

IN BOARD OF SELECTMEN
TUESDAY, JUNE 20, 2006

Present: Chairman William J. Keller, Jr., Vice-Chairman John C. Drobinski, Selectman Lawrence O'Brien, and Maureen Valente, Town Manager

The statutory requirements as to notice having been complied with, the meeting was convened at 7:35 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

Chairman Keller began the meeting at 7:35 p.m., announcing that finally, the rains have stopped and summer has arrived in Sudbury. Sudbury students can begin to enjoy themselves once schools close this Friday for the summer break.

Chairman Keller also welcomed back Town Manager Valente who has just returned from vacation.

Tax Deferral Annual Interest Rate for FY07

Present: Andrea Terkelsen, Town Treasurer/Collector

At 7:35 p.m., Ms. Terkelsen addressed the Board to discuss recommendations for setting the tax deferral annual interest rate for FY07. The recommendation is to keep the rate of 2.5%, which shows the Town's fiscal tolerance and will offer seniors some predictability by keeping the rate consistent with recent years. The same criteria, which have been used since FY03, were part of the evaluation process as were a review of local and national economic factors and a review of interest rates.

Ms. Terkelsen noted an increase has been seen in the number of deferral candidates participating in the program. There were 54 deferral participants at the close of FY06.

In response to a question from Chairman Keller, Ms. Terkelsen told the Board the receivable balance for this program is presently approaching \$600,000.00. However, she also noted that unlike other receivables, there is a very low risk of not collecting the outstanding funds. Deferred property taxes are collected at the time of sale or transfer of the property and then added to the general fund.

Chairman Keller asked Ms. Terkelsen to explain how a resident can become a participant in the program. Ms. Terkelsen mentioned that the application process is very manageable, but one does need to reapply each year. Eligibility factors such as income level and age requirements are assessed. The process is highly confidential. The Tax Assessor's Office can be contacted for applications and additional information. The Town website can also be accessed for information and newsletters. Ms. Terkelsen mentioned that the program has also been promoted by the Council on Aging.

Vice-Chairman Drobinski commented that residents have mentioned to him that they hope the Board continues to support this very helpful program.

Chairman Keller reinforced how important this program is as a means to help Sudbury senior citizens stay in their homes as long as possible.

It was on motion unanimously

VOTED: To approve the tax deferral annual interest rate for FY07 at 2.5% as recommended by the Town Treasurer/Collector.

Town Auditors

Present: Susan Petersen, former Town Finance Director; Chris Rogers and Matt Hunt, Sullivan Rogers and Company

At 7:48 p.m., Chairman Keller welcomed Susan Petersen who then introduced the representatives from the Town auditing firm, Sullivan Rogers and Company.

Matt Hunt began the presentation with a brief review of the audit reports for the fiscal year ended June 30, 2005. The reports included: the Independent Auditors' Report on Basic Financial Statements and Required Supplementary Information; Reports on Federal Award Programs; and a Management Letter. These reports were prepared after the last day of fieldwork, which was completed on November 18, 2005.

Mr. Hunt presented highlighted information from the financial statements, which were prepared as an unqualified opinion. An unqualified opinion means the information provided is free of misstatements and has been prepared according to accepted general accounting principles. Mr. Hunt reviewed several key accounts and provided dollar figure and percentage comparisons to the previous fiscal year. In almost all areas mentioned, the Town experienced increased growth and financial strength from FY04 to FY05.

Mr. Hunt also commended the Town for not tapping into the stabilization fund as many other towns in the State have had to do. Ending balance in the Stabilization Fund for FY05 was very similar to FY04 with balances of \$1.56 million. Together with the General Fund undesignated fund balance of \$2.1 million, the Town ended FY05 with 5.6% reserves as a percent of expenditures. Ms. Valente asked if there is an optimal ratio level of reserves. Mr. Hunt and Mr. Rogers responded that 10% would be ideal and that 5% should be viewed as the minimum threshold. It is very positive that the Town has crossed that 5% threshold and is moving in the right, upward direction.

Both Enterprise funds are reported on a full accrual basis with fixed assets and debt being incorporated into the figures. Again, the activity was very consistent from FY04 to FY05.

Mr. Hunt also congratulated the Town for its excellent bond rating. He noted that debt service decreased significantly from \$7.9 million in FY04 to \$5.9 million in FY05. This represents 9% of overall expenditures after factoring in that \$2.8 million of the \$5.9 million of debt for FY05 will be reimbursed by the State.

Mr. Hunt reported the Town had no short-term debt at the close of FY05. The Town did have outstanding long-term debt of \$50.7 million of which \$26 million will be reimbursed by the State. As a result, only \$25 million will need to be appropriated over the next 20 years or so. New debt of \$3.3 million was reported which was mostly as a result of conservation land and department equipment expenditures.

Mr. Hunt next reviewed the Management Letter, which included six comments for areas which could use improvement. It was emphasized that none of these six are related to material weaknesses, which is a great sign of how well the Town is managed. Mr. Hunt and Mr. Rogers commented how refreshing and unusual it is for a Town to be as proactive as Sudbury. Of the six areas noted for improvement, five are already scheduled for attention by the Town in the FY07. Acquisition of the Munis accounting software will allow for a centralized system of recording sick and vacation accruals and will allow for a more efficient tax billing and collection system.

Going forward, the auditors suggest the following:

1. The Town develop a Fraud Risk Assessment Program, and monitor it at least twice a year, to help identify areas where the Town is at risk for fraud or asset misappropriation.
2. GASB Statement #34 requires compiling and including certain infrastructure capital assets as part of the Financial Statements by FY07 deadline, but they encourage the Town to comply earlier if possible.
3. GASB Statement #45 requiring biannual actuarial evaluation of retiree health insurance information, noting that the Town does have funds set aside for this purpose in FY07..

The last item mentioned in the Management Letter related to the Wayland-Sudbury Septage Facility. The Town has an equity interest, which must be reported as part of Sudbury's Financial Statements. Wayland has not been providing financial information to Sudbury on a consistent basis. It is recommended that Wayland provide a monthly balance sheet to Sudbury for the facility.

Vice-Chairman Drobinski noted it is one of the Board's and Town's FY07 goals to review the entire septage facility operation and agreement. Ms. Valente concurred that a major weakness in the facility statement is that in the interlocal agreement, definitions of the host financial entity and accompanying responsibilities is ambiguous and needs to be clearly defined.

In response to questions from Chairman Keller, the auditing team again complimented Sudbury for being so proactive regarding the yearly recommendations so that improvement items do not carry over from year to year on the Management Letter. Sudbury's efficient systems are a rarity amongst the auditor's clientele within the Commonwealth.

Mr. Hunt and Mr. Rogers also commented that the financial trends for Sudbury over the past four to five years has clearly been moving in a very positive direction of financial growth and security. Sudbury should be proud of its general fund and reserve balances. The auditors and Board particularly noted that much of what has been accomplished during this timeframe in the Financial Department has been under the able leadership of Sue Petersen. Sue is retiring soon, and Ms. Valente thanked her for the great work she and her team have accomplished and for leaving behind such a competent, delightful staff and impeccable records.

Vice-Chairman Drobinski also expressed gratitude to the Town Manager and Town financial staff for working diligently to keep a great bond rating for the Town, which results in considerable savings for all residents.

Selectman O'Brien asked the auditors their opinion of how well Sudbury is run financially. The auditors reinforced that Sudbury can be very proud of its financial accomplishments and is one of their best municipal clients.

At 8:30 p.m., Chairman Keller thanked the auditors for their conscientious work and reports. Ms. Valente also requested that Sullivan Rogers and Company provide an electronic version of tonight's presentation highlights to be posted on the Town website.

Public Hearing: Sudbury Grange Site Plan - #SP06-383

Present: Fredericka Tanner, Executive Director and Rich Davison, Chair of the Trustees of The Sudbury Foundation; Mike Sullivan, Sullivan, Connors and Associates; Tim Lee, Landscape Engineer

At 8:30 p.m., Chairman Keller convened the public hearing regarding the Sudbury Grange Site Plan - #SP06-383 request dated May 10, 2006, from the Sudbury Foundation, to construct a 649 sq.ft. addition to

the existing Sudbury Grange Hall #121, 326 Concord Road, Sudbury, for the continued use as a Grange Hall, office space for the Foundation, and site of community meetings and events. Chairman Keller noted the hearing was appropriately advertised in the *Sudbury Town Crier* and as required, a hearing notice was sent to abutters by regular mail.

The review period for this site plan expires August 30, 2006.

Town Manager Valente briefly reviewed materials provided to the Board for review, which included the following:

1. Site Plan application dated May 10, 2006, received May 9, 2006, enclosing site plan entitled "Site Plan at Grange Hall #121, 326 Concord Road, Sudbury, MA" comprised of three (3) sheets: Sheet 1 of 1, Site Plan dated March 13, 2006, revised April 10, 2006; Sheet 1 of 1, Plan of Land, dated April 12, 2006; and Sheet 1 of 1, Proposed Sewage Disposal System, dated 2/16/06, drawn by Sullivan, Connors & Associates, Inc. of Sudbury, MA, and architectural plans entitled "Renovation and Addition to the Sudbury Foundation Grange Hall" comprised of five (5) sheets: Sheet A-3.1, Elevations, dated 3/20/06; Sheets A-2.1 and A-2.2, 1st Floor Plan and 2nd Floor Plan, dated 10/15/05, last revised 3/20/06; Sheet L-1, Existing Landscape Plan, dated 5/1/06; and Sheet L-2, Schematic Landscape Plan, dated 5/1/06 drawn by Latady Design Associates of Bedford, MA.
2. Included in the application are the following documents:
 - 1) Report from Woodard & Curran dated 11/29/05 regarding subsurface soil investigation.
 - 2) Report from Woodard & Curran dated 3/15/06 regarding soil management plan.
 - 3) Report from Sullivan, Connors & Associates dated 4/21/06 regarding drainage calculations, and earth removal calculations.
 - 4) Additional drainage calculations from Sullivan, Connors & Associates dated May 22, 2006
3. Memo from Town Counsel, Paul L. Kenny, dated April 25, 2006 opining that the Sudbury Foundation is an exempt organization pursuant to MGL Chapter 40A, section 3; that the proposed addition requires site plan approval under the Sudbury Zoning Bylaw; and that Selectmen should enforce reasonable requirements on the site plan, taking into consideration that the building is existing and does not meet current dimensional requirements.
4. Comments from the Sudbury Historical Commission dated May 18, 2006 requesting:
 - 1) a buffer between the building and the Town Hall driveway, recommending boxwood shrubs;
 - 2) the planting of a tall tree in the rear of the building to screen the new addition;
 - 3) Keeping the same color scheme on the addition as exists on the existing building.
5. Report from the Director of Public Works dated May 12, 2006 stating that:
 - 1) The applicant should be required to construct a walkway between Concord Road and the Town Hall parking lot, in conjunction with the Presbyterian Church.
 - 2) Building dimensions and offsets from property lines should be shown on the plan;
 - 3) Sight distance should be noted at the intersection of the access driveway and Concord Road;
 - 4) Impervious surface addition is insignificant. Roof runoff shall be recharged into the ground in accordance with DEP Stormwater Management Standards.
6. Memo from Jody Kablack, Planning Director, to Maureen Valente, Town Manager dated May 22, 2006 recusing herself from reviewing this application due to a potential conflict of interest.
7. Report dated May 25, 2005, from the Building Inspector with the following comments:

- 1) All utilities must be installed underground. A notation must be added to the plan.
 - 2) Surface material of walkways should be noted.
 - 3) Curbing materials must be noted.
 - 4) An Earth Removal permit will not be required.
 - 5) Property is on a Scenic Road; no alterations of walls or removal of trees shall take place without Planning Board Review.
 - 6) Additional handicap parking spaces should be added and located as near as practical to the new accessible entrance. The spaces must be identified with signs.
8. Reports from the Design Review Board dated May 25, 2006 and June 15, 2006 stating that, after refinements to the architectural plans, the DRB approved the plan along with signage for one freestanding sign and one wall mounted sign.
9. Report from the Planning Board dated June 15, 2006, enthusiastically supports the proposal and recommends approval of the subject Site Plan application with the following recommendations and comments:
- 1) They are pleased with the commitment of the Foundation to connect Concord Road and the Town Hall parking lot with a pedestrian walkway;
 - 2) The Planning Board will be holding a public hearing to remove 1 tree within the Concord Road right of way pursuant to the Scenic Road Bylaw;
 - 3) It is suggested that handicap parking be provided in the town parking lot in proximity to the new curb cut proposed by the Foundation.
10. Comments from the Sudbury Conservation Commission meeting on Monday, June 5, 2006 stating the Commissioners reviewed the site plan for the Sudbury Foundation's expansion of the Grange Hall. There are no conservation wetland issues; however it was suggested that the Foundation be asked to contribute to the cost of storm water improvements as part of the Sudbury Center Renovation Project.
11. Certificate of Appropriateness from the Historic Districts Commission dated June 2, 2006.
12. Report from the Sudbury Board of Health Director dated June 15, 2006 stating the proposed septic design for the Grange has been approved, and that the addition construction will be coordinated with a Licensed Site Professional from Woodard & Curran and will adequately address contamination issues.
13. Report from the Director of Public Works dated June 20, 2006 regarding the Town Hall parking and impacts from this proposal.
14. Verbal communication from the Fire Chief that sprinklers will not be required in the building.

Rich Davison addressed the Board to present the most recent version of the site plans. Mr. Davison commented that this project has developed over several years and has a long, planning history. Vice-Chairman Drobinski suggested, and the Board concurred, that since a very thorough presentation had been already provided at the Town Meeting, an update of the basic site plan could suffice for tonight's presentation.

Mr. Davison displayed exhibits of several of the architectural and engineering plans. He explained that the architect followed the design of the existing building in his plans for the addition. The front of the building will be unchanged. The addition will be visible from the road on the side of the Presbyterian Church. The entry to the addition will be set back from the driveway and will become the primary entrance to the building. The Design Review Board recommended one design change for a less formal shed roof at

the back of the building. This change has been incorporated into the plans. Plans also call for two new directory signs (one of which will be on the building).

Mr. Davison also reviewed the layouts for the floor plans. The large, meeting room space on the second floor of the Grange building will be completely renovated. The tin ceiling and windows will be preserved and restored. The meeting space will be first used for the Grange, but also will be made available for other groups in Town to use. The first floor will be allocated to office space for The Sudbury Foundation.

In the addition, the first floor will house the entry to the Foundation offices, the elevator, the restroom facilities and an electrical/mechanical room. The second floor of the addition will have a lobby, a kitchen with storage area and the entry into the large meeting room.

Mr. Davison displayed a full-size sample of the sign, which will be mounted on a wooden pole outside the building, which will be flanked by two post lanterns. The color scheme for signage will be coordinated with the present Grange building.

Mr. Davison and Mr. Lee fielded a few questions regarding the landscape plans and discussed the contour of the driveway, parking spaces and adjustments, which will need to occur to accommodate handicap accessibility. There will be a walkway, which will serve both the Grange and the Presbyterian Church. It was noted that since the Town Center Improvement project will probably also identify this similar need, construction plans should be delayed to be sure to include recommendations from that group and others.

Mr. Lee also addressed the need to put the septic system in the front of the site, which may necessitate the removal of two trees. The two trees are not historically valued, nor are they the ideal species for the area. An attempt will be made to salvage the small crabapple tree presently near the front. After the walkway is constructed, new tree plantings, which are appropriate, will be installed.

Mr. Lee also reported effort has been made to keep the existing granite posts on the property and to incorporate them along the walkway. There will be planting areas as well for low maintenance flowers, which will be coordinated with those presently at the Town Hall. Replicating landscape designs from the nearby cemetery was also taken into consideration.

Mr. Davison stated the plans have attended to all recommendations and feedback received from Town Staff and safety personnel and will continue to work with appropriate parties as needed.

Vice-Chairman Drobinski thinks the plan is very exciting and thanked the Foundation for its work to preserve such a prominent building in the Town Center.

The Grange building will need temporary quarters from approximately August 2006 through January 2007. Mr. Davison will work with the Town Manager's office to coordinate the transition details and will also contact the First Parish Church for availability of two to three nights per week.

Mr. Davison expressed his thanks to the Foundation's Executive Director, Fredericka Tanner, for providing the vision, and being the driving force, for keeping this project moving forward since 2001.

It was on motion unanimously

VOTED: To authorize the Town Manager to draft an affirmative decision of the site plan to approve the Sudbury Grange Site Plan - #SP06-383 request dated May 10, 2006, from the Sudbury Foundation, to construct a 649 sq.ft. addition to the existing Sudbury Grange Hall #121, 326 Concord Road, Sudbury, for

the continued use as a Grange Hall and site of community meetings and events to be brought back to the Board of Selectmen's July 11, 2006 meeting at 8:00 p.m. for a final vote.

The Foundation's Executive Director, Fredericka Tanner, will retire from that position on June 30, 2006 and thereby, will not attend the July 11 meeting for the continuance of this discussion. Chairman Keller took this opportunity to extend heartfelt gratitude, on behalf of the Board and the community, to Ms. Tanner for her outstanding service to the Town. Chairman Keller read a proclamation to Ms. Tanner, which highlighted her many contributions to Sudbury throughout the years as a participant in numerous Town projects, committees, and functions, all of which enhanced the community. Her ability to work collaboratively with her colleagues, her quiet wisdom, and good humor will be greatly missed. Chairman Keller also proclaimed that June 30, 2006 would be Fredericka Tanner Day in Sudbury.

Public Hearing: Foreign Motors West/BMW Dealership

At 9:10 p.m., Chairman Keller opened, and without discussion, moved to continue a public hearing for Foreign Motors West/BMW Dealership Site Plan #06-382, on property located at 130 Boston Post Road, which was continued from the Board of Selectmen June 6, 2006 meeting. Required materials from applicant were not available in time for tonight's meeting.

It was on motion unanimously

VOTED: To continue the public hearing for Foreign Motors West /BMW Dealership Site Plan #06-382, on property located at 130 Boston Post Road, to July 11, 2006 at 8:30 p.m.

Selectman O'Brien reported having attended the Zoning Board of Appeals (ZBA) meeting last week, which addressed the BMW Dealership building location issues. Public safety issues were also broached at that meeting. Mr. O'Brien recommended scheduling a joint meeting between the Board and the ZBA to discuss the safety concerns and building location issues.

Vice-Chairman Drobinski expressed his preference to keep the process moving along without delays and thinks it would be very beneficial to meet with the ZBA to show a desire to work collaboratively on these site issues.

The Board requested that the Town Manager coordinate a date for the entire Board of Selectmen to meet with the entire Zoning Board of Appeals regarding the Foreign Motors West/BMW Dealership proposal. If a joint Board meeting date cannot be determined prior to July 11, then a Town staff working group meeting should be coordinated to be attended by the Planning Director and the DPW Director.

The BMW site plan hearing was then continued until July 11, 2006, at 8:30 p.m.

Capital Group Properties - Grouse Hill Land Swap

Present: Mike Sullivan, Sullivan, Connors and Associates; Martin E. Loiselle, Jr., Permitting/Development Manager, Capital Group Properties; Bill Depietri, Capital Group Properties; and Jody Kablack, Sudbury Planning Director

At 9:35 p.m., Chairman Keller introduced the continuation of the discussion regarding a proposed Grouse Hill land swap (the former Mahoney property) whereby Capital Group Properties will give to the Town of Sudbury a 55,201 sq.ft. parcel abutting Old Framingham Road, also containing a 50' wide access corridor to

the rear of the property. The Town of Sudbury in turn will give to Capital Properties a 54,748 sq. ft. parcel in order to provide sufficient area to complete the project.

Mike Sullivan briefly updated the Board that the Conservation Commission has met since his last report and they are comfortable with the proposal. The Board had previously requested an exhibit of the entire parcel, which Mr. Sullivan presented this evening.

Jody Kablack further explained that the Town parcels are geographically and topographically separated from Old Framingham Road (as also presented by her to the Board, in a memo dated June 15, 2006). She also explained that it is the consensus of herself, the DPW Director, the Conservation Coordinator and the Recreation Director that the upper lot areas would have little use for parking since they are not within walking distance (500 feet away) of the primary parcel to be used for fields. Ms. Kablack also noted that a brook and perennial stream which are on opposite property lines of the parcel will also be researched during the feasibility study which will be performed on the Mahoney land.

Abutter, Ray Bachand, 16 Nobscot Road, commented that he supports the proposal since it will preserve the streetscape and the woods along Old Framingham Road. He enthusiastically supports the plan, which will move the units further back allowing for this nicer visual approach from Old Framingham Road.

Vice-Chairman Drobinski asked what the process going forward is if the plan is reviewed favorably.

The Board requested that the Town Manager, in consultation with Town Counsel, prepare a draft agreement, based upon the input received from various Town staff, noting that the agreement is viewed in an affirmative manner. This draft should be circulated electronically to the Board of Selectmen and to all Town staff who have provided feedback for review and comments. Any comments on the draft document should be submitted to the Town Manager or Town Counsel as soon as possible so that a final agreement can be presented for signature at the July 11 Board of Selectmen's meeting

Selectman O'Brien asked the developer whether the Mahoney Farms units will have sprinklers and wondered whether the Board should consider instituting a bylaw to require it for future developments. Mr. Depietri responded that they decided to install sprinklers in the Grouse Hill units, but that the cost of the systems prohibit its use in the Mahoney Farms development due to the already high price of those units. Initial information suggests it may increase their costs by \$8000-\$9000 per unit.

Wong Mook Run, d/b/a Siam Garden - Transfer of All Alcohol Beverages License and Common Victualer and Entertainment License Approval

Present: Rich Qing Chen, President, and Sing Lo, Treasurer of CWSL, Inc.; Attorney Peter Frasca

The Board considered a request from Rich Qing Chen, President of CWSL, Inc., dated June 2, 2006, to transfer the All Alcoholic Beverages License from Wong Mook Run, d/b/a Siam Garden, 103 Boston Post Road, to CWSL, Inc., d/b/a Nan Bei Chinese Cuisine, Rich Qing Chen, Manager, and a request for approval of Common Victualer and Entertainment licenses to CWSL, Inc.

Attorney Frasca addressed the Board on behalf of the applicant. He introduced Mr. Chen and Mr. Lo and reviewed their restaurant experience and credentials including their recent completion of the bar code course. Plans are to aesthetically renovate the present Siam Garden restaurant with a new menu, new furniture, new signage, and new landscaping but not to perform any structural changes to the building.

In response to a question from Selectman O'Brien regarding seating, Attorney Frasca responded that although the present location has been authorized for 50 seats, the setup currently only houses 36 seats. The applicant is only planning a floor layout, which will meet the present authorized number of 50 seats, and he is not requesting an increase.

Attorney Frasca understands the process of awaiting ABCC licensing and hopes that approval for the common victualer license can soon follow after clearance from the ABCC. The hours of operation will remain the same as presently authorized. In response to a question, Town Manager Valente instructed Attorney Frasca to contact Mary McCormack in her office to coordinate details regarding the Common Victualer license availability.

Attorney Frasca expressed the applicant's desire to be operational as soon as possible, and he thanked the Board for fitting this request into tonight's agenda on short notice.

It was on motion unanimously

VOTED: To approve the request from Rich Qing Chen, manager of CWSL, Inc., dated June 2, 2006, to transfer the All Alcoholic Beverages License from Wong Mook Run, d/b/a Siam Garden, 103 Boston Post Road, to CWSL, Inc., d/b/a Nan Bei Chinese Cuisine, Rich Qing Chen, Manager, and to approve the request for Common Victualer and Entertainment licenses to CWSL, Inc.

Minutes

It was on motion

VOTED: To approve the regular and executive session minutes of June 6, 2006.

Cleaning Services for Fairbank Center - Award Contract

It was on motion unanimously

VOTED: To approve the award of contract by the Town Manager for FY07 cleaning services for the Fairbank Center (Atkinson Pool area, excluding the pool; Senior Center and Park and recreation core space) to the lowest eligible and responsible bidder.

Sudbury Employees Group Insurance Advisory Committee - Appointments

In response to a question from Selectman O'Brien, Town Manager Valente clarified for the Board the purpose of the Sudbury Employees Group Insurance Advisory Committee. It is required by State law to have a joint process of employees working with the Town to review and assess health insurance issues. Every group of employees is represented including all collective bargaining units, retirees, and non-union employees. The Committee is strictly an advisory group, which provides feedback throughout the process and also helps to facilitate communications with each group represented.

It was on motion unanimously

VOTED: To appoint Janet Silva, representing retirees, and Kristin Kiesel, representing the Supervisory Association, to the Sudbury Employees Group Insurance Advisory Committee, for terms to expire on April 30, 2009.

Hawker and Peddler License Renewal - Juniper Farms Ice Cream Company, Inc.

It was on motion unanimously

VOTED: To approve the renewal of a Hawker and Peddler License for Juniper Farms Ice Cream Company, Inc., owned by John D. and Mary E. Loureiro, Juniper Road, Hudson, MA, for a 12-month period expiring June 30, 2007, subject to all requirements of the Park and Recreation Director and Police Department.

July 4th Sudbury Road Race - Signs

It was on motion unanimously

VOTED: To grant permission to Graham R. Taylor to place two signs on Concord Road, announcing the July 4th Sudbury Road Race at Featherland Park for the period of June 25 through July 4, 2006.

Trailer Permit - 25 Curtiss Circle

It was on motion unanimously

VOTED: To approve a trailer permit for John Marsoobian, Jr., owner/partner of Twin Peaks Construction, LLC to place a job-site trailer at 25 Curtiss Circle for approximately a six-nine month period while a new home is constructed at that location.

Currier & Chives - One-Day Wine and Malt Beverages License

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt Beverages License to Jody Boyajian, Currier & Chives, 24 Main St., Maynard, MA 01754, to be exercised on June 26, 2006, from 6:30 p.m. to 10:30 p.m. at Wolbach Farms, to accommodate a corporate dinner for BURST MEDIA, subject to the use of appropriately trained staff, liquor liability coverage, and conditions set by the Building, Police and Fire Departments.

AAA Limousine - Livery and Limousine License Renewal

It was on motion unanimously

VOTED: To approve the renewal of the Livery and Limousine License of AAA Limousine, Inc., 39 Union Avenue, in accordance with the application dated June 12, 2006, and to approve the rate schedule set forth therein (unchanged from the previous year), subject to approval of individual driver licenses and satisfactory inspection of nine vehicles by the Police Department.

Agricultural Preservation Restriction

It was on motion unanimously

VOTED: To approve receipt of an Agricultural Preservation Restriction granted by Laura B. Abrams, Trustee of the JRH Trust, successor in title to the CAS Trust, and Lida L. Armstrong, Trustee of the Lida L. Armstrong Revocable Trust, to the Town of Sudbury, acting through its Conservation Commission, in perpetuity, on a parcel of land shown as Parcel C and Parcel No. 2 on a plan entitled, "Definitive Plan of 'Howe Estates'" by Highland Land Surveyors, dated August 30, 1993.

MRC-Related Grant - Massachusetts Department of Public Health

It was on motion unanimously

VOTED: To accept a \$1,523.00 grant from the Massachusetts Department of Public Health to be used for MRC-related activities and authorizing expenditure under the direction of the Board of Health.

Mass. Red Ribbon Ride - Parking and Restroom Facilities

Town Manager Valente noted for the Board that the applicant requested use of the Town Common as a designated rest stop, which was denied by the Town. The Town Hall parking lot has now been identified as the location to be used. (Permission was granted for the August 13 Ride to travel through Sudbury at the May 2, 2006 Board of Selectmen's Meeting.)

Selectman O'Brien suggested signage be provided designating restroom facilities and parking locations. The recommendation was also made to request a sketch from the applicant of the proposed locations for parking, handicap parking, and port-a-potties to be reviewed and approved by the Parks and Recreation Department and appropriate Town officials.

It was on motion unanimously

VOTED: To approve, for this year only, the use of Town-owned land as a rest stop on August 13, 2006 between the hours of noon- 6:00 p.m., for the purpose of the Mass. Red Ribbon Ride; the placement of two or three port-au-potties in the parking lot behind Town Hall for the afternoon and the parking of vehicles, if needed, in the Town Hall parking lot during those hours, subject to providing signage, a sketch of the proposed port-a-potties and parking locations for approval, documentation that both churches in the vicinity have been notified of the details of the event, and that portable parking barriers are placed as a barricade surrounding the port-au-potties.

Concord Road Parcel E12-0008 and Boston Post Road Parcel B (K04-0017)

At 10:10 p.m., the Board considered the request to accept Parcel E12-0008, located on Concord Road, from Maillet and Son, Inc., as a gift for conservation purposes, and "Parcel B" (K04-0017), located on the Boston Post Road, as a gift from G.D. Realty Trust, Alderice Maillet, Trustee, for municipal purposes, in lieu of taxes and in accordance with M.G.L. c.60, s.77C, and to sign such acceptance upon presentation of the appropriate deeds therefore.

Vice-Chairman Drobinski noted that the location of the Concord Road parcel is unclear and he would require more information regarding location. He also questioned whether the Concord Road parcel is completely wetlands and if so, what process was used to determine that conclusion. Vice-Chairman Drobinski would like to be sure there are no other municipal uses for this parcel before he finalizes his opinion.

Selectman O'Brien concurred with the lack of clarity regarding the Concord Road parcel location and suggested landmarks be required to be noted on small parcel maps in the future.

It was on motion unanimously

VOTED: To express the Board's intent to accept "Parcel B" (K04-0017), located on the Boston Post Road, as a gift from G.D. Realty Trust, Alderice Maillet, Trustee, for municipal purposes, in lieu of taxes and in accordance with M.G.L. c.60, s.77C, and to sign such acceptance upon presentation of the appropriate deeds therefor; and to withhold any decision to accept Parcel E12-0008, located on Concord Road, from Maillet and Son, Inc., as a gift for conservation purposes in lieu of taxes and in accordance with M.G.L. c.60, s.77C, and to withhold signing such acceptance upon presentation of the appropriate deeds therefore, subject to being provided additional parcel location information, including the notation of landmarks, and additional information regarding the potential uses of the property.

Metal Detection Devices - Prohibition

Town Manager Valente consulted the Police Chief and Town Counsel and determined a bylaw would be required to enable Town officials to have the authority to enforce compliant behavior. Erecting a cautionary sign has been recommended as an initial step.

Vice-Chairman Drobinski noted he recalls that this issue has come before the Board in the past and that there may be a law already on the Town records which gave the Police Department the authority to enforce violations. He suggested contacting the Massachusetts Historical Society and researching State statutes, which could also be used to reinforce the Town position on this matter.

It was on motion unanimously

VOTED: To approve the request that a sign be erected at the Training Field on Old County Road which would publicize the prohibition of the use of metal detection devices on Town-owned land, using the following language provided by Town Counsel: "This is an historical site owned by the Town of Sudbury. Disturbance of this property or use of metal detecting equipment is forbidden by order of the Board of Selectmen," subject to further investigation by the Town Manager to confirm that no Town law or State regulation exists which would cover this issue.

Reports From the Board of Selectmen

Selectman O'Brien reported a missing stone grate on Route 20 heading east around Horse Pond Road. Although he recognizes this is a State road, he noted it is an immediate public safety concern. Town Manager Valente will coordinate with the DPW immediately to see what the Town can do about this hazardous situation.

Selectman O'Brien attended the Zoning Board of Appeals meeting last week, which focused on the BMW Dealership building location site issues. Public safety issues were also broached at that meeting. Mr. O'Brien felt the ZBA concerns were very similar to those of the Board, and it seems four out of five members support the site for the building. Mr. O'Brien also shared that the Planning Director and the DPW Director participated in a very productive meeting with the Mass. Highway Department. Mass Highway is willing to work with the Town to help mitigate some of the public safety expenses and implied it would have also been able to do so for previous projects such as the Bosse Sports development. Vice-Chairman Drobinski was perturbed to hear that assistance could have been available for the Bosse project and requested that the Bosse Site Plan team provide the Board with copies of their communications with the Massachusetts Highway Department. Mr. Drobinski also recommended that in the future, all communications with Mass. Highway should be coordinated and overseen by Town Engineering personnel and not by the applicant.

Selectman O'Brien also attended the RTCAC-sponsored public hearing which was attended by 70 people. He also went to the River Fest in Concord where he heard Vice-Chairman Drobinski's very nice remarks about Steve Meyer, former Conservation Commission Chair for Sudbury.

Vice-Chairman Drobinski reported he also attended the public hearing for the Rail Trail Conversion Advisory Committee, and felt it was a very good start of a long process, and cleared the air of many misconceptions. The process will allow for the collaborative input from the consultants, the Committee, abutters and residents.

Mr. Drobinski also announced his appointment as the representative from Massachusetts District 2 for the MMA, to the Local Government Advisory Committee (LGAC), and he was congratulated by his fellow Board members and Town Manager Valente who also attends the LGAC meetings.

Chairman Keller attended the successful Grand Opening for Stone Hearth Pizza this past weekend. He received gratifying feedback from the owners of Stone Hearth Pizza, who were very appreciative of the experience they had with the Town throughout the permitting process. The owners found everyone with whom they worked to be extremely professional, competent and personable.

Report from the Town Manager

Ms. Valente reported she had a fabulous vacation with her family in Cancun, following her daughter's college graduation. She also extended sincere gratitude to Assistant Town Manager, Wayne Walker, for filling in for her in her absence the past two weeks.

Solid Waste Management Options Committee (SWMOC) Mission Statement

Town Manager Valente presented to the Board a revised draft of the Solid Waste Management Options Committee (SWMOC) Mission Statement, which incorporates the revisions suggested previously by the Board.

It was on motion unanimously

VOTED: To approve the revised draft of the Solid Waste Management Options Committee (SWMOC) Mission Statement and Responsibilities and Tasks, subject to incorporating the revision under #6 of the Mission Statement category, clarifying that there will be no override, that programs must be self-sustaining and approval of an electronic version of the revised draft being sent to the Board on June 21 for review.

Upon this approval, Ms. Valente will begin the recruitment process for the Committee and post the mission statement on the Town website. At a later date, candidates will be presented to the Board.

Board of Selectmen 2007 Goals - Final Approval

Town Manager Valente distributed a draft of the Board of Selectmen FY07 Goals for review and comments. Vice-Chairman Drobinski asked if the feasibility study for the Police Station would be done in time to be available as a resource for item #6 to be ready for the 2007 Town Meeting, which Ms. Valente answered affirmatively.

It was requested that item #9 be revised to include the word "financial" before the word "impacts" and to delineate the specific zoning bylaws, which are the Senior Residential Community (SRC) and the Incentive Senior Development (ISD).

Selectman O'Brien stated he would provide Ms. Valente with a name for item #10 to be the citizen volunteer to head the Town's *No Place for Hate* effort.

Ms. Valente will revise the wording for item #13.

It was on motion unanimously

VOTED: To endorse the proposed Board of Selectmen FY07 Goals subject to the amendments recommended and distribution of a revised electronic version to the Board for final review.

NStar & Verizon Work - Union Ave./Concord Road

It was on motion unanimously

VOTED: To authorize the Town Manager to expedite any utility work needed by NStar & Verizon to be done at Union Ave./Concord Road.

Executive Session

At 10:45 p.m., Chairman Keller announced the close of the regular meeting and it was on roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing land negotiations.

Chairman Keller announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 10:45 p.m.

Attest: _____

Maureen G. Valente
Town Manager-Clerk