

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, AUGUST 19, 2014

Present: Chairman Charles C. Woodard, Selectman Lawrence W. O'Brien, Selectman Robert C. Haarde, Selectman Leonard A. Simon, Vice-Chairman Patricia A. Brown and Town Manager Maureen 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 Woodard opened the meeting. He announced there will be a Candidates' Night for voters at the Goodnow Library on August 25, 2014 at 7:15 p.m. He reminded residents of the Special Town Meeting on September 4, 2014 and a Special Town Election on September 9, 2014. The deadline for voting in the State Primary Election and the Special Town Election is August 20, 2014, and the deadline to file an absentee ballot is 12 noon on September 8, 2014. Chairman Woodard stated the deadline to submit topics for discussion at the Town Forum has been extended to September 10, 2014. He also announced there are member vacancies on the Conservation Commission, the Capital Improvement Advisory Committee, the OPEB Committee and the Vocational Education Options Committee.

Chairman Woodard announced Board Office Hours will be held on September 15, 2014 at the Flynn Building from 2:00-3:00 p.m.. He also encouraged residents to attend the two major events planned by the Sudbury Celebrates 375 Committee. There will be an Old Tyme Community Fair on August 23, 2014 and a Field Day on September 6, 2014. Selectman Simon volunteered to represent the Board at the August 23, 2014 event and Chairman Woodward will speak on September 6, 2014. Chairman Woodard also asked the Board to reserve September 3rd at 7:30 p.m. and September 4, 2014 at 6:30 p.m. for additional meeting, if needed prior to the Special Town Meeting.

Chairman Woodard reported Raytheon Corporation informed the Town Manager of its intention to close its Sudbury location in 2016. He stated Raytheon has been a great corporate citizen for Sudbury, and the company will be missed. The Board will discuss this topic at a future meeting to see how the Town can work with Raytheon to minimize the impacts for the Town. Chairman Woodard noted the company currently pays \$621,000 in property taxes.

Chairman Woodard also reported Town Counsel Paul Kenny has decided to retire at the end of 2014. A press release was prepared which highlights Mr. Kenny's service to Sudbury during his 38-year tenure, which Chairman Woodard read aloud. Town Manager Valente stated a search committee will be convened in September.

Reports from the Town Manager

Town Manager Valente noted a detour currently on Route 20 as a result of emergency gas repair work. Any questions related to this situation can be addressed by Police Chief Nix. Ms. Valente read aloud an announcement from the Sudbury Celebrates 375 Committee regarding its planned Scavenger Hunt for all ages on August 23, 2014. She also read aloud a note from Len Noce regarding the American Legion baseball tournament held in Sudbury in July, recognizing the excellent condition of the Town's fields and the cooperation received from Town officials. Town Manager Valente further announced Lincoln-Sudbury Regional High School (L-SRHS) has hired Patrick Collins as its Interim Director of Finance.

Reports from the Board of Selectmen

Vice-Chairman Brown held Board Office Hours with Selectman Simon on July 31, 2014 and August 8, 2014. They both noted the evening session on July 31st was well attended. Ms. Brown also attended a

portion of the Sudbury Housing Trust meeting and a Board of Selectmen's meeting on August 12, 2014, where the Special Town Meeting Warrant and Special Town election ballot language was finalized. She thanked Sudbury resident Bob Stein for writing an argument in opposition for one of the articles, and everyone else who helped to prepare the Warrant information.

Selectman Haarde also attended the Board's August 12, 2014 meeting. He reported also working with the Town's Minuteman Regional Vocational School representative David Manjarrez. Selectman Haarde noted Sudbury had three baseball teams reach the Bay State finals, capturing a gold, and two silver positions, and he congratulated them on their accomplishments.

Selectman O'Brien attended the Board's August 12, 2014 meeting, and he encouraged residents to participate in the upcoming Special Town Meeting and Special Town Election. He also attended the Sudbury Housing Trust meeting, noting a new developer for the Maynard Road initiative has been selected and the project will be before the Zoning Board of Appeals on September 8, 2014.

Selectman Simon highlighted a few issues broached at the Board Office Hours, including progress on the Bruce Freeman Rail Trail (BFRT), plans for relocation by Buddy Dog and remote meeting participation for senior citizens.

Citizen's Comments

At 7:50 p.m., Chairman Woodard stated five citizens have asked for comment time tonight, and thus he asked each citizen to keep their comments to a two-minute limit. He recognized Sudbury citizen Bob Stein, 7 Thompson Drive.

Mr. Stein stated he is concerned that there has been a Code of Conduct Violation committed by a Board member. He does not believe elected officials should advocate for one particular agenda item of personal concern, as he believes Selectman Simon has done with his advocacy and fast-tracking recommendations regarding the Bruce Freeman Rail Trail. Mr. Stein believes public officials have an obligation to represent all Sudbury citizens. He believes Selectman Simon should be told to "rein-in" his pushing for the BFRT, which he believes Selectman Simon did when he sent a secret letter to all other Board members regarding the BFRT earlier this month.

Chairman Woodard advised Mr. Stein his time to speak had expired.

Mr. Stein stated he is concerned about serious charges regarding Selectman Simon, and he believes the Board has a legal obligation to hear them.

Selectman Haarde stated Mr. Stein is trying to bring new information to the Board's attention and he is concerned that there seems to be a pattern developing which limits the amount of commentary from citizens. Selectman Haarde believes the Board should allow discussion and input to be heard, even if it disagrees with its content.

Chairman Woodard stated the Board has a full agenda tonight, and he had advised everyone of a hard two-minute limit. He believes Mr. Stein could have made his issues known in the timeframe allotted. Chairman Woodard next welcomed Sudbury resident Phyllis Bially, 30 Nobscot Road, to address the Board.

Ms. Bially stated she is a member of the Council on Aging. She asked the Board to consider deliberation for, and adoption of, a remote participation law which would allow more opinions to be heard regarding Town issues, particularly from senior citizens. Ms. Bially offered the Board information regarding the State

Attorney General's Office guidelines for review, and she offered her services to the Board to help this topic move forward.

Chairman Woodard next welcomed Sudbury residents Gerry Cicciu, 182 Wayside Inn Road, and Linda Mills, 188 Wayside Inn Road.

Mr. Cicciu stated he and Ms. Mills represent a group of citizens and neighbors who oppose the relocation of Buddy Dog to the Wayside Inn residential area. He also stated the group is actively pursuing a land swap arrangement with the involvement of the Town.

Chairman Woodard stated this issue would likely be a Board meeting agenda item in the fall.

Ms. Mills stated their opposition is not just as neighbors, but the group also wishes to preserve the historical character of the Wayside Inn, which they view as a Town gem.

Selectman O'Brien asked if the Town has received an official application from Buddy Dog. Chairman Woodard stated it has not.

Chairman Woodard recognized Sudbury resident Greg George, 39 Meadow Drive. Mr. George stated his questions relate to the cell tower agenda item to be discussed by the Board later tonight. Chairman Woodard suggested that he pose his questions later in the evening, and Mr. George agreed.

Chairman Woodard recognized Sudbury citizen Dan DePompei, 35 Haynes Road.

Mr. DePompei asked for a status update regarding the 2007 Annual Town Meeting Article 24 which appropriated funds for an existing conditions baseline wetlands map to be done regarding the Bruce Freeman Rail Trail.

At 8:08., Chairman Woodard concluded this comment section of the meeting.

Department of Public Works – Update on Projects

Present: Department of Public Works (DPW) Director Bill Place

At 8:08 p.m., Chairman Woodard welcomed DPW Director Bill Place to the meeting.

Mr. Place updated the Board on several Town projects, including the Town Center Improvements Project, the Nixon Elementary School and walkway construction, and he displayed photographs of the work to date through a PowerPoint presentation. He stated five contractors have taken out the specifications for the Town Center project. Mr. Place stated an Order of Conditions was received on June 30, 2014 for 15 Hudson Road and upgrading the land is currently underway to control stormwater runoff. He further stated a landscape architect will be hired to consult with neighbors and Town entities regarding beautification ideas. Mr. Place also addressed questions about the project posed by Sudbury resident Dan DePompei at the Board's last meeting.

Vice-Chairman Brown noted Route 27 has now been identified as a Federal highway, which was not so designated in earlier reports. In response to a question from Vice-Chairman Brown, Mr. Place indicated that, with the Federal highway designation, the lane widths increased by one foot.

Mr. Place displayed photos of the Dudley Road walkway construction, noting completion is expected next week. Selectman O'Brien asked about eventual crosswalks, and Mr. Place explained the current plans.

Mr. Place displayed photos of the Nixon School parking lot, which was originally built in the 1960s with no drainage installed. Re-grading has occurred this summer, walkways and curbing were redone, and handicap ramps were repaired. Mr. Place also stated two catch basins were installed on the Curtis School property, and partial paving is planned for next week. He explained Facilities Director Jim Kelly may submit a capital funding request for the remainder of the Curtis School work.

Selectman O'Brien stated it is good to see the work being done on these projects, which he is pleased were approved by Town Meeting. Selectman Haarde concurred, stating the Nixon School work looks great and is a noticeable improvement. Selectman Simon also concurred, noting the summer has been used well by Mr. Place and his staff.

Vice-Chairman Brown asked what the typical lifespan is for a parking lot, and Mr. Place briefly explained factors which influence the result.

Selectman O'Brien stated the failures of the Curtis School parking lot are not as a result of work done by the DPW, but rather as part of the School construction project.

Pooled Town Trusts, Sudbury Trust Program and Tax Deferral Annual Interest Rate for FY15

Present: Town Finance Director/Treasurer Andrea Terkelsen

At 8:22 p.m., Chairman Woodard welcomed Town Finance Director/Treasurer Andrea Terkelsen to discuss the Pooled Town Trusts, the Sudbury Trust Program and her recommendation for setting the tax deferral annual interest rate for FY14. The Board was previously in receipt of copies of a Town Trust Investments as of June 30, 2014 report, a description of The Sudbury Trust Program, a memorandum from Ms. Terkelsen regarding the Senior Tax Deferral Rate Request for FY15 dated July 5, 2014, and accompanying information.

Ms. Terkelsen summarized the information presented in the year-end statement for Pooled Town Trusts.

Selectman Haarde asked for confirmation of the financial advisors who work with Ms. Terkelsen, which she provided.

Vice-Chairman Brown asked what she/the Board should concentrate their review on for approval. Ms. Terkelsen and Town Manager Valente explained that the reports are presented for the Board more to be accepted than approved.

Ms. Terkelsen referenced a memorandum she had previously prepared for the Board regarding the spending requests to be authorized.

Selectman Haarde stated he did not receive the memorandum, and the other Board members concurred. The consensus of the Board was to vote to accept the FY14 statements but to postpone the vote to authorize the spending requests until the Board receives copies of the intended memo and information.

It was on motion unanimously

VOTED: To accept the FY14 year-end statement for Pooled Town Trusts.

Ms. Terkelsen referenced material previously provided to the Board regarding the Sudbury Trust Program, noting the updated information is on the Town website.

Chairman Woodard thanked Ms. Terkelsen for the excellent summary report and he encouraged residents to access the information on the website.

Ms. Terkelsen stated the Board needs to establish the tax deferral interest rate for taxes levied for FY15. She explained the reasons for her recommendation to reduce the rate from 2.5% to 2% are similar to those in previous years.

Selectman O'Brien stated the report was excellent and he referred to a few interesting pieces of information from it.

Chairman Woodard stated he believes the recommended rate is fair for senior citizens, and he happily supports the recommendation.

It was on motion unanimously

VOTED: To accept a tax deferral interest rate for taxes levied for FY15 to be 2.0%, as recommended by the Finance Director/Treasurer Collector Andrea Terkelsen.

Response to Citizen's Comment - Selectman Simon

At 8:47 p.m., Selectman Simon asked to respond to comments made by Sudbury resident Bob Stein earlier tonight. He stated he was unaware of the criticism broached tonight. Selectman Simon stated he views the accusation of an ethics violation as a serious charge, and he would like to know more about to what Mr. Atein was referring. He noted that he resigned all of his connections with the Bruce Freeman Rail Trail prior to serving as a Selectman. Selectman Simon emphasized he believes Mr. Stein's accusations are groundless and mean-spirited. He also does not believe he should have been blind-sighted by Mr. Stein's concerns in this forum. Selectman Simon stated he takes his responsibilities seriously, and he is compelled to respond to the comments in some manner tonight.

Selectman Haarde asked as a point of order whether this response is on the agenda .

Chairman Woodard stated he would allow Selectman Simon a few minutes to respond.

Vice-Chairman Brown suggested it would have been better if Selectman Simon had responded earlier when Mr. Stein was still at the meeting.

Selectman Haarde stated he is not clear about Mr. Stein's position because Mr. Stein was not able to complete his remarks. He suggested the topic be scheduled as a future agenda item.

Chairman Woodard reiterated he believes Mr. Stein could have made his concern known in the two minutes he had to speak, and he concluded the discussion.

New Police Headquarters Project - Update

Present: Facilities Director Jim Kelly, Police Chief Scott Nix and Permanent Building Committee Co-Chairman Mike Melnick

At 8:51 p.m., Permanent Building Committee (PBC) Co-Chairman Mike Melnick stated 67 sub-bids were received on 13 trades a few weeks ago for the new Police Headquarters. The consensus of the group is that the preliminary information bodes well for the open-bid process to occur tomorrow.

Police Chief Nix stated there is excitement for the opening bid process, and it is hoped a good result will be the outcome.

In response to a question from Selectman O'Brien, Facilities Director Jim Kelly stated the early information is a good sign for tomorrow's process.

It was noted it is possible the project might be bid at approximately only \$150,000 more than what had been previously approved by voters.

Selectman Simon stated this update is welcomed news.

Town Manager Valente asked that the Board be emailed tomorrow with an update regarding the opening bid results. It was noted the bid opening is public, and it will be held tomorrow at 2:00 p.m. at the DPW Building.

Mr. Melnick stated the PBC will hold a follow-up meeting also at the DPW Building on August 21, 2014 at 7:30 p.m.

Bruce Freeman Rail Trail Project – Update

Present: Assistant Planner Jim Kupfer and Director of Planning and Community Development Jody Kablack

At 8:58 p.m., Chairman Woodard welcomed Assistant Planner Jim Kupfer and Director of Planning and Community Development Jody Kablack to the meeting to update the Board on the Bruce Freeman Rail Trail (BFRT) project. The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack and Mr. Kupfer dated August 13, 2014 and accompanying Draft Scope of Services for the 25% design of the BFRT, a memorandum from Selectman Simon to the Board and Town Manager dated August 4, 2014, and accompanying documentation.

Mr. Kupfer provided a brief update of activities since the last discussion with the Board. He referenced the Draft Scope of Services for the 25% design of the BFRT, noting the Massachusetts Department of Transportation (DOT) standard scope of services is reflected, and extra public meetings have been added for the Town. Mr. Kupfer stated two options have been suggested to the Board for procurement, and a third approach is being recommended tonight to ask three reputable firms to bid on the scope of services. He stated several communities were contacted regarding whether an advisory committee was used for their rail trail work and for references and comments regarding engineering firms used. The three top firms for consideration would be Greenman-Pedersen, Inc. (GPI), Vanasse, Hangan and Brustlin (VHB) and BETA.

In response to a request for further clarification from Chairman Woodard regarding the approach of "shopping the scope of services," Mr. Kupfer stated it reduces the scale of the Request for Proposal (RFP) by selecting three reputable firms, it keeps quality in place and it helps to promote a competitive bid. In response to a question from Selectman O'Brien, Mr. Kupfer also explained why a RFP is not required, as engineering services are exempt from M.G.L. c. 30B.

Selectman Simon thanked Town staff for the additional information and for contacting other communities. He summarized what he believes the objective of the 25% design to be. Selectman Simon asked if the Mass. DOT standards could be presented separately from what the Town is additionally including to allow for an "apples to apples" comparison.

Ms. Kablack stated the DOT standards include more than Mr. Simon is suggesting regarding general impacts, impacts to abutters, and crossings. Mr. Kupfer stated the Town has only added the Davis Field parking information and the extra public meetings.

In response to a question from Selectman O'Brien, Ms. Kablack stated the draft was based on Acton's RFP, and she stated identification of wetlands is a normal part of the 25% design. She also addressed a question posed earlier by Sudbury resident Dan DePompei regarding the 2007 appropriation for a baseline study which was not completed. Ms. Kablack explained the contract was terminated and the wetlands determination was not completed. Whatever engineering information was previously received will be available going forward, if the engineering firm chooses to use it.

Vice-Chairman Brown questioned whether a new engineering firm would want to stamp old data which it did not produce. She also stated delineation of wetlands was part of the 2007 contract. Ms. Kablack stated it is likely firms would not want to stamp older work. However, Mr. Kupfer stated firms can be asked to consider the data. Ms. Kablack also stated the previous engineering firm did not comply with the previous contract.

Selectman Haarde is satisfied with the draft, and he believes Acton did a good job with its RFP. He also stated it would be his preference to not reduce the number of proposed public meetings.

Chairman Woodard stated that if the scope of services is shopped, the Town is not obligated to accept the lowest bidder.

Selectman Simon reiterated his preference to delineate the Town's items added to the Mass. DOT standards. He also stated it would be good to work with GPI, a company that has excellent references doing this type of work.

Vice-Chairman Brown stated she attended a meeting in March where significant public outreach was recommended.

Sudbury resident Bob Stein, 7 Thompson Drive, stated he is concerned that a secret communication in violation of the Open Meeting Laws was circulated to all Board members by Selectman Simon in an attempt to influence tonight's discussion.

Selectman Simon stated the communication was not a secret, and that it was posted on the Town's website as a public document, and he circulated it for informational purposes for the Board and the public.

Mr. Stein reiterated that he views this as a violation of the Open Meeting Laws, and that he plans to contact the State's Attorney General's Office.

It was noted that there is no violation of the Open Meeting Laws because the Board did not discuss the communication outside of a meeting.

Selectman Simon presented a motion, not previously reviewed by the Board.

Selectman O'Brien presented an alternative motion, which was seconded.

It was on motion unanimously

VOTED: To instruct the Planning Department to shop the scope of services for a Massachusetts Department of Transportation 25% design, plus additional items of particular benefit to Sudbury, to the three recommended engineering firms discussed tonight.

Melone Property Redevelopment Study – Discussion

Present: Director of Planning and Community Development Jody Kablack

At 9:30 p.m., Chairman Woodard opened a discussion regarding the Melone property. The Board was in previous receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated August 13, 2014, a draft “Melone Property Redevelopment Advisory Committee Mission Statement,” and a letter from Sudbury Planning Board Chairman Craig Lizotte dated July 2, 2014 (previously sent to the Board), and accompanying information.

Ms. Kablack stated that this is the first public discussion on this project since the Town Meeting voted \$150,000 for a study. It has been recommended that the first step should be to form an Advisory Committee, and a draft Mission Statement has been prepared and the constitution of membership has been proposed. She believes the Committee will be more successful if members support the mission.

Chairman Woodard asked if the Advisory Committee would report to the Board and whether any suggested scope of services would come before the Board. Ms. Kablack responded affirmatively to both questions. Chairman Woodard also suggested the Request for Proposal (RFP) should be approved by the Board. Ms. Kablack stated this language would be added to the draft.

Ms. Kablack highlighted this will be a multi-year project. She noted the Board does not have to vote on the draft tonight if it needs more time to review the material.

In response to a question from Selectman Simon, Ms. Kablack explained the process for selecting the two at-large members. Members will be solicited on the Town’s website and the Board would conduct interviews.

Selectman Haarde suggested adding a member from the Finance Committee. He also would prefer to not limit the number of at-large members to two.

Chairman Woodard stated he supports the idea of a member from the Finance Committee. Selectman O’Brien concurred, and he suggested sending the Finance Committee Chairman a note asking to make the position available to his Committee.

Ms. Kablack suggested, and the Board concurred, that the at-large positions should be advertised to determine the level of interest in the community.

Vice-Chairman Brown expressed concern that the property had been looked at in the past for sports activities, and she wonders why this option disappeared.

Selectman O’Brien noted the draft Mission Statement includes mention of a recreational aspect.

Selectman Haarde stated he believes all potential user groups should be asked for their opinions, as was done with the Featherland Field improvement project. He stated that, in 2012, discussion about the property ended with the determination that more discussion was needed by the Town regarding the best and highest use for the property. Selectman Haarde is concerned that since 2012, there was no follow-up until the 2014 article was presented at Town Meeting for housing.

Chairman Woodard stated he believes there was meaningful dialogue regarding the property, and as part of the Board's goal-setting it was determined to try to use the property to advance the Town's affordable housing position.

Selectman Haarde stated the Board never met with all the other user groups to determine what the highest and best use of the property was.

Selectman Simon referenced meeting minutes indicating the goal for the property was to achieve the Town's affordable housing quota.

Chairman Woodard stated he believes tonight's discussion is veering off-topic.

Selectman Haarde stated he does not necessarily agree that members must support the mission, because he does not believe the intent is to form a "rubber-stamp" committee. He believes this is an important property, and its use should be well vetted, and the dialogue should not exclude those who oppose the proposed use.

Sudbury resident and Park and Recreation Commission member Dick Williamson, 21 Pendleton Road, stated the Commission favors recreational fields at Melone, but it pulled back previously because it looked as if the process would be lengthy.

Chairman Woodard stated a decision was made this year to pursue affordable housing options, and he believes the Town needs to continue to pursue this objective. He stated the purpose of the study approved at Town Meeting is to learn what can and cannot be done to reach the Town's 10% affordable housing goal using the Melone property.

In response to a question from Selectman Simon, Ms. Kablack stated the Town needs 249 more affordable housing units before it reaches its 10% goal.

The consensus of the Board is to consider the Mission Statement and membership again at its next meeting on September 10, 2014.

Mass. Central Rail Trail - Discussion

Present: Sudbury resident Andrew Sullivan

At 10:06 p.m., Chairman Woodard welcomed Sudbury resident and President of Sudbury Greenways, Andrew Sullivan, 24 French Road. Copies of the slides for Mr. Sullivan's PowerPoint presentation regarding Sudbury Greenways – Mass Central Rail Trail (MCRT) were distributed tonight.

Mr. Sullivan provided a brief history regarding the MCRT east-west rail trail. Since the 1990s, he stated 24 communities have converted 25 miles of the right-of-way (ROW) into rail trails, and he highlighted the Wachusett Greenways as a good example of a public-private partnership. He described the 4.6 miles of this trail in Sudbury with a ROW which averages 60-80 feet. Mr. Sullivan displayed several maps as part of his PowerPoint presentation. He explained a greenway trail could be used for a ten-foot wide, multi-use recreational trail which meets American with Disabilities Act access standards and has no surface mandates.

Mr. Sullivan stated the Department of Conservation and Recreation (DCR) held a meeting in July 2014 regarding Sudbury's portion of the trail, and confirmed it would allow a phased approach to developing a trail in Town. He noted DCR is actively engaging municipalities to partner with regarding funding. DCR estimated the cost of the trail at \$1,200,000 per mile for a Mass. Department of Transportation (DOT)

funded trail. Mr. Sullivan summarized the conversion process. He also presented a proposed Phase 1 of the MCRT in Sudbury with a conceptual cost estimate of \$160,000 (which includes the salvage value of the rails), which connects many neighborhoods and provides access to the Route 20 business district. Mr. Sullivan presented charts of information regarding the conceptual cost estimates. The estimated cost for the entire 4.6 mile trail in Town is \$450,000.

Mr. Sullivan presented suggested next steps to set Phase 1 (which is to create a trail from Union Ave. to Dutton Rd., approximately 1.4. miles) in motion, including fundraising by Sudbury Greenways for the costs of wetlands delineation and the preparation of the Notice of Intent for Sudbury's Conservation Commission, estimated at \$15,000. He also stated it will be very important to confirm with Town residents that they want this trail developed and for the Board to complete Phase 1. Mr. Sullivan stated two non-binding articles have been presented for the September 4, 2014 Special Town Meeting Warrant.

Selectman O'Brien summarized this trail's route through the Town.

Selectman Simon stated the area owned by CSX near AAA Limousine would be an ideal parcel for the Town to purchase, if it could.

Mr. Sullivan asked the Board to consider the greenway as an attractive option, noting he recognizes others are concerned with wider surfaces, surface materials and environmental issues. He believes the greenway option will enhance the Town's interest in all rail trails.

In response to a question from Selectman O'Brien, Mr. Sullivan stated not a lot of other companies do the kind of work Iron Horse Preservation Society has expertise in. He also stated the project would go out to bid.

Selectman O'Brien asked how the 21E issues would be handled. Mr. Sullivan stated the Conservation Commission would have input through the Notice of Intent and BETA Engineering would address concerns.

Selectman Simon referred to comments from the July meeting that DCR's goal is to have a 25-mile segment of the Wayside Branch. He asked if it is possible DCR could eventually pay to construct the trail. Mr. Sullivan stated it is possible. Selectman Simon further stated he equally supports the MCRT, if it is done with safety and all users in mind, and with economical maintenance costs. He stated he needs additional time to review the information provided tonight, but he believes both the MCRT and the BFRT have merit and would complement each other. Selectman Simon also expressed concern that the two trails might compete with each other and other funding priorities. He also stated the MCRT in Wayland was worked on with DCR for approximately five years. Selectman Simon reiterated that the most important thing is to have a solid trail plan which will work and be safe.

Selectman O'Brien stated the MCRT is an interesting project. He asked where additional information and questions should be directed. Assistant Planner Jim Kupfer stated he would be the Town staff contact person.

Selectman Haarde asked Mr. Sullivan when the project should be brought to the attention of voters. Mr. Sullivan stated he would like to present the project as soon as possible upon completing the proper due diligence. His hope would be to vote on funding the project at the 2015 Annual Town Meeting.

Selectman Haarde fully supports the project, and he believes the first phase should be funded.

Vice-Chairman Brown also favors the project. She asked what else is needed from the Town. Mr. Sullivan stated Sudbury Greenway could be the applicant for the NOI and will continue to work with Town staff and with the guidance of the Board, and other town entities including the Conservation Commission, the Capital Improvement Advisory Committee and the Community Preservation Committee.

Chairman Woodard thanked Mr. Sullivan for the information and for his efforts regarding development of this trail option. Chairman Woodard suggested, and the Board concurred, to discuss this item further at its next meeting.

Town Forum - Discussion

The Board was previously in receipt of a communication from Vice-Chairman Brown regarding proposed topics for the Fall 2014 Town Forum. Ms. Brown proposed six topics, including the Route 20 Sewer project, Minuteman Regional Vocational High School, Town Finance, Prioritization of Capital Projects, Land Acquisition Process, and Affordable Housing, from which to choose four for discussion at the Forum.

Vice-Chairman Brown stated the deadline for topic submissions is now September 10, 2014.

The consensus of the Board was that the two topics of Town Finance and Prioritization of Capital Projects could be combined, and the two topics of Land Acquisition and Affordable Housing could be combined.

Selectman Simon suggested having a brief written summary available to the public before Town Forum to help generate discussion. He also asked that the topics of the Town Hall, Town Center and Fairbank Center be considered as topics.

The initial thought is that Chairman Woodard would present the finance-related topics, Selectman O'Brien would present the housing topics, Selectman Haarde would present the Route 20 Sewer topic and Vice-Chairman Brown would present the Minuteman topic. However, the Board will discuss Town Forum details again at its next meeting.

New Cingular Wireless PCS - Cell Tower Award

Present: Director of Planning and Community Development Jody Kablack

At 9:50 p.m., Chairman Woodard opened a discussion regarding the request for approval of a Cell Tower Award. The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated August 12, 2014. She mentioned one potential lessee is New Cingular Wireless PCS, LLC, by and through its Manager, AT&T Mobility Corporation.

Selectman Haarde recused himself from the discussion and vote due to a potential professional conflict of interest.

Ms. Kablack reviewed the information provided in her memo, noting a Request for Proposal (RFP) was issued by the Town on June 25, 2014 for construction of a new cell tower and lease of Town-owned land at 275 Old Lancaster Road. She stated two proposals were received. Ms. Kablack stated the proposals were reviewed by Town staff members, and she summarized the differences in the proposals. Ms. Kablack stated the recommendation (based on size and price) is that the contract and lease be awarded to New Cingular Wireless PCS, LLC, subject to approval of the specific location of the facility at 275 Old Lancaster Road, and the execution of a lease by the parties. She emphasized the impetus for this initiative is the public safety communication needs of the Police and Fire Departments.

Selectman Simon asked what color the tower would be. Ms. Kablack stated they are typically light gray or blue to better blend into the coloration of the sky. She also noted there would be the opportunity to further review the visual impact of the design through the Special Permit and Site Plan processes.

Sudbury resident Greg George, 39 Meadow Drive, stated he supports any systems which make Sudbury safer. However, he would prefer they not be installed in his neighborhood. Mr. George asked the Board to consider only installing a tower large enough to support the emergency safety needs and to not bundle other services onto the monopole. He thanked Ms. Kablack and Police Chief Nix for being forthcoming and their willingness to share information.

Ms. Kablack stated the Police Department will need this capability soon because other options are being phased out. She also explained that without other commercial carriers, the design would likely be different, but this option was not previously pursued because the Town would have to incur all the costs.

Selectman O'Brien explained a certain height would still be needed for the tower due to the topography of the area and for reception above the tree line.

It was on motion unanimously

VOTED: To accept the proposal of New Cingular Wireless PCS in response to the Town's Request for Proposals issued on June 25, 2014, for lease of approximately 900 s.f. of land located at the Department of Public Works, 275 Old Lancaster Road, for the installation and use of a wireless communications facility; and to authorize the Town Manager to execute a Lease therefor for a period of ten years with two extension terms of five years each, said execution subject to determination of the specific location on the site and finalization of said lease by Town Counsel and New Cingular Wireless PCS, LLC.

Metro Company Livery and Limousine Licenses

Present: Owner Muhammad Chaudhry

At 10:52 p.m., Chairman Woodard welcomed the applicant, Sudbury resident Muhammad Chaudhry, to the meeting regarding his request for a Livery and Limousine License.

Selectman O'Brien asked who the target customer is and how they will learn about the company. Mr. Chaudhry stated he hopes to advertise in local establishments.

Selectman Simon referenced insurance material provided, and he questioned whether coverages are sufficient for the intended use of the vehicles.

Chairman Woodard asked if the applicant's insurance company knows the cars are intended for business use.

Selectman O'Brien suggested the applicant works with Town staff to compare what other similar business have provided for acceptable documentation.

The Board questioned whether a CDL license would be required, whether livery plates would be needed, and whether the cars would need to be registered for commercial use.

Director of Planning and Community Development Jody Kablack noted there may be zoning questions as well, since the vehicles are intended to be located/stored in a residential area.

The consensus of the Board was more information needs to be investigated by the applicant.

Minutes

The consensus of the Board was to vote on the Executive Session Meeting Minutes of April 29, 2014 at a future meeting.

Vice-Chairman Brown submitted, and the Board accepted, two revisions to the Regular Session Meeting Minutes of June 17, 2014 for the third and sixth paragraphs on page three.

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of June 17, 2014 as amended tonight, July 22, 2014, August 12, 2014, and the Executive Session Meeting Minutes of June 17, 2014.

It was also on motion

VOTED: To approve the Regular Session Meeting Minutes of July 8, 2014.

Selectman Haarde recused himself from the vote.

Summer Concert Series Revolving Funds Account - Donations

It was on motion unanimously

VOTED: To accept, on behalf of the Town, donations from US Sports Institute, Bonnies Boot Camp, Marlborough Savings Bank, Veebop Enterprises, Merrifield Garden and Design, and Bright Horizons Family Solutions totaling \$1,000 to the Summer Concert Series Revolving Account, as requested by Nancy McShea, Park & Recreation Director, in a memo dated July 15 and July 28, 2014, said funds to be expended under the direction of the Park and Recreation Director.

Department of Energy Resources – Green Communities Grant

It was on motion unanimously

VOTED: To accept a Green Communities Grant from the Department of Energy Resources in the amount of \$250,000 as requested in an Energy & Sustainability Committee grant application dated April 15, 2014; and to authorize the Town Manager to execute documents related to said project inclusive of the Grant Contract.

One-Day Wine & Malt License – Goodnow Library

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt license to Ingrid Mayyasi, to accommodate a Friends of the Goodnow Library fundraiser, "Teamwork Trivia Night," on Friday, September 19, 2014 from 7:00 p.m. to 10:00 p.m. at Goodnow Library, 21 Concord Rd., subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

One-Day Wine & Malt License – Parmenter Foundation

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt license to Gail Coppola, Parmenter Foundation, 400 Boston Post Road, Suite 1A, to accommodate a fundraiser, "Hoedown for Heartplay," at The Sudbury Valley Trustees, 18 Wolbach Road, Saturday, September 20, 2014, from 7:00 p.m. to 10:00 p.m., subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

NStar Utility Petition 14-01

It was on motion unanimously

VOTED: To approve a grant of location for Utility Petition UP#14-01 from NStar Electric Co. and Verizon New England, Inc. for the purpose of relocating pole 6/13 within Hudson Road to clear access for proposed driveway/proposed Police Station.

NStar Utility Petition 14-02

It was on motion unanimously

VOTED: To approve a grant of location for Utility Petition UP #14-02 from NStar Electric Co. and Verizon New England, Inc. for the purpose of relocating poles 2/66 and 2/67 within Hudson Road in order to accommodate road reconstruction at the Town Center.

82 Maynard LLC - Gift

It was on motion unanimously

VOTED: To accept a \$6,900 gift from 82 Maynard LLC (developer for 82 Maynard Road subdivision) for Town-wide walkway construction, as noted in condition 10 of the Definitive Subdivision Decision dated March 26, 2014 approving the development. Said funds shall be deposited into the Town-wide walkway account and spent under the direction of the Director of Public Works.

Strategic Financial Planning Committee – Appointment

It was on motion unanimously

VOTED: To approve the appointment of Lucie S. St. George, 752 Concord Road, as the Sudbury Public School designee to the Strategic Financial Planning Committee for Capital Funding for a term to expire 5/31/15, as occasioned by the resignation of Robert CG Armour.

Strategic Financial Planning Committee and Fairbank Study Committee – Resignations

It was on motion unanimously

VOTED: To accept the resignation of Robert CG Armour, 21 Brookside Farm Lane, from the Strategic Financial Planning for Capital Funding Committee and the Fairbank Study Committee, effective July 22, 14, and to send a letter of thanks for his service to the Town.

DPW Contract – FY15 Annual or Renewal Contracts

It was on motion unanimously

VOTED: To approve for FY15 the following annual or renewal DPW contracts awarded and previously approved for FY14 or to be awarded in FY15 on a Fiscal Year basis or Calendar Year basis by the Town Manager in accordance with procurement requirements and as reviewed by Town Counsel.

Contract Number	Contract Name	Contract Period
2015-ER-1	Street Sweeping	Calendar Year (1/1-12/31/15)
2015-CM-1	Cemetery Mowing	Calendar Year (1/1-12/31/15)
2015-G-1	Gasoline	State Contract – 8/1/12-7/31/13 Extended through 3/31/15
2015-DF-1	Diesel Fuel	State Contract – 8/1/12-7/31/13 Extended through 3/31/15
2015-M-1	Borrow Materials	Fiscal Year (7/1/14-6/30/15)
2015-T-1	Trees & Stumps: Removal & Disposal	Fiscal Year (7/1/14-6/30/15)
2015-BM-1	Bituminous Materials	Calendar Year (1/1/15-12/31/15)
2015-M-2	Bituminous Concrete Type I In Place	Fiscal Year (7/1/14-6/30/15)
2012 through 2014- SLM-1	Street Light Maintenance	Calendar Year (3-Year Contract)
2015-TLP-1	Traffic Line Painting	Calendar Year (1/1/15-12/31/15)

Bullfinch's Restaurant - Sunday Entertainment License Renewal

It was on motion unanimously

VOTED: To renew the current Sunday Entertainment License for Bullfinch's Inc., d/b/a Bullfinch's Restaurant, 730 Boston Post Road, for a live jazz trio from 11:00 a.m. to 2:00 p.m., for the period of September 7, 2014 to August 30, 2015.

Ride to Defeat ALS – Special Permit

It was on motion unanimously

VOTED: To grant a Special Permit to Mike Farricker, Committee Co-Chair to hold a “Ride to Defeat ALS” bike ride on Sunday, September 28, 2014 from 7:00 a.m. through approximately 4:00 p.m., following the same route as in previous years, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race's conclusion.

Certificate of Compliance Form – 162 Pratts Mill Road

Vice-Chairman Brown recommended the suggested vote be amended, and the Board concurred.

It was on motion unanimously

VOTED: To authorize the Town Manager to execute the Certificate of Compliance form for 162 Pratts Mill Road, Sudbury, MA.

Sudbury Celebrates 375/Sudbury Day Committee - Donation

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a total of \$3,355 in donations to be used by the Town of Sudbury for the purpose of the Sudbury Celebrates 375/Sudbury Day Committee celebration, and may be used for another similar purpose as authorized by the Board of Selectmen in the event that all funds are not expended at the conclusion of the aforementioned celebration.

Conrad's Restaurant – Request for Storage Container

It was on motion unanimously

VOTED: To approve a request dated August 6, 2014 from Robert Conrad, owner, Conrad's Restaurant (formerly Bistro20), to grant permission for one 40-ft. long storage container to be used for furniture and equipment storage at 120 Boston Post Road, during the remodeling of Conrad's beginning August 20, 2014 and ending October 11, 2014, subject to approval of the Building Inspector.

Vocational Education Options Committee – Appointments

It was on motion unanimously

VOTED: To appoint Robert C. Haarde, Patricia A. Brown (Selectmen); William E. Kneeland (Finance Committee); Scott B. Nassa (Sudbury Public Schools); David R. Manjarrez (Minuteman representative), and Elena Kleifges (L-SRHS School Committee Chair) to the Vocational Education Options Committee for a term to expire May 31, 2015.

There being no further business, the meeting adjourned at 11:48 p.m.

Attest: _____
Maureen G. Valente