

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, NOVEMBER 5, 2013

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:42 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:42 p.m., Chairman Drobinski opened the meeting. He announced the voter registration deadline is November 10, 2013 for the Special State Election to be held on December 10, 2013. On behalf of the Board and Town, Chairman Drobinski welcomed home 1LT Jessie Smith from his duties in Afghanistan. He thanked Jessie for his service to the country. Chairman Drobinski encouraged residents to access the information available in the Town Manager's Newsletter on the Town website. He also stated he and Selectman O'Brien will conduct Selectmen's Office Hours at the Senior Center on November 7, 2013. Chairman Drobinski also encouraged the community to attend the Sudbury Historical Society Open House on November 10, 2013, on the second floor of Town Hall.

Reports from the Town Manager

Town Manager Valente stated November 26, 2013 has been targeted for a Tax Classification Public Hearing, noting if required approvals are not received from the State, the Hearing might be postponed to December 5, 2013. All Board members can attend except Selectman Simon. Ms. Valente asked if the Board also wished to schedule a joint meeting with the Conservation Commission and the Park and Recreation Department on November 26th. The consensus of the Board was another date should be coordinated for the joint meeting.

Town Manager Valente circulated copies to the Board of the press release for the Solar One panel ribbon-cutting ceremony on November 13, 2013, at 10:00 a.m., at the Transfer Station.

Town Manager Valente reminded the Board to respond to the request from Police Chief Nix that they attend the Alert/Lockdown/Inform/Counter/Evacuate (ALICE) training from 8:00 a.m. to 4:00 p.m. on November 19, 2013. The program is intended to enhance the Town's public safety for municipal and school buildings.

Town Manager Valente stated the Board discussed its goals at a meeting on October 29, 2013, and they will be discussed later tonight. Ms. Valente attended a monthly meeting with both school systems' superintendents, and she met with the Board's Chairman and Vice-Chairman regarding long-term planning. She also was pleased to serve as a host for the HOPEsudbury telethon.

Town Manager Valente and Department of Public Works (DPW) Director Bill Place met with NStar to finalize the planting plan agreement for Stock and Pelham Island Roads, which was to be discussed on tonight's agenda. Ms. Valente had asked NStar to provide a confirmation of the conditions in writing prior to 5 p.m. today, but she did not receive it. Thus, Ms. Valente asked for item 21 to be removed from tonight's agenda.

Town Manager Valente announced the Veterans' Appreciation Luncheon will be held November 13, 2013 at the Senior Center. She also announced Town Offices would be closed on Veteran's Day, November 11, 2013.

Reports from the Board of Selectmen

Vice-Chairman Woodard attended a Sudbury Historic Districts Commission meeting where proposed house plans for 233 Concord Road were discussed. He noted the HOPEsudbury telethon was a success. Vice-Chairman Woodard also discussed technology needs with the Lincoln-Sudbury Regional High School Committee Chair.

Selectman Haarde stated he participated in the HOPEsudbury telethon.

Selectman O'Brien attended a Council on Aging meeting and the Men's Breakfast, as did Selectman Simon. He will participate in the Selectmen's Office hours this Thursday, the B'nai B'rith development groundbreaking ceremony on Friday and a Troop 60 Boy Scout ceremony next week.

Selectman Simon stated he and Selectman O'Brien and Vice-Chairman Woodard visited the Solar One installation. He stated screening of the facility appears to be satisfactory. Selectman Simon provided brief liaison updates regarding the Park and Recreation Department and the Goodnow Library.

Selectman Simon later suggested a vote be taken by the Board tonight to send a letter of congratulations to HOPEsudbury for its successful fundraiser.

It was on motion

VOTED: To send a letter of a letter of congratulations to HOPEsudbury for its successful fundraiser on November 2, 2013.

Selectman Haarde abstained from the vote, stating he does not think a precedent should be set of voting on items not publicized on the agenda.

Public Hearing: Ti-Sales Site Expansion – 36 Hudson Road

Present: Director of Planning and Community Development Jody Kablack and property owners Burt and Kevin Tighe

At 8:04 p.m., Chairman Drobinski opened the Public Hearing regarding an application of Ti-Sales for a Minor Site Plan approval for construction of a 1,000 square-foot building to the rear of the property for storage of waterworks supplies. Town Manager Valente read aloud the Public Hearing Notice, and she reviewed materials previously provided to the Board, including copies of the Notice of Public Hearing, proposed plot plan, a memorandum from Director of Planning and Community Development Jody Kablack dated October 31, 2013, a draft Site Plan Decision dated November 5, 2013, an email from Assistant Fire Chief John Whalen dated October 31, 2013 and a letter from Department of Public Works Director/Town Engineer I. William Place dated October 31, 2013.

Director of Planning and Community Development Jody Kablack summarized the request to construct a 1,000 square-foot metal storage building in the rear of the site, which is a 1.57-acre parcel located partially in Business District 7 and partially in the A-Residential District. She stated this would be the second such structure, and that construction of another 1,000 square-foot metal structure was approved by the Board in 2008. Ms. Kablack stated a general Stormwater Management Permit application has been filed and it will be reviewed, but it does not require a Public Hearing.

Property owner Kevin Tighe stated the company is a wastewater supply business located at 36 Hudson Road. Mr. Tighe stated business has grown to the point which exceeds the current capacity for secure and dry storage. Thus, a request has been submitted to construct a shed addition to the existing approved 2008 structure.

Selectman O'Brien noted condition #12 of the draft Decision, requesting the property owner grant permission for the Town to enter their property to construct an access drive to the Town land abutting their property. He asked the applicants if they had any objections to it. Mr. Tighe stated DPW Director Bill Place has discussed this issue with them and they have no objections to whatever the Town requires. Ms. Kablack explained the Construction License allows the Town to enter onto the applicants' property to complete improvements. Selectman O'Brien also asked if the new structure needs to be sprinklered, and Ms. Kablack stated it does not.

Vice-Chairman Woodard asked for clarification regarding whether an easement would be needed to do the construction. Ms. Kablack stated an easement is not needed.

Selectman Simon asked if the structure would be heated. Property Owner Burt Tighe stated it would. Kevin Tighe explained stored water needs to not freeze, and the heat would be set at approximately 56 degrees.

It was on motion unanimously

VOTED: To approve the minor Site Plan Decision for Ti-Sales expansion for construction of a 1,000 square-foot storage building to be located on their existing site.

Citizen's Comments

At 8:13p.m., Chairman Drobinski recognized Sudbury citizen Dan Depompei, 35 Haynes Road.

Mr. Depompei stated he has questions regarding the applicable laws which will be followed for design and permitting of a rail trail. He read aloud pertinent sections from two Town staff memorandums. Mr. Depompei asked the Board whether it is the Town's intent to apply all local bylaws to the permitting of a rail trail.

Chairman Drobinski thanked Mr. Depompei for his comments, and he explained the Board cannot address this question tonight because the topic was not publicized on the agenda.

Right of First Refusal – 233 Concord Road - Discussion

Present: Director of Planning and Community Development Jody Kablack

At 8:31 p.m., Chairman Drobinski opened a discussion regarding the Town's opportunity to exercise its Right of First Refusal (ROFR) option regarding 233 Concord Road. He stated the Board previously voted to bookmark a Community Preservation Act (CPA) project submission for funding. Chairman Drobinski stated there are many factors to consider regarding the timing for a purchase. He explained that, if the Board votes to exercise its ROFR option, it must hold a Public Hearing prior to December 19, 2013, and the Town has 90 days to procure the property from the date it exercises its ROFR. It was noted this might necessitate a Special Town Meeting, unless the property owner agrees to extend the date to be voted at the Annual Town Meeting. Chairman Drobinski further stated the Board has considered a public/private partnership to purchase the property. He suggested the Board needs to give the neighbors, who would be spearheading the private fundraising, and the Community Preservation Committee (CPC) direction for funding.

Selectman O'Brien stated the Town needs to determine if the property seller is willing to extend the purchase until the time of the Annual Town Meeting.

Vice-Chairman Woodard stated he has heard many good reasons for the Town to make, and not to make, this purchase. He emphasized he is torn on the right decision for the Town, noting it is hard to ignore three Town committees have recommended the purchase. Vice Chairman Woodard further emphasized the Town has limited financial resources. However, he suggested that, perhaps the Town could offer \$100,000 in funding, with the remainder to be raised privately.

Selectman Simon suggested deliberating the issue from the perspective of how the purchase would be viewed if the property were not in a Historic District. He stated this is not an easy decision because one's heart and head are at odds. Selectman Simon believes the property needs to be evaluated for what value the Town as a whole would derive from preserving the parcel. He believes the neighbors will derive the primary benefit from preservation. Thus, Selectman Simon believes it is fair to propose the public/private partnership. He emphasized \$100,000 is not an insignificant amount of money, and he agreed with this amount as the public contribution.

Selectman Haarde stated he believes the Town must seriously consider the request to purchase this property because it satisfies two of the CPAs four eligible categories, i.e., open space and historic. He suggested the purchase price of \$325,000 may look like a bargain in the future to preserve two acres in the Town's Historic District, when the CPA fund collects \$2 million in local receipts each year. Selectman Haarde stated he believes the project should be submitted for the full purchase price of \$325,000 to the CPC. He noted that, if the project is recommended for Town Meeting, the people can decide if they want to support the purchase. Selectman Haarde stated many residents have urged the Board to purchase the property. He believes the public conversation should continue and let the public decide whether it wants to purchase it with CPA funds or as a debt exclusion.

Vice-Chairman Woodard stated that, although the CPA fund collects \$2 million in local receipts, approximately \$1.2 million is immediately earmarked to pay debt. Thus, there are limited funds available for new projects.

Chairman Drobinski suggested the Board asks the CPC to consider this project and vote on how much it is willing to recommend for funding, and that the seller be contacted to inquire about their willingness to delay the purchase until the 2014 Annual Town Meeting. He also stated it needs to be determined if residents are willing to raise private funds. Chairman Drobinski opined the Board's heart supports the project, but it is nervous about financing.

In response to a question from Selectman O'Brien, Vice-Chairman Woodard suggested the Town should have the private cash in hand, with funds held in an escrow account, prior to the December 19, 2013 deadline for exercising its ROFR. He further stated the CPC should be asked to vote on how much it would recommend for funding of the purchase.

Sudbury resident Keith Funston, 269 Concord Road, asked when the CPC would make its decision on the project request. Chairman Drobinski stated the CPC meets tomorrow night, but voting on the proposals is not on its agenda.

Director of Planning and Community Development Jody Kablack stated the CPC has significant project requests to consider this year.

Selectman Simon suggested asking the CPC to decide on the project by a certain date.

It was on motion unanimously

VOTED: To instruct Town staff to investigate with all appropriate parties whether an appropriate extension for purchase would be granted.

Chairman Drobinski asked the Board whether it wished to reduce its bookmark request for \$325,000 to reflect a public/private partnership.

Selectman Simon stated he believes \$100,000 is a fair reflection of the Board's interest in the project, and that the balance should be raised privately.

Selectman Haarde believes it will be difficult for the CPC not to recommend this project, given it satisfies two of its objectives. He asked if the CPC has ever recommended less funding than what was requested.

Ms. Kablack stated the CPC has worked with proponents regarding funding amounts. She suggested the Board allows the CPC time to review all of the proposals and whether it would be willing to recommend utilizing CPA reserves for the purchase. In response to a question from the Board, Ms. Kablack stated the CPC would vote on the proposals at its January 15, 2014 meeting, but would accommodate an earlier vote if needed for this project.

Vice-Chairman Woodard emphasized the residents need notice and time to raise private funds.

Sudbury resident Susan Doherty, 253 Concord Road, stated many other properties have been purchased by the Town in the past, and neighbors have not been asked to contribute private funds. She emphasized this property is in the Town's Historic District. Ms. Doherty asked for confirmation that the Board is expecting residents to raise \$225,000 before December 19, 2013. Vice-Chairman Woodard responded affirmatively. Ms. Doherty asked if the CPC would have the discretion to decide on the funding recommendation. Chairman Drobinski stated it would, but he also highlighted the Town usually purchases large parcels of land with CPA funds. He further stated there is no guarantee the CPC would recommend \$325,000, and the Board is trying to propose creative solutions to keep the project moving forward.

Vice-Chairman Woodard stated the Board's last vote was 3-2 in favor of a bookmark for this project. He further stated he was one of the three votes, but he is struggling with what his current position is.

Selectman O'Brien asked if this property has always been in the Historic District. Ms. Kablack stated she believes it has been.

Sudbury resident Suzanne Kellogg, 265 Concord Road, stated it is merely coincidental that there are abutters to this property. She believes the Board is voting on the integrity of Sudbury with this vote. Ms. Kellogg stated that, if purchasing a property in the Town's Historic District is not a priority of this Board, then she is ashamed to be a citizen of Sudbury.

Ms. Kablack stated the Board should provide the CPC with a specific request for funding.

Selectman Haarde reiterated his belief that the Board should request the full purchase price from CPA funds, while being cognizant that the CPC could reduce the requested amount. He believes every parcel within the Town's Historic District should be preserved, and he believes the Board should also have this perspective.

Selectman Simon stated the Board is mindful of maintaining Sudbury's character, but it needs to assess whether \$325,000 should be spent for this property. He reiterated \$100,000 is a lot of money to contribute, and the Board is trying to propose a compromise solution.

Selectman O'Brien asked if the Board intends to vote no for exercising its ROFR at its December 17, 2013 meeting, if residents are unable to raise the full \$225,000.

Vice-Chairman Woodard stated he is suggesting the Board would pass on this opportunity if the private funds were not in place by the deadline.

Sudbury resident Gabriel Frasca, 233 Concord Road, stated he perceives the Board's recommendation for \$100,000 of funding as tantamount to recommending nothing. Mr. Frasca emphasized the Board should not feel a false sense of comfort from this gesture. He would find it more acceptable to recommend no funding than for the Board to do what it is now considering. Mr. Frasca further stated a Sudbury Valley Trustee representative told him today that SVT is not interested in managing the property if the Town owns it, and that property owners have stated in the past they hoped the property would land in the hands of the Town. He urged the Board to remember that "we are judged by the monuments we lose."

Selectman Haarde suggested that by asking for only \$100,000, the Board may be setting up this project for failure. He reiterated that he believes the people of the Town should have the opportunity to decide what happens.

Selectman Simon did not agree that a recommendation of \$100,000 would set the project up for failure. He believes the public may see any recommendation by the Board as a positive reason to support the project.

Selectman Haarde stated he believes the funding request should remain at \$325,000 and then let the CPC review it and do its job in deciding which proposals and in what amount would be recommended to Town Meeting.

It was on motion

VOTED: To amend the Board's bookmark project request for CPA funds to purchase 233 Concord Road from \$325,000 to \$100,000.

Selectmen Haarde and O'Brien opposed the vote.

Board of Selectmen's FY14 Goals – Schedule a Meeting

At 9:19 p.m., Chairman Drobinski stated the Board met on October 29, 2013 to finalize its FY14 goals. The Board was previously in receipt of copies of a memorandum from Conservation Agent Debbie Dineen dated October 31, 2013, inviting the Board to a site walk of the proposed rail trail, a memorandum from Town Manager Valente dated November 1, 2013 and accompanying goal statement, and a memorandum from Selectman Simon dated November 1, 2013. In addition, Selectman Simon distributed copies of three handouts related to the proposed goals for a rail trail and/or greenways.

Town Manager Valente reviewed the points of her November 1, 2013 memo. She stated two potential goals (#16 and 17) have been added for further discussions regarding phased greenway rail trail projects.

Chairman Drobinski stated he would not participate in discussion regarding proposed goal #15, due to a potential conflict of interest.

Selectman Haarde stated he has not had the opportunity previously to discuss goals #1-#15 with the Board. He suggested that the proposed goal for #11 does not reflect the goals the Fairbank Community Center Task Force has been working on. Selectman Haarde stated the group has been evaluating designs for a community center to meet the Town's needs and has not focused its attention only on the needed roof repairs. He also emphasized the Fairbank Task Force was created by this Board. In response to a question from Selectman O'Brien, Selectman Haarde believes enough money has been set aside to repair any roof leaks that occur, although he does not believe there have been any this year. It was suggested, and the Board concurred, that the word "original" be deleted from the draft "deliverables" language for goal #11.

Selectman Simon stated he believes the proposed #16 and #17 goals for phased greenways are inappropriate and would cost taxpayers more in the long run. Thus, he does not support them being added to the goals. Selectman Simon also explained a greenway falls short of the MassDOT Design Manual guidelines, and thereby would not be eligible for Federal and State funding. He summarized the points made in his November 1, 2013 memorandum and he referred to the material he distributed tonight. Selectman Simon highlighted that to do any work in the right-of-way would require a request to the State to do so, and this would take considerable time. He emphasized a greenway would be the Town's full financial responsibility. Selectman Simon believes a greenway cannot be built quickly or inexpensively, nor can it safely accommodate walkers, bicyclists and access for emergency vehicles.

Chairman Drobinski stated the goals are only intended to reflect the investigation of the process and not the final result.

Selectman Haarde stated there are many questions that need to be answered, including many posed by Selectman Simon tonight. He believes this is why a consultant needs to be hired, which will allow these and other questions to be answered. Selectman Haarde believes a greenway could be put in place economically by 2015. He emphasized citizens want a usable trail in place, and they do not want to wait another decade for it. Selectman Haarde stated a trail has been discussed in Town since the 1980s, and it is time to bring one to fruition so people can enjoy it sooner rather than later. He stated a greenway option was recommended by Town staff, and he emphasized a greenway can be comprised of many features.

Chairman Drobinski advised the Board the discussion tonight is just about setting goals.

Selectman Haarde stated Sudbury is interesting because it has the potential for two (north/south and east/west) rail trails which would intersect near the existing AAA Limo. He would like to see a usable trail in place in his lifetime, which can be used by young families. He believes a phased greenway approach might be the fastest and most economical way to achieve this for the Town. Selectman Haarde again noted this was the approach recommended by Town staff.

Selectman Simon stated he believes the 25% design rail trail CPA project proposal is the first step in getting the north/south rail trail in Sudbury as soon as possible. He believes pursuing goals for greenway options sends a confusing message to Town residents.

Selectman Haarde stated he believes pursuing other options sends a better message to Sudbury's citizens that the Board wants to have a rail trail as soon as possible. He reiterated that a greenway surface could be from a variety of materials that could be beneficial to the Town in the short and long-term. Selectman Haarde stated he believes Selectman Simon should be supportive of pursuing options which could give citizens a trail sooner. He stated Town staff stated a greenway could possibly be constructed in 2015 for

approximately \$300,000. Selectman Haarde believes time is being wasted which could be devoted to bringing this option to fruition.

Selectman Simon stated he believes construction of the Sudbury half-mile trail extension on Route 117 could begin in 2016, when Concord is set to begin its construction.

It was on motion unanimously

VOTED: To delete #16 from the Board of Selectmen's FY14 goals and to add #17, which will be re-numbered as goal #16.

In response to a request from Town Manager Valente, Vice-Chairman Woodard and Selectman Haarde volunteered to be the Selectmen Liaisons for goal #15, and Selectmen Simon and Haarde to be the Selectmen Liaisons for the newly numbered goal #16.

It was also on motion unanimously

VOTED: To approve the Goals of the Sudbury Board of Selectmen, FY14, as re-numbered #1-#16 tonight.

Minutes

Vice-Chairman Woodard suggested, and the Board concurred, that three revisions be made to the meeting minutes as follows: on page two, fifth paragraph from the bottom, to replace the word "re-organize" with "re-start," on page two, in the last sentence of the fourth paragraph from the bottom, to replace the word "rate" with the word "need," and on page 10, in the votes for both the Capital Funding and Other Post-Employment Benefits Committee memberships to list members from the Sudbury Public School Committee and Lincoln-Sudbury Regional High School Committee, if applicable.

It was on motion unanimously

VOTED: To approve the regular session minutes of October 22, 2013, as amended tonight.

Lincoln-Sudbury Regional High School - Pre-Thanksgiving Day All Sports Ceremonial Bonfire

It was on motion unanimously

VOTED: To approve the annual Lincoln-Sudbury Regional High School Pre-Thanksgiving Day All Sports Ceremonial Bonfire on Wednesday November 27, 2013 as requested by Paul Bisson, Board Member, Lincoln-Sudbury All Sports Boosters Club, Inc.

Boy Scout Troop 60 – Eagle Scouts

It was on motion unanimously

VOTED: To enter into the Town record and congratulate Gabriel L. Faucher, 12 Trillium Way, and Jacob G. Fisher, 26 Camperdown Lane, of Troop 60, who have been recently recognized at Courts of Honor for having achieved the high honor of Eagle Scout.

Burkhard Corporation – Gift

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$5,400 gift from Burkhard Corporation, satisfying condition #11 of the Definitive Subdivision approval for Old Bostonian Estates, granted by the Planning Board on November 8, 2007, towards the construction of Town-wide walkways, said funds to be expended under the direction of the Director of Public Works.

Goodnow Library Foundation – Request for a One- Day Wine and Malt License

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt License to Samantha Greenfield, Goodnow Library Foundation, to accommodate a “Technology Brainstorming Event” on Wednesday, November 13, 2013 from 7:00 p.m. to 9:00 p.m. at Goodnow Library, 21 Concord Road, subject to use of a TIPS-trained bartender and receipt of a Certificate of Liability.

Goodnow Library Foundation – Request for a One- Day Wine and Malt License

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt License to Samantha Greenfield, Goodnow Library Foundation, to accommodate an “Author Reception with Kevin Cullen” on Thursday, November 21, 2013 from 7:00 p.m. to 9:00 p.m. at Goodnow Library, 21 Concord Road, subject to use of a TIPS-trained bartender and receipt of a Certificate of Liability.

Park and Recreation Department – Gift

It was on motion unanimously

VOTED: To accept a gift from Rebecca Chizzo to the Park and Recreation Department of a Boardroom Electrol projection screen, valued at \$1,903, as requested in a memo dated October 28, 2013 from Nancy McShea, said item to be used to show movies at the Teen Center and other special events, and to send a letter of thanks.

Longfellow’s Wayside Inn – Change of Manager

Present: Longfellow’s Wayside Inn Proposed Manager Stephen Pickford

The Board was previously in receipt of copies of a “Petition for Change of License” application and accompanying materials for a change in manager for Longfellow’s Wayside Inn, 72 Wayside Inn Road, from John Cowden to Stephen Pickford, an email from Police Chief Nix dated October 18, 2013 and an email from Board of Health Director Bob Leupold dated October 29, 2013, both stating no objections to the request.

Mr. Pickford stated he has worked at the Inn for 18 years. He stated the Inn is recovering from fiscal trouble, and everyone is looking forward to a busy holiday season.

Chairman Drobinski informed Mr. Pickford that he needs to be mindful that the Police Department conducts sting operations.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, in accordance with M.G.L. c. 138, s. 12, to approve a change of manager for Longfellow's Wayside Inn, 72 Wayside Inn Road, from John Cowden to Stephen Pickford, as requested in an application dated October 25, 2013.

Wayland Department of Public Works Facility – Discussion

The Board was previously in receipt of copies of a memorandum from Town Manager Valente dated October 25, 2013 regarding Wayland's plans for the entrance to its Department of Public Works (DPW) facility, a letter from Town Counsel Paul Kenny dated October 25, 2013, and the Public Hearing Notice of the Wayland Planning Board for November 12, 2013. In addition, copies of a memorandum from Town Manager Valente dated November 5, 2013 with an accompanying draft letter to be sent to Wayland's Board of Selectmen were distributed tonight.

Town Manager Valente explained she had been alerted to changes Wayland has proposed for primary use of the River Road entrance and exit to its new DPW facility. She stated she had been previously assured that it would only be used in an emergency.

Chairman Drobinski recommended informing Wayland that Sudbury does not want trucks going up Old County Road/River Road, and that Wayland needs to pursue another solution. He emphasized the Board's responsibility is to protect Sudbury's citizens.

Vice-Chairman Woodard stated he has heard Wayland may not have another alternative based upon information it received from recent studies. Selectman O'Brien recommended the Board requests copies of the studies from Wayland for review.

Town Manager Valente noted the Board could send its comments to Wayland for consideration at the Public Hearing Wayland's Planning Board will conduct on November 12, 2013.

It was suggested Wayland be asked to document current access to its salt shed.

Selectman O'Brien read aloud a sentence that he suggested, and the Board concurred, be added to the end of the draft letter which would inform Wayland that Sudbury is investigating other enforceable options available for the future.

Selectman Haarde suggested Wayland also be given a specific date by which to respond. The consensus of the Board was that the last sentence of the draft letter be revised to ask Wayland's Selectmen to advise Sudbury's Selectmen of their intentions prior to November 15, 2013.

Sudbury resident and Condominium Association trustee Dino Farina, 6 Old County Road Unit 33, stated he attended a Wayland meeting, and the current plans are to build a very large DPW facility over 40,000 square feet. He believes the traffic and types of vehicles going to and from this facility is a safety concern for this road, and he commended the Board for its interest in this issue.

It was noted Wayland may be considering an alternative site on Route 20 for the DPW facility.

Wayland resident Bill Davlin, River Road, stated the Planning Board Public Hearing has been rescheduled to November 19, 2013, and a Wayland Town Meeting is scheduled for November 20, 2013. He also stated Wayland's Board of Selectmen meets tomorrow night.

Vice-Chairman Woodard suggested a Sudbury Town staff member should attend Wayland's Planning Board Hearing on November 19th, since Sudbury's Selectmen have a meeting the same night.

It was on motion unanimously

VOTED: To instruct the Town Manager to send the letter, tomorrow morning, to the Wayland Board of Selectmen as reviewed and amended tonight, regarding Sudbury's concerns about Wayland's proposed access to its Department of Public Works facility using River Road in Wayland.

5K Turkey Trot – Special Permit Request

The Board was previously in receipt of copies of a flyer for the 5K Turkey Trot fundraiser for the Sudbury Food Pantry and an email from Stephanie Servideo dated October 10, 2013 explaining the event. In addition, copies of a letter from the Sudbury Community Food Pantry Executive Director Patrick Mullen dated November 5, 2013 were distributed tonight.

Town Manager Valente highlighted the work done by the Sudbury Food Pantry, noting its work was featured on a television episode of *Chronicle*. She stated Police Chief Nix has stated no objections to the request, as long as it is subject to approval by the Police Department.

Vice-Chairman Woodard asked if additional police details are required for the event. Ms. Valente stated the Police Department reviews the route and plans accordingly to ensure public safety.

Selectman Simon noted registration is set to begin at 6:00 a.m. He expressed concern of how dark it is at this hour. It was suggested this concern be shared with the Police Department.

Selectman O'Brien referred to the proposed race route, noting it is primarily not on heavily travelled roads, but the Police Department should review the route.

It was on motion unanimously

VOTED: To approve a Special Permit for a 5K Turkey Trot fundraiser for the Sudbury Food Pantry, on Thanksgiving Day, Thursday, November 28th, starting at 7:00 a.m., as requested by Stephanie Servideo, H2K Happy Healthy Kids Fitness Studio, 730 Boston Post Road, subject to approval of the Police Department and receipt of a Certificate of Liability, and to request the Police Department reviews the starting time, visibility of runners to motorists and route of the race in advance of the event.

SMILE Mass. Second Annual Gobble Wobble 5K Road Race – Special Permit Request

The Board was previously in receipt of copies of a letter from Lotte Diomede, 66 Dudley Road, President & Co-Founder, SMILE, Mass., and accompanying race route and map.

Selectman O'Brien noted the proposed race route uses many side roads, which are not heavily travelled.

It was on motion unanimously

VOTED: To approve a Special Permit for a SMILE Mass. Second Annual Gobble Wobble 5K Road Race on Saturday, November 23, 2013 from 10:00 a.m. to 11:00 a.m., as requested by Lotte Diomede, 66 Dudley Road, President & Co-Founder, SMILE, Mass., subject to approval of the Police Department and receipt of a Certificate of Liability

Town Counsel – Extend Appointment Term

It was on motion unanimously

VOTED: To extend the term of Town Counsel's appointment to June 30, 2014.

Regional Housing Services Office – Contract for Affordable Housing Consulting

The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated October 31, 2013 and accompanying Agreement for Professional Services, the Town of Sudbury, Massachusetts Request for Proposals Affordable Housing Consulting Services August 22, 2013, a letter from Elmwood Homes, LLC representative Daniel Gaulin dated September 4, 2013 and accompanying resume and credential package.

Town Manager Valente stated a Request for Proposal (RFP) process was conducted, and Elmwood Homes, LLC was chosen as the most qualified consultant for the services described in the RFP which is mostly to continue its Regional Housing Services Office work. Town Manager Valente requested the Board authorize the contract as distributed.

Selectman O'Brien noted the funding for this service is provided by member fees paid by other communities. Town Manager Valente stated Sudbury is the current host for the services, and the fees paid by other towns are deposited to a revolving fund which covers the expense.

Selectman Haarde asked if the Town should consider moving these services to a more regional entity in the future, such as the Metropolitan Area Planning Council (MAPC). Town Manager Valente stated this was previously suggested, but MAPC was not ready to take on the work. She also stated there has been discussion regarding a rotation amongst members for hosting responsibilities.

It was on motion unanimously

VOTED: To approve a contract with Elmwood Homes, LLC (Daniel Gaulin) for affordable housing consulting services for the Regional Housing Services Office, retroactive to October 1, 2013 for up to \$40,000.

NStar – Agreement for Planting Plan – Stock and Pelham Island Roads

Town Manager Valente stated she had requested confirmation, in writing, by 5:00 p.m. today from NStar regarding the final planting plan agreement for Stock and Pelham Island Roads, which she did not receive. Thus, Ms. Valente asked for this item to be removed from tonight's agenda.

Wetland Peer Review – Special Municipal Employee

At 10:15 p.m., Chairman Drobinski opened a discussion regarding the designation of a Special Municipal Employee for the position of wetland peer reviewer, as requested by Conservation Coordinator Debbie Dineen. The Board was previously in receipt of copies of a memorandum from Ms. Dineen dated November 1, 2013.

Town Manager Valente explained the Conservation Commission would like to use a qualified wetlands consultant on a sporadic basis. She stated ethics law requires the person must be designated as a Special Municipal Employee. Ms. Dineen is working with Town Counsel to draft an appropriate contract format. Town Manager Valente reviewed the content of Ms. Dineen's memo, noting there are a limited number of wetlands specialists in the area.

Selectman Haarde asked how long the contract is for, noting the peer reviewer would not be able to present an application to the Conservation Commission while they were employed as a Special Municipal Employee. Town Manager Valente was not sure of the length of the contract because it is still being finalized. She confirmed the reviewer could not present for an applicant during the term of their contract.

In response to a question from Selectman O'Brien, Town Manager Valente stated the peer reviewer would be paid from funds received from applicants, which are held in a revolving fund.

It was on motion unanimously

VOTED: To designate the following position as a Special Municipal Employee under M.G.L. c. 268A: Wetlands Peer Reviewer for property adjacent to 96 Moore Road for the Conservation Commission; and to the extent that there is an exemption required under the statute, such exemption is approved.

There being no further business, the meeting adjourned at 10:20 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk