

IN BOARD OF SELECTMEN
MONDAY, JUNE 10, 2002

Present: Chairman Lawrence W. O'Brien, Kirsten D. Roopenian and John C. Drobinski, Selectmen.

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

Opening Remarks

Chairman O'Brien extended congratulations to all 2002 Lincoln-Sudbury Regional High School graduates, as well as sports teams that have advanced to regional playoffs.

Chairman O'Brien reminded residents of an upcoming channel change in the cable television lineup, specifically that Channel 61 events will soon be broadcast on Channel 8.

Sudbury Historical Society Intern

Present: Curator Lee Swanson, Co-President Peggy Fredrickson, Sudbury Historical Society.

Lee Swanson and Peggy Fredrickson introduced an intern, Noriko Konosu, who will be working with the Sudbury Historical Society for the month of June. She is a specialist in the areas of art and fabrics. She will be helping to arrange displays and assess restoration and cleaning of quilts and other fabric displays. Ms. Konosu presented the Board with sweets produced in her hometown in Japan.

All Alcoholic Beverages License – Fugakyu Café

At 7:45 p.m. Chairman O'Brien convened a Public Hearing for the purpose of considering an application of Fugakyu Café Corporation, d/b/a Fugakyu Café, 621 Boston Post Road, in accordance with Mass. Gen. Laws Ch. 138, for a change in its restaurant alcoholic license from a Wine and Malt Beverages License to a full, All Alcoholic Beverages License.

The following information has been received:

1. Report, dated May 30, 2002, from the Building Inspector, stating he has no objections to this application, as there have been no problems or issues with this business.
2. Report, dated June 6, 2002, from the Health Director, stating he has no problems with the requested change.
3. Report, dated June 6, 2002, from the Fire Chief stating the Fire Department has no problem with the license change.
4. Report, dated June 7, 2002, from the Police Chief, stating no objections to the license change.
5. Report from the Tax Collector, stating no taxes are outstanding.

It was on motion unanimously

VOTED: To approve the application of Fugakyu Café Corporation, d/b/a Fugakyu Café, 621 Boston Post road, in accordance with Mass. Gen. Laws Ch. 138, for a change in its restaurant alcoholic license from a Wine and Malt Beverages License to a full, All Alcoholic Beverages License.

[NOTE: It was later learned that this hearing must be conducted as a new license application and therefore this approval is void and a new hearing scheduled.]

MetroWest Chamber of Commerce

Present: Ted Welte, President, Lynn Sand, Economic Development Director, MetroWest Chamber of Commerce.

Ms. Lynn Sand, a Sudbury resident, briefly updated the Board on the Chamber's recent activities. She currently serves as the Chamber's Economic Development Director. Of specific note is their "MetroWest Momentum" program, which periodically honors expanding or outstanding businesses in the region, as well as an Economic Forecast Breakfast, Economic Development Taskforce, Workforce Preparation Taskforce. They are expanding their efforts into the K-12 environment, promoting education and the impact of decisions. Ms. Sand distributed information packets to the Board for their review.

License to Store Inflammables – Foreign Motors West

Present: Myron Fox, Rollins, Rollins and Fox; Jody Kablack, Town Planner.

At 8:05 p.m. Chairman O'Brien convened a Public Hearing for the purpose of considering the application of Foreign Motors West, Inc., for a license to store inflammables, (540 gallons gasoline) aboveground, in the gasoline tanks of automobiles within the building, on property located at 83 and 103 Boston Post Road, to be issued upon acquisition of the land by Foreign Motors West, Inc.

Notice of this hearing was published in the Sudbury Town Crier on May 30, 2002. Abutters and applicant were notified by certified mail return receipt requested, in accordance with M.G.L. Ch. 148.

The following information has been received:

1. Application for license to store inflammables, dated May 9, 2002, by Foreign Motors West, Inc., Frederick Tierney, President, approved May 20, 2002, by Michael C. Dunne, Fire Chief.
2. Communication, dated May 15, 2002, from the Fire Chief, stating the Fire Department has no objections to the issuance of this license, noting the license applies for storage of gasoline within vehicles that will be displayed for sale and those being serviced.
3. Report, dated May 17, 2002, from the Building Inspector, noting no objections to the issuance of the license, reiterating comments of the Fire Chief.
4. Report from the Health Director stating he has no concerns.

Mr. Myron Fox stated the applicant at first did not think this license was not necessary, but after consultation with the Fire Chief, they determined it was necessary, given the number of serving bays for

automobiles and vehicles available for display, and the gasoline contained in the tanks of those vehicles. He stated further the Fire Chief has already approved and signed the application.

It was on motion unanimously

VOTED: To grant a License to Store Inflammables to Foreign Motors West, Inc., to store 540 gallons of gasoline aboveground in the gasoline tanks of automobiles within the building, on property located at 83 and 103 Boston Post Road, to be issued upon acquisition of the land by Foreign Motors West, Inc.

Site Plan #02-365 – Foreign Motors West, Inc.

Present: Myron Fox, Rollins, Rollins and Fox; Bruce Ey, Schofield Brothers of New England; Jody Kablack, Town Planner.

At 8:10 p.m. Chairman O'Brien reconvened a Public Hearing for the purpose of approval of Site Plan Application #02-365 by Foreign Motors West, Inc., in accordance with Sudbury Zoning Bylaw Section 6300, entailing building renovation, additional parking areas and associated landscaping, and septic and stormwater management changes. This matter was previously heard on May 6 and 20, 2002.

New information received includes: Report, dated June 4, 2002, from the Design Review Board, stating the DRB has reviewed additional site plan material and offer the following comments: (a) the free-standing sign shown on the plan is in Wayland, and is outside their jurisdiction, and (b) the site lighting plan is approved, however, the chosen fixture is questionable because it can be aimed to create a glare. The DRB recommends a cut-off luminaire instead.

The Board and applicant reviewed a Draft Decision prepared by Town staff.

Mr. Myron Fox, attorney for the applicant, offered several corrections to text contained within the Decision: As these comments pertain to sections of minutes of previous meetings when this matter was heard, and have already been approved, Mr. Fox's comments are noted for the record, and are as follows:

p. 4 – second paragraph after Item #15: Mr. Fox noted **retail businesses and offices are also housed within the Havencraft building**.

p. 4 – next paragraph: second sentence should read “**one-sixth**” of the Havencraft building is in Wayland, not one-third.

p. 5 – last paragraph: referring to two spaces. “. . . keeping to the letter of the Sudbury Zoning Bylaw, **with respect to number of parking spaces**”. Landscaping and other parts do not apply as they are in Wayland.

p. 6 – sixth paragraph: there will actually be **50 vehicles in the new vehicle storage area**, not 48.

p. 7 – first paragraph: the sign measures **6' x 5.5'**.

p. 7 – last paragraph: Mr. Fox stated **that Mr. Ey had spoken with the Fire Chief**.

There was discussion on whether to include the covenant text typically included in Decisions, but not included in this one. The Board felt it should be included. Jody Kablack, Town Planner, stated she had suggested this be removed as it seemed extraneous and the Board had not been requiring it. She suggested

the three items could be included as conditions, if not already included, but not as a covenant. The Board agreed.

p. 13 – Mr. Fox noted (a) within the vote for reducing the landscape buffer, the 15.6 feet is too precise for construction purposes and suggested “approximately 15 feet” be used instead.

It was on motion unanimously

VOTED: To amend the Decision granting a Special Permit to Foreign Motors West, Inc. to reduce the 25-foot landscape buffer requirement to **approximately 15 feet** at the southwest corner of the rear parking lot, and to include this in the Draft Decision.

Continuing with the review of the Decision, Mr. Fox noted two of the plans listed in the vote on page 10, Landscape Plan, (Sheet LP-1) and Site Lighting Plan (Sheet SL-1) were drawn by Rico Associates. He suggested the following wording change: “. . . ; **all drawn by Schofield Brothers of New England, Inc., with the exception of Landscape Plan, (Sheet LP-1) and Site Lighting Plan (Sheet SL-1) which were drawn by Rico Associates.**”

p. 11 – Mr. Fox asked the words “with deep sumps” be deleted from Condition #1. It would be very expensive and is not necessary as the system is not failing. Mr. Ey stated the Order of Conditions has not been received from the Conservation Commission. He stated the oil and gas traps can be added to the catch basins. The Board agreed to strike “**with deep sumps**”.

p. 11. -- #1 – Mr. Fox asked the verification text be removed, beginning with “verification . . . 18” cmp”. Mr. Ey stated verification requires excavation of the site. He stated further the drainage is working properly as flow is moving smoothly, so doubted expensive excavation is unnecessary at this time. He has requested Mass. Highway check the entire system before the parking lot is redone. After discussion, it was decided to retain the verification drainage text, but delete “**and correction if necessary . . . Mass. Highway Dept. if necessary**”. Condition 1 shall be moved from Condition #26 to #27, as a required item before the Occupancy Permit will be issued.

p. 11 -- #5 – Mr. Fox suggested the word “authorization” be changed to “notification to Tenneco”. The Board agreed.

p. 11 -- #6 – Chairman O’Brien suggested striking the sentence “no signs shall be internally illuminated”. It was agreed to strike that sentence, and add the following to the last sentence, “except the historical marker and Entering Sudbury sign. All signage shall be in compliance with Zoning Bylaw.”

p. 11 -- #7 – Mr. Fox asked this be stricken, as he was under the impression the renderings had already been approved. Chairman O’Brien stated the renderings had been presented, but an approval had not been issued.

p. 11 -- #8 – (b) Mr. Fox stated trees cannot be planted at least every 40 feet and suggested adding the words “**according to the landscaping plan**” after the word property. “**At least every 40 feet**” shall be deleted. (d) “**and plantings**” shall be added following the word “Fencing”. (f) “**trees**” shall be changed to “**shrubs**” as the gas line runs directly under the area where the trees would be planted. Digging and roots could present a problem.

p. 12 -- #12 – Mr. Fox opined fencing would not be attractive along Route 20, and after discussion, the last sentence will end after the word “vegetation” and **strike the reference to fencing**. In the first sentence, the words “and pre-owned” shall be inserted before “vehicle storage areas” to read as follows: **“screen the new and pre-owned vehicle storage areas”**.

p. 12. -- #14 – The number of cars was amended to state 75 cars, not 60.

p. 12 -- #15 – Mr. Fox questioned the calculation of the donation to the Walkway Account, noting his recollection of \$7,000. Jody Kablack, Town Planner, stated the figure is determined by the DPW Director’s formula using \$25/linear foot, which is the current cost of walkway construction. She noted if an applicant constructs the walkway, the cost is less. Mr. Fox agreed an applicant’s cost would be \$14.50 per linear foot, if the applicant were building the walkway. He noted a discussion took place during the site visit with the Board and applicant. After discussion, it was agreed the applicant would contribute **\$10,000** to the Walkway Donation Account.

p. 13 -- #20 – (b) shall read **“Dumpsters to be screened from view from Route 20 shall be shown on Plan.”**

p. 13 - #25 – the earlier correction of **“approximately 15 feet”** was made here as well.

p. 13 -- #26 – There was discussion regarding the including of Item #8 (landscaping) in the list of required conditions prior to issuance of Occupancy Permit instead of Building Permit. It was noted that #8 is the landscaping **plan**, not the actual landscaping itself. #8 will remain with the Building Permit section.

Based upon a determination that the foregoing evidence, together with the plans submitted, conformed to the intent and purpose of the Zoning bylaw requirements, a motion was made and approved as follows:

VOTED: To approve Site Plan Application No. 02-365 of Foreign Motors West, Inc. for building renovations and changes to parking, landscaping, septic system and stormwater management for a Land Rover dealership on property located at 83 Boston Post Road, Sudbury/Wayland, owned by Arber Realty Trust (Evergreen Realty Trust) and including property at 103 Boston Post Road, owned by M. Claire McManus Trust No. 2, as shown on Site Plan entitled, "Proposed Site Plan for Foreign Motors West at 83 Boston Post Road Sudbury, Massachusetts", dated February 28, 2002, revised March 12, 2002 (Sheets SP-1 through 7); Landscape Plan, dated March 12, 2002 (Sheet LP-1); Site Lighting Plan, as revised May 3, 2002 (Sheet SL-1); all drawn by Schofield Brothers of New England, Inc.; except Landscape Plan and Site Lighting Plan which were drawn by Rico Associates; and Architectural Floor Plan Layout (Sheet A1-1) and Architectural Building Elevations (Sheets A3-1&2), drawn by Channel Building Company; subject to compliance with all governmental laws and regulations including, but not limited to, the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, zoning, building and health laws and regulations, and further subject to the following amendments and conditions:

1. Approval of the drainage system, including traps, catch basins, and periodic maintenance as required by the Director of Public Works/Town Engineer; drainage work to include upgrade of the Route 20 catch basins including grease/gas traps subject to approval by Mass.Highway Dept., verification of whether the catch basin on the westerly side of the main entrance is connected to the 18" cmp; all drainage shall be brought into compliance with Department of Environmental Protection Stormwater Management Standards.

2. Placement of all utilities underground, both on-site and in the public way, subject to approval by Mass. Highway Dept. of street opening, if necessary.
3. No wells for drinking water supply to be installed on the site.
4. The grant of an earth removal permit by the Earth Removal Board, if applicable.
5. Notification to Tenneco to excavate over the gas easement shall be required.
6. Approval of signs or advertising devices as required under applicable provisions of the Zoning Bylaw. Applicant has received approval of two signs, one on the building and one freestanding sign at the southeastern corner of the property. Excessive signage located within the Route 20 right-of-way shall be removed by the applicant except the historic marker and Entering Sudbury sign. All signage shall be in compliance with Zoning Bylaw.
7. Final approval by the Selectmen of an accurate architectural rendering of the proposed renovated building, showing the front and side features as they will appear from the public way or private access.
8. Approval of the final landscaping plan by the Board of Selectmen:
 - a. The applicant shall work with the Conservation Commission and Design Review Board in finalizing the landscape plan, which shall include a detailed planting plan for the detention area.
 - b. Street trees shall be planted along the front of the property, according to the landscape plan, for a minimum of 14 new and/or existing trees;
 - c. Three or more 5' by 5' planting islands shall be added in the parking lot;
 - d. Fencing and plantings along the westerly side line and plantings along the rear of the property shall be included for screening purposes;
 - e. Final plan shall substantially incorporate the plan entitled "DETAILED PLAN OF CORNER" dated May 6, 2002.
 - f. Two or three additional shrubs shall be planted along the Hatch and Son property line from where the existing vegetation screen ends to the property corner (approximately 30 feet). Species shall be of a native variety on the Conservation Commission list.
 - g. Sizes, varieties and location of trees and shrubs as approved by the various boards shall be reflected on the revised landscape plan.
9. Existing vegetation on the site shall be preserved to the maximum extent possible. All vegetation shown on the plan as proposed to be preserved shall be flagged prior to commencement of construction, and the applicant shall request an inspection by the Board of Selectmen or its representative to determine compliance with this performance standard.
10. Exterior lighting shall be arranged to avoid glare and minimize light spilling over to neighboring properties. The Board of Selectmen or its representative shall inspect the premises prior to occupancy to certify the intent of this provision has been met. If, in the opinion of the Board, the lighting is not shielded from the adjoining properties, the applicant shall forthwith rectify such complaint to the satisfaction of the Board. Lighting, except for accessory (security) lighting, shall be turned off at close of business. The recommendation of the Design Review Board to utilize a cut-off luminaire fixture shall be considered by the applicant.

11. 118 parking spaces are required: 114 spaces shall be shown on the plan as active spaces; pursuant to Zoning Bylaw section 3113, Reserve Parking Spaces, the Board of Selectmen has waived construction of 4 spaces, which shall be shown as Reserve Parking Spaces.
12. It is the Selectmen's desire to adequately screen the new and pre-owned vehicle storage areas from public view along Route 20 and screen the Mass. Highway facility located directly south of the property, while at the same time afford limited viewing into the site for retail sales purposes. The applicant has agreed to lower the grade of the vehicle storage area, and to screen it using both existing and proposed plantings, and fencing, as shown on the Landscape Plan, sheet LP-1 (with revisions required by this decision) and the Site Plan sheet SP-6 (with revisions required by this decision). Prior to occupancy, the Board of Selectmen or its representative shall view the property for compliance with the performance standards required by this decision and the Zoning Bylaw. If, in the opinion of the Board, additional screening is required, the applicant shall forthwith rectify such deficiency with the planting of additional vegetation.
13. The applicant shall install granite curbing (sloped granite curbing preferred) at the entrance to the site for the full length of the rounded curve plus a straight section at each end of the curves of a least six (6) feet in length, subject to the approval of the Mass. Highway Dept.
14. No more than a total of 75 cars indoor and outdoor shall be stored on site for sale.
15. As offered by the applicant, Foreign Motors West shall contribute \$10,000 to the town-wide Walkway Donation Account (the estimated cost of 480 feet of walkway construction), in lieu of constructing a walkway along its frontage.
16. Foreign Motors West shall continue discussions regarding upgrades to the car wash across Route 20 if that facility is to be used by Foreign Motors West. No car washing shall be allowed on site with the exception of hand washing.
17. Requirements of the Fire Department shall be complied with:
 - a. Foreign Motors West must continue the practice of the building being fully sprinklered and connected via a Master Box to the Fire Dept.
 - b. A Knox Box shall be installed for building access after hours by the Fire Department, in accordance with Sudbury Bylaw Art. V.2.C.
18. No use of salt or chemical de-icers on site.
19. No storage or use of chemicals on site except in conformity with guidelines and requirements of the Board of Health and the Fire Chief; the owner or operator of the site shall comply with the Massachusetts Oil and Hazardous Materials Release Prevention and Response Act, M.G.L. Chapter 21E, as amended, and all regulations issued thereunder.
20. Any disposal or removal of effluent and wastes generated on the site shall conform to the requirements of the Board of Health, Town Engineer and/or Conservation Commission, as appropriate.
21. If required by the Board of Health, Conservation Commission and/or Board of Selectmen, the applicant shall install one or more monitoring wells or other protective device on the site, including the Town's right of access for periodic testing and monitoring thereof.

22. Site Plan revisions:
 - a. Signature blocks for Selectmen, Building Inspector and Town Engineer to be added on all plans.
 - b. Dumpsters to be screened from view from Route 20 shall be shown on Plan. A notation shall be added that this area is Reserve Parking.
 - c. The Plan shall be revised to remove two parking spaces at the southeastern corner of the property. A notation that this area is Reserve Parking shall be added to the Plan.
 - d. Existing and proposed impervious surface amounts and percentages shall be added to sheet SP-2 of the Plan.
 - e. Sheet SP-6 shall be revised to lower the grade of the vehicle storage area cross section, as discussed at the public hearing.
23. This site plan approval incorporates by reference all conditions imposed by the Board of Appeals under Special Permits granted on March 12, 2002, for this application (Case Nos. 02-7, 8, 9, 10, 11).
24. Submission of an "as built" site plan. Any change in the physical condition of the site, including changes in location or design of structures or systems, following approval of the site plan, will require approval of the Board of Selectmen.
25. No building permits shall be issued until all required permits from both Wayland and Sudbury have been received.
26. Prior to the granting of an Occupancy Permit, a site review will be conducted by Town officials, and a bond required by the applicant to secure any conditions not completed.
27. The Board of Selectmen grants a Special Permit to Foreign Motors West, Inc. to reduce the 25-foot landscape buffer requirement to approximately 15 feet at the southwest corner of the rear parking lot, which Special Permit is included and made a part of this Decision.
28. No Building Permit shall be issued until this Decision has been recorded in the Middlesex South Registry of Deeds, the plans are approved and signed, and certain items noted above (4, 5, 7, 8, 9, 15, 22, 25,) as specified by the Board, are complied with.
29. No Occupancy Permit shall be issued until certain items noted above (1, 2, 6, 10, 12, 13, 17, 19, 23, 24, 26) as specified by the Board, are complied with.
30. This approval shall lapse if construction and a substantial use thereof have not commenced except for good cause within two (2) years from the effective date of said approval.

Common Victualler License – Classic Pizza

Present: Naem Tawadrous, Owner.

The Board reviewed an application for a Common Victualler License for El Kamal Corp., Naem Tawadrous, President, d/b/a Classic Pizza, 730 Boston Post Road, accompanied by Articles of Incorporation and Tax Attestation. The Board was also in receipt of (1) Letter from Jo-Ellen Haley, President, J.G.L. Enterprises, Inc., d/b/a Classic Pizza at same location, requesting cancellation of her Common Victualler

License effective only after all contracts are signed by J.G.L. Enterprises, Inc. and El Kamal Corp.; (2) report from the Fire Chief, dated June 5, 2002, stating the Fire Dept. has no problems with granting this license; (3) report from the Health Director, dated June 6, 2002, stating he has no problems with this licensing change; (4) report from the Building Inspector, dated June 6, 2002, stating he has no objections to this application; and (5) report from the Tax Collector that no taxes are overdue.

After discussion, it was on motion unanimously

VOTED: To grant a Common Victualler License to El Kamal Corp., Naem Tawadrous, President, d/b/a Classic Pizza, 730 Boston Post Road, to be issued only upon completion of sale or transfer between J.G.L. Enterprises, Inc., current licensee, verification of lease agreement, and filing of d/b/a certificate with the Town Clerk.

Meeting with Hop Brook Protection Association

Present: Frank Lyons, Ron Riggert, Hop Brook Protection Association.

Mr. Frank Lyons briefly updated the Board on the status of the situation with the Marlborough facility. He stated the permit on the Marlborough Easterly Wastewater Facility is over eight years overdue. He stated he had been informed that the permit would be issued in June, but opined this was very unlikely. Discussions between groups and individuals are ongoing.

With regard to pond harvesting, Mr. Ron Riggert stated it is crucial to remove as much of the rotting algae as possible, in order to decrease the stench in the surrounding neighborhood. The rapid growth of algae is due in part to the abundance of nutrients coming from the Marlborough facility.

Mr. Riggert stated his belief that this harvesting project should be part of the Public Works department, and not the responsibility of the Hop Brook Protection Association. He stated he met with the DPW Director with a list of tasks and needs; the DPW Director stated the Town cannot take care of the matter at this time.

Selectman Drobinski opined budgetary constraints prevented the Town from taking over this endeavor. Town Manager Valente stated the Town placed \$2,500 aside to assist in costs for this project in FY02, but not in FY03 due to the budgetary shortfall. She stated the DPW commitment was limited to assisting the HBPA on this project. She stated further the DPW Department has limited staff and resources, and cannot take over this task. Late spring through early fall is a very busy time for that department.

Mr. Lyons stated the harvesting helps to remove nutrients from the watershed, through the biomass that is removed. He stated 150 tons of biomass was removed the last time this task was accomplished. He stated the harvesting also helps to increase the oxygen content of the water, thereby reducing fish kill.

Mr. Riggert stated this project involves a lifting crane, the harvester, a trained harvester operator, as well as trucks to remove the harvested biomass.

Mr. Lyons opined that, if the Town is willing to pay \$2,500 toward this project and it did not cover the expenses, the Hop Brook Protection Association may be able to provide some funding. He stated they would reasonably expect the Town to provide the trucking to remove the biomass. Mr. Riggert opined the \$2,500 might cover the cost of the harvester and its operator.

Chairman O'Brien summarized three issues at hand: (1) coordination of equipment and staff; (2) allocation of the \$2,500; and (3) give the Town Manager and DPW Director time to determine equipment and staff resources for this project. He stated it is not the Board's job to direct them in this matter.

Town Manager Valente suggested meeting with the DPW Director, with Mr. Lyons and Mr. Riggert so everyone knows the scope of the project. She opined it may not be doable for this summer. With regard to long-range commitment, she stated she would like to see some information on how other communities are handling similar problems, and what other options might be available. She noted neither she nor the DPW Director have expertise in this area.

Mr. Lyons stated there are a number of people/communities around the state who have experience in dealing with water chestnut, as is prevalent in Carding Mill Pond, and reports on their efforts may be available.

There was brief discussion on using the draw down water from the pond to water some of the fields at the Curtis Middle School. Mr. Riggert stated that the draw down process is already underway, and opined trucks may not be readily available.

Nancy Crooker, Treasurer, Hop Brook Protection Association, stated the Town should take responsibility for the ponds. She compared the pond cleaning to that of street cleaning, stating both are for the benefit of the residents.

Stephen Meyer reminded the Board of their Ponds Study Committee and suggested that committee be reactivated with this project.

Chairman O'Brien stated the Town Manager would speak with the DPW Director, Mr. Lyons and Mr. Riggert, with Selectman Roopenian as liaison, and move forward from there. The Board thanked the HBPA for their continuing efforts.

Joint Meeting with Planning Board and Conservation Commission – Goodnow Road Walkway

Present: Jody Kablack, Town Planner; William Keller, Chairman, Christopher Morely, Elizabeth Eggleston, Michael Hunter, Planning Board; Debbie Dineen, Conservation Coordinator, Bridget Hanson, Chairman, Richard Bell, Conservation Commission; Susan Crane, Sudbury Valley Trustees; Jack Dawley, Northland Residential Corporation.

At 9:30 p.m. Chairman O'Brien convened a joint meeting with the Planning Board and Conservation Commission for the purpose of discussing a walkway issue on Goodnow Road in conjunction with the Goodnow housing development.

The Board was in receipt of a letter, dated May 31, 2002, from William Keller, Chairman, Planning Board, stating that a condition the Board of Selectmen required Northland Residential Corporation to fulfill was now being denied by the Conservation Commission, specifically that a walkway cannot be constructed as planned, due to its proximity to a vernal pool. The Board also reviewed a memo, dated June 6, 2002, from Deborah Dineen, Conservation Coordinator, stating she walked the site and suggested a 12 – 18" wide roadside walkway/trail along most of lower Goodnow Road, instead of a meandering trail, and suggested further a walkway easement from SVT may be necessary. Ms. Dineen attached photos of the area she referenced.

Mr. William Keller, Chairman, Planning Board, stated the roadway would only be 14 feet wide, with 2 feet of crushed rock on each side. He reminded the Board of the Planning Board's concern over pedestrian safety along this roadway when this project was first proposed. He stated some of the present residents do not like the idea of a walkway, while other interested individuals want the walkway constructed. Mr. Keller noted this section provides a connection with the rest of the trail system throughout Town.

Ms. Bridget Hanson, Chairman, Conservation Commission, opined the resource areas had not been delineated at the time the project was first discussed. This particular area is native habitat for salamanders, and the walkway cannot be constructed through the area. She stated the walkway directly adjacent to the road may be the solution as it would avoid fragmentation of the habitat.

Ms. Deborah Dineen, Conservation Coordinator, stated the engineered plans show a 5' wide walkway, which is wider than most walkways in Town. She stated the DPW snowplow clears a 5' wide swath, hence the design width. She pointed out a proposed route on a drawing. She reported that Northland Residential Corporation has agreed to donate the difference between the 5' wide paved walkway and the narrower roadside walkway to the Walkway Donation Account for use elsewhere in Town. Ms. Dineen stated the Conservation Commission did not forbid a walkway and requested a revised plan.

There was brief discussion on various widths of walkways, placement and construction materials. Ms. Dineen stated the walkway could go on the opposite side of the stone wall at the place where the roadside is narrow. Selectman Drobinski asked if the walkway could be raised, perhaps made of wood. Ms. Dineen opined maintenance might be difficult.

Stephen Meyer asked how the decision to construct a walkway in this particular area was made. He reported the Sudbury Police Department has no record of any person being hit in this area, which is a dead end road with few homes. There are many roads in Town that are much busier and still no accidents. He asked if there is a priority list of roads that need walkways and suggested applying these funds to another site.

Chairman O'Brien responded this trail/walkway will serve as a connection to the existing trail system. The original walkway priority list did not include this road as it was not being considered for housing as it currently is. This situation was an oversight of the various Boards reviewing information for this housing development. Discussion followed.

Elizabeth Eggleston asked how large an area is being disputed. Bridget Hanson responded the area in question is 200 feet in length, and falls within the buffer zone of the vernal pool. There is no objection to the walkway itself, merely its placement.

Chairman O'Brien asked if Northland could provide some revised plans for placement of the walkway. It was asked if this matter would reopen the public hearing. Mr. Jack Dawley, Northland Residential Corporation, stated it would be considered an amendment to the site plan, as the plan provides for a walkway with no specifics attached. Town Manager Valente stated she would ask Town Counsel to be sure the revision was documented properly.

Susan Crane, Sudbury Valley Trustees, stated SVT have already approved an easement to the Town as long as SVT is impacted as little as possible ecologically and environmentally. She stated their preference not to have the stone wall disrupted in any walkway construction. Ms. Eggleston stated the wall was one of the reasons the walkway was to meander through the woods. Ms. Crane asked that the SVT be allowed to review the revised plans. Mr. Meyer stated the stone wall stops before the vernal pool area begins.

Chairman O'Brien summarized as follows: the ConCom would like the width to be less than the standard 5 feet; SVT will support whatever decision is reached by the Planning Board and ConCom; and any difference in construction costs will be donated to the Town-Wide Walkway Account.

Ms. Eggleston asked if the walkway could be inside the stone wall, adjacent to it, instead of adjacent to the roadside. Ms. Dineen responded the ConCom would like to see the walkway as close to the stone wall as possible.

It was agreed the Town Manager would work with the Town Planner and Conservation Coordinator to get a revised plan worked out and consult with the DPW Director.

The joint meeting adjourned at 10:00 p.m.

Site Plan #02-366 – Sprint Spectrum and Voicestream Wireless

Present: Joseph Giammarco, Consultant, Sprint Spectrum; Edward D. Pare, Jr., Attorney, Brown, Rudnick, Berlack, Israels LLP, representing Sprint Spectrum; Nurullah Kose, Marconi Wireless/Sprint PCS; Paul Gascoigne, Zoning Manager, Voicestream; Deborah B. Haskell, Winthrop Real Estate Advisors; Jody Kablack, Town Planner.

The following new information was received:

1. Report, dated June 4, 2002, from the Design Review Board, stating the Board reviewed the amendment to the site plan showing the corrected location of the cell tower site and has no comments.
2. Report, dated May 29, 2002, from the Planning Board, stating that Lee Swanson of the Sudbury Historical Society informed them the gravel pit property is on the Massachusetts Historical Survey and may have Native American archeological significance.
3. Copy of Board of Appeals decision, dated May 14, 2002, stating its unanimous vote to grant a Special Permit to install, operate and maintain a 100-foot free-standing, 3-carrier monopole wireless communications facility, including associated equipment, in accordance with the Plan titled Melone Parcel North road, Sudbury, MA BS13XC620, Sheets A1 and A2 dated 5/7/02, prepared by Greenman-Pederson, Inc., Marlborough, MA property located on North Road (former Melone property) shown on Town Property Map C12-100, Research District Zone, with the following conditions: (1) lighting is prohibited, (2) the installation shall be enclosed by an 8-foot chain link fence, and (3) the approval shall expire in five (5) years and continued operation of the facility shall be subject to a renewal by the Board of Appeals.
4. Letter, dated June 5, 2002, from Edward D. Pare, Jr., Brown Rudnick Berlack Israels LLC, providing an analysis of and responses to the written reports filed with the Board of Selectmen.
5. Revised plans, dated May 31, 2002, including addition of a Compound Plan, Sheet A-3, showing landscaping.
6. "Drainage Study Melone Parcel", dated May 2002, performed by Greenman-Pederson, Inc., accompanied by "Construction Narrative", dated May 6, 2002, and "Conservation Commission Comments", dated May 17, 2002.

7. Letter, dated June 7, 2002, from I. William Place, DPW Director, noting the location of the cell tower was chosen because of its proximity to utilities, access, and because it will be outside of the Town's earth removal operation. He further states the overhead utility installation was recommended because underground installation would require lines to go through a contaminated area under remediation; however, utilities may go underground if approval is received from the Dept. of Environmental Protection. A meeting with NSTAR will determine location of utilities.

Mr. Edward Pare, Brown Rudnick Berlack Israels, stated they have responded to all points raised in prior discussions in their letter dated June 5, 2002. With regard to the setback requirements from schools and residential lot line, he noted there is not a lot line, though there is a residential use. He stated the applicant sought the Special Permit in keeping with the "letter of the zoning bylaw".

Mr. Pare stated revised plans containing Sheet A-3 indicate some plantings as well as a chain link green vinyl fence, which will blend in nicely with existing plantings. The equipment shed will have clapboard siding.

There was brief discussion regarding utility placement. Chairman O'Brien stated that, though the bylaw requires underground placement, the fact this area was previously contaminated may impact those utilities. He asked if the applicant would agree to place utilities underground at some future date, should the area be declared safe. Mr. Pare responded it would depend on costs involved. He stated they are meeting with NSTAR this week to determine utility placement. Mr. O'Brien suggested this condition could be left "open" until input is received from NSTAR, Town Engineer and applicant after the meeting with NSTAR.

Chairman O'Brien asked about noise emanating from the equipment shelter into the surrounding area, citing concerns expressed by Frost Farm with respect to an addition on a North Road office building. Mr. Pare admitted there will be noise, but noted this equipment will be significantly smaller than that of a full size office building. He opined that, as there are no residences within 500 feet, it should not be a problem.

It was on motion unanimously

VOTED: To instruct the Town Manager to direct Town staff to prepare a Draft Decision for the applicant and Board to review on July 8, 2002 at 7:40 p.m.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular and executive sessions of May 20, 2002, as drafted.

Council on Aging Donations

It was on motion unanimously

VOTED: To accept \$189.00 in miscellaneous donations, to be deposited into the Van Donation Account, and to authorize the Council on Aging to expend said funds for the purpose of operating and maintaining the Council on Aging vans.

D.A.R.E. Program Donation

It was on motion unanimously

VOTED: To accept a donation from William Fiske of Fiske Independent Race Management in the amount of \$500 to be deposited into the D.A.R.E. Program Account and expended by the Police Chief for that program.

Park and Recreation Fiske Donation Account

It was on motion unanimously

VOTED: To accept a donation from William Fiske of Fiske Independent Race Management in the amount of \$500 to be deposited into a Park and Recreation Fiske Donation Account and expended under the direction of the Town Manager for recreation programs.

Walkway Easement – 193 Peakham Road

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a Walkway Easement granted by James E. Lesko, III, and Janice M. Lesko, 193 Peakham Road, dated June 4, 2002, and shown on Lot 34 on “Plan of Land in Sudbury, Mass., Owner: Westbrook trust, Southborough, Mass. Survey by: Colburn Engineering, Hudson, Mass., March 10, 1970, Revised March 31, 1971”.

Walkway Easement – 173 Peakham Road

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a Walkway Easement granted by Robert L. Phillips and Sarah A. Phillips, 173 Peakham Road, dated August 20, 2001, and shown on Lot 36B on “Plan of Land in Sudbury, Mass., Owned by: Ridgewood Construction Co., Inc., Plan by: Colburn Engineering, Hudson, Mass., July 2, 1973”.

Easements – Hawes Farm Subdivision

It was on motion unanimously

VOTED: To accept, on behalf of the Town, the following easements relative to the Hawes Farm subdivision on Dudley Road:

- (a) A Drainage Easement granted by Maillet & Son, Inc., dated May 31, 2002, shown as “Proposed Drainage Easement – Area = 12,915 +/- s.f” on “Hawes Farm – Definitive Subdivision Plan of Land in Sudbury, Mass.” by Schofield Bros. Of New England, Inc., dated July 31, 2001, revised through Feb. 15, 2002 and further revised March 8, 2002;
- (b) A Walkway & Sight Easement granted by Maillet & Son, Inc., dated May 31, 2002, shown as “Proposed 20’ Wide Walkway & Sight Clearing Easement” on “Hawes Farm – Definitive Subdivision Plan of Land

in Sudbury, Mass.” by Schofield Bros. Of New England, Inc., dated July 31, 2001, revised through Feb. 15, 2002 and further revised March 8, 2002;

- (c) A Walkway & Sight Easement granted by Agnes A. Hawes, Trustee of the Agnes A. Hawes Realty Trust, dated June 6, 2002, shown as “Proposed 20’ Wide Walkway & Sight Clearing Easement” on “Hawes Farm – Definitive Subdivision Plan of Land in Sudbury, Mass.” by Schofield Bros. Of New England, Inc., dated July 31, 2001, revised through Feb. 15, 2002 and further revised March 8, 2002; and
- (d) A Trail Easement granted by Maillet & Son, Inc., dated June 6, 2002, as shown on Lot 3 as “Proposed 10’ Wide Trail Easement” on “Hawes Farm – Definitive Subdivision Plan of Land in Sudbury, Mass.” by Schofield Bros. Of New England, Inc., dated July 31, 2001, revised through Feb. 15, 2002 and further revised March 8, 2002.

Conservation Restriction – Lincoln-Sudbury Regional School District

It was on motion unanimously

VOTED; To approve and sign a Conservation Restriction granted in perpetuity by the Lincoln-Sudbury Regional School District, dated May 14, 2002 on a parcel of land totaling approximately 25.49 acres which constitute a part of the larger 93.93 acre parcel, the premises of the Lincoln-Sudbury Regional High School, shown as the “Conservation Restriction Area” on “Conservation Restriction Plan of Land in Sudbury, Massachusetts (Middlesex County)”, dated December 27, 2001, revised March 1, 2002 and May 6, 2002, drawn by Stamsky and McNary, Inc.

Raymond Scholarship Trust Fund Distribution

It was on motion unanimously

VOTED: Acting as Co-Trustees of Town Donations, to approve a distribution of \$910.11 from the Raymond Scholarship Trust Fund to Anna-Maria Serafim, as requested by the Lincoln-Sudbury Regional School Department in a communication dated May 14, 2002, and by Co-Trustee/Finance Director Kerry Speidel in a communication dated May 29, 2002.

Contracts

It was on motion unanimously

VOTED: To approve the following contracts for execution by the Town Manager:

A. Department of Public Works

Contract 2003-M-3 Borrow Materials (Split Bid – Bid Opening 5-16-02)

- 1) Ordinary Borrow @ \$3.50/ton At the Plant– Pyne Sand and Stone
Ordinary Borrow @ \$6.00/ton Delivered – Assabet Sand and Gravel
- 2) Gravel Borrow (bank run) @ \$3.25/ton At the Plant – Pyne Sand and Stone
Gravel Borrow (bank run) @ \$7.50/ton Delivered – Assabet Sand and Gravel
- 3) Gravel Borrow (screened) @ \$3.50/ton At the Plant and \$8.25/ton Delivered – Pyne Sand and Stone
- 4) Processed Crushed Bank Run @ \$8.00/ton At the Plant – E. H. Perkins and Assabet Sand and Gravel
Processed Crushed Bank Run @ \$9.50/ton Delivered – Assabet Sand and Gravel

- 5) Loam Borrow @ \$6.50/ton At the Plant and \$10.75/ton Delivered – Pyne Sand and Stone
- 6) Loam Screened @ \$9.00/ton At the Plant and \$13.25/ton Delivered – Pyne Sand and Stone
- 7) Sand Borrow @ \$4.50/ton At the Plant and \$9.25/ton Delivered – Pyne Sand and Stone
- 8) Sand (Ice Control) @ \$7.00/ton At the Plant -- Pyne Sand and Stone
Sand (Ice Control) @ \$8.74/ton Delivered – E. H. Perkins
- 9) Sand (bituminous cover) @ \$4.50/ton At the Plant and \$9.25/ton Delivered – Pyne Sand and Stone
- 10) Brick Sand @ \$10.00/ton At the Plant – Assabet Sand and Gravel
Brick Sand @ \$12.40/ton Delivered – Assabet Sand and Gravel
- 11) Concrete Sand @ \$7.00/ton At the Plant – Pyne Sand and Stone
Concrete Sand @ \$10.00/ton Delivered – Assabet Sand and Gravel
- 12) Peastone/Sand Mix 60/40% @ \$9.25/ton At the Plant and \$13.50/ton Delivered – Pyne Sand and Stone
- 13) Peastone/Sand Mix 40/60% @ \$9.75/ton At the Plant and \$14.00/ton Delivered – Pyne Sand and Stone
- 14) Peastone/Sand Mix 30/70% @ \$10.00/ton At the Plant and \$14.25/ton Delivered – Pyne Sand and Stone
- 15) Peastone Washed @ \$9.00/ton At the Plant and \$13.25/ton Delivered – Pyne Sand and Stone
- 16) Peastone @ \$9.00/ton At the Plant and \$13.25/ton Delivered – Pyne Sand and Stone
- 17) ¾” Stone @ \$9.00/ton At the Plant and \$13.25/ton Delivered – Pyne Sand and Stone
- 18) 1 ½” Stone @ \$11.00/ton At the Plant – Pyne Sand and Stone
1 ½” Stone @ \$11.50/ton Delivered – E.H. Perkins
- 19) 1 – 3” Stone @ \$11.50/ton Delivered – E. H. Perkins
- 20) Processed Crushed Base Mix @ \$11.50/ton Delivered –E. H. Perkins

Contract 2003-T-1 Trees and Stumps; Removal and Disposal (5-16-02 bid opening)
Rusty’s Tree Service (Sole Bidder)

1) Complete Removal

48-53”	\$500.00
42-47”	\$500.00
36-41”	\$550.00
30-35”	\$550.00
24-29”	\$450.00
18-23”	\$300.00
12-17”	\$250.00
6-11”	\$150.00

2) Top Removal

48-53”	\$375.00
42-47”	\$300.00
36-41”	\$230.00
30-35”	\$200.00
24-29”	\$200.00
18-23”	\$150.00
12-17”	\$150.00
6-11”	\$100.00

3) Stump Grinding -- Day Rate (8 hours) @ \$500.00 – Hourly Rate @ \$100.00/hour

4) Tree Climber w/helper – Day Rate (8 hours) @ \$400.00 – Hourly Rate @ \$50.00/hour

5) Sky Worker w/operator – Day Rate (8 hours) @\$800.00 – Hourly Rate @ \$100.00/hour

6) Chipper w/operator – Day Rate (8 hours) @ \$500.00 – Hourly Rate @ \$100.00/hour

Contract 2003-CM-1 Cemetery Mowing (5-16-02 bid opening)

1) Mowing and trimming 15 times @ \$1,390.00 = \$20,850.00 and

Fall Cleanup @ \$2,590.00 for total contract amount of \$23,440.00 – R. N. H. Landscape and Design

Contract 2003-M-5 Cast Iron Catch Basin and M.H. Frames and Grates (5-16-02 bid opening)

Le Baron Foundry – Sole Bidder

One 24” square F & G Catch Basin (4”) @ \$155 each, at plant or delivered

One 24” square F & G Catch Basin (6”) @ \$165 each, at plant or delivered

One 24” square F & G Catch Basin (8”) @ \$175 each, at plant or delivered

One MH F & C 24: Diameter Mark. “D” (4”) @ \$140 each, at plant or delivered

One MH F & C 24: Diameter Mark. “D” (6”) @ \$150 each, at plant or delivered

One MH F & C 24: Diameter Mark. “D” (8”) @ \$160 each, at plant or delivered

25 Catch Basins, 24” square w/1” riser @ \$81 each, at plant or delivered

25 Catch Basins, 24” square w/1.5” riser @ \$86 each, at plant or delivered

25 Catch Basins, 24” square w/2” riser @ \$91 each, at plant or delivered

Two MH 24” Round Steel w/1” riser @ \$81 each, at plant or delivered

Five MH 24” Round Steel w/1.5” riser @ \$86 each, at plant or delivered

Two MH 24” Round Steel w/2” riser @ \$91 each, at plant or delivered

Contract 2003-M-1 Bituminous Materials (5-16-02 bid opening)

1) Class 1 Bit. Conc. Type I-1 @ \$29.00/at the Plant and \$34.00/ton Delivered – E.H. Perkins Corp.

Type I Dense Mix @ \$29.00/ton at the Plant and \$34.00/ton Delivered – E. H. Perkins

2) Asphalt Cold Patch w/additive @ \$70.00/ton at the Plant and \$74.00/ton Delivered – Aggregate Ind.

Asphalt Cold Patch w/o additive @ \$32.00/ton at the Plant and \$36.00/ton Delivered – Aggregate Ind.

3) Tar Cold Patch @ \$58.50/ton at the Plant and \$63.50/ton Delivered – E. H. Perkins Corp.

4) Mag. Cold Patch 70 @ \$58.50/ton at the Plant and \$63.50/ton Delivered – E.H. Perkins Corp.

Contract 2003-F-1 Diesel Fuel (5-16-02 bid opening)

1) Based on N.Y. Journal of Commerce Boston Tank Car Price (0.6300) on 1-1-2002, a price differential of +0.0775 with no transportation cost @ \$0.7075/gallon – Alliance Express Heating Oil Partners

B. Fire Department – pursuant to bid opening on May 30, 2002 and recommendation of the Fire Chief, a contract to refurbish a 1989 Emergency One Pumper (Engine 3) with sole bidder, Greenwood Fire Apparatus, Inc., in the amount of \$35, 057.70.

C. Personnel – Policy/contract documents now being available for signing, the previous execution of the Application for Excess Loss Indemnity Coverage, which serves as the Town’s binder for this coverage for Calendar 2002, with low bidder Cook & Company Insurance Co., Inc., using Continental Assurance Company, at a cost of \$257,948 for \$50,000 Specific Level coverage plus Aggregate coverage at a cost of \$15,038.

D. Finance Department -- A contract for an Annual Support Agreement and License Agreement for MUNIS 5GL Software for FY2003 with MUNIS of Falmouth, Maine, in the amount of \$15,537.50.

Selectmen’s Contract Renewal Policy

It was on motion unanimously

VOTED: To amend the Board’s contract policy to authorize the Town Manager to approve, without specific vote of the Board, those contracts exceeding \$10,000 which are renewals of contracts with current vendors, previously approved by the Board.

Disposal of Town Property – DPW Vehicles

It was on motion unanimously

VOTED: In accordance with Sudbury Town Property Bylaw, Article XII, to approve the request of the Director of Public Works, dated May 22, 2002, to dispose of the following vehicles by sale or trade:

1989 GMC ¾ Ton Truck	VIN No: 1GDGC24K9KE508191
1992 Ford 1 Ton Truck	2FDKF38MOPCB25191
1979 GMC Pickup	TKL349B525005
1981 Chevrolet Van	1GCHP32M3B3319653
1991 Ford LTD	2FAOP72F2MX117756

Municipal Building Cleaning Contract

It was on motion unanimously

VOTED: To approve a contract with Complete Industrial Cleaning for cleaning municipal buildings for a period of one year at a cost of \$16 per hour or a total of \$45,760, commencing July 1, 2002.

Memorial Day Committee – Appointment

It was on motion unanimously

VOTED: To appoint Robert G. Mugford to the Memorial Day Committee for a term to expire April 30, 2004, replacing William Farrell, as recommended by said Committee.

Community Preservation Committee Appointments

The Board reviewed criteria suggested by Town Manager Valente to be considered prior to making appointments to the Community Preservation Committee. Town Manager Valente stated that, while many

phone calls were received, only 12 applications were submitted. This criteria would be used to select the top 4 or 5 candidates.

Chairman O'Brien suggested appointing two people, while maintaining the applications of the other finalists as possible replacements, should the original appointees not be able to fulfill their obligation. Town Manager Valente suggested creating Associate positions.

Discussion followed. Selectman Roopenian suggested a third person to assist Chairman O'Brien and Ms. Valente in determining the finalists. Ms. Valente stated she would consider who that person might be. It was noted the Committee has to be in place shortly after the official vote from the State.

Affirming Selectmen Goal Setting Documents

It was on motion unanimously

VOTED: To reaffirm the document entitled "Statement of Values of the Board of Selectmen", dated June 10, 2002.

It was also on motion unanimously

VOTED: To reaffirm the document entitled "Statement of Ethics of the Board of Selectmen", dated June 10, 2002.

It was further on motion unanimously

VOTED: To affirm the document entitled "Goal Setting, FY2003, Board of Selectmen".

It was finally on motion unanimously

VOTED: To affirm the document entitled "Goal Setting, FY2003, Town Manager".

Annual July 4th Road Race

It was on motion unanimously

VOTED: To approve two signs to be placed on Concord Road one week before the race, publicizing the Annual July 4th Road Race, as requested by Graham Taylor in a communication dated May 22, 2002, signage to be removed immediately following the race.

Frost Farm Fund Hearing

Town Manager Valente informed the Board of a meeting at the State House regarding the Frost Farm Fund legislation. She stated she will be representing Sudbury as Town Manager and Mr. O'Brien as Chairman of the Board of Selectmen, accompanied by Hale Lamont-Havers and Jody Kablack, Town Planner. Ms. Valente stated numerous letters of support have been received from various state agencies and task forces.

Town Manager Valente submitted draft testimony for the Board's review and asked for their vote to place such testimony on Town letterhead for submission at the hearing.

After discussion, it was on motion unanimously

VOTED: To place the draft testimony on Town letterhead for submission at the Frost Farm Fund hearing at the State House on June 11, 2002.

Executive Session

At 11:25 p.m. it was on motion unanimously by roll call

VOTED: To go into Executive Session to discuss a disbursement from the Discretionary Fund and an update on litigation matters. (Chairman O'Brien, aye, Selectman Roopenian, aye, Selectman Drobinski, aye).

Chairman O'Brien announced regular session would not reconvene following executive session.

There being no further business, the meeting adjourned at 11:44 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk