

IN BOARD OF SELECTMEN
MONDAY, JULY 9, 2001

Present: Chairman John C. Drobinski, Lawrence W. O'Brien and Kirsten D. Roopenian, Selectmen.

The statutory requirement for notice having been met, the meeting was convened at 7:30 p.m. in the Town Hall, 322 Concord Road.

Lightning Storms

Chairman Drobinski reminded citizens the Town now has thermal imaging cameras to detect hot spots in their homes where a fire might not otherwise be visible. He suggested if anyone thinks their house has been struck by lightning at any time, they should contact the Fire Dept. to have their home checked out.

Citizen Petition – Executive Session Minutes

Present: Ralph Tyler, One Deacon Lane.

Mr. Ralph Tyler, One Deacon Lane, expressed concern that the Town has not released executive session minutes for a number of years. He acknowledged such minutes cannot be released while the topics of discussion and/or litigation are not resolved, and requested the Board take time to indicate which minutes can be released as he is interested in several topics.

Cable Television License

Present: Jeff Winston, Cable Television Committee.

The Board reviewed a memo, dated July 6, 2001, from Jeff Winston, Chairman, Cable Television Committee, outlining items of negotiation the Committee is discussing with AT&T Broadband with regard to the Cable Television License with the Town of Sudbury.

Mr. Winston stated \$72,000 has been approved in AT&T's capital budget in order to purchase equipment necessary for the studio and Town Hall. He briefly described other negotiation items as well as the proposed new deadline of July 1, 2002 for meeting contractual obligations concerning upgrades and I-Net construction under Sections 3.01 and 3.02, while the Cable Committee would prefer April 1, 2001. Discussion followed. The Board expressed their view the per diem penalty should be more than the \$500 suggested by AT&T.

A resident inquired about high speed internet access. Mr. Winston clarified that the license is for cable television services (upgrade of the system) and internet access is not part of that license.

The Board emphasized the importance of the work being completed by the new deadline (after it is determined) and encouraged Mr. Winston and the Cable Committee to make that point clear to AT&T Broadband.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of June 25, 2001, as drafted.

Council on Aging

It was on motion unanimously

VOTED: To accept \$83.01 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.

WoodsEdge Childrens Center

It was on motion unanimously

VOTED: To acknowledge receipt of a letter, dated June 13, 2001, from Jackie Downing, WoodsEdge Childrens Center, withdrawing her June 8, 2001 letter, in which she requested consideration of commencement of construction at her school prior to site plan approval, as the Selectmen are without jurisdiction in the matter.

Contract -- Metro West Cleaners

It was on motion unanimously

VOTED: To authorize the Town Manager to execute, in confirmation of telephoned approval on June 28, 2001, a contract with Metro West Cleaners of Acton, MA to clean town buildings (Flynn Building, Loring Parsonage, Police Station, Highway Garage/Office, Town Clerk's Office, and lower Town Hall), in the amount of \$31,762.50, in accordance with the Town's specifications and bidder's proposal dated June 21, 2001.

Contract -- Office Supplies – MetroWest Regional Services Consortium

It was on motion unanimously

VOTED: To authorize the Town Manager to execute a contract for office supplies for FY2002 with W. B. Mason in conjunction with bid award by the MetroWest Regional Services Consortium, subject to Town Counsel approval of the contract document.

Raymond Scholarship Trust Fund

It was on motion unanimously

VOTED: Acting as Co-Trustees of Town Donations, to approve a distribution of \$1,485 from the Raymond Scholarship Trust Fund to Amy Burkhardt, as requested by the Lincoln-Sudbury Regional School Department in a communication, dated May 4, 2001.

Disposal of Town Property

It was on motion unanimously

VOTED: To approve, under Town Bylaw Art. XII, a request by the Director of Public Works to dispose of a 1994 Ford Taurus Vehicle, VIN No. 1FALP5246RA247963, by sale or trade.

Cellco Partnership – Willis Hill Wireless Facility

It was on motion unanimously

VOTED: To confirm the Board's signing on June 15, 2001, of As Built Site Plan #96-330 of Cellco Partnership, d/b/a Bell Atlantic NYNEX Mobile, for the Willis Hill Watertank site, Maynard Road.

Site Plan 01-358 – Osco Drug

It was on motion unanimously

VOTED: To confirm the Board's signing on June 15, 2001, of Landscaping and Architectural plans for Site Plan 01-358 of Osco Drug, 437 Boston Post Road.

Appointment – Commission on Disability

It was on motion unanimously

VOTED: To appoint David J. Mortimer, 55 Hudson Road, to the Commission on Disability for a three-year term to expire April 30, 2004, as requested by said Commission.

Town Forum

At 8:00 p.m. Chairman Drobinski convened Town Forum. In keeping with the Board's new Town Forum format, reports this evening were presented by Rhonda Fowler, Sudbury Cultural Council; John Fraize, Sudbury Historical Commission; Steven Swanger, Sudbury Housing Authority; and Jody Kablack, Economic Development Committee and Land Use Priorities Committee.

Reports concluded at 9:00 p.m. Refreshments were served.

Chamber of Commerce – Route 20 Banners

Presents: David Levington.

Mr. David Levington, Sudbury Chamber of Commerce, stated 36 banners were hung along Route 20. These banners will be changed to seasonal motif around Labor Day.

Chairman Drobinski indicated complaints had been made that banners were hung in residential areas, though the intent of the program was to place banners within the business district. Mr. Levington responded Boston Edison approves the specific poles they use for the banners, and acknowledged one or two may be just outside the business district. He stated further the poles were "sold" for the year ending in December, but added he would endeavor to use only business district poles for the coming year.

Mr. Levington asked if the Town could assist the program financially. Town Manager Valente stated there were no funds for this program in the FY02 budget. She stated the program did not make the priority list. Mr. Levington specified assistance is requested for providing police details, while participating merchants absorb many of the other costs. The police detail for the year would be a total of 24 hours.

Chairman Drobinski suggested issues such as this funding could be considered in the “visioning” process by the Economic Development Committee.

Conservation Restriction – Sudbury Green, LLC (Springhouse Pond)

Present: Myron Fox, Rollins, Rollins & Fox; Jon Flood, Sudbury Green, LLC.

The Board reviewed a letter from Mr. Myron Fox, Attorney, dated July 3, 2001, containing the final version of the Conservation Restriction and plan as approved by Joel Lerner of the Mass. Department of Environmental Protection for Sudbury Green, LLC.

Mr. Myron Fox, Attorney, Rollins, Rollins & Fox, reminded the Board they had signed an earlier version of this restriction, which will be destroyed. He briefly pointed out the changes made in the final version.

It was on motion unanimously

VOTED: Subject to approval by the Sudbury Conservation Commission on July 16, 2001, to approve and sign a replacement Conservation Restriction granted by Sudbury Green, LLC, a Massachusetts Limited Liability company with a usual place of business at 46 Glen Avenue, Newton, Middlesex County, Massachusetts 02459, to TOWN OF SUDBURY, by its Conservation Commission, in accordance with Massachusetts General Laws, Chapter 40, Section 8C, in perpetuity and exclusively for conservation purposes, on a 7.5 ± acre portion of a parcel of land containing approximately 25.4 acres located at 27 Highland Avenue in the Town of Sudbury and shown on the Sudbury Assessors Map LO7 as Lots 4, 5, 6, 300, 301, 302, 303, said 7.5 ± acre portion (herein referred to as the “Premises”) being more particularly described as “Conservation Restriction” on a “Conservation Restriction Plan of Land in Sudbury, Massachusetts Prepared for: Sudbury Green, LLC, Scale 1” = 60’, Date: May 4, 2000, Rev.: July 26, 2000.: May 16, 2001 “ by Schofield Brothers of New England, Inc.

Sudbury Water District Deed – 199 Raymond Road

Town Manager Valente stated this deed increases the amount of land for the DPW garage.

It was on motion unanimously

VOTED: To accept and sign a Deed granted by the Sudbury Water District to a parcel of land approximately 4.03 acres, shown as Parcel 001 on Town Property Map J08 and also on plan entitled “Town of Sudbury, Massachusetts, Sudbury Water District Pumping Station Lot”, dated Nov. 12, 1935, prepared by E. N. Montague, CI, recorded February 4, 1936 with Middlesex South District Registry of Deeds.

Grant – Piper Property Land Purchase

After discussion, it was on motion unanimously

VOTED: To accept a grant of \$250,000 from the Executive Office of Environmental Affairs, to be expended for the purchase of the Piper Farm property off Rice Road.

Agenda Correction

Town Manager Valente corrected the agenda item scheduled for July 23, 2001 at 8:00 p.m. as being a hearing for the purchase of the Prichett Property, and not Town Forum.

Election Precinct Boundaries

Town Manager Valente announced the new election precinct boundaries were accepted by the State government and will become effective December 31, 2001, and remain in place until the new federal census in the year 2010.

Water Quality Testing

There was discussion regarding water quality testing by the Sudbury Water District with regard to a recent sampling showing the presence of E. Coli bacteria. Results of retesting are not yet available, but the Water District has increased its use of chlorine to treat the water. Town Manager Valente noted individuals with concerns on water quality can get onto an email list maintained by the Water District for notification of abnormal test results. She clarified that by the time disclosure is made, treatment for the problem has already begun.

Selectman Roopenian requested in the future the Water District post an alert in the same locations as water ban information as some residents may not have email capabilities. It was noted such information was quickly posted on the Town's bulletin board on public access Channel 61. Discussion followed.

Debt Issue

Town Manager Valente informed the Board of the upcoming debt issue and opined she would advise the Treasurer to use only one credit rating, thus saving several thousand dollars in fees. She stated she was considering using only Standard and Poor's at this time. She noted S&P was very thorough in their last rating and stated she felt confident they would be the best choice. After discussion, the Board agreed to support the Town Manager's decision on this matter.

Fourth of July Parade

Present: Nicholas Palermo, Parade Committee.

Town Manager Valente expressed concern for small children darting into the street after strewn candy as parade vehicles pass by. She suggested candy be distributed by a pedestrian along the roadside instead of from moving vehicles. Discussion followed. Mr. Palermo stated the Parade Committee shares the Board's concerns and would be interested in working out measures for a safe parade.

Pay-Per-Throw

The Board briefly discussed various issues connected with the Pay-Per-Throw program and any revisions thereto. The matter was previously discussed during the Board's recent goal-setting session. Town Manager Valente had prepared a draft response to Peter Glass' proposal, reflecting the Board's desire to continue to gather information on the topic, yet reiterating the Board's position that municipal curbside pickup is not a Board priority at this time. Discussion followed. The Board approved Ms. Valente's draft letter.

Selectmen Goal Setting

Town Manager Valente stated the Board previously developed a list of 26 goals to pursue in the coming year. She asked them to consider their own level of participation for each goal, any suggestions for strategy for accomplishment, which Board member should serve as lead and other key factors to consider. She distributed a list of six goals to consider this evening. Discussion ensued with regard to the **Community Preservation Act**. Key issues are educating the public on the Act, any involvement by the State, and the ballot question itself. The Board felt many citizens were simply confused, did not understand the provisions or financing of the CPA, and simply see it as an increase in their property taxes. More education on the financial aspects would be helpful. Selectman Roopenian expressed her belief this particular project requires the involvement of the full Board. Town Manager Valente stated she would work with her staff and put together some financing information, as well as check with other department heads as to their current and potential involvement.

Selectman O'Brien volunteered to chair the **Zoning Bylaw Recodification** project. He opined Selectman Roopenian might be interested in **Development Issues** as it would dovetail with some of her other projects. Chairman Drobinski offered to chair the **Board of Health** matter, as well as the **Wastewater** goal.

Due to the lateness of the hour, it was agreed the Board would complete the goal worksheets on their own, indicate other individuals who may be helpful or required, and forward the worksheets to Ms. Valente.

There being no further business, the meeting was adjourned at 11:00 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk