

IN BOARD OF SELECTMEN  
TUESDAY, DECEMBER 2, 2003

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

The statutory requirement as to notice having been complied with, the meeting was convened at 7:30 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

On behalf of the Board and Town Manager, Chairman Roopenian extended condolences to the Bardsley family, whose son passed away last week.

Chairman Roopenian announced the availability of the Budget and Fiscal Plan 2004, a document which supplements the Annual Town Report. She stated it is written in lay terms and easily explains how town government works. The Town Manager agreed to send a copy of the document to the Goodnow Library for any residents interested in reviewing it.

**Hop Brook Protection Association**

Present: Frank Lyons, President, HBPA.

Mr. Frank Lyons, President, Hop Brook Protection Association, distributed an update on the status of the discharge situation with the Marlborough Easterly Wastewater Plant. This consisted of letters and documents from the Environmental Protection Agency promising the new permit will be put out to public notice on or about December 5, 2003. Mr. Lyons indicated the new permit needs to have standards for water quality included as well as the regulating of the level of phosphorous discharged into Hop Brook and asked for the Board's support in this regard at any meetings they may hold with government agencies. He regarded the most recent steps with "cautious optimism" in resolving issues with the Marlborough Easterly Wastewater Plant.

**Utility Petition #03-08 – Field Road**

Present: Russ Grenier, contractor; Eric Baize, 26 Field Road.

At 7:45 p.m. Chairman Roopenian convened a Public Hearing to consider Utility Petition #03-08 of Boston Edison Co., d/b/a NStar Electric, for location of approximately 55 feet of conduit in Field Road at approximately 740 feet east of Dakin Road.

The Board considered the following information: (1) petition and plan (Work Order 1292112), dated November 5, 2003, from Richard Schifone, Supervisor, Rights and Permits, Boston Edison, requesting a Grant of Location to install a distance of approximately 55 feet of conduit in Field Road to provide underground electric service to a new horse barn at #38 Field Road. (2) report, dated November 18, 2003, from the Town Engineer/DPW Director, stating a street opening permit would be required from the Public Works Department to install conduit at this location, and further, that, due to the lateness of the season, he would not allow the street to be opened until spring. He stated this did not preclude NStar from boring or jacking under Field Road. (3) report from the Wiring Inspector dated November 25, 2003, stating he had no issues concerning this petition. (4) report, dated December 1, 2003, from Christine Cosby, NStar, stating a representative would not be available on December 2, but questions could be postponed until December 16

when NStar will present another utility petition. (5) report, dated December 2, 2003, from Jan Silva, stating the work for this utility petition has already been completed, without benefit of Selectmen approval.

Town Manager Valente stated it had come to her attention that the work on this petition had already been completed. She reported the DPW Director has instituted a new policy for street opening permits that checks to see if the Board of Selectmen approval has been received before issuing the permit. The Board expressed displeasure that NStar did not file for the petition in a timely manner.

Mr. Eric Baize, 26 Field Road, stated services to his home were disrupted when the conduit was installed. His electric and phone service were interrupted for approximately 2 hours, the cable television service for almost 48 hours.

Mr. Russ Grenier, builder for the property owner, stated he did not know there were issues with the project until today when the Wiring Inspector came out to inspect the project. Chairman Roopenian asked about disturbance to the area. Mr. Grenier responded the road was opened approximately two weeks ago, the conduit installed, the road closed, but noted a six-foot trench at the new transformer remains open and the hookup unconnected until the NStar inspector can approve the work already done. He stated it was his understanding the services were interrupted when an unlabeled line was cut. DigSafe had not identified it in its survey of the area. The service was restored at the transformer that presently services this street.

The Board directed the Town Manager to consult with Town Counsel about recourse options and the possibility of fining NStar for proceeding without the Board's approval.

It was on motion unanimously

VOTED: To continue this matter until December 16, 2003 in order to discuss it with the NStar representative at that time.

**Site Plan #03-371 – Omnipoint/T-Mobile**

Present: Paul Gascoigne, Zoning Representative, Omnipoint Holdings, Inc.; Jody Kablack, Town Planner.

At 7:55 p.m. Chairman Roopenian convened a Public Hearing to consider Site Plan Application #03-371 of Omnipoint Holdings, Inc., a wholly-owned subsidiary of T-Mobile USA, Inc., in accordance with Town of Sudbury Bylaw Article IX.6000, Section 6300, Site Plan Review, to construct a wireless communications facility consisting of a power mount pole erected through the center of an existing 100'5" Boston Edison/NStar power utility tower, on property located at 163 Boston Post Road, (shown on Town Property Maps K10-014 and K11-402), owned by Boston Edison Company, zoned Industrial District #4 and Residential A-1. The application as last revised is for a 130' pole to accommodate three carriers.

Notice of the Public Hearing was duly posted and advertised in the *Sudbury Town Crier* on August 7 and 14, 2003. Abutters within 300 feet according to the Assessors were provided written notice by first class mail. The Planning Boards of Acton, Concord, Framingham, Hudson, Lincoln, Marlborough, Maynard, Stow and Wayland were provided notice by first class mail. Additionally, the Sudbury Planning Board and other boards and officials were notified and requested to report to the Selectmen.

The Board is in receipt of the following:

1. Site Plan application dated May 27, 2003, received July 8, 2003, enclosing site plan drawings entitled "4DE-B009-G, BECO SUDBURY, Boston Post Road (Route 20), Sudbury, MA 01776", dated May 13, 2003, revised May 22, 2003, drawn by Coler & Colantonio, Inc., Norwell. Revised plans showing revision dates of August 4, 2003, October 8, 2003, and November 19, 2003, were subsequently submitted comprised of Sheets Z-1 Existing Conditions & Plot Plans, Z-2 Site Plan & Partial Site Plan, Z-3 Elevation & Details.
2. Report from the Building Inspector James F. Kelly, dated July 22, 2003, commenting that a special permit and variance will be required from the Board of Appeals, the ability to locate other wireless communication equipment on existing towers is strongly encouraged, the alteration to the tower is minor and the structure is not visible from the road, and the Building Department recommends approval. An additional report dated October 14, 2003, notes that the utilities appear to be underground where they cross Route 20 and there is no detail of the fence design.
3. Report from the Building Inspector dated December 1, 2003, stating he had reviewed the proposed change and found no problems or concerns to bring to the Board's attention. He stated further the site plans still do not include the address, 163 Boston Post Road, and that he was not aware of the Board of Appeals decision with regard to the applicant's request for a special permit and variance.
4. Report from the Town Engineer/DPW Director dated July 16, 2003, commenting:
  - 1) The existing topography on the plan submitted appears to be identical to the AT&T plan approved by the Board dated June 28, 1999. There appears to be no reference whether this information was compiled or from an on-the-ground survey.
  - 2) On the easement plan (sheet Z-2), a notation has been added stating no proposed site grading required. However, the partial site plan and easement plan have notations stating a 10-ft. wide access drive surfaced with compacted processed gravel and a 10-ft. x 20-ft. gravel turnaround are being proposed.
  - 3) In the application, 48 cubic feet of earth is to be removed for an equipment pad. No calculations for the removal of material for the access drive and turnaround have been submitted.
  - 4) A Notice of Intent will have to be filed with the Conservation Commission for work within 100-ft. of a resource area.Further report from the Town Engineer dated October 16, 2003, commenting on the Oct. 8 plans:
  - 1) An area of approximately 225 sq. ft. will be disturbed for the placement of 3" of crushed stone and a concrete pad for the T-Mobile cabinets. This area of disturbance is minor, and I therefore recommend the Board grant a waiver to section 3427, stormwater runoff.
  - 2) The applicant proposes to place utilities underground from pole 18-21 Boston Post Road approximately 130 feet into the site, then overhead for approximately 490 feet, then underground 230 feet to the proposed tower. Further explanation should be given as to why the projected utilities are not proposed underground for the entire length.
  - 3) A street opening permit will be required from Massachusetts Highway Department, District III, in Worcester.Additional verbal report dated November 28, 2003, by Mr. Place advising he had no further comments relative to the revised plans of November 19, 2003.

5. Report from the Town Planner to the Planning Board dated November 5, 2003, commenting on the October 8, 2003 plans, noting that under discussion at the recent Board of Appeals' meeting was a possible change in height of the tower to 130' to accommodate 3 carriers, and providing the following information and recommendations for the Planning Board's consideration:
  - 1) Revised photo simulations of the 130 foot tower should be submitted for the file.

- 2) The Board of Appeals has waived the requirement for a balloon test due to one being done in 1999 for the AT&T proposal.
  - 3) Areas around the tower base should be designated for future equipment needs of the additional two carriers.
  - 4) The plan sheets will need to be revised to show the new height, the stealth pole with interior mounted antennae, and the additional equipment areas.
  - 5) Building coverage calculations must be added to the plan.
  - 6) Signature blocks must be added to each plan sheet.
  - 7) The physical improvements to the access easement area must be explained. Will the extension of the driveway be paved or gravel? To what width? What specifications?
  - 8) The source of the topography shown on the plan is not indicated.
6. Report from the Planning Board dated November 13, 2003, recommending approval of the Site Plan for installation of a three-carrier wireless communication facility, subject to the following conditions:
- 1) The tower height is desired at 130 feet in order to accommodate three carriers at this location, thereby reducing the overall number of towers needed in town. (After discussion, the Board assented to not require additional photo simulations at the 130 foot height.)
  - 2) Areas around the tower base should be designated for future equipment needs of the additional two carriers. These areas should be approved during this round of approval to alleviate the need for additional applications in the future.
  - 3) The plan sheets must be revised to show the new height, the stealth pole with interior mounted antennae, and the additional equipment areas.
  - 4) Building coverage calculations must be added to the Plan.
  - 5) Signature blocks must be added to each sheet of the Plan.
7. Report dated August 15, 2003, from the Design Review Board recommending approval, stating the project has no environmental impact.
8. Report from the Conservation Coordinator dated October 15, 2003, advising the Commission has not met concerning this site plan, and providing her comments as follows:
- 1) It is important that a new wetlands delineation be done and approved by the Conservation Commission through the Resource Area delineation process.
  - 2) It is unclear whether the additional poles for overhead utilities/new work will occur within wetland jurisdictional areas.
  - 3) She requested the Selectmen allow time for evaluation for jurisdictional determination before finalizing its Decision.
9. Report from the Conservation Coordinator dated December 1, 2003, stating that, at the Conservation Commission meeting on November 24, 2003, the Commission issued a negative Determination of Applicability for the installation of one telephone pole within wetlands jurisdiction on the T-Mobile site at 163 Boston Post Road, which approves the work as shown on the plan and described at the meeting.
10. Report from the Fire Chief dated November 28, 2003, stating he has reviewed the plans to date and has no problems/issues with the proposal.
11. Letter dated November 25, 2003, from Board of Appeals Chairman Jonathan G. Gossels, informing the Board as follows: "On November 24, 2003, the Board of Appeals reconvened its public hearing on the above-referenced petitions. At that hearing Paul Gascoigne, T-Mobile presented a revised plan showing a stealth wireless pole at a height of 130 feet capable of accommodating three carriers. The stealth installation

would be contained entirely within this pole structure, the dimensions of which would be a uniform diameter of 24 inches from the top to the base. Following Mr. Gascoigne's presentation, the Board was inclined to grant an approval with conditions. However, because this application was originally advertised as having a 120 foot pole, it must be re-advertised. Understanding Mr. Gascoigne's desire to bring this application to closure, but realizing the necessity for having to re-advertise, the Board agreed to formulate a draft approval for a 130-foot pole, with conditions, and to schedule a public hearing for January 6, 2004 in order that this matter may be voted on at that time. Since the Selectmen will be meeting December 2, 2003 for site plan review, the purpose of this memo is to convey our intent to approve the application as stated above."

12. Verbal Report from the Health Director dated December 1, 2003, stating he had no comments concerning Site Plan 03-371 of T-Mobile/Omnipoint, 163 Boston Post Road.

Ms. Jody Kablack, Town Planner, briefly reviewed reports received from Town boards and commissions.

Mr. Paul Gascoigne, Zoning Representative, Omnipoint Holdings, Inc., stated the plans he is using this evening are the most recently revised ones, dated November 19, 2003. The plans address many of the concerns raised in reports from Town boards and commissions. He stated they recently met with the Conservation Commission and Board of Appeals. The pole will now be a full stealth pole, and the height will be increased to 129'6", instead of the proposed 120', to accommodate a third wireless communications carrier.

Mr. Gascoigne stated utilities will be brought from Route 20, partially underground. Existing conduit originally installed by AT&T has since been filled by NStar. Utilizing drawings, he indicated where underground installation would have gone through a wetlands buffer zone. The proposed overhead installation of utilities causes minimal disturbance in the wetlands.

Mr. Gascoigne stated Omnipoint proposes to use an existing access road, without modifications. He stated the equipment will be located over 700 feet from the road, with no visual impact. There is space in the facility for two additional carriers.

Selectman Drobinski asked about an RF analysis for the site. Mr. Gascoigne responded an analysis was performed, and pointed out the "before" and "after" in coverage utilizing coverage maps. He stated that, due to the lack of wireless communications facilities in Wayland, this site in Sudbury is critical to improving coverage in the Route 20 area in Sudbury. He stated further that, during peak times of cell phone usage, the coverage capabilities decrease. Area topography makes reception difficult from some areas.

Responding to a question from Selectman O'Brien, Mr. Gascoigne stated he would provide a list of other Omnipoint facilities in the area. He stated they are looking for potential sites in Wayland and surrounding communities. Many of the Boston Edison towers in Wayland are along the Sudbury River and within wetlands.

Responding to a question from Selectman O'Brien, Mr. Gascoigne opined the owner of the tower [Boston Edison] would likely make space available to additional carriers at fair market price.

Mr. Gascoigne stated the front part of the site is zoned Industrial while the rear portion is zoned Residential.

Selectman O'Brien asked if there were any benefit within Omnipoint's proposal to assist the Town in meeting public safety needs. Mr. Gascoigne stated the development will create additional taxable revenue, presumably subject to assessment. He stated T-Mobile has 911 and other emergency requirements they must meet according to the FCC license agreement, and they are prepared to do so. He pointed out that, because they are using an existing facility, there is low visual impact, and businesses and residents will benefit from their service.

Selectman Drobinski asked about a police or fire antenna on the tower. Mr. Gascoigne stated Omnipoint could certainly do so, if space were available and the equipment were compatible.

Selectman O'Brien asked if public safety equipment could be purchased to assist existing communications equipment to increase coverage in areas (Water Row, for example) presently excluded from coverage. There are costs associated in getting this equipment functional, and Mr. O'Brien asked if Omnipoint might consider some assistance. Mr. Gascoigne stated he was not authorized to answer that question but opined Omnipoint typically does not make financial contributions in addition to permit fees and licensing agreements. He offered to take the question back to his company for response, and the Omnipoint representative in attendance on December 16 would be able to answer.

Selectman Drobinski asked why utilities are not proposed for underground installation the entire way. Mr. Gascoigne responded the installation would have gone through a wetlands buffer zone, causing much disturbance; therefore, the poles cause minimal disturbance (one in the buffer zone). Mr. Drobinski pointed out an area not in the buffer zone, yet not part of the underground installation. Mr. Gascoigne opined that may be a matter of expense. He reiterated the Conservation Commission's request to minimize disturbance, hence, the overhead wiring. Chairman Roopenian suggested getting additional information from the Conservation Commission on this issue. Selectman O'Brien concurred.

Selectman O'Brien asked the representative to bring a list of Omnipoint facilities, including sites being explored in both Sudbury and surrounding areas to the Board's meeting of December 16.

It was on motion unanimously

VOTED: To continue this matter until December 16, 2003.

### **Town Forum**

At 8:30 p.m. Chairman Roopenian convened Town Forum, during which reports were presented by Economic Development Committee, Sewer Assessment Citizens Advisory Committee, Planning Board and the Blue Ribbon Housing Site Selection Committee.

Jody Kablack, Town Planner, and Abner Salant, presented the report for the **Economic Development Committee**. Ms. Kablack stated the Committee has not met recently, opining the subcommittees have lost energy. She asked for the Board's support in revitalizing these groups. The original mission for the Committee was to explore ways to create revenue for the Town, equalize taxes and attract viable business to Sudbury. Previous efforts were concentrated on the Route 20 Business District, which began well, and interest from business owners slowly fell off. Disparity existed between small and large business owners. Ms. Kablack cited lack of resources prevented essential information from being disseminated to the business owners. Mr. Salant outlined other things the Committee could work on in the interim, including wastewater treatment for the business district, sewers, zoning changes, and other initiatives, as well as keeping track of things happening on a regional scale. Discussion followed.

Mr. William Cossart updated the Board on the efforts of the **Sewer Assessment Citizens Advisory Committee**. Also in attendance were members Peg Whittemore, Abner Salant, Ursula Lyons and Eric Poch. With regard to a wastewater treatment system, Mr. Cossart stated various issues must be studied, such as management, the financial aspects, and local issues such as publicity. He opined that eventually the operation and management of such a facility would be with a professional group that specializes in those endeavors. Mr. Cossart stated the group has not met for approximately six months, though three more potential sites will be investigated, with results sometime in late spring. Ms. Lyons stated some group members expressed concern about the overdevelopment of Route 20 in the Zone II area [business district], as well as who would carry the financial burden for construction/installation of a wastewater system in that area. Discussion followed.

The **Planning Board** was represented by Chairman William Keller, Christopher Morely, and Town Planner Jody Kablack. Ms. Kablack stated no new building lots were approved in 2003; instead there were 6 teardowns with rebuild. She reported a Senior Residential Community on Maple Avenue and a 10-lot cluster subdivision on part of the Cutting land are being proposed for application in 2004. The Frost Farm Housing Development is being monitored until all outstanding issues are resolved. Issues include drainage and the lack of an entrance sign. Additionally, Ms. Kablack stated Planning Board members participate on many other boards and committees, including Wastewater Treatment, Environmental Summit, Sewer Technical Advisory Committee, and others. Mr. Keller stated work is being done with the Board of Appeals on the Frost Farm sign, as well as preparing revisions to the Town's sign bylaw.

An update of **Blue Ribbon Housing Site Selection Committee** activities was provided by Jim Gardner and Lydia Pastuszek. Committee members in attendance were Stephen Shugrue and Richard Davison. Mr. Gardner briefly reviewed their recent meeting of November 19 where public input was gathered on the proposed sites. Mr. Gardner briefly described the list of remaining potential sites, indicating those removed for various reasons. He stated a notebook on the Committee's work is being assembled, and the December 16 report will be included. There was brief discussion on proposed sites. A Public Forum will be held on December 8 by the Selectmen in Lower Town Hall where additional public input will be heard.

Reports concluded at 9:30 p.m. Refreshments were served.

#### **Site Plan #03-372 -- Verizon Wireless at the Wayside Inn**

Present: Jody Kablack, Town Planner.

At 9:45 p.m. Chairman Roopenian reconvened a Public Hearing for continued consideration of Site Plan Application #03-372 of Verizon Wireless, in accordance with Zoning Bylaw Section 6300, for installation of a wireless communications facility in the Wayside Inn Martha Mary Chapel. This matter was previously heard on November 18, 2003.

The Board reviewed the following new information: memorandum, dated November 24, 2003, from the Town Planner to the Selectmen, stating concerns regarding the proposed generator and recommending further information be submitted for review as follows: 1) detail of the proposed generator, including dimensions and other relevant information, 2) proposed visual mitigation of the generation (fencing, landscaping), as discussed with boards and committees; perhaps enclosing the generator inside a red shed to complement the Little Red School House and outhouse, and 3) proposed access to the generator, showing the area of disturbance, including tree removal and stone wall removal, for installation of the generator and underground utilities.

Ms. Jody Kablack, Town Planner, stated she was surprised at the size of the generator noted during the reports at the previous meeting. She stated neither that information nor the location of the generator are noted on the site plans, and expressed concern about access to the generator.

Ms. Kablack stated she has spoken with the applicant about possible enclosure of the generator within a shed painted to match the Little Red School House, and they stated no objection. The applicant will do whatever the Board of Selectmen decides.

Regarding removal of the stone wall, Ms. Kablack stated it was unclear from previous testimony whether the stone wall would be replaced, and felt confirmation was necessary. If an opening in the stone wall remains for access, it will attract passersby and visitors to the Martha Mary Chapel to also access that area, perhaps out of curiosity. Selectman O'Brien asked what type of maintenance would the generator need, and if a permanent access opening is necessary for that reason.

Selectman O'Brien asked if the Trustees for the Wayside Inn had been approached with these concerns. Ms. Kablack responded no. Selectman Drobinski suggested the Historic Districts Commission should have some input as to the landscaping around the area. Ms. Kablack stated she would contact Frederick Pryor of the Wayside Inn Trustees and the Historic Districts Commission with these concerns.

It was on motion unanimously

VOTED: To continued this matter until December 16, 2003.

### **Minutes**

It was on motion unanimously

VOTED: To approve the minutes of the special session of October 12, 2003, and the regular session of November 18, 2003, as drafted.

### **Contract – Athletic Field Master Plan**

It was on motion unanimously

VOTED: To authorize the Town Manager to award a contract for a Park and Recreation Athletic Field Study and Master Plan, pursuant to an RFP for non-price and price proposals and recommendations of the Park and Recreation Commission, and, further, to execute all documents in connection therewith.

### **Contract: Gas-Fired Rooftop Unit – Fairbank Building**

It was on motion unanimously

VOTED: To authorize the Town Manager to award a contract with the lowest responsible and responsive bidder (bids due 12/1) for a replacement gas-fired rooftop make-up air unit at the Fairbank building and all associated work in accordance with the Invitation to Bid and bid documents dated November 13, 2003 issued by Park and Recreation in conjunction with Town Counsel's office, and, further, to execute all documents in connection therewith.



**Contract: Rubbish Removal – Town and School Buildings**

It was on motion unanimously

VOTED: To authorize the Town Manager to award a rubbish removal contract [Town and School Building] with the lowest responsible and responsive bidder (bids due 12/11) for the Calendar Year 2004, with a renewal option for each of the two succeeding calendar years to be exercised at the discretion of the Town Manager, in accordance with the Invitation to Bid and Specifications dated November 26, 2003, and, further, to execute all documents in connection therewith.

**One-Day Alcoholic Beverages License – Buffet Way Catering, December 17, 2003**

It was on motion unanimously

VOTED: To grant a one-day license to Daniel P. Mauro, President, Buffet Way Catering, 655 Farm Road, Marlborough, MA 01752, to sell all alcoholic beverages at the Clarion Coach House Inn, Boston Post Road, for a holiday event by Raytheon Company during 5:00 – 11:00 p.m. on December 17, 2003.

**Massachusetts Municipal Association – Annual Business Meeting**

It was on motion unanimously

VOTED: To designate Town Manager Maureen Valente as the voting representative for the Town of Sudbury at the Massachusetts Municipal Association Annual Business Meeting on Saturday, January 17, 2004.

**Annual License Renewals**

Town Manager Valente informed the Board no renewal license will be issued if an establishment does not pass inspection by appropriate Town Officials.

It was on motion unanimously

VOTED: To renew Alcoholic Beverages, Common Victualer, Entertainment, and Second Hand Motor Vehicle Licenses, which expire December 31, 2003, for calendar 2004, as shown on the “Licensee List 2004”, 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 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 2004, for the hours of 11:00 a.m. to 10:00 p.m.

**Health and Dental Insurance Rates for 2004**

The Board reviewed a report, dated November 26, 2003, from Assistant Town Manager Wayne Walker, submitting proposed Group Health Insurance Rates for Policy Year 2004.

It was on motion unanimously

VOTED: To approve a contract with Blue Cross/Blue Shield of Massachusetts, Boston, MA to serve as third party administrator for Blue Choice and HMO Blue self-funded health plans, and, further, to establish health insurance monthly working rates as shown below, and to establish that the Town contribute 75% of Blue Choice and 90% of HMO Blue for active employees, and 50% of both plans for retirees, with the employee/retiree to pay the remainder, effective January 1, 2004:

	<u>Family</u>	<u>Individual</u>
Blue Choice – self-funded	\$1,257.00	\$472.00
HMO Blue -- self-funded	\$ 960.00	\$359.00

It was also on motion unanimously

VOTED: To approve a contract with Blue Cross/Blue Shield of Massachusetts, Boston, MA to provide dental insurance and Medex coverage at monthly rates as shown below, and further to establish that the Town contribute 75% of employee dental, 50% of Medex, and 0% of retiree dental, with the employee/retiree to pay the remainder, effective January 1, 2004:

	<u>Family</u>	<u>Individual</u>
BCBS Dental Blue – premium	\$60.56	\$ 24.04
BCBS Medex – premium	N/A	\$344.15

It was further on motion unanimously

VOTED: To approve a contract with Harvard Pilgrim Health Care, Dedham, MA to serve as third party administrator for its self-funded health care plan, and, further, to make this plan available to all eligible employees, and to establish monthly health insurance working rates as shown below and to establish that the Town contribute 80% for active employees and 50% for retirees, with the employee/retiree to pay the remainder, effective January 1, 2004:

	<u>Family</u>	<u>Individual</u>
HPHC HMO – self-funded	\$1,273.00	\$473.00
HPHC First Seniority – premium	N/A	\$210.00

**NStar Electric Meter Replacement**

Town Manager Valente informed the Board that NStar Electric will be replacing electric meters in Sudbury over the next five months, and that NStar representatives will be contacting homeowners to gain access to homes to install new meters. The Police Department has been notified that all NStar employees will be in NStar clothing with proper identification and driving NStar vehicles.

### **Finance Committee Budget Hearings**

Town Manager Valente distributed a list of dates when the Finance Committee will be holding hearings on the FY05 Budget.

### **Blue Ribbon Housing Site Selection Committee**

There was brief discussion on the Open Meeting scheduled for Monday, December 8, in Lower Town Hall, to allow public input on the proposed sites. Town Manager Valente suggested the Board hear input, but not vote on any sites that evening, allowing time to consider comments, and vote at the regular Selectmen's meeting on December 16. The Board agreed.

### **Property Tax Equity Relief Committee**

Town Manager Valente stated Committee members are editing preliminary documents. She recommended the Board meet with the Committee and then direct Town Counsel to draft a tax relief article for Annual Town Meeting before December 31. Discussion followed. The Board opted to hold a meeting separate from their regular meeting on December 16. Ms. Valente stated she would contact the PTERC to arrange such a meeting.

### **Deadline Dates for Annual Town Meeting Article Submission**

Town Manager Valente expressed concern that the deadlines for submission of articles by both petitioners and officials for Annual Town Meeting needed revision, and submitted a proposal outlining minor changes. Changes would allow for streamlining the process, balancing the efforts of staff in Warrant preparation, and establishing a sense of fairness for all boards and committees in article submission. Discussion followed.

It was on motion unanimously

VOTED: To approve the Town Manager's recommendations for submission of Annual Town Meeting articles, as follows:

1. Per Sudbury Bylaws, all articles are due in the Office of the Selectmen, 288 Old Sudbury road, by 5 p.m. on Wednesday, December 31, 2003. This includes petition articles, as well as articles from Town boards and officials.
2. Submitters have until Tuesday, January 20, 2004, to finalize any details. Board of Selectmen or Town Counsel can determine if any materials added after December 31 are with the four corners of the original submission.
3. Town Counsel shall review all articles by February 3, 2004, and advise submitters of any problems
4. Submitters have until February 10, 2004, to correct problems identified by Town Counsel, and make a resubmission as necessary.

### **Town Report – Board of Selectmen/Town Manager**

Town Manager Valente submitted a new draft of the Board of Selectmen/Town Manager report for the Annual Town Report, with minor changes highlighted. She asked if the Board had any objections to the highlighted changes.

It was on motion unanimously

VOTED: To approve the Board of Selectmen/Town Manager article for the Annual Town Report, as amended.

**Rice Road Land Donation**

Town Manager Valente reported to the Board the owner of the land is out of the country until December 18. He did respond through his secretary that he is willing to pay all surveying costs, title search, etc. associated with the gift of land. Other questions will be addressed after his return.

**Stearns Mill Dam**

Town Manager Valente informed the Board the Conservation Coordinator spoke with the Office of Dam Safety. The latest complete report (1998) classifies the dam as a significant hazard, and that agency will not provide repairs. The Conservation Commission is pursuing engaging an engineer to assess the dam's safety. The Conservation Coordinator opined funds for such an evaluation were available in the Conservation Fund to cover the expenses.

**Executive Session**

At 10:40 p.m. it was by roll call

VOTED: To go into Executive Session to discuss collective bargaining, land acquisition negotiations, litigation matters, and expenditures from the Discretionary Fund. (Chairman Roopenian, aye, Selectman Drobinski, aye, Selectman O'Brien, aye.)

Chairman Roopenian announced that regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 11:40 p.m.

Attest: \_\_\_\_\_  
Maureen G. Valente  
Town Manager/Clerk