

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, SEPTEMBER 21 2010

Present: Chairman John C. Drobinski, Vice-Chairman Lawrence W. O'Brien, Selectman Robert C. Haarde and Town Manager Maureen G. Valente

The statutory requirements as to notice having been complied with, the meeting was convened at 7:34 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

At 7:34 p.m., Chairman Drobinski opened the meeting and he acknowledged the upcoming retirement of Assistant Fire Chief Mike Carroll and thanked him for his 32 years of service. He also welcomed a Sudbury Boy Scout, who is observing tonight's proceedings as a requirement for a Community Service Merit Badge.

Chairman Drobinski announced there will be an Open House on October 17, 2010 sponsored by the Assabet Valley National Wildlife Refuge at its headquarters located off Hudson Road. He encouraged the community to attend.

**Reports from the Board of Selectmen**

Selectman Haarde reported his involvement with fall baseball, soccer and Cub Scout activities. He attended tonight's Sudbury Historical Commission meeting. Selectman Haarde stated the Commission is busy preparing to support the Colonial Fair and Muster of Fifes and Drums to be held on the Wayside Inn grounds from 10:00 a.m. to 5:00 p.m. on Saturday, September 25, 2010. He encouraged the community to attend the event.

Vice-Chairman O'Brien reported that the Sudbury Housing Trust met this past week and will next meet with the Zoning Board of Appeals (ZBA) to present its revised plan to proceed with an affordable-housing development of three units on Marlboro Road.

Chairman Drobinski met with the Massachusetts Municipal Energy and Environmental Subcommittee this past week and the DOER. He shared information with Town Manager Valente to pass along to the Energy and Sustainability Green Ribbon Committee regarding photovoltaics and options for the closed landfill. Town Manager Valente later stated that the Green Ribbon Committee is meeting this evening to discuss the Town's energy supply contracts. She noted the Committee has worked with Town Counsel, since contracts currently prohibit the implementation of the Town's own renewable energy supply. The Committee's Chairman Bill Braun will provide an update of activities at the October 5, 2010 Board meeting.

**Reports from Town Manager**

**Federal Health Care Reform – Discussion of Proposed Eligibility Revisions**

Present: Assistant Town Manager Maryanne Bilodeau

Town Manager Valente distributed copies to the Board of a memorandum from Assistant Town Manager Maryanne Bilodeau dated September 21, 2010, regarding eligibility revisions which will be required as part of the Affordable Care Act and the recently approved Federal health reform legislation. Ms. Valente explained that some School and Town employees have been recently notified by insurers that adult children would be phased out of coverage as of November 1, 2010. She further explained that, as of the first health plan anniversary following September 23, 2010, insurers and employers must now extend health benefits to adult children of covered employees through age 26. Fully-insured programs are implementing the revisions immediately, but self-insured programs, like Sudbury's, have until July 1, 2011 to comply. Ms. Valente and

Ms. Bilodeau are presenting the information for the Board to consider when Sudbury should implement the required changes for a small group, who may be caught without coverage for the next eight months. It was suggested that the Board discuss this matter tonight or at its October 5, 2010 meeting.

Town Manager Valente stated that the recommendation to the Board is to now grandfather into coverage the adult children currently on active plans so that families know they will have coverage and do not spend unnecessary time researching other options for temporary coverage until July 2011. She also explained that it has been estimated that, since these children have already been part of family plans, there should not be an additional cost to the Town beyond what was already appropriated and any potential claims which arise between now and July 2011 would be paid out of the Health Claims Trust. Other towns with self-insured programs have been surveyed, and they seem to be choosing the option to grandfather the eligible adult children of the covered employees.

Selectman Haarde asked how many adult children would be added for coverage to age 26 and if we are required by law to do this. Ms. Bilodeau stated 24 people will have a 26<sup>th</sup> birthday between now and July 2011 and another possible 169 would become 26 years old the following year. She clarified that the affected families have been notified of the eligibility revisions by Blue Cross Blue Shield. Town Manager Valente noted that 24 additions would be the worst case scenario, since it is possible some of these adult children may find other coverage opportunities between now and next July.

Vice-Chairman O'Brien asked for clarification regarding new additions under the recommended option, which Ms. Bilodeau explained. He asked if the potential July 1, 2011 re-enrollees have been surveyed. Ms. Bilodeau stated that, at this time, it is uncertain how many might be eligible to re-enroll for coverage. However, currently there are 271 dependents ages 19-26 of covered employees, and 102 show as active on the plans. She further stated that the Town's health plan consultants, Group Benefits Strategies, has estimated that 50-75% of those not currently active in this age group could possibly choose to re-enroll in July 2011. Vice-Chairman O'Brien stated he is inclined to support the suggested recommendation to grandfather the 24 adult children between now and July 1, 2011 to give those families peace of mind, since it would be difficult to find individual health care coverage in a month's time.

Selectman Haarde asked what the expanded liability is for the Town as a result of this new legislation. Ms. Bilodeau stated that the Town's consultants have estimated the cost at approximately \$25,000 - \$32,000 for potential claims per year. Selectman Haarde asked if the Town would also pay additional premiums between now and July 1, 2011. Town Manager Valente stated there would be no additional premiums, since the adult children are already part of family plans. She further noted that potential claims would be paid from the Town's Health Claims Trust Fund and not from the appropriation.

Selectman Haarde asked for further clarification regarding whether all private and public entities must comply. He also questioned if the rationale for the revision is because this segment has been identified as falling into a gap of no coverage because they are predominantly unemployed. Ms. Bilodeau and Town Manager Valente assumed this to be the reason, since it has been difficult for college graduates to find employment in the challenging economy. Ms. Bilodeau also stated that, currently, dependents are covered until age 19, unless they are a full-time student, and then coverage is extended to age 25. She further explained that, because Sudbury has a self-insured program, it has not had to comply with State health care regulations which require coverage to age 25.

Selectman Haarde asked what the cost to the Town would be to just grandfather the 24 adult children until July 1, 2011. Ms. Bilodeau stated she was uncomfortable providing a guess, but estimated that expense to be between \$5000 and \$10,000.

It was on motion (2 aye, Mr. Haarde abstained)

VOTED: Effective September 23, 2010, to allow adult children, who were enrolled on their parent's health plan as of September 23, 2010, to remain on the family plan until age 26 or until the adult child is offered health benefits through his/her employer. And further, on July 1, 2011, the Town of Sudbury will fully comply with The Affordable Care Act by allowing all adult children to age 26 to enroll on their parent's family plan unless the adult child is offered coverage through his/her own employer.

**Park and Recreation Commission – Joint Meeting - Melone Property Use Discussion**

Present: Director of Planning and Community Development Jody Kablack, Park and Recreation Director Nancy McShea, Park and Recreation Commission Chairman Paul Griffin and Commission member Robert Beagan

At 8:00 p.m., Chairman Drobinski opened a joint meeting with the Park and Recreation Committee to discuss possible uses of the Melone property on Route 117. The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated September 15, 2010, outlining a proposed process for the Town to determine how best to develop the land for another use and to determine requisite funding.

Chairman Drobinski referenced the Board's last meeting and a presentation by Sudbury Baseball to construct a baseball complex on the Melone property. He stated that the concept is a great idea, but a lot of questions were posed at that meeting. Thus, the Board thought it would be helpful to gather more input from the Park and Recreation Commission as to whether a needs analysis of field use and types of fields would benefit the deliberation of the project. He emphasized that it is important for the community to understand that the Melone property is an important asset for the Town, and thus all possible uses should be considered. Chairman Drobinski suggested that possibly senior residential housing and/or some element of commercial use to generate tax income, along with recreation, might be further evaluated.

Chairman Drobinski noted that many concerns need to be fully considered, including what the short-term and long-term formal arrangement for the parcel would involve, whether it would be solely with Sudbury Baseball or for a regional complex with surrounding communities, traffic, parking, and construction and maintenance costs. He emphasized that, although the baseball complex is a great idea, it is important that the Board perform its due diligence to determine what is the best and highest use of the parcel for the entire Town, before the project is recommended for Town and/or Community Preservation Act (CPA) funding. Chairman Drobinski also stated that the Town typically follows a process to reach the best conclusion. He asked the Commission for its opinion regarding the viable need for the type of baseball complex proposed and whether a needs analysis should be completed.

Park and Recreation Commission Chairman Paul Griffin stated that Sudbury Baseball has had several discussions with the Commission and has shown great initiative in developing its proposal. He stated that the Commission is in favor of determining the best recreation use for the Melone property. Mr. Griffin further stated the best plan might include multi-uses. He also stated that the Commission views its assessment as in the early stages, but believes it has sufficient information available from a previous recreation plan completed by a consultant to further evaluate the proposal. He concurred with Chairman Drobinski's statements, noting that it takes time to develop the right project for as many Town groups as possible.

Mr. Griffin emphasized that there are not many properties left in Sudbury of this parcel's size, and thus the Town should develop it correctly. Chairman Drobinski stated that a portion of the parcel is partially located in Concord, and thus there could be a permitting process there as well. Mr. Griffin reiterated the need to further investigate what uses are possible on the site. He also stated the Melone property is a great

piece of land, with few of the typical neighborhood-related development issues. He stated that the baseball idea is exciting, but the Commission needs more time to determine if it is the best idea. Mr. Griffin also stated that it is critical to understand the finances of the project regarding how the property would be maintained on a short-term and long-term basis. He noted Town staff is working to the maximum level, and it is not easy now to attend to the fields the Town already has. Mr. Griffin acknowledged that Sudbury Baseball has thought about some of these issues creatively, but he opined that it is not so easy to finance a project of this scale. He further opined that this concept would be the largest recreation project undertaken by Sudbury, and it would require substantial funding and man hours to make it successful.

Park and Recreation Commission member Bob Beagan stated he has participated in the Commission's meetings with Sudbury Baseball and thinks the idea has been well presented, and he supports the concept. However, Mr. Beagan also believes the Commission needs to further discuss other options.

Director of Planning and Community Development Jody Kablack reviewed tasks already completed, including soil testing, survey, wetland identification and preliminary identification of permitting. However, she also noted the many additional tasks which would be necessary to bring this project to fruition. Ms. Kablack opined that she is concerned that it is premature for this project to be presented to the Community Preservation Committee (CPC) this year. She emphasized that the CPC is a funding entity and not an entity to develop or initiate projects. In response to a question from Chairman Drobinski, Ms. Kablack stated that the baseball project would be CPA-eligible if it creates a new recreational facility not on land already developed for recreation.

Ms. Kablack reported that a feasibility study appropriation of \$50,000 was approved at the 2006 Town Meeting for this and the Mahoney properties. A Request for Proposal (RFP) was finalized and a consultant was chosen in 2007. She stated that the feasibility study considered all aspects related to two Community Preservation Act eligible uses – housing and recreation. In 2008, the report was substantially completed, concluding that the Mahoney property was not viable, but that Melone was. The Town received schematic drawings, but a final report has not been received. Ms. Kablack highlighted that further work on ideas for this property were ceased because of the poor economy, the project was considered to be costly and, at that time, other Town issues were deemed as greater priorities.

Ms. Kablack noted that, foremost to moving forward with any plan for this property, the Board would need to determine the best use for the parcel. She reported that public forums were held, and feedback was widespread from the community regarding potential uses. Ms. Kablack believes more public input would need to be solicited again and that all recreational user groups should be asked for feedback. She further noted that the Board might want to consider how Town staff would work on this project while working on their other responsibilities and Board goals.

Ms. Kablack briefly summarized some of the additional tasks which would need to be addressed, including obtaining control from the Sudbury Water District of two integral parcels imbedded on the property, obtaining an appraisal, completing an updated Needs Assessment for specified use, and Department of Public Works (DPW) Director Bill Place would need to do the final grading of the gravel pit, which could take months to complete. She emphasized that the Town is constrained by procurement and permitting rules that do not apply to private development. In addition, Ms. Kablack explained that a Request for Proposal (RFP) would be needed to dispose of the property. She also stated that the short-term and long-term operations and maintenance have to be more thoroughly studied to ensure the project is successful and can be funded.

Selectman Haarde stated that Sudbury Baseball has presented a great idea to build a "park on the pit" and he asked Mr. Griffin to clarify the Commission's position at this time, given its numerous discussions and two unanimous votes to support the project. He asked if Mr. Griffin's comments tonight are on behalf of the

Commission or his personal opinions. Mr. Griffin stated that the Commission voted to support recreation at the Melone property. Selectman Haarde asked Mr. Griffin if he has been present for all the discussions/votes regarding the project. Mr. Griffin stated he was present for one of the votes and that the Commission did not vote to support a specific plan, but to support the idea of recreation on the site. In addition, Mr. Griffin believes he has not stated anything tonight which is inconsistent with the Commission's position.

Selectman Haarde stated that no other plans or ideas for the property have been presented, and thus he does not understand why there is so much confusion and indecision about supporting the well-defined baseball project. He noted that rectangular fields have been built using CPA funds at the High School and Cutting Field and the baseball group just wants to be able to similarly access its share of CPA funds. Mr. Griffin stated that he does not perceive there is any confusion, but rather there is an intention to determine what is best for the entire Town for a property that consists of a large number of acres and will require millions of dollars to develop properly. Mr. Griffin opined that this is a big decision, and it is not about who presents the first idea. He further stated that he perceived Selectman Haarde's questions as unnecessarily confrontational because this is not a Park and Recreation versus a baseball issue. Mr. Griffin reiterated that Sudbury Baseball's initiative is great, but that it is important to develop this project well for the Town, and that may take more time than some would prefer. Mr. Griffin noted that the process outlined by Ms. Kablack seems logical and that a project of this magnitude does not just happen quickly. He repeated that the Commission voted to support recreational development at the Melone property. Mr. Griffin stated again that the baseball idea is great, but there is only one opportunity for the Town to develop this property and it needs to get it right.

Selectman Haarde expressed his frustration with plans for this property being delayed over the last four years from the time of the feasibility study. He stated that if another plan exists for the property it should be presented, but in the absence of other options, he does not understand the delay on the baseball project. Chairman Drobinski stated there is no delay, but that work on the parcel was stopped because of tough economic times. Selectman Haarde asked what the plan was in past years for the property. Ms. Kablack stated that, in 2008, the need was expressed for one 90-foot baseball diamond and discussions also focused on existing Park and Recreation properties and creating a new layout at Davis Field, which she believes still has merit. However, she highlighted that the types of plans previously studied were very different than this proposal in size, scope and focus for four fields.

Chairman Drobinski stated that the Board must focus on what is the best use of the property and what is in the best interests of the entire community, including its children and its senior citizens, and that Sudbury has been successful making these decisions in the past.

Selectman Haarde stated that the Board needs to get a definitive answer from the Commission as to what the Town's recreational needs are. Park and Recreation Director Nancy McShea stated the Commission has a meeting on September 27, 2010. Chairman Drobinski asked Ms. McShea to have the Commission address these questions and report back to the Board regarding its needs analysis. He noted that looking at the Melone property was a Board goal this year. He also suggested Ms. McShea work with Ms. Kablack to review a process for determining the best need for the parcel.

Town Manager Valente clarified that the Melone property did not make the final list of the Board's voted goals. Selectman Haarde concurred, stating it was on the list generated on June 24, 2010, but somewhere in the process, it was dropped from the final list. Ms. Valente stated it was on the list of generated ideas, but ideas which did not have direction were circulated to the Board for feedback. Feedback was not received for the Melone property to establish a direction and goal, and thus it was not on the final list. Chairman Drobinski stated that, if the Board decides this is a priority, staff can resume work on it. Selectman Haarde questioned if that meant that the property would not be worked on by Town staff unless evaluation of the

parcel were a Board goal. Chairman Drobinski clarified that it does not have to be on the Board's goals to be worked on. He stated that he likes the concept of the baseball project, but the Town has to go through a process to determine the use and funding mechanisms for the property.

Selectman Haarde opined that the baseball group has presented answers to all the questions posed, whether people like them or not. Chairman Drobinski opined that he is not sure they have answered all the concerns, and he believes the Park and Recreation Commission should review the proposal more fully. He further stated that permitting, wastewater, traffic, parking, stormwater, whether the Sudbury Water District parcels can be acquired, and whether development would be allowed for the acres in Concord are just some of the additional issues which need to be further investigated.

Selectman Haarde stated he does not support housing on this parcel, and he believes the property only has enough space for fields. In general, he further stated that the Town should not be promoting construction of housing, since Sudbury has enough housing and crowded schools. Thus, Selectman Haarde believes the Town should not be actively promoting more housing, when it already has infrastructure problems. Chairman Drobinski emphasized that the only housing which would be considered for the parcel is senior housing.

Ms. McShea asked Ms. Kablack to forward her process-related memo to be shared at the Commission's next meeting. Ms. McShea stated the Commission would welcome guidance regarding its role in determining cost structures for projects. She stated the Commission believes it can promote the concept of field development, but it is not comfortable determining how the project should be paid for and how much it should cost. Chairman Drobinski suggested possibly someone on the Permanent Building Committee might have expertise regarding construction and drainage costs to assist the Commission. Town Manager Valente suggested DPW Director Bill Place might be able to help, but she noted he has concerns about grading of the property.

Ms. McShea asked who should request the CPA funding and who determines how much Sudbury Baseball should contribute to the project. Mr. Beagan concurred that the Commission is very confused about its role regarding financing of the project. Chairman Drobinski also suggested possibly someone on the Finance Committee might be able to help guide the Commission.

Selectman Haarde asked if the baseball group has validated its proposed costs with other area proposals. Ms. McShea stated she knows the town of Needham has been contacted regarding a sports project it constructed a few years ago. In addition, Ms. McShea stated Sudbury Baseball presented its concept to the Finance Committee last night.

Vice-Chairman O'Brien stated it is important that, when the Board addresses a Town Meeting regarding funding, it is able to review a checklist of what was done to support its recommendation. He also shared new information provided by the ownership of the Cummings' property in contradiction to what was stated at the Board's last meeting. Vice-Chairman O'Brien noted that the Cummings representatives have stated that the building is 75% leased, which is good in the current economy. Vice-Chairman O'Brien also suggested that the Board should be prepared to answer those who might believe that the Budget Review Task Force's recommendation to sell or develop the Melone property for commercial use or those who might suggest other alternative uses would be preferable.

Vice-Chairman O'Brien also asked the Park and Recreation Commission to consider and report back on which boys' and girls' sports are rapidly increasing and decreasing in participation, broken out by age group, and what are the Town's needs for particular types of fields, i.e., small, large, rectangular, diamonds, etc. He referenced the baseball proposal which stated 1,513 players were served over three seasons in 2009, and

he assumed this averages out to approximately 500 users per season. Vice-Chairman O'Brien further stated that he has had comments from the public regarding how 60-foot and 90-foot diamonds would benefit girls' sports and/or softball needs. He also asked the Commission to consider and report on whether Feeley and Featherland need to be reconfigured.

Vice-Chairman O'Brien also noted that Sudbury has water well fields adjacent to the Melone property. If the property is developed, he questioned whether there would be fertilizer and pesticide restrictions that would lead to consideration of turf fields. Chairman Drobinski concurred that the location of the wells is important and he wonders if the Sudbury Water District has done analysis on the Melone property as an additional water source for Sudbury.

Vice Chairman O'Brien further referenced the baseball proposal's revenue idea to include concession stands. He questioned if the property could contain a multi-use configuration including recreation, retail space on the first floor of a building, with possible senior-rental housing above. Mr. Griffin asked who will initiate these conversations about types of uses. Vice-Chairman O'Brien stated that the recreational data could be collected by the Park and Recreation Commission, and the Planning Office has some commercial-related information, but more of that research would need to be funded. Mr. Griffin asked if the Town needs and wants senior housing so the Commission does not deliberate these issues in a vacuum. Chairman Drobinski suggested that Mr. Griffin consult with the Council on Aging. Vice-Chairman O'Brien stated that, once DPW Director Bill Place completes the grading and provides further topography and acreage information, it will be easier to determine if a final plot layout can support fields and other uses.

Selectman Haarde stated that the Cummings' property was acquired as a distressed real estate asset at a very low price and has correspondingly low rents. He further stated that any commercial project of new construction should not be compared to Cummings at all. Selectman Haarde summarized that the Melone property would most likely be used for housing, housing and fields or just recreational fields. He reiterated that, currently, only one use has been presented for baseball. Selectman Haarde does not believe Sudbury should be actively developing the Town, and it does not need more housing. He supports building fields on the Melone property and also believes there will be no room for other uses once parking and the fields are constructed. Selectman Haarde further stated that, if a housing proposal is presented, then a proposal should also be presented indicating how more teachers will be hired and from where the revenue will come to build more schools. He believes that, if construction of housing is promoted, there needs to be accountability for those actions and consequences.

Chairman Drobinski reiterated that the only housing being referred to is for senior housing.

Sudbury Babe Ruth Baseball President Scott McGavick addressed the Board to explain that he has spoken with Gale Associates, the consulting company which helped Needham with its sports project. He distributed copies to the Board for review of materials from the company regarding the scope of its work on multi-use facilities and project costs. In addition, Mr. McGavick stated that Needham representatives have also provided him with a full project prospectus and cost bidding information.

Chairman Drobinski stated that it would be good if Sudbury Baseball could collaborate with the Park and Recreation Commission to collect more information from other user groups and to complete a needs analysis for the Board's review. In addition, he stated that Town staff could begin to work on further investigating the items highlighted in Ms. Kablack's memorandum. Chairman Drobinski stated the concept is great, but now the Town has to do its due diligence to ensure all the issues that are pertinent to all of Sudbury's citizens are worked through and everyone can be proud of the process used.

Mr. McGavick stated that Mr. Griffin was not at the last meeting when the Commission voted to go

forward with the baseball proposal for this property. He also stated that the proposal is asking for one 90-foot field and the baseball groups would relinquish use of Haskell Field.

At 8:57 p.m., Chairman Drobinski closed the discussion.

**Sudbury Cable Access Corporation - Discussion and Annual Performance Evaluation**

Present: Sudbury Access Corporation President Jeff Winston and Executive Director Lynn Puorro

At 8:58 p.m., Chairman Drobinski welcomed Jeff Winston and Lynn Puorro to the meeting to update the community on the activities of the Sudbury Cable Access Corporation (SAC) from its second year of operation. The Board was previously in receipt of the "Sudbury Access Corporation 2009-2010 Financial & Operating Reports dated July 28, 2010" and its "Reviewed Financial Statements for the Years Ended June 30, 2010 and 2009" report prepared by Bruce D. Norling, CPA, P.C. dated July 26, 2010. The reports also detailed notable accomplishments during the past year.

Sudbury Access Corporation President Jeff Winston introduced fellow SAC Board members Marty Greenstein and Terry Lockhart who were also in attendance. He reported that SAC improved its website during the past year. Mr. Winston explained that, since more programming was put on the channel, the decision was made to put the community bulletin board on the website, which is working out well. He noted that SAC increased its local programming this past year and took over the Educational Channel (Channels 9 and 32) under the direction of Lincoln-Sudbury Regional High School.

SAC Executive Director Lynn Puorro reported that there was increased coverage of High School sports this year. She noted that last winter, a "Game of the Week" was featured. In the spring, boys' and girls' lacrosse and volleyball games were covered. Ms. Puorro stated that a variety of 30 games will be covered this fall from football, field hockey, girls' volleyball and girls' and boys' soccer. She noted that many volunteers, including parents and students, are participating to provide play-by play coverage.

Mr. Winston stated that SAC has offered training upon request, but this year, it also offered structured workshops in adult education, which have been well received. Ms. Puorro stated a third workshop for approximately eight participants is being planned.

Mr. Winston also stated that SAC continues to monitor website usage. Statistics since January 2010 indicate that 100-120 people watch programming on the average per month, and that the average number of hours watched per month is 120 hours. He further reported that the Selectmen's meetings are the most watched programs. SAC also continues to provide live coverage of the Selectmen's meetings, Town Meeting, and the Finance Committee Budget Hearings and other meetings are taped throughout the year.

Mr. Winston stated that SAC plans to work in the coming year to offer real-time Internet streaming of live broadcasts. Selectman Haarde asked when this feature might become available. Mr. Winston estimated it could happen sometime in the next three to six months.

Mr. Winston explained that SAC's three-year contract expires on June 13, 2011. He asked the Board to consider extending SAC's contract by four months, until October 13, 2011, so as to afford more time for the Board and Town Counsel to craft a renewal at a time of year which is not as busy as in the spring, when this issue would be competing with Town Meeting topics.

It was on motion unanimously

VOTED: To extend the Town of Sudbury's contract with the Sudbury Access Corporation by four months until October 13, 2011.

Vice-Chairman O'Brien asked for a status on the Town being wired by Verizon. Mr. Winston stated Verizon does not share its construction schedule, but it has until February 2012 to complete this task.

Selectman Haarde stated that, when he used to watch Board meetings at home, he noticed there was a volume delta between public channels and regular channels, and he asked if this problem has been resolved. Ms. Puorro acknowledged the problem has existed for a long time. Mr. Winston explained that commercial networks use expensive equipment to push sound, which has been to date, deemed unnecessary to purchase by access corporations. He also explained that differences in sound can be attributed to whether the signal is being listened to through analog or digital boxes. Mr. Winston encouraged Mr. Haarde to contact SAC if sound is not clear when volume is raised.

Selectman Haarde commended SAC and its staff on the great service it provides. He noted that Ms. Puorro and Cliff McGann are always pleasant and professional to work with.

Town Manager Valente also thanked SAC for all it does throughout the year. She highlighted that big role SAC plays in making HopeSudbury a success each year, stating the event would not be possible without SAC's expertise and time commitment. Ms. Puorro stated plans for the event are now underway and a mailing will soon be sent to solicit 40 volunteers to help operate cameras and man the booth. Mr. Winston stated that HopeSudbury is fun to work on and fun to watch. He encouraged the community to participate and view the event.

Chairman Drobinski thanked Mr. Winston and his Board members for their hard work, taking Sudbury from the time of Cablevision to live-stream coverage, and noted that SAC is a great community asset. Mr. Winston stated that the achievements were accomplished due to the hard work of excellent staff, many volunteers and the assistance of Town staff and the Selectmen helping SAC reach its goals.

At 9:13p.m., Chairman Drobinski concluded the presentation and discussion.

**Calvary First Baptist Church – 162 Landham Road – Minor Site Plan Review**

Present: Sullivan, Connors & Associates engineer Michael Sullivan and Calvary First Baptist Church representative Joe Rotz, Director of Planning and Community Development Jody Kablack

At 9:14 p.m., Chairman Drobinski opened the discussion regarding a minor site plan proposal by the Calvary First Baptist Church for repaving and expansion of the parking lot for the church, located at 162 Landham Road. The Board was previously in receipt of copies of the Application for Site Plan Approval dated August 30, 2010, the Massachusetts Department of Environmental Protection Order of Conditions dated December 4, 2009, an email message from Department of Public Works Director Bill Place dated September 17, 2010, stating he has no objections to the project, a letter from Assistant Inspector of Buildings Mark Herweck dated March 12, 2010, noting that the Church's handicap parking spaces are not in compliance and noting the improvements required and a memorandum from Director of Planning and

Community Development Jody Kablack dated September 14, 2010, explaining the proposal and noting comments and recommendations. In addition, copies of a "Draft Site Plan Decision for Calvary First Baptist Church, 162 Landham Road, dated September 21, 2010" were distributed tonight to the Board for review.

Ms. Kablack explained that this is a minor site plan review. She noted that the Board voted at its last meeting to waive a Public Hearing, since several applications have been presented for hearings with the

Conservation Commission and the Planning Board. However, Ms. Kablack reported that abutters were notified as if a Public Hearing were being conducted tonight, and that no public dissent was received. She stated that the applicant received an Order of Conditions from the Conservation Commission and the Planning Board is expected to vote an affirmative Stormwater Permit Decision tomorrow morning, following the Public Hearing it held last week.

Sullivan, Connors & Associates engineer Michael Sullivan reviewed the proposal to re-grade and re-surface the parking lot, add eight parking spaces, facilitate access onto Landham Road and to install stormwater management structures to capture and treat stormwater runoff. He distributed copies to the Board of revised site plans dated September 20, 2010, stating the new plans incorporate the recommendations made in Ms. Kablack's September 14, 2010 communication. He briefly described the stormwater plans, which include the use of rain gardens, bioremediation, swales and retention basins to infiltrate and clarify sheet runoff and to mitigate small storm events. Mr. Sullivan noted that the total revised impervious surface on site will be 28% of the property. He further stated that the dimensions of the parking spaces, zoning analysis, building set back lines, and a site plan signature block have been added to the revised plans.

Selectman Haarde noted that the Building Department indicated that some handicap parking spaces are not in compliance, and he asked if that issue has been resolved. Mr. Sullivan stated the issue would be resolved.

Vice-Chairman O'Brien asked if the property experiences any drainage issues from the development parcel to the north, since its elevation is higher than that of the Church. Mr. Sullivan stated the drainage goes in the opposite direction from the Church, and there are no drainage impacts from the other development. Mr. Sullivan noted that this proposal will improve drainage conditions for the area.

In response to a question from Vice-Chairman O'Brien, Calvary First Baptist Church representative Joe Rotz clarified the current parking spaces available and the request for eight additional spaces. Mr. Rotz stated the Church has plans for growth, and it also wanted to conveniently locate a few more parking spaces closer to classrooms.

Vice-Chairman O'Brien stated the proposal is a minor site plan and all the drainage improvements are positive and will improve the area. He also asked if the handicap parking signs will be installed. Mr. Rotz assured him the Church would work with Town staff to reinstall the handicap signs at the appropriate time.

It was on motion unanimously

VOTED: To approve the Minor Site Plan Decision for Calvary First Baptist Church, for repaving and expansion of the parking lot for the Church, located at 162 Landham Road, which use is exempt from the Zoning Bylaw under Massachusetts General Law, Chapter 40A, Section 3 as a religious use.

### **Minutes**

It was on motion unanimously

VOTED: To approve the regular session minutes of September 7, 2010 and September 13, 2010.

### **"Boston Post Cane" – Proclamation**

It was on motion unanimously

VOTED: In connection with the presentation of the “Boston Post Cane” to the oldest Sudbury resident, to sign a proclamation honoring Berthe Lessard on the occasion of her 100<sup>th</sup> birthday and to proclaim October 6, 2010 as Berthe Lessard Day in Sudbury.

**United Nations Day - Proclamation**

It was on motion unanimously

VOTED: To proclaim October 24, 2010, as the 65<sup>th</sup> Anniversary of United Nations Day in the Town of Sudbury and to urge that all residents to participate in the free United Nations Day celebration at the State House on Thursday, October 28, 2010 from noon-to 2:00 p.m., as requested in a letter dated August 9, 2010, from Richard Golob, President of the United Nations Association of Greater Boston.

**Northeast Homeland Security Regional Advisory Council - Grant**

It was on motion unanimously

VOTED: To accept \$15,591.47 worth of equipment from the Northeast Homeland Security Regional Advisory Council (NERAC) Emergency Response Equipment grant program, to be used by the Community Emergency Response Team (CERT) as shelter equipment, with one trailer to be used for “special operations” within the Fire Department, as requested by Fire Chief MacLean.

**Knights of Columbus – One-Day Wine and Malt License**

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt License to Bill Kneeland, 43 Pennymeadow Road, representing the Knights of Columbus Council #5188 of Sudbury, to accommodate an Oktoberfest Dinner Dance fundraising event at Our Lady of Fatima Parish Hall, Concord Road, on Saturday, October 2, 2010 from 7:00 p.m. – 10:30 p.m., subject to receipt of a Certificate of Liability.

**Commission on Disability and  
MetroWest Regional Transit Authority Advisory Board Representative - Resignation**

It was on motion unanimously

VOTED: To accept the resignation of Kristin Kiesel as a member of the Commission on Disability and as Sudbury’s representative to the MetroWest Regional Transit Authority Advisory Board, and to send a letter of appreciation for her valuable service to the Town during her employment.

**Tree and Bench Program – Donation**

It was on motion unanimously

VOTED: To accept a \$1,400 check into the Tree and Bench Program account from resident Karina Keshishian for a memorial bench in honor of her mother, said bench to be installed under the direction of the DPW Director, and check to be separately accounted for and expended under the direction of the DPW Director.

At 9:25 p.m., Chairman Drobinski announced the close of the regular meeting.

There being no further business, the meeting adjourned at 9:25 p.m.

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