

Select Board Meeting Minutes
Tuesday, September 26, 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. Toole commented on the new school project that is now moving forward and hopes that the committee will commit themselves to the promised efforts of fundraising to try to alleviate some of the financial burden on the taxpayers of Stow and the other two towns.

Town Administrator (TA) Report

- The TA thanked everyone who assisted with the Special Town Meeting: Lisa Lavina, Kate West, Tina McAndrew, Deb Seith, Dolores Hamilton, Jonathan Daisy, and Ron Eld who assisted with the early set up which began at 2 p.m.; Fire Chief Benoit and members of the department for help with set-up and ensuring safety; the Boy Scouts who taped down wires; Police Chief Sallese, Lt. Barhight, and other members of the department who handled traffic, parking, and kept the check-in orderly. The TA thanked Jonathan's Stow TV crew: Evan Daisy and AJ Tuck for filming the meeting; Alyson Toole and Dave Ashman from the Council On Aging for driving the shuttle van and coordinating pick-ups; Town Clerk Linda Hathway and her entire crew for the efficient and successful check-in of 750 people; Rob Frieswick, Nick and the Center School facilities team for help with set-up and break-down; members of the town's facility department: Frank Ramsbottom, Shawn Crowley, and Jamie Higgins for their help with the break-down; Doug Hyde for organizing the chair rental; Jackie Spataro and those who organized Kid Town Meeting. The TA thanked the town of Sterling for allowing us to borrow 450 clickers; all the residents who attended and participated; and Moderator Jim Salvie for a well-planned and efficient meeting.
- Last week the court closed the case of the town's former Treasurer/Collector Pamela Landry. The TA said she was frustrated and disappointed by the verdict, and told the court in her victims' impact statement that the residents and taxpayers of Stow deserve better.
- We are officially planning for the closure of the Randall Library and will move the staff and all library contents to get ready for the renovation project. The last day in the existing library will be Friday, October 6 and moving should take 3-4 weeks. The staff will be located in the lower level of the Town Building and programs will be held in the meeting rooms and at Town Hall.

Appointments

Zoning Board of Appeals (ZBA)

Ruth Sudduth was present via Zoom. Ms. Sudduth has been an associate member of the ZBA for over a decade, and her primary interest in joining the ZBA has been to contribute to the process for large

comprehensive permits. Her background is in complex real estate. Ms. Sudduth previously served on the Planning Board for 12 years.

Leonard Golder was present in the Warren Room and said he has been an alternate on the ZBA for five years, and added that he would like to be a full member to be able to vote consistently.

Ms. Birch-McMichael moved to appoint Ruth Sudduth to the Zoning Board of Appeals as a full member for the remainder of a five-year term ending June 30, 2028.

Mr. Toole seconded the motion and it passed unanimously.

Complete Streets Committee

These are standard appointments, as a member of each of these departments needs to be on the Complete Streets Committee.

Ms. Birch-McMichael moved to appoint Lieutenant Kellie Barhight to the Complete Streets Committee, representing the Police Department, for the remainder of a three-year term ending June 30, 2025.

Mr. Toole seconded the motion and it passed unanimously.

Ms. Birch-McMichael moved to appoint Captain Barry Evers to the Complete Streets Committee, representing the Fire Department, for the remainder of a three-year term ending June 30, 2025.

Mr. Toole seconded the motion and it passed unanimously.

Highway Department Disposal Request

The Highway Department would like to dispose of an unused dumpster.

Ms. Birch-McMichael moved to approve the Highway Department request to declare as surplus, a metal roll-off dumpster, valued at less than \$10,000 and belonging to the Town, and to authorize the disposal of this surplus item.

Mr. Toole seconded the motion and it passed unanimously.

Modification of Shelburne Farm One Day Liquor License Hours

Edward Painter, owner of Shelburne Farm, was present via Zoom. Mr. Painter said this has gone exceptionally well. People still want to enter the cider tent after 4 p.m. and the brewer from Pony Shack has asked to come in and talk to people on one of the weekends in the late afternoon. Mr. Painter requested an extension of the hours to 5:30 p.m. for the remaining weekends. Mr. Constantzos suggested, and the Board discussed, an extension to 6:30 p.m. to allow for a buffer.

Ms. Birch-McMichael moved to approve a modification of the Special Liquor Licenses approved at the September 12 meeting for Shelburne Farm, to extend until 6:30 PM the hours in which cider can be served, for each of the days that a license has been granted.

Mr. Toole seconded the motion and it passed unanimously.

Adoption of MGL Chapter 32B, Sections 21-23

Mr. Toole recused himself from this discussion as his spouse works for the town.

This is a continuation of what was discussed at the September 12 meeting. The town is in the process of obtaining quotes for health insurance to see if there is a better and less expensive cost option for

employees. Ms. Dembkoski said the town's four unions and the state retirement board were notified that the Board would be discussing and voting on this tonight. The vote tonight allows a meeting to occur with the unions to discuss health insurance.

Ms. Birch-McMichael moved to adopt MGL Ch. 32B, §§ 21-23 to allow negotiation of health insurance changes. Mr. Constantzos seconded the motion and it passed unanimously 4-0.

Mr. Toole returned to the meeting.

Review Code of Conduct Policy

The Board continued their discussion from the August 22 meeting about a Code of Conduct for boards and committees. The Board made amendments to the language in the fourth bullet point in section C of the draft. This policy cannot be enforced with boards or committees that the Select Board does not appoint. It was suggested that a bylaw be written to encompass all boards and committees, both appointed and elected. Although there are state ethics and a conflict of interest law, this policy discusses how board members should treat each other, members of the staff, and members of the public, which is something that the law doesn't govern. The Board discussed what steps would be taken if someone refuses to sign the policy. The Board discussed the next steps and decided that the policy will be distributed to board and committee members by the office with a 30-day turnaround time. If necessary, the Board will meet with those who refuse to sign the policy.

Ms. Birch-McMichael moved to adopt the Code of Conduct Policy as amended at tonight's meeting in section C, bullet 4.

Mr. Toole seconded the motion and it passed unanimously.

Anti-Racism Statement with Resident Feedback

The Board began a discussion on issuing an anti-racism statement a few months ago and made the decision to request feedback from residents. The Board spoke of why it is important to issue this statement and noted that there have been incidents of racism in town. The Board gave consideration to and incorporated some of the resident feedback. In response to one comment, the Board said that they can denounce racism and also do the work of the town. The Board made a few modifications to the draft statement. The final statement will be posted on the Select Board webpage.

Ms. Birch-McMichael moved to approve the Anti-Racism Statement as amended at this meeting.

Mr. Toole seconded the motion and it passed unanimously.

Discussion of a Potential Policy on the Recording and Broadcasting of Meetings

Chair Frecha asked for information from other towns for this meeting. From the responses received by the office, two towns have bylaws but most have informal votes and decisions. Most boards and committees ("committees") in Stow are meeting fully on zoom and those meetings, as well as hybrid meetings, can be recorded and submitted to Stow TV to be uploaded to YouTube. If the Board proceeds with a policy, committees that meet the Board's criteria and meet fully in person would have to add a zoom component or meet in the Warren Room. Many committees are recording their meetings for the purpose of creating minutes, but not uploading them for people to be able to see the meeting. Discussion ensued about transparency and which committees should be recorded, while encouraging all committees to record their meetings. Discussion ensued about creating a bylaw for this

purpose so as to include elected boards and committees. The Board will pursue this as a policy then as a bylaw. Ms. Dembkoski offered to draft a policy for the Board.

Ms. Birch-McMichael moved to further pursue a potential policy for all Stow Board and Committee meetings, but specifically all major land use boards and financial boards to be recorded and broadcast/uploaded to YouTube, and to authorize the Town Administrator to seek out examples of other policies on recording meetings for the Board's consideration.

Mr. Toole seconded the motion.

Discussion ensued about having Ms. Dembkoski provide multiple policies or submit a recommended draft policy to the Board, and about clarification of what they consider to be the land use and financial boards or if they should specifically identify which boards at a later time.

Ms. Birch-McMichael moved to further pursue a potential policy for all Stow Board and Committee meetings to be recorded and broadcast/uploaded to YouTube, and to authorize the Town Administrator to provide us with a draft policy.

Mr. Toole seconded the motion and it passed unanimously.

Meeting Minutes

Ms. Birch-McMichael moved to accept the meeting minutes of the September 12, 2023 meeting as drafted. Mr. Toole seconded the motion and it passed unanimously.

Board Correspondence & Updates

Ms. Hegemann asked if there were any new surprises in the PFAS data. The correspondence was specific to testing near and at the firefighting academy.

Adjournment

At 8:53 p.m. Ms. Birch-McMichael moved to adjourn. Mr. Toole 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.