

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JUNE 12, 2012

Present: Chairman Lawrence W. O'Brien, Vice-Chairman Robert C. Haarde, Selectman John C. Drobinski 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 O'Brien opened the meeting. He congratulated the Class of 2012 Lincoln-Sudbury Regional High School (L-SRHS) graduates and the School's sports teams .

Chairman O'Brien read aloud a Certificate of Appreciation given to the Town from the Massachusetts Department of Energy Resources for its future clean energy efforts.

Proclamation – USMC Lance Corporal David W. Poirier

Chairman O'Brien read aloud a proclamation for USMC Lance Corporal David W. Poirier, which was accepted by his mother. Mrs. Poirier stated David is proud to be from Sudbury, and he appreciates how the Town values his service and that of others in the military.

It was on motion unanimously

VOTED: To sign a proclamation for USMC Lance Corporal David W. Poirier, acknowledging his safe return of recent tours of duty at Guantanamo Bay, Cuba, and Camp Rota, Spain; and proclaiming Friday, June 15, 2012 as LCpl David Poirier Day in Sudbury.

Reports from the Town Manager
Senior Tax Relief Bill

Town Manager Valente reported Sudbury's Senior Tax Relief Bill was passed by the House and has moved on to the State Senate for consideration.

Council on Aging

Town Manager Valente reported the Council on Aging (COA) has drafted a long-range plan, which it has posted on its website. She urged the Board to review the plan.

Massachusetts School Building Authority – Nixon School Roof Project - Update

Town Manager Valente reported Sudbury has received an invitation from the Massachusetts School Building Authority (MSBA) to proceed with its application to its repair program for the Nixon School roof.

Minuteman Regional Vocational School District

Town Manager Valente urged the Board to review copies of the letter previously provided to them from the Town of Belmont's Town Counsel regarding concerns surrounding the decision by Minuteman to proceed with establishing a stabilization fund without unanimous consent from the member towns.

Park and Recreation Director – Acknowledgement of Certification

Town Manager Valente congratulated Park and Recreation Director Nancy McShea on receipt of her recent certification as a manager in her field.

Board of Selectmen – Meeting Schedule Revision

Town Manager Valente asked the Board if the July 24, 2012 meeting could be changed to July 31, 2012. Vice-Chairman Haarde and Chairman O'Brien stated July 31st is fine, and Selectman Drobinski stated he would check his calendar and get back to Ms. Valente.

Reports from the Board of Selectmen

Selectman Drobinski attended the L-SRHS Awards ceremony last week and he attended several High School sports events. He expressed the Town's pride for the athletes.

Vice-Chairman Haarde participated in the Memorial Day Parade, and he attended the well-organized and well-attended ceremony following the parade. He also stated the Route 20 Sewer Advisory Committee will meet tomorrow to discuss financing options. Vice-Chairman Haarde further reported the Sudbury Public Schools' contract negotiation discussions are ongoing.

Chairman O'Brien asked if the Route 20 Sewer Citizens' Advisory Committee had responded to the letter recently sent by Planning Board Chair Michael Fee. Vice Chairman Haarde stated he had not yet responded to Mr. Fee, since it's on tonight's agenda, and a member of the Route 20 Sewer Advisory Committee has been assigned to reach out to the Planning Board. Vice-Chairman Haarde stated at the Committee's last meeting a member was chosen to be the Committee's contact with the Planning Board. He also stated Committee members are reaching out to Town staff for additional input. Town Manager Valente stated she recently conversed with a Committee member.

Chairman O'Brien stated the past few weeks have been busy with meetings and discussions with NStar and residents regarding the company's vegetation maintenance plans and clear-cutting which occurred in the Town's right of way. He further stated Wayland has had similar problems, and he attended a meeting in Wayland on June 5th. Chairman O'Brien noted there has been interest from the press regarding these issues with NStar, and station WBUR is in attendance tonight for the relevant agenda item to be discussed later tonight.

Chairman O'Brien also reported the L-SRHS contract negotiation discussions are ongoing.

Route 20 Corridor Study – Discussion

Present: Vanasse Hangen Brustlin, Inc. consultant Don Cooke, Department of Public Works Director Bill Place and Director of Planning and Community Development Jody Kablack

At 7:45 p.m., Chairman O'Brien opened a discussion regarding the Route 20 Corridor Study. The Board was in previous receipt of copies of the Corridor Report prepared by Vanasse Hangen Brustlin, Inc. and a memorandum from Director of Planning and Community Development Jody Kablack dated June 5, 2012. In addition, copies of the PowerPoint slides to be presented tonight by Vanasse Hangen Brustlin, Inc. consultant Don Cooke were distributed.

Ms. Kablack explained the Town has collected transportation mitigation funds totaling approximately \$148,000 from developers over the past 15 years. She stated the funds have been dedicated to the study of

Route 20 and the need for traffic signalization at key intersections. Ms. Kablack stated a Request for Proposal (RFP) was issued in 2009 for assistance from a general transportation firm, and eight proposals were received. The contract was awarded to Vanasse Hangen Brustlin, Inc. (VHB), a firm with extensive work on transportation issues with the State Department of Transportation (DOT). Ms. Kablack stated publication of the Route 20 Study Report prepared by VHB was delayed due to a fatal vehicular crash at Landham Road. VHB determined the incident should be further analyzed for inclusion in the study. However, the police reports are still not available.

Ms. Kablack also noted Raytheon Corporation and Shaw's Plaza approached the Town during this time to express their interest in proceeding with plans to combine their entrances and provide a traffic signal. She stated the study report of five main intersections on Route 20 is being presented at this time for further consideration by the Board, but no action is required tonight.

Vanasse Hangen Brustlin, Inc. consultant Don Cooke summarized the report outline for the Board. He noted existing and future conditions were studied, options for intersection improvements were provided and recommendations for next steps were made. Mr. Cooke summarized the transportation assessments made for the Route 20 intersections at Wayside Inn Road, Horse Pond Road, Goodman's Hill Road, the Raytheon/Sudbury Plaza driveways and Landham Road. He explained the State evaluates warrant criteria, and that no signalization is warranted, or is marginally warranted, at Wayside Inn Road, Horse Pond Road and Goodman's Hill Road.

Mr. Cooke stated the Raytheon/Sudbury Plaza area would meet State signal warrant criteria, as would Landham Road. He explained the roundabouts and 3-Lane, 4-Lane and 5-Lane Cross-Sections studied for Landham Road. The firm proposes a 3-Lane cross section, but Mass. DOT has expressed its desire for a 5-Lane cross-section. Mr. Cooke stated a 5-Lane option would too dramatically change the area, and is likely not an option for the Town. However, he later stated it is hoped a compromise for a 3-or 4-Lane option can be reached with the DOT.

Mr. Cooke stated the next steps for the Town are to prioritize the recommended improvements, continue to coordinate with the Mass. DOT, pursue TIP funding sources and conduct 25% design public hearings. He stated the Landham Road project would be the highest priority, and he ranked the Raytheon/Shaw's project second.

Chairman O'Brien asked if the Landham Road and Raytheon projects could be combined. Mr. Cooke stated the DOT might push back on such a proposal because it might see the Raytheon project as more suited for private funding.

Selectman Drobinski asked if design funds have been set aside. Ms. Kablack stated approximately \$50,000 is available, with the possibility for contributions from additional resources.

Selectman Drobinski asked if any of the projects would qualify for Community Preservation Act funding. Ms. Kablack stated she does not believe they would be eligible.

Vice-Chairman Haarde noted the DOT was previously opposed to more traffic lights on Route 20, and he asked if its position has changed. Mr. Cooke stated the opposition to more signalization is usually due to the additional maintenance costs which will be incurred. However, he further stated that, if signals are justified and warranted, the DOT is open to consideration of traffic lights.

Vice-Chairman Haarde suggested the Town proceed to prioritize Landham Road as its highest interest, followed by the Raytheon project and then the Wayside Inn Road project. Chairman O'Brien

concurred, noting when 25% design is met, the projects could be submitted to TIP for further funding consideration. Ms. Kablack stated the Town reviews its TIP priority project list each year.

Ms. Kablack recommended the Board meet with Raytheon representatives to further discuss the company's driveway proposal. She also suggested the Town could consider minor mitigation strategies through its site plan process for the other intersection projects.

Vice-Chairman Haarde stated the Town's Route 20 Sewer project hopes to bury all utility poles along the relevant section of Route 20, which will also help sight lines and improve safety conditions. Chairman O'Brien stated it would be good for all these issues to be worked on in a coordinated fashion.

At 8:27 p.m., the Board thanked the presenters, and the discussion was concluded.

Tax Deferral Annual Interest Rate for FY13

Present: Town Finance Director/Treasurer Andrea Terkelsen and Senior-Tax Advisor David Levington

At 8:28 p.m., Chairman O'Brien welcomed Town Finance Director/Treasurer Andrea Terkelsen to discuss her recommendation for setting the tax deferral annual interest rate for FY13. He thanked her for the comprehensive summary information packet previously provided to the Board and her memorandum dated June 5, 2012.

Ms. Terkelsen briefly summarized her information package. She noted a new feature was added this year of "Frequently Asked Questions." She stated the tax deferral program is a popular and successful program in Sudbury. Ms. Terkelsen recommended keeping the rate the same as it was last year at 2.5%. She explained the reasons for her recommendation are the same as last year, including allowing for consistent record-keeping and lower administrative costs. Further, it offers senior citizens predictability by keeping the rate consistent with recent years. Ms. Kablack also explained maintaining the same interest rate still allows Sudbury to offer a good program, with a rate well below many peer communities.

Selectman Drobinski stated he is pleased the program is so successful in Town, noting it is also one of the best programs in the State.

Vice-Chairman Haarde asked how much will be deferred this year. Ms. Terkelsen stated it is estimated approximately \$436,000 will be added to the deferred balance for the fiscal year.

Senior Tax Advisor David Levington, 155 Nobscot Road, commended Ms. Terkelsen for compiling a useful package of information. He stated he would not suggest that the interest rate be lowered to 0%, as he has done in previous years. However, Mr. Levington stated he believes the issue warrants more attention, and he suggested the Board meet with the Council on Aging (COA) to further discuss how the program could be expanded.

State Representative Tom Conroy reported the House of Representatives passed Sudbury's Senior Tax Relief bill last week. Mr. Conroy stated the bill will be considered by the State Senate, and he hopes it will be signed by the Governor in the coming weeks.

Selectman Drobinski stated it is important to send a positive message to senior citizens that the program is consistent for planning purposes.

Vice-Chairman Haarde believes this is a good and successful program, and he will not give up proposing that the interest rate be lowered to 0%. He further believes Sudbury can afford a 0% rate, which may attract

more people to participate. Vice-Chairman Haarde noted 71 households are in the program this year, compared to 76 last year. He stated that, if the Town is committed to senior tax relief, it should make the rate 0% to help senior citizens and to avoid the potential for new families with children to come to Town and increase the burden on Sudbury's schools. Vice-Chairman Haarde further noted interest rates are at an all-time low.

Chairman O'Brien referenced packet information which indicated that, while the rate has remained at 2.5% for several years, participation in the program routinely grew. He also noted the pending senior tax relief legislation in the State Senate will also help senior citizens. Chairman O'Brien believes Sudbury offers a beneficial combined tax package for seniors.

Selectman Drobinski noted only Marshfield and Westboro have 0% rates. Vice-Chairman Haarde stated there are more towns with 0% than what is listed in the material. He reiterated his belief that a 0% rate is more beneficial for the community than having senior citizens leave Sudbury and have families with children move into Town.

Ms. Terkelsen emphasized there are other factors besides the interest rate which impact a senior citizen's decision to participate in the program. She noted many seniors do not want to take on what they consider to be a debt. Ms. Terkelsen also stated many mortgage companies are not willing to agree to deferral programs for senior citizens who carry mortgages.

Vice-Chairman Haarde expressed his appreciation for Ms. Terkelsen's work.

It was on motion

VOTED: To establish a tax deferral interest rate for taxes levied for FY13 at 2.5%, as requested by the Finance Director/Treasurer Collector Andrea Terkelsen.

Vice-Chairman Haarde opposed the motion.

Council on Aging - Interviews

Present: Applicants Barry S. David and Phyllis Bially

At 8:47 p.m., Chairman O'Brien welcomed Sudbury residents Barry David and Phyllis Bially to the meeting to discuss their interest in serving on the Council on Aging (COA). He noted both candidates have been endorsed by the COA. The Board was previously in receipt of a letter from Sudbury Senior Center Council on Aging Director Debra Galloway dated May 2, 2012, stating the Council's Board voted unanimously to recommend the appointments of Mr. David and Ms. Bially to replace members whose terms for service have expired. Chairman O'Brien thanked the retiring COA members for their service.

Ms. Bially has lived in Town 45 years, She stated she would be happy to serve the Town, and she would like to be more involved in the Senior Center. Ms. Bially believes her former consulting experience could be helpful, and she would like to help recruit more male participation at the Center.

Mr. David has also lived in Sudbury over 40 years, and he believes the role of senior citizens is important to the community. Since he retired, Mr. David has become more involved with the Center, and he is impressed with its features. However, Mr. David believes his corporate background could be helpful to expand learning programs. He emphasized the importance of keeping minds active, and not just providing entertainment options for senior citizens.

The Board thanked Ms. Bially and Mr. David for their interest in volunteering their talents and time.

It was on motion unanimously

VOTED: To approve the appointments of Barry S. David, 70 Thunder Road, and Phyllis Bially, 30 Nobscot Road, to the Council on Aging, for terms to expire on May 31, 2015, occasioned by the term expirations of Marilyn Goodrich and Elizabeth David, as requested in a letter dated May 2, 2012, from Council on Aging Director, Debra Galloway.

NStar - Discussion regarding Plans for Vegetative Maintenance in Transmission Right of Way

Present: NStar Community Relations Representative Annemarie Walsh and NStar Representatives Brian McDevitt, Tim Ravellese and NStar arborist Bill Hayes.

At 9:00 p.m., Chairman O'Brien opened a discussion regarding NStar's plans to perform vegetative maintenance in its transmission right of way. The Board was previously in receipt of copies of a letter from NStar Community Relations Representative Annemarie Walsh dated June 8, 2012, a letter from NStar to State Representative Tom Conroy dated June 8, 2012, a memorandum from Town Manager Valente dated June 8, 2012, photos of an abutter's yard, a letter to Sudbury's Town Counsel Paul Kenny from Jeffrey N. Stevens, Assistant General Counsel for NStar, dated May 22, 2012, and copies of relevant sections from previous Selectmen's Meeting Minutes dating back to 1969. In addition, copies of the slides prepared by NStar for tonight's presentation were distributed.

NStar arborist Bill Hayes explained the company's notification process. He also summarized NStar's delivery system regarding generation, transmission, substations and distribution. Mr. Hayes stated the work to be done in Sudbury is regarding clearance for transmission lines. He explained the need to clear vegetation in the company's right of way to avoid power outages and to ensure power reliability. Mr. Hayes stated NStar implements best management practices when deciding which trees and species need to be cut down. He displayed photographs of current conditions, stating the overgrown trees cannot be topped. Mr. Hayes further explained the sequence of maintenance activities.

Mr. Hayes reviewed mitigation options for impacted properties, noting stumps would be removed following tree removal. He further stated NStar representatives would meet with property owners to review mitigation options, including re-seeding and replanting of appropriate trees and/or shrubs in the border zone area. Mr. Hayes provided contact information for NStar Community Relations Representative Annemarie Walsh, stating all requests for mitigation from property owners should be directed to her attention.

Great Meadow National Wildlife Refuge Director Libby Herland stated a portion of its property was purchased as an easement by Boston Edison in 1992. She referenced recent cutting by NStar in the Pelham Island Road vicinity, stating the Refuge had approved the clear-cutting, since much of the area was covered with buckthorn. Ms. Herland stated the area remains good for wildlife.

State Representative Tom Conroy stated he has been involved in similar discussions with NStar and residents from Framingham, Wayland and Sudbury. He stated NStar has been flexible in recent weeks and responsive to his requests. Mr. Conroy encouraged residents to contact his office and copy him on mitigation requests made to NStar, so that he may better monitor issues. Chairman O'Brien later asked residents to also copy the Board.

Mr. Conroy thanked NStar for making accommodations to mitigate, replant and meet with property owners. He believes NStar is committed to listening to the public. Mr. Conroy suggested the company consider managing its risk of providing customers with power. He has spoken with several State agencies,

including the Attorney General's Office. Although NStar is within its right to proceed with its plan in its right of way, Mr. Conroy asked the company to consider an implementation plan of less than 100% . He asked NStar to consider doing 80% of its plan along the right of way, and possibly not implementing as much cutting in residential areas of the border zone to help maintain property values and quality of life.

Selectman Drobinski stated tonight is a positive step with NStar agreeing to meet with the public. He noted that, during last October's storm, only 5% of transmission lines were knocked out, and that distribution lines were more often the cause of power outages. Selectman Drobinski stated Sudbury citizens are unhappy and they believe NStar has overcut in many instances. He asked tonight's NStar team to relay this message to NStar management.

Vice-Chairman Haarde stated he hopes NStar has learned something from this experience. He asked Representative Conroy if there is anything to be done at a legislative level to hinder a monopoly like NStar from acting like a monopoly. Vice-Chairman Haarde asked how many power outages in Sudbury were caused by trees in the high-voltage areas. He also asked if branches could simply be cut back in the distribution areas.

Ms. Walsh stated there were two such outages, one in Framingham, and she was not sure of the other location.

Tim Ravellese stated the distribution vegetation management plan is handled by another department, and he is not prepared to discuss it tonight.

Vice-Chairman Haarde stated Sudbury understands the need to provide reliable power because it has experienced hardships during storms. He further stated the Town wants to help NStar do its job well. However, Vice-Chairman Haarde believes NStar is proceeding with a plan to cut trees which did not cause the outage problems, instead of addressing the real issues. He emphasized the problem is not with what NStar has been trying to do, but rather in the way in which the company has proceeded with a disregard for property owners. Vice-Chairman Haarde believes NStar could have gotten to the point it is at tonight in a much better way.

Sudbury resident Stan Kaplan, 98 Victoria Road, asked if the area north of Stock Farm Road is Town-owned. Chairman O'Brien explained only approximately 12-15 feet from the road is the Town's right of way. He further stated the Town now has a standing agreement with NStar for a landscape plan for this area. Mr. Kaplan asked if residents will be consulted before the plan is implemented. He expressed his astonishment that NStar could proceed with its cutting of the north side without the Town's permission. Mr. Kaplan further stated Mr. Hayes and Ms. Walsh knew NStar was denied cutting activity three years ago, but yet the actions this year still occurred.

Chairman O'Brien stated the Town would share the plan with residents, and that NStar now understands it needs to discuss any such action in this location first with the Town. Town Manager Valente stated the Town has also flagged the demarcation line.

Sudbury resident Kristoffer Lutz, 20 Guzzle Brook Drive, owns over two acres of the easement abutting the NStar right of way. He displayed several large photographs of his back yard and the destruction caused by NStar to his children's play area, irrigation system, flower gardens, and underground cable line. Mr. Lutz believes trees are scheduled to be cut in the border zone which would never grow tall enough to threaten the transmission lines. He believes NStar needs to make exceptions to the rule along residential areas. Mr. Lutz also noted he has used an organic lawn service for six years. He asked NStar if its replanting mitigation options will use herbicides.

Chairman O'Brien asked NStar if they will fix all things damaged for Mr. Lutz, and he encouraged Mr. Lutz to schedule a site visit of the border zone with an NStar representative. Mr. Hayes stated the company would work with its vendors to repair them, but he stated there is no organic option currently available. Mr. McDevitt stated they are only willing to discuss compatible species remaining in the border zone.

Selectman Drobinski suggested Dig Safe also be contacted regarding the cable line. Mr. Hayes stated NStar was not digging.

Sudbury resident Diane Dacey, 19 Guzzle Brook Drive, has lived in her home for 21 years, and she has had a cooperative relationship with NStar until recently. She stated she received a notification card on her door, which did not indicate how aggressive the vegetation management plan would be. Ms. Dacey stated it is only by chance that she was home when NStar arrived, or her property could have been ravaged like Mr. Lutz's was. She asked for a clear explanation from NStar as to what future communications would be with residents to ensure this never happens again. Ms. Dacey does not understand what has changed at NStar to make the relationship with towns and residents so hostile.

Mr. McDevitt stated the intent of the notification cards was for property owners to find them and then contact the company for more information.

Ms. Dacey asked how much cutting NStar considers to be reasonably necessary. Mr. Hayes explained what areas would be scrubbed, and that all incompatible species in the wire zone would be removed. Ms. Dacey asked again for assurance from NStar that it would work with property owners cooperatively as partners in the future.

Selectman Drobinski asked how tall the re-plantings would be in the wire zone. He asked if anything is going to be done to move the distribution lines underground, which are currently over 15 feet in the wire zone, and pose more of a threat to transmission lines.

Town Manager Valente stated she was assured that NStar representative Rachel Brinkman will be on site when the contracted cutting occurs.

Sudbury resident Lisa Lopez, 73 Blackmer Road, asked what the blue strips on trees in her neighborhood indicate. Mr. Hayes explained what some markings mean, and he reiterated that any trees within the right of way which are over 15 feet tall will be cut.

Sudbury resident Ellen Sard, 78 Shadow Oak Drive, asked for more information regarding a proposed road between her location and Victoria Road. She noted concerns regarding liability issues in the right of way on property she owns. Mr. Ravellese stated tonight's plan does not include a maintenance road, but NStar typically wants an accessible road to the right of way. He emphasized NStar is also concerned about security and safety, but liability issues are not the discussion planned for tonight.

Ms. Sard asked when NStar work would resume on Shadow Oak Drive and Victoria Road. Mr. Hayes stated it could be as soon as this week, after work in Wayland is completed. Ms. Sard asked if she could be informed in advance of the work so as to make arrangements to be home. Mr. Hayes stated this would be possible. Mr. McDevitt suggested the Town be provided a schedule of activity which could be posted on the Town website. Town Manager Valente suggested the information could possibly be requested by residents and then coordinated by the Town's Information Technology Department to notify interested parties.

Selectman Drobinski highlighted the onus should still be on the utility company to notify property owners.

Sudbury resident Brian Cain, 33 Victoria Road, echoed the earlier sentiment that it is the way NStar tried to execute this program which has been the problem. He stated the wildlife area in his neighborhood has been leveled and totally destroyed. Mr. Cain described the Stock Farm Road area as an eyesore after NStar's work there. He believes the company has failed in communicating with the public, and he asked what the process is for notifying non-abutters of pending activity. Mr. Cain does not understand how the Wildlife Refuge could have given its approval to level conservation land which would have never impacted the transmission lines. He asked if the cutting could be stopped completely in some areas. Mr. Cain also offered to work with the Town as an advocate for mitigation in public areas.

Sudbury resident Alan Cath, 80 Shadow Oak Drive, is an abutter to the right of way. He stated the edge of the right of way is now 250 feet. However, Mr. Cath believes NStar should have to delineate and prove where the demarcation line is. Mr. Hayes stated it is difficult for the company to know these things in every circumstance. However, this information should be listed on the original deed and in the easement language. Mr. Hayes also stated NStar would schedule a right of way agent to conduct a site visit, if needed.

Mr. Cath reiterated the sentiments of Mr. Conroy, that reasonable negotiations should be able to be conducted between NStar and property owners. Mr. Hayes stated there is no negotiation possible within the right of way.

Mr. Cath asked for specific details regarding proposed mitigation plans to know what he will be entitled to. Chairman O'Brien stated NStar would work with Weston Nurseries to satisfy homeowners. Selectman Drobinski stated there should be a general plan provided to abutters to avoid neighbors being pitted against each other with NStar. Mr. McDevitt stated the mitigation is handled in a site-specific basis.

Sudbury resident Rosemary Verri, 106 Victoria Road, stated NStar did not provide her with any notice last year when it removed two spruce trees from her yard. Prior to this, she stated NStar had a 39-year precedent of only topping her trees, and only doing it once or twice in 39 years. She believes NStar is overcutting in search of a permanent solution to the vegetation growth. However, Ms. Verri does not believe a permanent solution to the problem exists, and she does not understand why topping trees can no longer occur. Mr. Hayes described what happened last year, noting spruce trees have very shallow roots.

Sudbury resident Debbie Howell, 123 Victoria Road, asked what the long-term plan by NStar is for the Stock Farm Road area. She stated all the trees NStar re-planted six years ago are now being cut again. Ms. Howell asked how this can be avoided in the future. Mr. Hayes stated NStar wants to develop a sustainable plan for the future with the Town.

Sudbury resident Catherine Maher, 132 Victoria Road, stated she believes the number of trees which have been earmarked for removal could be scaled back. She asked for clarification as to whether this activity is required by law, or is it just the most economical way for NStar to handle a problem. Ms. Maher stated she is not convinced the clear-cutting needs to be done to the extent proposed.

Mr. Conroy reiterated he has worked extensively on these issues. He stated NStar has the right to manage vegetation in the right of way according to the language of the easements. In addition, the company wishes to establish guidelines for best practices in the industry. However, Mr. Conroy highlighted there is little that citizens or the State can do to change the existing easements.

At 10:50 p.m., Chairman O'Brien thanked all participants, and he closed the discussion. He encouraged residents again to contact NStar Community Relations Representative Annemarie Walsh with requests and/or concerns.

Minutes

It was on motion unanimously

VOTED: To approve the Regular and Executive Session minutes of March 29, 2012, and the Regular Session minutes of May 2, 2012, and the Regular Session minutes of May 22, 2012.

Vice-Chairman Haarde asked that the last sentence under the section "Board Reorganization" of the Regular Session minutes of May 8, 2012 be amended to read, "..., turn in the member rotation, as the tradition was explained to him by John Drobinski."

Selectman Drobinski stated he did not recall this conversation.

It was on motion unanimously

VOTED: To approve the amended Regular Session minutes of May 8, 2012, as further amended tonight.

July 4th Road Race - Signage

It was on motion unanimously

VOTED: To approve the placement of six signs announcing the July 4th Road Race, two signs facing north and south on Concord Road at Featherland Park, one each at the corner of Fairbank and Hudson Road, Peakham and Old Lancaster Road, Fire Headquarters, 77 Hudson Road, and 50 Union Ave. (Johnston Paving), from June 24, 2012 to July 5, 2012, as requested by Graham R. Taylor, 221 Goodman's Hill Road, in a letter dated June 11, 2012.

"Positive Spin for ALS" Bike Ride

It was on motion unanimously

VOTED: To grant a Special Permit to Myke Farricker, Coordinator, to hold a "Positive Spin for ALS" bike ride on Sunday, September 9, 2012, from 9:00 a.m. through approximately 4:00 p.m., following the same route as in previous years, subject to Police Dept. safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race's conclusion.

National Multiple Sclerosis Society – Special Permit

It was on motion unanimously

VOTED: To grant a Special Permit to Liz Strawn, Sr. Development Mgr., National Multiple Sclerosis Society, Greater New England Chapter, for Bike MS: Minuteman Ride on Saturday, July 14, 2012, from 9:30 a.m. to 12 noon, following the route outlined and submitted, subject to Police Department safety requirements, proof of insurance coverage and the assurance that all litter will be removed at the end of the race.

Route 20 Sewer Steering Committee – Interim Appointment

It was on motion unanimously

VOTED: To accept the Planning Board's interim designee, Jody A. Kablack, Director of Planning and Community Development, to the Rt. 20 Sewer Steering Committee for a term to expire June 30, 2014, replacing Eric Poch in this capacity, as requested by Michael C. Fee, Chair of the Planning Board, in a letter dated May 31, 2012.

Special Municipal Employee – Stormwater Management Review

Present: Director of Planning and Community Development Jody A. Kablack

The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated June 5, 2012, and an "Agreement for Technical Services between the Town of Sudbury and Elizabeth D. Eggleston" for peer review services of stormwater management permit applications, a "Disclosure by Special Municipal Employee of Financial Interest in a Municipal Contract as Required by G.L. c 268A, section 20 (d)," relevant information from the Massachusetts legislature website regarding "Chapter 268A Conduct of Public Officials and Employees," the "Town of Sudbury Request for Qualifications Stormwater Management Consulting Services dated March 9, 2012," and the "Proposal for Stormwater Management Consulting Services submitted by Eggleston Environmental dated April 9, 2012."

Ms. Kablack explained these reviews were previously done internally. However, she further explained the applications have increased in recent years, and they require a level of attention from a qualified engineer who is familiar with the regulations. Ms. Kablack stated the require funds will be from a permit application escrow account. She reported a Request for Quotations was advertised, and Ms. Eggleston was the only respondent. Ms. Kablack noted an exemption to provide this service as a Special Municipal Employee is required, since Ms. Eggleston is appointed to the Route 20 Sewer Technical Advisory Committee.

Selectman Drobinski stated Ms. Eggleston is well respected in the field, and Sudbury is fortunate to have her local expertise.

It was on motion unanimously

VOTED: To approve an exemption under MGL, C268A, s. 20(d) to allow the Town Manager to sign a contract for stormwater management review services with a Special Municipal Employee, Elizabeth D. Eggleston.

Pantry Brook Farm – LAND Grant Application – Discussion

Present: Director of Planning and Community Development Jody A. Kablack

The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody A. Kablack dated June 6, 2012 and the draft "Local Acquisitions for Natural Diversity (LAND) Grant Program Application Form – FY2013," to be submitted for Pantry Brook Farm.

Ms. Kablack reviewed her memo with the Board. She explained the submission deadline for the grant is July 3, 2012, and a vote prior to this is needed to authorize the Board's Chairman to sign the application and to authorize Ms. Kablack to be the manager for the grant. Ms. Kablack further explained the Conservation Commission also signs the grant application and the Conservation Restriction (CR) application. A review appraisal has been commissioned and the draft CR is not yet available for presentation. Ms. Kablack stated

she has provided the information tonight for review prior to the Board's June 26, 2012 meeting, when votes can be taken.

Vice-Chairman Haarde asked if the grant amount is still \$400,000, which Ms. Kablack confirmed.

Selectman Drobinski stated Town Meeting overwhelmingly approved this acquisition, and thus filing the application for potential funding resources is critical.

Melone Property Use Discussion - Establish an *Ad Hoc* Committee

Present: Director of Planning and Community Development Jody Kablack

At 11:00 p.m., Chairman O'Brien opened a discussion regarding establishing a review committee to assess proposals submitted in response to a Request for Quotations (RFQ) to complete a Highest and Best Use Study of the Melone property. The Board was previously in receipt of copies of the proposals and a memorandum from Director of Planning and Community Development Jody Kablack dated June 6, 2012.

In her memo, Ms. Kablack explained the RFQ was advertised on the Town's website on May 25, 2012 and on the MassPlanners' Listserve, and it was sent to various land planning and appraisal firms with expertise in the field. Ms. Kablack recommended a Selection Committee be formed to review the five proposals received, and to choose an appropriate consultant.

Town Manager Valente stated the Committee's objective could likely be accomplished in a short period of time, to then present recommendations at the Board's June 26, 2012 meeting. Ms. Kablack noted the contract for the work must be executed with the Accounting Department prior to June 29, 2012. Committee membership has been suggested to include a member each from the Board of Selectmen, Planning Board and the Park and Recreation Commission and the Recreation, DPW and Planning Directors.

Vice-Chairman Haarde volunteered to be the Board's representative on the Committee.

It was on motion unanimously

VOTED: To establish an *ad hoc* selection committee, comprised of one member from the Board of Selectmen, Park and Recreation Commission and Planning Board, and the DPW Director, Recreation Director and Planning Director, to review the five proposals submitted in response to a Request for Quotations (RFQ) to complete a Highest and Best Use Study of the Melone Gravel Pit property.

Police Department - Lavender Asian Cuisine - Violation Discussion

The Board was previously in receipt of copies of a letter to Lavender Asian Cuisine Manager Tim Fong from Police Chief Richard Glavin dated May 10, 2012. In addition, copies of a letter to Vice Chairman Haarde from Town Counsel Paul Kenny dated June 11, 2012 were distributed.

Chairman O'Brien read aloud a prepared statement explaining that he attended Lavender Restaurant on May 8, 2012, following the conclusion of Town Meeting. He stated he lost track of time and was in the establishment at approximately 1:45 a.m. when a police officer arrived. Chairman O'Brien stated there was no after-hours liquor violation, but the Police Department issued a formal warning to the restaurant manager for a violation of patrons being in the restaurant beyond the allowed time. He further stated he regrets not having been more aware of the time and for the distraction this situation has become, taking valuable time away from other important Town issues. Chairman O'Brien stated that, upon advice from Town Counsel, he

would recuse himself from further discussion of this matter due to the appearance of a possible conflict of interest, and he left the Hall.

Vice-Chairman Haarde asked Town Manager Valente if she was going to recuse herself. Town Manager Valente stated Town Counsel has opined that she does not have a conflict of interest, since she had left the restaurant prior to the time of the violation. In response to a question from Vice-Chairman Haarde, she stated she was at Lavender that night.

Vice-Chairman Haarde asked Selectman Drobinski if he was also at Lavender on the evening of May 8th, and if he was going to recuse himself. Selectman Drobinski stated he would not recuse himself because he was not at Lavender at the time the violation occurred.

Vice-Chairman Haarde stated he believes both Selectman Drobinski and Town Manager Valente should recuse themselves, and by not doing so, it gives the appearance that this Board believes rules do not apply to it. He further stated he did not believe either of them could objectively preside over this matter.

Selectman Drobinski reiterated that he was not present at the time of the violation, and he believes he can be objective. He stated he was not sure what the issue is that Vice-Chairman Haarde thinks needs to be presided over. Selectman Drobinski expressed his full confidence in the independence of Sudbury's Police Department and the investigation which it completed. Selectman Drobinski also stated it is the responsibility of the licensee to uphold the liquor license regulations.

Vice-Chairman Haarde stated he believes the credibility of this Board is at issue because the Board is the granting alcohol and restaurant licensing authority, and that this same Board and government apparatus violated the liquor laws. He stated all the information needs to come forth.

Selectman Drobinski asked Vice-Chairman Haarde again what he thinks he is presiding over. Vice-Chairman Haarde stated the violation issued by the Police Department. Selectman Drobinski responded the Board should focus on the agenda item of discussing the Police Chief's letter regarding the violation, which he believes clearly states what occurred.

Vice-Chairman Haarde asked where the Police Chief was tonight. Town Manager Valente stated he was not in attendance. Vice-Chairman Haarde stated the fact that the Police Chief is not here is one reason why he believes Town Manager Valente should recuse herself.

Sudbury resident Kirsten Roopenian called for a point of order. Vice-Chairman Haarde stated he would not recognize her.

Vice-Chairman Haarde questioned what the purpose of this agenda item is if the Police Chief is not present to discuss the violation.

Selectman Drobinski questioned Vice-Chairman Haarde on where he was going with this discussion, and he repeated that he and Town Manager Valente were not there at the time of the violation. He opined that something else seems to be at issue tonight, and that it does not represent the Sudbury he has lived in and values. He expressed his deep concern that matters have become too political.

Vice-Chairman Haarde singled out Ms. Roopenian for talking during the meeting. Ms. Roopenian stated others have been talking and criticizing throughout the entire Board meeting, and she has been personally attacked and threatened tonight. As a former Selectman, she stated she does not understand what Vice-

Chairman Haarde hopes to accomplish. Vice Chairman Haarde warned Ms. Roopenian that, if she could not control herself, then he would have to ask her to leave the meeting.

Selectman Drobinski noted that, had he chosen to recuse himself, this discussion would not be taking place.

Vice-Chairman Haarde stated Town Counsel would not share information, for confidential reasons, from the conversations he had with Selectman Drobinski and Town Manager Valente regarding the potential conflict of interests and recusal. He questioned under what grounds this information could not be revealed to him. Vice-Chairman Haarde repeated his belief that Selectman Drobinski should recuse himself, and he asked if Town Counsel was personally representing Selectman Drobinski and Town Manager Valente, which he would perceive as a conflict. Town Manager Valente stated she was told Vice-Chairman Haarde would be contacted to be told Town Counsel's opinion was filed with the Town Clerk.

Vice-Chairman Haarde asked if Town Counsel was present, and the answer was no. Selectman Drobinski asked where the discussion was headed. Vice-Chairman Haarde stated not many options for further discussion tonight are available without the Police Chief or Town Counsel present, and that he believes Selectman Drobinski and Town Manager Valente are acting in a manner to preserve their self-interests.

Vice-Chairman Haarde made a motion to schedule a meeting with the Chief of Police and Town Counsel to ask questions about the violation. Selectman Drobinski asked what questions Vice-Chairman Haarde wanted to ask that have not already been answered. Vice-Chairman Haarde opined that he believes there are lots of questions that have not been answered and that the information needs to be publicly addressed. Selectman Drobinski stated that it seems as if Vice-Chairman Haarde is on a "witch hunt," and he emphasized that it does not benefit the Vice-Chairman, the Board or the community to second guess the Police Department or to continue in the direction suggested.

Vice-Chairman Haarde opined that he believes a violation by the Town's licensing authority occurred by the same officials, including a quorum of the Selectmen, who enforce the laws, by entering the establishment around 11:00 p.m. and remaining there until after 2:00 a.m. He noted a terrible accident occurred involving a Town employee, and that in essence, the entire Town of Sudbury is this person's employer. Vice-Chairman Haarde stated the Board violated Town laws, and he believes this is a serious matter.

Selectman Drobinski disagreed, stating the Board did not violate the law, one member stayed late, and that person has admitted to his poor judgment. He stated a quorum of the Board was not present at the time of the violation. Selectman Drobinski stated it is unfortunate the accident happened, but it was not a Town-sponsored event. He stated it is the licensee's responsibility to make sure the establishment closes at the proper time and patrons do not remain.

Vice-Chairman Haarde asked that a subsequent meeting on this matter be scheduled. Selectman Drobinski stated he would not second the motion, and that he believes the discussion is going in the wrong direction.

Vice-Chairman Haarde stated Selectman Drobinski is blocking the public from receiving the relevant information, and this is why he believes it would be better if Selectman Drobinski recused himself. He reiterated his belief that the Police Chief needs to publicly be available to answer questions. Vice-Chairman Haarde apologized in advance to the Police Chief for putting him through this, but he believes it is necessary. He expressed his disappointment to Town Manager Valente that the Police Chief was not invited tonight.

Sudbury resident Kirsten Roopenian, 45 Harness Lane, has lived in, and advocated for, Sudbury for 19 years, and she served on the Board for six years. Ms. Roopenian apologized for her earlier emotional outburst. However, she stated she has never seen the level of animosity in Town which currently exists, and she believes the Town is worse for it. She stated she has heard from many citizens that they are afraid to come to these types of forums for fear of being bullied as she was tonight. Ms. Roopenian urged the people in attendance tonight to consider taking the opportunity to resolve differences once and for all by extending an "olive branch" to the opposition. She stated she does not believe it is positive for the Town to continue to discuss this matter, and she does not understand what it will accomplish.

Vice-Chairman Haarde stated there will always be issues on which citizens disagree. However, he believes the primary problem in Town is a lack of communication and not letting people speak. He believes when people are silenced, they do not get quieter, they get louder. Vice-Chairman Haarde stated people need to have a chance to speak on issues.

Selectman Drobinski agreed that it is important to give citizens the chance to be heard, but he further stated he does not want to see this issue degrade the Town, and he thinks the discussion is going in the wrong direction. He stated it is a minor violation which has been handled by the Police Department and one member of the Board made a poor judgment call. Selectman Drobinski asked people to carefully consider how this issue should be handled and whether they want to tear the Town apart over it. He stated it is important to work together for a great community and that, although people will have differences, they should not become personal. Selectman Drobinski stated everyone needs to work towards having a great Town, and that this issue has been a disappointment for him, too. However, he does not believe it is right to go beyond the jurisdiction of the Police Department.

Vice-Chairman Haarde stated the problem will fester, if the facts are not allowed to come out.

Laura Abrams, 48 Horse Pond Road, stated Lavender closes at 10:00 p.m., but yet a lot of Town officials entered the premises an hour later. She questioned if Town business was discussed, and thus the open meeting law was violated. Selectman Drobinski stated no Town business was conducted, and no open meeting law was violated.

Ms. Abrams stated she and others believe Chairman O'Brien should probably resign because of the incident. Selectman Drobinski noted the violation is of the licensee, not the Selectman.

Robert Stein, 7 Thompson Drive, is a member of the Finance Committee, who addressed the Board not in this capacity, but only as a private citizen. He disagreed that it is a minor violation. Mr. Stein stated there were approximately ten people in the restaurant at 12:30 a.m., who witnessed someone so intoxicated that she had an accident within two miles of leaving, but yet they all allowed her to leave and drive. He stated there must have been some knowledge of a problem, because when the police arrived to report the accident, Chairman O'Brien allegedly asked if it was Beth Rust. Mr. Stein further stated it was Ms. Rust's third incident of driving under the influence. He emphasized that, fortunately, no one was hurt, but the situation could have also been tragic had she or anyone else been killed.

Selectman Drobinski stated he could not comment because he was not there when the incidents occurred, and he noted an employee's name should not be mentioned in public when she is not here to defend herself. Mr. Stein responded that the information is public.

Sudbury resident Todd Fater, 96 Ford Road, stated he was raised here, moved away and chose to return to Sudbury. Mr. Fater has observed a lot of divisiveness since being back, and it saddens him. He also stated this matter saddens him deeply, and he finds it sad that Chairman O'Brien recused himself and did not have

the courage to answer public questions. Mr. Fater opined that Chairman O'Brien should never again attend a D.A.R.E. graduation ceremony.

Sudbury resident Mike Troiano, 342 Lincoln Road, stated many questions remain, and it is not yet clear to him exactly what happened. Mr. Troiano opined that he perceives this body as insulating itself from what happened, and that this results in the appearance of impropriety and that Town officials believe they are above the law and do not have to be accountable.

Selectman Drobinski stated he has never believed or conducted himself as being above the law. He emphasized that he did not recuse himself and is being accountable, but he does not want to engage in speculation. He stated he is willing to listen, but he does not want to see the Town torn apart. Selectman Drobinski expressed how much Sudbury means to him, and he offered his hand for a handshake to Vice-Chairman Haarde, as an olive branch to resolve issues amicably. Vice-Chairman Haarde accepted the handshake.

Sudbury resident Rick Johnson, 38 Bent Road, stated if the Board wanted to extend an olive branch it should have allowed Vice-Chairman Haarde the chance to be Chairman this year. Mr. Johnson stated people are angry about this. Selectman Drobinski stated this topic is not on the agenda, and thus to talk about it would be an open meeting violation.

Sudbury resident Jeff Pazuk, 6 Fox Hill Drive, stated he sees this as a sad day for the credibility of the Town's leadership. He agreed that Sudbury is a great community, but its leadership needs a change, and the tradition of the rotation of the Chairman should have been honored. Selectman Drobinski stated there is no formal tradition to rotate positions. Vice-Chairman Haarde noted Selectman Drobinski is quoted in the newspaper as stating there was a tradition.

Bryan Semple, 15 Revere Street, stated he believes the opinions expressed tonight are not those of a minority in Town. Mr. Semple stated he was surprised by the number of people here this evening whom he has never met. He also has observed in recent blogging regarding this incident, that more people than usual have identified themselves by name. Mr. Semple believes this is indicative of the level of interest and anger about this matter which exists and the apparent conflict of interest issues associated with it. He also believes there are questions which need to be clarified, including a police report timeline which he does not believe makes sense and that a Town employee was allowed to drive away when drunk from a location where her manager and that person's manager was also in attendance. He emphasized that the Town needs to find out what happened.

Sudbury resident Mara Huston, 578 Peakham Road, asked Vice-Chairman Haarde to schedule the follow-up meeting on this issue first on the agenda rather than last. Vice-Chairman Haarde stated he would try to facilitate this request.

Sudbury resident Scott Nassa, 36 Clark Lane, stated his biggest concern was whether any Town business was discussed since two Selectmen and the Town Manager were present. Selectman Drobinski and Town Manager Valente stated no Town business was discussed. Ms. Valente further stated she had left the restaurant before Selectman Drobinski arrived. Selectman Drobinski concurred, stating he had not seen Ms. Valente at the restaurant because he arrived late after Town Meeting, following conversations he had with residents for a half hour in the parking lot of the High School about the success of the Pantry Brook Farm article.

Sudbury resident Mike Hullinger, 55 Washington Drive, stated resident comments tonight reflect what a lot of others in Town are thinking. Mr. Hullinger stated he believes several questions remain to be answered,

including who the Police Chief spoke to, exactly what time the liquor license expires, i.e., midnight or 1:00 a.m., and whether the license was extended to a 1:00 a.m. closing only for a specific reason. Selectman Drobinski stated he never spoke to the Police Chief regarding this matter.

Vice-Chairman Haarde stated the license was extended to a 1:00 a.m. closing only for Karaoke nights, which this was not. Thus, he believes it is reasonable to conclude that the license expired at midnight. Selectman Drobinski stated it was extended for special events. Mr. Johnson agreed with Vice-Chairman Haarde, and he read aloud from a piece of paper he was waving.

Mr. Stein stated he is unsure whether there will be another opportunity like this at the next Board meeting because Selectman Drobinski did not second the motion to continue the discussion. Vice-Chairman Haarde stated that, since he is now acting as Chair, and he can instruct the Town Manager to schedule a subsequent meeting with the Police Chief and Town Counsel, without a second to his motion. Selectman Drobinski disagreed with the conclusion drawn by Vice-Chairman Haarde.

Mr. Stein asked if Selectman Drobinski was choosing to shut down the discussion by not seconding the motion. Selectman Drobinski stated he was, and he asked Mr. Stein what other questions about the violation he had. Mr. Stein stated he would like to know why the restaurant manager allowed the group in after hours, and he would like all the facts to come out. Selectman Drobinski reiterated that the Police Department held its investigation and the questions about the violation have been answered.

Mr. Stein asked if he could form a public committee to further investigate this matter. He stated Vice-Chairman Haarde, the Police Chief and Sudbury citizens would be invited, and he would invite Selectman Drobinski and Town Manager Valente to also attend a meeting. He urged Selectman Drobinski to participate for the good of the Town. Vice-Chairman Haarde stated Mr. Stein did not need the Board's approval to do whatever he wished to do as a private citizen. Selectman Drobinski stated he would be pleased to explain what he knows to Mr. Stein, and that he would contact him.

Mr. Hullinger stated the appearance of impropriety is a problem which needs to be addressed. He stated there needs to be consequences for the action of going to the establishment after closing time. Mr. Hullinger stated the question of whether there are discrepancies between the liquor license language and the vote taken by the Board of Selectman to grant the license should be investigated to avoid any problems in the future.

Mr. Johnson asked about the Town's liability for the employee involved in the crash. He asked if she drives while conducting Town business. Town Manager Valente stated she is unable to publicly address personnel issues.

Mr. Pazak asked how residents can be assured the Town is protected if it is not addressed. He also asked if there is an education program available to the employee. Town Manager Valente briefly summarized the departments which are provided these resources.

In response to a question, Selectman Drobinski stated all of the questions posed are worthy of further exploration. However, he asked people again to think carefully about where they want to go with the discussion. Selectman Drobinski stated he wants the Town to be well respected. He understands the concerns regarding credibility, and it is unfortunate the accident happened. However, he believes Human Resources needs to handle these issues, as it does in any large organization.

Mr. Troiano pleaded with Selectman Drobinski, for the good of the Town which he has served so well, to let a public meeting be held where questions can be asked. He told Selectman Drobinski he was counting on him, and he stressed the issue is not going to go away.

Mr. Fater agreed that the issue is not going to go away. He urged Selectman Drobinski that, if he wants to protect the integrity of this Town, he should allow the Town to collectively address the issues. He asked if the Town employee drives a Town vehicle for work.

Town Manager Valente listed Town positions which have access to a Town vehicle. She also stated the Town is very mindful of liability concerns.

Mr. Hullinger stated the Board needs to create rules so this does not happen again. He noted it is possible some good could come out of further discussions so as to minimize future problems or breakdowns in processes and procedures.

Mr. Stein echoed that the matter is not going to go away. He urged Selectman Drobinski to allow further public discussion. Otherwise, Mr. Stein stated it is likely 200 signatures will be easy to obtain to proceed with a recall vote on the next Special Town Election Ballot for one Selectman, and he hope it is not also for Selectman Drobinski. Mr. Stein emphasized he is not stating this as a threat, but only as an example of what is likely to happen if further discussion is shut down, and to highlight that the Town will become even more divisive. He stated he hopes it does not come to this because Selectman Drobinski has done so much good for the Town, and Mr. Stein voted for him. Mr. Stein again urged Selectman Drobinski to give people the chance to hear the facts, and then people will accept it and it will go away, even though people will be disappointed and grateful no one was hurt.

Mr. Semple stated, if the Board shuts down further discussion, it is no better than the Sudbury Public School Committee, which would not allow parents to speak for an additional 15 minutes regarding the Noyes School. He stated people are tired of being silenced.

Vice-Chairman Haarde stated Lavender restaurant was warned, and it is important that the hard-working business is not scape-goated in this process. He asked what should be done about the involvement of the Board's Chairman, noting Chairman O'Brien remained at the restaurant until 2:05 p.m., which was well after the arrival of the police. Vice-Chairman Haarde believes it is important for adults and leaders in Town to set better examples regarding the handling of alcohol abuse problems.

Vice-Chairman Haarde asked if Selectman Drobinski would support a motion to reorganize the Board tonight to appoint Vice-Chairman Haarde as Chairman. Selectman Drobinski stated he would not support such a motion now.

Vice-Chairman Haarde asked if Selectman Drobinski would support a motion to remove Chairman O'Brien as a member of the Liquor Licensing Authority Board for the Town and to replace him with Town Moderator Myron Fox. Selectman Drobinski stated he would want to confer with Town Counsel regarding whether this suggestion is possible.

Sudbury resident Dan DePompei, 35 Haynes Road, stated he believes the error in judgment began right after Town Meeting, when the suggestion was made for several Town officials to go to Lavender to celebrate. He believes someone should have realized this was not a good idea, and that such action could be perceived as inappropriate.

Mr. Troiano stated he plans to create a Facebook group tomorrow dedicated to what he will call "Lavender Gate," and he encouraged people to contact him.

There being no further business, the meeting adjourned at 12:11 a.m. on June 13, 2012.

Attest: _____
Maureen G. Valente
Town Manager-Clerk