

Select Board Meeting Minutes  
Tuesday, July 11, 2023  
Stow Town Building & Zoom

Present in the Warren Room: Cortni Frecha, Megan Birch-McMichael, Ingeborg Hegemann Clark, Hector Constantzos, John "JT" Toole, and Town Administrator Denise Dembkoski

Chair Frecha called the meeting to order at 7 p.m.

**Public Comment - none**

**Recognition**

Police Chief Michael Sallese was present in the Warren Room.

Chief Sallese has written Letters of Commendation for Detective Brendan Fitzpatrick and Officer Jacob Champoux for their actions on May 17, 2023. Det. Fitzpatrick and Officer Champoux developed a plan with Advocates (the department's behavioral health advisors) and executed the plan to assist a resident having a mental health crisis. This incident took place over several hours. Their adept management of the situation was a direct result of the integration of a mental health clinician to the department about eight months ago. Chief Sallese also said that the family sent a letter to him praising the actions of the two members of his department for achieving "an uneventful completion to a challenging encounter." Chief Sallese said that "uneventful" means there was no use of force.

**Appointment**

Appoint Jonathan Butler to the position of full-time Patrol Officer

Chief Sallese said the police department has been short staffed for a long time and the 2023 Annual Town Meeting approved the addition of a full-time officer. The Chief saw an opportunity to do an internal hiring and promote from within the department. Three candidates applied and Mr. Butler was the top candidate. Mr. Butler has been an integral member of the department for 20 years.

*Board member Birch-McMichael moved to appoint Jonathan Butler as a Police Patrol Officer for the Town of Stow Police Department for a one-year probationary period and subject to reappointment thereafter.*

*Board member Constantzos seconded the motion and it passed unanimously.*

Mr. Butler thanked his wife and two daughters for their support over the years and said that he is very excited about the opportunity. He thanked his coworkers, which included the many members of the police department that were present in the Warren Room.

Officer Butler was sworn in by Town Clerk Linda Hathaway.

**Board Member Comments**

Mr. Constantzos recently toured Minute Man Arc in Concord and wanted to acknowledge the programs and services available to residents of Stow and other towns, which includes a house they run in Stow for people with challenging abilities. (Minute Man Arc improves the lives of children and adults with disabilities by increasing lifelong independence, personal choice, and self-advocacy.)

### **Town Administrator (TA) Report**

- The TA recognized and thanked Karen Kelleher, who retired for a second time from the town. Recently she was the Zoning Board administrator. The zoning work has been transitioned to the planning department. Ms. Kelleher will continue to be a member of the Planning Board, and with her wealth of knowledge she is a huge asset to the Town.
- The MWRA (MA Water Resource Authority) study to bring MWRA water to MetroWest has a current estimate into the tens of billions of dollars. It would be at least a 25- to 30-year process.
- The warrant closes on August 1 for the September 18 Special Town Meeting.
- Ms. Dembkoski has been elected president of the Small Town Administrators Association (STAM) which represents towns with populations of 12,000 or less. *(Congratulations, Denise!)*

### **Appointments (continued)**

#### Appoint Maureen Mazzone to the NRSD Audit Advisory Committee

Maureen Mazzone and Finance Committee (FC) members Kevin Gross and Brian Patuto were present via Zoom. (There was not a quorum of the Finance Committee.)

Ms. Mazzone was a member of the NRSD School Committee and served as its representative to the Audit Advisory Committee. Ms. Mazzone would now like to be appointed as the Stow representative to that committee. Ms. Mazzone has a background as an auditor and a risk control specialist.

*Board member Birch-McMichael moved, in conjunction with the Finance Committee, to appoint Maureen Mazzone to the NRSD Audit Advisory Committee for a term expiring June 30, 2024.*

*Board member Constantzos seconded the motion and it passed unanimously by roll call vote:*

*Finance Committee: Mr. Gross (FC) -aye; Mr. Patuto (FC) -aye;*

*Select Board: Mr. Toole -aye; Ms. Hegemann Clark-aye; Mr. Constantzos -aye; Ms. Birch-McMichael -aye; and Ms. Frecha -aye.*

#### Reappoint Kelly Lawlor to the Cultural Council

Ms. Dembkoski said that Cultural Council appointments have been staggered throughout the year; this reappointment and those following will become part of the standard reappointment process with a term expiring at the end of June.

*Board member Birch-McMichael moved to reappoint Kelly Lawlor to the Stow Cultural Council, for a three-year term expiring June 30, 2026.*

*Board member Constantzos seconded the motion and it passed unanimously.*

### **Fiscal 2023 Year End Transfers**

Ms. Dembkoski was pleased to report that there are no final transfers to be made for fiscal year 2023.

### **Permit for Bike for the Woods, Sunday, August 20, 2023**

Jim Salvie was present in the Warren Room.

Mr. Salvie said the Bike for the Woods is a family-friendly charity bike ride benefitting the Stow Conservation Trust and has occurred annually for over 20 years. The routes are 5, 14, 37 and 65 miles and although many miles are in Stow all but the 5-mile route continue into other towns. Pre-made

food and coffee will be supplied and no food permit is required by the Board of Health. The insurance certificate will be submitted to the Town once the policy is renewed on August 1, 2023.

*Board member Birch-McMichael moved to grant a permit for Bike for the Woods for Sunday, August 20, 2023 from 8 AM to 2 PM, pending receipt of Certificate of Insurance when it is available.*

*Board member Constantzos seconded the motion and it passed unanimously.*

### **Assabet Craft Beer and Food Truck Festival – Saturday, September 2, 2023**

Mr. Constantzos recused himself from the discussion and the vote.

Event Manager Scott Feldhusen, Neil Saunders, and Dave Sansone were present in the Warren Room.

This is a fundraiser for the First Parish Church. Last year was the first festival and it was attended by over 1,200 people, exceeding the expectations of the organizers. This year it will be bigger and better and they will have music. Ms. Birch-McMichael, saying she attended last year and it was phenomenal, asked if there would be more food trucks as the lines were long last year. There will be an additional truck this year and the vendors will have food ready to sell when the event begins, as the organizers now know to anticipate a large crowd. Also, folks from the church will be doing cookies. If it rains heavily patrons can eat inside, and the brewers will also move inside.

*Board member Birch-McMichael moved to approve a Special Event Permit for the Assabet Craft Beer & Food Truck Festival, to be held at First Parish Church on Saturday, September 2, 2023 from 12 noon until 4 PM, pending receipt of all required documentation.*

*Board member Toole seconded the motion and it passed unanimously (4-0).*

*Board member Birch-McMichael moved to approve a One-Day Liquor License for the Assabet Craft Beer & Food Truck Festival, to serve beer from four breweries in delineated areas at First Parish Church on Saturday, September 2, 2023 from 12 noon until 4 PM, pending all required documentation.*

*Board member Toole seconded the motion and it passed unanimously (4-0).*

*Board member Birch-McMichael moved to approve an Entertainment License for the Assabet Craft Beer & Food Truck Festival, to be held at First Parish Church on Saturday, September 2, 2023 from 12 noon until 4 PM.*

*Board member Toole seconded the motion and it passed unanimously (4-0).*

Mr. Constantzos returned to the meeting.

### **Public Hearing - In Person Early Voting/Vote By Mail for Special Town Election in September**

Town Clerk Linda Hathaway was present in the Warren Room.

*Board member Birch-McMichael moved to open the public hearing for In Person Early Voting/Vote by Mail for the September Special Town Election.*

*Board member Constantzos seconded the motion and it passed unanimously by roll call vote:*

*Mr. Toole -aye; Ms. Hegemann Clark -aye; Mr. Constantzos -aye; Ms. Birch-McMichael -aye; Ms. Frecha -aye.*

Ms. Hathaway recommended that the Board opt-out of Vote By Mail because of the volume and the cost. In addition, there is a 12-step process that her office must follow for vote by mail. Ms. Hathaway recommended that the Select Board opt-in to In-Person Early Voting, which would be in Town Building on Monday, September 18 from 9 a.m. to 3 p.m., and Tuesday September 19 and Wednesday September 20 from 9 a.m. to 8 p.m. Ms. Hathaway reviewed statistics from the May town election; 153 people turned out for early voting out of a total of 433 voters. Absentee voting will still be an option for those who will be out of town on election day, and for those with a physical disability or a religious belief that would not allow them to participate on a Saturday. Details on absentee ballots are available from the Town Clerk's office.

Kate West, 8 High Street, was present via Zoom. She feels that mail-in voting helps to get people involved in the civic process. She is an election volunteer, and hopes that everyone comes out to vote.

*Board member Birch-McMichael moved that the public hearing for In Person Early Voting/Vote by Mail for the September Special Town Election be closed.*

*Board member Constantzos seconded the motion and it passed unanimously by roll call vote:*

*Mr. Toole -aye; Ms. Hegemann Clark -aye; Mr. Constantzos -aye; Ms. Birch-McMichael -aye; Ms. Frecha -aye.*

*Board member Birch-McMichael moved to approve the option of In Person Early Voting in Stow for the September 2023 Special Town Election.*

*Board member Constantzos seconded the motion and it passed unanimously by roll call vote:*

*Mr. Toole -aye; Ms. Hegemann Clark -aye; Mr. Constantzos -aye; Ms. Birch-McMichael -aye; Ms. Frecha -aye.*

*Board member Birch-McMichael moved to opt-out of Vote by Mail in Stow for the September 2023 Special Town Election.*

*Board member Constantzos seconded the motion and it passed unanimously by roll call vote:*

*Mr. Toole -aye; Ms. Hegemann Clark -aye; Mr. Constantzos -aye; Ms. Birch-McMichael -aye; Ms. Frecha -aye.*

### **Lay Out a Portion of Box Mill Road as a Public Way**

The replacement of the Box Mill Bridge is a collaboration with MassDOT (MA Department of Transportation). Easements are being finalized and offer letters have been sent to the two properties that are involved. The shape and curvature of the road is changing slightly, and a portion that is a private way needs to become a public way. When the replacement of the bridge itself is being done, a temporary bridge will be installed. Tonight, the Select Board needs to vote on the layout and turn it over to the Planning Board for comment. Then the Select Board will approve the Order of Layout at a future meeting. There will be another vote at the special town meeting to clarify some of the layout alterations, then the project will be advertised in mid-September. Construction is on target to start at the beginning of next year.

*Board member Birch-McMichael moved that the Select Board vote its intention to lay out a portion of Box Mill Road as a public way, all as shown on a plan entitled "Layout Plan of Land, Box Mill Road Over Elizabeth Brook, Stow, Massachusetts", dated June 26, 2023, prepared by Green International Affiliates, Inc., which plan is on file with the Town Clerk, and to forward this vote and the plan to the Planning Board for its comments and recommendations pursuant to G.L. c. 41, §§81G and 81I.*

*Board member Constantzos seconded the motion and it passed unanimously.*

### **Potential Policy for the Use of the Commercial Kitchen at Pompo Community Center**

Mr. Toole has heard from four residents who want the opportunity to use the commercial kitchen at Pompo and thinks the Board should set up a policy for the use of the kitchen during off-hours.

Ms. Hegemann said when a policy was prepared for the use of the community room at Pompo, there was much discussion and debate about the use of the kitchen when renting the community room. She asked that this current policy be reviewed if the Board will be working on a new policy for the kitchen to avoid any conflict between the policies.

Discussion ensued, with Board members and the TA bringing up the following:

- The need for liability insurance;
- Will the renters need to be ServSafe Food Handler certified;
- Will a ServSafe Food Manager need to be onsite during each use;
- Who would schedule the use of the kitchen;
- Rules for clean-up and maintenance, and will a custodian be needed;
- Safety issues that could arise from someone being there alone;
- What would the specific hours be, who gets priority, how much would be charged;
- Who authorizes the necessary contract and verifies all the paperwork is in order;
- Access to the kitchen gives someone access to the entire facility;
- Having a sample policy as a starting point.

Any policy being drafted by the Select Board must be done in an open meeting. Ms. Dembkoski suggested members come with ideas and details of what they would like in the policy when this is scheduled as an agenda item.

### **Letter of Support for the Open Space and Recreation Plan**

Board members did not offer any edits to the letter. Ms. Dembkoski said we have recently received conditional approval of the Open Space and Recreation Plan from the state through 2030. Ms. Hegemann said the approval process is not easy and this reflects the great work done by the Conservation Department.

*Board member Birch-McMichael moved that the Select Board approve and sign the letter of support for the Open space and Recreation Plan.*

*Board member Constantzos seconded the motion and it passed unanimously.*

### **Meeting Minutes**

Mr. Constantzos wanted to clarify for the record that the term listed on the June 27, 2023 meeting agenda for the Lieutenant's appointment did not match the motion. He mentioned that he obtained an explanation from Chief Sallese but did not elaborate further. Ms. Dembkoski said that between the time the agenda was posted and the day of the meeting, it was determined that the appointment should be for three years to match the contract term of three years. Also, it is the motion that carries not what is listed on the agenda; the vote is the legal appointment.

*Board member Birch-McMichael moved to accept the meeting minutes of the June 27, 2023 meeting. Board member Constantzos seconded the motion and it passed unanimously.*

**Board Correspondence & Updates**

Board members had no comments on correspondence.

**Adjournment**

*At 8:23 p.m. Board member Birch-McMichael moved to adjourn. Board member Constantzos 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.*