

IN BOARD OF SELECTMEN  
MONDAY, MAY 5, 2003

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

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

**Opening Remarks**

Chairman Roopenian thanked all residents and employees who participated in the Annual Town Cleanup Day held on Saturday, May 3<sup>rd</sup>. She stated it is a community-wide project that significantly improves the Town's appearance. She stated over 700 bags of trash were collected, and noted the wide variety of items found roadside.

On behalf of the Board, Chairman Roopenian expressed condolences to the family of David Allen, 22 Saxony Drive, who passed away as a result of injuries received in a bicycling accident on Boston Post Road. She urged residents to exercise extreme caution as warm weather brings more cyclists to area roadways.

Chairman Roopenian also expressed condolences to the families in the Midwest who lost their homes and loved ones in the recent tornadoes.

**Citizen Petition – Article 54**

Present: Ralph Tyler, One Deacon Lane.

Mr. Ralph Tyler, One Deacon Lane, stated there have been many questions raised on the constitutionality of Article 54 on Senior Tax Relief, and presented each of the Board members with a CD he has made containing information he found on real estate taxation and case law.

**Town Forum**

At 7:35 p.m. Chairman Roopenian convened Town Forum, and welcomed the Septage Committee for the Wayland-Sudbury Septage Disposal Facility, the Board of Health, and the Sudbury Water District.

Mr. Robert Gottberg and Robert Coe presented the report for the **Septage Committee**. Though the facility is currently in good financial shape, Mr. Gottberg expressed concern for the loss of a large pumper, Wind River Environmental, which could have a serious financial impact. Options are being explored. Mr. Coe opined enormous plants with the ability to process greater quantities impact the smaller ones such as Wayland-Sudbury. Discussion followed.

Dr. Donald Kern and Brian McNamara updated the Board on **Board of Health** activities. He stated the Board plans to use existing Middlesex Mosquito Control Program guidelines for this year. He stated also the offices will be moving to the new DPW building in the coming weeks, a major undertaking for the limited staff.

Mr. Robert Sheldon, **Sudbury Water District**, updated the Board on water issues. He thanked the Town for the spirit of cooperation in working with the Water District. He reported that Dick Carroll, Water Superintendent, will be retiring, and the new Water Superintendent, Al Renzi, begins work on May 19. Mr.

Sheldon stated Mr. Renzi comes to Sudbury with good credentials, having worked with the Towns of Framingham and Ashland. The Water District's Annual Meeting and Election will be held on May 20.

Reports concluded at 8:10 p.m. Refreshments were served.

#### **FY04 Operating Budget**

Town Manager Valente stated the Board is meeting with the Finance Committee tomorrow evening. The House Ways & Means local aid figures will be used as a guideline in finalizing the budget, enough aid that additional cuts are not necessary. In response to a question regarding decreases in Local Aid after Town Meeting, she reported a Special Town Meeting may be necessary. Ms. Valente reported that elected officials have indicated State action going forward may actually reinstate some funding and educational programs.

#### **Minutes**

It was on motion unanimously

VOTED: To approve the minutes of the special sessions of April 7, 8, and 9, and the regular and executive sessions of April 15, 2003, as drafted.

#### **Site Plan 02-368 – Lotus Blossom Restaurant**

Town Manager Valente reported the final plans relative to Site Plan 02-368 of Ho-Tai Sudbury, Inc., d/b/a Lotus Blossom Restaurant, 394 Boston Post Road, were not yet ready for signature, and this matter will be placed on a future agenda when final plans are complete.

#### **Board of Selectmen Liaison Assignments**

Selectman O'Brien expressed interest in the 495 Initiative to see if there was any advantage for the Town of Sudbury and asked to be listed for this as a member of the Sign Bylaw Committee and the No Place for Hate Committee.

It was on motion unanimously

VOTED: To approve the Board's liaison assignments for 2003-2004 as amended this evening.

#### **Donations for Repair of Town Clock at First Parish Church**

It was on motion unanimously

VOTED: To accept donations to be separately accounted for and expended for repair of the Town Clock at First Parish Church, as follows: 1) \$1,800 from The Sudbury Foundation, and 2) \$1,200 from First Parish Church, and to send letters of appreciation to the donors.

#### **Annual Appointments**

It was on motion unanimously

VOTED: To approve the following appointments by the Town Manager:

Historical Commission: Carole R. Wolfe and John Fraize each for a term of three years ending on April 30, 2006.

Labor Relations Counsel: Sean P. Sweeney, of the firm of Murphy, Lamere and Murphy, for a term of one year ending on April 30, 2004.

It was also on motion unanimously

VOTED: To make the following annual appointments (all appointments are subject to acceptance):

Council on Aging: To reappoint Judith Deutsch, Beverly B. Guild and Catherine M. Kuras each for a term of three years ending on April 30, 2006.

Board of Appeals: To reappoint Patrick J. Delaney, III for a term of 5 years ending on April 30, 2008.

Board of Appeals (Associate): To appoint Stephen A. Garanin for a term of one year ending on April 30, 2004.

Cable Television Committee: To reappoint Mark W. Thompson, Frederick G. Walker, Robert Kavanagh, Margaret R. Fredrickson, Michael Daitzman, Martin Greenstein, Peter Boers, Jeff Winston, Donald Ziter, and Bijan R. Sabet, each for a term of one year ending on April 30, 2004.

Capital Improvement Planning Committee: To reappoint Jose A. Garcia-Meitin for a term of three years ending on April 30, 2006.

Civil Defense, Assistant Director of: To reappoint I. William Place for a term of one year to end on April 30, 2004.

Civil Defense, Director of: To reappoint Michael C. Dunne for a term of one year to end on April 30, 2004.

Radio Operator, Civil Defense: To reappoint James S. Idelson for a term of one year to end on April 30, 2004.

Commission on Disability: To reappoint Oscar W. Harrell, II for a term of three years to end on April 30, 2006.

Earth Removal Board/Board of Appeals Associates: To reappoint Melinda M. Berman, Richard L. Burpee, Elizabeth A. Taylor, Richard D. Vetstein, and Jeffrey P. Klofft, each for a term of one year to end on April 30, 2004.

Fence Viewers: To reappoint Kirsten D. Roopenian, Lawrence W. O'Brien, and John C. Drobinski, each for a term of one year to end on April 30, 2004.

Land Use Priorities Committee: To reappoint Sigrid L. Pickering, Christopher Morely, Richard H. Davison, Jody A. Kablack\*, Parker L. Coddington, Sheila A. Stewart, Paul Griffin, William G. Braun, Kelley A. French, Robert H. Sheldon, Donald C. Kern\*, David G. Berry, I. William Place\*, Nicholas J. Palermo, Jr., Saul M. Bloom, Carole R. Wolfe, and Deborah M. Dineen\*, each for a term of one year to expire on April 30, 2004.     \*Ex-officio member

Mass. Bay Transportation Authority Designee: To reappoint Maureen G. Valente for a term of one year ending on April 30, 2004.

Memorial Day Committee: To reappoint Fred H. Hitchcock, Jr. for a term of three years ending on April 30, 2004.

Permanent Building Committee: To reappoint Frank D. Schimmoller for a term of three years ending on April 30, 2006.

Preservation and Management of Town Documents: To reappoint Lee Ford Swanson and Sally B. Wadman each for a term of three years ending on April 30, 2006.

Board of Registrars: To reappoint Jeanne M. Maloney for a term of three years ending on April 30, 2006.

Sealer of Weights and Measures: To reappoint Courtney W. Atkinson for a term of one year ending on April 30, 2004.

Septage Committee: To reappoint Robert A. Gottberg for a term of one year ending on April 30, 2004.

Sudbury Cultural Council: To reappoint Aruna D. Pundit for a term of three years ending on April 30, 2006.

Sudbury Employees Group Insurance Advisory Committee: To appoint Michael Murphy, Christopher Felt, Betsy Usherwood, Richard MacLean, Dennis Bourque and Lizabeth A. Brown each for a term of three years ending on April 30, 2006; and to reappoint Leah Capuano, Suzanne L. Petersen, and Martha E. Lynn each for a term of three years ending on April 30, 2006.

Sudbury Water District Water Resource: To reappoint James F. Occhialini for a term of one year ending on April 30, 2004.

Surveyor of Lumber & Measurer of Wood: To reappoint Russell DiMauro for a term of one year ending on April 30, 2004.

Town Historian: To reappoint Curtis F. Garfield for a term of one year ending on April 30, 2004.

U.N. Day Chairman: To reappoint Elaine K. McGrath for a term of one year ending on April 30, 2004.

Veterans' Advisory Committee: To reappoint Edward P. Rawson, Winifred C. Grinnell, Robert G. Mugford, William R. Duckett, Fred H. Hitchcock, Jr., and Spencer R. Goldstein, each for a term of one year ending on April 30, 2004.

Youth Commission: To reappoint Laurie J. Triba, Susan C. Asbedian-Ciaffi, Catherine A. Dill, and Michael W. Precourt, each for a term of one year ending on April 30, 2004.

Special Constables, Non-Paid: To reappoint Michael C. Dunne, James F. Kelly, Earl D. Midgley, and Arthur J. Richard each for a term of one year ending on April 30, 2004.

Special Constable, Paid: To reappoint Joseph D. Bausk for a term of one year ending on April 30, 2004.

Special Constables, Traffic Duty Only, Raytheon: To reappoint Steven Materia, Brian O'Halloran, James Vandenakker, John Whelan and Norman DeSalvo, each for a term of one year ending on April 30, 2004.

Chairman Roopenian announced various resignations and thanked those committee members for their service to the Town of Sudbury.

It was on motion unanimously

VOTED: To accept the resignations of the following individuals at the close of their terms on April 30, 2003, and to direct Town Manager Valente to send each person a letter of appreciation for their service to the Town:

Kevin L. Griggs – Cable Television Committee  
Sigrid L. Pickering – Community Preservation Committee  
Rosalie Johnson – Disability Commission  
Kenneth A. Zito – Land Use Priorities Commission  
Charles R. Schwager – Land Use Priorities Commission  
Martha J. Coe – Memorial Day Committee  
Kimberly Faris-Kriesel – Sudbury Cultural Council  
Karen F. LaCamera – Sudbury Cultural Council  
Kathleen D. Middleton – Town Report Committee  
Carolyn A. Anderson – Town Report Committee  
Lorraine S. Knapp – Town Report Committee  
Jean Lind – Youth Commission  
Joanne T. Bleiler – Youth Commission  
Candace McMahon – Youth Commission

### **Dissolution of Committees**

After discussion, it was on motion unanimously

VOTED: To dissolve the Inclusionary Zoning Study Committee, as it has been inactive for over ten years and to send a letter of appreciation to those remaining members for their service to the Town.

After discussion, it was further on motion unanimously

VOTED: To dissolve the Resource Recovery Committee and invite remaining members to become involved with the Pay Per Throw Committee.

### **Metropolitan Planning Organization Elections**

The Board reviewed a memo, dated April 24, 2003, from the Metropolitan Area Planning Council announcing the official candidates to be elected to the Boston Metropolitan Planning Organization (MPO) on May 28, 2003.

After discussion, it was on motion unanimously

VOTED: To cast Sudbury's vote for the Towns of Bedford (Catherine Cordes) and Framingham (Charles Sisitsky).

**Mass. Zoning Reform Working Group**

The Board reviewed an information packet, dated March 2003, from the Zoning Reform Working Group (ZRWG) describing proposed Massachusetts Land Use Reform Act, which significantly amends existing state zoning and subdivision laws. The letter urges the Board to join the Coalition for Zoning Reform. One of the signers of the letter was Sudbury's elected official, Senator Pamela Resor.

Reports received from the Planning Board, Building Inspector and Park and Recreation all support participation in the Coalition. The Planning Board has joined the Coalition as a participant in Planning.

Selectman O'Brien opined this group could be very informative and helpful in land use planning and expressed interest in serving as the Board's representative from Sudbury.

It was suggested that there may be residents interested in zoning reform and to make this information available to them. Interested parties may access [www.masszoningreform.org](http://www.masszoningreform.org) for more information.

It was on motion unanimously

VOTED: To join the Coalition for Zoning Reform, with Selectman O'Brien as the Board's representative.

**RCAF Deaf Community Center Bingo**

The Board reviewed a letter, dated May 1, 2003, from Reverend John P. Fitzgerald, Director, Deaf Community Center, and Pastor of St. Anselm's Parish, requesting relocation of the Center's Saturday Bingo to St. Anselm's Parish, 100 Landham Road. It was noted that the Framingham Town Manager's Office and Framingham Police Department cite no problems with the Bingo game formerly in operation at 75 Bethany Road in Framingham.

Before voting on this matter, Selectman O'Brien noted, for the record, that he is a member of St. Anselm's Parish. Likewise, Selectman Drobinski noted, for the record, that Rev. Fitzgerald officiated in the memorial service for his son.

It was on motion unanimously

VOTED: To approve the relocation of the RCAB Deaf Community Center state licensed bingo games from 75 Bethany Road, Framingham, to St. Anselm's Parish, 100 Landham Road, Sudbury, to be held on Saturdays between the hours of 6:30 p.m. and 11:30 p.m., as requested in a letter from the Deaf Community Center, dated May 1, 2003.

**Tax Equity Review Committee**

The Board discussed the formation of a Tax Equity Review Committee, its mission and member composition. Both Chairman Roopenian and Selectman O'Brien previously submitted suggestions for consideration.

Chairman Roopenian stated she objected to the words "relief" and "senior" and opted for the committee name of Tax Equity Review. She opined the matter affects demographic groups other than senior citizens. Selectman O'Brien suggested adding the word "property" as the first word in the committee's name.

Selectman O'Brien expressed concern that asking for a report for the 2004 Annual Town Meeting might be too soon for the group to adequately gather information. It was suggested the group could present information gathered by that time as a way of keeping residents informed of progress. A report at Town Meeting could be considered an objective, not a requirement.

After discussion on the mission statement, Selectman Drobinski suggested working on the mission statement later, and first establishing the committee. It was suggested comments on the mission statement should be forwarded to the Town Manager.

The Board briefly discussed membership composition and finalized the following proposal. To be appointed by the Selectmen: One member from the Council on Aging, Finance Committee, Board of Assessors, Lincoln-Sudbury Regional High School Committee, and Sudbury School Committee, and the aforementioned entities shall each recommend the names of two citizens at large. The Board of Selectmen will appoint two to six members at large, but the Board itself will not serve as committee members.

Town Manager Valente will contact committees to submit the names to be proposed for appointment. It was noted interested citizens could also approach committees to be submitted as a committee's representative. Applications should be submitted by a June 4 deadline in order for the Board to make appointments at the June 10, 2003 Selectmen meeting. Town Manager Valente will set the date for the first meeting of this group after checking the master calendar and site availability.

It was on motion unanimously

VOTED: To establish the Property Tax Equity Review Committee, to be appointed by the Selectmen, and to include one member each from the Council on Aging, Finance Committee, Board of Assessors, LSRHS Committee, and Sudbury School Committee; the said five committees to each recommend two citizens at large for additional appointment, plus the appointment of two to six other citizens at large proposed by the Board of Selectmen. Names should be submitted to the Town Manager by June 4 in order to be considered.

Town Manager Valente read the following statement:

"This is following up on your stated intention of creating a committee to address issues related to any changes in the property tax administration for the Town of Sudbury. Before you go further, I want to remind you and others that the Town of Sudbury has done a great deal already in the way of senior tax relief programs. There have been a number of programs begun in the last few years – the senior tax work off program was implemented, the senior tax deferral program was enacted into law last year, the Clause 18 exemptions that the Board of Assessors operates for needy residents among them, and the housing for moderate income seniors, the Frost Farm project finally opened this year. And the circuit breaker legislation began out of Sudbury seniors concerned about taxes. All of these have taken significant time and resources to put these programs in place. None were the complete answer, but all were responses to the concern. No town, to my knowledge, has worked harder or longer over the past five years, than Sudbury to keep creating options for seniors. This is the first year that the Board or Town Manager has not had a senior tax project going, because of the financial crisis to hit Sudbury and other communities in the state. Instead the Board and I have focused extensively on trying to ensure that the Town had a budget plan in place that protected core services without resorting to an override – working to ensure that taxes did not go up during a time when residents across the Town are facing financial challenges – not just seniors. Brought up at Town Meeting in April was a more far-reaching proposal that looked at senior tax programs in a different light. I

think your idea to study alternative ideas is both a continuation of what you have been doing for over 5 years, but recognizes that more sweeping proposals should be examined in the process.”

Selectman O’Brien also noted that all residents, including seniors, benefited from the efforts of staff to reduce the rate of growth in the Town’s budget in recent years.

#### **Draft Mailing for Continued Annual Town Meeting**

Town Manager Valente briefly pointed out changes from the earlier draft notice. She suggested pointing out a continuation date so people can arrange child care, trips out of town and other obligations. Parking and seating arrangements are also included in this version.

Ms. Valente stated a spot has been left for verbiage on the Town Budget following the Finance Committee meeting tomorrow evening. She will insert that section immediately after the meeting for the Selectmen to approve so that the notice can go to the printer on Wed., May 7.

#### **Open House for New DPW Building**

The Board and Town Manager briefly discussed an Open House at the new DPW building for Saturday, June 21. Selectman O’Brien suggested Sat., June 14, as school will be out by the 21<sup>st</sup>. A Friday afternoon was also suggested. Town Manager Valente will check with the DPW Director about scheduling an Open House, perhaps 3-5 p.m. on Friday, June 13.

#### **Improvements to Lower Town Hall**

Town Manager Valente pointed out the most recent updates to Lower Town Hall, including a white board at the front of the room, retractable video screen, and ceiling-mounted projector for PowerPoint presentations. These improvements will facilitate effective communications and presentations by more community groups.

#### **Executive Session**

At 10:10 p.m. it was on motion by roll call

VOTED: To go into Executive Session to discuss collective bargaining matters. (Chairman Roopenian, aye, Selectman Drobinski, aye, Selectman O’Brien, aye.)

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

There being no further business, the meeting adjourned at 10:35 p.m.

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



