

**IN BOARD OF SELECTMEN  
TUESDAY, FEBRUARY 14, 2006**

Present: Chairman Lawrence O'Brien, Selectmen John C. Drobinski and William J. Keller, Jr., and Maureen Valente, Town Manager

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

**Opening Remarks**

At 7:35 p.m., Chairman O'Brien began the meeting with a brief review of the evening's agenda. He also congratulated the Department of Public Works as well as the Police and Fire Departments for jobs well done during the 17 inches of snowfall on Sunday, February 12. The roads were in good traveling condition throughout the day.

**Sudbury Foundation - Grant**

Town Manager Valente briefly described a high-level, senior management-training program, which will be partially funded by this grant. Ms. Valente hopes to have her entire senior management staff complete the program as funding allows.

It was on motion unanimously

VOTED: To accept a grant in the amount of \$4,500 from The Sudbury Foundation to enable the Town's Senior Management Team to participate in a specialized leadership-training program and to authorize expenditure of these funds under the direction of the Town Manager.

**Speed Limit Report - Old Garrison Road**

The Board considered a memorandum and report from Police Chief Peter F. Fadgen and Safety Officer Ronald Conrado, dated February 7, 2006 and February 9, 2006 respectively, recommending a speed limit adjustment for Old Garrison Road. This was based on a review of accident data for a two-year period, which revealed 12 prior accidents. Town Manager Valente emphasized this is the first step in a process which will include hearings and gathering additional data after submission of this material to the Mass. Highway Department.

It was on motion unanimously

VOTED: To accept the report presented by Police Chief Peter Fadgen and Safety Officer Ronald Conrado, recommending a change in the speed limit on Old Garrison Road from 40MPH to at least a posted 30MPH, and to approve its submission to the Massachusetts Highway Department for subsequent approval.

**Minutes**

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of January 31, 2006.

### **Special Municipal Employees**

The Board considered a request of Mary Will, Director of Business and Finance, Sudbury Public Schools, to include Alan Catrina, a Special Education Educator, as a Special Municipal Employee. In response to a question from Selectman Drobinski, Ms. Valente explained such a designation is required since Mr. Catrina will be fulfilling possibly two roles/positions for the Town. Mr. Catrina is employed as a Special Education Educator by the Sudbury Public Schools and a member of his family owns a van transportation company which is utilized on occasion by the Sudbury Public Schools.

It was on motion unanimously

VOTED: To designate Special Education Educators as Special Municipal Employees under M.G.L. c.268A.

### **Reports from The Board of Selectmen**

Selectman Keller reported having attended a meeting of a task force which is developing a memorandum of agreement between the Town and Lincoln Sudbury Regional High School (LSRHS) for use of a proposed community athletic field. There are different fields to be covered by such agreements, and they are evolving with separate but parallel language. The end result should be agreements which will allow the entire LSRHS complex to be available to the Town when not in use by LSRHS.

Chairman O'Brien reported having attended an initial meeting of the Local Emergency Planning Committee conducted by Fire Chief Ken MacLean. Chairman O'Brien also reported the Town Center Improvement Committee had received 16 proposals to its RFP, and all proposals were of a very high quality. Proposals will be reviewed by the Committee and the top five or six will be interviewed. The Committee will then present its final recommendation to the Board of Selectman.

### **Town Meeting Actions**

It was on motion unanimously

VOTED: To approve speaker assignments among the Board Members for Annual Town Meeting articles as presented in the memo dated January 31, 2006, with the provision Selectmen Keller will substitute for Selectman Drobinski if Mr. Drobinski is to also present on behalf of the Community Preservation Committee.

It was on motion unanimously

VOTED: To approve "Consent Calendar" designations as presented; and

it was on motion unanimously

VOTED: To approve wording of the warrant reports for the Board of Selectmen's articles as presented; further,

it was on motion unanimously

VOTED: To recommend the Solid Waste Enterprise and Pool Enterprise Fund Budgets to the Town Meeting; and

it was on motion unanimously

VOTED: To approve the positions taken of supporting the Annual Town Meeting articles except for Article 3 and Article 33, pending additional details and information. (NOTE: This vote was later revised.)

Later, it was also on motion unanimously

VOTED: To withhold a decision on Article 33, related to the Sudbury Affordable Housing Trust, until further discussion can occur at the February 28, 2006 meeting of the Board of Selectmen.

**Public Hearing - Asillem LLC, d/b/a Stone Hearth Pizza, Co.**

Present: Christopher Robbins, Manager, Stone Hearth Pizza, Co., Jonathan Schwarz, Partner, Stone Hearth Pizza, Co.

In accordance with M.G.L. c. 138, the Board considered an application from Asillem LLC, d/b/a Stone Hearth Pizza Co., Christopher Robbins, Manager, 519 Boston Post Road, for a Wine & Malt Restaurant license, Entertainment and Common Victualler licenses. Notice was posted in the *Sudbury Town Crier* on February 2, 2006, and abutters were all notified by Certified Mail.

Mr. Robbins and Mr. Schwartz briefly reviewed their business experience and philosophy. In response to many questions from the Board, the gentlemen shared the following information. Their first restaurant has been operating very successfully for six months in Belmont. The restaurant specializes in Neapolitan (thin crust) pizza using organic ingredients, appetizers and salads with homemade dressings. The principals have chosen Sudbury for their second location because the Town has similar demographics to Belmont. Restaurant staff has received TIPS training from the Massachusetts Restaurant Association. The proposal is for a handicap accessible, 68-seat facility offering both an in-house and take-out menu. The opening is scheduled for May 2006 providing the remainder of the permitting process goes as smoothly as anticipated. The applicants also expressed a dedication to making a difference and being involved within the communities in which their businesses are located. Also, Mr. Robbins and Mr. Schwartz are committed to providing employment opportunities for the Town. The restaurant will provide background music.

It was on motion unanimously

VOTED: To approve, in accordance with MGL c. 138, the application from Asillem LLC, d/b/a Stone Hearth Pizza Co., Christopher Robbins, Manager, 519 Boston Post Road, for a Wine & Malt Restaurant license, Entertainment and Common Victualler licenses subject to compliance with the recommendations of the Health Director, Building Inspector, Fire and Police Chiefs on issues as they arise.

Chairman O'Brien thanked the guests for their informative presentation and welcomed them to the Sudbury business community.

**Earth Decade Committee Petition**

Present: Peter Glass, 523 Hudson Road, Earth Decade Committee, Carol Hannauer, 48 Old Lancaster Road, President, Earth Decade Committee

At 8:33 p.m., Chairman O'Brien welcomed the Committee members to explain the citizen petition for the Pay As You Throw (PAYT) curbside pickup warrant article for the 2006 Annual Town Meeting. Ms. Hannauer offered a statement noting her commitment to keeping the transfer station open while still endorsing the concept of a municipal-run system of curbside pickup.

Handouts of information drawn from the EPA and DEP websites were referenced throughout the discussion. Selectman Drobinski asked the Committee to be cautious regarding the conclusions articulated from the assessment of such statistics so as to accurately reflect Sudbury's recycling rate data. Mr. Glass defended his position by stating the figures reported by Sudbury do not represent the entire Town since no figures for curbside haulers are included in the report. Selectmen Keller and Drobinski also stated that, historically, the Board of Selectmen have supported keeping the transfer station open. However, the Board cannot guarantee its future commitment given the financial conditions of the Town which must be assessed each year at the time of budget review. Chairman O'Brien concurred that the transfer station would have to undergo an annual review of resources required for operation in relation to its efficiency and utilization and other Town priorities.

Mr. Glass presented a review of recycling history covering the past few decades, emphasizing the need to pursue all avenues for promoting more environmentally-oriented ways to reduce waste management. He stated the Committee has aspired to serve Sudbury as an advisory and educational resource. In response to questions from the Board, Mr. Glass estimates, if Article 3 is passed at Town Meeting, it would require an \$870,000 override. This translates to approximately an additional \$140 for the average valued residence.

Town Manager Valente stated funds to keep the transfer station open are required to be reviewed yearly at the Town Meeting as part of the appropriation process.

Mr. Glass stated the typical curbside hauler contract is three years with a likely CPI yearly increase, which would be renewed at the end of the contractual period. The Board expressed concern that, if the PAYT program were approved, it would be very difficult in the future to take the service away if it were financially necessary to do so.

Peg Whittemore, 24 Taylor Road, asked if the \$140 estimated tax increase is related to the value of one's house, which was confirmed and noted it would be included in the overall tax bill based on the assessed home value received by the homeowner.

Timothy Coyne, 24 Taylor Road, urged the Board to not support the proposal. If passed, Mr. Coyne believes Article 3 will greatly reduce the number of options provided to households to deal with this issue and will accelerate the demise of the transfer station.

Adam Gross, 17 Singletary Lane, expressed support for the proposal and believes it can be beneficial financially and environmentally to the community.

It was on motion unanimously

VOTED: To not support Article 3 for Curbside PAYT Trash Pick-Up at the Annual Town Meeting with a special notation that this decision is not to be construed as a lack of support and respect for the work of the Earth Decade Committee, which is held in high esteem by the Board.

#### **Rail Trail Conversion Advisory Committee**

Town Manager Valente announced the Rail Trail Conversion Advisory Committee (RTCAC) has completed a draft RFP, which has been submitted to Town Counsel, Paul Kenny, for review. The Co-chairs, Richard C. Williamson and Patricia Brown would like feedback from the Board on the draft. The Board asked the RTCAC to attend their meeting on February 28 at 8:30 p.m. to present the RFP to them and allow for a thorough discussion. Chairman O'Brien suggested the meeting be advertised on the Town website.

**Freedom's Way Heritage Landscape Program**

Ms. Valente presented the Freedom's Way Heritage Landscape Inventory Program and Reconnaissance Survey, which the Board previously approved Sudbury to join. Ms. Valente distributed a draft letter, requesting the approval of the Board.

It was on motion unanimously

VOTED: To authorize the Chairman to approve the language, sign and send a letter to the Department of Conservation and Recreation, endorsing the Board's concurrent approval of Sudbury's involvement with the Freedom's Way Heritage Landscape Inventory Program and Reconnaissance Survey program, pending no questions arise from an immediate 48-hour review. Questions and concerns should be submitted in the next 48 hours to the Town Manager.

**Transfer Station Landscape Proposal**

Ms. Valente brought to the Board a request from the Earth Decade Committee for consideration of its transfer station landscape improvement proposal.

It was on motion unanimously

VOTED: To request the Earth Decade Committee to appear before the Board to present their plans for a transfer station landscape improvement project.

**T-Mobile Request for Wireless Towers RFP**

Ms. Valente distributed a letter from T-Mobile to the Board asking for the issuance of a Request for Proposal (RFP) for two wireless communications facilities on Town land. The Town Manager's staff will be collecting more data regarding the request. However, at this time, Ms. Valente recommended the Board not issue an additional RFP for the Fire Station since there is already an approved location nearby at the gravel site. The Board asked that T-Mobile be instructed to prepare studies showing gaps in coverage, why Town-owned property should help fill these gaps, and pictures of how the facilities would look on these sites.

**State Budget Requests**

Ms. Valente has received requests from Sudbury's State Senators and Representative for a list of projects that the Board would like to see promoted for State funding. The Board suggested the expanded development of emergency shelters, and funding for every school and Town Hall to purchase a generator. Another suggestion was funding of an additional sidewalk plow. Ms. Valente will ask Department Heads to compile the list of priorities for submission.

**Lincoln Sudbury Regional High School Auditorium**

In response to many resident inquiries regarding whether the Lincoln-Sudbury Regional High School Auditorium meets building code requirements, Ms. Valente distributed a letter from the Office of Michael Rosenfeld, Inc., the architects for the high school. The letter addresses all questions regarding large assembly spaces, the auditorium and gyms. In summary, the architects state clearly that in all instances the spaces do comply with current code requirements.

**Town Manager Appointment to Advisory Board**

Ms. Valente has been appointed to the Local Government Advisory Commission by Governor Romney. Lieutenant Governor Healy swore her into office today. At the LGAC meeting, the Lieutenant Governor said the Chapter 70 aid reform budget was introduced for discussion but towns should not count on additional funds from this initiative. Ms. Valente said she will be advocating for the uncapping of lottery funds at LGAC meetings, as well as reaffirming need for additional Chapter 90 funds to address the extreme disrepair of the Commonwealth's roads and bridges. The Board congratulated the Town Manager on this appointment.

There being no further business, the meeting adjourned at 10:17 p.m.

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