

IN BOARD OF SELECTMEN
MONDAY, JULY 12, 1999

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 Town Hall, 322 Concord Road.

Transformer Shuts Down Town Hall

Chairman Drobinski apologized to residents for the lack of phone service at the Town Hall, Selectmen's Office and Town Manager's Office today. He stated an old transformer went out, disabling many Town offices for the entire day.

Best Friends Pet Care, Inc. – Utility Pole/Goodman's Hill Road

Present: J. Richard Ford, Chafford Industries, representing Best Friends Pet Care, Inc.

The Board met to consider granting special permission to Best Friends Pet Care Inc. to place a utility pole on the easterly side of Goodman's Hill Road for overhead utility connection from existing pole 24/68 on the opposite side of the street, to service its new facility at 150 Boston Post Road.

The Board was in receipt of a letter, received July 2, 1999, from Sarah E. Gallen, Director, New Unit Development, Best Friends Pet Resorts & Salons, stating Boston Edison Co. advised the new pole placement due to other utility placement. Attached to the letter was a plan showing the proposed buildings and utility connections. The Building Inspector and Wiring Inspector recommend approval.

The contractor, J. Richard Ford, stated that due to a gas line under Goodman's Hill Road as well as a nearby telephone distribution box, Boston Edison advised the new pole. He stated that all other utilities will be installed underground. He added that moving the Bell Atlantic distribution box would delay the opening of the building for six months to a year.

After discussion, it was on motion unanimously

VOTED: To grant special permission to Best Friends Pet Care Inc. to place a utility pole on the easterly side of Goodman's Hill Road for overhead utility connection from existing pole 24/68 on the opposite side of the street to service its new facility at 150 Boston Post Road, in accordance with Bylaws Art. XX.3.E and approved Site Plan, with the stipulation that all conduit on the applicant's side be underground.

Council on Aging Donations

It was on motion unanimously

VOTED: To accept \$163.99 in miscellaneous donations to be deposited into the Van Donation Account, and to authorize the Council on Aging to expend said funds for the purpose of operating and maintaining the Council on Aging vans.

Contract : MultiWave Technologies

The Board was in receipt of a request to the Town Manager from Mark Thompson, Technology Administrator, dated July 2, 1999, to accept a bid proposal for computer equipment from MultiWave Technologies of California.

Town Manager Ledoux stated that this purchase was being funded primarily by a state grant and that this was an upgrade for the entire Police Department. The bid may also be used by other departments as needed.

It was on motion unanimously

VOTED: To authorize the Town Manager to accept a bid proposal received June 11, 1999, from MultiWave Technologies for furnishing desktop computer systems for the Police Department and other departments, in accordance with Town of Sudbury specifications dated May 20, 1999.

Minutes

With regard to the June 28, 1999 minutes and the Feeley Field matter, Selectman Clark stated she did not recall a vote to draft an RFP. She stated further that she would never have agreed to it, without conditions, given that there are so many unresolved issues regarding the lighting.

Selectman Roopenian pointed out that the matter of lighting and a monopole are separate issues and must be handled separately. Selectman Clark stated the residents complained about the lights and about the possibility of a tower. She suggested lowering the height of the lights comparable with the height of the lights at Featherland, even with the tree line. Chairman Drobinski stated that Featherland is a softball and Little League ball park while Feeley Field is a regulation baseball diamond, fields of different sizes.

Selectman Clark expressed concern that details can slip through during the RFP process that can later cause problems. Chairman Drobinski stated that drafting an RFP is not a guarantee that it will be issued, and even after issuance, all bidders can be rejected if their proposals are not satisfactory.

After discussion it was on motion unanimously

VOTED: To approve the regular session minutes of June 28, 1999, as amended, and to approve the goal setting session minutes of July 7, 1999, as drafted.

Housing Task Force – Frost Farm

Present: Dan Claff; Jody Kablack, Town Planner; Lawrence O'Brien, Chairman, Planning Board; Hale Lamont-Havers, 173 Morse Road; Edward and Maureen Kreitsek, 59 Dudley Road; Judith Deutsch, 41 Concord Road.

The Board met with the Housing Task Force for the purpose of approving eligibility criteria for the proposed Frost Farm housing development.

Dan Claff distributed revised (Draft Seven) Eligibility Recommendations for Frost Farm Senior Housing. He briefly reviewed the handout, explaining how the Task Force arrived at some of the results.

Selectman Roopenian praised the Task Force for their excellent work. With regard to the second set of self-screening questions, she asked how they arrived at those particular questions, what a "moderate" price is, and what demographic group that would include. Mr. Claff stated the Task Force used data collected by surveying prospective buyers. He stated that "subsidized" units should be offered to people in the median income range.

Jody Kablack, Town Planner, itemized some of the income and asset figures used in preparing the questions. She stated they also considered the fact that some people may need to finance their purchase.

Selectman Roopenian asked about the distribution of 20% of the units through a lottery. Mr. Claff stated that the prospective buyers included in the lottery still have to meet eligibility requirements. He stated that the income/asset eligibility questions use a "two strikes, you're out" approach. Maximum possible survey score is 17 points with the lottery break point being 5 points or higher.

Selectman Roopenian asked if "employment by the Town" includes every occupation, full-time or part-time. Mr. Claff stated that anyone on the Town of Sudbury payroll is included. Ms. Kablack stated that most subsidized housing plans include residents and Town employees into those programs. Mr. Claff stated that it is unfortunate people cannot get credit for service on Town committees and boards as that service is difficult to verify yet many people have served for a long time.

Selectman Clark asked if being a resident meant as a homeowner. Mr. Claff stated that a person's renter status is verifiable, though the landlord is the one who paid the taxes. Ms. Kablack opined that, with the small number of rental units available in Sudbury, that requirement would not make much difference.

Selectman Clark recalled that in early discussions a person owning a second or vacation home would be excluded from this housing development, and wanted to know if that was still the case. She opined that if someone is affluent enough to own a second property that their eligibility may exclude someone who is truly in need of this housing development as their primary and only home. Mr. Claff stated that the asset figure could conceivably include a rental or vacation property.

Chairman Drobinski asked when the list would be available for people to start the application process. Ms. Kablack stated that the developer would like the Task Force to help pre-sell the units, as it would help decrease the marketing costs. She stated that the permitting process for the SRC is slated to begin in August. The developer intends to start construction sometime this winter, with some units completed in the spring. Ms. Kablack stated that Ruth Griesel at the Senior Center has been keeping a list of interested people and has been publicizing it in the Senior Center newsletter. She stated the application form and information package is not yet ready for distribution, but the Task Force would like to begin publicizing the eligibility requirements. The Task Force already has a list of 70 people interested in the project.

Chairman Drobinski asked if the condo association will significantly change the eligibility requirements in the future and if that can be controlled. Ms. Kablack stated that the Task Force has required that the Chairman of the Planning Board be a voting member of the condo association at all times. Mr. Claff stated that there would also be restrictions on resale, and that the individual deeds will be required to adhere to the Master Plan. He stated a change would require a vote of two-thirds of the quorum, which has yet to be established. He opined that any person listed on the deed as an owner would be granted a vote, but added that those things have not been worked out yet.

Judith Deutsch, 41 Concord Road, wanted to know if applicants must be single individuals or married couples or whether two people of the same sex living together constitutes a household. Mr. Claff responded that it would make no difference, if other eligibility requirements are met.

Ms. Kablack stated that the developer prefers the Task Force do the initial screening, specifically Ruth Griesel of the Senior Center, Jo-Ann Howe, and herself. She stated that they would keep all information confidential and would not "blind" the applications as that would be cumbersome and time-consuming.

Selectman Clark asked how the incomes are considered if two unrelated seniors apply for a unit together. Ms. Kablack stated that the total income of the household is considered, and the number of years as a Sudbury resident would apply to the older of the two individuals.

The Board thanked the Task Force for their hard work. Ms. Kablack announced that Dan Claff will soon be moving from Sudbury and expressed gratitude for his diligence in this project. Mr. Claff stated he and his family will be moving near Peterborough, New Hampshire, where they will renovate and operate a bed and breakfast.

Brimstone Lane Subdivision

Present: Jody Kablack, Town Planner; Lawrence O'Brien, Chairman, Planning Board.

Ms. Kablack showed the Board the location of the subdivision on the map and stated that one of the issues concerns a portion of Brimstone Lane. There is apparently some question as whether it is privately owned and who owns it. She stated the access road is also an issue as it is currently only eight feet wide. She stated that Town Counsel and Mark Bobrowski are looking into it. Ms. Kablack suggested a public, joint meeting between the Planning Board and the Selectmen to get Town input in order to present a strategy to the Town of Framingham.

Stop Signs – Pine Lakes Area

Present: Patrolman Alan Hutchinson, Safety Officer; Lawrence O'Brien, Chairman, Planning Board; Robert Cargill, 33 Oakwood Avenue; Anne McNabb, 56 Lakewood Drive; Robert Chandler, 45 Great Lake Drive; Marianne Lynch, 39 Great Lake Drive; Judith Deutsch, 41 Concord Road; Harold Quinn, 28 Maplewood Avenue; Leslie Lewis, 37 Great Lake Drive.

Chairman Drobinski stated that the Town Manager, Town Engineer, and Safety Officer had been previously directed to review the situation and report back to the Board.

Town Manager Ledoux stated that they have met with some residents of the Pine Lakes Area. He stated that I. William Place, Town Engineer, indicated in an earlier communication that five warrants (conditions) are considered, one of which must be met, and that none of the warrants is applicable.

Robert Cargill, 33 Oakwood Avenue, stated that the neighborhood has greatly changed in the past five years, with an influx of young families with small children. He read from his May 18, 1998 letter to the Safety Officer, highlighting concerns, and added that they are trying to be pro-active and not wait until a serious accident happens. He reiterated his request for stop signs at Pinewood, Beechwood, Oakwood and Basswood at the intersections of Great Lake Drive and Lakewood Avenue, eight intersections for a total of

sixteen stop signs. He stated the neighborhood is laid out like a grid and that other intersections may need signs as well.

Mr. Cargill stated he witnessed an accident at the corner near his house where one car clipped another going through the intersection, and the young driver lived in the neighborhood. He stated that asking people to slow down does not help.

Mr. Cargill listed excessive speed (over 30 mph), dangerous intersections, and poor visibility (fences, shrubbery, trees) as major reasons for stop signs. He pointed out that a stop sign was recently installed at Firecut and Stearns Road, an intersection he deemed not nearly as dangerous as these.

Anne McNabb, Lakewood Drive, stated that there are 78 school-age children in this 13-acre neighborhood, and if preschoolers are included, the number rises to over 150. She stated the weekend traffic with boats and trailers speeds through the area on the way to the lake. She stated that they flag people down and ask them to slow down, and that concerned residents attempt to take license plate numbers to report to the police, but that the speeders go by too fast to capture this data. Chairman Drobinski cautioned the residents against stepping in front of cars to get them to stop.

Bob Chandler, Great Lake Drive, stated that he wrote a letter to the Safety Officer in 1991, which received a response, and stated further that the Safety Officer indicated (by phone) that it was a cost factor to obtain and maintain stop signs. He stated that he lives at the end of a road and does not get nearly the traffic some of the other residents get on streets nearer Hudson Road. He stated further the traffic is comprised of those in the neighborhood, delivery people, and visitors to residents and the lake.

Greg Lindstrom, Great Lake Drive, stated that one of his neighbors, Rose Smith, was recently involved in an accident near her home and her car was totaled.

Marianne Lynch, 39 Great Lake Drive, stated she spoke with a woman from a "near-miss" who said she was from the other side of town, unfamiliar with the neighborhood and "didn't see a stop sign".

Lawrence O'Brien, Chairman, Planning Board, suggested that other traffic calming techniques might be employed to make movement through the area more difficult. He suggested redirecting the flow of traffic on area streets, in conjunction with a few stop signs. He suggested specifically making every other street in the east-west and north-south configuration a one-way street. He advised that the residents would have to be cognizant of their own traffic habits in adjusting to a new traffic flow.

Mr. Cargill stated he had not considered that option and that it sounded interesting. He expressed doubt that it would solve the problem of drivers building up speed.

Judith Deutsch, 41 Concord Road, asked why the Town waits so long to install stop signs and stated that some intersections need traffic lights. She asked how much stop signs and traffic lights cost. Chairman Drobinski stated the traffic light cost is significant, about \$200,000, while the cost of stop signs is minimal. He stated that a stop sign at one intersection may change the flow of traffic but merely transfer the problem to another area, and stated that the Board moves cautiously as to the impact of one action on another part of Town. Chairman Drobinski stated that traffic is a big issue throughout Sudbury and that demographics in surrounding areas is constantly changing.

Harold Quinn, 28 Maplewood Avenue, stated that there are few street lights near his home and stated that if stop signs were installed, violators could be ticketed for failure to stop. Chairman Drobinski cautioned

the residents that even if stop signs are installed, it is no guarantee that conditions will improve, especially in areas dimly lit at night. Mr. Drobinski added that there are many areas where residents would like more police presence, but there simply are not enough officers to be everywhere. Mr. Cargill agreed that stop signs alone will not solve the problem and offered to canvass his neighborhood to alert residents to the steps being taken.

Selectman Roopenian stated that when the Peakham Road and Old Lancaster Road four-way stop signs were first installed, there were many people who drove through them because they didn't realize the stop signs had been added. She stated that Selectman Clark's suggestion of speed humps might be a more feasible solution. Ms. Roopenian stated that there are State standards as to how and where stop signs are placed, but that the Selectmen can override those standards for unique situations.

Chairman Drobinski stated that stop signs cannot be used to control speed, but are instead used to control dangerous intersections. He stated that other traffic calming devices could be employed. If speed is the only issue, then the stop signs will not correct it.

Ms. McNabb wanted to know how a stop sign could be installed at Firecut and Stearns, a less dangerous intersection and with fewer children living in the neighborhood. Town Manager Ledoux stated that the Board overrode the recommendations for that corner.

Selectman Clark stated that a traffic calming device known as a "neckdown" could be used here. This device gradually narrows the road so that the driver either slows down or crashes. She reiterated her preference for speed humps, but stated that frost heaves and snow plowing might be a concern.

Mr. Cargill asked if a neckdown was temporary. Chairman Drobinski stated that it is permanent and is a reconfiguration of the road.

Leslie Lewis, 37 Great Lake Drive, stated that there is much construction in the area, and that the large construction trucks do not observe the speed limits.

Mr. O'Brien asked if the Selectmen have the authority to redirect traffic, for example, to designate certain streets as one-ways. Chairman Drobinski stated that the Board could not just change streets, and that a public hearing would be necessary.

Mr. O'Brien opined that the costs for a "neckdown" would be approximately \$20,000.

Mr. Cargill stated the stop signs would be on the cross streets, Oakwood, Beechwood, Lakewood, and Great Lake Drive, the streets parallel to Hudson Road.

Another resident suggested placing the stop signs on alternate intersections so that a driver would not have to stop at each corner on a particular street and none on another.

Selectman Clark suggested cobblestone surfacing might slow drivers.

Selectman Roopenian asked Patrolman Hutchinson for a list of the streets/intersections earmarked for stop signs so that she can drive it.

Chairman Drobinski suggested that the Planning Board and the Town Engineer research the one-way idea suggested by Mr. O'Brien. He suggested that Patrolman Hutchinson spend a little more time in the neighborhood to increase police visibility.

Ms. Deutsch asked if the Town could lower the speed limit and post more signs. Selectman Roopenian cautioned against placing more signage (Slow, Children At Play, Caution) to avoid cluttering the area. Chairman Drobinski stated the Board can not change speed limits without a study by the State Highway Department. Mr. Ledoux stated that, in a study like this, vehicles are clocked on radar for a quarter mile and then 75% of the average speed is calculated.

Selectman Roopenian suggested that school bus routes should also be consulted before any stop signs are placed.

Patrolman Hutchinson advised the residents that certain criteria must be met before a change can be made. He expressed concern that the residents would feel that the Police Department did not care about their neighborhood. He stated that sometimes they simply cannot do everything people want them to do. He stated further that he has made trips around town and noted the dangerous intersections, specifying that stop signs may not help them due to overgrown shrubbery and fences blocking visibility. He advised the residents to work on their yards if shrubs and trees need attention.

After discussion, the Board directed Patrolman Hutchinson to work with the Town Manager to develop a plan for both stop signs and possible one-way redirection. Chairman Drobinski asked that their report be ready for the July 26 Selectmen meeting. Mr. Cargill stated he would continue to serve as the neighborhood spokesperson.

Mr. Cargill asked how long it would take to get stop signs installed. Mr. Ledoux stated the signs would have to be ordered and opined a turnaround time of two to three weeks.

Ms. McNabb asked if the residents would be able to approve a one-way plan. Chairman Drobinski stated that the Board does not make arbitrary decisions, especially on a public way. He stated that a public hearing would be held, at which time the residents would be able to offer input to the plan being considered.

Utility Petition 99-3 – Butler Road

Present: The Developer.

The Board was in receipt of a letter, dated June 24, 1999, from Richard Schifone, Rights & Permits, Boston Edison Company, on behalf of BECO and Nynex, requesting a Grant of Location to relocate pole 127/6 on Butler Road, in order to provide access to a new subdivision. Boston Edison Company Plan entitled "BUTLER ROAD, SUDBURY", #691977, dated April 23, 1999, was provided.

Town Manager Ledoux stated that the Building Inspector and Wiring Inspector have no problem with this request.

It was on motion unanimously

VOTED: To approve Utility Petition 99-3 of Boston Edison Company and New England Telephone & Telegraph Company, d/b/a NYNEX, to relocate Pole 127/6 on Butler Road to provide access for a new subdivision.

Rail Trail

Present: Dr. Dan Buttner, Bike Trail Committee member; Richard Williams; Judith Deutsch, 41 Concord Road.

The Board was in receipt of (1) a communication, dated July 8, 1999, from Alan French, Chairman, Bay Circuit Alliance, suggesting that a portion of the proposed Wayside Bike Trail along the MBTA right-of-way be used for hiking, mountain biking, cross-country skiing, and other passive recreational uses to close the gap in the Bay Circuit Trail; (2) a map of the area showing existing and proposed trail; (3) copy of Hasty Evans' letter, dated June 30, to Susan Pope, State Representative, informing that this railroad line is being studied for possible use for a Bus Rapid Transit route as part of a Marlborough Transportation study; and (4) Ms. Pope's negative response to Ms. Evans' letter.

Dr. Daniel Buttner, Bike Trail Committee member, was in attendance to discuss these issues. Dr. Buttner spoke in support of Alan French's proposal for the Wayside Trail and he recommended that Sudbury officials support the same at the Wayside Rail Trail meeting of area community representatives on July 15.

Mr. Ledoux stated that he met with Mr. French and Steven Johnson of the Sudbury Valley Trustees last week. He opined that, if the Selectmen in Sudbury and Wayland both sign on in favor of the proposal, it might make a difference.

Chairman Drobinski stated that a Town Meeting vote approved use of the MBTA right-of-way (Central Mass. Branch line) as a bike pathway and stated further that he is very much in favor of it. He suggested that the Board support, at a minimum, the Bay Circuit Trail, and, as a maximum, for the MBTA to construct the entire Rail Trail as it was proposed.

Selectman Roopenian suggested getting the Rail Trail going to avoid any chance that a Bus Transit system would instead be implemented along the same line. Chairman Drobinski stated that there is always a chance that a bus system could come in because the MBTA owns the right-of-way, and opined that the risk of that is minimal. He stated that Mass. Highway Department would actually fund the construction of the trail while the towns involved would fund only the policing and emergency response services.

Selectman Clark asked if a rapid bus system and bike trail could be compatible in the same right-of-way. Chairman Drobinski stated that it depends on the width of the right-of-way.

Selectman Clark opined that ridership will not support a bus system, as ridership could not support areas of the commuter rail.

Selectman Roopenian labeled the idea of running busses through neighborhoods and the middle of the forest was absurd.

Dr. Buttner stated that a rail trail does not require any more land than the train uses, but that a bus would require significantly more.

Judith Deutsch, 41 Concord Road, stated that she has traveled in many European nations and has seen many busses and bike trails side by side. She stated further that, twelve years ago when the North-South Bike Trail was proposed, abutters to the train tracks objected to the bikers, and that she could not

imagine these people would prefer busses there. She added that she travels often into Boston and would love to see more bus or train service availability from Sudbury.

Selectman Roopenian suggested that a shuttle be implemented to transport people from Sudbury to either the Framingham or Lincoln train stations, on a regular basis throughout the day, on a route that would not impact people's backyards.

It was on motion unanimously

VOTED: To support the Bay Circuit Trail approach.

After discussion, it was on motion unanimously

VOTED: To reconfirm Town Meeting vote to support the concept of the Rail Trail from Berlin to Belmont as proposed in a feasibility study.

Richard Williams opined that the purpose of the meeting on July 15 is for the MBTA to explain to towns what has been going on. He opined that it might be an informational session and not one that required the towns to take a position. He stated that he has spoken with many people who are in favor of a bike trail. He stated further that in many areas the trail runs through Conservation land, and that the land cannot be disturbed. This would leave approximately a 12-foot corridor, wide enough for bikes but not for busses.

Pooper Scooper News Release

The Board met to consider a revised news release received from the Board of Health relative to the issue of adhering to the Pooper Scooper bylaw.

Town Manager Ledoux stated that several months ago a veterinarian complained that dog owners were not cleaning up after their dogs. He stated that the Board of Health has offered their input for the news release.

It was on motion unanimously

VOTED: To approve the revised news release received from the Board of Health relative to the issue of adhering to the Pooper Scooper Bylaw.

Education Issues – Town of Ashland

The Board met to consider a communication dated June 28, 1999 from the Town of Ashland concerning its desire to form a coalition of cities and towns to enter the debate on reform of local aid, with a core focus on education-related issues.

Town Manager Ledoux stated that the Town of Ashland wants to put together a coalition called the Coalition for Policy Responsibility (or CPR) to convince the legislature, through direct political action, to correct the funding problem and treat all of the state's students equitably and fairly; correct inequities in special education funding that can place unexpected and crushing burdens on individual cities and towns; and raise the level of visibility into these and related issues via public relations activities. He stated that they would like to know if the Town of Sudbury is willing to join this coalition and if Sudbury would be willing to send a representative to their Forum on Educational Funding Alternatives on September 25.

Selectman Roopenian stated that the intention of this coalition sounds very much like that of the Suburban Coalition (of which Sudbury is a member), wondered if the two groups have spoken with each other, and stated she had seen the study two times before. She stated further that she asked Representative Pope to send a copy of CPR's letter to the Suburban Coalition.

After discussion, the Board directed the Town Manager to contact the Ashland Town Manager with their concerns and hold action on this matter.

Hawkers and Pedlers – Ice Cream Trucks

The Board met to review the Board of Selectmen's regulations with regard to Hawkery and Pedlery and their conflict with the new bylaw allowing ice cream trucks in residential areas.

Town Manager Ledoux stated that the bylaw has been approved by the Attorney General and advised revision of several points within the Selectmen's regulations that contradict the bylaw, specifically, sales in residential areas, hours of operations, use of light, sound or signs to attract attention, and a 15-minute parking limitation.

Selectman Clark suggested modifying the hours of operation portion to refer to "non-stationary ice cream vendor vehicles".

It was on motion unanimously

VOTED: To approve the changes in the Board of Selectmen's regulations with regard to Hawkery and Pedlery and ice cream trucks in residential areas, as recommended by the Town Manager, as amended by Selectman Clark.

Selectmen Policies and Procedures

The Board met to review the Selectmen's Policies and Procedures, some of which require revision. Town Manager Ledoux stated that he and Jan Silva have been working on them over the past few months, making corrections where appropriate. He asked the Board for their comments.

After discussion, the Board agreed to review the Policies and Procedures more thoroughly and hold the matter until a later date.

Conflict of Interest

Referring to a newspaper article published in the Sudbury Town Crier on Thursday, July 8, 1999, Selectman Clark asked Chairman John Drobinski if the article was correct in saying he had spoken to both of the other Selectmen about the contract that his employer, ERM, has with Unisys and that he brought it up at a Selectmen's meeting, to which John said yes. Then Selectman Clark denied that Chairman Drobinski ever spoke to her about this contract. Selectman Clark said she asked Town Manager Ledoux as Clerk of the Board of Selectmen and keeper of records to check the Selectmen's meeting minutes back to March 1, 1999, which he did, and found nothing.

Chairman Drobinski asked Selectman Clark what matter that came before the Board did he have a conflict of interest in. Ms. Clark refused to specify any particular matter.

Chairman Drobinski stated that, while his company is employed by Unisys, he has nothing to do with that particular contract. He stated further that he has been involved in the Sperry-Unisys project from the very beginning, the right-of-ways to White's Pond, and worked with David Wallace to protect the Town's interests regarding the wetlands. He stated he specifically asked not to serve on the Housing Task Force because he preferred to deal with the Town of Concord as a Selectman.

Selectman Roopenian stated she was offended by the very notion that Chairman Drobinski would benefit financially by any matter the Selectmen have handled. She stated she was offended by the article in the newspaper, that it was a misinterpretation of some other statement, and that she could find at least half a dozen other errors in the article.

Chairman Drobinski stated that he is not the LSP (Licensed Site Professional) for the Unisys cleanup. An LSP is an independent individual who implements the Mass. Contingency Plan. For this particular property, the DEP dictates appropriate action to be taken. He stated that ERM had no connection with the property until March of 1999.

After continued discussion, Selectman Clark reiterated her motion.

Selectman Roopenian stated that the notion of inappropriate conduct is absurd. She opined that the news article is a misunderstanding and the product of erroneous research. She stated she could not see where a conflict could have been as the Frost Farms Senior Housing Development is not even the same site as the Unisys cleanup.

Selectman Clark stated there is a problem with public trust and that the only way to clear it up is to use an outside source to investigate it.

Selectman Roopenian stated that the public trust has not been compromised by a single newspaper article which is not necessarily based in fact. She opined that the Board cannot jump every time an individual is unhappy about the way things are and takes a pot shot at the Board.

Chairman Drobinski stated that there has been no matter in the past where there has been a conflict of interest and stated further that if the Board wishes him to abstain from any votes concerning the project in North Sudbury, he would be willing to do so. He stated that the interests of the Town are more important to him than the company he works for.

Selectman Clark stated that she does not want her work compromised by the possibility of conflict, and that the Board's decisions are compromised by the cloud hanging over it.

Selectman Roopenian stated that Town Counsel has declared that no conflict exists. Ms. Clark stated that opinion did not count as he is an insider, and further that Town Counsel said the contract ERM has is with the State, which is incorrect. Chairman Drobinski has confirmed tonight that the contract by ERM is with Unisys.

Judith Deutsch, 41 Concord Road, stated that while she has read Chairman Drobinski's name in the paper several times, she does not know him personally. She stated further that she too had read the newspaper article, read what Town Counsel said, and what the other gentleman said. She stated she could not see that Mr. Drobinski had done anything wrong. Ms. Deutsch recalled that when she was more active in Town government, it was the Town Counsel who advised the Selectmen and Town Meeting what was and was not legal to do, and that, if Town Counsel has stated Mr. Drobinski did nothing wrong, the Town and

Board should abide by his opinion. She stated that, as a minister, she is very interested in ethics, and that she felt the Board should hear her thoughts.

After additional discussion, Selectman Clark reiterated her request for an independent review, stating that without a second to her motion, the public will never know the true story. She insisted an independent committee would clear his name and that of the Board. Ms. Clark's motion did not receive a second.

Selectman Reports

Selectman Clark stated that the MetroWest Growth Management Committee will hold a meeting on Wednesday, July 14, at the Goodnow Library where Christopher Skelley from the Mass. Historical Commission will be speaking on "Preservation at the Local Level". She stated she will be attending the Framingham Planning Board meeting Tuesday night.

Selectman Roopenian stated the meeting with Mark Bobrowski regarding codification went very well and that the next meeting will be July 29. She stated further the first draft should be available August 31. She stated that she will also be attending the Framingham Planning Board meeting, as well as the meeting on the Rail Trail.

Chairman Drobinski stated he will also attend the Rail Trail meeting.

BYOB Policy

Town Manager Ledoux stated that there have been inquiries from restaurants not having liquor licenses and whether they can allow patrons to bring their own liquor. He stated that the Alcoholic Beverage Control Commission stated it is a local policy and up to the Selectmen, the licensing authority. He provided a draft policy for review. The policy states that, as long as liquor licenses are available, BYOB will not be allowed. The Board decided to table the matter to a later date.

There being no further business to come before the Board, the meeting adjourned at 10:42 p.m.

Attest: _____
Steven L. Ledoux
Town Manager-Clerk