

IN BOARD OF SELECTMEN
TUESDAY, SEPTEMBER 21, 2004

Present: Chairman John C. Drobinski, Selectmen Lawrence W. O'Brien and William J. Keller, Jr.

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

Opening Remarks

Chairman Drobinski cautioned motorists to be mindful of construction projects in Town as traffic moves into different parts of the community looking for cut-through routes.

Chairman Drobinski stated the new Lincoln-Sudbury Regional High School held an Open House on September 19, was well-attended by residents of all ages, and noted the building is truly spectacular.

Chairman Drobinski thanked the Town Clerk for an efficient State Primary Election and reminded residents to vote in November.

Conservation Restriction – Sudbury Valley Trustees

Present: Edie Dondero, The Trustees of Reservations.

Ms. Edie Dondero, Program Assistant, The Trustees of Reservations, stated the Conservation Restriction before the Board was specified in the Last Will and Testament of John G. Wolbach, specifically, in Article Second of the Will, to be granted in perpetuity and exclusively for conservation purposes. Two single-family-residence building lots are excluded from the Conservation Restriction, also as stated in the Will.

Utilizing plans, Mr. Brandon Kibbe, Land Protection Specialist for the Sudbury Valley Trustees, pointed out various portions of the former Wolbach land included in the Restriction, as well as the building lots excluded. He pointed out the farmhouse, greenhouse and other structures on the land. It was noted that no future structure can be erected on the restricted land. The building lots, however, can be used for future buildings, or be sold as needed.

Responding to a question from Selectman Keller, Ms. Dondero stated uses for the land would include protection of wildlife habitat, open space, water quality, agricultural land, as well as walking trails as the land abuts King Philip Conservation Area and Great Meadows National Wildlife Refuge.

It was on motion unanimously

VOTED: To approve a Conservation Restriction granted by the Sudbury Valley Trustees, April 7, 2004, to The Trustees of Reservations of the 53.5 acres of the former Wolbach property on Wolbach Road, Sudbury, with the exclusion of two single-family residence building lots.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular and executive sessions of September 7, 2004, as drafted.

Pay Per Throw Advisory Committee – Resignation

It was on motion unanimously

VOTED: To accept the resignation of George H.R. McQueen, dated September 7, 2004, from the Pay Per Throw Advisory Committee, and to send a letter of appreciation for his service.

Walkway Easement – 236 Concord Road

It was on motion unanimously

VOTED: To accept a Walkway Easement for 236 Concord Road, granted by Eugenia L. Quirk, Trustee of the Aurora Realty Trust, said easement shown on a plan entitled “Plan Showing Walkway Easement Over Land of Aurora Realty Trust, 236 Concord Road, Sudbury MA” dated July 28, 2004, prepared by the Town of Sudbury Engineering Department, accepted by a vote of the Board on August 10, 2004.

St. Anselm’s Task Force – Appointments

The Board briefly discussed the mission and composition of the St. Anselm’s Task Force, and it was suggested that a letter outlining purpose and charge be sent to all members of the committee. Everyone will then understand the urgency of the aggressive meeting schedule and that the needs of the entire community must be considered over the needs of the immediate neighborhood. It was decided that Town Manager Valente will draft such a letter with input from the Board.

Chairman Drobinski asked the Town Manager to seek an opinion from Town Counsel as to whether zoning regulations can be ignored if the archdiocese should incorporate or reorganize as an educational entity.

After discussion, it was on motion unanimously

VOTED: To confirm the appointment of Michael Hunter, Planning Board representative, and Robert Jacobson, Finance Committee representative, to the St. Anselm’s Task Force; and

it was further on motion unanimously

VOTED: To appoint Jeffrey Quinn, 5 Blackmer Road; Patricia A.Siff, 195 Woodside Road; and John J. McGee, 143 Victoria Road, to the St. Anselm’s Task Force.

Site Plan #SP04-376 – Omnipoint Holdings, Inc.

At 8:00 p.m. Chairman Drobinski reconvened a Public Hearing to further consider site plan application #SP04-376 of Omnipoint Holdings, Inc., a wholly-owned subsidiary of T-Mobile USA, Inc., in accordance with Sudbury Zoning Bylaw Article IX.6000, Section 6300, Site Plan Review, to expand the existing SpectraSite facility for wireless communications on property located in the Research District, 16 North Road, on Parcel C12-004, owned by the Sudbury Water District, by adding a nine-panel antennae attached to a platform at a height of 130 feet plus an E911 antenna at an approximate height of 100 feet to the existing tower, with co-axial cables and base transceiver station (BTS) units mounted on a 6’ x 8’ concrete pad comprised of three equipment cabinets and power/telephone pedestal, in collocation with CellularOne and Cellco Partnership (Bell Atlantic Mobile).

The Board reviewed the following new information: letter, dated September 16, 2004, from Michael Almada, Area Manager/Team Leader, T-Mobile, requesting that the hearing be continued to the October 19, 2004 Selectmen's meeting, to allow time to procure necessary approvals and be able to answer the Board's questions. The letter also agrees to extend the time for final action by the Board of Selectmen to November 22, 2004.

It was on motion unanimously

VOTED: To continue this matter until October 19, 2004 at 7:45 p.m., to allow the applicant time to complete additional presentation materials, and further, to accept the extended final action date of November 22, 2004 as outlined in the applicant's letter of September 16, 2004.

Community Preservation Committee – Appointments

Town Manager Valente stated two residents expressed interest in the vacancy on the Community Preservation Committee, occasioned by the resignation of Diane Goldberg. She opined both individuals to be qualified, having previously served on other Town committees. Ms. Valente stated this position is one of two Board of Selectmen's At-Large Members. Discussion followed.

It was on motion unanimously

VOTED: To appoint Tara Reed, 11 Carding Mill Road, to the Community Preservation Committee, for a term to expire April 30, 2006.

Mass. Department of Revenue – Grant

Town Manager Valente reported the State Legislature and Governor have approved \$75 million in municipal relief in a supplemental budget bill for FY04. Sudbury's one-time allotment will be \$81,199 for FY05, and the Chairman must sign an affidavit acknowledging it is a one-time grant. Ms. Valente stated the funds would need to be appropriated before they can be used, and will most likely be closed out as free cash as the tax rate will have already been set for FY05 by the time of Annual Town Meeting.

One-Day Liquor License – Buffet Way Catering

It was on motion unanimously

VOTED: To grant a one-day All Alcoholic Beverages License to Daniel P. Mauro, President, Buffet Way Catering, 31 Curtis Ave., Marlboro, MA 01752, to be exercised October 2, 2004, during the hours of 2:00 and 8:00 p.m. at the Clarion Coach House Inn, with appropriate trained staff and liquor liability insurance coverage.

Septage Facility

Town Manager Valente asked the Board if it had any questions or issues for the consultant hired by the Septage Facility to conduct any other analyses besides the ones already determined: closing the facility, operate as is, or find ways to increase operation throughout. New equipment may be necessary, which would require additional debt servicing. Ms. Valente noted the Septage Facility is not a separate entity as the Sudbury Water District is, and any final decision would be determined by both the Sudbury and Wayland.

The Board expressed the opinion that it should be kept informed of all meetings, minutes and actions. After discussion, it was decided that the Town Manager would draft a letter requesting such communications.

Rail Trail

Town Manager Valente updated the Board on recent events. The Central Transportation and Planning Agency is reluctant to move forward on this matter until all issues of property ownership are resolved or answered to their satisfaction. Easement documents may cause complications, if the land is no longer used for railroad purposes. The Board approved a draft letter to the Central Transportation and Planning Agency in Boston indicating support of conversion and a willingness to look into ownership issues of trail construction, pending approval of said letter by Town Counsel.

Town Forum

At 8:35 p.m. Chairman Drobinski convened Town Forum, during which time reports were presented by the Sewer Assessment Citizens Advisory Committee, Sewer Assessment Technical Committee and the Community Preservation Committee.

Mr. William Cossart presented the report for the **Sewer Assessment Technical Committee**. He indicated the group has found a Town-owned site suitable for wastewater treatment and the site is presently being evaluated. The Town has sought proposals from firms to evaluate the site, and once the Health Director has completed his analysis of the proposals, the Town will issue a contract for the work.

Mr. Abner Salant updated the Board on the activities of the **Sewer Assessment Citizens Advisory Committee**. He stated the group had not met for approximately a year and a half, given the lack of progress in identifying suitable sites.

Chairman Drobinski presented the report on recent activities of the **Community Preservation Committee**. He stated the group had been active over the summer, and the deadline for submission of potential projects is October 15.

Reports concluded at 8:47 p.m. Refreshments were served.

Annual Town Meeting – Selectmen Articles

Town Manager Valente submitted the list of potential Selectmen articles for 2005 Annual Town Meeting. She asked for the Board's input on topics not included. This helps Town staff get started on any research that may be necessary to begin putting the articles together.

Executive Session

At 8:57 p.m. it was on roll call

VOTED: To go into Executive Session for the purpose of discussion collective bargaining and interest in land matters.

Chairman Drobinski stated regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 9:10 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk