

Select Board Meeting Minutes
Tuesday, August 22, 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

Board Member Comments - none

Town Administrator (TA) Report

- The TA thanked the Friends of the Council On Aging for providing the funds for a patio and table outside at the Pompositticut Community Center, and Doug Hyde who led the project for the town.
- The TA thanked Rep. Kate Hogan for her continued support of Stow and the installation of firefighting cisterns in town. She previously got us \$300,000 and has earmarked \$150,000 more.
- The feedback period for the Board of Health (BOH) Private Well Regulations ends August 31, and ends September 30 for the Outdoor Water Use Restrictions. There is more information on the town’s website under News & Notices and there is a dedicated email address for comments.
- The folks organizing the Assabet Craft Beer & Food Truck Festival have changed some details since the Board approved the licenses. They added an additional alcohol vendor, and some food trucks are still not approved by the BOH. The Board members agreed that the TA can authorize the new vendors as they will not be meeting prior to the September 2 event.

Special Town Meeting Warrant

Ms. Dembkoski reviewed the three minimal changes to articles 9, 14, and 17 of the warrant. Because all the charter changes have to go to the ballot to be voted on, it was recommended by town counsel that for Articles 9 and 14, which are similar, only one should be voted on at town meeting. If article 3 passes, then article 9 would be tabled and article 14 would be acted upon; if article 3 does not pass, article 9 would be acted upon and article 14 would be tabled. A citizen petition was submitted on Friday and met the deadline and the 100 certified signature requirement, but it is not legally valid as it does not implement or amend an actual bylaw. It adds a title to a bylaw but no substance. It could be looked at as a non-binding resolution; it cannot be amended at the town meeting. The Planning Board will need to hold a public hearing as it does state to amend the zoning bylaw.

Board member Constantzos moved to approve the September 18, 2023, Special Town Meeting Warrant as presented at this meeting.

Board member Birch-McMichael seconded the motion and it passed unanimously.

Lake Boon Water Carnival – Saturday, September 2, 2023

David Gray, Lake Boon Association (LBA) representative, was present via Zoom.

Mr. Toole disclosed that he is part of the event as a certified ServSafe Allergen Food Manager.

Mr. Gray said the event has been happening for over 100 years and is a wonderful opportunity for the community to get together. The LBA invites people off the lake in Hudson and Stow to come enjoy the Friday night lighting of the lake from town beach and other events during the weekend. For parking, the normal parking spots at the recreation area have always been able to accommodate all visitors.

Board member Constantzos moved to grant a Special Event Permit for the Lake Boon Water Carnival to be held at Pine Bluff Recreation Area at Lake Boon on Saturday, September 2 from 8:00 AM until 4:30 PM, with the understanding that there will be no amplified music during Lake Boon Quiet Hours. Board member Birch-McMichael seconded the motion and it passed unanimously.

Nashoba Regional High School Project Financials

NRHS Building Committee members present via Zoom: Superintendent Kirk Downing; Kristen Kendall, community member (Stow); Vice Chair Leah Vivirito (also NRSD School Committee member from Stow); and Chair Joseph Gleason (also NRSD School Committee member from Lancaster).

A short video describing the overall scope of the project was shown. The estimated tax assessment per household in Stow, based on a median residential assessment, would be an increase of between \$1,300 and \$1,500. Discussion ensued about cost saving efforts during the project, the student allowance for technology and FF&E¹, the building options and MSBA² funding, and ineligible construction costs. Members of the NRHS Building Committee also discussed the possibility of losing accreditation during the next few years if renovations or a rebuild is not done. Doing just a base repair would bring the building to code and would only include replacing the HVAC system, the roof, windows, doors, and ADA modifications.

Several residents were present in person and via Zoom and asked about the need for a new school, with one noting that it is not the building that helps educate the children, it is the teachers. They asked about maintenance schedules of repairs and upgrades. It was mentioned that a prior school project in town and the rehabilitation of Pompo came in under budget because they thought outside the box.

Mr. Gleason said there has been a lot of talk and speculation regarding the condition of the building. He urges every resident of the district who has a vote to come and see the building at the 2-hour walk-through scheduled for Saturday, September 9; information is on the building committee website.

¹Furniture, Fixtures and Equipment

² Massachusetts School Building Authority

Vote to Exercise the Takings on Box Mill Road

The bridge reconstruction project began in 2017 and has been actively in progress since that time. This is a MassDOT project and they have committed \$3.3M to replace the bridge. Ms. Dembkoski included a timeline in the Board's packet; in 2019 the Board authorized proceeding with the eminent domain process and tonight the Board needs to exercise the takings.

Board member Constantzos moved to take by eminent domain, for all purposes for which public ways are used in the Town of Stow, including, without limitation, for the purpose of undertaking the Box Mill Road Over Elizabeth Brook Bridge Reconstruction Project, the following interests in, on and under certain parcels of land abutting or near Box Mill Road, Stow, Massachusetts, and shown more particularly on a plan entitled "Easement Plan of Land Box Mill Road Over Elizabeth Brook Stow, Massachusetts," dated June 26, 2023, prepared by Green International Affiliates, Inc., and as set forth

*more particularly on the Order of Taking as presented this evening.
Board member Birch-McMichael seconded the motion and it passed unanimously.*

Select Board Goals and Workplan

There was much discussion about potential goals for the Board, including the topics that Ms. Hegemann included for the packet as part of the TA goals. Ms. Hegemann summarized the goals as how does this Board, through Board goals or Town Administrator's goals, try to manage and work with the town to anticipate projections so people aren't caught off guard by costs. She added that town meeting needs to decide "What is Stow?"

The Board spoke about municipal trash collection. Ms. Dembkoski said that the Board of Health oversees trash in Stow; she has managed these contracts in other towns and the cost is between \$900,000 and \$1.1M for annual municipal trash in a community the size of Stow. Chair Frecha would like to explore options with other towns, such as buying an out-of-town sticker to use the Acton transfer station.

Discussion ensued about communicating with other boards and committees, and about communicating with residents. The Select Board may try again to invite committees to their meetings on a rotating basis. Currently there are multiple methods of communication for residents to be informed of what is going on in town. One of Ms. Dembkoski's personal goals is to publish a monthly newsletter, with something from every department head. It will be available on the website, and folks can sign up to have it emailed to them. The target date for the first newsletter is January.

Mr. Constantzos will submit a list of topics discussed at this meeting to the TA to be used at an upcoming meeting, which has been tentatively set for Tuesday, October 17, 2023.

Town Administrator Goals and Annual Evaluation Discussion

The evaluation form is standard and similar to surrounding towns. An "N/A" option will be added to each rating category, and a subtotal for each section. The pandemic section will be removed. Board members will fill out the evaluations based on the FY23 goals and send them to Dolores Hamilton (HR Director and Asst. TA), who will compile the results and send a consolidated review to each Board member for review and comment. Ms. Hamilton will then compile a draft report to be presented back to the Board at the September 26 meeting. Goals for FY24 is tentatively set for an October 17 meeting.

Board member Constantzos moved to approve the FY23 Evaluation Form for the Town Administrator as amended at this meeting.

Board member Birch-McMichael seconded the motion and it passed unanimously.

Potential Code of Conduct Policy for Boards and Committees

Mr. Constantzos submitted a draft of a potential policy, which is the new MIIA (MA Interlocal Insurance Association) version with the addition of section 4 "Guidelines for Individuals Speaking at Public Meetings." The Town's current personnel policies have been added, but it does not address the process if someone is violating the policy. This is only applicable to appointed boards and committees. There was a lot of feedback last year when this was discussed.

Board member Constantzos moved that the Board proceed with working on the Draft Code of Conduct policy. Board member Birch-McMichael seconded the motion and it passed unanimously.

Meeting Minutes

Board member Constantzos moved to accept the meeting minutes of the August 8, 2023 meeting as drafted. Board member Birch-McMichael seconded the motion and it passed unanimously.

Board Correspondence & Updates

The Board briefly discussed the Citizen's Petition and how the person(s) who submitted the Citizens Petition is told about STM.

Adjournment

At 9:33 p.m. Board member Constantzos moved to adjourn. Board member Birch-McMichael 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.