

IN BOARD OF SELECTMEN
MONDAY, SEPTEMBER 27, 1999

Present: Chairman John C. Drobinski, Kirsten D. Roopenian, and Maryann K. Clark, Selectmen.

The statutory requirement for notice having been met, the meeting convened at 7:30 p.m. at the Town Hall, 322 Concord Road.

Joey Walls Commendation

Present: Michael Dunne, Fire Chief; State Senator Susan Fargo; State Representative Susan Pope; Joey Walls; Ruby Walls; large group of supporters.

Michael Dunne, Fire Chief, stated that 13-year-old Joey Walls, 394 North Road, saved his 3-year-old sister, Ruby, from drowning in July 1999 by performing CPR after finding her on the bottom of the family pool. He stated that Joey is a shining example of how knowing CPR can really help.

State Senator Susan Fargo praised Joey for his quick thinking in responding to the situation and using the CPR training. She invited him to come to the State House to be introduced in the Senate and House of Representatives. Ms. Fargo presented Joey with a citation from the Massachusetts Senate, signed by Thomas Birmingham, President of the Senate, attested to by Patrick Scanlon, and authored by Senator Fargo, in recognition of his outstanding act of bravery.

State Representative Susan Pope also praised Joey for his quick thinking and ability to perform CPR under such adverse conditions. Ms. Pope presented him with a citation from the House of Representatives, signed by Thomas Finneran, Speaker of the House, authored by Representative Pope, in recognition of his knowledge of CPR and ability to help save the life of his younger sister.

Michael C. Dunne, Fire Chief, presented a plaque to Joey on behalf of the Sudbury Fire Department, in recognition of his prompt action and heroism in saving his sister.

Joey thanked his parents and the Boy Scouts for the opportunity to learn CPR, and Mrs. Lynch for teaching him the CPR techniques.

Appointments – Conservation Commission

Present: Stephen Meyer, Chairman, Conservation Commission.

Town Manager Ledoux stated there are currently three openings, with two up for reappointment. He recommended that both Stephen Meyer and Charles Zucker be reappointed to their positions on the Conservation Commission.

Selectman Roopenian apologized for delaying the appointment as there were outstanding issues. She expressed concern for the image that the Conservation Commission presents to the general public, often seen in a negative light, and therefore, the comments and complaints made to the Board. She opined that this can be due to ignorance of the statutory obligations of the Commission as well as the nature of what the Commission actually does in the performance of their duties.

Selectman Roopenian expressed concern about the balance of the Commission, intimidation, and that many people perceive that it is run by two people. Stephen Meyer, Chairman, Conservation Commission,

denied those allegations, stating that all members of the Commission participate actively. He stated that all Commissioners do site visits, based on their own schedules. He opined that, if one were to look at meeting minutes, those minutes would indicate that all members speak on issues and participate. He stated that other members of the Commission have declined the position of Chairman. He stated further that the Conservation Coordinator works for the Commission, responding to the requests of all Commissioners. He opined that over 100 site visits are conducted yearly, and that he, as Chairman, makes only half of those visits.

Selectman Roopenian asked Mr. Meyer if the Conservation Commission practices any initiatives to get people involved in conservation issues, opining that people are afraid to get involved. Mr. Meyer stated there are outreach efforts by the Conservation Coordinator, such as public walks with school children, working with Boy Scouts, or speaking to local groups. He opined that the perceived problem is not for lack of interest, but of the time commitment. He stated interested persons withdraw due to the time commitment of meetings and site visits, discovering it is more than planting flowers, or because their only interest is stopping one particular project in their neighborhood.

Selectman Roopenian stated people have told her they left the Commission because it is too intimidating and asked Mr. Meyer what it could be. She opined that people are getting a negative impression from their dealings with the Commission. Mr. Meyer stated that every Board and Commission has had difficulties with personality conflicts and misconceptions, citing his own reappointment as an example. He stated that many citizens claim disappointment when they cannot "have their own way", i.e., because they cannot enact a particular project or are required to get a permit for projects on their own property when wetlands are involved.

Selectman Roopenian asked Mr. Meyer if there is preferential treatment for developers. Mr. Meyer replied there is none, and invited the Board to find an example. He stated the fallacy of preferential treatment stems from the fact that different properties fall under different guidelines based on their geographic makeup, use of the land, or whether it was under the jurisdiction of the Conservation Commission.

From her work with the Land Use Priorities Committee, Selectman Roopenian opined there is a fear, among landowners, of the Conservation Commission. She reiterated the need for education and outreach programs to alleviate any fear and mistrust. Mr. Meyer stated there have been over 400 filings under newer, more restrictive laws, with no appeals or lawsuits. He noted that landowners have been coming to the Commission for years, asking for special consultations. He stated the job of the Conservation Commission is to protecting the Town's resources, and they are good at it. He stated further that the DEP tells other towns to view Sudbury's Conservation Commission as a good example, and that seven other communities have adopted their bylaw verbatim. The Conservation Coordinator is often asked to speak about how she performs her duties.

Chairman Drobinski announced that the Commission is always looking for people to become involved and encouraged interested persons to contact their office.

Mr. Meyer asked to read a letter into the record, citing a serious matter that needed to be disclosed, regarding the delay in the appointments. Chairman Drobinski suggested discussing the letter at a later time, as others scheduled on the agenda were waiting to be heard by the Board. A copy of the letter was requested by the Board; however, Mr. Meyer did not submit it this evening. Attached, and made a part of these minutes, is Mr. Meyer's communication, dated September 25, 1999, and received September 28, 1999.

After discussion, it was on motion by Chairman Drobinski

VOTED: To confirm the Town Manager's reappointment of Stephen M. Meyer, to the Conservation Commission, for a term to expire April 30, 2002, with the proviso that he work on customer service issues. (Drobinski and Clark, aye; Roopenian, nay.)

It was further on motion unanimously

VOTED: To confirm the reappointment of Charles L. Zucker to the Conservation Commission, for a term to expire on April 30, 2002.

Overhead Wiring Connections – New Bridge Road

The Board was in receipt of a letter, dated September 22, 1999, from Peter T. Karassik, Eligius Homes Company, Inc. stating further justification for the installation of two new Boston Edison poles where they now stand, specifically: trenching hampered by other utilities, the new house already occupied, the work is completely finished, inspected and approved by the Town Electrical Inspector, and fairly new pavement on New Bridge Road. This matter had been continued from September 13, 1999.

Town Manager Ledoux stated that a survey of the existing Boston Edison poles on New Bridge Road has 14 poles on the left side (same side as location of 2 new poles) and 13 poles on the right side.

It was on motion unanimously

VOTED: To grant special permission under Bylaw Art. XX3.E, to Eligius Homes, Inc. for two overhead wiring connections on New Bridge Road from across the street to new poles (26/1X and 25/1X) on private property (Lots 2A and 3B).

Chapter 61A Notice – Hawes Property

Present: Myron J. Fox, Esq.

The Board met to consider an amended Notice of Intent to Sell the 21.02 acres subject to Chapter 61A, dated September 14, 1999, received on September 15, 1999, reflecting a minor reduction in acreage and price as a result of distinguishing between the 61A and non-61A land. The Board was also in receipt of a memo, dated September 24, 1999, from Debbie Dineen, Conservation Coordinator, reiterating the Conservation Commission's recommendation not to purchase the property, as it is not on the Open Space and Recreation Plan, and the proposed SRC will protect the wetlands and offer a pedestrian trail. The Board previously voted not to exercise their option on August 9, 1999, subject to Town Counsel's approval of the documents, dated June 16, 1999.

After discussion, it was on motion unanimously

VOTED: To reaffirm the Board's vote of August 9, 1999 to not exercise the Town's Right of First Refusal, in accordance with MGLc. 61A, to purchase approximately 21.02 acres of the Hawes family land on Highland Avenue, Dudley Road, from owners: Agnes A. Hawes and the Ralph E. Hawes Family Trust and the Ralph E. Hawes Revocable Trust, pursuant to amended notice dated September 14, 1999, received September 15, 1999 for the sum of \$3,064,881.80.

Town Forum – 240th Session

At 8:10 p.m. Chairman John Drobinski convened the 240th Session of the Town Forum.

Stephen Corcoran, Owner, Sky Restaurant, presented a check for \$1,000 to Ted Dalicandro, Youth Coordinator, and Sue Johnson, Chairman, Youth Commission, from the proceeds of their 2nd annual golf tournament.

The Board, on motion unanimously

VOTED: To accept \$1,000 from Sky Restaurant, to be deposited into a separate account to be administered by the Youth Commission and expended for youth programs and needs.

Terri Pomper presented the “Town of Sudbury Permitting Processes” handbook prepared by the Sudbury League of Women Voters. She briefly explained the information-gathering process. She stated that the handbook on computer disk had been given to the Technology Coordinator for inclusion on the Town website. The Board thanked the League for their hard work.

Chairman Drobinski announced that the Pay Per Throw rubbish program would begin on Saturday, October 2, 1999. Philippa Bell Ader, Pay Per Throw Committee, briefly described the Committee’s work in designing the program and preparing for the first day at the transfer station. Mr. Drobinski stated that descriptive brochures will be mailed to everyone, listing places to purchase bags and other information. Town Manager Ledoux stated that the Committee would like a Selectman to ceremoniously “throw out the first bag” at 10 a.m. Saturday.

Various representatives of the Town’s boards and departments updated the Town on their activities. Many of those reporting wished Town Manager Ledoux much success in his new position as Town Manager of the Town of Westford, and offered their support of Maureen Valente, Finance Director, during her term as Interim Town Manager. Reports were presented by Stephen Meyer, Conservation Commission; Mary Jane Hillery, Veterans Agent; Stephenie Cook, Sudbury School Committee; Lauri Wishner, L-S Regional School District Committee; Maureen Hafner, Director of Assessing; Yvonne McAndless, Treasurer’s Office; Suzanne Petersen, Accounting; Mark Thompson, Technology Administrator; David Levington, Goodnow Library Trustees; Lawrence O’Brien, Planning Board; Ruth Griesel, Council on Aging; Marilyn MacLean, Historical Commission; Peter Lembo, Chief of Police; Michael Dunne, Fire Chief; Robert Gottberg, Septage Committee, Patricia Savage, Park and Recreation Office; David Berry, Board of Assessors; and Lee Swanson, Committee for Preservation and Management of Town Documents. In his report, Jack Hepting, Building Inspector, expressed appreciation for his staff, Carol Duff, office manager, Art Richard, Wiring Inspector, and Clay Allen, Zoning Enforcement Field Agent, who are instrumental in getting many tasks accomplished throughout Town. Town Manager Ledoux reported that a Y2K consultant from the State gave Town of Sudbury systems the stamp of approval. Maureen Hafner, Director of Assessing, thanked the Town Manager and the Assistant Town Manager, particularly for their department head meetings, stating it helped keep operations flowing smoothly.

Chairman Drobinski stated that a consultant has been hired to assist the Town in locating another Town Manager. He announced that there would be a formal farewell for Mr. Ledoux at the Wayside Inn on Sunday, October 3, 1999 at 6:00 p.m. Town Manager Ledoux expressed appreciation for everyone’s support, stating he was proud to have served as Sudbury’s first Town Manager.

Reports concluded at 9:25 p.m. Chairman Drobinski declared Town Forum closed. Refreshments were served at a reception for Town Manager Ledoux. Many well-wishers were in attendance.

In addition to a taped recording, this Town Forum was televised over the local Cable network. Copies of the videotape are available for a period of one year by contacting the Selectmen's Office.

Save the Hunt/Raymond Water Tower

Present: Kirsten C. Van Dijk, Historical Commission.

Ms. Van Dijk submitted a document stating the Historical Commission's position on saving the Hunt/Raymond Water Tower from demolition by a local developer, stating that the tower is one of two that remain in Town. She also submitted a proposed warrant article, entitled "Demolition of Historically Significant Buildings or Structures" for Town Meeting 2000. She stated it is fashioned after a similar bylaw in the Town of Hingham.

Ms. Van Dijk asked the Board for its assistance in saving the water tower. She stated that this property is not located within the historic district and, therefore, is not covered by any existing bylaw. She respectfully asked that the Selectmen approach Barberry Homes to delay the demolition until October 8, 1999, if possible. She stated the delay would allow the Commission time to submit a grant proposal to the Sudbury Foundation. She also asked that the Selectmen consider co-sponsoring the warrant article.

It was on motion unanimously

VOTED: To direct the Town Manager to send a letter to Barberry Homes on behalf of the Selectmen to delay the demolition of the Hunt/Raymond Water Tower until October 8, 1999.

Blue Lion LLC Licensing

Present: Julianne Wells, Manager, 99 West Inc.; Steven A. Ross, Manager, Blue Lion LLC; Thomas Slayton, Local Manager.

At 9:45 p.m. Chairman Drobinski convened a Public Hearing for the purpose of considering 1) Transfer of a Restaurant License for the Sale of All Alcoholic Beverages, under General Laws Chapter 138, sec. 12, from Julianne Wells, Manager, 99 West Inc., d/b/a "99", 694-698 Boston Post Road, to Steven A. Ross, Manager, Blue Lion LLC, (Thomas Slayton, Local Manager); 2) pledge of the license to Framingham Co-operative Bank; 3) Common Victualler License; and 4) Weekday and Sunday Entertainment Licenses.

The Board was in receipt of the following:

1. Petition, dated September 10, 1999, for Transfer of the Alcoholic Beverages License now exercised by Charles F. Doe, Jr., et. al., d/b/a "99" at 694-698 Boston Post Road, to Steven A. Ross, Manager, Blue Lion LLC.
2. Application for Alcoholic Beverages License, dated September 9, 1999, by Steven A. Ross, accompanied by Form A (Licensee Personal Information Sheet), dated September 13, 1999, and Form C (Financing), dated September 9, 1999, stating pledge of license to Framingham Co-operative Bank.

3. Certificate of Organization, Blue Lion LLC, executed August 25, 1999.
4. Manager's Certificate, dated August 25, 1999, outlining manager's authority.
5. Real Estate Purchase and Sale Agreement, dated August 31, 1999, accompanied by Exhibits A, B and C, as well as a copy of the Quitclaim Deed, dated April 9, 1987.
6. Assignment of Purchase and Sale Agreement, dated September 9, 1999, assigning all rights, title and interest in the property at 394-398 Boston Post Road from Kristi's Restaurant Group, Inc., Steven A. Ross, President and Treasurer, to Blue Lion LLC, Steven A. Ross, Manager.
7. Commercial Lease, dated September 21, 1999, between Red Bear LLC (landlord) and Blue Lion LLC (tenant) at 694-698 Boston Post Road.
8. Report, dated September 22, 1999, from Peter B. Lembo, Chief of Police, stating he has no objections to the transfer of the restaurant license.
9. Report, dated September 23, 1999, from John Hepting, Building Inspector, recommending approval.
10. Report, dated September 24, 1999, from Michael C. Dunne, Fire Chief, stating he has no problems with the proposed changes at the facility at 694 Boston Post Road, as presented by the representative from The Blue Lion.
11. Report, dated September 24, 1999, from Robert C. Leupold, Health Director, stating the seating capacity on a proposed floor plan for the proposed Blue Lion Restaurant at 694 Boston Post Road meets the septic system design criteria. Mr. Leupold states further than only a food establishment permit application for transfer is required, as this property has a recent Title 5 Certificate of Compliance.
12. Application for Common Victualler License, dated September 21, 1999, by Blue Lion LLC, 694-698 Boston Post Road.
13. Application for Entertainment License (Weekday), dated September 21, 1999, by Blue Lion LLC, 694-698 Boston Post Road.
14. Application for License for Public Entertainment on Sunday, dated September 27, 1999, by Blue Lion LLC, 694-698 Boston Post Road.

Steven Ross, Manager, Blue Lion LLC, briefly related his restaurant experience to date. He requested approval of the licenses and expressed enthusiasm for moving into Sudbury.

Chairman Drobinski asked what changes would be made to the building. Mr. Ross explained that only minor changes would be made, as the "99" staff took very good care of the premises. He stated that the fireplace, previously covered up, would be exposed and used as a focal point upon entering. He stated that a portion of the bar area would be sacrificed to make that happen. Other changes include featuring wood-fired items on the menu, and basic "brightening-up" of the décor. He stated that the Blue Lion would be a fun, casual, family-oriented place. He stated they anticipate the percentage of food/liquor to be 70/30.

Mr. Ross stated they anticipate closing on the real estate on November 1, 1999, and that the restaurant will open on November 16, 1999.

Selectman Clark asked if the current wait staff will be employed by the Blue Lion. Thomas Slayton, Local Manager, stated that opportunities will be provided for anyone who wishes to stay.

Selectman Clark asked about wait staff serving alcohol. Mr. Slayton stated that every single person they employ is trained under the TIPS program, even the person who checks ID cards. He stated further that the training and certification will be kept up to date at all times. Town Manager Ledoux stated that alcohol training is a bylaw requirement in Sudbury. Mr. Ross stated that they have a perfect record for the past ten years in their other establishment.

Selectman Roopenian asked what kind of musical combos were planned. Mr. Ross stated that jazz is their intention, and they may run some charity fund-raisers using musical groups.

Selectman Roopenian asked about smoking sections in the restaurant. Mr. Slayton stated that the smoking section will be partitioned more than it is now. He said they have spoken with both the Fire Chief and Building Inspector about their plans.

Selectman Clark asked about the configuration of the entities. Mr. Ross stated that Kristi's is the corporate name for the Union Street Restaurant and Blue Lion LLC was not set up at the time of the signing of the purchase and sale agreement. He stated he attended college at Cornell and his wife went to Penn State, and the Red Bear and Blue Lion names were derived from the mascots for each. Red Bear will own the real estate, and Blue Lion will own the business, the same people for each.

Julianne Wells, Manager, "99", stated that they were in business for over 24 years. She stated that all the staff is being adequately compensated and absorbed into other "99" establishments.

It was on motion unanimously

VOTED: To approve the transfer of a Restaurant License for the Sale of All Alcoholic Beverages, under General Laws Chapter 138, sec. 12, from Julianne Wells, Manager, 99 West Inc., d/b/a "99", 694 Boston Post Road, to Steven A. Ross, Manager, Blue Lion LLC, (Thomas Slayton, Local Manager);

and further on motion unanimously

VOTED: To approve the pledge of the license to Framingham Co-operative Bank;

and further on motion unanimously

VOTED: To grant a Common Victualler License for the Blue Lion Restaurant, 694 Boston Post Road;

and further on motion unanimously

VOTED: To approve the Weekday Entertainment License for musical combos Mon.-Fri. 4 p.m. - 12:30 a.m. and Sat. 12:00 noon - 12:00 midnight and Sunday Entertainment License for musical combos every Sunday 10 a.m. - 12:00 midnight for the Blue Lion Restaurant, 694 Boston Post Road, dated September 21, 1999, and September 27, 1999, respectively.

Pine Lakes Stop Signs

Present: Safety Officer Alan Hutchinson; Robert Cargill, 33 Oakwood Avenue; Laura Dayal, 42 Lakewood Avenue.

The Board was in receipt of a memo, dated September 23, 1999, from Safety Officer Alan Hutchinson, suggesting temporary placement of stop signs at three locations, "Dangerous Intersection Ahead" signs at two locations, and a traffic study to determine speed. He stated further that the area will be monitored to insure that overnight parking does not impair emergency vehicles.

Officer Hutchinson stated that his suggestion for temporary stop signs at the intersections of Great Lake Avenue at Oakwood Avenue is due to a fence; Oakwood Avenue at Lakewood Avenue due to large hill and a row of pines; and Basswood Avenue at Lakewood Avenue due to a circular driveway usually full of cars. Once these sight obstructions are removed, the stop signs may also be unnecessary. As for the "Dangerous Intersection Ahead" signs, he stated that traveling down a hill one's speed may increase causing arrival too quickly on the intersection at Beechwood at Lakewood, and there is no indication that a dead end or cul-de-sac is ahead at Maplewood at Crystal Lake.

Selectman Roopenian thanked Officer Hutchinson for his thoroughness, and commended the neighborhood for their cooperation in finding solutions to their situation.

Robert Cargill, 33 Oakwood Avenue, asked what "temporary" means with regard to stop sign placement. Chairman Drobinski suggested that the Board revisit the issue in six months to determine whether the stop signs are working to resolve the problems, and stated that it is possible that they will no longer be necessary.

Laura Dayal, 42 Lakewood Drive, suggested the Board consider a four-way stop at the corner of Lakewood and Basswood. She stated that two school busses stop there to pick up children in both the morning and afternoon, and stated that corner has a history of accidents.

Mr. Cargill asked about a timetable. Town Manager Ledoux stated that a public notice must appear in the newspaper after the Traffic Order is issued before any action can be taken.

It was on motion unanimously

VOTED: To implement the recommendations set forth in Safety Officer Alan Hutchinson's letter, dated September 23, 1999, for stop sign and "Dangerous Intersection Ahead" sign placement, and to revisit the matter in six months for possible revision.

It was, therefore, on motion unanimously

VOTED: That the Traffic Rules and Orders of the Town of Sudbury, adopted by the Board of Selectmen on September 12, 1941, and subsequent amendments thereto, be and are hereby amended as follows:

By adding at the end of Section 8 in Article VII, OBEDIENCE TO ISOLATED STOP SIGNS, the following locations:

"Northbound and southbound drivers on Great Lake Drive at Oakwood Avenue;
Eastbound and westbound drivers on Oakwood Avenue at Great Lake Drive;

Eastbound and westbound drivers on Oakwood Avenue at Lakewood Drive; and Westbound drivers on Basswood Avenue at Lakewood Drive."

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of September 13, 1999, as amended.

Council on Aging Donations

It was on motion unanimously

VOTED: To accept \$113.66 in miscellaneous donations to be deposited into the Council on Aging Van Donation Account, and to authorize the Council on Aging to expend same for the purpose of operating and maintaining the Council on Aging vans.

Eagle Scouts – Troop 61

It was on motion unanimously

VOTED: To send letters of congratulations to Mark Burkhardt, Geoffrey Cantin, Ross Hatton and Justin Schimmoller for attaining the rank of Eagle Scout.

Economic Development Committee – Special Municipal Employees

The Board reviewed a letter, dated September 21, 1999, from Paul L. Kenny, Town Counsel, advising that the members of the Economic Development Committee be designated as special municipal employees, to avoid any conflict of interest issues.

After discussion, it was on motion unanimously

VOTED: To designate members of the Economic Development Committee as special municipal employees.

Juvenile Restitution Program Committee

The Board reviewed the application of Christopher A. Kenney for appointment to this Committee. In a memo, dated September 22, 1999, Jan Silva reports that Juvenile Officer "Rocky" Conrado indicated there has been no activity for the Committee for some time. The Police Department, therefore, questions the need to continue the Committee.

Town Manager Ledoux stated that there are currently three members on the five-member board. He stated further that the few referrals received have been handled by the Police Department.

Selectman Clark stated she would like to see it continue. Selectman Roopenian stated that, with the increase of violence in high school, the Committee should stay in force. Chairman Drobinski suggested that the Board appoint Mr. Kenney for one year, then evaluate the Committee at that time.

It was on motion unanimously

VOTED: To appoint Christopher A. Kenney, 32 Ames Road, to the Juvenile Restitution Program Committee for a term to expire April 30, 2000, and to evaluate the necessity of the Committee at that time.

MetroWest Growth Management Committee Survey

Present: Lawrence O'Brien, Chairman, Planning Board.

Selectman Clark stated that the MetroWest Growth Management Committee (MWGMC) is looking for input from the Boards of Selectmen and Planning Boards of the nine communities that make up the MWGMC. She stated the group is preparing for a forum to be held in October. The survey asks each community to indicate which areas are of top priority so that the Committee can address those needs.

The Board briefly discussed their choices. Lawrence O'Brien, Chairman, Planning Board, stated they will be meeting the next evening and will most likely address it at that time. The Board agreed to forward their completed surveys to the Town Manager to meet the October 1 deadline.

Bushey House

Present: Lee Swanson, Robert Gottberg.

Selectman Roopenian apologized for being unable to tour the property yet, and stated that she hopes to do so this week.

Chairman Drobinski stated the Town Engineer estimated demolition costs of \$5,000 to tear down and remove the debris from the porch.

Selectman Clark opined anyone occupying the house will create a presence to deter vandals. She stated Mr. Swanson could be designated a "resident ranger" to make sure no cars remain in the parking lot at nightfall and keep an eye on the premises.

Chairman Drobinski stated the septic system alone would cost about \$5,000 based on the estimate from the system installed at the Fire Headquarters and including labor costs. Lee Swanson advised that, if the initial costs were paid from a Town account, he would repay that amount in \$125 monthly payments.

Selectman Roopenian reiterated her concern that the Town of Sudbury should not be in the real estate business, especially as there will be no income generated from this house. She stated that the Town has limited resources, and expressed concern about signing a ten-year lease. Mr. Swanson stated he would bear the cost of removing the porch at no cost to the Town. He stated he intends to renovate the house in such a way that it could be used as a museum in the future.

Chairman Drobinski stated that these issues also apply to houses on the Frost Farm, Carding Mill, and Haynes Meadow.

Selectman Roopenian stated she would like to discuss it with the Finance Committee because there is no financial benefit to the Town at present. She stated her position that what is done with the property must benefit the Town in some way.

Mr. Swanson asked why all these issues were not discussed prior to issuing the RFP in the spring. Selectman Roopenian stated that the Board did not know at that time the septic system was bad. The house was in such disrepair that no one responded to the RFP.

Robert Gottberg questioned that, if Mr. Swanson is willing to pay for the septic system, how can there be a financial problem for the Town. Selectman Roopenian stated there would be no rent paid. Chairman Drobinski stated there have been other problems with the other houses that have nothing to do with money.

Selectman Clark stated that the other houses have been renovated with excellent results. If it would cost \$5,000 just to demolish the porch, how much would it be for the entire house? Chairman Drobinski suggested using it for fire practice, if the situation comes to that conclusion.

After discussion, Selectman Roopenian scheduled an appointment with Mr. Swanson to tour the house and have him explain what he plans to do with it. She stated she wants to look at it objectively in order to make an informed decision.

History of Sudbury 1890-1989 – Curtis Garfield

The Board reviewed a proposal, dated September 22, 1999, from Curtis Garfield, outlining a printing schedule for the History of Sudbury 1890 – 1989 which he has completed. Mr. Garfield proposed that the Town approach the Sudbury Foundation for a \$3,000 grant to cover the design costs, and stated that he would be happy to prepare the grant proposal.

Town Manager Ledoux stated that the problem with publishing is the front money in order to publish the book by December 1. Mr. Ledoux stated that Mr. Garfield has talked with Ron Stephan of the Chamber of Commerce to apply for an interest-free loan to cover the printing and binding. This amount would be repaid by hardbound copy sales.

Chairman Drobinski asked what would happen if the grant is not won, and whether this project would qualify for a community grant from Raytheon. Selectman Roopenian suggested helping if possible. Selectman Clark wondered if there were any monies available from the State Historical Society.

After discussion, it was on motion unanimously

VOTED: To authorize the Town Manager to apply to the Sudbury Foundation for a grant in the amount of \$3,000 to help defray publication costs of History of Sudbury 1890 – 1989, and that Curtis Garfield and/or Porcupine Enterprises will prepare the grant proposal.

Omnipoint Communication Services, LLC – Feeley Park

Present: Peter Cooke, Omnipoint Communication Services, LLC.

The Board was in receipt of (1) a Price Proposal, dated September 17, 1999, from Peter J. Cooke, Omnipoint Communications Services, LLC, suggesting two plans, one as primary lessee and the other as secondary lessee, for a wireless communications facility at Feeley Park, and (2) a memo, dated September 21, 1999, from Patricia Savage, Director, Park and Recreation, stating various questions, concerns and points to consider before accepting the Omnipoint proposal.

Town Manager Ledoux stated that Omnipoint was the only proposal received for Feeley Park. He stated that the staff had some questions regarding the control building with respect to the wetlands and whether a photographic rendering (computer generated) could be provided for review. He asked Mr. Cooke to contact him for the questions and stated that the Interim Town Manager has been reviewing all the files regarding wireless communications proposals and is qualified to assist him.

Peter Cooke, Omnipoint, asked about the lighting issues that had been of concern earlier. Town Manager Ledoux stated that a recent lighting study by the Town Engineer revealed that the lights are acceptable, with minor adjustments.

After discussion, it was on motion unanimously

VOTED: To hold on accepting the Omnipoint proposal, subject to input from staff and response from Omnipoint.

Letter of Understanding – Interim Town Manager

The Board reviewed a draft understanding outlining the terms of the appointment of Maureen Valente to the position of Interim Town Manager.

Town Manager Ledoux stated that he and Ms. Valente put together this draft. Selectman Clark wanted clarification of “reasonable and lawful expenses incurred for travel and out of pocket expenses necessary” (Allowances and Expenses section under Compensation) as a mileage amount is already being allowed. Mr. Ledoux stated it would cover things such as the MMA Annual Meeting and other events in addition to ordinary day-to-day expenses. He stated he charges for mileage only if his travel is outside the general area. Ms. Clark suggested that the language be amended to indicate other than regular mileage so that there is no duplication of expenses.

After discussion, it was on motion unanimously

VOTED: To approve the draft understanding with the Interim Town Manager, subject to the comments by Selectman Clark.

2000 Annual Town Meeting Articles

The Board reviewed a list of articles to be prepared for submittal by the Selectmen for the 2000 Annual Town Meeting. Potential additional articles mentioned included: (1) placing Health Dept. under the supervision of the Town Manager, (2) a Land Bond article in anticipation of the Land Preservation Act, and (3) the Demolition article presented by Kirsten Van Dijk earlier this evening.

Selectman Roopenian suggested asking someone from the MMA to speak to the Selectmen about the Town Manager Act to better utilize it. Town Manager Ledoux stated that more experience with the Town Manager form of government will help the Board become more knowledgeable. Selectman Clark stated that Sudbury is somewhat out of step with other communities because it had only three members on its Board of Selectmen. Ms. Clark opined that more people and their experience can bring more creativity to the mix.

Chairman Drobinski reminded the Board that MMA was the agency that evaluated the Town of Sudbury’s operations before advising a Town Manager form of government. He stated the Town has come a long way since then. He agreed that MMA would be an excellent source of information.

After discussion, the Board agreed to begin gathering information and reviewing potential articles.

Licensing of Outdoor Amusement Policy

Town Manager Ledoux stated that Town Counsel advises leaving the policy “as is”, opining that writing exceptions into the policy would be inappropriate, and advising evaluation of each request for permit on a case-by-case basis.

It was on motion unanimously

VOTED: To approve the current Licensing of Outdoor Amusement Policy without change.

Sudbury Cultural Council

It was on motion unanimously

VOTED: To appoint Ellen Hoffman to the Sudbury Cultural Council for a three-year term to expire on September 27, 2002, and to designate Rhonda Fowler as Chairman of the Sudbury Cultural Council, as requested by said Council.

Donald Stanley – Permission to Hunt Waterfowl

It was on motion unanimously

VOTED: To grant permission to Donald Stanley, 1355 Lowell Road, Concord, to hunt waterfowl within 50 feet of the shore line of the Sudbury River on Town Land, Tax Possession Parcel 172, one-half hour after dawn and one-half hour before sunset, during the waterfowl season (October 14, 1999 – November 27, 1999 and December 16, 1999 – January 8, 2000).

Fish and Wildlife – Fort Devens

Chairman Drobinski reported that the U.S. Army has finished its risk assessment of the Fort Devens property, noting that there will be limited public access. Selectman Roopenian expressed dismay that contaminants will not be removed.

Town Manager Report

Town Manager Ledoux stated that he has been working with Maureen Valente, Interim Town Manager, for the past two weeks, and that she is pretty much up to speed on current issues. He stated that she has been attending meetings on the wireless communications issues.

Chairman Drobinski thanked Mr. Ledoux for his work with the Town and wished him success in his new position as Town Manager in Westford. Selectmen Roopenian and Clark concurred.

There being no further business to come before the Board, the meeting adjourned at 11:16 p.m.

Attest: _____
Steven L. Ledoux
Town Manager-Clerk