

IN BOARD OF SELECTMEN
TUESDAY, JULY 12, 2005

Present: Chairman Lawrence W. O'Brien, Selectmen William J. Keller, Jr., and John C. Drobinski.

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

On behalf of the Board, Chairman O'Brien expressed thanks to the Chamber of Commerce for organizing a successful and well-attended parade on July 4.

Chairman O'Brien announced Monday Night at the Movies program, organized by Park and Recreation, which features music and movies on Monday evenings at Haskell Field.

Chairman O'Brien cautioned motorists to be watchful for pedestrians, cyclists, children, dog walkers, and other individuals who may be on or near roadways during the summer months.

In conclusion, Chairman O'Brien expressed thanks to Bill Place and the DPW/Highway Department for the newly resurfaced Concord Road. He stated the work was efficient, caused little disruption to motorists and looks great.

Pine Lakes – Proposed Removal of Stop Signs

Present: I. William Place, DPW Director/Town Engineer; Jo-Ann Howe, 38 Birchwood Avenue, Petitioner; several other residents.

At 7:35 p.m. Chairman O'Brien convened a Public Meeting to consider a petition from residents of the Pine Lakes neighborhood proposing removal of stop signs at the following locations: (1) intersection of Great Lake Drive and Oakwood Avenue (4-way stop); (2) intersection of Oakwood Avenue and Lakewood Drive (on Oakwood Avenue – 2-way stop, east and westbound); and (3) intersection of Basswood Avenue and Lakewood Drive (on Basswood Avenue – 1 stop, westbound).

Notice of the meeting was published in the Sudbury Town Crier on June 29, 2005. The Board was in receipt of the following: (1) petitions requesting removal of stop signs; (2) letter, dated April 8, 2005, from Robert Cargill, 33 Oakwood Avenue, original petitioner, in favor of keeping existing signs; (3) email, dated, July 7, 2005, from James Kelly, 19 Oakwood Avenue, in favor of keeping signs; (4) report, dated May 31, 2005, from the Police Department, stating the original safety concerns still exist at the intersections with stop signs, and recommending the signs stay; (5) email, dated July 11, 2005, from Robert Mossi, submitting names of ten families in favor of retaining stop signs; and (6) report stating the Bauer family of 43 Great Lake Drive is in favor of keeping the stop signs.

Chairman O'Brien briefly reviewed the previous process of petitioning for the installation of stop signs which began in 1998. That petition was for 22 stop signs, which was reduced to the existing seven. In 2000, the matter was revisited regarding at the time obstructions to the sight line were being worked on. Mr. O'Brien stated that the Board had received and reviewed copies of all responses to the current petition, and that this meeting was to hear any new information residents may have on this matter. Due to tonight's heavy agenda, he asked that parties speaking please keep their comments brief and to the point.

Ms. Jo-Ann Howe, 38 Birchwood Avenue, stated the installation of the existing stop signs produced some unanticipated results: (1) traffic typically on Great Lake Drive now comes to Willis Lake to avoid the stop signs; (2) motorists are less careful at intersections without stop signs, believing them to be of low risk;

(3) motorists seem to assume they have the right-of-way if they stop at a stop sign, then continue down the street; (4) other parts of the neighborhood [without stop signs] are not as well protected; and (5) neighborhood inequity as stop signs create a sense of entitlement for those who live near the areas where the signs have been installed. Ms. Howe opined there must be alternate solutions such as caution or speed limit signs.

Ms. Howe described an incident several months ago in which a driver barreled down the street after stopping at a stop sign, and nearly collided with another motorist. She stated she was also accused of not stopping at a stop sign by an angry resident. This prompted her to draft the petition, distributed to the 200 mailboxes in the Lakes area. She stated that, while there was a place to indicate removal or keeping the stop signs, only removal was indicated on the 27 petitions returned. Some individuals included specific comments.

In closing Ms. Howe read an email from the individuals who owned the stockade fence that had to be removed. The owners suggested the police provide traffic education for children so they know how to behave near roadways, not play in the street, how to operate motorized scooters, etc.

Ms. Patricia Guthy, 24 Pinewood Avenue, suggested pedestrian crosswalks be created in place on the stop signs. She drew the Board's attention to selected State and Federal traffic and highway reports, which stated motorists speed between stop signs to save time, use alternate routes to avoid the signs, and signs produce no significant decrease in overall speed. Ms. Guthy opined other traffic calming methods would be better.

Mr. Robert Cargill, 33 Oakwood Avenue, read from his letter, reiterating his support for retaining the stop signs in their existing locations and encouraging area residents to observe all safety precautions.

Ms. Laura Dayal, 42 Lakewood Drive, stated the concern should be safety for everyone, not just children. She stated that, before the stop signs were installed, there had been three traffic accidents (collisions) in front of her home at night. She opined that, to her knowledge, there have been no accidents since the stop signs were placed.

Selectman Drobinski stated he would like to see actual police reports on accidents and traffic violations, plus additional concerns, in this neighborhood. He stated that, in similar matters, the highest percentage of offenders tend to be those who live in the specific area, and not outsiders.

Chairman O'Brien read the Police Department report to the audience. He stated he also drove through the neighborhood and saw a great deal of family life, children playing in the streets, riding bikes, playing basketball, etc.

Ms. Cynthia Howe, 36 Birchwood Avenue, reported an incident during which her brother came to visit her and an angry resident chased his car down the street in the rain and screamed at him after he parked at her home. She admitted she did not know whether he stopped at the stop sign, did a rolling stop or did not stop at all, but opined that this is the type of atmosphere that currently exists in the neighborhood.

Ms. Howe continued to state that there was also a problem with people standing in the middle of the street while waiting for school busses, preventing drivers from getting through, but noted this has been better since the new petition was circulated.

Ms. Erin Eggers, 16 Great Lake Drive, suggested educating residents on their legal responsibility on "intersection etiquette", especially at unmarked intersections, and further suggested circulating a flyer with this information.

Mr. Matt Stocking, 42 Pinewood Avenue, stated he was in favor of keeping the stop signs and suggested adding more. He noted the Pine Lakes area is not a throughway, and that motorists either live in the area or are visiting a resident. He opined that speeding will continue if the stop signs are removed.

Ms. Ann McNabb, 56 Lakewood Drive, reported an incident in which a neighborhood child on a motorized scooter was not hurt because the approaching driver had stopped at a stop sign. She opined it would have been a tragedy if the stop sign had not been there.

Ms. Jo-Ann Howe stated she wanted everyone to be clear that her intention was to protect all children in the neighborhood, and opined that perhaps 4-way stop signs on all intersections would be a good solution.

Chairman O'Brien thanked residents for their comments and assured everyone that the Town's Police and Highway Departments follow state and federal guidelines regarding traffic.

Chairman O'Brien suggested more data is necessary. The Board asked the Town Manager to request police department information on accidents, violations and general safety issues back to the year 2000. Ms. Valente opined that, due to vacations and other schedules, it could be several weeks before all supplemental information is gathered. Chairman O'Brien suggested residents check the Town website to see when this matter would again be on the agenda for a Selectmen's meeting and opined it would most likely be sometime in the fall.

Site Plan 02-363 -- DPW Salt Shed

Present: I. William Place, DPW Director/Town Engineer; Jody Kablack, Town Planner.

At 8:40 p.m. the Board met with the DPW Director and Town Planner to consider construction of an 80' x 154' salt shed at the Department of Public Works on Lancaster Road, pursuant to Massachusetts Highway Department contract #42003, and to consider modification of Site Plan SP02-363 relative to the placement of said structure.

The Board reviewed the following information: (1) report, dated July 12, 2005, from the Town Planner, with the following comments: (a) the new shed is located approximately in the location of the existing shed, a portion of which will be within the 100' wetland buffer zone and the 200' riverfront zone; (b) the height of the new shed is higher than the existing one, whose height is unknown; (c) dimensional setbacks are in conformance; (d) shed is for storage only; additional parking is not required; (e) any exterior lighting should be directed downward away from adjacent properties and not at a height greater than 16-20 feet; (f) the parcel is in Zone 111 of the Water Resource Protection District, and use of the shed to store road salt is a special permit use in this district. What is the level of collection and treatment for runoff, if any? (g) municipal use is subject to site plan review under section 6310 of zoning bylaw; (h) the Town can claim an exemption from the Zoning Bylaw under section 1210 of the bylaw; and (i) construction of the new shed will not impact truck traffic any more than the existing one and is a major improvement to the site.

Utilizing a drawing, Mr. I. William Place, DPW Director/Town Engineer, described the proposed structure, pointing out various elements of the design and site. He stated it would be visible only when entering the grounds and not visible to abutters.

Responding to a question from the Board, Mr. Place stated the fabric weight is the industry standard, and white is the preferred color as it is most resistant to UV rays. He stated further the fabric [membrane]

carried a 15-year warranty, full coverage for the first eight years, and pro-rated for the remaining seven. The structural steel carried a non-prorated 10-year corrosion warranty.

Mr. Place stated the existing shed will be dismantled and removed. The company will prep the site, excavate and install bituminous foundation. A six-foot retaining wall of reinforced concrete block will surround the structure, and should prevent runoff of salt into wetlands. There will be no mixing of salt outside the structure.

Mr. Place stated this matter is a part of the Order of Conditions associated with the Site Plan for the new DPW building.

Responding to a question from Chairman O'Brien, Mr. Place stated a special permit from the Board of Appeals for use within the Water Resource Protection District has not yet been secured.

Subject to approval of Town Counsel, and in accordance with the provisions of Section 6370 of the Zoning Bylaw relative to Site Plan Review, it was on motion unanimously

VOTED: To approve construction of an 80' x 154' salt shed at the Department of Public Works, 275 Old Lancaster Road, pursuant to Massachusetts Highway Department contract #42003, Construction of Cover Structures, awarded to HSS Structure systems, Inc., said construction to be paid from Chapter 90 funds in the amount of \$369,622.10 and in conformance with the requirements and specifications of said Massachusetts Highway Department contract pursuant to a state bid, and to authorize the Town Manager to execute said contract; and further

VOTED: To approve modification of Site Plan SP02-363 for the Department of Public Works, 275 Old Lancaster Road, to incorporate the construction of a new salt shed described above in the approximate location of the existing salt shed which is to be removed, the Plan to be amended accordingly and placed on file.

Site Plan 05-380: Sprint PCS, Feeley Field

Present: Timothy W. Greene, Managing Director, TerraSearch; representing Sprint PCS; Dennis Mannone, Director, Park and Recreation; Jody Kablack, Town Planner.

At 9:05 p.m. Chairman O'Brien reconvened a Public Hearing to further consider the Site Plan application of Sprint Spectrum LLP, d/b/a Sprint PCS, in accordance with Sudbury Zoning Bylaw Section 6300, Site Plan Review, to install in collocation with T-Mobile/Omnipoint three internal-mounted antennas to existing light stanchion/monopole and a 10' x 18' equipment pad to hold four radio cabinets (2 proposed, 2 future) at Feeley Field, 180 Raymond Road, owned by the town of Sudbury, zoned Single Residence – Wireless Services Overlay District. This matter was previously heard on June 21, 2005.

The Board reviewed the following new information: report, dated July 8, 2005, from Dennis Mannone, Director, Park and Recreation, stating a tentative agreement had been reached with TerraSearch [on behalf of Sprint PCS] to fund infield renovations at Feeley Field for a total of \$8,200, with partial itemized quote attached.

Ms. Jody Kablack, Town Planner, reviewed the quote received from TerraSearch for proposed infield renovations at Feeley Field in conjunction with this Site Plan application.

Mr. Dennis Mannone, Director, Park and Recreation, stated getting the lighting upgraded at the field is Park and Recreation's first priority, with the landscaping a secondary priority, and some of the \$8,200 may be used for these projects as well.

Ms. Kablack stated Sprint has been asked to focus on landscaping the area in front of the chain link fence in front of the equipment cabinets (on the field side) to screen this from spectator view. Mr. Timothy W. Greene, Managing Director, TerraSearch, stated the applicant would be happy to provide these services.

Chairman O'Brien suggested the applicant work with appropriate Town staff to suggest appropriate plant species for that area, i.e., soil, growing conditions, resistance to disease and animals, etc.

It was on motion unanimously

VOTED: To direct the Town Manager to instruct Town staff to prepare a Draft Decision incorporating requirement for additional landscaping as discussed herein; said Decision to be reviewed on July 26, 2005 at 7:45 p.m. when this hearing will be continued.

Town Forum

At 9:10 p.m. Chairman O'Brien convened Town Forum, during which time reports were heard from the Historic Districts Commission, Sudbury Historical Commission, and the Sudbury Cultural Council.

Ms. Sandra Heiler updated the Board on the activities of the **Historic Districts Commission**. She stated the Commission continues to issue Certificates of Appropriateness for exterior paint colors and landscaping designs, and plans to send letters to residents living in historic districts to inform them of proper procedures for making changes to their homes. Ms. Heiler stated many owners do not go through the hearing process because they do not know they are in a historic district, and the Commission is notified after changes are made to a residence.

The Board noted it would be signing the Special Act approved by Town Meeting to be sent to the State legislature, an amendment to increase the size of the Historic District Commission, for approval.

Mr. William Nicholson, **Sudbury Cultural Council**, briefly reviewed the group's mission and stated it meets three to four times per year to consider proposals for funding. He stated 22 proposals were considered for the 2004-05 years with ten being awarded for a total amount of \$5,725. The State awards \$2,000 to Sudbury per year, but not all monies are spent each year. Mr. Nicholson stated the council is looking for new members to replace those reaching the end of their services. The State guidelines require that, after six years of service, new members should be appointed. Interested persons should contact any of the current Council members or the Town Manager.

Ms. Carole Wolfe and Lyn MacLean presented the report for the Sudbury Historical Commission. Ms. Wolfe stated the Commission is responsible for six sites in Town, and is seeking preservation for the Walker House. She stated the group is now addressing the potential of the Loring Parsonage now that the Town Manager and Selectmen offices have moved to the Flynn Building. Ms. Wolfe stated the holiday open house hours for the Hosmer House will be extended this year due to the well-received programs last year. Three prints of Ms. Hosmer's paintings are now offered for sale, as well as a night light/cup plate design. This will be in addition to the traditional cup plates. In closing, she stated the group is supporting tree planting efforts to replace streetscape trees lost to disease and age.

Reports concluded at 9:40 p.m. Refreshments were served.

Meeting with Verizon – Cable Television Franchise

Present: Carol Baribeau, Regional Director, Public Affairs, Verizon; James F. McGrail, Senior Consultant, Telecommunications Insight Group; Paul Powell, Attorney, Wiley, Rein and Fielding; Jeff Winston, Chairman, Cable Television Committee.

At 9:50 p.m. Chairman O'Brien welcomed Verizon associates for a presentation on Verizon's new offerings to the Town of Sudbury, specifically, a FTTP Network (Fiber to the Premises), which would provide high-speed internet access, improved telephone service and cable television programming, with the ultimate goal of securing a competitive cable television franchise.

The Board reviewed the following information: (1) letter, dated June 23, 2005, from Carol L. Baribeau, Regional Director, Public Affairs, Verizon, asking to meet with the Board to discuss Verizon's efforts to bring cable television competition to Sudbury. Ms. Baribeau requests a waiver of two Department of Telecommunications and Energy (DTE) requirements, the first reducing the time period to file a franchise application from 60 to 30 days, and the second to eliminate the requirement to advertise intent in a national trade journal. (2) email, dated July 10, 2005, from Jeff Winston, chairman, Cable Television Committee, supporting Verizon's intent to introduce high speed internet and related services to Sudbury. Mr. Winston expressed concern that Verizon may attempt to offer cable television to residents without negotiating a franchise agreement, and suggested the Board contact federal representatives of this concern.

Ms. Carol Baribeau, Regional Director, Public Affairs, Verizon, briefly described Verizon's efforts to upgrade present services, i.e., four feeder routes in four sections of Town servicing 4,620 homes. She stated section #1 has been finished – 1,200 homes along Hudson Road, and section #2 (3,000 homes) in progress. She stated sixteen crews are working throughout town, and opined she expects sections #3 and #4 to be completed sometime this fall. Ms. Baribeau clarified the upgrade involves adding to the utility poles new wires with fiber optic materials which will allow the new services. The existing copper wires will remain as well.

Ms. Baribeau stated there will be approximately 25 boxes on utility poles scattered throughout Town, boxes which contain no working equipment, but allow the circuitry to "pass through." All cable installation will have both buried and above ground services. She stated they are currently working with owners of multiple-dwelling buildings to place the cable there. Chairman O'Brien informed her of the Town's bylaw concerning no overhead wiring, and clarified that any new installation must conform to the bylaw. Replacement of existing wiring must be placed in the same location until permission granted to change it. Mr. O'Brien also specified that for all new homes, all utilities are required to be installed underground. Ms. Baribeau stated she would notify Verizon's engineering department to make certain this requirement is observed.

Chairman O'Brien stated there are many double utility poles around Town, and asked if some can be removed when these services are upgraded. Ms. Baribeau responded that over 100 poles have been removed as the new cable has been installed.

Responding to a question from the Board, Ms. Baribeau stated the existing copper wiring will remain as not all residents will switch to the new enhanced services.

Ms. Baribeau stated the long term objective is to have all services on fiber optic cabling, but the main intention now is to just get started and introduce the FiOS high speed internet product to consumers. She opined the product would be available to interested residents by the end of 2005, or early 2006.

With regard to the requested waivers, Mr. James McGrail, Senior Consultant, Telecommunications Insight Group, stated over 40 communities have requested the waiver of the 60-day timeline in order for Verizon to proceed with a 30-day requirement. He briefly reviewed the franchising process.

Responding to a question from Chairman O'Brien, Mr. McGrail opined the fiber optic cable is far superior to the copper, the price of services by Verizon is competitive, and the Comcast service will improve when a competitive product is available.

Selectman Drobinski asked if the local cable access programming would be retained, if the Town were to allow a competitive service. Mr. Paul Powell, Attorney, Wiley, Rein and Fielding, stated there would be no change to existing local programming, as all services would continue through the existing studio and equipment. He clarified discussion of such services is usually part of the negotiation process. At this time Ms. Baribeau submitted an informational packet on the FIOS high speed product.

Chairman O'Brien asked what consumers typically say when Verizon comes into their communities. Mr. McGrail stated people are usually happy to see their services coming into town, one advantage being increased number of channels, public channels, etc.

Selectman Drobinski suggested Town Counsel and the Cable Television Committee discuss available options. He suggested further the Board hold action on letters requesting waivers until such discussion takes place.

Selectman Keller inquired about coordination of services. Ms. Baribeau responded it already exists, that all services requested by a resident are billed on a single bill. She stated further various services are bundled together in "packages" that will appeal to consumers based on what types of services they may be seeking. She indicated the 911 service will still go through a 911 call center.

With regard to reliability, Town Manager Valente asked if the existing land line would be jeopardized by the addition of the fiber optic cabling. Mr. McGrail stated the fiber optic is very lightweight and is "tied" to the copper cabling and does not take up much space. He noted the Verizon television and high speed internet will be serviced by the fiber cabling, which is more reliable than the copper cables.

Mr. Jeff Winston, Chairman, Cable Television Committee, suggested Verizon work with them on a licensing agreement. He stated he has been involved in three such negotiations thus far. He stated a "level playing field" clause is in the contract with Comcast. He stated further special counsel expenses can be funded out of a revolving fund.

Ms. Baribeau asked that she be copied on the letters when and if they are sent, in order to keep her informed of the timelines set in motion. The Board thanked them for their presentation and agreed to notify her of any decisions on this matter.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular and executive sessions of June 21, 2005, and special meetings of February 3, March 21, and July 1, 2005, as drafted.

MEMA – Snow Emergency Grant

It was on motion unanimously

VOTED: To accept a snow emergency grant in the amount of \$80,295.80 from the Massachusetts Emergency Management Agency, for reimbursement of costs relative to the January 2005 snowstorm.

Council on Aging – Resignation

It was on motion unanimously

VOTED: To accept the resignation of Morton L. Brond from the Council on Aging, dated June 28, 2005, and to send a letter of appreciation to Mr. Brond for his service to the Town on the Council on Aging and other boards during his residency.

GIS Consulting Services

It was on motion unanimously

VOTED: To approve a contract by the Town Manager with Greatwall GIS Services, LLC, 46 Wren Street, West Roxbury, MA 02132, for GIS consulting services set forth in an agreement dated July 1, 2005, for a fee of \$17,500.

Coastal Medical Billing, Inc. – Ambulance Billing

It was on motion unanimously

VOTED: To approve a contract with Coastal Medical Billing, Inc. for ambulance billing for the Town in accordance with an agreement dated July 1, 2005, at a fee of 4% of remittance collected. (Estimated at approximately \$15,000/year)

Special Acts (2005 Annual Town Meeting) – Petitions to the State Legislature

It was on motion unanimously

VOTED: To approve and sign a petition to the General Court of the Commonwealth for special legislation authorizing the establishment of a Post Employment Health Insurance Liability Fund, pursuant to Article 16 of the 2005 Annual Town Meeting; and

it was on motion unanimously

VOTED: To approve and sign a petition to the General Court of the Commonwealth for special legislation authorizing the establishment of a Rental Property Revolving Fund, pursuant to Article 33 of the 2005 Annual Town Meeting; and further

it was on motion unanimously

VOTED: To approve and sign a petition to the General Court of the Commonwealth for approval of an Amendment of Special Act: Chapter 40 of the Acts of 1963 relative to membership of the Historic Districts Commission, pursuant to Article 34 of the 2005 Annual Town Meeting.

Conflict of Interest Designations

Town Manager Valente stated the Board last updated the Conflict of Interest Designation List in February 2003, and since that time, the Board has made additional Special employee designations, and some boards have been dissolved and new ones established. She asked the Board to review the newly updated list at the request of the State Ethics Commission in a communication dated July 1, 2005.

After review, it was on motion unanimously

VOTED: To approve updated Conflict of Interest Designation List in accordance with Chapter 268A of the Massachusetts General Laws, for persons elected or appointed to and performing the duties set forth in a listing dated July 12, 2005 revision, classifying such persons as Regular or Special Employees of the Town of Sudbury, as follows:

Regular Employees

In accordance with Chapter 268A of the General Laws of Massachusetts, all persons, elected or appointed to and performing the duties of the following positions are hereby classified as REGULAR EMPLOYEES of the Town of Sudbury:

Elected Officials

None

Elected Board, Committee and Commission Members

Goodnow Library Trustees
Health, Board of
Lincoln-Sudbury Regional School District Committee
Park and Recreation Commissioners, Board of
Selectmen, Board of

Appointed Officials

All appointed positions listed in the Classification and Salary Plan contained in the Personnel Plan, unless specifically designated Special Employees.

Affirmative Action Officer
Americans with Disabilities Act (ADA) Coordinators
Auction Permit Agent
Cemeteries, Superintendent of
Chief Procurement Officer
Fence Viewers
Forest Warden
Industrial Accident Board, Town Agent

Insect Pest Control, Local Superintendent
Keeper of the Lockup
Pesticide Applicator and Herbicide Applicator
Street Lighting Agent
Town Counsel
Town Counsel, Assistant
Town Manager
Tree Warden
Wood-Burning Stoves, Inspector of

Employees

All positions listed in the said Classification and Salary Plan unless specifically designated Special Employees.

Special Employees

In accordance with Chapter 268A of the General Laws of Massachusetts, all persons, elected or appointed to and performing the duties of the following positions are hereby classified as SPECIAL EMPLOYEES of the Town of Sudbury:

Elected Officials

Moderator

Elected Board and Commission Members

Assessors, Board of
Planning Board
Sudbury Housing Authority
Sudbury School Committee

Appointed Officials

Aging, Council on
Agricultural Commission
Animals, Inspector of
Appeals, Board/Earth Removal Board Associates
Cable Television Committee
Capital Improvement Planning Committee
Civil Defense, Director of
Civil Defense, Assistant Director of
Civil Defense Radio Operator
Community Housing Committee
Community Preservation Committee
Conservation Commission
Constables
Deputy Inspector of Buildings/Deputy Zoning Enforcement Agent
Deputy Plumbing and Gas Inspectors
Deputy Wiring Inspector

Design Review Board
Disability, Commission on
Dog Officer/Animal Control Officer, Assistant
Earth Removal Board/Board of Appeals Associates
Economic Development Committee
Fair Housing Committee
Fair Housing Program Director
Finance Committee
Gas Fitting, Inspector of
Hazardous Waste Coordinator and Alternate
Historic Districts Commission
Historical Commission
Hop Brook Technical Advisory Committee
Labor Relations Counsel
Legal Counsels, Special
MAPC Designees
MBTA Advisory Board Designee
Memorial Day Committee
MetroWest Growth Management Committee
Minuteman Regional Vocational Technical School District Representative
MMA Legislative Liaison
Municipal Right-to-Know Coordinator and Alternate
Pay Per Throw Advisory Committee
Permanent Building Committee
Permanent Landscape Committee
Personnel Board
Planning Board Associate
Planning Board General Agent
Plumbing Inspector and Deputy Inspector
Ponds and Waterways Committee
Pound Keeper
Preservation and Management of Town Documents, Committee for the
Public Weigher
Rail Trail Conversion Advisory Committee
Registrars of Voters
Sealer of Weights and Measures
Septage Committee, Wayland-Sudbury Septage Disposal Facility
September 11 Memorial Garden Oversight Committee
Sewer Assessment Study Technical Advisory Committee
Sewer Assessment Study Citizens Advisory Committee
Special Constables, Paid and Non-paid
Special Police Officers
Stormwater Compliance Committee
Sudbury Centre Steering Committee
Sudbury Cultural Council
Sudbury Day Committee
Sudbury Employees Group Insurance Advisory Committee
Sudbury Water District Resource Protection Committee
Surveyor of Lumber and Measurer of Wood

Town Historians
Town Physicians
Town Report Committee
UN Day Chairman and Assistants
Veterans Advisory Committee
Veterans Agent
Veterans Graves Officer
Youth Commission
Wires, Inspector of and Deputy Inspector

Employees

All Election Officers and Workers
Call Firemen
Crossing Guards (now appointed by school dept.)
Library Pages
Police Matrons
Recording Secretaries
Seasonal and temporary employees in Conservation, Engineering, Technology Department,
Park and Recreation and Highway Departments
Sudbury Housing Authority Executive Director
Teen Center Coordinator
Van Drivers for School Department

Volunteers

All Tax Work-off Program Senior Workers and any other volunteers.

Except to the extent that a position is or may be required by law to be classified as that of a "Regular" employee, all officials board, committee and commission members and employees not otherwise specifically designated as a "Regular" or "Special" employee are hereby classified as "Special" employees.

7/12/05 Revision

George Property – Boston Post Road/Green Hill Road

Town Manager Valente asked for the Board's input on the suggested purchase of property in Peter George's estate, said property located on the northerly side of Boston Post road at the corner of Green Hill Road. Mr. Charles George has offered parcels K10-0110 and K10-0111 to the Town for a combined sum of \$14,000.

The Board reviewed the following information:

(1) letter, dated May 31, 2005, from Mr. Charles George offering parcels K10-0110 and K10-0111, located on the northerly side of Boston Post Road at the corner of Green Hill Road to the Town.

(2) report, dated July 5, 2005, from the Director of Assessing, stating the land has a combined value of \$14,000, both parcels are assessed as unbuildable as they failed the minimum perc standards in 1981 [Board of Health report included], and that a drainage easement runs through both properties.

(3) report, dated July 6, 2005, from the Conservation Coordinator, stating the Conservation Commission reviewed the offer from Mr. George, and had the following comments: (a) one stream intersects another stream on the property, and both streams receive roadway runoff; (b) lot K10-0110 is entirely wetland with no buildable potential; (c) lot K10-0111 appears to have been partially filled in, is level, well vegetated and drops off to the stream in the rear; (d) due to state riverfront area restrictions, the development potential, if any, of lot K10-0111 is limited to the area adjacent to Boston Post Rad; (e) recommends the Town purchase the lots as there is development potential in conjunction with adjacent parcels. Ms. Dineen concludes her report by stating Town ownership would allow drainage maintenance and upgrades to meet EPA requirements.

(4) report, dated July 7, 2005, from the Planning Board, recommending against purchase of the property as it does not possess adequate soils for the purpose of installing a septic system, and its use for anything other than conservation and/or passive recreation is limited.

(5) report, dated June 17, 2005, from the DPW Director/Town Engineer, with the following comments, along with his recommendation to not purchase the property: (a) during a cleanup of the brook, it was discovered the site had been used as a dumping ground of brush, stumps, old asphalt and construction debris; (b) he suggests a 21E study of the site be performed due to the aforementioned disposal of various materials and the site is across the street from a former gas station; (c) the site is within a wetland resource area, riverfront area and 500-year flood plain; (d) the property does not appear large enough to support a single family dwelling, duplex or other municipal use; and (e) he questions whether percolation tests have been performed.

(6) report, dated June 17, 2005, from Christa Collins, Land Protection Specialist, Sudbury Valley Trustees, recommending against the Town's purchase of this property for the purpose of open space or habitat protection. She stated it does not abut any existing conservation land, is home to a number of invasive plant species, the mitigation of which presents a significant challenge, and it is not listed by the Natural Heritage and Endangered Species Program as Estimated Rare Habitat or a Priority Site.

(7) report, dated July 5, 2005, from the Water District, stating it has no interest in the property.

(8) report, dated July 6, 2005, from the Sudbury Housing Authority, stating that, if reports from the Department of Public Works and Conservation Commission indicate that the property could be used for affordable housing, it would recommend Town purchase for that purpose. Ms. Howe opined there may be less opposition to such housing in that location.

(9) report, dated June 27, 2005, from the Park & Recreation Director, stating the property does not appear to be large enough to support a field project or other municipal use, and it is within a wetland resource area, river front area and 500-year flood plain. Mr. Mannone suggests a site walk may be the best way to get a sense of the area.

Selectman Drobinski stated that he would recuse himself from this discussion as he is an abutter to the property. He stated he had no personal objection to the Town purchasing the property.

There was brief discussion on whether the soils were adequate to support a septic system and whether there was any further information beyond the 1981 Board of Health report, given more recent Title V

requirements. It was suggested that this information would be valuable in determining potential development costs and whether the property presented any value to the Town.

It was on motion

VOTED: To direct the Town Manager to research any potential septic system possibilities on either parcel K10-0110 or K10-0111 before any further action is considered. (Motion carried 2-0: Chairman O'Brien and Selectman Keller, aye, Selectman Drobinski, abstain).

Rail Trail Conversion Questions

Town Manager Valente reported a group of Sudbury residents, known as the Sudbury Citizens for Responsible Land Stewardship, was recently created to monitor the rail trail conversion process, and stated both the Police Chief and Fire Chief have been approached with lengthy lists of questions. She opined that, while Town staff are happy to assist residents with inquiries, they are asking for the Board's guidance as to how much effort to put into these types of requests as it represents a sizable impact on staff time.

The Board expressed concern for a potential drain on staff time and resources and opined a parallel effort is unnecessary. Selectman Drobinski stated the Rail Trail Conversion Advisory Committee was created to look into the matter, and all information presented by this group will be made available to the public. It was noted that the Committee's mission is to submit information and a recommendation to the Board of Selectmen; and that the Committee will not be involved in setting policy.

It was agreed that Town Manager Valente would forward the Board's preferences to the Police and Fire Chiefs – to answer inquiries but not to undertake projects that require any research.

Selectmen Value and Mission Statement

Town Manager Valente asked the Board to review a revised value and mission statement, which includes a new value statement on public safety, in addition to other suggested revisions.

It was on motion unanimously

VOTED: To approve the revised Statement of Mission and Values for Determining Goals of the Board of Selectmen, now to reference "Amended and reaffirmed by the Board of Selectmen, 5/23/02, 6/1/04, and 6/12/05".

Standard & Poor's Credit Analysis

Town Manager Valente stated she had received updated copies of Sudbury's AAA credit rating analysis from Standard & Poor's and would investigate the possibility of posting on the Town's website. The report explains what various ratings mean, as well as a basic report on the Town's financial standing.

Guardrails

The Board discussed recent concerns over public safety with regard to wooden versus metal guardrails on various roads throughout Town. Town Manager Valente stated the DPW Director was looking for guidance in how to proceed in the future when guardrails need to be replaced.

Ms. Valente reported the DPW Director indicated he does not object to using wooden rails on scenic roads. She stated the Police Chief reported he did not have a definite safety opinion on the issue, but that he commented the wooden rails would likely require more upkeep than steel to maintain the durability of the guardrails.

After discussion, it was on motion unanimously

VOTED: To advise the DPW Director it prefers to install wooden guardrails on designated scenic roads; however, the Board defers to the DPW Director's judgment on the replacement of suitable guardrails on all roads.

Police Department – Donation from Camp Sewataro

It was on motion unanimously

VOTED: To accept a donation of \$2,500 to the Police Department from Camp Sewataro to be used for the purchase of new modems for cruiser laptop computers, and for the installation of a phone line connecting the police station to a new radio repeater site at the Town landfill.

Executive Session

At 11:10 p.m. it was on roll call

VOTED: To go into Executive Session for the purpose of discussing a litigation matter relative to the Mahoney property settlement (Chairman O'Brien, aye, Selectman Keller, aye, Selectman Drobinski, aye).

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

There being no further business, the meeting adjourned at 11:27 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk