

AGENDA
SELECT BOARD
November 9, 2021
7:00 p.m.
Town Building & Zoom

The public may attend the Select Board meetings in-person or may continue to participate via remote Zoom access. Until further notice, all visitors are required to wear a mask regardless of vaccination status.

Join Zoom Meeting
<https://zoom.us/j/99386161270?pwd=eExYSTh3emlrUWxaWGdad3ViMjVUZz09>

Meeting ID: 993 8616 1270
Passcode: 126143

1. Public input
2. Board Member comments
3. Recognition
 - Dorothy Sonnichsen – Randall Relief Fund, Town Fund & Town Farm Fund Trustee
4. Appointments:
 - John Paul “JP” Benoit to the position of Fire Chief, Emergency Management Officer, and Forest Warden through June 30, 2024, contingent upon successful contract negotiations
 - Stephen Laaper to the position of Call Firefighter/EMT to the Stow Fire Department through June 30, 2022
 - John Kennedy to the position of Call Firefighter/EMT to the Stow Fire Department through June 30, 2022
5. Town Administrator’s Report
6. **Public Hearing – 7:15 p.m.**
 - Tax Classification Hearing – Kristen Fox, Principal Assessor
7. **Public Hearing – 7:30 p.m.**
 - Pole Hearing for pole installations at Great Road and at Hiley Brook Road – Christopher Monsini, Hudson Light & Power
8. Discussion and Possible Vote
 - Accept donations on behalf of the Hallock Point Purchase
 - \$33,255 from Stow Conservation Trust with \$10,000 going toward the land stewardship and \$22,255 toward the purchase of the property
 - Up to \$60,000 from the Lake Boon Association for the purchase of the property and to cover legal expenses
 - Police Department Policies
 - U and T Visa Certification Policy
 - Reporting Abuse, Excessive Force, or Misconduct by Law Enforcement Personnel
 - Personnel Policies
 - Personnel Records Law Policy
 - Domestic Violence Leave Policy
 - Personnel Request Policy & Form
 - Discuss use of American Recovery Plan Act (ARPA) funds and the process that will be used to establish priorities
 - Letter of support for SEHC for Plantation II project

9. Strategic Planning

- Continued policy discussion, if any
- Continued Workplan and Goals, if any
- Continued meeting schedule discussion, if any

10. Meeting minutes

- October 26, 2021

11. Correspondence

12. Adjournment

Posted Friday, 11/5/2021
1 p.m.

RECOGNITION

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF STOW**

A Certificate of Appreciation to Dorothy Sonnichsen

On this 9th day of November 2021, the Stow Select Board hereby expresses its sincere appreciation to Dorothy Sonnichsen for 41 years of service as Trustee, and Treasurer, of the Randall Relief Fund, Town Fund, and Town Farm Fund. She also served as a member of the Stow Cultural Council from 2004-2010.

Working discreetly and behind the scenes, Dorothy has contributed in multiple ways to the fabric of life in Stow, quite literally as a quilter and member of the local spinning and weaving group, as a member of the Garden Club, and as a member of the Stow Historical Society, for which she also served as Treasurer. She also plays the harp and has performed at local events.

On behalf of the entire Town, the Select Board would like to thank Dorothy for the many ways she has enhanced and encouraged the cultural life of our town, and for her quiet devotion to the needs of all its residents.

Megan Birch-McMichael

Zackory Burns

Cortni Frecha

James H. Salvie

Ellen Sturgis

APPOINTMENTS



Town of Stow
Office of the
Town Administrator

380 Great Road
Stow, MA 01775
Tel: 978-897-2927

Denise M. Dembkoski
Town Administrator
townadministrator@stow-ma.gov

Dolores Hamilton
Assistant Town Administrator
assttownadmin@stow-ma.gov

To: Select Board

From: Denise M. Dembkoski, Town Administrator

Re: Appointment of Fire Chief

Date: November 1, 2021

I am pleased to recommend John Paul “JP” Benoit to be Stow’s next permanent Fire Chief. JP has been a member of the Stow Fire Department since 1986 and the department’s full-time Captain since 2006. Additionally, JP has been in the role as Acting Chief since August when Chief Landry retired.

We received 18 resumes in total for the position and our Assistant Town Administrator, Dolores, led the search committee. The committee was comprised of the Assistant TA, Police Chief, Building Commissioner, Town Social Worker, and the Southborough Fire Chief. The committee reviewed the resumes and narrowed it down to five (5) in-person interviews. The consensus among the committee was that there was no candidate better suited for this position than JP Benoit. His knowledge and experience in Stow set him apart, as he has intimate knowledge of the town, our policies, protocols, and staffing strengths and weaknesses.

The Assistant Town Administrator and I conducted a final interview with JP and it is evident that he has the knowledge and know-how to continue moving the Stow Fire Department forward. He has actively participated in all matters involving the Chief for the last several years, was instrumental in streamlining and automating many department processes, and understands how the “call model” works for us.

On a personal level, since JP was made Acting Chief in August, I have seen a positive transformation in his personality and visibility. JP is very well known in town due to the Boy Scouts and I’ve encouraged him to let that side of him show in other aspects of the Town and his role as Chief. I have seen him be more engaging, personable, and involved with other departments and initiatives and I believe he will continue to do so in the role of Chief.

I am asking the Board to support my recommendation of JP Benoit, and appoint him as our next Fire Chief, subject to contract negotiations.



Town of Stow
Office of the
Town Administrator

*380 Great Road
Stow, MA 01775
Tel: 978-897-2927*

Denise M. Dembkoski
Town Administrator
townadministrator@stow-ma.gov

I recommend the appointments of Stephen Laaper and John Kennedy to the position of Call Firefighter/EMT to the Stow Fire Department.

Their experience working on similar Fire Departments is extremely beneficial and will allow getting them up to speed as per-diem employees more efficiently.

Both candidates exceed our requirements and have been CORI checked.

Denise M Dembkoski



STOW FIRE DEPARTMENT

511 Great Road
Stow, Massachusetts 01775
Phone (978) 897-4537
Fax (978) 461-1400
Firechief@stow-ma.gov

John P Benoit
Acting *Fire Chief*

November 3, 2021

Town Administrator
Denise Demboski
380 Great Rd.
Stow, MA 01775

Denise,

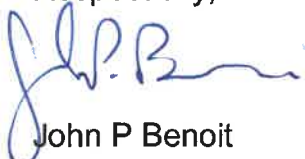
I respectfully request your recommendation to appoint the following to the Position of Call Firefighter/EMT to the Stow Fire Department.

Stephen Laaper ✓
John Kennedy ✓

All three have been met and exceed the minimum requirements advertised for the Per-Diem position. They have experience working on similar Fire Departments, which will afford them the opportunity to adapt quickly and fill a much-needed void in our Per-Diem staffing.

Please let me know if you require any other information regarding this candidate.

Respectfully,


John P Benoit
Acting Fire Chief

PUBLIC HEARINGS

Public Hearing - 7:15 p.m.

Tax Classification Hearing



Town of Stow
SELECT BOARD

Stow Town Building
380 Great Road
Stow, Massachusetts 01775
(978) 897-4515 selectboard@stow-ma.gov

Notice of Tax Classification Hearing

The Select Board will hold a public hearing on Tuesday, November 9, 2021 at 7:15 pm in the Town Building, 380 Great Road, Stow, MA on the issue of tax classification. The purpose of the hearing is to allow taxpayers the opportunity to present their views on whether or not Residential, Commercial, Industrial, Open Space, and Personal Property should be taxed with one rate for all property classes, or to use different tax rates for different property classes.

The hearing will include a presentation by the Board of Assessors outlining the options available under Chapter 40, Section 56 of the Massachusetts General Laws. At the conclusion of the public hearing the Select Board shall determine whether or not tax classification shall be applied for the Fiscal Year 2022 tax rate. Currently the Town taxes at a single tax rate for all property classes. All concerned taxpayers are encouraged to attend via Zoom to present their views orally or submit them in writing to the office.

Join Zoom Meeting

<https://zoom.us/j/99386161270?pwd=eExYSTh3emlrUWxaWGdad3ViMjVUZz09>

Meeting ID: 993 8616 1270

Passcode: 126143

If there are questions about the hearing, please contact the Assessors' Office at 897-4597.

Ellen Sturgis
Chair, Select Board

Posted 10/22/21

The Stow Independent, one time: 10/27/21 issue

CLASSIFICATION TAX ALLOCATION
Fiscal Year 2022

1. The selected Residential Factor is 1.000000

If you desire each class to maintain 100% of its full values tax share, indicate a residential factor of "1" and go to question 3.

2. In computing your residential factor, was a discount granted to Open Space?

Yes No

If Yes, what is the percentage discount? 0

3. Was a residential exemption adopted?

Yes No

If Yes, please complete the following:

<u>Class 1 Total Assessed Value</u>	=	<u>1,407,108,632</u>	X	<u>0</u>	=	<u>0</u>
Class 1 Total Parcel Count *		0		Selected Res. Exemption %		Residential Exemption

* Include all parcels with a Mixed-Use Residential designation

Applicable number of parcels to receive exemption 0

Was a Senior Means Tested exemption adopted?

Yes No

If Yes, please complete the following:

Total Eligible Parcels	0	Total Value Exempted nbsp;	0
Combined Exemptions			
Total Value Exempted, Residential + Senior Means Tested	0		
Total Residential Value after exemption(s)	1,407,108,632		

4. Was a small commercial exemption adopted?

Yes No

% Selected 0

If Yes, please complete the following:

No. of parcels eligible	<u>0</u>
Total value of parcels	<u>0</u>
Total value to be exempted	<u>0</u>

5. The following information was derived from the LA-7. Please indicate in column D percentages (accurate to 4 digits to the right of the decimal point) which result from your selected residential factor. (If a residential factor of "1" has been selected, you may leave Column D blank.)

A Class	B Certified Full and Fair Cash Value Assessments	C Percentage Full Value Shares of Total Tax Levy	D New Percentage Shares of Total Tax Levy
Residential	1,407,108,632.00	93.1084%	93.1084%
Open Space	0.00	0.0000%	0.0000%
Commercial	55,941,003.00	3.7016%	3.7016%
Industrial	26,073,700.00	1.7253%	1.7253%
Personal Property	22,134,976.00	1.4647%	1.4647%
TOTALS	1,511,258,311.00	100.0000%	100.0000%

CLASSIFICATION TAX ALLOCATION
Fiscal Year 2022

7. We hereby attest that on 11/09/2021 (date), 7:15pm (time), at Stow Town Building (place) in a public hearing on the issue of adopting the percentages for fiscal year 2022, that the Board of Assessors presented information and data relevant to making such determination and the fiscal effect of the available alternatives, and that the percentages set forth above were duly adopted in public session on (date).

8. The LA-5 excess capacity for the current fiscal year is calculated as 2,789,648.85

The LA-5 excess capacity for the prior fiscal year is calculated as 2,419,544.68

For cities : City Councilors, Aldermen, Mayor

For towns : Board of Selectmen

For districts : Prudential Committee or Commissioners

Signatures

No signatures to display.

Documents

Documents have been uploaded.

Public Hearing – 7:30 p.m.

Pole Petitions for Installation at:

- Hiley Brook Road
- Great Road

Christopher Monsini (or a representative of HL&P) will be present, and abutter notices have been sent.



Town of Stow
SELECT BOARD

Stow Town Building
380 Great Road
Stow, Massachusetts 01775
(978) 897-4515 selectboard@stow-ma.gov

Notice of Public Hearing

Notice is hereby given, in accordance with MGL Chapter 166, section 22, that the Select Board will conduct a public hearing regarding a pole locations request by Hudson Light and Power Department to locate utility poles as follows:

HILEY BROOK RD., STOW – locate one (1) pole at a point approximately 110 ft. Southwest of existing pole #5 to serve the new construction at 38 Hiley Brook Rd.

GREAT RD., STOW – locate one (1) pole at a point approximately 125 ft. West of existing pole #152 to reduce the overall span of overhead conductors and retain height compliance over the roadway.

Also, that permission be and hereby is granted to each of said petitioners to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

The public hearing will be held on Tuesday, November 9, 2021 at or after 7:30 p.m. at the Stow Town Building, 380 Great Road, Stow, MA. The public may attend the meeting in-person or may continue to participate via remote Zoom access. Until further notice, all visitors are required to wear a mask regardless of vaccination status.

Join Zoom Meeting

<https://zoom.us/j/99386161270?pwd=eExYSTh3emlrUWxaWGdad3ViMjVUZz09>

Meeting ID: 993 8616 1270

Passcode: 126143

Ellen Sturgis
Chair, Select Board

Posted 10/18/2021



Town of Stow
SELECT BOARD

Stow Town Building
380 Great Road
Stow, Massachusetts 01775
(978) 897-4515 selectboard@stow-ma.gov

October 18, 2021

To Whom It May Concern:

This letter is to notify you of a public hearing, in conformance with Chapter 166 of the Massachusetts General Laws, to be held by the Select Board on the petition of Hudson Light and Power Department for permission to locate utility poles as follows:

HILEY BROOK RD., STOW – locate one (1) pole at a point approximately 110 ft. Southwest of existing pole #5 to serve the new construction at 38 Hiley Brook Rd.

GREAT RD., STOW – locate one (1) pole at a point approximately 125 ft. West of existing pole #152 to reduce the overall span of overhead conductors and retain height compliance over the roadway.

Also, that permission be and hereby is granted to each of said petitioners to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

The public hearing will be on Tuesday, November 9, 2021 at 7:30 p.m., in the Stow Town Building, 380 Great Road, Stow, MA.

Copies of the petition and map are enclosed for your information.

Please feel free to contact our office with any questions or for more information.

Sincerely,

Joyce Sampson, Executive Assistant
Select Board and Town Administrator

Encl.

Joyce Sampson

From: Chief Michael Sallese
Sent: Thursday, November 4, 2021 9:19 AM
To: Joyce Sampson
Subject: RE: 2x pole petitions - Request for Comments

Hi Joyce,

I had the safety officer check both locations out, there seems to be no problems, however both locations will require detail officers during the installation.

Thank you,

*Michael Sallese, Chief of Police
Stow Police Department
305 Great Road
Stow, MA 01775
978-897-4545*

From: Joyce Sampson <jsampson@stow-ma.gov>
Sent: Wednesday, November 3, 2021 1:21 PM
To: Cyndie Colosi <health@stow-ma.gov>; Frank Ramsbottom <building@stow-ma.gov>; JP Benoit <firechief@stow-ma.gov>; Steve Nadeau <highway@stow-ma.gov>; Chief Michael Sallese <policechief@stow-ma.gov>
Cc: selectboard <selectboard@stow-ma.gov>
Subject: FW: 2x pole petitions - Request for Comments

Hello!

Just a reminder that if you have any comments for the HL&P Pole Petition Public Hearing on November 9th, to please send them by 4 p.m. on Thursday November 4th. Thank you!

Best regards,

Joyce

From: selectboard
Sent: Friday, October 15, 2021 12:04 PM
To: Cyndie Colosi <health@stow-ma.gov>; Frank Ramsbottom <building@stow-ma.gov>; Kathy Sferra <conservation@stow-ma.gov>; JP Benoit <firechief@stow-ma.gov>; Steve Nadeau <highway@stow-ma.gov>; Jesse Steadman <planning@stow-ma.gov>; Chief Michael Sallese <policechief@stow-ma.gov>
Cc: selectboard <selectboard@stow-ma.gov>
Subject: FW: 2x pole petitions - Request for Comments

Hello,

The Select Board office has received two petitions from Hudson Light & Power requesting permission to install a new pole on Great Road and a new pole on Hiley Brook Road. The pole on Great Road is to reduce the overall span of overhead conductors and retain height compliance over the roadway. The pole on Hiley Brook Road is to serve the new construction at 38 Hiley Brook Road.

The Select Board has scheduled a public hearing for 7:30 p.m. on Tuesday, November 9, 2021 to address these requests. A representative from HL&P will be present to answer questions.

Joyce Sampson

From: Frank Ramsbottom
Sent: Wednesday, November 3, 2021 2:49 PM
To: Joyce Sampson
Subject: Re: 2x pole petitions - Request for Comments

Hi Joyce

I have not comment on this petition

Respectfully

Frank Ramsbottom

Get [Outlook for iOS](#)

From: Joyce Sampson <jsampson@stow-ma.gov>
Sent: Wednesday, November 3, 2021 1:20:55 PM
To: Cyndie Colosi <health@stow-ma.gov>; Frank Ramsbottom <building@stow-ma.gov>; JP Benoit <firechief@stow-ma.gov>; Steve Nadeau <highway@stow-ma.gov>; Chief Michael Sallese <policechief@stow-ma.gov>
Cc: selectboard <selectboard@stow-ma.gov>
Subject: FW: 2x pole petitions - Request for Comments

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Best regards,

Joyce

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To: Cyndie Colosi <health@stow-ma.gov>; Frank Ramsbottom <building@stow-ma.gov>; Kathy Sferra <conservation@stow-ma.gov>; JP Benoit <firechief@stow-ma.gov>; Steve Nadeau <highway@stow-ma.gov>; Jesse Steadman <planning@stow-ma.gov>; Chief Michael Sallese <policechief@stow-ma.gov>
Cc: selectboard <selectboard@stow-ma.gov>
Subject: FW: 2x pole petitions - Request for Comments

Hello,

The Select Board office has received two petitions from Hudson Light & Power requesting permission to install a new pole on Great Road and a new pole on Hiley Brook Road. The pole on Great Road is to reduce the overall span of overhead conductors and retain height compliance over the roadway. The pole on Hiley Brook Road is to serve the new construction at 38 Hiley Brook Road.

The Select Board has scheduled a public hearing for 7:30 p.m. on Tuesday, November 9, 2021 to address these requests. A representative from HL&P will be present to answer questions.

Please provide this office with any comments or concerns by Friday, October 29, 2021. Thank you!

Joyce Sampson

From: JP Benoit
Sent: Wednesday, November 3, 2021 1:56 PM
To: Joyce Sampson
Subject: RE: 2x pole petitions - Request for Comments

After reviewing the petitions for the installation of two new poles, one on Hiley Brook Rd and the other on Great Rd I do not have any concerns as related to public safety.

Thank you.

John P Benoit
Acting Fire Chief
Stow Fire Department
511 Great Road
Stow, MA 01775

All information transmitted is intended only for the use of the intended recipient or the entity, employee, or agent to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the recipient of this message is not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately, destroy all copies, and return the message at the above email address.

From: Joyce Sampson
Sent: Wednesday, November 3, 2021 1:21 PM
To: Cyndie Colosi <health@stow-ma.gov>; Frank Ramsbottom <building@stow-ma.gov>; JP Benoit <firechief@stow-ma.gov>; Steve Nadeau <highway@stow-ma.gov>; Chief Michael Sallese <policechief@stow-ma.gov>
Cc: selectboard <selectboard@stow-ma.gov>
Subject: FW: 2x pole petitions - Request for Comments

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Best regards,
Joyce

From: selectboard
Sent: Friday, October 15, 2021 12:04 PM
To: Cyndie Colosi <health@stow-ma.gov>; Frank Ramsbottom <building@stow-ma.gov>; Kathy Sferra <conservation@stow-ma.gov>; JP Benoit <firechief@stow-ma.gov>; Steve Nadeau <highway@stow-ma.gov>; Jesse Steadman <planning@stow-ma.gov>; Chief Michael Sallese <policechief@stow-ma.gov>
Cc: selectboard <selectboard@stow-ma.gov>
Subject: FW: 2x pole petitions - Request for Comments

Hello,

The Select Board office has received two petitions from Hudson Light & Power requesting permission to install a new pole on Great Road and a new pole on Hiley Brook Road. The pole on Great Road is to reduce the overall span of

Joyce Sampson

From: Kathy Sferra
Sent: Thursday, October 21, 2021 12:12 PM
To: selectboard
Subject: RE: 2x pole petitions - Request for Comments

Hi Joyce:

The Conservation Department has no comments or issues with the proposed poles.

Thank you,

-Kathy

Kathy Sferra
Conservation Director
Stow Conservation Commission
380 Great Road
Stow, MA 01775
978-897-8615
Conservation@stow-ma.gov

Webpages: www.stow-ma.gov/conservation-commission

Facebook: www.facebook.com/stowconservation

From: selectboard <selectboard@stow-ma.gov>
Sent: Friday, October 15, 2021 12:04 PM
To: Cyndie Colosi <health@stow-ma.gov>; Frank Ramsbottom <building@stow-ma.gov>; Kathy Sferra <conservation@stow-ma.gov>; JP Benoit <firechief@stow-ma.gov>; Steve Nadeau <highway@stow-ma.gov>; Jesse Steadman <planning@stow-ma.gov>; Chief Michael Sallese <policechief@stow-ma.gov>
Cc: selectboard <selectboard@stow-ma.gov>
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The Select Board has scheduled a public hearing for 7:30 p.m. on Tuesday, November 9, 2021 to address these requests. A representative from HL&P will be present to answer questions.

Please provide this office with any comments or concerns by Friday, October 29, 2021. Thank you!

Best regards,

Joyce

Joyce Sampson | Executive Assistant

Joyce Sampson

From: Jesse Steadman
Sent: Monday, October 18, 2021 9:47 AM
To: selectboard
Subject: RE: 2x pole petitions - Request for Comments

Thanks Joyce,

No comment from our office.

Best,
Jesse

From: selectboard <selectboard@stow-ma.gov>
Sent: Friday, October 15, 2021 12:04 PM
To: Cyndie Colosi <health@stow-ma.gov>; Frank Ramsbottom <building@stow-ma.gov>; Kathy Sferra <conservation@stow-ma.gov>; JP Benoit <firechief@stow-ma.gov>; Steve Nadeau <highway@stow-ma.gov>; Jesse Steadman <planning@stow-ma.gov>; Chief Michael Sallese <policechief@stow-ma.gov>
Cc: selectboard <selectboard@stow-ma.gov>
Subject: FW: 2x pole petitions - Request for Comments

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The Select Board has scheduled a public hearing for 7:30 p.m. on Tuesday, November 9, 2021 to address these requests. A representative from HL&P will be present to answer questions.

Please provide this office with any comments or concerns by Friday, October 29, 2021. Thank you!

Best regards,
Joyce

Joyce Sampson | Executive Assistant
Town Administrator & Select Board Office
Town of Stow | 380 Great Road | Stow, MA 01775
978-897-4515 | www.stow-ma.gov

From: Christopher Monsini <cmonsini@hudsonlight.com>
Sent: Monday, October 4, 2021 11:56 AM
To: selectboard <selectboard@stow-ma.gov>
Subject: 2x pole petitions

Hey Maureen,

I hope you and your family have been well! Attached please find two (2) pole petitions from HLPD.

HLPD 21-02 - Hiley Brook Rd.

Joyce Sampson

From: Christopher Monsini <cmonsini@hudsonlight.com>
Sent: Thursday, October 28, 2021 1:03 PM
To: Joyce Sampson
Cc: terrence.p.dolan@verizon.com; selectboard; Joshua DeTerra
Subject: 2x pole petitions
Attachments: 21-02 P5.5 Hiley Brook Rd. - Petition.pdf; 21-02 P5.5 Hiley Brook Rd. - Design.pdf; 21-02 P5.5 Hiley Brook Rd. - Order.pdf; 21-03 P152.5 Great Rd. - Petition.pdf; 21-03 P152.5 Great Rd. - Design.pdf; 21-03 P152.5 Great Rd. - Order.pdf

Hey Joyce,

Thank you for your time today, it was nice speaking with you!

Attached you'll find two (2) revised pole petitions from HLPD.

HLPD 21-02 - Hiley Brook Rd.

HLPD 21-03 - Great Rd.

I have also copied Terry Dolan from Verizon. If these require a VZ signature, I've been told he is the appropriate person for the job. Terry if I am mistaken, please pass this along and let me know for future reference.

If either of you have any questions on these please let me know and thank you in advance!

Sincerely,

Christopher M. Monsini
Engineering Project Manager
Hudson Light & Power Department
cmonsini@hudsonlight.com
O: (978) 568-8736
C: (978) 815-5655



PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

October 4, 2021

To the Select Board of the Town of Stow, Massachusetts.

Hudson Light and Power Department and Verizon New England Inc. request permission to locate poles, wires cables and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

HILEY BROOK RD., STOW – locate one (1) pole at a point approximately 110 ft. Southwest of existing pole #5 to serve the new construction at 38 Hiley Brook Rd.

Wherefore they pray that, after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires, and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - HLPD No. 21-02 Dated October 4, 2021.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

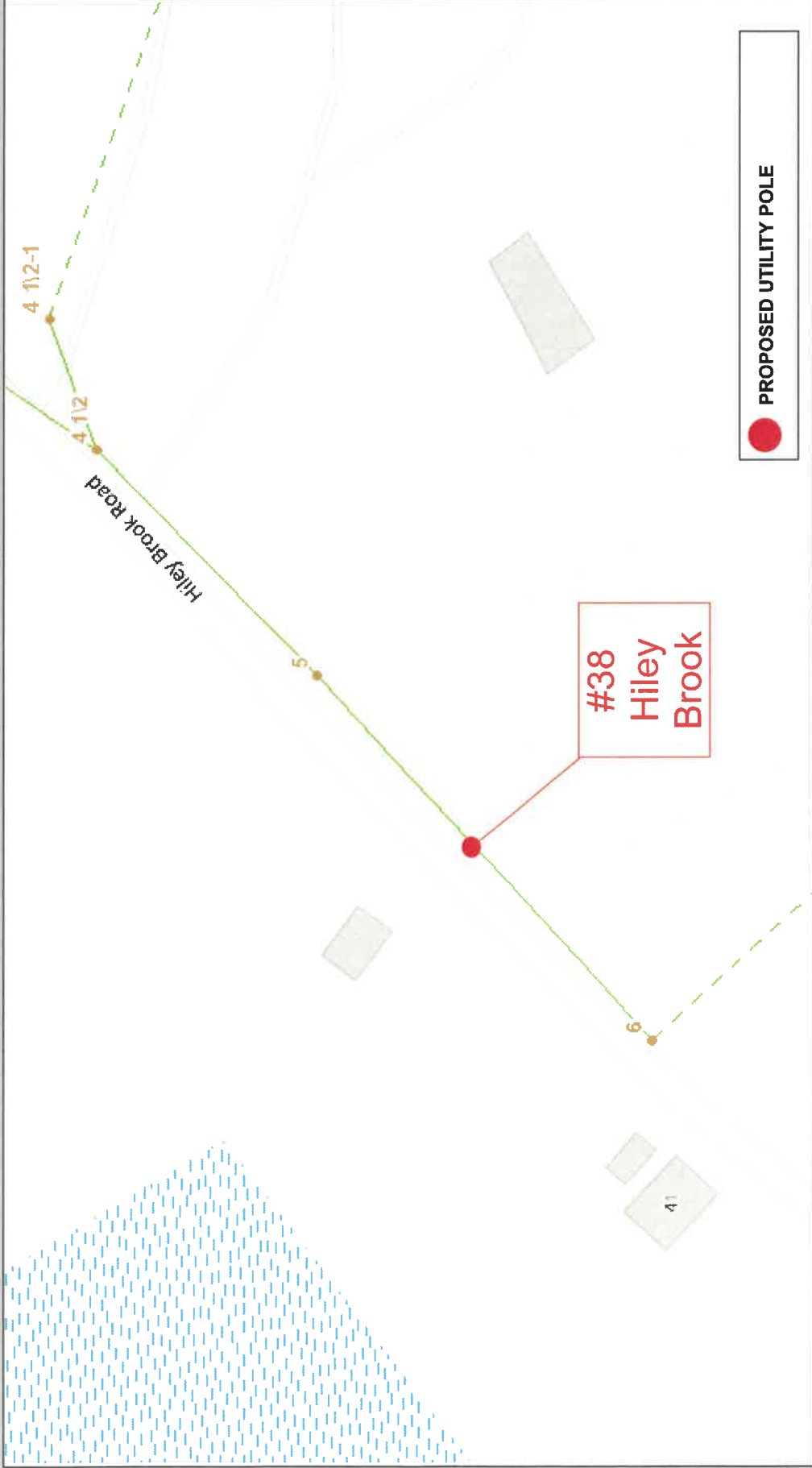
Your petitioners agree to reserve space for one crossarm at a suitable point on each of said poles for the fire, police, and telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Hudson Light & Power Department:

By: Christopher M. Monsini
Christopher M. Monsini

Verizon New England Inc.:

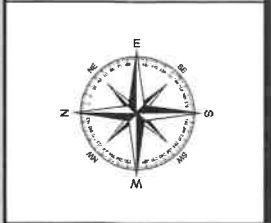
By: _____



NO.		BY	DATE	DESCRIPTION
1		CMM	10/04/2021	Original Design
REVISIONS				
SCALE: NTS				
CONTACT: Christopher M. Monsini				
PHONE: (978) 568-8736				
EMAIL: Cmonsini@hudsonlight.com				

PROJECT: HLPD 21-02

PROJECT ADDRESS:
Proposed Pole #5-1/2 Hiley Brook Rd. To serve
#38 Hiley Brook Rd. Stow, Ma.



Hudson
LIGHT & POWER

49 Forest Ave, Hudson MA 01749

ABUTTERS LIST
 44 Hiley Brook Rd
 MAP U4 PARCELS 7

MAP/PARCEL	PROPERTY LOCATION	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP CODE	DEED BOOK	DEED PAGE
000R-4 0016-1	23 HILEY BROOK RD	KENDALL JOSHUA D		23 HILEY BROOK RD	STOW	MA	01775	61457	589
000R-4 00005A	30 HILEY BROOK RD	TADMOR, RACHEL C. (TRUSTEE)		30 HILEY BROOK ROAD	STOW	MA	01775	57582	26
000R-4 000015	41 HILEY BROOK RD	TELISZEWSKI MICHAEL F		41 HILEY BROOK RD	STOW	MA	01775	53843	586
000R-4 000007	44 HILEY BROOK RD	SYMULA, MICHAEL G.		44 HILEY BROOK RD	STOW	MA	01775	78029	29
000R-4 000014	45 HILEY BROOK RD	HAMMAR NORA T		45 HILEY BROOK ROAD	STOW	MA	01775	31545	81
000R-4 000008	50 HILEY BROOK RD	CHARUBINI DAVID J		50 HILEY BROOK RD	STOW	MA	01775	67521	535
000R-4 000013	61 HILEY BROOK RD	SCHEID WILLIAM E		61 HILEY BROOK RD	STOW	MA	01775	60290	408
000R-4 000009	66 HILEY BROOK RD	PAOLETTI CASEY		66 HILEY BROOK RD	STOW	MA	01775	71224	142



Stuart Carter, MAA

Certified by the Stow Board of Assessors:

Date Certified or Re-Certified:

10/15/21 Ft: 201 m street

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

In the Select Board of the Town of Stow, Massachusetts.
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the Hudson Light and Power Department and Verizon New England Inc. be and they are hereby granted joint or identical locations for and permission to erect and maintain poles, and their respective wires and cables to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as said petitioners may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said petitioners dated the 4th day of October 2021.

All construction under this order shall be in accordance with the following conditions: Poles shall be of sound timber and reasonably straight and shall be set substantially at points indicated upon the plan marked HLPD No. 21-02, Dated October 4, 2021. Filed with said petition. There may be attached to said poles by said HUDSON LIGHT AND POWER DEPARTMENT such wires, cables and fixtures as are necessary in its business, and by said Verizon New England Inc. 20 wires, 4 cables – such wires, cables and fixtures as are necessary in its business and all of said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 12 feet from the ground elsewhere.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles, which may be erected thereon under this order:

HILEY BROOK RD., STOW – locate one (1) pole at a point approximately 110 ft. Southwest of existing pole #5 to serve the new construction at 38 Hiley Brook Rd.

Also, that permission be and hereby is granted to each of said petitioners to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of Stow, Massachusetts held on the _____ day of _____, 20__.

By: _____
Select Board Clerk

We hereby certify that on _____, 20____, at _____ o'clock PM, at Stow, Massachusetts, a public hearing was held on the petition of the Hudson Light and Power Department and Verizon New England Inc. for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the petitioners are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Select Board of the Town of Stow, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Select Board of the Town of Stow, Massachusetts, on the _____ day of _____ 20____, and recorded with the records of location orders of said Town, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

October 4, 2021

To the Select Board of the Town of Stow, Massachusetts.

Hudson Light and Power Department and Verizon New England Inc. request permission to locate poles, wires cables and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

GREAT RD., STOW – locate one (1) pole at a point approximately 125 ft. West of existing pole #152 to reduce the overall span of overhead conductors and retain height compliance over the roadway.

Wherefore they pray that, after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires, and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - HLPD No. 21-03 Dated October 4, 2021.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

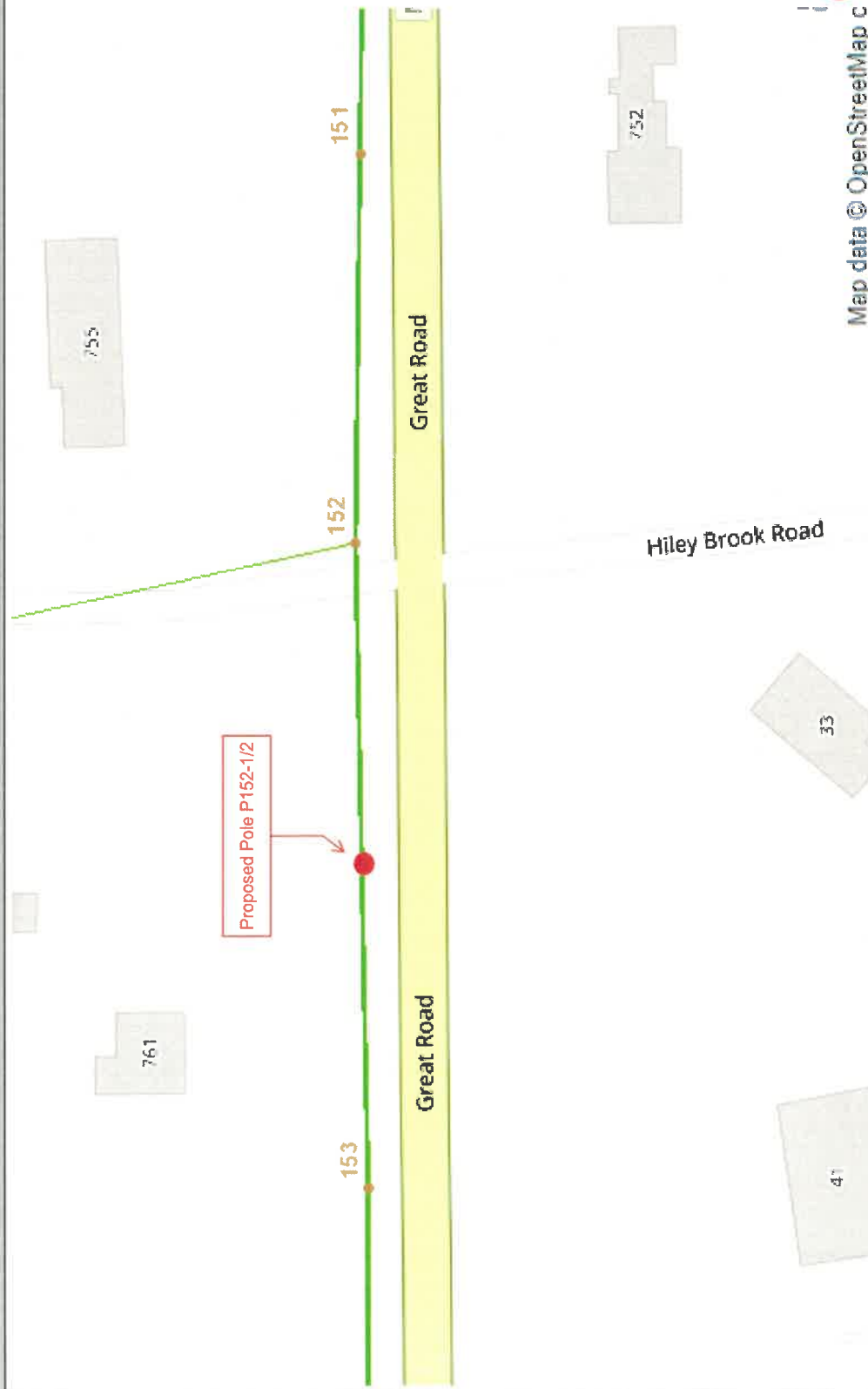
Your petitioners agree to reserve space for one crossarm at a suitable point on each of said poles for the fire, police, and telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Hudson Light & Power Department:

By: Christopher M. Monsini
Christopher M. Monsini

Verizon New England Inc.:

By: _____



Map data © OpenStreetMap c  PROPOSED UTILITY POLE

NO. BY		DATE	DESCRIPTION
1	CHM	10/04/2021	Original Design
REVISIONS			
SCALE: NTS			
CONTACT: Christopher M. Monsini			
PHONE: (978) 568-8736			
EMAIL: Cmonsini@hudsonlight.com			

PROJECT: HLPD 21-03
PROJECT ADDRESS:
 Proposed Pole #152-1/2 Great Rd. Stow, Ma.



49 Forest Ave, Hudson MA 01749

ABUTTERS LIST
755-761 Great Rd
MAP R3 PARCELS 5 56

MAP/PARCEL	PROPERTY LOCATION	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP CODE	DEED BOOK	DEED PAGE
000R-3 000004	60 LANTERN LN	CHARLES A BARNEY REVOC TRUST		PO BOX 114	STOW	MA	01775	72807	371
000R-3 000005	755 GREAT RD	755 GREAT ROAD NOMINEE TRUST		755 GREAT RD	STOW	MA	01775	72472	593
000R-3 000006*	749 GREAT RD	HILLS, BENJAMIN K.		749 GREAT RD	STOW	MA	01775	77573	50
000R-3 000007	741 GREAT RD	CURRIE DONALD V		741 GREAT RD	STOW	MA	01775	11498	527
000R-3 000046	33 OLD BOLTON RD	MESSINESE NICHOLAS J		PO BOX 85	STOW	MA	01775	71138	382
000R-3 000047	752 GREAT RD	PERKINS JAMES ELLSWORTH		PO BOX 205	STOW	MA	01775	13651	466
000R-3 000054	779 GREAT RD	MCLAUGHLIN, SEAN M.		858 AMBER LN	WEST CHESTER	PA	19382	77732	425
000R-3 000055	773 GREAT RD	LOCKE STEPHEN K		773 GREAT RD	STOW	MA	01775	14582	215
000R-3 000056	761 GREAT RD	MULLER-KAHLE HANS		130 OCEANSIDE DRIVE	SCITUATE	MA	02066	23425	281
000R-3 000057	79 HILEY BROOK RD	DOLAN RICHARD E III		79 HILEY BROOK RD	STOW	MA	01775	41659	560
000R-3 000058	75 HILEY BROOK RD	BARON LYNNE		75 HILEY BROOK ROAD	STOW	MA	01775	67370	94
000R-3 048A-1	41 OLD BOLTON RD	ESCOBEDO LARRY		41 OLD BOLTON ROAD	STOW	MA	01775	72621	120
* recent sale									



Stuart Carter, MAA

Certified by the Stow Board of Assessors:

10/15/21

Date Certified or Re-Certified:

Ft: 200 on street

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

In the Select Board of the Town of Stow, Massachusetts.
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the Hudson Light and Power Department and Verizon New England Inc. be and they are hereby granted joint or identical locations for and permission to erect and maintain poles, and their respective wires and cables to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as said petitioners may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said petitioners dated the 4th day of October 2021.

All construction under this order shall be in accordance with the following conditions: Poles shall be of sound timber and reasonably straight and shall be set substantially at points indicated upon the plan marked HLPD No. 21-03, Dated October 4, 2021. Filed with said petition. There may be attached to said poles by said HUDSON LIGHT AND POWER DEPARTMENT such wires, cables and fixtures as are necessary in its business, and by said Verizon New England Inc. 20 wires, 4 cables – such wires, cables and fixtures as are necessary in its business and all of said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 12 feet from the ground elsewhere.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles, which may be erected thereon under this order:

GREAT RD., STOW – locate one (1) pole at a point approximately 125 ft. West of existing pole #152 to reduce the overall span of overhead conductors and retain height compliance over the roadway.

Also, that permission be and hereby is granted to each of said petitioners to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of Stow, Massachusetts held on the _____ day of _____, 20__.

By: _____
Select Board Clerk

We hereby certify that on _____, 20____, at _____ o'clock PM, at Stow, Massachusetts, a public hearing was held on the petition of the Hudson Light and Power Department and Verizon New England Inc. for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the petitioners are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Select Board of the Town of Stow, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Select Board of the Town of Stow, Massachusetts, on the _____ day of _____ 20____, and recorded with the records of location orders of said Town, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk

DISCUSSION & POSSIBLE VOTE

Accept Donations on Behalf of the Hallock Point Purchase

Police Department Policies

- U and T Visa Certification
- Reporting Abuse, Excessive Force or Misconduct by Law Enforcement Personnel



Town of Stow
POLICE DEPARTMENT

305 Great Road
Stow, Massachusetts 01775

(978) 897-4545
FAX (978) 897-3692

Michael Sallese
Chief of Police

October 15, 2021

Select Board
Town of Stow
380 Great Road
Stow, MA 01775

RE: Policy 9.02 U and T Visa Certification Policy Addition

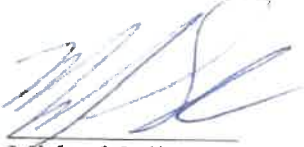
Continuing the review of the Stow Police Department policies, I found that the Stow Police Department is lacking a policy in which we are able to help those victims who are deemed to be without lawful immigration status and find themselves victims of serious crimes, such as human trafficking, domestic violence, sexual assault, and stalking. These victims are reluctant to come forward due to a variety of factors, including but not limited to: language barriers, separation from family and friends, lack of understanding of U.S. laws, fear of deportation, and cultural differences.

As a result, in 2000, Congress created the U and T Visa Programs within the **Victims of Trafficking and Violence Protection Act (VTVPA)**. The purpose of this program is to encourage immigrant crime victims to come forward and report criminal activity to law enforcement agencies thereby strengthening the ability of both local and state law enforcement to investigate and prosecute serious crimes. At the same time, the U and T Visa Program offers much needed protections to these victims of such crimes without the immediate risk of being removed from the country and without having any fear of detention and/or deportation by federal law enforcement officials. In addition, this program has the added advantage of strengthening relationships between the Stow Police Department and the community that it serves.

When an immigrant applies for a U or T Visa, local police have a limited role in the process: they *certify* to federal authorities whether the applicant was in fact a victim of such a crime and was helpful to the police. Crime victims who wish to obtain a U or T Visa are responsible for submitting their own applications and putting together documentary evidence for USCIS. Victims usually do this with assistance from an immigration attorney – although that is not required. One part of the application process for a U Visa requires so-called outside certification. Signing a U or T certification does not confer any immigration benefit to the victim. Nor is a signed certification a guarantee that USCIS will approve their application. There are many other requirements that USCIS will evaluate to determine if the victim qualifies for a U or T Visa.

I am requesting that the Select Board approve the attached Stow Police Policy 9.02 to allow the Chief of Police the authority to certify that an individual is the victim and is cooperating with law enforcement of those crimes listed by U.S. Code and Massachusetts General Laws.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'MS', is written over a horizontal line.

Michael Sallese
Chief of Police

U and T Visa Certification Policy

POLICY & PROCEDURE NO. 9.02	DATE: __10/28/21__
	EFFECTIVE DATE: __10/28/21__
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 55.1.1 ; 55.2.1 ; 55.2.3a ; 55.2.4b ; 12.1.1	REVISION DATE: _____

I. Historical BACKGROUND:

The Stow Police Department recognizes that a crime victim's cooperation, assistance, and safety are essential to the effective detection, investigation, and prosecution of all criminal offenses. However, certain crime victims who are deemed to be without lawful immigration status and are present in this country without proper inspection by federal authorities may often times be hesitant or reluctant to come forward to report their victimization and fail to cooperate and assist in the legal process against their perpetrator for fear of detention and even possible deportation. Undocumented immigrants, especially women and children, can be particularly vulnerable to criminal activity like human trafficking, domestic violence, sexual assault, stalking, and other crimes due to a variety of factors, including but not limited to: language barriers, separation from family and friends, lack of understanding of U.S. laws, fear of deportation, and cultural differences.

As a result, in 2000, Congress created the U and T Visa Programs within the **Victims of Trafficking and Violence Protection Act (VTVPA)**. The purpose of this program is to encourage immigrant crime victims to come forward and report criminal activity to law enforcement agencies thereby strengthening the ability of both local and state law enforcement agencies to investigate and prosecute serious crimes. At the same time, this U and T visa program offers much needed protections to these victims of such crimes without the immediate risk of being removed from the country and without having any fear of detention and/or deportation by federal law enforcement officials. In addition, this program has the added advantage of strengthening relationships between the Stow Police Department and the community that we serve. [55.2.3a](#)

II. Policy:

Pursuant to M.G.L. Chapter 258F Sections 1-4, it shall be the Policy of the Stow Police Department to assist immigrant victims of crime with their U or T Visa applications when

requested and when they are found to be cooperating with the detection, investigation, or prosecution of criminal activity and to respond to such requests for nonimmigrant status certifications forms within ninety (90) days. **55.1.3**

III. Statute: M.G.L. Chapter 258F §§ 1-4 – Certification for Victims of Violent Crime and Human Trafficking

- A **certifying entity** shall adopt a policy for completing and signing **nonimmigrant status certification forms** for: (i) victims of criminal activity who intend to petition for nonimmigrant visas under 8 U.S.C. 1101(a)(15)(U); and (ii) victims of severe forms of trafficking in persons who intend to petition for nonimmigrant visas under 8 U.S.C. 1101(a)(15)(T). See M.G.L. Chapter 258F Section 2.
- A **certifying entity shall respond** to a **nonimmigrant status certification request** from a victim of criminal activity who intends to petition for a nonimmigrant visa under 8 U.S.C. 1101(a)(15)(U) or from a victim of severe forms of trafficking in persons who intends to petition for a nonimmigrant visa under 8 U.S.C. 1101(a)(15)(T) **not later than ninety (90) days after receiving the request for certification.**
See M.G.L. Chapter 258F Section 3.
- The **certifying entity shall respond** to the request by either:
 - (i) completing and signing the certification forms; or
 - (ii) issuing a written denial of the request, without prejudice, informing the victim of the reason that the request does not meet the requirements of the certifying entity's policy under section 2; or
 - (iii) in extenuating circumstances outside the control of the certifying entity that prevent the certifying entity from responding to the certification request in the required time period, issuing a written explanation of the delay, the process the certifying entity will undertake to respond and a projected time frame for such response. See M.G.L. Chapter 258F Section 3.
- Annually, **not later than February 1**, each **certifying entity shall report** to the executive office of public safety and security:
 - (i) the number of individuals that requested nonimmigrant status certification;
 - (ii) (ii) the number of certification forms that were completed and signed; and
 - (iii) the number of such requests that were denied.

Note: The information reported under this subsection shall not include any personal identifying information of an individual requesting nonimmigrant status certification. See M.G.L. Chapter 258F Section 4(a).

- Annually, not later than April 1, the executive office of public safety and security shall file a report with the clerks of the senate and house of representatives, the joint committee on the judiciary and the joint committee on public safety and homeland security on the information received under subsection (a).
- The report from EOPSS shall include, but not be limited to:
 - (i) the number of individuals that requested nonimmigrant status certification, delineated by certifying entity;
 - (ii) the number of certification forms that were completed and signed, delineated by certifying entity;
 - (iii) the number of such requests that were denied, delineated by certifying entity; and
 - (iv) **total statewide statistics on nonimmigrant status certifications and denials.**
- The report shall not include information that would allow the public to ascertain the identity of an individual requesting nonimmigrant status certification. The executive office shall also make the report publicly available on its website. See M.G.L. Chapter 258F Section 4(b).

IV. Definitions:

- **Certifying entity:** A law enforcement agency, prosecutor or other state or local entity that has the authority to detect, investigate or prosecute severe forms of trafficking in persons or criminal activity. See M.G.L. Chapter 258F Section 1.
- **Criminal Activity:** as described in 8 U.S.C. 1101(a)(15)(U)(iii). See M.G.L. Chapter 258F Section 1.
- **Severe forms of trafficking in persons:** as defined in 22 U.S.C. 7102. See M.G.L. Chapter 258F Section 1.

- **U Visa:** A Visa issued by the United States Citizenship and Immigration Service (USCIS) conferring legal status for up to **four (4) years** to an immigrant victim who meets the following statutory requirements:

- They have suffered substantial physical and/or mental abuse as a result of having been a victim of a listed criminal activity;
- They possess information concerning such criminal activity;
- They have been helpful, are being helpful, or are likely to be helpful in the investigation or prosecution of stated crime; and
- They have been the victim of criminal activity that occurred in the United States or have knowledge of some violation of the laws of the United States

Note: To be eligible for a U Visa, the applicant must submit an application packet that includes a certification from a certifying official (i.e., Police Chief, Prosecutor, DCF Official) or agency that they have been, are being, or are likely to be helpful in the detection, investigation, or prosecution of a qualifying criminal activity.

- **U Visa Certification Form:** A sworn statement ([USCIS Form I-918](#), Supplement B) that affirms the immigrant victim's past, present, or future helpfulness in the detection, investigation, and/or prosecution of certain qualifying criminal activity.
- **T Visa:** A Visa issued by the United States Citizenship and Immigration Service (USCIS) conferring legal status for up to **four (4) years** to an immigrant victim who meets the following statutory requirements:

- Are or were a victim of a severe form of human trafficking;
- Are in the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, or at a port of entry due to trafficking;
- Comply with any reasonable request from a law enforcement agency for assistance in the investigation or prosecution of human trafficking (unless you are under the age of 18 or you are unable to cooperate due to physical or psychological trauma. In either case, you may not need to show that you complied with reasonable requests from law enforcement)

Note: To be eligible for a T Visa, the certification from a certifying official (i.e., Police Chief, Prosecutor, DCF Official) or agency that they complied with reasonable requests for cooperation is helpful evidence for the application.

- **T Visa Certification Form (Declaration of Law Enforcement Officer for Victim of Trafficking in Persons)**: A sworn statement (USCIS Form I-914, Supplement B) that affirms the immigrant victim's compliance with reasonable requests for assistance from law enforcement.
- **Designated Certifying Officials**: A law enforcement official who is authorized to issue a U or T Visa certification that verifies an immigrant victim's past, present, or future helpfulness in the detection, investigation, or prosecution of certain qualifying crimes. The Chief of Police of the Stow Police Department shall be the certifying official for the Stow Police Certification Form
- **Qualifying Criminal Activity for U Visas**: U Visa qualifying criminal activity includes, but is not limited to: rape, torture, trafficking, incest, domestic violence, sexual assault, abusive sexual contact, prostitution, sexual exploitation, female genital mutilation, being held hostage, peonage, involuntary servitude, slave trade, kidnapping, abduction, unlawful criminal restraint, false imprisonment, blackmail, extortion, manslaughter, murder, felonious assault, witness tampering, obstruction of justice, perjury, solicitation to commit any of the above mentioned crimes, ***or any similar activity*** in violation of federal, state, or local criminal law. The attempt or conspiracy to commit any of the above crimes also qualifies.

Note: "Any similar activity": accounts for the wide variety of state and federal criminal laws that may have names different from the criminal activity listed above but are comparable in nature and elements to the aforementioned criminal activity.

V. **How do U and T Visas actually work?**

U and T Visas allow the victims of serious crimes who are helpful to police to temporarily stay in the United States for up to four (4) years. U Visas are approved and granted by *U.S. Citizenship and Immigration Services* (USCIS), which is a component of DHS. U and T Visas provide recipients with nonimmigrant status that comes with certain benefits, including the ability to work in the United States.

If certain conditions are met, U or T Visa holders can apply for lawful permanent resident status (i.e., seek a green card), which can provide a pathway to citizenship. When Congress created the U-Visa program, it explained that the **purpose of U and T Visas was primarily twofold**:

- (1) to provide **humanitarian relief to immigrant crime victims**, and
- (2) to **provide a mechanism that encourages immigrants to come forward** and report crimes to local police to improve public safety.

The U Visa is especially important for immigrant victims of **domestic violence**, sexual assault, and human trafficking, who comprise roughly 75 percent of U Visa holders.

This is because abusers often use the threat of deportation as a tool to control victims; for example, abusers often tell their victims that they will contact federal immigration authorities if the victim calls the police to report the abuse. In fact, research shows that more than a quarter of U Visa applicants were reported to immigration authorities by their abusers at some point during their abuse. **Knowing that a U Visa can provide safety and protection allows many domestic violence and sexual assault victims to feel more comfortable seeking help and following through with legal action against their abusers.**

- VI.** Similarly, T visas are important for immigrant victims because human traffickers often take advantage of those who are vulnerable. Immigrants, particularly those without status, may be susceptible to human trafficking for a variety of reasons including the lack a social safety net, language barriers, less knowledge of U.S. laws and their legal rights, as well as fear of deportation. Due to these vulnerabilities, Congress created the T Visa to protect immigrant victims and strengthen the relationship between law enforcement and immigrant communities. **Why are U and T Visas Important to the Stow Police Department:**

When an immigrant applies for a U or T Visa, local **police have a limited role** in the process: they *certify* to federal authorities whether the applicant was in fact a victim of such a crime and was helpful to the police. Crime victims who wish to obtain a U or T Visa are responsible for submitting their own applications and putting together documentary evidence for USCIS. Victims usually do this with assistance from an immigration attorney – although that is not required. One part of the application process for a U Visa requires so-called outside **certification**. An applicant must obtain **verification from a law enforcement** agency, stating that the applicant was a **victim of a qualifying crime** and that the **victim was helpful to the police**. Signing a U or T certification does not confer any immigration benefit to the victim. Nor is a signed certification a guarantee that USCIS will approve their application. There are many other requirements that USCIS will evaluate to determine if the victim qualifies for a U or T visa.

For a U Visa, this certification is documented in an **USCIS Form I-918, Supplement B** form, which is an attachment that accompanies the U Visa application. The head of a police agency, such as the police chief or sheriff, is automatically designated as a certifying official. As mentioned the Chief of Police shall serve as the designated certifying official for the Stow Police Department. The Police Chief is responsible for completing Part (2) and (6) illustrated below which is **address information and signature with the date**.

For a T Visa, the applicant is not required to obtain the certification form, but it is helpful evidence that the individual has been a victim of a severe form of trafficking and has complied with reasonable requests for assistance from law enforcement. For T Visas, the certification is documented in an **USCIS Form I-914, Supplement B** form, or the Declaration of Law Enforcement Officer for Victim of Trafficking in

Persons, which would accompany the T Visa application. As with the U Visa, the head of a police agency, such as the police chief or sheriff, is automatically designated as a certifying official. As mentioned the Chief of Police shall serve as the designated certifying official for the Stow Police Department. The Police Chief is responsible for completing Part (B) and the section of Part (F) referring to the Supervisor illustrated below.

Note: Police agencies are not the only organizations that can certify an **USCIS Form I-918, Supplement B** or **USCIS Form I-914, Supplement B** form. Prosecutors, judges, and government agencies with investigative functions (e.g., DCF) may also make these certifications. In practice, however, applicants most often approach police departments for U or T Visa certification requests. See below.

Part 2. Agency Information		
Name of Certifying Agency		
<input type="text"/>		
Name of Certifying Official	Title and Division/Office of Certifying Official	
<input type="text"/>	<input type="text"/>	
Name of Head of Certifying Agency		
<input type="text"/>		
Agency Address - Street Number and Name		Suite No.
<input type="text"/>		<input type="text"/>
City	State/Province	Zip/Postal Code
<input type="text"/>	<input type="text"/>	<input type="text"/>
Daytime Phone No. <i>(with area code and/or extension)</i>		Fax No. <i>(with area code)</i>
<input type="text"/>		<input type="text"/>
Agency Type		
<input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other: <input type="text"/>		
Certifying Agency Category		
<input type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other: <input type="text"/>		
Case Number	FBI No. or SID No. <i>(if applicable)</i>	
<input type="text"/>	<input type="text"/>	

Part 6. Certification

I am the head of the agency listed in **Part 2** or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in **Part 1** is or has been a victim of one or more of the crimes listed in **Part 3**. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

**Part B. Agency Information**

Name of Certifying Agency

Name of Certifying Official

Title and Division/Office of Certifying Official

Agency Address - Street Number and Name

Suite Number

City

State/Province

Zip/Postal Code

Daytime Phone # (area code and/or extension)

Fax # (with area code)

Agency Type

 Federal State Local

Case Status

 On-going Completed Local

Certifying Agency Category

 Judge Law Enforcement Prosecutor Other

Case Number

FBI or SID Number (if applicable)

Part F. Attestation

Based upon investigation of the facts, I certify, under penalty of perjury, that the above noted individual is or has been a victim of a severe form of trafficking in persons as defined by the TVTVA. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make, no promises regarding the above victim's ability to obtain a visa from U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the acts of trafficking of which he/she is a victim, I will notify USCIS.

Signature of Law Enforcement Officer (identified in Part B) (sign in ink)

Date (mm/dd/yyyy)

Signature of Supervisor of Certifying Officer (sign in ink)

Date (mm/dd/yyyy)

Printed Name of Supervisor

VII. Summary:

Step	Police Action Taken
1	When an investigator encounters an immigrant victim of a crime who has filed a police report and it is determined that they are willing to assist - or have assisted or cooperated - with the detection, investigation, or prosecution of qualifying criminal activity or human trafficking, the investigator should inform the immigrant victim of the U-Visa or T-Visa application process. 55.1.3
2	The U or T Visa certification may be issued at any time after detecting a qualifying criminal activity and the investigator has determined that the victim is being or will be helpful in the investigation. 55.2.1 There is no statute of limitations as to when a U or T Visa certification may be issued. <i>Note: The investigation need not be complete prior to issuing the certification. The law was designed to assist victims at very early stages of crime detection and investigation. The Chief of Police is authorized to complete the certification.</i>
3	The U Visa Certification Form (USCIS Form I-918, Supplement B) or T Visa Certification Form (USCIS Form I-914, Supplement B) needs to be completed and signed by the investigator and approved by his immediate supervisor. It should provide specific details about the nature of the crime being detected, investigated, or prosecuted. 55.2.3a It should also describe the victim's helpfulness in the case. 55.2.4b When the Chief signs the USCIS Form I-918, Supplement B or the USCIS I-914, Supplement B, this does not confer any immigration status upon the victim, but rather enables the victim to meet one of the eligibility requirements on the victim's application to USCIS.

4	<p>The investigator should work with a Victim Witness Advocate and/or the District Attorney's Office if available in helping the victim with the U Visa application (USCIS Form I-918 Petition for U Nonimmigrant Status") and assisting in securing legal representation.</p> <p>The U Visa Certification Form (USCIS Form I-918, Supplement B) or T Visa Certification Form (USCIS Form I-914, Supplement B) which has been completed and signed a by a certifying official should be given to the victim.</p> <p>A U Visa Certification is required to complete the U Visa application process. The Victim will then submit the completed application packet and supporting documents to the Victims and Human Trafficking Unit of USCIS, located in Vermont. A T Visa Certification Form is helpful evidence for the application process. The Victim will submit the completed application packet and supporting documents to the victims and Human Trafficking Unit of USCIS, located in Vermont.</p>
5	<p>A Victim who received a certification and was granted a U Visa or T Visa has an ongoing obligation to provide assistance. Certifying officials may notify USCIS directly for cases in which victims are no longer helpful. However, such notification is appropriate only when the victim's lack of cooperation is not reasonable. 55.2.4b In addition, in some cases the USCIS will contact a certifying official, or require a re-certification, to confirm that the victim remains, or remained, cooperative throughout the detection, investigation or prosecution of a crime.</p>



Town of Stow
POLICE DEPARTMENT

305 Great Road
Stow, Massachusetts 01775

(978) 897-4545
FAX (978) 897-3692

Michael Sallese
Chief of Police

November 1, 2021

Select Board
Town of Stow
380 Great Road
Stow, MA 01775

RE: Policy 9.03 Reporting Abuse, Excessive Force, or Misconduct by Law Enforcement Personnel

Continuing the review of the Stow Police Department policies, Pursuant to 550 CMR 6.07; and M.G.L c. 6E §15 (c), all "[l]aw enforcement agencies shall develop and implement a policy and procedure for law enforcement personnel, including but not limited to law enforcement officers, to report abuse by other law enforcement personnel, including but not limited to law enforcement officers, without fear of retaliation or actual retaliation."

In the interest of maintaining a harmonious workplace environment, it shall be both the purpose and the intention of this attached Stow Police Policy to complement the high level of departmental integrity, transparency and accountability that currently exists. Further, such policy shall serve to continue to avoid any potential hostile or harassing treatment of fellow employees/officers by requiring the mandatory reporting of all serious infractions of departmental policy, procedure, or rules as well as the violation of any local, state or federal laws allegedly committed by any law enforcement officer and by prohibiting any type of retaliatory conduct or action against any employees who make such reports pertaining to allegations of misconduct or illegal activity which is already required by Stow Police Rules and Regulations 13.5 Report Rule Violation.

Accordingly, the attached Stow Police Policy is both in compliance and conformance with both 550 CMR 6.07; and M.G.L c. 6E §15 (c). Please note that a significant portion of this policy language comes directly from the cited statute and recently enacted Massachusetts regulation.

I am requesting that the Select Board approve the attached Stow Police Policy 9.03 Reporting Abuse, Excessive Force, or Misconduct by Law Enforcement Personnel.

Respectfully Submitted,

Michael Sallese
Chief of Police

Reporting Abuse, Excessive Force, or Misconduct by Law Enforcement Personnel

<p>POLICY & PROCEDURE NO. 9.03</p>	<p>ISSUE DATE: _____</p>
<p>MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: <u>Statutory: AN ACT RELATIVE TO JUSTICE, EQUITY AND ACCOUNTABILITY IN LAW ENFORCEMENT IN THE COMMONWEALTH;</u> <u>IACP Model Policy: Retaliatory Conduct (June 2020)</u></p>	<p>EFFECTIVE DATE: _____</p>
	<p>REVISION DATE: _____</p>

I. PURPOSE

Pursuant to **550 CMR 6.07; M.G.L c. 6E §15 (c)**, all "[l]aw enforcement agencies ***shall develop and implement a policy and procedure for law enforcement personnel, including but not limited to law enforcement officers, to report abuse by other law enforcement personnel, including but not limited to law enforcement officers, without fear of retaliation or actual retaliation.***" .

In the interest of maintaining a harmonious workplace environment, it shall be both the purpose and intention of this policy to complement the high level of departmental integrity, transparency and accountability that exists. Further, such policy shall serve to continue to avoid any potential hostile or harassing treatment of fellow employees/officers by requiring the mandatory reporting of all serious infractions of departmental policy, procedure, or rules as well as the violation of any local, state or federal laws allegedly committed by any law enforcement officer and by prohibiting any type of retaliatory conduct or action against any employees who make such reports pertaining to allegations of misconduct or illegal activity.

II. POLICY

The Stow Police Department strictly prohibits any type of retaliatory conduct against or interference with any employee who either reports, assists, or seeks to report breaches of department policy, procedures, or rules and/or violations of local, state or federal law allegedly committed by a law enforcement officer. In addition, such employees who report abuse, misconduct, excessive force, or violations of the law,

allegedly committed by other law enforcement personnel, shall do so without fear of retaliation or actual retaliation.

III. DEFINITIONS

Affirmative Duty: The personal responsibility and obligation of an employee to report wrongdoing or prohibited conduct — rather than to provide such information only when requested to do so.

False Report: A report that is not made in good faith and is based on information that is known or reasonably likely to be inaccurate; intentionally or negligently ignores exculpatory or mitigating information; or is made with the purpose of harassing or wrongly incriminating another employee.

Good Faith Report: A report that provides allegations concerning an employee who is reasonably believed to have purposely committed a serious violation of departmental policy, procedures, rules, or laws.

Public Disclosures: Statements made to the media or information entered in any forum that is available to the public—such as social media websites—that provides information that is critical of this department, its personnel, or both.

Retaliatory Conduct: Conduct or action designed to serve as retribution against an employee who, in good faith, has reported or otherwise provided information regarding misconduct against another employee.

- In the context of this policy, retaliatory conduct includes any deliberate, purposeful actions or failures to act directed against employees that cause or that could reasonably be expected to cause physical harm, property damage, significant emotional stress, or other serious negative effect on another employee; designed to ridicule or embarrass; or could seriously impair the efficiency, safety, or effectiveness of that employee, this department, or both.
- Such conduct may take many forms, including but not limited to bullying; persistent offensive comments, threats, or intimidation; false accusations; isolation; ostracism; posting of secure or personal information on the Internet; or acts that malign or disparage an individual's reputation.

Serious Acts of Misconduct: A deliberate act or failure to act that could reasonably form the basis for significant disciplinary action against an employee. Such

disciplinary action is usually in the form of suspension, reduction in rank, reassignment/transfer, termination or other separation from employment.

IV. DUTY TO: INTERVENE / REPORT / WRITTEN REPORT

(a) An officer present and observing another officer using or attempting to use physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances, **shall intervene** to prevent the observed officer's use of unnecessary or unreasonable force, regardless of the rank of the officer so observed, unless intervening would result in imminent harm to the officer or another identifiable individual.¹

(b) An officer who observes another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances **shall report the incident to an appropriate supervisor** as soon as reasonably possible but not later than the end of the officer's shift. The officer **shall prepare a detailed written statement describing the incident** consistent with uniform protocols. The officer's written statement shall be included in the supervisor's report.²

(c) A law enforcement agency shall develop and implement a policy and procedure for law enforcement personnel to report abuse by other law enforcement personnel without fear of retaliation or actual retaliation.³

(d) The failure of a law enforcement officer to intervene as set forth herein may subject the officer to de-certification by the Commission.⁴

V. PROCEDURES

A. Duty to Report Misconduct:

1. All employees of this department have an affirmative duty to report all serious acts of misconduct both verbally to a Supervisor and in writing. Failure to report shall result in corrective or disciplinary action.
2. Serious acts of misconduct should be reported to the complaining employee's immediate supervisor. If the supervisor is suspected of involvement in the misconduct, the report should be made to the next higher-ranking employee in the department's chain of command.

¹ M.G.L. Chapter 6E Section 15 (a); 550 CMR 6.06

² M.G.L. Chapter 6E Section 15 (b)

³ M.G.L. Chapter 6E Section 15 (c); 550 CMR 6.06

⁴ 550 CMR 6.06

3. In situations involving highly egregious offenses or illegality that may have serious or broader implications, a complaint may be made directly to the chief executive officer. Examples include, but are not limited to, broad-based corruption, conspiracy among employees, or offenses involving or including high-ranking officers or members of government.

4. All employees have an affirmative duty to cooperate fully during the investigation of any allegation of employee misconduct whether conducted by this department or another authorized authority.⁵

C. Public Disclosures and Legal Remedies:

1. This policy does not limit an employee's right to make public disclosures that are deemed to be of public concern and are thus protected by the First Amendment. Please remember that protection of speech regarding employment has certain limitations, so employees are encouraged to consult with the Town Administrator/Assistant Town Administrator and/or the Chief of Police on work-related speech and dissemination of information prior to making such public disclosures.

2. This policy in no way limits the right of employees to file complaints or grievances⁶, both within or outside governmental authorities or to initiate appropriate legal action. Individuals taking such actions are afforded the same protections against retaliatory conduct as other employees.

D. Prevention of Misconduct:

1. Prevention of serious employee misconduct and promotion of a principled and effective work environment free of harassment and hostility requires that all employees abide by this policy.

2. First-line supervisors bear an important responsibility to ensure that all employees under their supervision fully understand the importance of adherence to all departmental policies, procedures, and rules and that they understand the department's commitment to ensuring employee compliance with the provisions of Chapter 253 of the Acts of 2020 (e.g., Police Reform Legislation). First-line supervisors shall also monitor their officers and provide any support to those who are directly impacted by any such potential retaliatory conduct.

⁵ See Policy No. 4.01 Internal Investigation Policy

⁶ See Collecting Bargaining and Grievance Procedure

3. The Lieutenant and Sergeants shall ensure that employees are thoroughly familiar with the provisions of this policy by ensuring timely discussions at Shift Roll Call Briefings as well as during Annual In-Service Training.

Personnel Policies

- Personnel Records Law Policy
- Domestic Violence Leave Policy
- Personnel Request Policy + Form

Personnel Records Law Policy



Effective Date: 11/XX/2021

POLICY SCOPE:

The Town of Stow will protect the privacy and confidentiality of its employees' personnel files and the information contained therein while complying with Federal and State laws regarding those files.

All Town of Stow employees' personnel, medical and benefit files will be kept and maintained by the Human Resource Department.

APPLICABILITY:

This policy applies to all full and part-time employee of the Town of Stow. Employees governed by a collective bargaining agreement are subject only to those provisions of this policy not specifically regulated by law or agreement.

DEFINITIONS:

Personnel Record – Those records, defined by M.G.L. Chapter 149, Section 52C, including the name, address, date of birth, job title and description, rate of pay and any other compensation paid to the employee; starting date of employment; the job application of the employee; resumes or other forms of employment inquiry submitted to the employer in response to his advertisement; all employee performance evaluations, including but not limited to, employee evaluation documents; written warnings of substandard performance; lists of probationary periods; waivers signed by the employee; copies of dated termination notices; any other documents relating to disciplinary action regarding the employee.

POLICY DESCRIPTION:

A centralized personnel file shall be maintained in the Human Resources Department for each employee. Such files shall include applications, evaluations, reports and records pertinent to an employees' employment, as defined in Personnel Records. To ensure the uniformity and confidentiality of employee personnel files, content of and access to files is limited and shall be controlled in accordance with this policy. It is the policy of the Town of Stow that all employees and supervisors shall comply with the laws governing personnel records and confidential information. No employee shall knowingly or willingly release confidential personnel information. Public employees have a diminished expectation of privacy as public employees.

PROCEDURE:

Procedures governing changes/additions to the personnel file:

- Employees will be notified within 10 days of the placement of any negative information into the employee's personnel record that may be used to negatively affect the employee's qualifications for employment, promotion, transfer, additional compensation or will be subject to disciplinary action.
- If there is a disagreement with any information contained in a personnel record, removal or correction of such information may be mutually agreed upon by the employer and the employee. If an agreement is not reached, the employee may submit a written statement explaining the employee's position which shall thereupon be contained therein and shall become a part of such employee's personnel record.
- When post-employment information is inserted into an employee's personnel file (excluding routine paperwork), the employee shall be given notice of such insertion by the Appointing Authority or their designee or the Human Resource Director within ten (10) days of its placement in the personnel file.
- Compliance with Subpoena or Court Order. A subpoena or court order requires the appearance of the named individual, such as the keeper of the records, and may also require those individuals to bring to court certain employee records. Any employee who receives a subpoena or court order requiring personnel or payroll information should contact Human Resources immediately. The Town will only release confidential personnel information in response to a court order.
- Notice of Release of Information. The Human Resources Department will notify the employee should confidential employee data be released in response to a court order.

Employee Review of Personnel File:

- An employer receiving a written request from an employee shall provide the employee with an opportunity to review such employee's personnel record within 5 business days of such request. The review shall take place at the place of employment and during normal business hours.
- An employee shall be given a copy of the employee's personnel record within 5 business days of submission of a written request for such copy to the employer. An employer shall not be required to allow an employee to review the employee's personnel record on more than 2 separate occasions in a calendar year; provided, however, that the notification and review caused by the placing of negative information in the personnel record shall not be deemed to be 1 of the 2 annually permitted reviews.

Domestic Violence Leave Policy



Effective Date: 11/1/2021

POLICY SCOPE:

The Town of Stow is committed to providing victims of domestic violence job protected leave to all employees, full or part time, in accordance with the Commonwealth of Massachusetts Act Relative to Domestic Violence signed into law on August 8, 2014, and effective immediately (codified at G.L. c. 149, §52E). The purpose of this policy is to create an awareness of domestic violence and provide guidelines for addressing domestic violence by assisting employees who are victims in finding appropriate resources, and by assisting abusers in finding treatment programs.

APPLICABILITY:

This policy applies to all employee of the Town of Stow. Employees governed by a collective bargaining agreement are subject only to those provisions of this policy not specifically regulated by law or agreement.

DEFINITIONS:

For the purposes of this policy, the term “employee” is any full or part time employee, regardless of hours and/or length of service, and/or an employee’s “family member” refers to a parent/stepparent, a child/stepchild, a sibling, grandparent or grandchild, a guardian relationship, having a child in common, dating/engagement or reside together.

The terms “abuse,” “abusive behavior,” “domestic violence,” “employees” and “family member” are as defined in G.L. c. 149, §52E(a).

POLICY DESCRIPTION:

The Town of Stow will provide up to fifteen (15) days of job protected leave in any twelve (12) month period for an employee if the following conditions are met:

1. The employee, or a family member of the employee, is a victim of abusive behavior.
2. The employee is using the leave from work to seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from a court; appear in court or before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and

3. The employee is not the perpetrator of the abusive behavior against such employee's family member.

Except in cases of imminent danger of the health or safety of an employee or family member, an employee seeking leave from work under this policy shall request such leave at least 3 days in advance as set forth in the procedure section below. In situations that involve imminent danger, employees (or any representative of the employee as permitted under G.L. c. 149, §52E(d)) must notify the C within three workdays after the leave has been taken that the leave is being taken as "domestic violence leave" using the procedure set forth below. Employees may use sick, vacation or personal time for this leave or, if the employee has exhausted all such leave, may take the time unpaid.

Any full or part time employee is eligible for this leave regardless of length of service or number of hours worked.

In addition, the Town will provide appropriate support and assistance to employees who are victims of domestic violence. This includes a **confidential** means for seeking help, resource and referral information, adjustments to work schedule or an alternative work schedule, and a leave of absence or other reasonable accommodations. The Town of Stow cannot treat domestic violence, but it can provide information for victims and/or abusers by connecting with the appropriate resources. No employee will be disciplined, retaliated against, or penalized for being a victim of domestic violence or for exercising their right to domestic violence leave under this policy and G.L. c. 149, §52E.

The Town of Stow will not tolerate domestic violence by or against any employee or visitor while in Town buildings or at work sites. Any Town employee, who threatens, harasses, or abuses a family member by using Town equipment or resources, such as, work time, work phones, fax machines, mail, e-mail, voice mail or other means will be subject to disciplinary action up to and including termination. The Town considers domestic violence that occurs during the employee's normal duties as a Town employee (whether it results in an arrest, conviction, or issuance of an injunction) to be just cause for disciplinary action, up to and including termination.

An employee who is an abuser may be provided with and encouraged to seek assistance with regards to counseling and certified treatment resources, such as a batterers' intervention program, and may be provided with a leave of absence or other reasonable accommodation to receive treatment at the employee's request, and subject to the Town's right to impose disciplinary action if appropriate under the preceding paragraph.

PROCEDURE:

It is important for all employees to be aware of domestic violence, to know their rights under G.L. c. 149, §52E, and to know the best way to respond to the effects of domestic violence.

1. Employees and supervisory staff will be given the Town of Stow's domestic violence policy.
2. Additional Resource information will be available in the Human Resources Department.

To Request a Leave of Absence under this Policy:

1. Any full or part time employee (union and non-union) is eligible to request this leave beginning on date of hire if:
 - The employee or a family member of the employee is a victim of domestic violence.
 - The employee is using the leave from work to address issues directly related to the domestic violence against the employee or family member of the employee.
 - The employee is not the perpetrator of the domestic violence against another employee or the employee's family member.
 - The employee is not the perpetrator of the domestic violence against another employee or the employee's family member.

2. Employee may fill out the Request for Leave Form:
 - If the employee chooses to use accrued paid time, such as vacation, personal or sick time, they may and return the form to a supervisor or to Human Resources.
 - Employee may fill out the Request for Leave Form and check other if the employee prefers to take the time unpaid and return the form to a supervisor or to Human Resources.
 - Leave of Absence requested under this Act cannot be denied.

3. Employee must request leave with 3 days advance notice (unless there is a threat of imminent danger). An employee who does not give advance notice must notify the Human Resources Department or their supervisor within three workdays of taking leave that the leave was being taken under the Act's leave provisions.

4. Employee must provide documentation to show that they are eligible for a leave. This documentation may be submitted to a supervisor or to Human Resources. Acceptable documentation under this act includes any one of the following documents:
 - A protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction because of abusive behavior against the employee or employee's family member.
 - A document under the letterhead of the court, provider, or public agency which the employee attended for the purposes of acquiring assistance as it relates to the abusive behavior against the employee or the employee's family member.
 - A police report or statement of a victim or witness provided to police, including a police incident report, documenting the abusive behavior complained of by the employee or the employee's family member.
 - Documentation that the perpetrator of the abusive behavior against the employee or family member of the employee has: admitted to sufficient facts to support a finding of guilt of abusive behavior; or has been convicted of or has been adjudicated a juvenile delinquent by reason of, any offense constituting

abusive behavior, and which is related to the abusive behavior that necessitated the leave under this section.

- Medical documentation of treatment because of the abusive behavior complained of by the employee or employee's family member.
 - A sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee or the employee's family member in addressing the effects of the abusive behavior.
 - A sworn statement, signed under the penalties of perjury, from an employee attesting that the employee has been the victim of abusive behavior or is the family member of a victim of abusive behavior
5. All information related to the employee's leave under this policy shall be kept **confidential** by the Town and shall not be disclosed, except to the extent that disclosure is:
- requested or consented to, in writing, by the employee.
 - ordered to be released by a court of competent jurisdiction.
 - otherwise required by applicable federal or state law.
 - required during an investigation authorized by law enforcement, including but not limited to an investigation by the attorney general; or
 - necessary to protect the safety of the employee or others employed at the workplace.
6. The Town shall not coerce, interfere with, restrain, or deny the exercise of, or any attempt to exercise, any rights provided under this policy or G.L. c. 149, §52E or to make leave requested or taken hereunder contingent upon whether or not the victim maintains contact with the alleged abuser.
7. The Town shall not discharge or in any other manner discriminate against an employee for exercising the employee's rights under this policy or G.L. c. 149, §52E. The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave taken under this section commenced. Upon the employee's return from such leave, the employee shall be entitled to restoration to the employee's original job or to an equivalent position.

If you think you may be a victim or know someone who may be a victim of domestic violence:

Tell a trusted co-worker, supervisor, or manager and ask for help

Contact the Human Resources Department at (978) 897-4175 and ask for assistance

Contact the Employee Assistance Program at 1-800-451-1834

- Call the Domestic Violence Hotline 1-877-785-2020
- Call your local police
- Ask your supervisor or the Human Resources Department for a leave of absence under G.L. c. 149, §52E and inquire about your options

- If you believe your safety is a concern, submit a recent photograph of the abuser and provide a copy of your protection order to assist the Town in identifying the abuser should he/she appear in your workplace.

If you think you may be a perpetrator of domestic violence or know someone who may be:

- Tell a trusted co-worker, supervisor, or manager and ask for help
- Contact the Human Resources Department and ask for assistance
- Contact the Employee Assistance Program Coordinator
- Obtain a referral to a certified domestic violence perpetrators treatment program from the EAP at 1-800-451-1834

Other Resources:

For victims: (most of these numbers are 24-hour hotlines)

The Support Committee for Battered Women Hotline	1-800-899-4000
Casa Myrna Vasquez Hotline <i>www.casamyrna.org</i>	1-800-992-2600
National Domestic Violence Hotline http://www.thehotline.org/	1-800-799-SAFE
Voices against Violence http://www.smoc.org/voices-against-violence.php	1-877-221-6176
Fenway Violence Recovery Program http://www.fenwayhealth.org (Services for gay, lesbian, and bisexual survivors)	1-888-242-0900 x311

For perpetrators:

Emerge <i>www.emergedv.com</i>	1-617-442-1550
Common Purpose <i>www.commonpurpose.com</i>	1-617-739-3831



Effective Date: 11/xx/2021

POLICY SCOPE:

The Town of Stow is committed to a fair and equitable process for filling vacancies and new positions by establishing a fair and consistent hiring process for the recruitment and selection of candidates for positions of the Town.

DEFINITIONS:

Hiring manager – Manager responsible for hiring a specific vacancy, usually the Department Head.
Requisition to Fill (RFP) – attached, must have approval signatures prior to the recruitment process.

APPLICABILITY:

This policy applies to all paid and appointed positions in the Town.

POLICY DESCRIPTION:

The primary goal of the Town is to fill vacancies with the most qualified candidate available. The employment function is centralized with the Assistant Town Administrator/Human Resource Director in the Human Resources Department. HR works closely with all other departments in filling open positions. The Town will adhere to the principles of Affirmative Action and Equal Employment Opportunity. The Town's policy is to comply with the Americans with Disabilities Act, and the comparable state law in all phases of the hiring process, including making reasonable accommodations to enable applicants with disabilities to obtain access to Town facilities for the purposes of seeking employment and, if hired, to perform the essential functions of the position.

PROCEDURES:

1. When an opening exists or is anticipated, the Department Head will complete a Personnel Request Form (PRF) to fill a new or vacant position and forward it to the Assistant Town Administrator/Human Resource Director, along with a copy of the most recent job description.
2. The Human Resource Director will review the requisition for conformance to established Town policies and by-laws, government regulations, applicable collective bargaining agreements and salary ranges. If the information is not clearly understood or is nonconforming, the Human Resource Director will contact the Department Head for clarification or revision.
3. Upon approval of the Town Administrator, the Human Resource Director will commence the recruitment and selection process, beginning with the position posted on the Town Website and in other appropriate recruitment sites, consistent with, if union, the collective bargaining agreement.

**Town of Stow
Personnel Policy**



**Personnel Request Form
(PRF)**

Effective Date: 11/XX/2021

Union/Union Local # _____ Non-Union RFP #: _____
(For HR use only)

Department: _____ Subunit: _____ Date: _____

Type of Request: New Position Existing Position Change in Status: Promotion Upgrade

If filling existing position, replacement is for (name): _____

If change in status, please explain: _____

Reason for replacement: Retired Resigned Deceased Other _____
(Specify reason)

Current employee to be paid through: _____ Current rate of pay (hourly): _____

Status of Position to be filled: Permanent Temporary From: _____ To: _____
 Full Time Part-Time If part time, number of hours per week _____

Requested Salary Step: _____ In accordance with CBA or Wage and Salary
Classification Schedule.

Schedule: (days/hours of work) _____

Complete this section for positions funded by Special Revenue Funds (SRF) (i.e. grants, gifts, etc.)

SRF Funds: Department # _____ Acct: # _____

Existing SRF? Yes No

Type of SRF: Federal State Local Other If other, please identify: _____

Benefits to be paid by SRF? Yes No

Department Head Signature: _____ Date: _____

Assistant Town Admin/HR: Approved Disapproved _____
Signature Date

Town Administrator: Approved Disapproved _____
Signature Date

For HR use only:

Job Filled? Yes No Date: ____ / ____ / ____ Name: _____

Discuss use of ARPA funds and
the process that will be used to
establish priorities



Town of Stow
Office of the
Town Administrator

380 Great Road
Stow, MA 01775
Tel: 978-897-2927

Denise M. Dembkoski
Town Administrator
townadministrator@stow-ma.gov

Dolores Hamilton
Assistant Town Administrator
assttownadmin@stow-ma.gov

To: Select Board

From: Denise M. Dembkoski, Town Administrator

Re: American Recovery Plan Act (ARPA) Update

Date: November 3, 2021

As you are aware, the American Rescue Plan Act (ARPA) was passed on March 11, 2021. It distributes Coronavirus State and Local Fiscal Recovery Funds to states, counties, and municipalities. Stow is scheduled to receive a total of \$2,162,292, which is made up of \$757,172 in non-entitlement (direct) aid and \$1,405,120 in non-functional county redistribution.

The ARPA funds may be applied to a range of activities within several board categories. These categories are:

- Public Health/Negative Economic Impacts
- Premium Pay
- Revenue Loss
- Investments in Water, Sewer, and Broadband Infrastructure

Funds must be committed by December 31, 2024 and spent by December 31, 2026. This gives us ample time to vet and decide on projects, and project execution.

There is broad discretion in the use of ARPA fund. Unfortunately, there is no provision for advance approval. Recipients are responsible for determining if the proposed use falls within an eligible category. Periodic reports are required and use of the funds will be audited, in accordance with federal grant requirements. Funds spent on ineligible projects will likely have to be repaid. For this reason, it is prudent for us to move forward with spending that is unquestionably within the bounds of the law.

In order to comfortably follow all federal spending and reporting requirements, I have retained a consultant, which will be paid with the ARPA funds. Capital Strategic Solutions (CSS) will assist the Town of Stow with the following:

- Preparation of a proposed plan of projects to be undertaken, including assistance with eligibility questions;
- Outreach to stakeholders with regard to the projects to be funded;
- Financial, procurement, and administrative support associated with ARPA funding;
- Management and Reporting of the Town's ARPA funding streams in accordance with the Office of Management and Budgets (OMB) Uniform Administrative Requirements, and audit requirements for federal awards;
- Reconciliation and close-out of all COVID related funding, as needed.

CSS is currently assisting the Towns of Townsend, Southborough, Pepperell and the Cities of Lynn and Gloucester with their ARPA management.

Preliminary uses of ARPA funds in Stow includes the cost of the consultant, and ongoing PFAS remediations. However, final decision for use of these funds does rest with the Select Board. Cities and towns are employing a number of methods to assist in decision making. Some are gathering resident input; others are utilizing their internal project prioritization plans; others are doing a mix of methods.

As noted above, there is no immediate rush to identify spending. However, we will begin the process of identifying priorities to see if they fit within the ARPA requirements and from there, we will gather cost estimates and will bring them forward to the Select Board for discussion and/or approval.

There will be much greater discussion on this topic in upcoming months, but I wanted the Board to have an introduction to the ARPA funds and an understanding of what I will be implementing to assist the Town and Board in the process.

Letter of Support for SEHC for Plantation II Project



Town of Stow Select Board

380 Great Road
Stow, MA 01775
Tel: 978-897-4515

selectboard@stow-ma.gov

November 4, 2021

Ms. Jennifer Maddox, Undersecretary
Massachusetts Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114

Dear Ms. Maddox,

The Stow Select Board is pleased to provide their enthusiastic support for the Plantation II project in Stow, expanding the existing Plantation Apartments. This project from the Stow Elderly Housing Corporation (SEHC) has been in the works since October 19, 2009, when Town Meeting approved \$825,000 in funding through the Town's Community Preservation Fund. SEHC has a long and successful record of providing good, affordable housing to our elderly population.

This application from SEHC for Plantation II will add thirty-seven (37) much needed affordable elderly housing units to the Plantation complex. The new units are integral in providing additional opportunities for adults, who can no longer live independently. In addition, SEHC plans to rehab fifty (50) existing units of Plantation I, which will ensure that these apartments continue to provide safe, updated, and quality living arrangements to our residents.

The Stow Select Board has enjoyed a long-standing collaborative relationship with SEHC, and we are pleased to offer our support for their DHCD funding application. We look forward to continuing our partnership, allowing us to achieve our mutual goal of providing affordable elderly housing and support services to the residents of Stow on a consistent, long-term basis.

We are hopeful that you will see the need and benefit of this vital project, which enhances the goals of our 2016 Housing Production Plan. We respectfully ask for your support and funding for Plantation II.

Sincerely,

Ellen S. Sturgis
Select Board Chair

Strategic Planning

- Continued policy discussion, if any
- Continued Workplan and Goals discussion, if any
- Continued meeting schedule discussion, if any

MINUTES

Select Board Meeting Minutes
Tuesday, October 26, 2021
Stow Town Building & Zoom

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

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

Public Input: None.

Board Member Comments:

Chair Sturgis: The Planning Board has a public hearing at 7:30 p.m. tonight on the proposed zoning changes. The Police Department recommends Trick or Treating hours of 5-8 p.m. on Sunday, and there are safety tips on Stow's website.

Board member Salvie: Mark Roberts and his dog "Mocha" began their 4Paws 4Wheels 4Hunger roll/stroll across the state on September 18th at the New York border and after 5 weeks they have made tremendous progress. They are in Plymouth tonight and will be at the Sagamore Bridge on Thursday. He drove their safety car for a few days and it was touching to see people who would stop to give him money along the way. They expect to arrive in Provincetown on November 8th. Mark and "Mocha" are getting a lot of publicity and are 60% towards their goal of \$100,000.

Board member Burns: At the recent Capital Planning meeting, the committee voted unanimously to recommend the approval of Stow Acres. He conveyed to the committee the Select Board's unanimous support of the project and the praise the Board gave to the Town Administrator and staff on negotiating the project.

Appointment: Highway Department Tree Worker

Nicolo Antonelli is a current employee who has been doing tree work for the Town for the past year.

Board member Salvie moved to appoint Nicolo Antonelli to the position of full-time Tree Worker for the Stow Highway Department. Board member Burns seconded the motion and it passed unanimously.

Town Administrator (TA) Report

The Special Town Meeting is this Saturday at Hale School, check in begins at 9 a.m. and the meeting starts at 10 a.m. For indoors, masks are required but no social distancing is required. There will be a section inside for the hearing impaired. There will be an outside area where attendees can hear and vote, but they must come inside to speak. Please bring your own chair.

The Planning Board public hearing is tonight, and the vote on Saturday at Town Meeting is only to change the zoning, it is not about a specific project. There is information relative to the zoning change on the website. The TA reviewed the expectations of the potential Masters Academy International school, which is purchasing the property at the former Bose location.

Regarding Stow Acres, should the Town not purchase and protect a majority of the north course, the town will have a full-scale development there. It is a lot of money being spent, but it is Community Preservation funds that have already been collected from residents' taxes for this specific purpose, to protect open space and to protect the community.

The Town Administrator set the record straight about some rumors going around. Her job is to provide information and to make recommendations. The Select Board, the Planning Board, and Town Meeting are the decision makers. Her job here, and in prior communities, is always in the best interest of all of the residents of

the community. Chair Sturgis said the Board is incredibly grateful for the Town Administrator's leadership. The Board has a role to play and they couldn't do it without her.

Board member Salvie addressed false assumptions and false facts. The warrant is not a manual to all issues that will be discussed with arguments pro and con, it is a simple document that puts people on notice of the questions that will be addressed at Town Meeting, with the information being presented at the meeting. Regarding transparency, in the past year and a half the Board's packets have been online and members of the public are seeing information at the same time that the Board is. The Board meetings are not press conferences, they are meetings that the public has a right to attend, watch, and listen. It is only through courtesy that the Chair lets members of the public ask questions and make comments. The search for the Town Administrator, and any position in town, has never been limited to residents; you want the best person available.

Disclosure Form for Daniel Nicholson – continued

Recreation Director Laura Greenough and Daniel Nicholson were present via Zoom.

This type of agreement was done about 5 years ago when projects beyond the scope of the maintenance person needed to be done but did not reach the point of needing to hire an employee. In response to a question of what type of projects are not appropriate for current staff to do, Laura said her maintenance crew is more custodial staff at the beach, they do not have a lot of hands-on experience. The cost would be approximately \$5000 for the fiscal year. Board member Salvie, expressing his dislike for this process but saying he will vote for it, said that historically work has been done in town with no disclosure forms being filed. He thinks hiring a board member for money should be the last thing done and not the first.

Board member Birch-McMichael agreed with member Salvie. She added that projects that are going to be yearly or every few years should be in the budget, and she would prefer a competitive bidding process in the future.

Board member Salvie moved to approve and authorize the Chair to sign the Special Municipal Employee disclosure form for Daniel Nicholson. Board member Frecha seconded the motion and it passed unanimously.

American Heritage Museum/Collings Foundation Settlement Agreement

Chair Sturgis stated that this has been in litigation for years, and this settlement prevents the Town from going to court. The Select Board and the Zoning Board of Appeals met with the Town Administrator, the Town's attorney, and the judge who ran the mediation sessions. This settlement is a compromise that the Board felt was in the best interest of the Town.

Board member Burns added that everybody in the discussion had the safety of the residents and the nuisance to the residents as a top priority. Going to court could have rendered no control over safety or nuisance.

Establish designee for settlement requirements

Board member Salvie moved to establish the Town Administrator as Designee for the settlement requirements for the American Heritage Museum/Collings Foundation Settlement Agreement. Board member Burns seconded the motion and it passed unanimously.

Third-Party expert to advise and educate on federal and state safety regulations and requirements

During mediation it was not discussed how this third-party would be agreed to or what requirements were necessary, the Town just needed to have a say in who was selected. James Rollison has been an expert witness for aircraft manufacturers, he does safety training on WWII aircraft and has been a pilot for more than 46 years. He also does work for the Collings Foundation. The role is to discuss with the Town Administrator the necessary safety measures and to develop a checklist, for every aircraft and every pilot, for compliance with FAA (Federal Aviation Administration) and NTSB (National Transportation Safety Board) standards and requirements.

Board member Frecha asked how can he remain objective if he is doing work for the Collings Foundation. The Town Administrator said that she will receive information from him and that she will be certifying the safety

documents. She added that we may not be able to find someone on our own to do this type of work for us. The Board's consensus was that the candidate is a very qualified and informed person.

Board member Salvie moved to authorize the Town Administrator to retain James H. Rollison as a third-party expert to advise and educate on federal and state safety regulations and requirements. Board member Burns seconded the motion and it passed unanimously.

Liquor License Requirements for 2022

The Board discussed required training for managers and employees at establishments that hold a Section 12 Liquor License. The Police Chief had inquired about crowd management, and at this point the facilities in Stow meet the exemptions for crowd management training requirements. The Board briefly discussed One Day Liquor Licenses and decided this would be addressed at a future meeting. The Town Administrator has a draft of a One Day Liquor License Policy, in addition to drafts of an Event Policy, an Entertainment Policy, and a Sunday Entertainment Policy.

Board member Salvie moved to set the following as requirements for holding a Section 12 Liquor License in Stow, namely that, for managers and employees of such establishments the managers shall have successfully completed an alcoholic beverage server training program such as Training for Intervention Procedures by Servers (TIPS) for restaurants and lounges, or Beverage Alcohol Training (BAT) for package stores. Managers must become re-certified every three years and provide the Town with an updated certificate. All other employees of the licensed establishment such as cashiers and waitresses who sell alcoholic beverages shall successfully complete either the TIPS or BAT training by the next renewal period or within 30 days of employment and shall become recertified every three years thereafter. All such certification and training requirements shall begin on March 31, 2022 for managers and by the end of the subsequent renewal year for other effected employees, and must become re-certified every three years, thereafter. Board member Burns seconded the motion and it passed unanimously.

License Fees for 2022 – Liquor, Common Victualer, Class II

Board member Birch-McMichael suggested keeping the fees the same as 2021 due to ongoing COVID-19 issues plus supply chain issues. The Board members were in agreement.

Board member Salvie moved that liquor license fees for 2022 be established at:

Restaurants – All Alcohol - \$1,100

Restaurants – Wine & Malt - \$440

Package Stores – All Alcohol - \$2,000

Package Stores – Wine & Malt - \$880

And, Board member Salvie moved that Common Victualer license fees for 2022 remain the same rate as charged in 2021 (\$25).

And, Board member Salvie moved that Class II/used auto sales license fees for 2022 remain the same rate as charged in 2021 (\$100).

Board member Burns seconded the motion and it passed unanimously.

Select Board Statement of Support on Stow Acres Project

Chair Sturgis had asked Board member Burns to prepare a draft statement, and the Board discussed which highlights will be read by the Chair at the Special Town Meeting. The full statement will be posted on the Town's website.

Board member Salvie moved to approve the Select Board statement of support for the Stow Acres project with amendments as suggested by the Town Administrator. Board member Frecha seconded the motion and it passed unanimously.

MAGIC Letter of ARPA (American Recovery Plan Act) Funding Advocacy

The Board reviewed a revised letter that was received today. Board member Burns, the MAGIC (Minuteman Advisory Group on Interlocal Coordination) Select Board representative, expressed concern about the letter. The Board agreed and did not vote on the letter.

Strategic Planning

Select Board Goals

The Board reviewed the list of their top goals. The Town Administrator is working on updating and creating policies for the Board to review. The Board will also be reviewing the older policies that need to be readdressed.

The Board discussed meeting with the Planning Board about business in Lower Village and other locations, and also meeting with the Economic Development Industrial Commission and the Lower Village Revitalization Subcommittee. The Town Administrator was asked to do research and make recommendations on the right way for making changes in Lower Village, including water. Lower Village is already a part of her goals.

The Board questioned whether some of the goals are more TA goals and not goals of the Board. Most of the Board's goals will involve meeting with other relevant boards to discuss the issue, then decide what to do about the goal, if anything. This would most likely involve folding some things into the TA's goals for the next year.

Meeting Minutes

Board member Salvie moved to approve the minutes of the October 12, 2021 meeting as drafted. Board member Burns seconded the motion and it passed unanimously.

Correspondence: None.

Adjournment

At 9:18 p.m. Board member Birch-McMichael moved to adjourn. Board member Burns 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.

CORRESPONDENCE

October 15, 2021

Stow Select Board
Town Building
Stow, MA 01775



Dear Board Members,

Please accept my resignation from the Randall Relief Fund, the Randall Town Fund, and the Town Farm Fund. After 35 years as Trustee and Treasurer, I feel it is an appropriate time for me to step down from these duties. Ever since Mary Warren approached me in 1986 to ask if I would assume these positions which she had held for many years, I have been honored to do so.

Susan Rondeau has been asked by the trustees to fill the open positions of trustee, and she has agreed to do so. She will contact the Select Board to make an appointment to attend one of your meetings.

Trustee Jeff Smith has agreed to serve as the treasurer of the funds.

Sincerely,

Dorothy G. Sonnichsen

RECEIVED

OCT 20 2021

TOWN CLERK
STOW, MA

Vacancies exist in
the 3 above mentioned Committees
All 3 terms expire in 2022
OK to post the vacancy in
the unexpired 3 year term
expiring in 2022.

Joyce Sampson

From: Ellen Sturgis
Sent: Saturday, October 23, 2021 7:30 AM
To: selectboard
Subject: Fwd: [Stow MA] Bose property rezoning (Sent by Leonard Golder, leonardhgolder@yahoo.com)

For future correspondence.

Ellen Sturgis, Stow Selectboard
esturgis@stow-ma.gov

From: Contact form at Stow MA <cmsmailer@civicplus.com>
Sent: Friday, October 22, 2021 3:10:23 PM
To: Ellen Sturgis <esturgis@stow-ma.gov>
Subject: [Stow MA] Bose property rezoning (Sent by Leonard Golder, leonardhgolder@yahoo.com)

Hello esturgis,

Leonard Golder (leonardhgolder@yahoo.com) has sent you a message via your contact form (<https://www.stow-ma.gov/user/4696/contact>) at Stow MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.stow-ma.gov/user/4696/edit>.

Message:

A major concern re the rezoning for the sale to the sports academy : If the sports academy were to sell the property in the future to a non profit educational institute exempt from paying property taxes resulting in a future loss to the town of a major taxable property.

Maybe the Board with Town Counsel can require any future sale by the sports academy go to a tax paying entity .Perhaps this can be done either by a restrictive covenant or contract

Len



Town of Stow
Office of the
Town Administrator

380 Great Road
Stow, MA 01775
Tel: 978-897-2927

Denise M. Dembkoski
Town Administrator
townadministrator@stow-ma.gov

Dolores Hamilton
Assistant Town Administrator
assttownadmin@stow-ma.gov

October 25, 2021

Francis V. Kenneally
Suite 1400
Supreme Judicial Court
John Adams Courthouse
One Pemberton Square
Boston Mass 02108-1750

Re: Kathleen Fisher v. Presti Family Limited Partnership
NO FAR - 28515
Appeals Ct. No. 2020-P-0611
Land Court No. MISC 000019

Application For Further Appellate Review dated October 6, 2021

Dear Clerk Kenneally,

The Town of Stow intends to take a passive role in this further appeal, as it has in the proceedings below.

Respectfully,

Denise M. Dembkoski
Town Administrator
Town of Stow

Cc: Appeals Court
John Adams Courthouse
One Pemberton Square
Boston MA 02108-1705

Zoning Board of Appeals

Select Board ✓

From: Dorothy Granat <lexifilly@icloud.com>
Sent: Wednesday, November 3, 2021 3:37 PM
To: selectboard
Subject: licensing

Please note that recent issues with security of my email have been addressed. This is an email I intended to send to the Select Board and would like to have my concerns stated in it, addressed.

Dear Select Board,

I am please to see changes have been made to the used auto license application. I do have concern that MGL 140 section 59 is not part of the application, though MGL 140 section 58 is. It is misleading. Please note the text in red which refers to section 58. Please considering adding Section 59 to the license application or at least adding a note that Section 59 applies.

At the end of Section 59 is language that I believe, applies to Mr. Presti's license. Mr. Presti does not meet the requirements of the license. It should be revoked. He has never met the requirements of a the license. This has been brought to the attention of the board over many years. Quotes of comments made by a former town administrator and two former select board in a new paper article in 2017 show complete disregard for following laws regarding Mr. Presti's license. The correlating Select Board meeting minutes show the rules were not followed, rather "due diligence" was claimed to have be performed.

I formerly request, that the MGL law be followed and action taken to revoke Mr. Presti's license. If I have incorrectly interpreted the law, I kindly ask that my error is explained. A decision to just not renew the license is not appropriate. It shows continued "favors" to Mr. Presti.

In addition, the changing of the address of the "transferred license", seems to negate it being a true transfer. The request for a public hearing should not have been denied. I would like to note that when I asked about the number of licenses at the property and was snapped at with an answer and then told by the Chair, "you can 't get what you want, so just stop". That was troubling though, my uneasy feeling of lack of transparency grew when I saw that Mr Presti had been informed 102 would be used for the transfer of the Infinite license, as that was the address of that license though 92 is used as the address on the license given. I am hoping there is an explanation that would alleviate my concerns.

Thank You,
Dorothy Granat

Section 59: Licensing authorities; expiration; fees; application; prerequisites; premises; ordinance regulations; revocation; notice

Section 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which shall expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no event shall any such fee be greater than \$200.

Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. **No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose.** The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for additions thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No original license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of the property abutting on the premises where such license or permit is proposed to be exercised. Except in the city of Boston, the licensing board or officer may, in its discretion, waive the annual hearing for renewal of a class 3 license. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. In each case where such license is revoked, the licensing board or officer shall forthwith notify the registrar of such revocation. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The parties shall have all rights of appeal as in other cases.

CORRESPONDENCE

Additional correspondence on file in the office:

- Email re: special MAGIC meetings 11/16/2021 + 12/7/2021 (this has already been sent to the members of the Select Board)
- Verizon Fios TV programming change