

IN BOARD OF SELECTMEN
MONDAY, NOVEMBER 23, 1998

Present: Chairman John C. Drobinski, Maryann K. Clark, and Kirsten D. Roopenian, Selectmen.

The statutory requirement for notice having been met, the meeting convened at 7:30 p.m. at the Senior Center, 40 Fairbank Road.

Capital Improvement Planning Committee -- Designation as Special Employees

Town Manager Steven Ledoux stated that Town Counsel had advised that the members of the Capital Improvement Planning Committee be classified as Special Employees of the Town under the Conflict of Interest statute G.L. 268A. He explained that members of most Town committees are designated as Special Employees of the Town of Sudbury, allowing those individuals to appear before a Town board on another matter. He stated this particular move was prompted by the fact that David Wallace was appointed to the Capital Improvement Planning Committee, and Mr. Wallace often appears before various boards.

Selectman Clark stated she could not recall other committees being designated in this fashion and requested a letter of explanation from Town Counsel be included in future classification requests.

It was on motion unanimously

VOTED: To classify the members of the Capital Improvement Planning Committee as Special Employees of the Town of Sudbury, in accordance with M.G.L. Chapter 268A, on recommendation of Town Counsel.

Minutes

It was on motion unanimously

VOTED: To approve the executive session minutes of November 9, 1998, and the regular session minutes of November 13, 1998, as drafted.

Referring to regular session minutes of November 9, 1998, Selectman Clark expressed concern that her comments were taken out of context and corrected the verbiage attributed to her on page 13, last paragraph. She stated she would like to replace the first two sentences with the following: *"Selectman Clark stated the "Sudbury Landowners Survey" is outrageous. First, since it is going out to large landowners, it should be named for what it really is . . . the Sudbury Large Landowners Survey. She stated the questions are far too personal, and queried whether homeowners other than large landowners, such as John, Kirsten and Steve, would be willing to disclose such personal and private estate information. She stated all this information would be available to the public under the Freedom of Information Act, and would unduly discriminate against the large landowner. It would be highly prejudicial toward the large landowner to have this available. Since the Land Use Priority Committee has not even held its first meeting/kickoff, it's highly presumptuous for one person to prepare this survey as she has recited in her e-mail dated 11/5/98, 2:13 p.m., to Town Manager. One person does not constitute a Committee. Unfortunately, this type of action already taints this Committee."*

Selectman Roopenian stated she believed the survey questions to be only a draft example and not the actual survey. Chairman Drobinski stated he could not recall some of Ms. Clark's statements, and opined the function of the Land Use Priorities Committee was to evaluate the survey and develop a final document for use. Ms. Roopenian stated she also did not recall some statements, but stated she understood the concept

behind Ms. Clark's comments. Chairman Drobinski stated the Board did not agree or disagree with the corrections, but that they simply did not remember them. Ms. Clark stated she was willing to strike the last sentence as she did not believe she used those particular words.

It was on motion by Selectman Clark and unanimously

VOTED: To approve the regular session minutes of November 9, 1998, as amended by Selectman Clark.

Council on Aging Donations

It was on motion unanimously

VOTED: To accept \$131.01 in miscellaneous donations to be deposited into the Council on Aging Van Donation Account; and to authorize the Council on Aging to expend same for purpose of operating and maintaining the Council on Aging vans.

E. B. Hosmer Memorial Fund

It was on motion unanimously

VOTED: To authorize expenditure of \$353.00 from the Edwin Barrett Hosmer Memorial Fund to pay for Hosmer House stationery.

Congratulatory Letter – Troop 63 Eagle Scout Charlie Morris

It was on motion unanimously

VOTED: To send a letter of congratulations to Charlie Morris from Troop 63 for attaining the rank of Eagle Scout.

D.A.R.E. Donation Account

It was on motion unanimously

VOTED: To accept \$500.00 from the Kiwanis Club of Sudbury and Wayland to be deposited into the D.A.R.E. Donation Account; and to authorize the Police Chief to expend same for the D.A.R.E. program.

Utility Petition 98-11 – Dakin Road

Present: Kathryn Craig, Right-of-Way Manager, Bell Atlantic.

At 7:35 p.m. Chairman Drobinski convened a public hearing to consider two Utility Petitions from Bell Atlantic-New England.

The Board was in receipt of the following:

1. Bell Atlantic-New England Petition for Conduit, dated October 5, 1998, requesting conduit, service pad and terminal location for Dakin Road: on the easterly side, approximately 102 feet north of the intersection of North Road, place a new equipment cabinet, a 10' x 15' pad with mounted

equipment approximately 5 feet north of the existing equipment cabinet, for the purpose of bringing fiber optics to the area.

2. Verbal report, on November 19, 1998, from Wiring Inspector Arthur Richard of the Building Department, and John Hepting, Building Inspector, stating they have no objection to this petition.

Kathryn Craig, Bell Atlantic-New England, stated the proposed cabinet will bring fiber optics into the neighborhood, and would be situated alongside the existing cabinet.

Selectman Clark wanted to know how Bell Atlantic chooses locations for fiber optics installation. Ms. Craig stated locations are generally selected by demand, explaining the existing cabinet is 96% full, necessitating additional service equipment. Ms. Craig stated individuals interested in installation of fiber optics in their neighborhoods should contact her regarding availability and timetable. She noted fiber optics have recently been installed in several neighborhoods around town.

Chairman Drobinski asked if there was currently any landscaping around the existing cabinet. Ms. Craig stated there is not, but if the Town requested it, landscaping could be added. She expressed concern for landscaping posing a visibility problem for a nearby driveway into the fire station.

Peggy Fredrickson, Cable Television Committee, stated the Committee is very interested in fiber optics. Ms. Fredrickson wanted to know how an interested individual could obtain a description of Bell Atlantic's program/marketing plan. Ms. Craig stated anyone could contact her at Bell Atlantic, and explained that primarily areas are considered due to new housing or additional telephone lines being requested. Ms. Craig stated the overall plan is to have the entire Town of Sudbury fitted with fiber optics.

Chairman Drobinski suggested the Town Engineer evaluate the site and make a recommendation for landscaping that would not obstruct a driver's view from the fire station driveway.

It was on motion unanimously

VOTED: To approve Utility Petition 98-11 for permission to install conduit, service pad and terminal on Dakin Road: on the easterly side, approximately 102 feet north of the intersection of North Road, place a new equipment cabinet, a 10' x 15' pad with mounted equipment, approximately 5 feet north of the existing equipment cabinet, as shown on Bell Atlantic-New England Plan No. 98-09 for Dakin Road, dated October 5, 1998, subject to the Town Engineer's recommendation for landscaping that will not obstruct drivers' views from fire station driveway.

Utility Petition 98-12 – Hemlock Road

Present: Kathryn Craig, Right-of-Way Manager, Bell Atlantic-New England; William Miniscalco, 126 Hemlock Road.

The Board acknowledged receipt of the following:

1. Bell Atlantic-New England Petition for cabinet and conduit in Hemlock Road: beginning at existing Pole No. 164/2, which is on the easterly side, approximately 340 feet north of Poplar Street, place conduit running north approximately 170 feet, to a new fiber optics equipment cabinet at end of cul-de-sac, approximately 13 feet from property line of #161 Pratt's Mill Road.

2. Verbal report, on November 11, 1998, from Wiring Inspector Arthur Richard of the Building Department, and John Hepting, Building Inspector, stating they have no objection to this petition.

William Miniscalco, 126 Hemlock Road, wanted to know where the cabinet would be located and where the excavation would be. Ms. Craig pointed out the cabinet location and approximate excavation site on the plans. She noted this installation is located on a cul-de-sac, so traffic will not be affected. She added that because the area is wooded, landscaping could be placed around the cabinet to obscure it from view.

It was on motion unanimously

VOTED: To approve Utility Petition 98-12 for permission to install conduit, service pad and terminal on Hemlock Road: beginning at existing Pole No. 164/2, approximately 340 feet north of Poplar Street, place conduit running north approximately 170 feet, to a new fiber optics equipment cabinet, approximately 13 feet from property line of #161 Pratt's Mill Road, as shown on Bell Atlantic-New England Plan No. 98-10, dated October 22, 1998, with appropriate landscaping provided.

Chapter 61A Notice - Estate of Frank Lettery, Landham Road

Present: Joseph P. Lettery, George F. Lettery, Theresa C. Letteri, Owners.

The Board was in receipt of the following:

1. Notice of Intent to Sell Parcel #M10-0700, and remove 13.34 acres from Chapter 61A, from Joseph P. Lettery and Theresa C. Letteri, Co-Executors, Estate of Frank Lettery, dated October 5, 1998, received October 14, 1998, and addendum dated Nov. 4, 1998, received Nov. 12, 1998.
2. Letter, dated November 10, 1998, from Town Counsel Paul L. Kenny, stating notices of intent regarding the Lettery estate are in conformance with statutory requirements.
3. Communication, dated November 5, 1998, from the Board of Assessors, offering no recommendation on the Town's Right of First Refusal, but requesting a portion of lot D2, 0.49 acres, be included as part of the homestead lot.
4. Communication, dated November 2, 1998, from the Planning Board, offering no formal recommendation until the Land Use Priorities Commission has reviewed the matter, yet suggesting the purchase would not be fiscally responsible without compelling reason. The Planning Board encourages the developer to consider the Incentive Senior Development bylaw as an alternative to a single-family subdivision.
5. Communication, dated November 4, 1998, from Deborah Dineen, Conservation Coordinator, stating the Conservation Commission advises the Town not to exercise its option to purchase the parcel for conservation purposes.
6. Communication, dated November 23, 1998, from Sudbury Park and Recreation Commission, stating the Commission voted to recommend purchase for recreational use by the Town.

Town Manager Ledoux briefly recapped the correspondence received, and further stated the Town had contacted the School Committee regarding possible use by the school system, with no response as yet. Selectman Roopenian expressed concern for the timing of this opportunity as the Town has recently

purchased two large parcels of land and cannot afford this additional purchase, even though the Park and Recreation Commission has valid suggestions for its use. Selectman Clark concurred with Ms. Roopenian.

Selectman Clark noted there was some discrepancy as to the amount of acreage involved. Joseph Lettery stated it has been straightened out and was connected with the wording of Frank Lettery's will in which he bequeaths area drawn on a plan dated July of 1969 to Theresa Letteri. He continued to state that the will places the lot line going directly through the greenhouses and commented the family has endeavored to keep the homestead in one piece as intended by the will. He remarked the family has been farming the land for over 51 years.

It was on motion unanimously

VOTED: To not exercise the Town's Right of First Refusal to purchase from the Estate of Frank Lettery 13.34 acres located off Landham Road on Town Property Map M10-700, and more particularly shown on Purchase and Sale agreement Exhibit A: "Plan of Land in Sudbury, Mass. Being a Subdivision of L.C.C. 20900F," dated July 31, 1998, drawn by Robert E. Devlin, and also on "Plan of Land in the Town of SUDBURY, MASS, being a Subdivision of L.C.C. 20900F", dated May 21, 1990, drawn by Nelson Engineering (re Parcel B), pursuant to notices of intent to convert said land from taxation under M.G.L. Chapter 61A received October 14, 1998 and November 12, 1998.

Gorgone Dog Complaint

Present: Alan Rose, 7 Tudor Road; Philip Gorgone, 76 Churchill Street; Betsy DeWallace, Dog Officer.

Chairman Drobinski reconvened the public hearing concerning the complaint of Alan and Pamela Rose against the dog "Barron", owned by Philip Gorgone, last in session on May 18, 1998.

The Board acknowledged receipt of a communication, dated November 20, 1998, from Betsy DeWallace, Dog Officer, stating she has received no word or complaints on this matter since the last meeting. She stated further that the Gorgones have installed a fence, and the Roses have no complaints.

It was on motion unanimously

VOTED: To close the hearing on this matter and consider it resolved.

Constable Appointment

The Board acknowledged receipt of a letter, dated October 28, 1998, from Steven P. Kaup, in which he seeks appointment as Constable for the Town of Sudbury and states his qualifications.

Selectman Clark wanted to know how many Constables the Town was allowed. Town Manager Ledoux stated the number is unlimited.

It was on motion unanimously

VOTED: To appoint Steven P. Kaup of Pepperell, MA as a Constable for the Town of Sudbury for a term to expire April 30, 2001.

Dan Claff inquired as to whether Mr. Kaup had been “cleared” through reference checking. Chairman Drobinski stated the individual provided a packet of information, including qualifications and references, which has been reviewed by the Police Chief.

Hosmer House -- Disposition of Paintings

The Board acknowledged receipt of a communication from Lyn MacLean, Chairman, Sudbury Historical Commission, requesting approval of disposition of certain paintings from the Hosmer House by the Skinner Auction House. Ms. MacLean included the Skinner estimate, which also stated Skinner would sell the items with no sales commission. In addition, the Commission requests approval to separately sell the McIvor Reddie painting for an amount within the estimate quoted by Skinner.

Selectman Clark wondered whether the Town Bylaw concerning Town Property would allow an auction, in that it specifies sale by public bid. Town Manager Ledoux stated an auction is considered public bid and is therefore acceptable as long as there is proper notice. Ms. Clark wondered whether the Committee for Preservation and Management of Town Documents had given their approval for the sale of these items and advised securing such approval before proceeding.

It was on motion unanimously

VOTED: To authorize disposition of certain paintings from the Hosmer House, as outlined in a letter, dated November 19, 1998, from Chairman Lyn MacLean, on behalf of the Sudbury Historical Commission, subject to compliance with Sudbury Bylaw Art. XII, Town Property.

Pay Per Throw Advisory Committee – Appointments

Chairman Drobinski wanted to know how big the Committee should be, noting there were about ten individuals expressing interest. Selectman Clark stated all committees have to comply with the quorum requirement in order to do business, and the larger the committee is, the more difficult it is to get a quorum.

Selectman Clark asked Town Manager Ledoux if a memo or list of tasks could be prepared for the members of this Committee, and she expressed concern for important things often overlooked, such as accurate meeting minutes and file maintenance.

Chairman Drobinski asked Town Manager Ledoux if the Board was to assign this Committee a written charge. Mr. Ledoux stated the Committee’s charge would be to explore feasibility, increase public awareness and publicity, as well as cost effectiveness, of a pay per throw rubbish disposal system.

It was on motion unanimously

VOTED: To appoint the following individuals to the Pay Per Throw Advisory Committee:

Joseph Proud, 15 Brewster Road
Peg Whittemore, 24 Taylor Road
Geoffrey A. Howell, 123 Victoria Road
Arnold Kramer, 12 Craig Lane
George McQueen, 108 Mossman Road

Thomas E. Powers, 201 Union Avenue
Jane Coddington, 29 Plympton Road
Philippa Bell Ader, 7 Maple Avenue
F. Richard Soini, 151 Nobscot Road

Annual Town Meeting Article on Exempt Uses

The Board acknowledged receipt of an e-mail communication, dated November 18, 1998, from Jody Kablack, Town Planner, inviting the Selectmen to the Planning Board meeting on December 1 to discuss the potential Town Meeting article on uses exempt from site plan special permits.

Town Manager Ledoux stated he had attended a meeting with some of the LEAP defendants and had indicated to them this meeting would occur on December 1. Selectman Clark wanted to know if Mr. Bernard Bonn had submitted any proposed article language for consideration. Mr. Ledoux stated he did not know for sure. Selectman Roopenian stated Mr. Bonn had been asked to forward any materials to the Planning Board.

Selectman Clark wanted to know if Town Counsel had commented on the memorandum she had submitted in August. Town Manager Ledoux stated Mr. Kenny had seen the memo, but had not yet forwarded any comments.

It was unanimously agreed that the Selectmen should attend the Planning Board meeting on December 1, 1998, at 8:30 p.m., as Selectman Clark is a guest on Grapevine at 7:30 p.m.

Housing Task Force – Former Unisys Property

Present: Jody Kablack, Town Planner; Daniel L. Claff, Chairman, Housing Task Force; Task Force members Edward E. Kreitsek, Hale Lamont-Havers, Jo-Ann Howe, Charles Saraglow, Ruth Griesel, Peggy Fredrickson; Lawrence O'Brien, Planning Board.

Dan Claff went through the information packet item by item and provided answers to questions along the way as follows:

Leasing the land with the Town maintaining control. What began as an interesting notion became less desirable as time went on. Comments from Town Counsel, and developers revealed leasing to be complicated, with the Town remaining legally responsible for the land around and under the development. Mr. Claff noted that nearly 60 of the 76 acres in the parcel will remain under Town control as either Conservation land or open space. **The Task Force therefore recommends selling the land. The Task Force supports a plan that would return revenue to the Town if construction costs are lower than projected sales prices.** If units can be constructed for \$160,000 and be sold for \$175,000, the \$15,000 differential would go to the Town. Until the costs of site preparation and engineering can be accurately estimated, the construction cost is uncertain. Site developers are hesitant to give a figure, but the Task Force has received suggested site development costs at \$43,000 per unit, as well as developer profit (20%) of \$19,500 per unit.

The Task Force recommends the farm house should not be part of the project. The developers should be instructed to plan that the farm house is left as a conforming lot with appropriate frontage and access. It could then be sold later or used by the Town for office/meeting space. It is most likely that the developer will be asked to plan for a modest community-use building within the site. The house is currently being renovated as a single family home, and it would be a shame to undo much of that work to redefine a use for the house. That lease runs until 2004.

Chairman Drobinski wanted to know what easements exist. Town Planner Jody Kablack stated the easements allow for future use that the Town might contemplate and did not anticipate difficulty. She did note there is a pedestrian easement that is different than an access easement.

Mr. Claff noted that Cummings does not own the road into their own property.

Ms. Kablack stated she has spoken with the Town Manager in Concord and updated him on this project.

The Task Force recommends a Bid Review and Selection Committee be established immediately with membership as follows: three elected Task Force Members (Claff/Howe/Kreitsek); Town Planner Jody Kablack; Town Manager Steven Ledoux; One Selectman; One Planning Board Member; One Permanent Building Committee member, and the Building Inspector, if he so chooses.

Selectman Clark expressed concern for including the Building Inspector as there could be situations where he might be perceived to align with the developer. Town Manager Ledoux suggested someone from the Town with building/architectural experience. Selectman Roopenian suggested a citizen-at-large, someone with no vested interest in the process but could offer a different perspective.

The Task Force asks that the Town Manager to take steps to establish this Committee as a **legal** entity, given that the disposal of Town Property is involved. Selectman Roopenian opined that as members of the Strategic Planning Committee, these people are already so designated. Town Manager Ledoux stated they would be acting as procurement officials and must be charged as such. He is the Chief Procurement Officer and can bring that about. Mr. Claff suggested the Task Force assemble the names/people and present them to the Town Manager for swearing in or whatever it takes.

Do not include low-income units as part of the project. The State's affordable guidelines were written for first-time home buyers, not for seniors with home equity. While adding three or four units to Sudbury's affordable housing stock is a commendable goal, in trust it is more token than meaningful. Sudbury will need 318 more units to reach the mandated 10% level. The price differential must be borne either by the other purchasers, or by the Town and taxpayers. The Task Force feels strongly that the Town should push for a low-income/affordable project, but a substantial one, and quite apart from this initiative. Senior Housing and the retention of seniors is Step #1. Low-Income/Affordable Housing is Step #2 if Sudbury is serious about diversity. Mr. Claff expressed great concern about the retention of seniors, having spoken with people who do not plan to remain here due to tax impact in the next couple of years. Many of these people pointedly asked if this project would really happen.

The Task Force favors an income-sensitive selection method to ensure that these moderate-priced units do, in fact, go to moderate-income seniors, using the following guidelines: (1) an upper-end income cap to assure that more moderate-income seniors are favored as purchasers; (2) a reasonable first-purchase preference be established for present and former Sudbury residents; and (3) a limit of resale profit be included as a condition of ownership (within the deed) so that future buyers also benefit. Some developers have experience in designing such a system, and this requirement could be made a part of the RFP. The RFP could also include administration of the program. Town Planner Kablack suggested the long-term residents be given preference, using something like a point system. She noted the criteria will be established well in advance of sales.

Mr. Claff stated residents have expressed concern that the combination of taxes and association fees may make the project too expensive. He stated the costs would be 17.5% of a \$30,000 income, or 13% of a \$40,000 income. He noted that the home will be new, the appliances will be new, all exterior maintenance provided, as is yard work, snow removal and trash removal. He stated that in most cases the units will not carry a mortgage.

Selectman Roopenian asked if people plan to move out of Town for reasons other than taxes. Mr. Claff noted that taxes continue to go up for seniors in proportion to their incomes. He added that properties in Sudbury are expensive, noting no property is ever priced at less than \$200,000. Many people are real estate rich but cash poor. Mr. Saraglow noted that many people might look at projects such as the one in Marlborough, close enough to still visit friends in Sudbury.

Selectman Clark wanted to know how people who bought homes in Sudbury for the walks in the woods, the rural flavor and so forth, will respond to this project at Town Meeting. She questioned whether they would be interested in supporting something they may perceive as a step away from that which is Sudbury. She suggested the Task Force needs to have answers ready for people in opposition. Mr. Kreitsek stated this has been discussed in committee, and commented discussion seems to center around seniors as though seniors were not part of the community instead of discussions concerned with all residents of the Town. He cited examples of skateboard parks, playing fields for the schools, or tennis courts. He stressed the concept of community instead of special privilege. Mr. Claff stated seniors staying in Town will help pay taxes that in turn support the schools. Mr. Kreitsek stressed the point that groups should not be pitted against one another for support within the community.

Chairman Drobinski wanted to know if there was a possibility to use the gravel pit parcel for development into housing as the Town will be finished with it in the near future. Mr. Drobinski stressed the entire community needs to support this project in order for it to succeed. Mr. O'Brien stated there is much concern among parents over school redistricting, and it needs to be made clear that seniors are a vital part of Sudbury and their very presence helps to support the schools. He further suggested the Melone property be designated for affordable senior housing, allowing for a mixed-income senior housing area, all generating revenue.

Mr. Claff stated the Committee has asked Town Counsel to look into zoning issues and provide documentation that the zoning is appropriate for this type of housing development. He noted the committee has expressed concern that SRC zoning is not necessarily the same as regular residential zoning. Selectman Roopenian suggested contacting those who would be vocal opponents and discuss issues with them. She further suggested marketing be directed at people who might have singular concerns, the people who would unexpectedly amend the bylaw at Town Meeting. She stressed all "blindsides" issues be explored prior to Town Meeting. Ms. Roopenian opined the marketing for this project will not be as difficult as the Task Force might believe. She further opined budget costs for the new school might be more favorably received with the prospect on an income-generating housing project that would keep seniors in Sudbury.

Selectman Roopenian wanted to know where the 20% developer profit figure came from and remarked that sometimes the developer's profit can be negotiated. Mr. Claff stated developer profit figures ranged from 15% to 25% so a middle figure was chosen. Costs generally depend on how much plans cost, marketing and advertising costs, and similar expenses. Town Planner Kablack stated current rumor is that construction costs will go up due to an increase in lumber costs, so a developer's profit may be difficult to pin down.

Ed Kreitsek stated while profit is a consideration, the developer should be chosen on the merits of quality of work, experience with this type of project, latitude in absorbing advertising and other costs, so the profit figure cannot be rigidly plugged into a formula. One developer may want a 20% profit and ask the Town to advertise, while another may ask for the 20% and absorb advertising. Mr. Claff stated there will be some competition among developers for this project, as one developer will want this listed on his resume more than another might, and therefore may accept a smaller profit margin. Mr. Claff stated there are currently four developers seriously interested in this project.

Selectman Roopenian asked how the criteria for purchasing and administering the purchasing program will be determined and if the developer or the Task Force will do it. Jody Kablack stated the Task Force would most likely set the criteria based on local preference, utilizing state guidelines, income limitations, as well as other things. Chairman Drobinski asked if there is any state guideline regarding local preference. Ms. Kablack stated this project is not under the auspices of any state program and opined the project could be restricted entirely to Sudbury residents. Ms. Roopenian wanted to know if there is potential for troublemakers, i.e., a Wayland resident raising a fuss about being excluded, and how the Task Force proposes to deal with it. Mr. Claff stated that if there is a reasonable preferential clause and period of time, it will withstand court scrutiny. He defined "reasonable" as units being held for three-four months for local purchase, and after that time, they will be sold on the open market. Conversely, units cannot be held for years for Sudbury residents. Mr. Claff suggested constructing a waiting list as soon as possible, alleviating the preferential buying situation, and also decreasing the amount of money spent on advertising. If the developer can save money on advertising because the buyers are motivated and available, that money can be put back into the project.

Selectman Roopenian wanted to know what the "to do" list should include. Mr. Claff asked how the Bid Review and Selection Committee will be established. He stated the Task Force would like to have the RFP (Request for Proposal) out by mid-December so the establishment of this Committee cannot be delayed very long. Ms. Roopenian reiterated her suggestion to include two or three citizens-at-large, from different age or income groups. Mr. Claff stated the bid review and selection is a very specific task, based on developers who respond, and stated further that the people on this Committee should be people with some expertise in this area. Jody Kablack stated the RFP has been written and is currently being reviewed by Town Counsel. She added any points and issues raised this evening would be included in the RFP before final draft.

Selectman Roopenian asked if the people who purchase these units can be Clause 18 applicants and wondered whether those people will be excluded. Mr. Claff stated those applications must be filed on a yearly basis through the assessors; any changes in residency can be factored in through the assessment. The tax relief award is only for a year. He opined that tax relief might not be enough to make any difference in their situation as far as the project is concerned.

It was on motion unanimously

VOTED: To establish the Bid Review and Selection Committee with the following individuals:

- * Three elected Task Force Members (Dan Claff, Jo-Ann Howe, Ed Kreitsek)
- * Town Planner Jody Kablack
- * Town Manager Steven Ledoux
- * One Selectman
- * One Planning Board member
- * One Permanent Building Committee member
- * One citizen-at-large

Bushey House

Selectman Clark expressed concern for cold weather wreaking havoc on the pipes in the Bushey House, given that the house is unoccupied. Town Manager Ledoux stated he will ask Art Richard to go over and take a look and determine what needs to be done.

Greg Sobel

Selectman Clark stated she received a packet of information from Greg Sobel over the weekend and expressed dismay at the lack of communication he reported. She stated he has been trying to get meeting minutes from various Town committees for some time, without success. She stated she found copies of memos he had written to the Selectmen and stated further she had never seen any of them. She suggested meeting with Mr. Sobel sometime in January and inviting Town Counsel and other pertinent parties to resolve all the issues. Ms. Clark stated basic common courtesy should prevail when people make requests of Town committees and Town officials, the appropriate parties should follow through.

Selectman Clark stated she believed the Selectmen have always had oversight over the rental of buildings on Conservation land, and wondered why this particular one had been missed. Town Manager Ledoux stated the Conservation Commission had taken those duties, and the Town Manager's office is attempting to regain authority. Chairman Drobinski stated there have apparently been some difficult times with this particular tenant in the past, and Conservation had elected not to renew the lease. Mr. Ledoux stated he knew of some maintenance issues that had been a source of conflict.

Selectman Roopenian stated she spoke with Mr. Sobel over the weekend, agreeing there must be some resolution, but indicated to him that all sides of the question must be heard. She stated Mr. Sobel is going into the hospital for surgery this month and is concerned he will have nowhere to go when he is released. Ms. Roopenian stated she spoke with Town Counsel who indicated the RFP will not go out until February so there is some time. Selectman Clark stated the Town has not complied with the RFP from January of 1997 and that no lease has ever been prepared by Town Counsel. Ms. Roopenian stated Mr. Kenny remarked the lease agreement had constantly been in flux and the parties could never agree to terms. Chairman Drobinski stated his belief that the lease had never been accepted. Town Manager Ledoux stated they should just start from the beginning and take care of it. Ms. Clark stated the lease issue should not be a way to eliminate Mr. Sobel from the use of this property.

Selectman Roopenian wanted to know why different entities are managing various Town properties and suggested all the management duties go to the Town Manager. Mr. Ledoux stated that was the overall plan, and expressed hope this will get things on the right track. He stated this particular problem fell to Town Counsel because of the preparation of the lease. Ms. Clark recapped the two major issues as being the status of the RFP and the status of Mr. Sobel's tenancy.

Town Manager Ledoux suggested the meeting would be best done in executive session due to the seriousness of the issues and to resolve some personality conflicts.

Book Signing – Wayside Inn

Selectman Roopenian stated she recently attended Curtis Garfield's signing of the book regarding the Wayside Boys School at the Wayside Inn. She commented there are some very talented historians in Sudbury. She stated the book is very interesting from a historical perspective.

Land Use Priorities Committee

Selectman Roopenian stated she, Selectman Clark, and Town Manager Ledoux attended the first meeting of the Land Use Priorities Committee on Thursday, November 12, 1998. She listed the Chairperson as Kenneth Zitoh, and Sigrid Pickering as Assistant Chairperson.

School Committee

Selectman Roopenian stated she attended the School Committee meeting on November 12. She stated there was great concern over redistricting and its impact on neighborhoods. She noted many people have been through a redistricting process a couple of times. Ms. Roopenian stated her appreciation that people were getting involved in important issues and expressed hope they will stay involved throughout the budgeting process. She stated she encouraged attendees to go through the budgeting process as a way to learn more about the fiscal issues and how the money is spent.

Budget Worksheet

Selectman Roopenian stated she and Town Manager Ledoux have been looking at a budget worksheet Mr. Ledoux brought back from the conference in Florida. She stated this worksheet is one that is worked on with the citizenry, and suggested it be set up for next year. She suggested further the concept be marketed this year to inform the public this will be coming up and challenge the armchair budget experts to go through a budgeting process. Mr. Ledoux stated it was a survey designed in Eugene, Oregon, as an effort to discover ways to recover from an 8 million dollar deficit. He stated there was a 75% response rate, and noted the final conclusion from the citizens was to raise taxes instead of cutting 8 million dollars from their city budget. Chairman Drobinski stated the project would make an excellent article for *The Town Crier*.

Tree Replacement – 22 Moore Road

Chairman Drobinski stated he received a telephone call from Thomas and Susan Plati thanking the Board for their support.

Section House

Chairman Drobinski stated Lyn MacLean reported the MBTA will send money to have the section house repaired.

Underground Storage Tank

It was on motion unanimously

VOTED: To accept the \$19,402.26 in grant money from the Underground Storage Tank (UST) Petroleum Product Cleanup Fund for reimbursement of half the cost of tank removal at the Haynes School.

Metropolitan Area Planning Council

Town Manager Ledoux stated the Town had received correspondence from MAPC, dated November 18, 1998 regarding its proposal to develop a five-year action plan for the Sudbury-Assabet-Concord (SuAsCo) River Watershed. He stated the action plan will address key issues, including water quality, instream flow, water supply protection, open space and land use planning, habitat and recreation. The project will have a strong community outreach component, which will help communities and other watershed partners understand and get involved in the planning and decision making process of the Watershed Team.

Mr. Ledoux recommended sending a letter of support to the MAPC. Chairman Drobinski wanted to know what input Sudbury would have with this project. Selectman Roopenian opined “community outreach”

indicated input was welcome. Selectman Clark also wanted to know what involvement would be available. Mr. Ledoux stated he would find out about Sudbury representation and other participation opportunities. Chairman Drobinski stated Sudbury's support was requested, yet no details were provided. Mr. Ledoux suggested the letter state support for the funding and offer input from the Board.

It was on motion unanimously

VOTED: To send a letter to the Metropolitan Area Planning Council supporting the Five Year Action Plan for the Sudbury-Assabet-Concord (SuAsCo) River watershed, express hope that funding will be secured, and offer to serve in some capacity.

Sky Restaurant – Hours of Operation

Following discussion, it was on motion unanimously

VOTED: To extend the liquor license hours of operation for Let's Eat, Inc. d/b/a Sky Restaurant by one hour on Wednesday, November 25, 1998, making the closing hour 1:00 a.m., as requested in a letter from Stephen T. Corcoran, President, Let's Eat, Inc.

Town Manager Ledoux stated Mr. Corcoran reported there had been misunderstanding over the TAM training requirements and had trained only the bartenders. Mr. Corcoran indicated to Mr. Ledoux that they are in the process of training all the wait staff as close to the deadline as possible. The Board expressed its concurrence with this arrangement.

Wood-Davison and Rice Funds

Town Manager Ledoux stated a recent meeting produced a consensus of working toward establishment of a Town Museum. He stated Lee Swanson will take a look at the Bushey House to determine its potential as a museum, and will also do some research as to the house's history. Mr. Ledoux stated the group plans to meet again in a month.

Executive Session

At 10:05 p.m. it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss authorizing expenditures from the Discretionary Fund. (Chairman Drobinski, aye, Selectman Clark, aye, Selectman Roopenian, aye).

Chairman Drobinski announced that public session would not reconvene following Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 10:10 p.m.

Attest: _____
Steven L. Ledoux
Town Manager-Clerk