

IN BOARD OF SELECTMEN
TUESDAY, DECEMBER 3, 2002

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

The statutory requirement for notice having been met, the meeting was convened at 7:35 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

Chairman O'Brien urged residents to assist their friends and neighbors in the colder weather. He encouraged everyone to check on their neighbors from time to time, especially the elderly, to make sure they have electricity and are able to get out to procure basic supplies.

Chairman O'Brien expressed congratulations to all the Lincoln-Sudbury sports teams and their successful athletic years.

NSTAR – Upgrade and Tree Trimming

Present: JoAnne O'Leary, Community Relations and Economic Development Representative; James C. MacElhaney, Director of Operations; and Calvin Clayton, Certified Arborist, NStar.

Town Manager Valente stated Ms. O'Leary met with the Board a year ago, at which time the Board was updated on service enhancements and tree trimming. The Board had expressed its wish to meet with NStar on an annual basis.

Mr. James MacElhaney, Director of Operations, stated they are currently in the third year of a five-year program in upgrading circuits. Their current effort is on a circuit that goes through the center of town. Three other circuits will be upgraded next year, in an effort to improve reliability. He stated many power outages are tree-related, fallen branches, wire interference, etc.

Mr. Calvin Clayton, Arborist, explained his crew is charged with tree trimming, or rather, pruning, in order to protect the future growth of the tree. They are also going to be removing some trees that are unsafe or are interfering with wires, usually smaller trees that will grow into large trees that will interfere with wires in the future. If the tree is on private property, they contact the property owner before taking action. If trees in the public way are targeted for removal, they work with the Tree Warden, complete with public hearing. As a courtesy, they even notify the nearest homeowner to the Town tree before taking action.

Selectman Drobinski asked if trees will be planted to replace the ones removed. Mr. Clayton responded that his responsibility is to improve the trees around the wires and remove problematic trees if necessary. Tree planting is not included in his area of responsibilities. He stated his crew accomplishes tree removal tasks at a much lower cost than if the Town had to pursue it independently. The tree removal program is a financial benefit to communities. Occasionally NStar may donate a small amount of funds to a community to be used toward replacing trees, but it is more a token gesture than a part of the program.

Selectman Drobinski asked about the approximate annual cost to NStar for the Town of Sudbury for tree trimming due to storm damage. Mr. Clayton stated he did not know for sure, but he estimated the current cost to be \$100,000.

Mr. Clayton stated the best they can do is to train the trimming crew to do the pruning correctly, so that the trees heal correctly. He stated further full, healthy trees are never removed completely, if it can be avoided; a large tree may be "topped" instead of removed. He stated many of the past problems with tree trimming have been improved, as the more recent crews have been better trained in arborist methods.

Mr. Clayton stated tree debris from the trimming process is always cleared away. He clarified, however, the storm damage is not, as that is considered an act of God, and if they do the trimming, they leave it to the homeowner to clear away. He stated his funds are primarily earmarked for trimming of trees that are considered most dangerous to the system.

Selectman Roopenian asked about squirrels interfering with service. Mr. Clayton indicated that the better the tree is trimmed [away from the wires] the less attractive it is to squirrels. He noted, however, that they do not trim around the phone lines so squirrels still have a way to get into their system if utility wires are in the same vicinity.

Ms. O'Leary stated customers should call 800-592-6000 to report an outage; outages are recorded in their computer system which tracks where outages are occurring. Based on the number of calls, crews are dispatched to areas recording the highest number of outage reports.

The Board thanked Ms. O'Leary and her associates for their time and update.

Utility Petition #02-3 – Pole Relocations on Goodnow Road

Town Manager Valente stated this matter has been postponed until the Selectmen's meeting on December 17. An on-site meeting with the DPW Director, NStar and Northland Residential Corporation will take place in order to determine just what tree trimming or removal is necessary.

Traffic Rules & Orders – Stop Sign Locations: Water Row, Plympton Road, Tall Pine Drive

Present: Safety Officer Ronald Conrado.

The Board reviewed (1) letter, dated November 18, 2002, from Safety Officer Ronald Conrado, expressing safety concerns and recommending placement of stop signs at the following intersections: Water Row at Old Sudbury Road, Plympton Road at Concord Road and Tall Pine Drive at Horse Pond Road; (2) report, dated November 20, 2002, from the DPW Director, stating each intersection warrants a stop sign as outlined in the Manual on Uniform Traffic Control Devices, and recommending contact with Town of Wayland regarding Water Row, stating the Plympton Road/Concord Road intersection needs a stop sign until it can be reconstructed, and suggesting the Safety Officer contact the abutter on Tall Pine Drive to find an alternate location for the school bus which obstructs the sight distance; (3) report, dated November 22, 2002, from the Fire Chief, stating he is in agreement with Officer Conrado concerning the proposed stop signs on the aforementioned intersections.

Officer Conrado briefly described the intersections and his concerns for each. The first intersection is on Water Row at Old Sudbury Road. He stated he has observed Route 27 drivers traveling in excess of 50 mph, and expressed concern for traffic not slowing adequately before entering Route 27. The second intersection, Plympton Road at Concord Road, is one at which westbound motorists accelerate in order to beat the traffic onto Concord Road. The third intersection, Tall Pine Drive at Horse Pond Road, has become thickly settled, and many motorists coming into this neighborhood to see holiday lights are not familiar with the road and slide onto Horse Pond Road.

Officer Conrado stated he spoke with Wayland officials about the Water Row intersection, and their comments were in favor of the stop sign. He stated the concern was not for residents, but for the people visiting the conservation land in that area, and those individuals may not be familiar with the locale.

Town Manager Valente clarified that a public hearing is not necessary, but noted that the stop signs, after approval by the Board, will be publicized so the public is aware of them, after which the Police Department may legally issue appropriate citations in those areas.

It was on motion unanimously

VOTED: In accordance with the provisions of Chapter 89, s.9, of the General Laws, that the Traffic Rules and Orders of the Town of Sudbury, adopted by the Board of Selectmen on September 12, 1941, and subsequent amendments thereto, be and are hereby amended as follows:

By adding at the end of Section 8 in Article VII, OBEDIENCE TO ISOLATED STOP SIGNS, the following locations:

North bound drivers on Water Row at Old Sudbury Road
West bound drivers on Plympton Road at Concord Road
West bound drivers on Tall Pine Drive at Horse Pond Road.

Minutes

It was on motion unanimously

VOTED: To approve the regular minutes of November 19, 2002, and the special meeting minutes of July 9, September 4, and September 20, 2002, as drafted.

Grants and Donations

It was on motion unanimously

VOTED: To accept the following grant and donations to be expended for the stated purposes:

- a) Community Policing Grant from the Executive Office of Public Safety in the amount of \$16,000;
- b) Additional funding of \$2,000 under the FY02 grant from the Governor's Alliance Against Drugs for the Drug Abuse Resistance Education (D.A.R.E) Program; and
- c) A donation from Carmine Gentile, 22 Surrey Lane, of \$500 for the D.A.R.E. Program.

It was on motion unanimously

VOTED: To accept the following grants to be expended or used as specified therein:

- a) Municipal Recycling Incentive Grant from the Mass. Dept. of Environmental Protection in the amount of \$12,780; and
- b) Equipment and education materials received under the Municipal Recycling Grant from the Executive Office of Environmental Affairs and the Dept. of Environmental Protection valued at \$7,762.

Conservation Restriction

The Board reviewed a report, dated November 22, 2002, from the Conservation Coordinator, with regard to 71 Harness Lane, which abuts Willis Pond. The Conservation Commission has been working hard to establish a minimum “no-disturbance” zone between the pond and residential use/development. This restriction will prevent the removal of trees and other vegetation, construction of accessory buildings, regarding of the topography and the use of herbicides and pesticides, the prohibition of which protects the pond from erosion and sedimentation, and introduction of harmful chemicals. It was noted that Conservation Restrictions have been granted, or are in the process of being granted, on nine additional parcels abutting the pond.

It was on motion unanimously

VOTED: To reaffirm the approval and signature by the Board on November 22, 2002, of a Conservation Restriction granted by John F. and Linda S. Wallin, at 71 Harness Lane, in perpetuity and exclusively for conservation purposes, shown on a plan entitled “Plan of Land in Sudbury, Mass” by Thomas Land Surveyors and Engineering Consultants Inc., dated October 9, 2002.

Strategic Planning Committee – Dissolution

The Board discussed the many accomplishments of the Strategic Planning Committee, involving the creation of the Economic Development Committee, Route 20 Sewer Study Committee, Housing Task Force and the Walkway Committee. Its accomplishments include an updated Master Plan, the Frost Farm development, Route 20 economic development and related initiatives, and Senior Tax Relief programs. Town Manager Valente stated the Committee has not met since 1999, and agenda items set in motion are still being worked on. The Town Planner has indicated the Committee should be dissolved for now and a new Committee could be appointed in the future if deemed necessary.

Chairman O’Brien stated the Committee also developed the townwide Survey which brought to light many ideas and items citizens had in mind for the Town.

Selectman Drobinski suggested sending letters of appreciation to the many members of the Committee to thank them for their service to the Town.

It was on motion unanimously

VOTED: To dissolve the Strategic Planning Committee and to send letters of thanks to the members.

MMA Legislative Package

Town Manager Valente suggested the Board review the package of proposed legislative items in the packet to consider supporting them. She noted these items were submitted by officials in other communities as cost saving efforts. She suggested the Board may want to send a letter of support to State Senators Susan Fargo and Pam Resor, and State Representative Susan Pope.

This Legislative Package was adopted at the November 12, 2002 meeting of the MMA Board of Directors, as indicated in a letter, dated November 20, 2002, from Geoffrey Beckwith, Executive Director. Mr. Beckwith indicated MMA staff will be available for questions on the “Local Government Bill Signing Day” held December 2, 2002.

The Board expressed support for the innovative ideas brought forth in many of these proposals, as they could be very effective for municipalities.

It was on motion unanimously

VOTED: To authorize the Town Manager to write a letter on behalf of the Board, to elected officials, in support of the MMA Legislative Package and encourage their support as well for any proposal they deem to be of benefit to Sudbury following review of the finalized, complete bill.

License Renewals

The Board reviewed a list of current license holders for Alcoholic Beverages, Common Victualer, Entertainment and Second Hand Motor Vehicle Licenses. Reports from the Fire Chief, Building Inspector, Health Director and Treasurer/Collector were also reviewed. Town Manager Valente stated the licenses are being prepared for signature and will then be held by her office until any outstanding issues have been resolved.

It was on motion unanimously

VOTED: To renew Alcoholic Beverages, Common Victualer, Entertainment, and Second Hand Motor Vehicle Licenses, which expire December 31, 2002, for calendar 2003, as shown on the "Licensee List 2003", attached and incorporated herein; and to forward the appropriate renewal forms to the Alcoholic Beverages Control Commission where applicable; said licenses to be held until payment of the required license fees, compliance with the Selectmen's Alcohol Training Policy, correction of any/all outstanding health, safety or zoning violations, receipt of verification of Workers' Compensation Insurance for the licensing period, and the payment of all outstanding personal property taxes, real estate taxes and state taxes; said licenses shall also be subject to all previous restrictions; and

VOTED: To renew Sunday Entertainment License of Papa Gino's Acquisition Corporation, d/b/a Papa Gino's, 104 Boston Post road, for operation of a juke box during 2003, for the hours of 11:00 a.m. to 10 p.m.

MMA Annual Business Meeting

The Board reviewed a notice from Patricia A. Mikes, Communications & Membership Director, Massachusetts Municipal Association, stating the Annual Business Meeting will take place on Saturday, January 11, 2003. Established voting procedures required written authorization from the Town authorizing an individual to vote for the Town, if the mayor or Chairman of Board of Selectmen cannot attend.

It was on motion unanimously

VOTED: To submit the paperwork authorizing the Town Manager to cast the vote for Sudbury at the Annual MMA Business Meeting on Saturday, January 11, 2003.

Selectmen's Report for the Annual Town Report

Town Manager Valente asked the Board to review a draft developed by Chairman O'Brien and herself, describing accomplishments and activities according to the Board's value statements. She requested

Board members forward comments to her by the end of the week in order to have the final drafted prepared by the deadline.

Cutting Property

Town Manager Valente reported the Cutting property proposal is not yet developed enough to have a summary prepared for the Community Preservation Committee. She noted the Town Meeting deadline for articles submitted by Town boards and committees is December 31 and expressed concern this deadline does not allow enough time to fully prepare a proposal that is the most beneficial to all parties. She opined a potential purchase by the Town for a parcel of this size and community importance would be worthy of a Special Town Meeting, if necessary.

Executive Session

At 9:10 p.m. it was on roll call

VOTED: To go into Executive Session for the purpose of discussing disbursements from the Discretionary Fund and collective bargaining matters. (Chairman O'Brien, aye, Selectman Roopenian, aye, Selectman Drobinski, aye).

Chairman O'Brien announced that regular session will not reconvene following Executive Session.

There being no further business to come before the Board, the meeting adjourned at 9:45 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk