

Select Board Meeting Minutes
Tuesday, September 12, 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

Mr. Constantzos noted that September 15 through October 15 is National Hispanic Heritage Month and he encouraged residents to go to the Hispanic and Latin American Cultures display at the Randall Library, and said the NASJA book club is reviewing the book "Borderless" by Jennifer de Leon. Mr. Constantzos noted that Rosh Hashanah is coming up for all those of the Jewish faith.

Town Administrator (TA) Report

- The TA thanked the Police, Fire, and Highway Departments, and the Building Commissioner for their work last Friday during the storm. Clean up by highway and conservation personnel continues. The TA acknowledged Hudson Light & Power for the work that they are doing.
- The TA formally welcomed Lt. Kellie Barhight to Stow, whose first day and swearing in ceremony was at the height of the storm on Friday. Her coworkers could not attend as they were dealing with the emergency in town, but we can say that she is starting off in Stow with a bang!
- The Special Town Meeting (STM) is Monday, September 18 at Center School with check-in beginning at 5:30 p.m. There are multiple areas for parking, including St. Isidore's Church, for which the TA thanked Fr. Jeff Archer for allowing the town to use the church lot.
- The TA is the alternate member to MAGIC (Minuteman Advisory Group on Interlocal Coordination); the monthly meetings have resumed with the first presentation focused on small businesses and business support. They will be putting forth strategies on how to use EDICs to conduct business outreach.

Appointments

Appointments of Nicholas Whalen and Zachary Forest to the Highway Department

Mr. Whalen was previously employed here in 2020 and 2021 and he is excited to return to the Highway Department. Mr. Forest is new to the public sector but brings a lot of experience. Both have served in the U.S. Army.

Mr. Toole moved to appoint Nicholas Whalen to the position of full-time Laborer/Driver for the Stow Highway Department. Ms. Birch-McMichael seconded the motion and it passed unanimously.

Mr. Toole moved to appoint Zachary Forest to the position of full-time Laborer/Driver for the Stow Highway Department. Ms. Birch-McMichael seconded the motion and it passed unanimously.

Appointment of George Nisotel to the Council on Aging (COA)

George Nisotel was present in the Warren Room. Mr. Nisotel began attending the COA meetings in January as an associate member and would like to get more involved as a full member.

Mr. Toole moved to appoint George Nisotel to the Council on Aging for an indefinite term.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Appointment of Stephanie Lynch to the Conservation Commission

Stephanie Lynch was present via Zoom. Ms. Lynch has been a resident for 15 years and is excited for the opportunity to give back to the Conservation Commission, which had helped her with a construction project. There was a letter of recommendation from the Conservation Commission, and Ms. Birch-McMichael said Ms. Lynch will be an asset to the commission.

Mr. Toole moved to appoint Stephanie Lynch to the Conservation Commission for the remainder of a three-year term ending June 30, 2025.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Appointment of Maria McFarland to the Zoning Board of Appeals

Maria McFarland was present via Zoom. Ms. McFarland has owned a farm in Stow since 2016 and has a background in real estate construction and property management. She wants to learn and give back and feels her education and experience cross over to the board.

Mr. Toole moved to appoint Maria McFarland as an Associate Member of the Zoning Board of Appeals for the remainder of a five-year term ending June 30, 2028.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Joint Board Appointment of Cindy Cummings to the Board of Assessors

Board of Assessors members Tom Ryan and Len Golder were present in the Warren Room.

Cindy Cummings was present via Zoom.

Ms. Cummings attended an Assessors meeting where Mr. Ryan and Mr. Golder explained the duties of the board. They both recommend her for the open position. Ms. Cummings is willing to take the online training required by the state to become certified. This is a joint appointment per MGL Ch. 41, §11.

Mr. Toole moved, in a joint vote with the remaining members of the Board of Assessors, to appoint Cindy Cummings to fill the vacancy on the Board of Assessors, effective from this date through the May 2024 Annual Town Election. Ms. Birch-McMichael seconded the motion and it passed unanimously.

Recognition for Eagle Scout Benjamin J. Doty II

The Board reviewed a Certificate of Achievement and letter for Benjamin Doty in recognition of his attaining the rank of Eagle Scout. Mr. Doty's service project was building a low profile, accessible footbridge on the Green Trail in the Stow Town Forest. Conservation Director Kathy Sferra was present in the Warren Room and said that the Conservation Commission was the project sponsor. She said Ben had some construction challenges and she was proud of the way he stuck with it to complete the project.

Mr. Toole moved to recognize Boy Scout Benjamin J. Doty II for achieving the rank of Eagle Scout, and to sign the letter and proclamation for him. Benjamin's Court of Honor took place in August, and he is now away at college. The Board wishes him all the best in his studies and future plans.
Ms. Birch-McMichael seconded the motion and it passed unanimously.

Public Hearing – Consolidation of Cemetery and Highway Depts. into a Department of Public Works

Mr. Toole moved to enter into a public hearing on the consolidation of the cemetery department and the highway department into a Department of Public Works, by roll call vote. Ms. Birch-McMichael seconded the motion and it passed unanimously by roll call vote.

The Town Administrator read the public hearing notice into the record:

Notice is hereby given, in accordance with section 5-1 of the Stow Town Charter, that the Select Board will conduct a public hearing regarding the consolidation of the cemetery department and the highway department into a department of Public Works. Consolidation would be contingent upon an affirmative vote at the September 2023 Special Town Meeting AND a ballot question at the Annual Town Election in May 2024.

Ms. Dembkoski stated that this has been a long thought-out process which began upon her arrival in September of 2020. She described the nine steps taken since 2020, which included individual meetings with every member of the highway and cemetery departments to discuss the future of the department and ensure that everyone had a voice during the process. As of July 1, 2023 the Cemetery Committee is down to one member after operating with only two members for over a year. Both members have expressed support for the consolidation. Over the last few years laborers have been added that can serve both highway and cemetery operations, which reduced the need for seasonal cemetery workers. The full-time administrative assistant now works for and supports both the cemetery and highway departments. This position may change to a business manager as the role handles procurement and much more; this would then eliminate the Assistant Superintendent position. The next steps for the formal consolidation are articles to the September 18, 2023 STM and a ballot question in May 2024.

Tom Ryan spoke in favor of the consolidation but expressed his concern about the structure that is being proposed.

Mr. Toole moved that the public hearing on consolidation of the cemetery department and the highway department into a Department of Public Works be closed, by roll call vote.

Ms. Birch-McMichael seconded the motion and it passed unanimously by roll call vote.

Mr. Toole moved to support the consolidation of the cemetery department and the highway department into a Department of Public Works.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Special Event Permits for the Stow Friends of the Council on Aging

Two of these events have been long-standing, successful events in town. The pop-up is a new event for the SFCOA. There were no questions from the Board.

Mr. Toole moved to grant a permit to the Stow Friends of the Council on Aging (SFCOA) for a COA Gift Shop & More Pop-Up on Saturday, September 30, 2023 from 8 AM until 4 PM at the Pompositticut Community Center, pending Town Administrator approval that all documents have been received.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Mr. Toole moved to grant a permit to the Stow Friends of the Council on Aging (SFCOA) for a Holly Fair on Saturday, November 4, 2023 from 8 AM until 4 PM at the Pompositticut Community Center, pending Town Administrator approval that all documents have been received.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Mr. Toole moved to grant a permit to the Stow Friends of the Council on Aging (SFCOA) for the Second Chance Annual Holiday Sale on Saturday, December 2, 2023 from 8 AM until 3 PM at the Pompositticut Community Center, pending Town Administrator approval that all documents have been received.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

One Day Liquor Licenses for Shelburne Farm

Edward Painter was present via Zoom. Mr. Painter said they have not done events like this in the past, but the world of apple picking is evolving. There are orchards doing cider tents and they want to keep current and be consistent with what others are doing. If this goes well he hopes to apply to the state for a full license for next year. He does not have plans to brew cider.

Kathy Sferra, 74 West Acton Road (and close neighbor) said she and Jim Salvie fully support this permit.

Mr. Toole moved to approve One Day Liquor Licenses for Shelburne Farm, 106 West Acton Road, Edward Painter, for Saturdays and Sundays, September 16 through November 5, 2023 and for Monday, October 9, 2023 (Columbus Day), for a total of eight weekends (17 days), provided that all requirements have been met and approved by administration.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Review Town Administrator's FY23 Goals

The Board discussed Ms. Dembkoski's FY23 goals, and how most were only to oversee projects and issues that were already in progress that were not necessarily her responsibility, for example, to stay involved with the Bose property sale. The goals as written for FY23 were not quantifiable.

Ms. Dembkoski was asked if there were things that she achieved this past year that weren't listed as specific goals. She highlighted some items from the list that was presented to the Board when her contract was renewed, which covered the past 2.5 years:

- Involvement in large projects: the Randall Library renovation, Stow Acres;
- Consolidation of departments and looking at staffing;
- Increased community outreach, and the accessibility and people's ability to reach the TA;
- Changes made since August 2020, which include the culture, accessibility, communication, transparency, and financial status of the town.

There is more that Ms. Dembkoski would like to do with outreach, including changing the website and starting a monthly newsletter. The Board said that the TA was successful with many legal cases, including Lower Village. The Board said she offers multiple solutions to complex issues, with the pros and cons of each option, to assist the Board in making informed decisions. Ms. Dembkoski's review is scheduled for the next meeting, then the Board will set goals for FY24 at the following meeting.

Health Insurance Quote from MIIA

Due to the double digit increase in health insurance this fiscal year, Ms. Dembkoski is seeking quotes from the two largest competitors, the state Group Insurance Commission and MIIA, the MA Insurance Interlocal Association. MIIA has prepared a quote but needs a vote of the board before they will release it. These will be compared to our current plan with the Minuteman Nashoba Health Group.

Mr. Toole moved to authorize the Town Administrator to obtain a quote for health insurance for Town employees from MIIA. Ms. Birch-McMichael seconded the motion and it passed unanimously.

Technology Disposal Request

The computer units being disposed of will be recycled properly.

Mr. Toole moved to declare as surplus, the goods and equipment on the list provided by the IT department, valued at less than \$10,000 and belonging to the Town, and to authorize the disposal of these surplus items. Ms. Birch-McMichael seconded the motion and it passed unanimously.

Special Town Meeting Discussion

The Board members discussed the articles on the STM warrant. After much discussion of Article 1, the Nashoba Regional High School Building Project, the Board did not make a recommendation.

Mr. Toole moved that the Select Board support Article 2. (Additional Funds for the Renovations to the Randall Library)

Ms. Birch-McMichael seconded the motion and it passed 4-0-1 with Chair Frecha abstaining.

Mr. Toole moved that the Select Board support the changes to the charter, which are articles 4-14.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Mr. Toole moved that the Select Board support article 3. (Vest Authorities for Cemeteries and Streets in Director of Public Works)

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Meeting Minutes

Mr. Toole moved to accept the meeting minutes of the August 22, 2023 meeting as drafted.

Ms. Birch-McMichael seconded the motion and it passed unanimously.

Board Correspondence & Updates

Mr. Constantzos asked, "What is a fence viewer?" Ms. Dembkoski explained the responsibilities, and the statutory versus the discretionary requirements as outlined in the MA General Laws. Most are civil matters between neighbors about fences, and don't rise to the level of requiring a fence viewer.

Adjournment

At 8:48 p.m. Mr. Toole moved to adjourn. Ms. 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 Office in the meeting folder.