

IN BOARD OF SELECTMEN
TUESDAY, OCTOBER 8, 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 7:00 p.m. in the Town Hall, 322 Concord Road.

Opening Remarks

Chairman O'Brien thanked all workers and staff for a successful 1st annual Sudbury Day on September 21.

The Annual Financial Summit is scheduled for Thursday, October 10, at the Goodnow Library. Residents are urged to attend to learn more about the Town's financial condition.

On behalf of the Board and Town Manager, Chairman O'Brien extended heartfelt sympathies to Selectman Drobinski and his family on their recent unexpected loss. Selectman Drobinski expressed thanks to everyone for the outpouring of love and support extended to his family during this difficult time. He stated the compassion and feeling expressed is what he believes the Town of Sudbury is all about.

Community Preservation Act Applications

Selectman Roopenian stated the Community Preservation Committee will be reviewing applications for appropriate projects under the Community Preservation Act. Open space and recreation proposals will be considered on October 17; housing on October 30; and late submissions on November 7. Applications can be obtained at the Town Clerk's office, Goodnow Library, from the Town Planner and on the web site.

Town Trust Funds – Fourth Quarter Reports

Present: Kerry A. Speidel, Finance Director/Treasurer-Collector.

Ms. Kerry Speidel, Finance Director/Treasurer-Collector, briefly reviewed the FY02 fourth quarter financial report, as of June 30, 2002. She stated approximately 75% of approved disbursements have been expended, and that interest earnings are down approximately 12% from last year. She noted, however, interest earnings averaged 4.18%, due to the excellent advice from the Investment Advisory Committee. Ms. Speidel stated further these statements are unaudited, but that the accounts have since been audited and the audit report is forthcoming.

It was on motion unanimously

VOTED: To accept the fourth quarter Trust Fund Financial Statement for FY02, dated June 30, 2002, as outlined in a memo, dated August 8, 2002, from the Finance Director/Treasurer-Collector.

Town Trust Funds – Disbursement Requests FY03

Present: Kerry A. Speidel, Finance Director/Treasurer-Collector.

Ms. Kerry Speidel, Finance Director/Treasurer-Collector, briefly reviewed FY03 disbursement requests presented thus far and stated there is sufficient revenue to cover said requests.

It was on motion unanimously

VOTED: Acting as Co-Trustees of the Town Trust Funds, to approve FY03 allocations for disbursement requests from the Town Trust Funds in the following amounts, as presented by the Finance Director/Treasurer-Collector:

Cheri-Anne Cavanaugh Fund	\$ 4,000.00
Goodnow Library	15,500.00
Forest Bradshaw	250.00
Lydia Raymond	400.00
Rhodes Memorial	800.00
Gertrude Farrell	26.38
Discretionary/Charity	6,500.00
Raymond Mausoleum	1,000.00
Perpetual Care/Cemetery	<u>40,000.00</u>
TOTAL	\$ 68,476.38

Proposed Acquisition of Dickson Property, Water Row

Present: Sigrid Pickering, Chairman, Land Use Priorities Committee, and Co-Chair, Community Preservation Committee, and member of Sudbury Valley Trustees.

The Board met with Sigrid Pickering to explore the Board of Selectmen's interest in holding a property on Water Row known as the Dickson Property, until the Community Preservation Committee has had the opportunity to evaluate the purchase.

The Board was in receipt of the following information:

1. Information packet, dated September 24, 2002, from Sigrid Pickering, Chairman, Land Use Priorities Committee, and Co-Chair, Community Preservation Committee, containing (a) letters of support from Conservation and Historical Commissions; (b) plot plan showing land in proximity to Haynes Garrison site and conservation area known as King Philip Woods; (c) offer to the Town, dated November 27, 2001, land from William A. (Pat) Dickson, Trustee for the Keplin Land Trust, relative to purchase by the Town of 2.39 acres of land on Water Row; and (d) copy of the property appraisal.
2. Memo, dated September 16, 2002, from Town Counsel, suggesting an agreement be written with appropriate contingencies to hold the property for future purchase, with the caveat of necessary Town Meeting approvals and funds appropriation.
3. Memo, dated September 13, 2002, from the Town Manager, suggesting the Board view this decision as whether or not it wishes to "hold" the property for a seven month period to allow due diligence.

Ms. Sigrid Pickering, briefly reviewed events thus far, stating she had met with Mr. Dickson who had been willing to wait until 2002 Town Meeting and the outcome of the vote on the Community Preservation Act, having originally approached the Town about the property in November of 2001. Ms. Pickering reported she has successfully negotiated the purchase price down from \$475,000 to \$440,000, with

a donated down payment from neighbors of \$10,000, making the final purchase price to the Town \$430,000. She stated the Dickson family will not consider any further price reductions as there is also a private buyer willing to pay their price.

Chairman O'Brien expressed concern about the possibility of setting a precedent for other land sales, and the nonrefundable down payment being at risk. He acknowledged the \$10,000 has been raised via private donor pledges. Ms. Pickering stated the donors are well aware that they are simply providing an opportunity to initiate a purchasing process and are also aware their money is at risk. Mr. O'Brien explained his concern that a group of residents may "work" a special deal with a landowner before drawing the Town into the process, and then may make impassioned pleas on behalf of their own efforts.

Selectman Drobinski opined that, though this may occur, there must be faith in the Town Meeting system to do the right thing. Selectman Roopenian stated a signed Purchase and Sale Agreement in no way moves the purchase of this property ahead of other projects. Each must be considered on its own merit. She clarified that projects under consideration by the Community Preservation Committee will be reviewed by all appropriate Town boards and committees.

Chairman O'Brien suggested a trust, such as Sudbury Valley Trustees, take on this project before the Town brings it before the residents at Town Meeting. Ms. Pickering asked if it would be preferable for SVT to sign the Purchase and Sale Agreement. Town Manager Valente stated this option had been explored and not recommended because the Town loses control on the terms of the P & S. Selectman Roopenian expressed concern for the Board having to make a quick decision. Ms. Pickering stated that, at this time, Mr. Dickson is interested in knowing the Town's interest and presumed intent. Selectman Drobinski stated that even if a P&S is signed on behalf of the Town, it is important to notify the Dickson family that the purchase must still pass all Community Preservation Committee criteria and Annual Town Meeting. There are no guarantees for successful purchase by the Town.

Ms. Pickering asked if, in the future, the Board would prefer the SVT to negotiate land purchases on behalf of the Town. Town Manager Valente stated that, while the technical expertise of SVT is helpful, it may create unnecessary complications to someone other than the Town involved in the negotiation process.

After discussion, it was on motion

VOTED: To direct the Town Manager to work with Town Counsel to draft a Purchase and Sale agreement to submit for the Board's review. (Selectman Roopenian and Selectman Drobinski, in favor; Chairman O'Brien, opposed).

Interviews – Board of Appeals Associates/Earth Removal Board

Present: Stephen Garanin, 39 Griscom Road; and Jeffrey Klofft, 15 Ironworks Road; Candidates.

The Board interviewed two candidates for possible appointment to the Board of Appeals Associates and Earth Removal Board to fill vacancies. The Board thanked both candidates for expressing interest and coming in for interviews.

Mr. Stephen Garanin stated he has lived in Sudbury almost two years and is interested in getting involved in local government. He stated he attended Town Meeting the past two years and was disturbed that residents left after particular issues were voted and did not stay for the entire meeting. He stated he chose this Board because of his contracting background. He expressed concern that there have been nine

overrides in recent years, leading him to conclude taxes are out of control. Responding to a question from Selectman Roopenian, Mr. Garanin stated he was aware this appointment requires a five-year commitment.

Mr. Garanin stated his experience as a manager has trained him to be a good listener and to assess and evaluate information in order to reach an informed decision. He can then take the facts and apply them to the regulations at hand. He stated he has no problem making decisions that may be unpopular.

Responding to a question from Chairman O'Brien, Mr. Garanin stated he would have no problem increasing his involvement should a position as a full member of the Board of Appeals open up. He stated he has no "agenda" or pet projects that he would favor.

Mr. Jeffrey Klofft stated he served on the Zoning Board in Marlborough and has experience in zoning issues including Chapter 40B cases. He stated he enjoys the zoning process and seeing projects through to their resolution. Responding to a question from Selectman Drobinski, he stated the hardest decision he had to make in Marlborough dealt with the Rockport Shoe Building, located on a corner with a difficult configuration. It was obvious that it would be difficult due to the number of deviations from the norm, yet the board was able to work it out eventually. Sometimes a decision involves a number of trade-offs, in order to protect the public good and fulfill as many regulations and requirements as possible, he concluded.

Mr. Klofft stated he has no agenda other than enjoying the process. He stated he briefly looked at the Zoning Bylaw, but has not studied it in any detail. He stated he would have no problem increasing his involvement should the need arise.

Mr. Klofft stated he had not looked into other boards or commissions, as his experience and preference is in the zoning area. He added that, if this appointment did not work out, he would certainly look into other opportunities.

Utility Petition #02-2 – Dutton Road at Moore Road

The Board was in receipt of a memo, dated October 4, 2002, from Christine Cosby, NSTAR Electric, withdrawing Utility Petition #02-2, dated August 13, 2002 for a pole location on Dutton Road. Ms. Cosby stated the existing pole is supporting the new cables; therefore, a new pole is not necessary at this time. The Board acknowledged withdrawal of the utility petition.

Site Plan #00-356 – ESS Sudbury Athletic Academy LLC

Present: Myron Fox, Rollins, Rollins & Fox; Bruce Eye, Schofield Bros. of New England; D.J. Bosse, applicant; Jody Kablack, Town Planner.

The Board reviewed a letter, dated September 12, 2002, from Myron J. Fox, Rollins, Rollins & Fox, attorney for the applicant, submitting a Request for Extension, specifically an additional year within which to commence construction, expiring on September 17, 2003. Due to the litigation filed against the applicant and the Town, the applicant was unable to begin construction during the time period set forth in site plan approval.

Mr. Myron Fox stated there have been no significant changes to the Site Plan from what was approved previously by the Board. The applicant will submit final plans, including landscape, lighting, and

other supporting drawings to the Selectmen's office. He stated some internal changes, room size, etc. are a result of the legal settlement. The basic footprint of the building, however, is unchanged.

It was on motion unanimously

VOTED: To grant a one-year extension of Site Plan #00-356 Special Permit to ESS Sudbury Athletic Academy LLC for property located at 141 Boston Post Road, said extension to expire September 17, 2003.

The Board reviewed the following new information: (1) Letter, dated September 20, 2002, from Myron J. Fox, Rollins, Rollins & Fox, stating Mass. Highway Dept. does not believe the site is suitable for a deceleration lane, and further stating Mass. Highway is requiring the new entrance to be 30' wide and have a 30' radii, large enough for an entering vehicle to decelerate on the site before reaching the parking lot. Mr. Fox suggested the Board consider using the \$53,000 for traffic mitigation. (2) Report, dated September 23, 2002, from the Town Engineer, recommending the Board allocate the \$53,000 for traffic mitigation for the design of a traffic control signal at the intersection of Goodman's Hill Road and Boston Post Road. (3) Memo, dated October 2, 2002, from the Town Planner, concurring with the Town Engineer's recommendation to use the money to begin the design of a traffic control signal at Goodman's Hill Road and Boston Post Road.

Town Manager Valente opined that using the \$53,000 for general traffic mitigation in the area rather than specifying its use for the deceleration lane or a traffic signal may be more beneficial to the Town and this project. She noted Mr. Fox's concern as stated in his letter that, in order to meet Mass. Highway requirements, the proposed work may use up all the \$53,000 and delay the project by several months.

Mr. Fox reminded the Board the applicant will donate \$53,000 to the Town no matter what specific purpose is attached to it. It will be up to the Selectmen to determine the exact use of the money. He recommended waiving the requirement that the funds be used specifically for a deceleration lane [items 22 and 23 in the Decision]. Condition 23 states approval by Mass. Highway Dept, "unless waived by the Selectmen". Mr. Fox stated, as Mass. Highway does not believe the site is suitable for a deceleration lane, it seems prudent to apply the funds toward other traffic mitigation.

Mr. Fox suggested waiving Condition 23, which specifies work to the shoulder of the road, as a condition of the Occupancy Permit. He stated Mass. Highway is not enthused about the changes and they would cost more than the stated \$53,000. He stated the applicant has no objection to paying the money, but does not recommend the specific deceleration lane Mass. Highway would require.

Mr. Ey stated they are currently in discussion with Mass. Highway to amend the original curb cut permit. He stated there will be a 90-foot curb cut, which will allow adequate space for turning into the site without a deceleration lane. Widening the shoulder requires easements to the State, engineering costs, etc., all of which would significantly increase construction time.

Jody Kablack, Town Planner, stated she just received proposed new standards for roads in communities such as Sudbury, which generally have narrower, older roads, and which are in a "comment" period. She suggested the Selectmen not make a decision on the road shoulder until the new standards are finalized. She recommended the applicant move forward on amending the curb cut permit as that does not affect the widening of the road. Ms. Kablack stated the Selectmen can always put that Condition back in as a requirement before occupancy once the new road requirements are finalized.

Mr. Fox opined the construction of the building would be complete and ready for occupancy before the standards are finalized. He stated the applicant has no objection to doing the shoulder work at that time, as long as the building can be occupied. He stated further the financing is being held up until the Selectmen make a decision on this condition.

It was clarified that removal of this condition eliminates the developer's obligation to perform the work of widening the shoulder.

Chairman O'Brien suggested removal of the condition from the Occupancy Permit requirements, in order for the applicant to move forward on the financing. He opined maintaining Condition 23 within the Decision as a stand-alone condition. Mr. Fox opined the Building Inspector always has the authority to withdraw an Occupancy Permit if a Condition is not fulfilled. Mr. O'Brien proposed that specific language be prepared with Town Counsel.

It was agreed that Mr. Fox would discuss the issue with Town Counsel to develop appropriate language to ensure enforceability. The applicant will move forward with amending the curb cut application for the new entrance location and width.

Site Plan #01-362M – Roche Bros.

Present: Bruce Ey, Schofield Bros. of New England

At 8:45 p.m. Chairman O'Brien reconvened a Public Hearing for the purpose of continued consideration of Site Plan Application No. SP01-362M of Roche Brothers, d/b/a Sudbury Farms 439 Boston Post Road, for modification of Site Plan No. SP99-348 (continued February 11, March 11, April 22, May 20, June 24, August 13, and September 3, 2002).

The Board was in receipt of the following new information:

- 1) Letter, dated September 19, 2002, from Bruce Ey, Schofield Brothers of New England, submitting a revised site plan (revision date September 19, 2002) including the following revisions: elimination of 4 planting squares and three large landscaped islands; the addition of seven 5' x 5' landscaped islands each with a 3" caliper honey locust tree; re-stripe the parking area including moving two light standards; installation of a 5' wide walkway along Route 20 at the time one is added to the abutting parcel; revision to the parking table showing 291 parking spaces with the request to waive 7; and revision to the open space/landscaped area calculation as a result of the 25-car gravel parking area to the rear of the building. The letter further explained that the "1776 Plaza" sign will be removed, and Roche Bros. asks for the Board's support when the owner applies for relocation of a new sign.
- 2) Report, dated October 1, 2002, from Jody Kablack, Town Planner, stating she had reviewed the parking lot revisions, and providing the following recommendations: (a) that three additional 5' x 5' islands be installed in the parking lot so that each of the five aisles contains two islands; (b) that the Selectmen endorse the use of funds in the townwide walkway account to complete the walkway project on the abutting parcel, should the property owner not do so; (c) as previously discussed, that a sign at the Route 20 exit requesting motorists use the signalized intersection located at Sudbury Crossing; (d) that the westernmost landscape planter not be removed as previously recommended, as removal would be costly, and a pedestrian path striped in front of the planter be required; and (e) a signature block for the Selectmen, Building Inspector and Director of Public Works must be added to the plan.

Mr. Ey stated all issues are finally resolved, including the sidewalk between the parking lot and Route 20, and removal of the "1776" sign, which shall be replaced at a later date. The applicant would like to construct that walkway at the same time as the walkway on the adjoining property is constructed so the two can be connected.

Ms. Jody Kablack, Town Planner, stated the Town is in possession of the required funds in the Townwide Walkway Fund for that adjacent walkway, and opined construction could take place in the spring or whenever mutually agreeable. The Board was agreeable with the use of the Walkway Fund if it becomes necessary.

Mr. Ey concurred that construction of the applicant's portion of the walkway would also not take place until the spring. He stated other improvements to the parking lot include restriping of the parking lot, movement of two light standards, and replacing trees, noting that reconfiguration of the trees did not eliminate as many parking spaces as originally thought.

With regard to Ms. Kablack's suggestion of placing additional tree islands, Mr. Ey stated the trees cannot be lined up due to dimensional differences and suggested seven trees as adequate. He opined trees in planters can sometimes be an impediment to drivers and may be detrimental to snow removal. Ms. Kablack stated the trees do not have to be lined up, just have two trees in each row.

Selectman Drobinski opined the original intent of adding trees was to create continuity with the landscaping of the adjacent property. He opined further that the adjacent property owner does not seem to have difficulty with snow removal. Selectman Drobinski expressed his desire to have the full ten tree islands recommended by the Town Planner installed, with which Mr. Ey agreed.

Mr. Drobinski pointed out one parking space that should be eliminated as it is very close to the front of the store and might be a tight fit for traffic flow. Ms. Kablack stated the restriping has moved parking spaces 8 feet further away from the store, approximately the width of one parking space. Mr. Ey stated the new striping was drawn with pedestrian safety in mind. The Board concurred that removal of the spaces was not necessary.

Chairman O'Brien expressed concern for the concrete pad in front of the store, which sometimes contains very full displays. Mr. Ey stated the 2-foot front pavement area will be painted a solid yellow, if the Town Engineer would prefer it that way. He stated he has also spoken to the store manager about keeping it less full of items which would impede pedestrian movement.

With regard to the large planter in front of the store, Ms. Kablack stated the applicant has requested they not be required not to move it, as it is substantial and does create a pedestrian boundary. The Board concurred. It was pointed out the new plan dated September 19 includes markings for a pedestrian walkway in front of the planter and storefront.

With regard to the left hand turns exiting the site, Mr. Ey stated a sign will be placed at that exit, stating that motorists wishing to travel on Route 20 West please exit at the traffic lights.

Mr. Ey stated the sidewalk will be connected on the west to the existing sidewalk on State property.

Mr. Ey thanked the Board for its patience while the applicant worked to resolve the sign issue.

It was on motion unanimously

VOTED: To close the public hearing on Site Plan Application SP01-362M of Roche Brothers, d/b/a Sudbury Farms, 439 Boston Post Road, for modification of Site Plan SP99-348.

It was further on motion unanimously

VOTED: To direct the Town Manager to instruct Town staff to prepare a Draft Decision, based on the September 19, 2002 revised site plan, and including changes agreed upon this evening incorporating the recommendations set forth in the Town Planner's report dated October 1, 2002.

Executive Order 418

Present. Jody Kablack, Town Planner.

Town Manager Valente asked for the Board's input on whether the Town should pursue grants in the amount of \$30,000. She noted there is a fair amount of paperwork that must be completed by way of application and questioned whether it was worth the time and effort of staff at this particular time.

Jody Kablack, Town Planner, opined the intent of the grants was originally to encourage communities to develop a Master Plan, so Sudbury is already ahead in that regard. She noted, however, that having a Master Plan is not the only criteria, but that the grant process involves several specific areas. She expressed concern that a governing body would regulate something the Town has already successfully put in place.

After discussion, the Board agreed to not pursue these grants, due to higher priority projects requiring the time and effort of the Town Planner at this time.

Town Forum – Board of Assessors

At 9:06 p.m. Chairman O'Brien convened Town Forum with tonight's presentation from the Board of Assessors. Ms. Maureen Hafner, Director of Assessing, introduced Board of Assessors members present, including Trevor Haydon and Liam Vesely, as well as Assistant Assessor, Cynthia Gerry.

Ms. Hafner distributed information describing what the Assessors Office does, including new home inspections (for valuation purposes), valuation revisions due to renovation/remodeling, roll back tax assessments, excise taxes, abatements, exemptions, and preparation of Quarterly Tax Bills. She briefly reviewed assessing activities of the past year.

Report concluded at 9:36 p.m. Refreshments were served.

Early Retirement Incentive – Informative Presentation

Present: Wayne Walker, Assistant Town Manager; John Longo, Gerry Shea, Town and School employees.

Wayne Walker, Assistant Town Manager, briefly reviewed the Early Retirement Incentive Program, recently passed into law by the State legislature. It is designed to help municipalities cope with the recent financial crisis by allowing early retirement of certain eligible employees so that the town can avoid making layoffs to reduce staffing. A vote of the executive body, the Board of Selectmen, is required for the law to be

accepted for the Town of Sudbury. Town and school employees were notified of this informational meeting and invited to attend.

Mr. Walker briefly reviewed eligibility requirements, a combination of date of hire, age, and years of service, and membership in the Middlesex County Retirement System. He opined there are currently 27 Town or school employees who meet these requirements. Employees also fall into different categories. The Board of Selectmen can limit the Town's involvement with this legislation to a certain number of persons within each grouping or other criteria. There is a November 1, 2002 deadline for the Board to make a decision. Theoretically, if an employee elects to retire under this program, the Town would then be able to fill those vacancies with individuals who are at a lower earning scale, thereby saving the Town some money in salaries. Mr. Walker reviewed projected costs and savings for a five-year period.

Town Manager Valente stated some communities are opting for the program as a way to reduce the workforce by not replacing retiring employees. Those communities have not experienced the growth Sudbury has. She stated every position listed on the list at this time would have to be filled.

Selectman Roopenian asked what benefit this program would provide to Sudbury. Mr. Walker acknowledged that with the projected costs and current hiring practices, the program does not seem to be beneficial to the Town. It is unknown how many employees would take advantage of the program.

Police Officer John Longo stated that, to his knowledge, there are very few employees in the Police Department who would be eligible for this program. He indicated that he believes there are only two officers other than himself who would be eligible, also noting that all of them need only two or three additional years of service to receive their maximum allowable retirement pension. For this reason, he stated his opinion that the Board should act to make the early retirement incentive available to these officers, each of whom have served the Town thirty years or more. He stated that many other police officers are not near enough to the required age or level of seniority, which would make them eligible, even with the addition of five years of service or five years in age. He then expressed concern that the financial analysis presented to the Board appears to be unnecessarily bleak. Town Manager Valente stated the projected costs are estimates based on certain assumptions specific to the regulations of the program. No actual employee's proposed retirement scenario was used, due to confidentiality issues.

Gerry Shea, an employee of the Public Works Department, opined that Group 1 employees have historically not received as many benefits as police and fire personnel, which are classified in Group 4. He also expressed concern that a budget shortfall in the next fiscal year might require layoffs and that the DPW would likely be targeted to lose personnel. Should the Board decide not to accept this retirement incentive program, and layoffs are necessary due to budgetary constraints, newer employees who could have remained if the most senior employees were allowed to retire through the program could be lost. He expressed his belief that this program would be beneficial for groups other than Police and Fire. Mr. Shea opined only three individuals at the Public Works Department would take advantage of this program. Chairman O'Brien stated the Board cannot interrogate people to determine who would be interested, and individual circumstances could change before any commitment on the part of employees to retire is made.

Mr. Walker stated he presented the same information to the Finance Committee, who stated they would take it under advisement. Chairman O'Brien stated he is not ready to make a decision tonight. Town Manager Valente offered to look at additional scenarios for review. She stated some towns have experienced a higher level of applications once the decision was made, as people change their minds.

It was agreed to include this matter on the next Selectmen's agenda, with significant time for discussion, and to have the Finance Committee's input before making a decision. The Board thanked the employees for attending and offering their input on this issue. The Board thanked Mr. Walker for his presentation.

FY03 Police/Fire Accident Insurance Renewal

Present: Wayne Walker, Assistant Town Manager.

Wayne Walker, Assistant Town Manager, stated Police and Fire employees are not covered under workman's compensation so the Town provides separate coverage. He reiterated his recommendation as stated in his memo, dated September 18, 2002, to increase policy limits for the Town's Police and Fire Accident coverage from the Hartford Insurance Agency as follows: Principal Sum from \$200,000 to \$300,000; Accidental Medical Benefit from \$100,000 to \$200,000; Designated Diseases from \$100,000 to \$150,000; and Weekly Indemnity from \$50.00 to \$1,000.00. The quoted premium for the higher limits is \$21,981, a 7.1% increase over the premium cost of \$20,516 for the current policy limits. Town Manager Valente recommended approval of the higher limits and that the Selectmen authorize her to execute applicable documents for said coverage.

It was on motion unanimously

VOTED: To authorize the Town Manager to execute applicable policy/contract documents for the higher coverage limits as stated in Mr. Walker's memo of September 18, 2002.

Traffic Rules and Orders – North Road

Present: Safety Officer Ronald "Rocky" Conrado.

The Board reviewed a letter, dated September 18, 2002, from Safety Officer Ronald "Rocky" Conrado, expressing concern for safety at Davis Field along North Road, due to sports enthusiasts parking in inappropriate places on Rt. 117, on residents' lawns and blocking entrances. During one sporting event, emergency vehicles could not enter the site on behalf of an injured player as a vehicle blocked the entrance. Officer Conrado requested the Board approve the placement of "No Parking" signs along North Road from the intersection of Dakin Road to the driveway of 142 North Road. This is an area with a curve where sight distance is not good.

Officer Conrado briefly reviewed the situation he related in his letter. He expressed concern that cars are being parked on both sides of North Road, and he stated further he has seen children run across the road to get drinks and equipment from cars. He noted there is a 40-mph posted speed limit, and drivers slow down just to get to the speed limit. He stated his belief that this is just "an accident waiting to happen", and every effort should be made to keep the children safe.

Officer Conrado stated he later met with Mr. Dennis Mannone, Director, Park and Recreation. Together they worked out a plan to stagger the event times to alleviate some of the congestion that occurs when one event begins immediately after one has concluded. One sports activity will be moved to the field at the Curtis Middle School. Letters went out to parents informing them of these changes. Officer Conrado has been to the field since these changes were made, and found it to be significantly improved. The Park & Rec. Department will offer the services of some of its staff to aid in parking within the parking lot.

Town Manager Valente stated she would speak to the DPW Director to see if additional parking spaces can be created at the field. Selectman Roopenian expressed concern for children playing within parking areas where motorists cannot see them.

It was on motion unanimously

VOTED: To amend the Town of Sudbury Traffic Rules and Orders in Article V. PARKING, Section 2. PARKING PROHIBITED ON CERTAIN STREETS, by adding the following:

“North Road (Rt. 117) both sides, from Dakin Road to 142 North Road.”

Minutes

It was on motion unanimously

VOTED: To approve the minutes of September 3, 2002, as drafted.

Council on Aging Donations

It was on motion unanimously

VOTED: To accept \$383.50 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.

Earth Decade Committee – Composter Sales

It was on motion unanimously

VOTED: To accept donations totaling \$1,020.00 collected by the Earth Decade Committee as proceeds from the sale of composters to be deposited into the gift account established by vote of the Selectmen on May 6, 2002.

D.A.R.E. Donation

It was on motion unanimously

VOTED: To accept a donation in the amount of \$500.00 from Mike Quinn Productions, Inc., to be deposited into the D.A.R.E. Donation Account and expended under the direction of the Police Chief for the D.A.R.E. program.

Walkway Fund – Foreign Motors West

It was on motion unanimously

VOTED: To accept a gift in the amount of \$10,000.00 from Foreign Motors West for the Walkway Fund to be expended under the direction of the Director of Public Works.

Drainage Easement – Sudbury Green LLC

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a Drainage Easement granted by Sudbury Green LLC and shown on “Dudley Road Drainage Easement Sketch Plan”, by Schofield Bros. of New England, Inc., dated April 5, 2002; said easement is a requirement for the Maillet subdivision on Dudley Road. [Note: Town Counsel has approved format of said easement.]

Walkway Easement – 66 Mossman Road

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a Walkway Easement granted by Hector Vasquez, dated September 6, 2002, on property located at 66 Mossman Road, as shown on “Plan showing Walkway Easement over land of Hector Vasquez, 66 Mossman Road, Sudbury, MA”, dated September 23, 2002, drawn by Town of Sudbury Engineering Department. [Note: Town Counsel has approved format of said easement.]

Board of Appeals – Resignation

It was on motion unanimously

VOTED: To accept the resignation, dated September 3, 2002, of Mark A. Kablack from the Board of Appeals, effective September 24, 2002, public hearings on which he has been sitting having been completed September 23, 2002; and to send a letter of appreciation for his service.

Bike Trail Committee – Appointments

It was on motion unanimously

VOTED: To appoint Jennifer K. Pincus and Thomas A. Rockwell to the Bike Trail Committee for an indefinite term, as recommended by the Town Manager following her interview with each candidate.

Goodnow Farms Walkway – Northland Residential Corporation

In confirmation of the Board’s decision on September 3, 2002, it was on motion unanimously

VOTED: To approve and affirm an amendment to the conditions set forth in a certain letter from Northland Residential Corporation to the Town, dated September 17, 2002, by deleting in its entirety the requirement to install a bituminous sidewalk along Goodnow Road between the farm pond and Hudson Road, and by adding in its stead the following condition:

“In lieu of constructing a sidewalk along Goodnow Road, Northland Residential Corporation has offered to make a donation to the Town in the amount of \$10,000, and the Selectmen accept the same.”

And, further, to authorize the Chairman to execute whatever documents are necessary to be recorded at the Registry of Deeds.

Deliberation on Board of Appeals Associates Appointments

The Board expressed its desire to delay deliberation on making these appointments until all candidates have been interviewed.

2003 Town Meeting Articles

Town Manager Valente submitted a draft list of articles for the 2003 Annual Town Meeting for the Board's review. She asked they review it and begin thinking of other issues they think should be included. The Board approved the list for preparation purposes only.

Frost Farm Trail Easement

The Board was in receipt of a report, dated October 4, 2002, from the Town Planner, submitting a trail easement for the Frost Farm senior housing development. Ms. Kablack stated the easement is on property leased by Bay Avary. She stated she has forwarded this to the Conservation Coordinator for final review.

Selectmen Drobinski asked if a long standing issue about access to White Pond had been resolved with the Town of Concord and inquired about whether Concord had reviewed the easement. Town Manager Valente stated she received the Conservation Commission's report just this afternoon. She noted the Commission has had concerns about this easement, but that she did not have time to review the report to determine those concerns. She suggested the Board hold this matter for discussion at the next meeting. The Board concurred.

Executive Session

At 11:17 p.m. it was on roll vote unanimously

VOTED: To go into Executive Session for the purpose of discussing litigation matters. (Chairman O'Brien, aye, Selectman Roopenian, aye, Selectman Drobinski, aye.)

Regular session will not reconvene following Executive Session.

There being no further business, the meeting adjourned at 11:23 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk