

Select Board Meeting Minutes
Tuesday, August 10, 2021
Stow Town Building & via Zoom

Present in the Warren Room: Chair Ellen Sturgis, Megan Birch-McMichael, Zack Burns, Cortni Frecha, James Salvie, and Town Administrator Denise Dembkoski.

Also present: Police Chief Michael Sallese, Austin Swinney, Rich Presti, Oleksii Savchenko, Abby Morgan, Mark Forgues, Kathleen Fisher, Dorothy Granat, and Marvin Guiles.

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

Public Input: none

Board Member Comments:

Board member Frecha has had conversations with a number of people who were upset by things that were said at the last Select Board meeting. She believes it is important to set the tone as the Board, and that they behave in a diplomatic way, not criticize people publicly, and consider their words carefully and be civil. She believes the Board can do all of their dealings without being unkind.

Board member Salvie expanded upon Board member Frecha's comments, saying the points she touched on are a lot broader than anything that happened at the last meeting. He said board members and employees who are not present are frequently criticized during the course of a Select Board meeting, and it is usually not regarding an agenda item. It is unnecessary and not leadership. He mentioned a policy that the Town of Sudbury has, and summarized that he was concerned about civility at our meetings, and that any criticism of employees should be done privately with the Town Administrator or if it must be done publicly it be done as an agenda item with the person present so we are not violating someone's rights.

Board member Burns agrees it should be an agenda item, adding that he thinks accountability is hard. He believes that when you take a position as a public official you accept a level of fiduciary duty and a level of willingness to engage in criticism. Letting it be known how strongly we feel about things is important and not uncivil. He has a different opinion and view about what board they are referring to and said it is not personal when you are angry about a policy.

Board member Frecha clarified that she was not referring to a policy discussion, but it was about what Board member Burns said at the previous Select Board meeting about a Community Preservation Committee member.

Board member Salvie asked if the topic of civility will be on an upcoming agenda. Chair Sturgis said yes, and suggested that a reminder statement could be read at the beginning of each meeting.

Chair Sturgis said that Lake Boon has reopened. If you have any concerns please check the Town's website.

Recognitions

Board member Birch-McMichael thanked Rich and Sue Muratori who are volunteer coordinators at the Stow Food Pantry. They make sure that the pantry is able to serve the most vulnerable people in our town and surrounding towns. She also congratulated the Muratoris on the recent celebration of their 50th wedding anniversary.

It was brought to the attention of Chair Sturgis by resident James Robinson that two New England women's sports teams with local residents have achieved titles. The Boston Renegades won the women's football national championship at the end of July and Boston Pride won the national women's ice hockey championship this past spring. Also, the Pan Mass Challenge was held this weekend both virtually and in person, and Stow resident Chris

Spear participated, as he has in previous years. Kathy Sferra and Laura Spear were on the command post, as they have been in previous years.

Fire Chief Joe Landry's last day is tomorrow and there is an Open House from 2-4 p.m. at the Fire Station. We all wish him well and are sad to see him go.

Public Hearing – YOLO MOTO CO, 92 Great Road

Chair Sturgis read the public hearing notice into the record:

The Stow Select Board will conduct a public hearing on Tuesday, August 10 at 7:15 p.m. in the Warren Room in the Town Building, 380 Great Road, Stow, MA on the application of: YOLO MOTO CO, Austin Swinney, 92 Great Road, Unit 2, Stow, MA 01775 for a Class II Used Car Dealer's License under MGL C. 140, §§57-59, as amended. Persons wishing to be heard on this matter will be afforded the opportunity and may participate in person or via Zoom. Until further notice, in-person attendees, who are not vaccinated, will be required to wear a mask. Posted 7/19/2021; Print 1x, The Stow Independent, 7/28/2021 issue.

Chair Sturgis stated that abutters have been notified and the list was included in the Select Board packet.

Board member Salvie moved that the public hearing be opened on the application for a Class II license for Yolo Moto Co. at 92 Great Road. Board member Frecha seconded the motion, and it passed unanimously on a roll call vote.

Mr. Austin Swinney thanked the Board and introduced himself to the meeting attendees. He said that YOLO MOTO CO is an online/offline retailer and broker of mid-market specialty vehicles including models appreciated for performance, style, and status as emerging classics. This is a start-up and a new business for Mr. Swinney.

The Board discussed the traffic flow and the ability for emergency vehicles to enter and exit the overall property with Police Chief Sallese. Mr. Swinney said it is primarily online sales with limited foot traffic at the location.

Mark Forgues, 9 White Pond Road and 39 Adams Drive, asked why the number of cars has changed from the amount in the initial email sent to the office to the number requested tonight. He feels having multiple dealerships is a change of use at this site and requires a special permit.

Rich Presti, owner of 92 Great Road, said that the area being rented can accommodate 10 cars outside but Mr. Swinney anticipates having only 4 outside to start.

Kathleen Fisher, 1 White Pond Road, said the structure has had a lot of changes over the years and asked if the unit has a garage door, proper drainage for auto fluids, and a rest room.

Bill Byron, 469 Gleasondale Road, was present via Zoom and asked if this was a new or a transfer of a license and will there be 2 Class II licenses on this site. He asked how many used car licenses will be in operation on this site.

In answer to questions regarding the number of cars on the lot in prior years, Rich Presti read a notarized affidavit from Wayne Erkinen, whose family previously owned the property and operated a Buick dealership on the site. This affidavit stated that in 1968, prior to zoning going into effect, there were 100-120 new and used cars, 20-25 employees' cars, 40-50 clients' cars, and 20-30 vehicles of other tenants and their clients, for a total of 180-225 total vehicles on site with regularity.

Dorothy Granat, 11 White Pond Road, asked about the public water usage. Chair Sturgis told her that this is the public hearing for the new license. Ms. Granat said that having 3 licenses at the property is an increased use.

Board member Birch-McMichael asked for civility and clarified that the Board is deciding terms around the licenses tonight. The Board is allowed to set limits as to how many cars are allowed on a property.

Marvin Guiles, 15 Heritage Lane, asked how many businesses are on the property. He said the appearance of the property has gotten worse and more congested.

Board member Salvie moved that the public hearing for YOLO MOTO CO at 92 Great Road be closed. Board member Frecha seconded the motion, and it passed 4-1 on a roll call vote: Salvie-aye, Burns-no, Frecha-aye, Birch-McMichael-aye, Sturgis-aye.

Board member Salvie moved that the Select Board approve the Class II license for YOLO MOTO CO at 92 Great Road in Stow with the following stipulations and conditions:

- *No more than four (4) cars outside and eight (8) cars inside at any one time;*
- *A specific layout of how cars for sale are to be spaced shall be developed and approved by public safety before operations begin;*
- *Hours of operation for sales are 12 p.m. to 7 p.m. Monday through Friday, 9 a.m. to 7 p.m. on Saturdays, and by appointment only on Sundays;*
- *Hours of operation for mechanical work are 8 a.m. to 5 p.m. Monday through Saturday;*
- *Deliveries to the premises only on the days and hours of operations but not on Sundays.*

This license is valid through December 31, 2021, and subject to annual renewal thereafter.

Board member Frecha seconded the motion, and it passed unanimously.

Appointments

Appointment to Economic Development & Industrial Commission

Board member Salvie moved to appoint Andrew Bluestein to the Economic Development & Industrial Commission (EDIC) for the remainder of a five-year term expiring June 30, 2026. Board member Frecha seconded the motion, and it passed unanimously.

Appointments to Gleasondale Local Historic District Study Committee

Chair Sturgis would like an architect on the committee and suggested the creation of an associate member or an advisor. Most Board members felt that if in the course of their work the committee needs to have an architect then they could add one as an associate, and that the Select Board should not be telling a committee who to add to their membership.

Dot Spaulding, 105 Pine Point Road, was present via Zoom and said she grew up in Gleasondale and she co-owns property there. She added that it is an interesting, historical area.

Board member Salvie moved to appoint the following members to the Gleasondale Local Historic District Study Committee for terms expiring June 30, 2022, and subject to annual appointment thereafter:

*Meg Costello
Eve Fischer
Jennifer Gero
Catherine Hammill
Dot Spaulding*

Board member Frecha seconded the motion, and it passed unanimously.

Appointment of Dispatchers

Select board member Salvie moved to appoint the following people as part-time Dispatchers for the Town of Stow Police Department, for terms expiring June 30, 2022 and subject to annual appointment thereafter:

*Laurel Brazao
Steven Walsh
Kristen Sieverts
Dezerae Rodriguez*

Board member Frecha seconded the motion, and it passed unanimously.

Transfer of Class II License from Infinite Automotive to Car Lot Express, Inc., 92 Great Road

Continuing a discussion begun at the July 27, 2021 Select Board meeting, Chair Sturgis stated that the Board has received and reviewed the information from Acton regarding the applications and licenses for Wheeler Dealer that shows Oleksii Savchenko as the President of Wheeler Dealer in the articles of organization. Discussion ensued, and Board member Salvie said the only thing in the record from Acton is the Lemon Law sticker issue that was corrected quickly. Board members discussed the number of cars to be allowed on the lot, with one of the concerns being that the property is visible when you enter town. Mr. Savchenko said that the more high-end cars ready for sale are the ones that are put in the front rows.

Board Member Frecha moved that the Select Board approve the transfer of a Class II license for 92 Great Road, Units 1 & 3, from Infinite Automotive to Car Lot Express, Inc. with the following stipulations and conditions:

- *Number of cars inside the showroom: 5*
- *Number of cars inside the garage: 5*
- *Number of cars outside on the lot: 60*
- *Days and hours of operation for sales: 9 a.m. to 8 p.m. Monday through Saturday, and by appointment only on Sundays;*
- *Days and hours of operation for mechanical: 8 a.m. to 8 p.m. Monday through Saturday;*
- *Further stipulations: the layout of car spaces on the outside lot be reviewed and approved by public safety; and*
- *Deliveries: only during business hours but not on Sundays.*

This license is valid through December 31, 2021, and subject to annual renewal thereafter.

Board member Salvie seconded the motion, and it passed 4-1 with Board member Burns opposing.

230 Hudson Road – Request to Put Utilities Underground

Marco Coppola was present via Zoom. He has a renovation project in progress and would like to move his electric meter to the garage side of his addition. He discussed the options with Hudson, Light, & Power (HL&P) of bringing the wires back overhead or underground. Mr. Coppola wants to bury all the utility lines underground. He will need to cross Hudson Road to do this and is coordinating with all parties involved. Derek Scott of HL&P has stated that “HLPD does not own secondary underground wire. We do allow them to rise up on mainline pole, such as the one across the street from 370. It is therefore the homeowner’s responsibility to obtain all town permits and follow electrical codes required.”

Chair Sturgis asked if he would still lose power if other residents on Hudson Road lost power, adding that the ownership is complicated and he still won’t have better service.

Some Board members were concerned with Mr. Coppola’s lines being disrupted by digging, and wanted the utilities reported to Dig Safe for marking. Steve Nadeau, Stow Superintendent of Streets, said he can work with the homeowner and Derek Scott from HL&P to make sure it gets marked out.

Bill Byron asked, via Zoom, if this section of Hudson Road has been newly paved. It has not been repaved yet.

Board member Salvie moved, that having received no objection from Hudson Light & Power, to grant permission for existing overhead utility lines at 230 Hudson Road to be buried underground under Hudson Road and attached to an existing pole on the other side of the street, with the following stipulations:

- *Work to be coordinated with Dig Safe, Hudson Light & Power, and Stow Highway and Police Departments*
- *Trench to be approximately 2’ wide and 3’ deep*
- *Work to be completed to code and subject to inspection*
- *Roadway to be restored to finish by repaving 2” of Binder and 2” of Roadway Top*

- *Costs for the work are to be paid by applicant, Marco Coppola of 230 Hudson Road*
- *Work is expected to be completed in August*
- *Owner to arrange for his utility to be marked by Dig Safe for future digs, to avoid any liability for the Town*

Board member Frecha seconded the motion, and it passed unanimously.

Mr. Coppola asked, and was advised, that he needs to contact HL&P, the Highway Department, the Police Department and Dig Safe in order to move forward with the dates that he has confirmed with his contractors.

Wildlife Woods Homeowners Association Trust

Anthony Parrinello, 52 Whispering Way, and Alexander “Sandy” McKinney, 29 Woodland Way were present via Zoom and are both trustees of the Wildlife Woods Homeowners Association Trust (HOA).

The trustees are requesting modification to the existing agreement between the HOA and the Town regarding maintenance to the open space that was signed in 2011.

The Town Administrator said that based on the proposed revision, and whatever the Board chooses, one of the items in the agreement should be that it still needs to meet all permits and regulations of the Town.

Board member Salvie suggested that the Board table this and determine how to give it back to the HOA. This is what is done with every other homeowner association. Mr. Parrinello said that they just want the land to be maintained in a responsible way. They would like to bring in a contractor soon to begin pruning. The Board would like to see any Order of Conditions from the Planning Board and the Conservation Commission.

Board member Salvie moved to table this matter and expeditiously review why the Town and/or the Select Board has to be involved in this and with making modifications. Board member Burns seconded, and it passed unanimously.

NASJA “All My Relations Community Art Show”

Abby Morgan was present and spoke about the plans for the art show. The event is Saturday, August 28th and the art will remain on display through Sunday August 29th, with 22 pieces of art on display from local residents.

Board member Salvie moved, with the approval of Public Safety officials, to approve a permit for All My Relations Community Art Show, hosted by the Nashoba Area Social Justice Alliance (NASJA), to be held at Town Center Park on August 28-29, 2021. Board member Frecha seconded the motion, and it passed unanimously.

Lake Boon Association Water Carnival - Labor Day Weekend

David Gray, Treasurer of the Lake Boon Association, was present via Zoom. He noted that this is the 100 year anniversary of the Lake Boon Association.

Board member Salvie moved, with the approval of Public Safety officials, and pending approval from the Board of Health, to approve a permit for the Lake Boon Association Water Carnival, to be held at Lake Boon the weekend of September 3-6, 2021. Board member Frecha seconded the motion, and it passed unanimously.

Multiple Sclerosis Society “Bike MS: Ride the Vineyard-Mainland” Ride

Emily Rivera was present via Zoom. Typically, the ride is on Martha’s Vineyard every year. Covid has changed the course and they are combining the Vineyard ride with the former Bike MS Minuteman ride that went through Stow. This year’s ride will include only 4 miles in Stow, with riders in Stow between 9:30 a.m. and 11 a.m. They hope to raise \$225,000 with this ride. Board member Salvie suggested that Ms. Rivera check with the Police Chief about the safety of the left on Harvard Road.

Board member Salvie, with the approval of Public Safety officials, moved to approve the use of Stow public ways for the National Multiple Sclerosis Society "Ride the Vineyard-Mainland" bike ride on Saturday, September 18, 2021. Board member Frecha seconded the motion, and it passed unanimously.

Update Records Access Officers (RAOs)

The information on file and on the website is outdated. This will bring us up to date.

Board member Salvie moved to modify the roster of Super Records Access Officers and Records Access Officers for the Town of Stow according to the list presented by the Town Administrator. Board member Frecha seconded the motion, and it passed unanimously.

Rescind the Stow Educational Incentive Program

This action will finalize what was begun at Town Meeting.

Board member Salvie moved to rescind the Employee Educational Incentive Program for Town of Stow employees, in accord with the May 2021 Annual Town Meeting vote on Article 20. Board member Frecha seconded the motion, and it passed unanimously.

Designee to MBTA Advisory Board

Chair Sturgis is willing to remain as the representative to the MBTA Advisory Board. There is no vote required and a letter will be sent to the MBTA.

Town Administrator's (TA) Report

- The TA will be on vacation next week with limited cell phone coverage.
- The tentative start date for the new Assistant Town Administrator is Monday, September 13, 2021.
- The TA wishes Joe Landy well in his retirement. He will be greatly missed.
- The TA thanked Jesse Steadman, Kathy Sferra, Alyson Toole, and Chief Sallese and their staff who assisted with the visit from Congresswoman Lori Trahan. It was a successful event.

Meeting Minutes: *Board member Salvie moved to accept the minutes of the July 27, 2021 meeting. Board member Frecha seconded the motion, and it passed unanimously.*

Correspondence: no comments

Adjournment

At 10:10 p.m. Board member Salvie moved to convene in Executive Session, pursuant to MGL Chapter 30A, section 21(a) (3), for the purpose of discussing strategy with respect to ongoing litigation with the Collings Foundation, and to adjourn thereafter. Board member Frecha seconded the motion, and it passed unanimously on 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.