

**IN BOARD OF SELECTMEN
TUESDAY, MAY 2, 2006**

Present: Chairman William J. Keller, Jr., Selectman Lawrence O'Brien, Maureen Valente, Town Manager and Vice-Chairman John C. Drobinski arrived at 8:03 p.m.

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

Opening Remarks

At 7:42 p.m., Chairman Keller began the meeting with a joyous report of the Red Sox win over the Yankees on May 1.

Chairman Keller congratulated everyone who helped to make the Spring Cleanup Day on April 29th a success. Special gratitude was noted for the work done by employees of Raytheon, William Raveis Real Estate, the American Legion, the local Boy and Girl Scout groups and Dev Glaser and Mary McCormack, from the Town Manager's office, who coordinated the activities.

Chairman Keller also noted the successful tennis tournament held at Bosse Sports April 27-April 30, 2006. The event was well attended and was showcased on the New England Sports Network. There were some traffic glitches reported on Saturday, but all parties are committed to addressing traffic concerns in the future. Attendees found the exciting final on Sunday, with Todd Martin defeating John McEnroe, to be well worth the glitches they encountered.

Chairman Keller also announced Vice-Chairman John C. Drobinski would be arriving late to tonight's meeting.

State Senator Pamela Resor - Update

Present: State Senator Pamela Resor

At 7:45 p.m. Chairman Keller welcomed State Senator Resor and announced State Senator Fargo was unable to attend tonight's meeting.

State Senator Resor provided an update to the Board on the many issues and tasks facing the Legislature. Ms. Resor stated the Senate is just beginning the budget phase and that the House has finalized their budget recommendations. The House of Representatives did remove the cap on lottery funds and have planned for more Chapter 70 funding in their revised budget. Senator Resor also stated there are active discussions underway to increase funding for transportation for regional schools.

Town Manager Valente shared how disappointing it is to have a Chapter 70 amount which is less than what was received in 2004 and 2005, in spite of the enrollment growth Sudbury has experienced during that timeframe. Ms. Valente stressed that the present Chapter 70 formula works to the detriment of Sudbury's economics. Selectman O'Brien added that there are many factors, which need to be considered which are being overlooked with the present formula for funding distribution. Mr. O'Brien highlighted that Sudbury's affluence works against the Town in these matters. Mr. O'Brien remarked that it seems no matter how hard the Town works to avoid a tax override, insufficient resources from avenues such as Chapter 70 funding are adding to an already difficult local economic scenario. This causes more and more senior citizens to leave Sudbury for cities and towns with a more attractive tax rate. Ms. Valente commented that without the appropriate funding assistance from the State, local communities are becoming more and more financially segregated. Ms. Resor reiterated her commitment to working very hard to bring the message of her constituency to the State.

In response to a few questions, Senator Resor reported Representative Eldridge's bill to help reform some of these issues, which would benefit Sudbury's base-level funding, has been scheduled for a hearing. Ms. Resor will inform the Town Manager of the details and date for the hearing so that the Town may submit a proposed amendment or choose other avenues by which to offer evidences of support.

Susan Uliano, Sudbury Public School Committee Member, addressed Ms. Resor noting that transportation-funding issues need to be addressed for non-regional as well as regional schools. Ms. Resor expressed her understanding of the need to review the entire topic and added there is also an initiative to include more funding for special education student transportation costs.

Chairman Keller and Town Manager Valente also emphasized that costs for students choosing a curriculum at a distant agricultural vocational school are a tremendous burden to the local budget, since approval for transportation reimbursement funds is on a year-to-year basis. The State should provide more funding to implement its mandated policies. Ms. Valente further commented the Town has recently begun a taxi voucher system and hopes to request funding from the Suburban Mobility Program for the disabled and senior population.

Senator Resor commented that many initiatives are underway to expand programs available for Senior Tax Relief. One of these programs would provide a tax exemption for seniors equal to 10% of the average assessed Town property. Ms. Resor reviewed a few of the eligibility requirements for this program such as being the age of 70 or older, and having lived in Massachusetts 10 years or longer.

Ms. Resor also reported that Marlborough is moving ahead with its treatment facility and is hopeful the next few years should show considerable progress. Town Manager Valente expressed to Senator Resor that Sudbury would actively support these efforts.

Vice-Chairman John C. Drobinski arrived at 8:03 p.m.

Selectman O'Brien broached the topic of 40R funds unable to be credited to 40B developments, of which Sudbury presently has four proposals. A spirited development discussion ensued. Senator Resor mentioned a current House of Representatives proposal, not widely publicized, which is being promoted by real estate developers. This proposal would expedite permitting procedures for commercial development and may even override local zoning bylaws.

At 8:15 p.m. Senator Resor concluded her update. Chairman Keller thanked Ms. Resor for her useful information and ongoing attentiveness to Sudbury's issues and concerns.

T-Mobile Request for Wireless Towers RFP and Cell Tower Locations

Present: Adam Braillard, Attorney for T-Mobile; Gary Bostwick, T-Mobile; Rajeesh Gobel, RF Engineer, T-Mobile; Jody Kablack, Town Planner

At 8:15 p.m., Chairman Keller welcomed representatives from T-Mobile for a discussion regarding T-Mobile's proposal to install and operate wireless communications facilities on three Town-owned properties (268 North Road, Map C10, Lot 022 Sudbury Fire Station #3; 631 Boston Post Road, Map L106, Lot 0001, the Bushey Property; 40 Fairbank Road, Map F06, Lot 0001, Fairbank Community Center). The Board reviewed site and tower specifications, coverage maps and photo simulations for all three proposed sites.

Attorney Braillard briefly summarized the process T-Mobile has conducted in preparation of its request. Mr. Braillard stated T-Mobile had performed a Town-wide radio frequency study, which identified significant gaps in coverage. The four criteria used in identifying potential sites were whether the site was leasable, zonable, constructible and fulfilled coverage gaps. T-Mobile currently has two on-air sites and two additional sites in Sudbury, which have been approved, but not yet constructed.

Chairman Keller questioned whether the Board has the authority to approve T-Mobile's request to issue an RFP. Selectman O'Brien agreed and asked whether it would be more efficient to first go to the Zoning Board of Appeals.

Selectman O'Brien expressed concern that the Town not become overpopulated with cell towers to accommodate T-Mobile's future products and services. Chairman Keller echoed these sentiments, stating he would like to see data addressing an actual need in Sudbury.

Town Planner Kablack suggested T-Mobile provide an analysis of the existing overlay district and perhaps include other alternative technologies which might require a smaller site, or consider sites which may not be as obtrusive. In response, Mr. Braillard said many sites had been considered as part of the review process. Selectman O'Brien requested the Board be provided a copy of all the reviewed sites.

Vice-Chairman Drobinski agreed that further west on Route 20 may have coverage gaps. However, he would need to see far more convincing evidence of need in the proposed areas. It was suggested that a tower recently approved near the Marlborough Wastewater Treatment Plant might help cover the western side of Route 20.

Selectman O'Brien further reminded the T-Mobile representatives that approximately 7-10 square miles of Sudbury are wetlands and conservation area with virtually limited need in those areas.

Ms. Kablack asked whether T-Mobile had also submitted requests to Lincoln-Sudbury Regional School District. T-Mobile confirmed they had asked for three additional sites from the Water District and also from Lincoln-Sudbury. It was strongly recommended that T-Mobile apprise the Board of all requests they are making to the Town, or other institutions or private citizens.

The Board also reviewed comments, recommendations and requests for additional information provided from various Town Departments. Michael C. Fee, on behalf of the Planning Board, in a letter dated April 27, 2006, and Building Inspector James Kelly, in a memo dated April 26, 2006, stated that none of the proposed sites are deemed suitable. A report dated April 18, 2006, from the Director of Public Works/Town Engineer and a report from the Park and Recreation Director dated April 24, 2006, highlighted areas of concern such as:

1. The sites proposed are outside the Wireless Service Overlay District as outlined.
2. A variance will be required from the Board of Appeals from Section 4330, the Wireless Service Overlay district.
3. Sections 4353. The setback for a freestanding monopole shall be at least 125 feet from the property line.
4. Sections 4363. No radiating component of a wireless service facility shall be located within 500 feet of a residential lot line. No component of a wireless service facility shall be located within 1000 feet of any school building.

5. The site plans have not been prepared in accordance with Section 6352 of the Zoning Bylaws.
6. The elevation plan for the Bushey site and Fairbank Center site should be changed to read 100 feet maximum.
7. Concerns were also noted related to aesthetics, safety and future expansion issues.

Selectman O'Brien requested, when next meeting with this Board, that the applicant prepares a larger map depicting the surrounding towns and all possible sites. Town Manager Valente requested the T-Mobile team keep the Town Planner's Office abreast of its actions.

Public Hearing - T-Mobile (16 North Rd.) Site Plan Modification SP#05-379

Present: Adam Braillard, Attorney for T-Mobile; Karmen Rajamani, Project Manager, American Tower; Kristian Zoller, Site Supervisor, American Tower; Jody Kablack, Town Planner

At 9:00 p.m., Chairman Keller convened the public hearing regarding the T-Mobile Site Plan Modification SP#05-379 (16 North Rd.).

Town Planner Kablack noted the hearing was appropriately advertised in the *Sudbury Town Crier* and reviewed the reasons for the proposed modification by T-Mobile to eliminate the requirement to sheath the flush-mounted antennas proposed on the 16 North Road tower.

Adam Braillard, Attorney for T-Mobile, presented additional safety and aesthetic benefits which will be derived by eliminating the sheath requirement. Sprint will be located below T-Mobile and is not required to sheath its antennae. The sheath makes it difficult and dangerous to access the two antenna arrays above T-Mobile, as the tower ladder will be blocked by the sheath. Although Vice-Chairman Drobinski could not see a substantial aesthetic difference between the two choices, he did strongly agree with the stated safety preferences for the flush-mounted poles.

It was on motion unanimously

VOTED: To approve the request by T-Mobile for a Site Plan Modification SP#05-379 (16 North Road) based upon the safety-related issues presented.

Public Hearing Continuation - Foreign Motors West/BMW Dealership

Present: Jody Kablack, Town Planner; Joshua Fox, Attorney, Foreign Motors West; Bruce Ey, Schofield Brothers of New England; Arthur Metroni and Fred Tierney, Foreign Motors West; Brian Beisel, Conley Associates

At 9:15 p.m., Chairman Keller convened the public hearing which was continued from March 28, 2006, for Foreign Motors West/BMW Dealership Site Plan #06-382 regarding development of a BMW dealership at property located at 130 Boston Post Road, and a request for an extension.

Town Planner Kablack briefly summarized materials provided to the Board for review, including a status update memo from the Conservation Coordinator, dated March 28, 2006, a letter of support from abutters Martin and Diane MacArthur, and a report memo from Conley Associates, dated May 1, 2006, sent to Attorney Fox addressing traffic concerns.

Attorney Joshua Fox presented to the Board a general status update of the proposed development.

Mr. Fox noted the Project Engineer from Schofield Brothers of New England, Inc., Bruce Ey, has worked on a revised site plan and sketches were provided tonight. Conley Associates has also continued its research regarding a signal light at the Landham Road intersection and the option of a left turn lane at the intersection of Route 20 and Old County Road. Mr. Fox and Mr. Ey met with the regional BMW representatives on April 29, 2006, and BMW is amenable to reducing the footprint of the proposed structure. Plans are evolving to reduce the building footprint by 10% by removing square footage on the first floor and adding it to the second floor.

Bruce Ey next reviewed the revised plan, which will eliminate all of the front parking and move the building forward. The building will now be setback 39.5 feet from the lot line. The roadway in front of the building has also been eliminated. Moving the structure forward on the site will make possible saving all the large pine trees in the back to provide screening and has provided an additional row of parking in the rear. A narrow landscape island on the west side of the building has also been eliminated which will protect the large pine trees for screening on the Wingate Nursing Home side.

Bruce Ey reported an update regarding the northeast corner of the site, which was suspected to house a vernal pool and a blue-spotted salamander habitat. Studies have shown there is no vernal pool and the formal report will be received in two weeks. Given the study results, Massachusetts Natural Heritage will no longer need to be consulted.

Mr. Ey answered questions from the Board and briefly reviewed a second drawing, which superimposed the Wingate Nursing Home as-built survey on the BMW proposed plan. Mr. Ey stated a survey had been done of the Old County Road intersection, and it is possible to move it 20 feet in an easterly direction. This will also entail moving one utility pole at an approximate cost of \$20,000. The traffic studies performed by Conley Associates propose a low island, which will force a 90-degree left turn, which should help to control safety issues.

Selectman O'Brien attended the site walk (conducted by the applicant) and the Zoning Board of Appeals whose Chairman has expressed the desire to work closely with the Board of Selectmen.

Brian Beisel, Conley Associates, quickly reviewed the traffic study, which evaluated the Landham Road intersection and left turn options. Research results indicate a lone, signalized light at the intersection of Landham Road will not improve traffic conditions, and may in fact, worsen the situation. Conley Associates recommends redesigning the entire intersection with a traffic light and a left-turn lane, as well as an eastbound, right-turn lane for an approximate cost of \$200,000.

Selectman O'Brien suggested the need to expand the loading area for Sky Restaurant so that large delivery trucks can pull in closer to the building in a perpendicular manner. Attorney Fox noted there has already been a conversation with representatives from Sky Restaurant regarding excavating the soil and building a retaining wall. Steve Corcoran, owner of Sky Restaurant, was in attendance. He confirmed this issue would be discussed with the landlord, William Roberts.

Selectman O'Brien also strongly recommended the Department of Public Works (DPW) Director initiate contact with the Massachusetts Highway Department to work through the many traffic flow and safety issues. Town Planner Kablack also suggested the Town might want to consider hiring a consultant to do a highway corridor analysis of Route 20 from King Philip Road to Old County Road.

Chairman Keller clarified that many of these traffic issues are problems which have grown incrementally due to many commercial developments and are all not the burden of this proposal to solve. The Chairman

shared his enthusiasm for the progress which has been made in moving this process forward since the last discussion.

Town Planner Kablack asked for the opportunity to remind everyone that all revisions and updates need to flow through the proper Town channels and should be submitted to the Town Planner and Town Engineer before a Selectmen's meeting. Ms. Kablack suggested a submission deadline for material to be discussed, of ten days in advance of meetings so as to provide enough time for meaningful review and feedback. Chairman Keller reinforced this request to the BMW team. Ms. Kablack also encouraged the Town to consider hiring its own traffic consultant to get a second opinion on whether redesigning intersections, and the like, are a good use of money. Chairman Keller asked the Town Manager to request from the Town Engineer/DPW Director his recommendations for independent traffic consultants.

Vice-Chairman Drobinski requested motor vehicle accident reports also be provided by the Police Department related to the surrounding site intersections and roadways.

Selectman O'Brien reminded the Town Manager that the Board is still awaiting the requested tax history for the past ten years from the site and a projection as to what could be expected for future tax revenue from the Assessor's Office. Ms. Valente stated the information has been collected and will be distributed to the Board.

Attorney Fox reported there will next be a follow-up meeting with the Zoning Board of Appeals on May 15 and a wetlands hearing on June 5, 2006. An extension for the site plan will be required until June 30, 2006.

Chairman Keller asked the Town Manager to request Paul Kenny, Town Counsel, to write an opinion clarifying the roles of the Board of Selectmen and the Zoning Board of Appeals (ZBA) on the matter of who approves the change in location of the building on the site. This memo should be sent to the Selectmen prior to the May 15th meeting.

It was on motion unanimously

VOTED: To approve the request for extension for the application of Foreign Motors West (SP#06-382) for development of a BMW property located at 130 Boston Post Road until June 30, 2006.

It was also on motion unanimously

VOTED: To continue the public hearing, for significant and substantive material only, to May 16, 2006 at 10:00 p.m. and to continue the public hearing, in depth, on June 6, 2006 at 8:00 p.m. These dates will be further advertised on the Town website.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of April 11, 2006 with a revision requested by Selectman Drobinski to correct the name to read Sudbury Valley Trustees instead of Trust where mentioned three times on Page 2.

Bruce Freeman Rail Trail Feasibility Study Contract to Fay, Spofford & Thorndike, LLC

It was on motion unanimously

VOTED: To approve the designation of Fay, Spofford & Thorndike, LLC, and to authorize the Town Manager to develop a contract for the Bruce Freeman Rail Trail Feasibility Study.

Currier & Chives - One-Day Wine and Malt License

The Board considered a request from Jody Boyajian, Currier & Chives, 24 Main St., Maynard, MA 01754, for a one-day Wine and Malt Beverages License to be exercised on May 20, 2006, from 7:00 p.m. to midnight at Wolbach Farms, to accommodate a fundraiser for the Wayland Public Schools Foundation.

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 May 20, 2006, from 7:00 p.m. to midnight at Wolbach Farms, to accommodate a fundraiser for the Wayland Public Schools Foundation, subject to the use of appropriately trained staff, liquor liability coverage, and conditions set by the Building, Police and Fire Departments.

Buffet Way Catering - One-Day Wine and Malt License

The Board considered a request from Daniel P. Mauro, President, Buffet Way Catering, 31 Curtis Avenue, Marlboro, MA 01752, for a one-day All Alcoholic Beverages License to be exercised on May 13, 2006, from 5:00 p.m. to 11:00 p.m. at the Clarion Coach House Inn, to accommodate a wedding party.

It was on motion unanimously

VOTED: To grant a one-day All Alcoholic Beverages License to Daniel P. Mauro, President, Buffet Way Catering, 31 Curtis Avenue, Marlboro, MA 01752, to be exercised on May 13, 2006, from 5:00 p.m. to 11:00 p.m. at the Clarion Coach House Inn, to accommodate a wedding party, subject to the use of appropriately trained staff, liquor liability coverage, and conditions set by the Building, Police and Fire Departments.

MetroWest Catering - One-Day Wine and Malt License

The Board considered a request from MetroWest Catering, 17 North Main Street, Natick, MA 01760, for a one-day Wine and Malt Beverages License to be exercised on May 13, 2006, from 6:00 p.m. to 9:00 p.m. at the Willow Hill School, 98 Hayes Road, to accommodate a fundraiser for Willow Hill School.

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt Beverages License to MetroWest Catering, 17 North Main Street, Natick, MA 01760, for a one-day Wine and Malt Beverages License to be exercised on May 13, 2006, from 6:00 p.m. to 9:00 p.m. at the Willow Hill School, 98 Hayes Road, to accommodate a fundraiser for Willow Hill School, subject to the use of appropriately trained staff, liquor liability coverage, and conditions set by the Building, Police and Fire Departments.

Board Of Selectman 2006-2007 Liaison Assignments

Chairman Keller requested a brief review and discussion of the proposed Liaison Assignments.

It was on motion unanimously

VOTED: To dissolve the Pay-Per-Throw Advisory Committee.

It was also on motion unanimously

VOTED: To approve the draft version of the Board Of Selectman 2006-2007 Liaison Assignments with the following revisions: Selectman O'Brien will be the representative for the Finance Committee versus Chairman Keller; Chairman Keller will be the representative to the Parks & Recreation Commission versus Vice-Chairman Drobinski; and the Local Emergency Planning Committee will be added to Selectman O'Brien's representative list.

Vice-Chairman Drobinski commented that although he understands the intention to maintain a sense of continuity in the representation regarding financial Town matters, he encouraged Chairman Keller to consider being actively involved with the Finance Committee as well, to gain first-hand insight and experience.

Board Annual Appointments and Accepting Resignations

It was on motion unanimously

VOTED: To make the following annual appointments (all appointments are subject to acceptance):

Agricultural Commission: To appoint Meghan Taylor for a term of three years to end on April 30, 2009.

Board of Appeals (Associate): To reappoint Stephen A. Garanin for a term of one year to end on April 30, 2007.

Board of Appeals: To appoint Constantine Athanas for a term of five years ending on April 30, 2011.

Board of Selectmen - Incumbent: To reappoint Lawrence W. O'Brien for a term of three years ending on April 30, 2009.

Cable Television Committee: To appoint Mark W. Thompson, and reappoint Frederick G. Walker (ex-officio), Robert Kavanagh (ex-officio), Margaret R. Fredrickson, Martin Greenstein, Peter Boers, Jeff Winston, and Linda M. Wade, each for a term of one year ending on April 30, 2007.

Capital Improvement Planning: To appoint Jose A. Garcia-Meitin for a term of three years ending on April 30, 2009.

Civil Defense, Assistant Director of: To reappoint I. William Place for a term of one year to end on April 30, 2007.

Civil Defense, Director of: To reappoint Kenneth J. MacLean for a term of one year to end on April 30, 2007.

Civil Defense, Radio Operator: To reappoint James S. Idelson for a term of one year to end on April 30, 2007.

Community Housing Committee: To appoint Sheila M. Cusolito and Amy E. Lepak each for a term of three years to end on April 30, 2009.

Community Preservation Committee: To appoint Tara L. Reed for a term of three years to end on April 30, 2009.

Disability, Commission on: To appoint Oscar W. Harrell, II for a term of three years to end on April 30, 2009.

Earth Removal Board -- Bd. of: To appoint Nancy G. Rubenstein for a term of one year to end on April 30, 2007.

Fence Viewers: To reappoint John C. Drobinski, William J. Keller, Jr., and Lawrence W. O'Brien, each for a term of one year to end on April 30, 2007.

Mass. Bay Transportation Authority: To reappoint Maureen G. Valente for a term of one year ending on April 30, 2007.

Memorial Day Committee: To appoint Beverly D. Bentley for a term of three years ending on April 30, 2009.

MetroWest Growth Management: To reappoint William J. Keller, Jr. for a term of one year to end on April 30, 2007.

Permanent Building Committee: To appoint Frank D. Schimmoller for a term of three years ending on April 30, 2009.

Ponds and Waterways Committee: To appoint Theodore P. Klein for a term of three years ending on April 30, 2009.

Preservation and Management of Town Documents: To appoint Lee Swanson and Sally B. Wadman each for a term of three years ending on April 30, 2009.

Registrars, Board of: To appoint Jeanne M. Maloney for a term of three years ending on April 30, 2009.

Sealer of Weights and Measures: To reappoint Courtney W. Atkinson for a term of one year ending on April 30, 2007.

Septage Committee: To reappoint Robert A. Gottberg for a term of one year ending on April 30, 2007.

Sudbury Employees Group Insurance Advisory Committee: To appoint Christopher Felt, Dennis J. Bourque, Michael Murphy, Richard MacLean, Betsy Usherwood and Martha E. Lynn, each for a term of three years ending on April 30, 2009.

Sudbury Water District Water Resource: To reappoint James F. Occhialini for a term of one year ending on April 30, 2007.

Surveyor of Lumber & Measurer of Wood: To reappoint Russell DiMauro for a term of one year ending on April 30, 2007.

Town Historian: To reappoint Curtis F. Garfield for a term of one year ending on April 30, 2007.

Town Report Committee: To reappoint Beth Farrell, Margaret M. Castoldi and Mary-Ann Gavin, each for a term of one year to end on April 30, 2007.

U.N. Day Chairman: To reappoint Elaine K. McGrath for a term of one year ending on April 30, 2007.

Veterans' Advisory Committee: To reappoint Winifred C. Grinnell, William R. Duckett and Spencer R. Goldstein, each for a term of one year ending on April 30, 2007.

Youth Commission: To appoint Emily F. Hayes, Susan C. Asbedian-Ciaffi, Greg Bochicchio and Elizabeth R. Hampton, and reappoint Michael W. Precourt, each for a term of one year ending on April 30, 2007.

It was on motion unanimously

VOTED: To accept the resignations of the following individuals at the close of term: Theodore Pasquarello (Capital Improvement Committee); Paul Griffin (Ponds and Waterways Committee); Anna Pundit (Sudbury Cultural Council); Lorraine Knapp and John DeRusha (Sudbury Employees Group Insurance Advisory Committee); and Anne Hollows (Town Report Committee).

It was also on motion unanimously

VOTED: To appoint Ellen Hoffman, 21 Dawes Road, to the Sudbury Cultural Council, at the request of Chairman William Nicholson, for a term to expire April 30, 2009.

Cheri-Anne Cavanaugh Fund - Donation

It was on motion unanimously

VOTED: To accept a donation in the amount of \$375.00 from the Rebecca Circle of the Sudbury United Methodist Church to be deposited into the Cheri-Anne Cavanaugh Fund and to be expended under the direction of the Town Social Worker to help those who need counseling at the Lincoln-Sudbury Regional High School.

Laura B. Abrams - Special Municipal Employee Exemption

It was on motion unanimously

VOTED: To approve an exemption pursuant to M.G.L. c.268A, sections 19 and 20, of the financial interest of Laura B. Abrams, a member of the Memorial Day Committee and a Special Municipal Employee, arising out of a business contract with the Town by her company, J. P. Bartlett Co., Inc., to provide geraniums for planting on veterans' graves, and finding it not so substantial as to be deemed likely to affect the integrity of her services, subject to the filing of a Disclosure Statement with the Town Clerk.

**Lincoln-Sudbury Regional School District and School Building Committee –
Special Municipal Employees**

It was on motion unanimously

VOTED: To approve the designations of the Lincoln-Sudbury Regional School District and the Lincoln-Sudbury Regional School Building Committee as Special Municipal Employees, in accordance with the State's conflict of interest law, M.G.L. c.268A, as requested by the Lincoln-Sudbury Regional High School Director of Finance/Treasurer, Pauline M. Paste.

Technical Advisory Committee (TAC) Project Evaluation Report - Weston & Sampson Engineers, Inc.

It was on motion unanimously

VOTED: To endorse Weston & Sampson to complete service regarding negotiating a scope of services for a Project Evaluation Report with the DEP as detailed in the Sewer Technical Advisory Committee (TAC) RFP dated April 12, 2006, and to authorize the Town Manager to sign a contract with Weston & Sampson.

Early Childhood Revolving Fund Increase

Town Manager Valente explained that all revolving funds have limits set at the Town Meeting. However, if a need arises for any alterations to those limits, the Board of Selectman can act as needed.

It was on motion unanimously

VOTED: To increase the FY2006 limit of the Early Childhood Revolving Fund from \$125,000 to \$204,000 to offset the cost of the Pre-Kindergarten Program, at the request of the Sudbury Public Schools and in conjunction with the Finance Committee, pursuant to the provisions of M.G.L. c44, s.53E 1/2.

Mass. Red Ribbon Ride - Special Permit

It was on motion unanimously

VOTED: To grant permission for the Mass. Red Ribbon Ride to be conducted through Sudbury on Sunday, August 13, 2006, during the approximate hours of 12 noon to 6:00 p.m., traveling east on Hudson Road from Stow, north on Concord Road and east on Lincoln Road into Wayland, in support of eight HIV/AIDS organizations throughout Massachusetts; subject to meeting all requirements of the Park and Recreation Director, the Sudbury Police Department, and the clean up of any litter resulting from the event.

Reports from The Board of Selectmen

Eagle Scout Awards

On April 24, 2006, Chairman Keller attended the Eagle Court of Honor to help bestow commendations upon Andrew Gentile, 33 Surrey Lane; Patrick DeMarle, 40 Briant Drive; and Justin Brodie-Kommit, 45 Whispering Pine, Sudbury for achieving the rank of Eagle Scout. Chairman Keller said it was a pleasure to attend and learn of the Scout projects, which were completed.

Meeting Updates

Selectman O'Brien reported he attended the Rail Trail Advisory Committee meeting where three engineering firms, who responded to the RFP, were interviewed. All three presentations were of a high quality. He also attended the second meeting of the Local Emergency Planning Committee where preparation requirements for the Avian Bird Flu epidemic was discussed. Selectman O'Brien also attended a Community Housing Committee meeting where work was completed on a letter to be sent to Town small-parcel landowners. He also reported the Sudbury Center Improvement Advisory Committee held its first meeting with its consultant.

Selectman O'Brien also reminded the community to drive safely, especially on May 12, 2006, when the Junior Prom will bring more traffic to Town. Further, he encouraged everyone to attend the play, "House of Desire," to be held presented by the Lincoln-Sudbury Regional High School Drama Department, Wednesday - Saturday, May 3-7, 2006.

National Incident Management System (NIMS) Designation

Town Manager Valente distributed to the Board for signatures the "Designation of the National Incident Management System (NIMS) as the Basis for all Incident Management in the Town of Sudbury Massachusetts." The Board had previously voted this designation.

Storm Water Permit Compliance

Town Manager Valente distributed to the Board copies of the Town's third annual report to the EPA and the State Bureau of Resource Protection, which is required under the MS4 Phase II Storm Water Permit.

Idling Vehicle New Language

It was on motion unanimously

VOTED: To approve the following: "By the order of the Board of Selectmen, there shall be no idling of any vehicles in the immediate vicinity of the DPW office building or DPW garage."

Green Landscaping at the Dump (GLAD) Committee Mission Statement

Town Manager Valente distributed to the Board copies of the Green Landscaping at the Dump (GLAD) Committee Mission Statement.

It was on motion unanimously

VOTED: To approve the Green Landscaping at the Dump (GLAD) Committee Mission Statement, as presented, so that recruitment of Committee members may commence.

NStar Response regarding Vegetative Maintenance

Town Manager Valente distributed copies of the NStar response dated May 1, 2006, regarding vegetative maintenance NStar will perform on its transmission Right-of-Way located in Sudbury.

MAGIC Mixed Use Zoning Meeting

Town Manager Valente distributed copies of a memo dated May 1, 2006, announcing a MAGIC Mixed Use Zoning Meeting focusing on Techniques and Transportation Priorities to be held May 11 at the Stow Town Building at 7:00 p.m.

Two Town Applications

Town Manager Valente reported the Town has submitted two grant applications to the SUASCO Wild Scenic River Stewardship Council. One request was submitted on behalf of the Ponds and Waterways Committee, the other on behalf of the Green Landscaping at the Dump (GLAD) Committee.

Middlesex Retirement System Hearing

It was on motion unanimously

VOTED: To authorize the Town Manager to represent Sudbury at the Middlesex Retirement System Hearing to be held on May 16, 2006.

Town's Trust Funds

Town Manager Valente extended sincere gratitude to Andrea Terkelsen and Peter Anderson for the tremendous work both did to put together the recent presentation on the Town's Trust Funds. Vice-Chairman Drobinski added he also thought it was a great presentation.

Septage Facility

Town Manager Valente announced two Septage Facility employees will be retiring soon. Meetings will be held to determine the operational future for the facility. Ms. Valente will welcome input from the Board.

Solid Waste Feedback

Town Manager Valente requested a future meeting to discuss formation of the Solid Waste Options Committee. To accommodate such, Selectman O'Brien recommended postponing three of the planned Town Forum presentations set for May 16 until the June 6 meeting. Ms. Valente will contact the Design Review Board, the Library Trustees and the Sudbury Cultural Council to ascertain if the groups can be rescheduled.

Executive Session

At 11:35 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 litigation and discretionary funds. Chairman Keller announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 11:35 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk