fire departments, surrounding public safety agencies, and the MA State Police for their prompt response last night after reports were received about a woman missing in the town forest. The woman was found safe in less than two hours.

Collings Foundation/American Heritage Museum 2023 Events

Collings Foundation CEO Rob Collings and Director of Marketing and Communications Hunter Chaney were present via Zoom.

Ms. Dembkoski previously met with Mr. Collings and Mr. Chaney to discuss the upcoming events for the year. Most are standard events that they have had in the past and follow the settlement agreement. They will continue to apply to the fire department for permits when applicable.

Board member Frecha moved to approve the 2023 Schedule of Events for the American Heritage Museum as presented by the Collings Foundation.

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

Installation of Fire Protection Cisterns

Fire Captain Barry Evers was present in the Warren Room.

Capt. Evers said they received ARPA funds for this project and they are moving forward with the construction phase, which is an excavation project to install a tunnel tank which holds 30,000 gallons of water. The contractor will fill the tank with water when it is installed, and the fire department will replace the water if it is used for fire suppression. The first locations are on Conant Drive and at 511 Great Road (the entrance to the fire station). The proposal for 380 Great Road will depend on the final location, as some of the property is owned by the Conservation Commission.

Board member Frecha moved to approve the installation of fire protection cisterns at the locations listed below, according to the plans presented by Fire Department officials at this meeting, and provided all necessary permits are received:

Conant Drive, across from #31 and #35

511 Great Road

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

Board member Frecha moved to approve the installation of a fire protection cistern at 380 Great Road, provided installation is on land under Select Board control. Otherwise, approval from the landowner must be received.

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

Event Permit for Xhale Fest – Saturday, May 20, 2023

Xhale owner Jennifer Sperdelozzi and Event Manager Adrian Adams were present via Zoom.

They are excited about offering this festival. There will be a small group of vendors outside within the fenced-in part of the property. There will be a ticketed event indoors with demonstrations and workshops about the services offered at Xhale. They will not have food trucks as originally planned.

Board Member Frecha moved to grant a permit for Xhale Fest on Saturday, May 20, 2023 from 12 noon until 5 PM at 23 Gleasondale Road.

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

Charter Review Committee Articles for Annual Town Meeting

Debbie Woods, Chair of the Charter Review Committee (CRC), was present in the Warren Room.

The CRC received over 90 responses from citizens, town officials, and town boards and committees with proposed changes and comments. The five articles from the CRC on the annual town meeting warrant are part one of the proposed changes; there will be more articles for the fall town meeting warrant. Ms. Woods provided an overview of the five articles.

Discussion ensued, with the topic of changing the Board of Assessors (BOA) from elected members to appointed members having the most comments from the Select Board. The MA Department of Revenue is recommending that elected Boards of Assessors change to appointed boards.

The articles that pass at town meeting will then go to the Attorney General (AG) to be reviewed. Those approved by the AG will then be put on the ballot for the May 2024 annual town election. Once passed at town meeting and town election, the change becomes part of the Charter.

Special Town Meeting and Special Town Election

A special town meeting and a special town election are required for the high school project in the three towns in the district (Bolton, Lancaster, and Stow). Based on the dates required for a school vote, the meeting needs to be held by September 20, and the best option for Stow is to have both the meeting and the election on Saturdays. The proposed date for the special town meeting, Saturday September 16, falls during Rosh Hashanah. Discussion ensued about having a town meeting on a Monday night.

Moderator Jim Salvie, present via Zoom, mentioned that in addition to the school question, the charter change articles and possibly some articles from the Planning Board will be on the warrant.

The Board tabled this discussion and decision to the Tuesday, May 9 meeting.

Approval of 2023 Annual Town Meeting Warrant

Ms. Sturgis wanted to discuss Article 53 (Green Advisory Committee Funds). The budget submitted by the Green Advisory Committee recognizes that there are still funds unspent, but the committee needs to use a professional graphic designer to produce its Climate Action Plan.

Chair Birch-McMichael wanted to discuss Article 63 (Amend Zoning Bylaw: Lower Village Business District) and felt that the Board should take a position on it. If Article 63 passes, it would make Lower Village a separate business district. She is concerned that if Article 63 does not pass and Article 67 does, that there will be multiple drive-throughs on Route 117.

Ms. Sturgis thought it would be helpful if the Board recommended approval of Article 41, the Nashoba Regional Agreement.

Ms. Sturgis, the Board's representative on the Capital Planning Committee, told the Board that the Capital Planning Committee unanimously voted to not support Article 50 (Kane Land Walking Path Construction).

Ms. Dembkoski asked Ms. Sturgis why Capital Planning voted against the money for the Town Building Water System Repairs and Upgrade (Article 38). Ms. Sturgis said the committee had questions about the breakdown of the amount and wondered if \$750,000 is enough. They both agreed that this project does need to happen especially with the timing of the Library renovation project.

Board member Frecha moved that the Select Board recommend approval of Article 63.

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

Board member Frecha moved that the Select Board recommend approval of Article 41.

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

Board member Frecha moved to approve the 2023 Annual Town Meeting Warrant as presented at this meeting. Board member Hegemann seconded the motion and it passed unanimously by a roll call vote.

Allocation of Remaining ARPA Funds (American Rescue Plan Act)

Ms. Dembkoski received a telephone call from Rep. Lori Trahan's office about a proposal in Congress to claw back unallocated ARPA funds. Approximately \$331,000 of our ARPA funding remains unallocated, and Ms. Dembkoski requested that it be allocated to the discretionary fund to be used to finish the projects that may need more than originally allocated, or possibly for non-traditional capital items.

Board member Frecha moved to allocate the remaining ARPA funds to the Town Administrator's Discretionary Account.

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 April 11, 2023 meeting as drafted.

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

Correspondence

Ms. Sturgis commented on her correspondence to the Board regarding the public hearing that was recently held by the Finance Committee. Mr. Constantzos added that he was confused by the same public hearing and how quickly the hearing was closed.

Ms. Dembkoski asked that the Board discuss the EDIC group resignation at an upcoming meeting. There had been three applicants for EDIC vacancies prior to these resignations.

Adjournment

At 8:36 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.