

IN BOARD OF SELECTMEN  
TUESDAY, JUNE 7, 2005

Present: Chairman Lawrence W. O'Brien, and Selectman John C. Drobinski.  
Selectman William J. Keller, Jr. arrived at 10 p.m.

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 O'Brien congratulated the Lincoln-Sudbury boys volleyball team on getting into the State Championships, while residents await the outcome of tonight's Championship Finals.

Chairman O'Brien also extended congratulations to the Curtis Middle School Team, winners of the 2005 Science Olympiad State Championship title.

Chairman O'Brien expressed appreciation to the Memorial Day Committee for a spectacular Memorial Day parade and related activities.

Chairman O'Brien announced that Town Planner Jody Kablack was the recipient of the Spirit Award presented by the MetroWest Growth Management Committee for her efforts in municipal planning.

On behalf of the Board and her office, Town Manager Valente extended sympathies to the Town of Maynard on the untimely death of its Town Administrator, Mike Gianotis.

**FY06 Tax Deferral Annual Interest Rate**

Present: Andrea Terkelsen, Town Treasurer/Collector.

The Board reviewed a report, dated June 1, 2005, from Andrea Terkelsen, Town Treasurer/Collector, recommending the Board keep the current deferral rate of 2.5% for FY06.

Ms. Terkelsen briefly reviewed the findings leading to her recommendation the Board keep the current referral rate of 2.5% for FY06. Reasons for that recommendation include 1) continuity with respect to rates set in previous years, 2) keeping Sudbury's interest lower than the State's current proposed 3.5% on tax deferrals, 3) fiscal tolerance considering the Town is not earning much more than this on general investments while benefiting from lower debt service burdens than in past years, and 4) continuing to offer seniors considerable tax relief.

After discussion, it was on motion unanimously

VOTED: To set the tax deferral annual interest rate for FY06 at 2.5%, as recommended by the Town Treasurer/Collector.

**Meeting with Auditors Sullivan, Rogers & Company, LLC**

Present: Sue Petersen, Finance Director; Daniel Sullivan and Christopher Rogers, Sullivan, Rogers & Company, LLC.

Ms. Sue Petersen, Finance Director, introduced Mr. Daniel Sullivan and Mr. Christopher Rogers of Sullivan, Rogers & Company, LLC, the audit firm that performed the financial audit of the Town's financial records for the period ending June 30, 2004.

Mr. Rogers stated that, between the two of them, there is over 40 years combined experience in financial audits, with a minimum of 25 years doing municipal audits.

Town Manager Valente stated the meeting between the Selectmen and Auditors prior to this one was on February 25, 2003, for FY01 and FY02 together, and that she would like to see them done more on an annual basis.

Mr. Rogers stated that he too would like to see annual meetings to discuss the audit, as it affords an opportunity to more quickly correct things that are askew or not being done at all. He stated the only major omission this time was the lack of reporting on the operation of the Wayland-Sudbury Septage Disposal Facility with regard to government activities. Mr. Rogers reviewed financial highlights, touching on topics such as debt service, government bonds and the use of Enterprise funds.

With regard to the Management Letter, Mr. Rogers pointed out the only significant issue that needed improvement involves the Sudbury Public Schools in the area of Title I and Special Education grant monies, payroll reporting for staff (Title I grants) and reporting method for the grants in general. The Management Letter listed areas of concern discussed by the auditors, and featured a resolution or efforts by the Town to correct each concern in the coming year.

Mr. Rogers stated that, aside from the small number of areas that need work, the financial condition of the Town of Sudbury is excellent, reflected in the AAA credit rating.

There was a brief question-and-answer period. The Board thanked Mr. Sullivan and Mr. Rogers for their thoroughness in examination of the Town's records.

### **Minutes**

It was on motion unanimously

VOTED: To approve the minutes of the regular and executive sessions of May 17, 2005, as amended.

### **U.S. Fish and Wildlife Service --- Federal Share Grant**

It was on motion unanimously

VOTED: To accept a 90% Federal Share Grant in the amount of \$13,500 from the U.S. Fish and Wildlife Service for the purchase of a used pickup truck, to be combined with the permanent loan of a slide-on firefighting unit from the Great Meadows Wildlife Refuge, the completed unit to be used by the Fire Department as a brush truck for firefighting in the woods, wildlands, and elsewhere where larger fire engines are restricted due to their size, and, further, to agree to loan the vehicle to the U.S. Fish and Wildlife Service on occasion as they have need, in accordance with an agreement to be prepared for such purpose.

**July 4<sup>th</sup> Sudbury Road Race**

It was on motion unanimously

VOTED: To grant permission to Graham R. Taylor to place two signs on Concord Road announcing the July 4<sup>th</sup> Sudbury Road Race at Featherland Park for the period of June 26 through July 4, 2005.

**Mass Red Ribbon Ride – August 14, 2005**

It was on motion unanimously

VOTED: To grant permission for the Mass Red Ribbon Ride to be conducted through Sudbury on Sunday, August 14, 2005, during the approximate hours of 1:00 to 7:30 p.m., traveling east on Hudson Road from Stow, north on Concord Road and east on Lincoln Road into Wayland, in support of thirteen AIDS organizations within Massachusetts; subject to meeting all requirements of the Sudbury Police Department and pickup of any litter resulting from the event.

**Community Housing Committee – Resignation**

It was on motion unanimously

VOTED: To accept the resignation dated May 15, 2005, of Patrick Rosseel from the Community Housing Committee and to send a letter thanking him for his service.

**Community Housing Committee – Appointments**

It was on motion unanimously

VOTED: To appoint Kaffee Kang, Judith Deutsch, and Joseph D. Bausk to the Community Housing Committee to fill existing vacancies, as recommended by said Committee in a letter dated May 25, 2005, for terms to expire April 30, 2007.

**Sudbury Day Committee – Appointment**

It was on motion unanimously

VOTED: To appoint Ellen Gitelman to the Sudbury Day committee for an indefinite term, as requested by said Committee, in a letter dated May 17, 2005.

**Youth Commission – Appointments**

It was on motion unanimously

VOTED: To reappoint Susan Asbedian-Ciaffi and to appoint Emily Hayes, 283 Mossman Road, to the Youth Commission, each for a term to expire April 30, 2006, in accordance with a letter dated May 12, 2005, from Susan Asbedian-Ciaffi, Youth Commission Chairman, and a letter dated June 2, 2005, from Assistant Town Manager Wayne Walker.

**Economic Development Committee – Appointment**

It was on motion unanimously

VOTED: To appoint Carole L. Montgomery to the Economic Development Committee, to replace John Williams, who is no longer with the company, as representative for Gravestar, Inc., for a term to expire April 30, 2008.

**Department of Public Works Contracts**

It was on motion unanimously

VOTED: To approve the award by the Town Manager of the following annual Department of Public works contracts to the lowest bidder(s) in accordance with the requirements set forth in the bidding documents and as reviewed by Town Counsel:

CONTRACT #	CONTRACT NAME	BID OPEN DATE
2006-ER-1	Street Sweeping	6/8/2005
2006-M-3	Borrow Materials	6/8/2005
2006-M-1	Bituminous Materials	6/8/2005
2006-CM-1	Cemetery Mowing	6/8/2005
2006-F-1	Diesel Fuel	6/8/2005
2006-T-1	Trees & Stumps: Removal & Disposal	6/9/2005
2006-M-4	Infrared Bituminous Restoration	6/9/2005
2006-M-2	Bituminous Concrete Type I in place	6/9/2005
2006-ER-1	Street Sweeping	6/9/2005
2006-TLP-1	Traffic Line Painting	6/9/2005
2006-E-2	Multi Purpose Tractor	6/17/2005

**2005 Science Olympiad State Championship – Resolution**

It was on motion unanimously

VOTED: To sign a Resolution in honor of the Curtis Middle School Team, winners of the 2005 Science Olympiad State Championship title.

**Pari Holdings, LLC – Sudbury Meadows (534 North Road)**

The Board was asked to provide further input to the Board of Appeals regarding Case Number 05-19, the Sudbury Meadows Comprehensive Permit Application for 534 North Road, with regard to new materials received under cover letter dated May 25, 2005, from Attorney Louis W. Mountzoures on behalf of

Pari Holdings LLC. New materials included: revised Site Plans dated May 18, 2005, revised Architectural Floor Plans and Elevations dated May 24, 2005, updated Waiver Request List as of May 24, 2005, and Letter from MassHousing regarding preliminary funding. Mr. Mountzoures stated a set of the Site Plan and Architectural Plans have been deposited at the reference desk at the Goodnow Public Library for public viewing.

Town Manager Valente stated additional reports had been received from the Town Planner and the Town Engineer/DPW Director. Ms. Valente distributed copies of the Board of Appeals meeting minutes of Thursday, April 28, 2005, during which time this matter was discussed. Chairman O'Brien and Selectman Drobinski reviewed the Board of Appeals minutes.

Selectman Drobinski noted the Town Engineer's comment that drainage calculations had been omitted from the plans and requested the plans be revised to include them.

Further, Mr. Drobinski expressed concern about the appropriateness of suggested landscaping plants. He opined that a raised berm with junipers on top might provide better screening. He also asked if the fence was plastic or wooden, as some modular fencing is now a durable plastic. He stated his preference for a wooden fence.

Chairman O'Brien asked Town Manager Valente if she had Board of Appeals minutes from May 19, as this was the meeting this matter was to be discussed next, according to the April 28 minutes. She responded she did not. Chairman O'Brien suggested the May 19 minutes be reviewed to learn what the Board of Appeals had determined, before this Board makes further comment.

Chairman O'Brien asked when the next Board of Appeals meeting was scheduled. Town Manager Valente opined that meeting was set for June 22, the day after the next Board of Selectmen meeting. She suggested that, after review of the BOA minutes from May 19, the Selectmen forward their comments to her by June 17 for review at the Selectmen meeting on June 21. This would allow Selectman Keller an opportunity to include his input.

It was on motion unanimously

VOTED: To obtain Board of Appeals meeting minutes from May 19, and after review of all related materials, forward comments on this matter to the Town Manager by Friday, June 17.

### **Ponds and Waterways Committee – Candidate Interviews**

Presents: Susan J. Crane, Nancy Crooker, William R. Griffin, Theodore Klein, William S. Leslie, Francis Lyons, Joel L. Singer.

The Board met with several candidates for appointment to the newly formed Ponds and Waterways Committee. There were additional candidates who were unable to attend tonight's meeting. Introductory statements were as follows:

Susan Crane – She stated she is happy to see this committee created; has been involved with environmental conservation for 18 years as an environmental lawyer; is a member of Sudbury Valley Trustees and could represent that organization on this committee, and has worked closely with the Hop Brook Protection Association.

Nancy Crooker – Ms. Crooker stated she has worked with Hop Brook Protection Association as treasurer since 1994; wants more volunteer and community involvement; wants to preserve ponds and waterways that are part of Sudbury's New England scenic heritage; and is willing to learn more about these issues.

William Griffin – Mr. Griffin stated he has always been interested in the ponds; would like to see more recreational use such as fishing and swimming; has worked with the Executive Office of Environmental Affairs and Blackstone River Watershed in a technical capacity.

Theodore Klein – Mr. Klein opined this committee is a good idea; is a fairly new resident on Dutton Road; has a strong background as user with his family; and his professional career has been in the field of business improvement.

William Leslie – Mr. Leslie is a resident of three years; works as a high-tech financial executive; uses water recreational areas with his family; would like to give back to the community; and has an interest in preserving habitats.

Frank Lyons – Mr. Lyons reminded the Board he has worked with the Hop Brook Protection Association for many years toward resolving the phosphorous discharge from of the Marlborough Wastewater Plant; and would like to use his experience in addressing issues of all bodies of water in Town.

Joel Singer – Mr. Singer was one of the original proponents of the formation of this committee and stated this is an exciting opportunity to improve the condition of the ponds and expand recreational uses. He is a CEO of a company dealing with many state and federal regulations in this area; is able to work on team in goal-oriented venue with cooperation and commitment, and would like to see more recreational areas connected by trails.

The Board complimented the candidates on the breadth of their personal and professional experience. Town Manager Valente stated that it is within the Board's jurisdiction to add Associate Members to this committee if it chooses to do so without changing the Mission Statement.

Selectman Drobinski asked the candidates the following question: If you had a magic wand and could wave it over Sudbury's ponds and waterways, what would you wish them to look like?

Ms. Crooker stated she would like them to not be green with algae, to see people fishing, more overall use, and an increased sense of community.

Mr. Lyons stated he would restore the waterways to their State Class B Waterway classification; would like to see more swimming, canoeing; preservation of habitat for fish and waterfowl; and eliminate invasive plants.

Mr. Leslie stated he would like to see increased recreational use; and create educational opportunities to teach residents about the environment and ecosystems of the waterways.

Mr. Klein said he would improve the quality of Sudbury life with more recreational boating and swimming opportunities; and tailor educational opportunities for elementary students, suggesting field trips to the ponds.

Mr. Singer repeated his interest in connecting recreational areas by trails more than they are now, adding a canoe rental, seeing ponds and waterways listed as “things to do in Sudbury”.

Ms. Crane stated she would like to see the water quality restored to a “swimmable” state; and increased recreational opportunities throughout.

Mr. Griffin stated he would simply like to see the waters brought back to life.

Chairman O’Brien asked the candidates if they had read the mission statement developed for this committee. All responded in the affirmative with a show of hands. He then asked the following question: What is your overall impression of the mission statement and what this group is being asked to accomplish?

Mr. Griffin sees this group as an advisory group; the mission statement is fairly complete as written.

Ms. Crane felt the mission statement was well written; she would like to see Associate Members added; she is interested to see how the committee would work with groups such as the Hop Brook Protection Association.

Mr. Singer said he was one of the people who drafted the mission statement; he envisions fact-based analysis; he realizes the group cannot commit funds but must present information to Town Meeting.

Mr. Klein opined the mission statement to be well written; possibly a bit ambitious as it is not able to commit resources without Town Meeting vote; will require strong structure and ability to reconcile varying viewpoints.

Mr. Leslie felt the mission statement was too ambitious; and expressed concern that the very nature of it could end up being counter-productive.

Mr. Lyons sees its role as fact-finding and consensus-building; needs to liaison activity with Hop Brook Protection Association to avoid duplication of effort.

Ms. Crooker stated in her opinion the mission statement seemed well-balanced and liked the fact that it aimed high in its goals.

Chairman O’Brien asked about candidate availability during the summer months; all responded they would be around most of the summer.

Mr. O’Brien asked if anyone would prefer being an Associate versus a regular member. Ms. Crane stated she would like to see SVT (Sudbury Valley Trustees) as a member in some capacity, and reiterated her interest in representing that group on this committee. Mr. Lyons stated he would be happy to represent the Hop Brook Protection Association on this committee.

Chairman O’Brien and Selectman Drobinski stated they would like to have Selectman Keller review the interview notes before making a Board decision, and also consult with Mark Ensign (Conservation Commission) and Michael Fee (Planning Board) for their input on changing the size of the committee by increasing the number of at-large members or adding Associate Members.

Chairman O’Brien asked candidates if any would like to offer closing comments.

Mr. Klein has a sincere interest in the waterways and possesses good networking experience.

Mr. Leslie stated this is an important effort for the Town.

Mr. Lyons reiterated his long-standing interest in waterways and previous experience.

Ms. Crooker opined she would be able to bring a high level of objectivity to the committee.

Mr. Griffin stated he would be able to offer innovative solutions and facilitate communication between differing opinions.

Ms. Crane stated she is committed to environmental protection and added that she has many good contacts with other environmental groups and state agencies.

Mr. Singer reiterated his earlier comment that this is a good idea and wants to be involved in any way he can.

On behalf of the Board, Chairman O'Brien thanked candidates for their interest in this committee and advised them to check the Town website after June 17 to see what time this matter would be addressed on the agenda for June 21.

### **The Villages at Old County Road**

The Board was asked to submit comments to the Board of Appeals relative to Case Number 05-28, Application for Comprehensive Permit for The Villages at Old County Road and reviewed the following information: Plans and Comprehensive Permit Application, dated May 13, 2005, Traffic Impact Assessment, Storm Management Report, and a report, dated June 6, 2005, from the Conservation Coordinator, with the following comments: (1) wetland line is official, though the Commission has not discussed the development concept as yet. (2) Commission is aware floodplain alteration and compensatory flood storage is part of the proposal, and upon filing the Notice of Intent, the developer will be asked to look at alternatives to the floodplain alteration. (3) The Commission would like to see drainage upgrade in Old County Road as part of the requirements for this development.

Town Manager Valente reminded the Board that the Board of Appeals would like any comments by June 16 in order to prepare for a meeting scheduled for June 23.

Chairman O'Brien suggested walkway improvements be considered part of this development. With regard to the traffic study, he stated the Town of Wayland is considering two large developments, the traffic for which would likely be using Old County Road. He opined the traffic study did not consider this when making the traffic assessment.

The Board expressed appreciation for the landscaping plan, noting this level of detail was what it would like to see in comprehensive permit applications. The Board stressed again that as much landscape screen as feasible should be between the development and abutting properties.

Selectman Drobinski opined drainage had not been discussed at the meeting where the development was first discussed. He stated he had time for only a cursory review of the plans and could not comment this evening.



It was agreed the Board would review all materials and forward any comments to the Town Manager by June 16 to be submitted to the Board of Appeals. Chairman O'Brien specifically stated walkway improvement and additional traffic study be included in those comments. The Board also requested that the comments they had earlier sent to the MassHousing Finance Agency be sent to the Board of Appeals.

**Executive Session**

At 10:06 p.m. it was on roll call

VOTED: To go into Executive Session for the purpose of discussing land acquisition and litigation matters.

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

There being no further business to come before the Board, the meeting adjourned at 10:45 p.m.

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