

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JULY 19, 2011

Present: Chairman Lawrence W. O'Brien, Vice-Chairman Robert C. Haarde, Selectman John C. Drobinski and Director of Planning and Community Development

Absent: 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 noted excessively hot and humid weather is predicted for the remainder of the week. Chairman O'Brien encouraged the community to check on neighbors and senior citizens who might need assistance. He also encouraged seniors to access indoor air-conditioned facilities, if needed.

Chairman O'Brien announced the Board's next summer schedule meeting will be August 16, 2011. He also announced Town Manager Valente would be absent tonight, and her duties would be covered by Director of Planning and Community Development Jody Kablack.

Clerk Pro Tem

It was on motion unanimously

VOTED: To appoint Director of Planning and Community Development Jody Kablack as Secretary and Clerk Pro Tem, in the absence of Town Manager Maureen Valente for the July 19, 2011 meeting.

Reports from the Town Manager

Massachusetts Interlocal Insurance Association – Rewards Credits

The Board was previously in receipt of copies of a memorandum from Assistant Town Manager Maryanne Bilodeau dated July 15, 2001, regarding Massachusetts Interlocal Insurance Association credits. On behalf of the Town Manager, Chairman O'Brien announced Sudbury has been notified it will receive \$11,359 in Rewards Credits this year and an additional \$15,000 in Loss Control Grants in FY11. He explained the Massachusetts Interlocal Insurance Association (MIIA) offers the credits for coordination of in-house training programs as well as participation by Town staff in seminars, training programs and loss control efforts. Chairman O'Brien also summarized the projects responsible for the Loss Control Grants.

FY11 Local Option Taxes – Meals and Room Occupancy - Update

The Board was previously in receipt of copies of a memorandum from Finance Director Andrea Terkelsen dated July 14, 2011, regarding an update on FY11 Local Option Taxes for Meals and Room Occupancy. On behalf of the Town Manager, Chairman O'Brien referenced Ms. Terkelsen's memo which reported Sudbury has received two quarterly distributions totaling \$59,393.53 from the Department of Revenue (DOR) since collections of the local meals tax began in January 1, 2011. Based on the first five months of collections, it is possible the Town could receive \$142,000 in FY12. However, it was noted the meals and room occupancy taxes are subject to economic conditions.

Ms. Terkelsen's memo also reported the Town has received two quarterly disbursements totaling \$22,387.91 for the room occupancy tax covering the same time period. Based on these collections, it is possible the Town will receive as much as \$12,000 in additional revenue during FY12.

Reports from the Board of Selectmen

Selectman Drobinski will attend a Council on Aging (COA) event on July 22, 2011 when the new COA transportation van is expected to arrive.

Vice-Chairman Haarde met with Sudbury's Minuteman Regional High School Representative David Manjarrez, Finance Committee member Bill Kneeland and Town Manager Valente last week to review the School's proposed capital improvements and changes to the Regional Agreement. He also noted this issue would be discussed later tonight.

Vice-Chairman Haarde also had a meeting with Sudbury Finance Committee member Bob Jacobson, Lincoln Selectman Noah Eckhouse and Lincoln Finance Committee member Ellen Meyer Shorb to discuss future planning for Lincoln-Sudbury Regional High School (L-SRHS).

Chairman O'Brien attended a meeting with Town Manager Valente and finance representatives from the three cost centers, i.e., Sudbury Public Schools (SPS), Town and L-SRHS and Lincoln's Town Manager and Selectman Noah Eckhouse regarding pending health insurance issues. He stated the two Town Managers are in the process of collecting comparative data for review.

Public Hearing: Sudbury Wine, Spirits and Provisions, d/b/a Sudbury Wine, Spirits and Provisions - All Alcohol Package Store License Application

Present: Attorney Joshua Fox and Sudbury Wine, Spirits and Provisions applicants Joseph and Mary Ann Saia

At 7:43 p.m., Chairman O'Brien opened the Public Hearing regarding the application submitted by Sudbury Wine, Spirits and Provisions d/b/a Sudbury Wine, Spirits and Provisions, 410 Boston Post Road, for an All Alcoholic Beverages Package Store License. The Board was previously in receipt of copies of the Retail Alcoholic Beverages License Application, Manager Application and Personal Information Form, the Applicant's Statement, the Sudbury Wines, Spirits and Provisions, LLC Certificate of Registration and its Operating Agreement, and copies of emails from Sudbury's Building Inspector, Police Chief and Fire Chief, noting comments and recommendations.

Attorney Joshua Fox reviewed the request, noting the application is for an All Alcoholic Beverages Package Store License. He stated the applicants have lived in Sudbury for 30 years and have successfully operated the West Concord Liquor Store for several years. Mr. Fox described the intention for the Sudbury location would be to establish a facility housing high-end wines, spirits and crafted beers. The applicants also plan to offer seminars, and they will partner with local restaurants. The store would also have a specialty food section, provide gift baskets, and provide bartending services for private parties.

Mr. Fox described the building location as the former Rugged Bear Plaza. He stated the proposed hours of operation would be 9:00 a.m. to 10:30 p.m., Monday through Saturday, and from 12 noon to 6:00 p.m. on Sunday. Mr. Fox emphasized all staff would be TIPS-certified within 45 days of the store opening. He stated some construction fit-up would be necessary and that all regulations would be complied with and applicable permits would be pursued.

Selectman Drobinski stated he is pleased to see another liquor store in Town, which will be owned by a resident. However, he did reference issues raised by Sudbury's Fire Chief. Selectman Drobinski stated he supports the application being approved as long as the property owner and Fire Chief work together to resolve these issues.

Vice-Chairman Haarde asked if some employees would be working who are not TIPS-certified within the first 45 days of operation. Mr. Fox clarified that only the manager needs to be TIPS-certified. However, Mr. Fox further stated Mr. and Mrs. Saia would provide close supervision of staff and would oversee the training. Mr. Saia responded to several questions from Vice-Chairman Haarde regarding the number of employees, hiring practices and whether employees would shift between the Concord and Sudbury locations.

Vice-Chairman Haarde asked if background checks are completed on potential employees. Mr. Saia stated references and online background checks are reviewed. He also stated he has performed CORI checks for the Town of Concord. Vice-Chairman Haarde asked if Sudbury requires CORI checks, and he was informed it does not. Mr. Fox stated the law has been revised in recent years regarding for what purposes CORI checks can be performed. In response to a question from Vice-Chairman Haarde, Mr. Saia stated it is his intention to enforce a strict identification policy.

Vice-Chairman Haarde asked if there is intent to satisfy all of the requests recommended by Sudbury's Fire Chief because the Board seriously considers these recommendations. Mr. Fox stated the intent is to address all concerns and satisfy all requirements. Vice-Chairman Haarde welcomed the applicants as new business owners and wished them well in their endeavor.

Chairman O'Brien asked if the applicants would continue to retain the West Concord location. Mr. Saia stated his son would manage the West Concord store, and he and his wife would oversee the new location in Sudbury.

Chairman O'Brien cautioned the applicants to be prepared for routine sting operations performed by the Police Department. Mr. Saia stated he is familiar with such programs, and he supports them.

Property owner Chuck Katz updated the Board on the status of the five issues raised by the Fire Chief. He noted the building is sprinklered and inspections are scheduled annually. He estimated outstanding issues would be resolved in the next two weeks.

It was on motion unanimously

VOTED: To close the Public Hearing regarding the application filed for approval of an All Alcoholic Beverages Package Store License for Sudbury Wine, Spirits and Provisions, LLC, d/b/a Sudbury Wine, Spirits and Provisions located at 410 Post Road, Joseph C. Saia Manager, as requested in an application dated March 1, 2011, submitted as complete on June 30, 2011, said license to expire on December 31, 2011.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, in accordance with M.G.L. ch. 138, sec. 15, to approve an All Alcoholic Beverages Package Store License for Sudbury Wine, Spirits and Provisions, LLC, d/b/a Sudbury Wine, Spirits and Provisions located at 410 Post Road, Joseph C. Saia Manager, as requested in an application dated March 1, 2011, submitted as complete on June 30, 2011, said license to expire on December 31, 2011, subject to meeting the specifications/issues outlined by the Sudbury Fire Chief and Building Inspector.

Traffic Safety Committee - Recommendations

Present: Director of Planning and Community Development Jody Kablack and Sudbury Public Schools Superintendent Dr. Anne Wilson

The Board was previously in receipt of a memorandum from Director of Planning and Community Development Jody Kablack dated July 1, 2011, noting three traffic and road issues discussed by Sudbury's Traffic Safety Committee and its recommendations, accompanying exhibits and a draft letter to be sent to State legislators regarding an amendment request to the Massachusetts Amendments to the Manual of Uniform Traffic Control (MUTCD, 2003) and the Standard Municipal Traffic Code (October, 2006) by the Massachusetts Department of Transportation to comply with the Federal Highway Administration 2009 Edition of the Manual of Uniform Traffic Control's definition of "school" to include grades K-12.

Ms. Kablack stated the Traffic Safety Committee meets every other month. She noted many concerns raised with the Committee relate to speed limit issues, which are difficult to resolve within the context of State laws. Thus, the Committee explores other options available to improve conditions.

Ms. Kablack explained the first recommendation to amend the "Traffic Rules and Orders" to prohibit parking along the eastern entrance segment of Cutler Farm Road for an approximate length of 350 feet from Woodside Road to Read Road. She stated several neighbors requested this prohibition, given their parking experiences when there are large events at Loring School and during daily dismissal time. Ms. Kablack further stated the Department of Public Works (DPW) would provide permanent signage. She stated abutters were notified of tonight's discussion, as well as the Sudbury Public Schools, and the Traffic Safety Committee recommends the revision.

Selectman Drobinski questioned whether the parking would be better restricted on the western side. Ms. Kablack stated the prohibition on the eastern side should resolve the concerns raised.

Vice-Chairman Haarde reviewed what traffic lanes would be available, which Ms. Kablack further clarified.

Chairman O'Brien stated he assumes neighbors are aware that the parking prohibition would likely shift the previous parking issues to other locations in the neighborhood. Ms. Kablack stated the neighbors support the proposal.

Sudbury Public Schools (SPS) Superintendent Dr. Anne Wilson addressed the Board to reinforce the desire of SPS to work with the Town to ensure the safety of Sudbury's students. She emphasized her willingness to work closely with the Town on shared issues. Dr. Wilson met with Ms. Kablack to learn more about the parking concerns and she met with the Loring School principal. The principal plans to support the parking prohibition with enforcement and by reminding parents of the policy prior to, and during, the school year. Information will be disseminated to parents with the assistance of the Parent Teacher Organization and through the Principal's monthly newsletter. Dr. Wilson emphasized student safety is of the utmost importance to her and her staff.

Selectman Drobinski thanked Dr. Wilson for continuing the tradition of pursuing open dialogue between SPS and the Town.

Vice-Chairman Haarde welcomed Dr. Wilson and thanked her for coming tonight. He stated the proposed recommendation seems like a good solution.

It was on motion unanimously

VOTED: To amend the Town of Sudbury Traffic Rules and Orders by adding the following locations to Article V, Section 2, PARKING PROHIBITED ON CERTAIN STREETS. (Section 2 reads, "Upon the following streets or highways or parts thereof parking is hereby prohibited.") The eastern segment of Cutler Farm Road for a length of approximately 350 feet from Woodside Road to Read Road.

Ms. Kablack stated the Committee also recommends that the Selectmen send a letter to State Representative Conroy and State Senators Fargo and Eldridge requesting an amendment be made to the Massachusetts Amendments to the Manual of Uniform Traffic Control (MUTCD, 2003) and the Standard Municipal Traffic Code (October, 2006) by the Massachusetts Department of Transportation to comply with the Federal Highway Administration 2009 Edition of the Manual of Uniform Traffic Control's definition of "school" to include grades K-12.

Ms. Kablack explained this has been a long-standing concern, and she described several problems with the area which result in a very dangerous situation for students crossing Concord Road. The Committee has worked on possible solutions for two years, and it has solicited the assistance of the Massachusetts Highway Division and the Central Transportation Planning Staff (CTPS). The purpose of this change would be to create a school zone around Lincoln-Sudbury Regional High School (L-SRHS), which has been petitioned by the neighborhood. She stated a draft letter has been prepared to be sent to State legislators asking their assistance to help pressure the Massachusetts Highway Division to implement the amendment as soon as possible.

Selectman Drobinski asked what other options exist if the State does not adopt the amendment. Ms. Kablack stated CTPS stated the amendments are usually made to comply with Federal guidelines, but implementation can take a long time. CTPS is also studying the intersection and will provide recommendations in the fall.

Vice-Chairman Haarde asked, if the change to the definition of school does not occur, could a crosswalk be installed. Ms. Kablack stated it could be problematic, since the crosswalk would need to be on a curve, and thus might not be easily seen. She also stated children would still have difficulty accessing the crosswalk, since there is no shoulder along the side of the road and there is a steep embankment.

Chairman O'Brien stated it would be ideal to begin the discussion for a waiver which could create one school zone encompassing all appropriate areas from L-SRHS to Nixon..

Selectman Drobinski noted the Town cannot put up signs without State approval; and if lights and signs were erected, they would not be legally enforceable.

Ms. Kablack stated the Committee would continue to work on establishing one consistent speed limit for the area.

Chairman O'Brien suggested other relevant State offices also be sent the letter. Ms. Kablack will research whether there is a relevant Office of Public Safety or other prospective recipients of the letter.

Marion "Dev" Glaser, 5 Winter Street, stated, if the State does not implement the amendment, it appears as if there is not much the Town can do to help ensure the safety of students. Chairman O'Brien stated, unfortunately, this is the case. However, he further stated sending the letter to the legislators ahead of an election year might expedite the outcome. Chairman O'Brien stated the Board would prefer that this issue be resolved quickly in the best interests of all.

Ms. Kablack stated the Committee would continue to work on establishing a consistent speed limit, to research physical alterations to the area to improve conditions and to work with L-SRHS.

It was also on motion unanimously

VOTED: To send the draft letter reviewed tonight to the State Senators Jamie Eldridge and Susan Fargo, State Representative Tom Conroy and any other State offices and/or officials deemed appropriate, regarding the definition of “school” used by the Massachusetts Department of Transportation and the possibility of creating a school zone in front of Lincoln-Sudbury Regional High School.

Ms. Kablack stated the Committee further recommends the Town accept the highway easement from St. John’s Evangelical Lutheran Church in order to re-construct the intersection of Great Road and North Road as shown on a plan prepared by the Town Engineering Department. She stated the Department of Public Works has considered this project for several years. Ms. Kablack briefly described the proposal for a larger traffic island which would force vehicles to reduce speed. She stated the Church supports the proposal and has requested some tree removal and replanting along Great Road as compensation for the easement.

Selectman Drobinski stated he sees no issues as long as the Church supports the recommendation.

Vice-Chairman Haarde reviewed the proposed changes to pavement and the right-of way. Ms. Kablack stated the easement is needed to implement the proposal.

Vice-Chairman Haarde expressed concern with the proposed size of the bump-out. He noted Route 117 is heavily travelled, and he is concerned the bump-out could unnecessarily slow down traffic during commuting peak hours.

Chairman O’Brien asked what the timeframe is for project commencement. Ms. Kablack stated she is not sure how the project has been prioritized by DPW. Chairman O’Brien suggested Ms. Kablack communicate to the DPW Director that the Board would like to conduct a site visit prior to commencement of construction.

It was further on motion unanimously

VOTED: To accept a Highway Easement granted by St. John Evangelical Lutheran Church, shown on “Plan showing Proposed Easement for Highway Purposes over Land of St. John’s Evangelical Lutheran Church, 16 Great Road, Sudbury, MA,” dated December 9, 2008, drawn by the Town of Sudbury Engineering Department, subject to no construction commencing prior to a site visit by the Board of Selectmen.

Public Hearing: New Cingular Wireless, PCS LLC d/b/a AT&T Site Plan – 16 North Road

Present: Director of Planning and Community Development Jody Kablack, AT&T RF Engineer Michael Doiron and AT&T Consultant Timothy Greene

At 8:37 p.m., Chairman O’Brien opened the Public Hearing regarding the application of New Cingular Wireless, PCS LLC, d/b/a AT&T, for a modification to an approved Site Plan for property located at 16 North Road, owned by the Sudbury Water District; zoned Research District. Due to a potential conflict with his employer, Vice-Chairman Haarde recused himself from the discussion.

The Board was previously in receipt of copies of the application and supplemental information, a memorandum from Director of Planning and Community Development Jody Kablack dated July 14, 2011, an email message from AT&T Managing Director Tim Greene dated June 9, 2011, indicating additional carriers on the tower and an aerial map exhibit, a letter from Department of Public Works (DPW) Director William

Place dated June 27, 2011, noting comments and recommendations, an email message from Building Inspector James Kelly dated July 13, 2011 and a letter from Sudbury resident Ralph Tyler, One Deacon Lane, dated July 8, 2011, expressing his opposition to the application proposal to add three additional antennae to this cell tower.

Chairman O'Brien stated Mr. Tyler asked the Board to postpone discussion, since he is unable to attend tonight's meeting. However, on the advice of Town Counsel, discussion will be heard tonight and the Public Hearing will be continued to a future date to allow Mr. Tyler the opportunity to address the Board.

AT&T Consultant Timothy Greene described the request, stating AT&T is looking to enhance the on-site equipment as part of its national upgrade program. He noted it is an older site which was initially approved in 1995. The proposal is to expand from six to nine antennae on the tower. Mr. Greene stated AT&T maintains the top position on the tower, followed respectively by Verizon, T-Mobile and Sprint PCS. He referenced photographs provided in the application package.

Chairman O'Brien asked if the intended result could be accomplished by flush-mounting the equipment to the pole or reconstructing the tower as a monopole. He emphasized a monopole would be more visually appealing.

AT&T RF Engineer Michael Doiron explained that, at this tower location, a flush-mount would not be possible.

Selectman Drobinski asked if this were a new tower installation could the equipment be flush-mounted. Mr. Doiron stated AT&T prefers to mount its struts off of the tower. He further explained that to flush-mount the equipment, additional height would be required (approximately 20 feet) on the structure.

Chairman O'Brien asked the height of the panels. Mr. Greene stated the new panels are proposed at 72 inches compared to the existing 73.5 inch panels.

Ms. Kablack asked if six flush-mounted units could be physically installed in one location. Mr. Doiron stated they could not. Ms. Kablack noted that this tower is the only external antennae array in Town. She questioned why Sudbury has not encountered this problem with other carriers in the other 11 locations in Town. Mr. Doiron stated he could not speak for other carriers.

Mr. Greene identified AT&T's other locations in Sudbury as the landfill, the Maynard Road Water Tank and on Hudson Road. He stated it is the company's intent to swap-out equipment at those locations.

Selectman Drobinski questioned what the optimum lower height would be noting Sprint is located at 117 feet on the tower. Ms. Kablack noted that the other towers in Sudbury are only 100-foot tall and house several carriers.

Chairman O'Brien suggested older technology (2G) could possibly be serviced lower on the tower. Mr. Doiron explained this would not be an option, since AT&T still has a large customer base on 2G and 3G, and the company would not compromise their service. He further explained that the radio frequency requirements are not so much governed by the immediate tree line, but it is also impacted by tree lines two to three miles away.

Selectman Drobinski suggested, since this Public Hearing is to be continued to a future date, that radio frequency analysis at lower elevations be obtained for review.

Ms. Kablack stated the Town's recommendations have all included elimination of external arrays. Thus, she suggested continuing to work with the applicants on other options and solutions.

Mr. Doiron stated AT&T has not invested the time or money into researching what the financial impacts would be to construct a new site while also maintaining the original site.

Selectman Drobinski referenced the DPW Director's concerns regarding propane tanks and other issues. Mr. Greene exhibited photographs to indicate that the requested jersey barrier is in place and that the propane tanks exist.

Ms. Kablack stated there is no evidence that the Town ever approved an underground propane tank at this location. She further reported the Sudbury Water District has stated its preference that the tank be removed. Selectman Drobinski also requested the landscaping of the area also be addressed.

It was also on motion

VOTED: To continue the Public Hearing regarding the application of New Cingular Wireless, PCS LLC, d/b/a AT&T, for a modification to an approved Site Plan for property located at 16 North Road, owned by the Sudbury Water District; zoned Research District to September 6, 2011 at 8:00 p.m.

Council on Aging – Candidate Interview

Present: Candidate Sam Merra

At 9:02 p.m., Chairman O'Brien invited Sudbury resident Sam Merra to meet the Board as a member candidate for the Council on Aging.

Mr. Merra stated he has lived in Sudbury for 45 years. He stated he has a long history of involvement with the Town, from his days with Little League, through his time as Chairman for the L-SRHS Scholarship Fund and as a member of the Budget Review Task Force (BRTF). Mr. Merra also stated he has an engineering background.

Selectman Drobinski stated he is familiar with Mr. Merra, and he believes his past experiences and breadth of service will serve him well as a member of the Council on Aging.

Vice-Chairman Haarde stated he is familiar with Mr. Merra from their time working together on the BRTF and from coaching Mr. Merra's grandson. He believes Mr. Merra would be a great asset to the Council.

Chairman O'Brien believes Mr. Merra is an excellent candidate. He asked if there were any issues Mr. Merra believes need particular attention. Mr. Merra stated he does not have any preconceived agendas and would prefer to learn more about identified initiatives before deciding which priorities need focus.

It was on motion unanimously

VOTED: To approve the appointment of Sam Merra, 111 Woodside Road, to the Council on Aging, for a term to expire on April 30, 2014, as requested in a June 20, 2011 letter from Council on Aging Director, Debra Galloway.

**Minuteman Regional Vocational Technical High School – Capital Plans and Regional Agreement
Amendments - Update**

Present: Sudbury Representative of the Minuteman Regional Vocational Technical High School Committee
David Manjarrez

At 9:07 p.m., Chairman O'Brien opened a discussion regarding the Minuteman Regional Vocational Technical High School (MRVTHS) capital project and suggested revisions to the member agreements. He welcomed Sudbury Representative of the Minuteman Regional Vocational Technical High School Committee David Manjarrez and thanked him for his work on behalf of the Town. Chairman O'Brien explained the School is planning a capital renovation project, and the funding for this project has been a topic of discussion with the regional members. He reported that two sub-committees have been recently formed to further study the issue, one of which is headed by Town Manager Valente.

Vice-Chairman Haarde stated Mr. Manjarrez has worked hard as an advocate for Sudbury to understand the complex issues under consideration. He thanked Mr. Manjarrez for doing an admirable job on behalf of what is in the best interests of the School, the students and Sudbury.

Mr. Manjarrez stated he has represented Sudbury for four years in this role, and the current proposed capital project is the most important issue which has arisen other than previous curriculum discussions. It is estimated the capital improvements to the School could cost up to \$70 million to be funded over a 30-year period by the 16 member communities. Mr. Manjarrez stated that the Regional Committee had suggested a proposed funding formula several months ago. At that time, Town Manager Valente identified several questions regarding the proposal and concluded the financial impacts for Sudbury and a few other communities (Wayland and Weston) would be unfavorable. The Committee re-worked the formula and presented a Model B financial model approximately six weeks ago, which was even more detrimental for Sudbury.

Mr. Manjarrez reported, as previously, that two sub-committees have recently been formed. One sub-committee will further research the financial formula model and its ramifications. This sub-committee is headed by Town Manager Valente. The second sub-committee will be headed by Wayland Town Administrator Fred Turkington to further study tuitions, reimbursements and revenue generation.

Vice-Chairman Haarde asked what issues voters would be asked to consider at the Annual 2012 Town Meeting. Mr. Manjarrez stated member towns will be asked to vote at their respective 2012 Town Meetings on whether to accept the Model B assessment formula and whether to accept an Agreement amendment based on a three-year growing average student attendance concept.

Vice-Chairman Haarde asked if the proposed financial model is only to fund the new building or does it also cover operating costs. Mr. Manjarrez stated operating costs are not part of the financial model. He also clarified there is not an intention to construct a new facility but rather to renovate the existing building (which was built in the 1970s) on the same footprint. Mr. Manjarrez stated the discussion currently is only for capital costs to be covered by a 30-year bond.

Vice-Chairman Haarde asked what the financial impact of Model B would be for Sudbury compared to the current Regional Agreement terms. Mr. Manjarrez stated the existing Regional Agreement model, over a 30-year period, would translate into an estimated \$1.9 million expense for Sudbury (approximately \$79,000 per year). If the proposed Model B is adopted, over a 30-year period, the expense for Sudbury would be estimated at \$4 million (approximately \$167,000 per year).

Chairman O'Brien noted the proposed amendments to the Regional Agreement shifts more cost to towns which send fewer students to Minuteman. It was noted the cost for Sudbury would increase by well over 100% over a 30-year bond period while the expense for Arlington would decrease by approximately \$6.8 million during the same timeframe. Vice Chairman Haarde asked how many students from Arlington and Sudbury attend the School. Mr. Manjarrez stated Arlington currently sends 110 students (including post-graduates) and Sudbury sends 18.

Chairman O'Brien stated the Regional Agreement requires a unanimous vote by all member communities to implement changes. He stated Sudbury should consider whether other options are available to break away from Minuteman and participate in another regional vocational program in order to satisfy the requirement of L-SRHS, which might be financially more advantageous for Sudbury.

Mr. Manjarrez stated he is a strong supporter of Minuteman, and although he is a critic on occasion, he is not a dissenter. He highlighted time is of the essence to impact the decisions made before January 2012 when communities, including Sudbury, will be finalizing warrants for 2012 Town Meetings. Mr. Manjarrez is hopeful beneficial changes can be made in this timeframe.

Vice-Chairman Haarde stated more should be known in the next 30 days as the two sub-committees complete their work, after which action items may become more evident.

Chairman O'Brien thanked Town Manager Valente, Vice-Chairman Haarde, Mr. Manjarrez, and Mr. Kneeland for keeping abreast of this issue on behalf of the Town, and he concluded the discussion.

Invitation to Bid for Sale of Two Small Parcels of Land – Hudson Road and Pinewood Avenue - Approval

Present: Community Housing Specialist Beth Rust

At 9:24 p.m., Chairman O'Brien opened a discussion regarding approving the bid process for the sale of two small parcels of land on Hudson Road (parcel F04-0124) and Pinewood Avenue (parcel F04-0132) as approved at the May 2011 Town Meeting (Article 26). The Board was previously in receipt of copies of the Town Warrant description of Article 26 and a draft "Invitation to Bid Disposition of Municipal-Owned Property at Pinewood Avenue and Hudson Road, Sudbury, Massachusetts, dated July 22, 2011."

Community Housing Specialist Beth Rust summarized the discussions leading to the preparation of the draft "Invitation to Bid Disposition of Municipal-Owned Property at Pinewood Avenue and Hudson Road, Sudbury, Massachusetts, dated July 22, 2011." She noted several public discussions were held over several years. Ms. Rust noted that, through the public process, it became evident neighbors preferred the properties remain unbuildable and be available to them for purchase. An article was presented and approved at the Annual 2011 Town Meeting. It was noted the Board previously approved a minimum bid for each of the parcels of \$3,500. Upon approval tonight, Ms. Rust stated the Invitation to Bid would be advertised accordingly and would also be sent to abutters.

Selectman Drobinski asked if the document has been approved by Town Counsel. Ms. Rust stated Town Counsel's office has approved the document.

Vice-Chairman Haarde asked if the Town has followed a similar process in the past. Ms. Kablack stated the same process has been followed as was done for similar parcels in the past. She also stated Town Counsel's office has worked extensively on finalizing the document to comply with statutes and to be consistent with past precedent.

Ms. Rust reviewed the timeline of the bid process. Ms. Kablack noted it should be stated as a tentative schedule.

Selectman Drobinski stated the document reflects previous discussions.

It was on motion unanimously

VOTED: To approve the "Invitation to Bid Disposition of Municipal-Owned Property at Pinewood Avenue and Hudson Road, Sudbury, Massachusetts, dated July 22, 2011," for the sale of two small parcels of land on Hudson Road (parcel F04-0124) and Pinewood Avenue (parcel F04-0132) as approved at the May 2011 Town Meeting (Article 26).

Charles Guthy, 24 Pinewood Avenue, asked if neighbors would receive a hard copy or PDF version of the Invitation to Bid. Ms. Rust stated hard copies would be mailed to neighbors.

Kevin Klapper, 494 Hudson Road, asked if the document is available yet to the public, and if the deed restrictions previously discussed are clearly stated in the Request for Proposal (RFP). Ms. Kablack stated Town Counsel advised that the document not be made available to the public as a draft, given the inherent competitive nature of the process. Once approved, the document will be publicly distributed.

Sudbury Housing Trust – Home Preservation Program - Update

Present: Community Housing Specialist Beth Rust

At 9:34 p.m., Chairman O'Brien opened a discussion regarding the most recent Sudbury Housing Trust (SHT) expenditure under the Home Preservation Program. The Board was previously in receipt of copies of a memorandum from Community Housing Specialist Beth Rust dated July 13, 2011, explaining the SHT's fifth home selection under the Program.

Community Housing Specialist Beth Rust briefly reviewed her memo with the Board. She explained Community Preservation Act funds cover the subsidy for the program. Ms. Rust stated the SHT declaration does not require Board approval, but it has been the practice of the SHT to update the Board on its activities.

Ms. Rust explained the role of the SHT in the home selection and negotiation process. She stated the home was selected after visiting all six houses in Sudbury for sale under \$400,000. Target homes for the Home Preservation Program are well-maintained two or three-bedroom, one-and-a-half to two-bath houses with a sales price of \$325,000 to \$370,000. The proposed home was built in 1954 and is in good condition, which was confirmed with a home inspection.

Ms. Rust stated the buyer for the property was selected via a lottery held in April 2011, which had ten eligible applicants. The winning family lives in Waltham, is married and has two non-school-aged children. She further stated the home would be sold at \$190,000 as regulated by the Department of Housing and Community Development (DHCD). Ms. Rust also provided the Board with copies of a cost comparison of this transaction to others in the Program. Closing is scheduled for August 11, 2011, and the home is under contract through a standard Purchase and Sale Agreement.

Selectman Drobinski believes this is a great program which provides affordable homes in Town from what would have been likely tear-down situations.

Vice-Chairman Haarde stated he likes the program because it helps the Town in its efforts to reach its Chapter 40B quota. He asked who can participate in the lottery. Ms. Rust stated the lottery is open to all,

but candidates are part of either a local pool or general pool. Vice-Chairman Haarde asked how it is determined from which pool the selection is made. Ms. Rust stated there is a prescribed cycle for the program to assign from two local pools, followed by a selection from the general pool, etc. Within this cycle, the April lottery was drawn from the general pool.

Ms. Kablack highlighted that these homes have perpetual deed restrictions and remain affordable in perpetuity. She further explained the price is restricted at the time of resale.

Ms. Rust announced Sudbury's Housing Production Plan was approved yesterday. She explained the Plan would become certified after the required number of units are approved.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of July 5, 2011.

Order of Taking – Brookside Farm Lane

It was on motion unanimously

VOTED: To execute the Order of Taking for Brookside Farm Lane from Landham Road to a dead end, as voted by the 2011 Annual Town Meeting under Article 18.

Summer Concert Series - Gifts

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a gift of \$1,916 from various private and corporate donors to be used to offset expenses associated with the Summer Concert Series, said funds to be separately accounted for and expended under the direction of the Park and Recreation Director.

Mobility Assistance Program – Vehicle Gift

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a Mobility Assistance Program vehicle from the MetroWest Regional Transit Authority, at no cost to the Town, (with the Town to insure, register and maintain said vehicle) as outlined in a letter dated July 11, 2011, from Ed Carr, Administrator of the MetroWest Regional Transit authority, said vehicle to replace the Council on Aging's current van which has reached the end of its useful life.

Election Officers – Appointment

It was on motion unanimously

VOTED: To appoint Election Officers for a one-year period commencing August 15, 2011 and ending August 14, 2012, as recommended by the Democratic and Republican Town Committee Chairmen and the Town Clerk.

Route 20 Wastewater System Steering Committee – Board and Resident Appointments

At 9:43 p.m., Chairman O'Brien opened the discussion regarding board and resident appointments to the Route 20 Wastewater System Steering Committee. He announced that, following the failure of the override request for the Route 20 Sewer Project, Ms. Kablack re-submitted an application to the Metropolitan Area Planning Council (MAPC) for District Local Technical Assistance funds. Sudbury has now been awarded the opportunity to receive up to \$25,000 and the time of two MAPC staff members to assist Ms. Kablack and the Planning Board to develop a public process regarding the Route 20 zoning issues. Ms. Kablack stated the project must be completed by December 31, 2011.

As a resident of the proposed project area, Chairman O'Brien recused himself from the discussion, and he asked Vice-Chairman Haarde to preside over the discussion.

The Board was in previous receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated July 15, 2011, the approved Mission Statements for the Route 20 Sewer Steering Committee and the Route 20 Citizens' Advisory Committee, an email from Town Manager Valente dated July 6, 2011, inviting member recommendations for the Steering Committee from applicable Town and School Boards and Committees, and emails and applications received to date regarding interested candidates. Copies of two additional applications for appointment from Thomas S. Travers and Daniel Kenn were distributed to the Board tonight.

Ms. Kablack reviewed the candidates submitted as Board/Committee representatives for appointment consideration to the Route 20 Wastewater System Steering Committee. She stated she is not sure if the recommended candidates have all been officially voted by their respective boards/committees. Ms. Kablack stated Planning Board members Michael Fee and Eric Poch have both expressed interest in serving on the Steering Committee. She further stated the Planning Board would vote its recommendations at its August 3, 2011 meeting.

Selectman Drobinski suggested voting the Board member appointments to the Steering Committee tonight.

Vice-Chairman Haarde asked if business and resident candidates should also be appointed to the Steering Committee tonight.

Selectman Drobinski stated he has no objections to the applications received from Ted Pasquarello and Steve Grande for the Steering Committee. However, he believes the application received from John Baranowsky may be better suited for consideration for appointment to the Citizens' Advisory Committee. He also believes no action can be taken on Mr. Travers' application, since he is a member of the Capital Improvement Planning Committee (CIPC). Ms. Kablack noted the CIPC charter precludes members from participating on any other committee. Selectman Drobinski stated he thought the board members appointed to the Steering Committee would help recommend to the Selectmen business and resident candidates for appointment consideration.

Vice-Chairman Haarde stated it was his understanding the Steering Committee would make recommendations to the Selectmen for candidate appointments to the Citizens' Advisory Committee. He stated he has no objections to the recommendations submitted. However, Vice-Chairman Haarde stated he is uncertain that two members of the Planning Board need to be both members of the Steering Committee.

Ms. Kablack believes Mr. Fee and Mr. Poch would bring different skills and desirable experience to the group. She noted Mr. Poch has a long involvement with this issue as a member of the former Citizens' Advisory Group and Mr. Fee is an exceptional strategic thinker. Ms. Kablack emphasized the need for

members of this Committee to “hit the ground running” and to know the issue and/or be able to quickly be brought up to speed.

In addition to information previously provided, Ms. Kablack reported the Finance Committee voted to recommend Robert Stein for appointment to the Steering Committee.

Vice-Chairman Haarde recommended appointing the Board recommendations received to date, to hold on the appointment of Michael Fee at this time, and to appoint business owners Ted Pasquarello and Steve Grande tonight. He further suggested the remainder of applications received to date be held for consideration as appointments to the Citizens’ Advisory Committee at a later time.

Vice-Chairman Haarde asked if the conflict of a CIPC member also serving on another committee could be resolved. Ms. Kablack stated Mr. Travers could choose to attend the Steering Committee public meetings as a citizen and participate as he wishes. Vice-Chairman Haarde suggested the bylaw be reviewed. He opined the Finance Committee has more financial impact on Town decisions than the CIPC, and yet Finance Committee members are not precluded from serving on other committees. The restriction for CIPC members does not seem appropriate to him.

It was on motion

VOTED: To approve the following individuals as members of the Route 20 Sewer Steering Committee: Brian McNamara, Richard Robison, William Cossart, Eric Poch, Robert Haarde, Robert Stein, Ted Pasquarello, and Steve Grande, subject to approval by their respective boards/committees.

At 9:59 p.m., Vice-Chairman Haarde concluded the discussion.

There being no further business, the meeting adjourned at 9:59 p.m.

Attest: _____

Jody Kablack
Director of Planning and Community Development
Clerk Pro Tem