

good, b) underground installation would be costly and disruptive, as there is a high water table, and c) recommending approval of the overhead installation as poles already exist.

Town Manager Valente stated abutters, as well as NStar Electric and Verizon, were notified of the proposed installation, in accordance with MGLc.166, s.22.

Mr. Mark E. Gadbois, Methods Machine Tools, displayed a sample of the proposed cable, and stated this installation will provide improved company communications and internet access as well as solve some other issues. He stated a licensed contractor will perform the installation in accordance with requirements set forth by NStar Electric and Verizon.

Mr. Gadbois asked what the company must do regarding a police detail. Town Manager Valente advised him to contact the Police Department for that information.

The Board noted all reports from Town officials recommended approval and concurred.

Mr. Ralph Tyler, One Deacon Lane, asked why he never receives notification of new wires being added near his house, and why this particular issue required a permit. Selectman Drobinski responded this is adding a new service, thereby requiring a permit, but upgrading existing service does not.

It was on motion unanimously

VOTED: To grant waiver of the requirements of Sudbury Bylaw Article XX, Prohibition and Regulation of Overhead Utilities, as allowed under Section 3E of said Bylaw, and authorize Methods Machine Tools, Inc. to attach/install a communication cable to existing poles owned by NStar Electric and Verizon across the public way of Union Avenue, as follows:

Overhead, approximately 50 feet of a single 12-strand of multi-mode fiber optic cable to Pole #15, at 64/65 Union Avenue; as shown on a plan attached to and described in a communication dated February 26, 2004, from Methods Machine Tools, Inc., to provide an additional communications link for Methods Machine Tools, Inc., approximately 375 feet in length extending beyond the public way on private property between #64 Union Avenue and #65 Union Avenue; said cable to be installed by a licensed contractor and owned by Methods Machine Tools, Inc.; this approval being subject to Methods Machine Tools, Inc. bearing all costs associated with moving fire alarm cable, if necessary.

Selectmen's Rules and Regulations

Present: Jody Kablack, Town Planner; Jan Silva, Administrative Assistant.

Town Manager Valente stated various Town officials have reviewed the proposed changes to the Selectmen's Rules and Regulations in order to update them according to law and current use.

Selectman Drobinski expressed concern for a reduction in the posting time, and opined a week is not enough for residents to have notice of upcoming public hearings. Ms. Jan Silva, Administrative Assistant, noted the 14-day period used in the past was required for a Site Plan Special Permit, which no longer applies. Selectman O'Brien concurred with Selectman Drobinski's comments. Discussion followed. It was agreed that the bulletin board posting will coincide with a 14-day advance publication in the newspaper.

Mr. Ralph Tyler, One Deacon Lane, suggested postings also be made on the Town website, along with a description of the proposed project. He opined working people may not be able to get to Town Hall during open hours to see what the current postings are. He encouraged use of the website to get more public comment on current issues. Town Manager Valente cautioned against requiring extensive use of the website, citing Town staff does not have the technical support or the time which would be required, and added, the Town also relies on an outside entity for internet access and that is sometimes unreliable. She stated individual departments usually update their own sections. Selectman Drobinski pointed out some document files may also be too large to be supported on the website.

It was on motion unanimously

VOTED: To approve the proposed Selectmen's Rules and Regulations, with regard to Site Plans, as submitted to the Board, and as amended this evening.

2004 Annual Town Meeting – Review with Moderator

Present: Myron Fox; Lawrence Blacker; Jan Silva, Administrative Assistant; Barbara Siira, Town Clerk; Jody Kablack, Town Planner; Mark Kablack, Community Preservation Committee; David Levington, PTERC.

Mr. Myron Fox, Town Moderator, stated he has appointed Mr. Lawrence Blacker as Assistant Moderator in order to handle events in both the meeting hall and gymnasium.

The Board, Mr. Fox, and Mr. Blacker discussed various articles and their presentation, speaker assignments, and time allotments in accordance with Town bylaw. Article petitioners expressed concern they would not have enough time to present pertinent information. Moderator Fox stated the presenter can ask the hall for more time, if necessary, but urged petitioners to shorten their presentations as much as possible.

2004 Annual Town Meeting – Article 3

Present: David Levington, Ralph Tyler, PTERC.

Mr. David Levington, PTERC, expressed concern for timing with regard to Article 3 – Senior Citizen Property Tax Relief, and the fact that action by the Legislature is what drives the timetable. There was brief discussion on holding a special Town Meeting vs. suspending Town Meeting indefinitely. Selectman Drobinski expressed concern a suspended Town Meeting would not bring the new Selectmen on board until much later after the Town Election. Chairman Roopenian stated other Town Meeting actions/votes could not move forward until Town Meeting was concluded. The Board's position was that a special Town Meeting would be preferable, should the need arise.

September 11 Memorial Garden Committee

Town Manager Valente suggested the September 11 Memorial Garden Committee be dissolved, as its mission has been accomplished. She opined that an "oversight" or maintenance Committee should now be established. She stated further that committee members for the new committee will be solicited. Ms. Valente stated a Trust Fund is now being established to provide the funds to support maintenance work in the Memorial Garden. She will work with Town Counsel to establish this Trust Fund; then it will be managed as part of the overall Town Trust Funds.

It was on motion unanimously

VOTED: To dissolve the September 11 Memorial Garden Committee, such dissolution to become effective upon the appointment of the members of a new September 11th Memorial Garden Oversight Committee, and to send letters of thanks to its members for their service to the Town.

It was further on motion unanimously

VOTED: To authorize the Town Manager to work with Town Counsel to draw up appropriate documentation to establish a Town Trust Fund to support the September 11th Memorial Garden.

Meeting with NStar on Comprehensive Upgrade

Present: Paul Henue, Manager, Framingham Service Center; Annemarie Walsh, Community Relations, NStar.

Mr. Paul Henue, Manager of the Framingham Service Center for NStar, reviewed new circuit work with the Board, using diagrams of areas of town. He stated a new circuit runs from substation to substation. Responding to a question from Chairman Roopenian, he stated further the presence of double or triple poles depends on the condition of the original pole and whether that pole can withstand the weight of the new cabling. He stated that, according to their database, there are approximately 450 double pole situations in Sudbury, and NStar is on approximately 150 of those poles. Other utilities occupy the remaining poles. He opined there to be 25 poles awaiting removal.

Mr. Henue stated the database is set up to indicate changes to the database, and it does not trigger action or notify the next utility it may remove its equipment. If the utilities do not query the database on a regular basis, they will not be apprised of changes as they happen. There is no pre-determined schedule, just an established notification process. Discussion followed. Mr. Henue opined a new process may include each utility removing their part of the pole once their equipment is chopped off until only a short piece is left for removal. Another issue is that some utilities may contract out the transfer work, while Verizon's union does not allow outside contractors. Verizon is the last utility to come off the pole before removal.

Notice of Intent – Lettery Property, Landham Road

Town Manager Valente reviewed a letter and Notice of Intent received March 5, 2004 from Attorney David A. Wallace, on behalf of Theresa Letteri, Joseph Lettery, Frank Letteri, George F. Lettery, Mary Lettery Finelli, and Elizabeth Lettery Ferrante, in accordance with F.L. Ch. 61A, section 14, to sell for residential use approximately 27.98 acres of land shown as Parcel 600 on Town Property Map L10, with the exclusion of the two-family dwelling (#216 Landham Road) and wetlands which may be gifted to the Town.

Ms. Valente stated the Board of Selectmen has 120 days (July 2) to respond to the letter as the Town has the right of first refusal. The Town must match the offered price of \$3 million in order to acquire it for the Town. Town boards and commissions have been contacted for input on the wisdom of acquiring this property. Input has been requested by April 28 and to be on the Selectmen's agenda for May 4. Ms. Valente reviewed several funding mechanisms that might be used to purchase the property. Discussion followed.

2004 Annual Town Meeting Action

Chairman Roopenian stated she will email a draft of the **State of the Town Address** to the Board and Town Manager for their comments.

The Board briefly discussed its position on remaining articles. After discussion, it was on motion unanimously

VOTED: To INDEFINITELY POSTPONE Article 5 – Expand Solid Waste Disposal Enterprise Fund.

It was on motion unanimously

VOTED: To SUPPORT the following Articles: #13, 21 and 22.

The Board will Report at Town Meeting on any articles for which it did not take a position.

2004 Annual Town Election – Sale of Alcoholic Beverages

It was on motion unanimously

VOTED: To grant permission to the holders of alcoholic beverages restaurant and package store licenses to sell alcoholic beverages during the polling hours of the March 29, 2004 Annual Town Election, in accordance with General Laws Chapter 138, Section 33.

Constable – Reappointment

It was on motion unanimously

VOTED: To reappoint Lawrence E. Hartnett, Jr., 19 Dix Road, Maynard, Massachusetts 01754, as Constable for a term to expire on April 30, 2007.

Mahoney Litigation

Town Manager Valente reported the Federal case filed by Scott/Brendon Homes against Town officials personally has been finalized, and copies of the dismissal from Town Counsel were distributed.

Executive Session

At 10:15 p.m., it was on roll call

VOTED: To go into Executive Session to discuss collective bargaining matters.

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

There being no further business, the meeting adjourned at 10:25 p.m.

Attest: _____
Maureen G. Valente, Town Manager-Clerk

