

SUDBURY BOARD OF SELECTMEN TUESDAY FEBRUARY 7, 2017 7:30 PM, TOWN HALL - LOWER LEVEL

Item #	Time	Action	Item
	7:30 PM		CALL TO ORDER
			Opening remarks by Chairman
			Reports from Town Manager
			Selectmen Announcements
			Citizen's comments on items not on agenda
			TIMED ITEMS
1.	7:35 PM	VOTE	Discussion and potential vote concerning next steps following Melone property engineering report. Bill Murphy, Board of Health Director, to attend.
2.	8:00 PM	VOTE / SIGN	PUBLIC HEARING: Vote to approve a Transfer of Stock of 25% of shares in the corporation from Christopher Segur to Tharanee Rojthanasirivanich for PTT Restaurant, Inc. d/b/a Chili Basil Restaurant at 385 Boston Post Road. Also, vote to approve a change of manager for Chili Basil from Christopher Segur to Pavarisa Doucette, as requested in an application dated January 11, 2017. No alterations to the premises are planned. The premises (i.e, 385 Boston Post Road) are described as follows: one floor with kitchen, dining area, office, sidewalk dining area; one entrance on south side and one entrance on north side.
3.	8:15 PM		Presentation/discussion on CSX Sudbury-Framingham rail trail corridor. Kelly Boling, Project Manager, The Trust for Public Land, to attend.
			MISCELLANEOUS
4.		VOTE	Vote to accept Annual Town Meeting articles submitted by January 31, 2017, and refer any Zoning Bylaw amendments to the Planning Board.
5.			Update and discussion concerning FY18 operating budget, including potential override budget
6.			Update and discussion concerning FY18 capital budget, including FY18 recommendations from the Strategic Financial Planning Committee for Capital Funding.
7.			Update and discussion concerning plans for SPS Administration Space

Item #	Time	Action	Item
8.		VOTE	Discussion and possible vote concerning Ballot Question policy, including vote on whether to release any related legal opinions
9.			Review of Town Manager evaluation process and schedule
10.			Discussion of Board of Selectmen Quarterly Newsletter
11.			Citizen's Comments (Cont)
12.			Future agenda items
			CONSENT CALENDAR
13.		VOTE	Vote to approve to continue the Opt-Out Incentive Program through 6/30/19 for those Active Employees who currently participate in the program and for those Active Employees enrolled in our health plans and who Opt Out of being covered by the Town of Sudbury health plans, as described in the attached document "Opt-Out Incentive Program, w/updates for 7/1/17", as recommended by Maryanne Bilodeau, Asst. Town Manager/HR Director.
14.		VOTE	Vote to approve the regular session minutes of 1/24/17.
15.		VOTE	Vote to grant a Special Permit to the National Multiple Sclerosis Society, to Hold the "Bike MS Minuteman Ride" on Saturday, July 15, 2017, from 9:00 A.M. through approximately 3:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race's conclusion.
16.		VOTE	Vote to Grant a Special Permit to the National Brain Tumor Society, to hold the "Boston Brain Tumor Ride" on Sunday, May 21, 2017, from 7:30 A.M. through approximately 2:45 P.M., subject to compliance with conditions outlined by the Police and Fire Departments, DPW and Park and Recreation, subject to receipt of a certificate of liability.
17.		VOTE / SIGN	Pursuant to the provisions of G.L. c. 83, §4, Article XII s. 3 of the Sudbury General Bylaws, and any other enabling authority, vote to accept the Grant of Easement set forth in the document entitled "DECLARATION OF RESTRICTIVE COVENANTS AND GRANT OF EASEMENT REGARDING STORM WATER MANAGEMENT SYSTEM" granted by Chabad Center of Sudbury, for stormwater system maintenance purposes upon the property shown as 100 Horse Pond Road as "Plan of Land in Sudbury, Mass.," prepared for Olive T. Stone by Schofield Brothers, Inc., dated April 24, 1986 recorded with the Middlesex South Registry of Deeds as Plan No. 1176 of 1986.
18.		VOTE	Vote to accept, on behalf of the Town, a \$200 donation from the Jeffrey and Polly Heier Family fund, Fidelity Charitable, to the Program Contributions and Donations account, 191448/483100, as requested by Kayla McNamara, Director of Parks, Recreation & Aquatics.

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Item #	Time	Action	Item
19.		VOTE	Vote to accept, on behalf of the Town, a donation from the Teen
			Center Parent Board of the following items: two 39" Insignia TV's, two Packatesh TV wall mounts a new Playatesian 4 system and
			two Rocketfish TV wall mounts, a new Playstation 4 system, one Sony controller (PS4), PS4 Minecraft Game, PS4 FIFA 17 Game,
			PS4 NBA 2K17 Game, and PS4 Madden NFL 17 Game, for a total
			value of \$1,013.80. These items are for use at the Teen Center,
			and/or programs under the direction of the Youth Coordinator/Teen
			Center Director and the Park and Recreation Director. Also, to send
			a thank-you letter to the Teen Center Parent Board for their
			generous donation to the Park and Recreation Department.
20.		VOTE	Vote to appoint Sudbury registered voters, Karen S. Regan,
			Unenrolled, of 32 Singletary Lane, Judy A. Reed, Unenrolled of
			207 Pratt's Mill Road, Walter A. Reed, Republican, of 207 Pratt's
			Mill Road and Michael Dziekan, Democrat, of 48 Raynor Road as
			Election Officers for terms to expire on August 14, 2017, as
			recommended by the Town Clerk.
21.		VOTE /	Vote to grant a 1-day All Alcohol license to Goodnow Library
		SIGN	Foundation, Inc, to accommodate an Annual Fundraiser on
			Saturday, March 4, 2017 from 7:00 PM to 10:00 PM at Goodnow
			Library, 21 Concord Rd, subject to the use of a TIPS-trained
			bartender and a receipt of a Certificate of Liability.



TIMED ITEM

1: Melone property engineering report

REQUESTOR SECTION

Date of request:

Requestor: Susan Iuliano

Formal Title: Discussion and potential vote concerning next steps following Melone property engineering report. Bill Murphy, Board of Health Director, to attend.

Recommendations/Suggested Motion/Vote: Discussion and potential vote concerning next steps following Melone property engineering report. Bill Murphy, Board of Health Director, to attend.

Background Information:

See presentation at <<u>https://sudbury.ma.us/boardofselectmen/2016/11/17/melone-property-meeting-</u>scheduled-for-november-17-2016/geoinsight-melone-presentation-004/>

Report not available at time of packet preparation on 2/3/17. Will be sent separately.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting: Bill Murphy, Board of Health Director

Review:PendingPatty GoldenPendingMelissa Murphy-RodriguesPendingBarbara Saint AndrePendingSusan N. IulianoPendingBoard of SelectmenPending

02/07/2017 7:30 PM



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TECHNICAL MEMORANDUM MELONE PROPERTY NORTH ROAD SUDBURY, MASSACHUSETTS

INTRODUCTION

GeoInsight, Inc. (GeoInsight) was retained by the Town of Sudbury (Town) to conduct an environmental data review associated with the Melone Property (Property) located on North Road in Sudbury, Massachusetts. It is our understanding that the Town acquired the approximately 46.6-acre Property in 1990. The properties to the west and northwest are the location of the former Sperry Rand/Unisys facility which is a documented Commonwealth of Massachusetts hazardous materials release site (the disposal site has historically been identified as the Former Sperry Research Center. For ease of reference, and to use nomenclature that is most familiar to the local community, we will refer to the Former Sperry Research Center site as the Sperry/Unisys Site in this memorandum.

Historical releases of the chlorinated degreasing solvents trichloroethene (TCE) and tetrachlorethene (PCE) at the Sperry/Unisys Site resulted in the formation of two plumes of chlorinated volatile organic compounds (CVOCs) in groundwater that have migrated onto and beneath adjacent properties to the south and east. Sperry Corporation was identified by the Massachusetts Department of Environmental Protection (MADEP) as the responsible party for these conditions. MADEP assigned Release Tracking Number (RTN) 3-0435 to the release condition. Since 1984 Sperry Corporation, and then subsequently Unisys Corporation (created when Sperry Corporation was sold in 1986), have been responsible for performing environmental characterization and remedial activities under the Massachusetts Contingency Plan (MCP).

The Melone Property is located directly adjacent to the original Sperry/Unisys Site holdings, which were subsequently subdivided and developed. GeoInsight understands that the Town is considering reuse options for the Property.

GeoInsight prepared this Technical Memorandum to provide the Town with a general summary of the Sperry/Unisys Site, including a summary of constituents of concern (COCs) released, environmental media and areas impacted, and remedial activities (former, current, and future).

Historical information presented in this Technical Memorandum was obtained from a review of historical and recent environmental reports prepared by others and previously submitted to the MADEP, and certain documents obtained from the Sudbury Water District and the Town of Concord.

GENERAL SUMMARY OF THE SPERRY RAND/UNISYS SITE

The former Sperry Research Center was located on an approximately 140-acre property located at 100 North Road in Sudbury, Massachusetts. The Sperry Research Center utilized the property for research and development of electronic systems and subassemblies from the early 1960s until December 1983. Prior to development in 1959, the property was occupied by a horse farm.

In 1984, environmental investigations conducted to support a potential sale of the property resulted in the discovery of releases of TCE to groundwater. In September of 1986, Burroughs Corporation acquired Sperry Corporation, forming Unisys Corporation (Unisys).

Releases of TCE to groundwater were discovered in two primary source areas: the Leach Field and Gravel Pit Areas (which currently comprise the "disposal site" under the MCP). The source of CVOCs in the Leach Field Area include the former sanitary leach field system and former Chemical Neutralization System (CNS) associated with the Sperry Research Center facility. The CNS tanks and associated discharge piping were removed in 1984. The source of CVOCs in the Gravel Pit Area is believed to have been periodic or sporadic dumping of spent chemicals. The locations of pertinent Site features are presented on Figure 1 (obtained from the Environmental Resources Management [ERM] *Combined Temporary Solution Status Report #12 for the Gravel Pit & Leach Field Areas* dated December 4, 2015).

The Site is located within mapped Public Water Supply Zone II boundaries (i.e., that area of an aquifer which contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated) for the Sudbury Water District Well No.5 and the Town of Concord's White Pond wellfield. A Zone II is considered a Current Drinking Water Source Area under the MCP, and releases of hazardous materials with a Zone II must be remediated to drinking water standards to achieve regulatory closure.

Leach Field Area Groundwater Plume

Based upon the results of historical characterization activities, the areas of groundwater impacts associated with the Leach Field Area was divided into two portions identified as the Leach Field Uplands and the Leach Field Lowlands. The Leach Field Uplands Area is defined as the topographically higher elevations north of Route 117 and hydrogeologically represent groundwater recharge areas. Releases to the Leach Field Uplands Area migrated downward and to the southwest in the general direction of groundwater flow in the overburden, and portions of the plume discharged to the unnamed stream located to the west of the leach field. A portion of the plume also migrated vertically downward and entered the underlying bedrock.

The bedrock portion of the Leach Field Area plume migrated to the south toward the regional topographic low and area of groundwater discharge near Cold Brook. The plume eventually migrated vertically upward and discharged into the overburden within the low lying area to the south of North Road. This upward migration of the plume out of bedrock and into the overlying soils created a second area of CVOC impacts in overburden groundwater associated with the Leach Field Area source area. This area of impacts was referred to as the Leach Field Lowland Area/portion of the plume. The Leach Field Lowland Area consists primarily of agricultural land. Impacts in the Leach Field Lowland Area were observed to be widespread, and the areas of impacts extended south beyond Cold Brook, and to the east toward Well No.5.

Leach Field Area Remedial Actions

The initial remediation system installed in the Leach Field Area operated from 1986 through 1994. A single overburden ground-water recovery well (RW-1) was installed and pumped at rates that varied from 1 to 5 gallons per minute (gpm). Groundwater from RW-1 was treated using a packed tower air stripper and the effluent water was discharged locally.

The remediation system was upgraded in 1993 to 1994 to increase the area from which impacted groundwater was captured. Two additional recovery wells were installed, an overburden recovery well (RW-4) and a bedrock recovery well (RW-3). RW-3 was installed approximately 20 feet to the west of RW-1 as an open-hole bedrock well to a depth of 300 feet. RW-4 was completed approximately 450 feet west of RW-1 as an overburden recovery well to a depth of 68 feet. In 1994, the initial treatment system was dismantled and the three recovery wells were connected to a new treatment building. Groundwater from each recovery well was treated using a low profile tray air stripper that had a maximum design flow rate of 22 gpm. Treated groundwater was discharged to a nearby wetland that ultimately discharges to an unnamed tributary of Cold Brook.

The groundwater recovery/treatment system operated under "Phase IV Operation and Maintenance" until 2002 when it was determined that further operation was not beneficial to plume reduction or containment; historical groundwater monitoring activities had documented that the primary CVOC mass associated with the plume had migrated beyond the influence of the recovery system.

Gravel Pit Area Groundwater Plume

The Gravel Pit portion of the Sperry Rand/Unisys Site is located in a topographic depression located approximately 600 feet northeast of the former SRC facility and within 50 to 100 feet of the northwestern corner of the Melone Property. The area may have been historically used as a gravel pit, or it may have been a natural topographic depression. Elevated concentrations of PCE and TCE were detected in samples of groundwater collected from monitoring wells located within the middle and to the east of the gravel pit depression. The impacts did not appear to extend into the underlying bedrock. Soils in the Gravel Pit Area consisted of approximately 20 to 40 feet of sand and gravel underlain by 5 to 15 feet of glacial till. Bedrock slopes downward to the north and east and is approximately 30 feet deep in the vicinity of the gravel pit and 50 feet deep in the wetlands that are located to the east.

Groundwater impacts associated with the Gravel Pit Area plume consisted primarily of PCE and TCE. The plume extended approximately 900 feet to the east in the overburden sand and gravel, and at one time may have discharged to the wetlands located along an intermittent stream that occupies the associated lowland area.

Gravel Pit Area Remedial Actions

The initial remediation system installed in the Gravel Pit Area was operated from 1986 through 1994. A single overburden groundwater recovery well (RW-2) was installed downslope from the gravel pit and pumped at rates ranging from 30 to 90 gpm. Groundwater from RW-2 was treated using a packed tower air stripper and discharged to a nearby wetland that ultimately discharges to an unnamed tributary of Cold Brook. From 1986 to 1990, approximately 5 gpm of the treated groundwater was pumped uphill to the gravel pit and discharged at the surface to promote flushing of the CVOCs from the soil in the suspected source area.

In 1993, alterations were made to the Gravel Pit Area remedial system to expedite the removal of CVOCs. A groundwater interceptor trench approximately 130 feet in length, 4 feet in width, and 30 feet in depth was excavated in the Gravel Pit Area. The trench was graded from northwest to southeast so that groundwater drained to a 20-inch diameter sump.

In 1994, a new treatment building was constructed in the Gravel Pit Area. Groundwater recovered from RW-2 and the interceptor trench sump was treated using a packed tower air stripper. Treated groundwater was discharged to a wetland that ultimately discharged to Cold Brook.

The treatment system operated until 1999, at which time the system was shutdown, when it was determined to be no longer effective in further reducing TCE or PCE concentrations in groundwater, or necessary to control migration.

In May 2001, Release Abatement Measure (RAM) activities conducted at the Gravel Pit Area consisted of the injection of sodium permanganate in May 2001, and the excavation of approximately 100 tons of PCE- and TCE-impacted source area soil in March 2004. Groundwater quality conditions in the vicinity of the gravel pit improved markedly after the PCE- and TCE-impacted soil was excavated as part of the RAM.

Regulatory Status

On December 10, 2014, a Revised Summary Temporary Solution Statement was submitted to MADEP that encompasses the Gravel Pit and Leach Field Areas. The disposal site boundaries of the Gravel Pit and Leach Field Areas are depicted on Figure 1.

A Temporary Solution indicates that each source of CVOCs at the Sperry/Unisys Site has been eliminated, controlled, or mitigated to the extent feasible, and that No Substantial Hazard to human health, safety, public welfare or the environment under current and foreseeable future conditions has been achieved. A Permanent Solution is not currently attainable because the

concentrations of CVOCs in groundwater exceed applicable Commonwealth of Massachusetts drinking water standards, and both areas are located within mapped Zone II areas for municipal water supplies.

Post-Temporary Solution Status Reports are filed every six (6) months to document the results of monitoring activities and update information regarding land use and potential exposure pathways.

Post-Temporary Solution groundwater monitoring for the Leach Field Area includes biennial sampling of selected monitoring wells to monitor continued natural attenuation of CVOCs in groundwater. Post-Temporary Solution groundwater monitoring for the Gravel Pit Area includes annual groundwater sampling (of one monitoring well) and biennial (every other year) monitoring of selected monitoring wells.

Current COCs (October 2015) within the Leach Field Area plume include primarily TCE and cis-1,2-dichloroethene (cDCE) and to a lesser extent (i.e., generally detected infrequently and at low concentrations) trans-1,2-dichloroethene (tDCE), benzene, and 1,2-dichlorobenzene. According to information provided in ERM's Combined Temporary Solution Status Report #12, dated December 4, 2015, concentrations of CVOCs are mostly consistent with previous sampling rounds and generally show decreasing concentrations of CVOCs.

After the RAM soil excavation activities were completed, historical monitoring has documented the attenuation and shrinking of the Gravel Pit Area plume over time. Groundwater impacts at concentrations above applicable risk and drinking water standards is currently only present in a localized area near the original source of the Gravel Pit Area plume. The most recent concentrations of CVOCs at this location only slightly exceed applicable standards, and are expected to continue to attenuate over time.

Sperry/Unisys Site - Relevant Data Gaps

Based upon our focused review of historical environmental documents, we identified the following significant data gaps with regard to conditions at the Sperry/Unisys Site and impacts to the Melone Property and possible property re-use considerations.

- the southern and southeasterly extent of the Gravel Pit Area plume was not historically delineated, including possible migration in deep overburden and shallow bedrock. Remedial actions appear to have resulted in the attenuation of and shrinking of the plume over time, such that CVOCs no longer appear to be migrating from the source area into downgradient areas.
- the specific source(s) and migration pathways for TCE present at Well No.5 were not identified and fully characterized. Some of the impacts appear to be attributable to the easterly migration of the Leach Field Lowland Area plume under hydraulic influences associated with the operation of Well No.5. It is uncertain whether similar hydraulic

influence could have also pulled the leading portion of the Gravel Pit Area plume southward toward the well, and resulted in the TCE impacts detected to the north of North Road.

- the source(s) and extent of TCE impacts near the southwest corner of the Melone Property have not been characterized. Impacts associated with this location may be pulled onto the Melone Property during the period that Well No.5 is operational.
- the north boundary of the eastern portion of the Leach Field Lowland Area plume as currently mapped across the approximately 2,000-foot width of the Melone Property is estimated and not based upon field data. Without property-specific sampling data, it is possible that the plume extends further north onto the property. It is also possible that the plume does not extend onto the south part of the Melone Property along North Road (i.e., the plume is not located on the north side of North Road).

MELONE PROPERTY INFORMATION

General Property Description

The Melone Property (Property) is a 46.6-acre, irregularly-shaped property located on the north side of North Road (Route 117) in Sudbury, Massachusetts. Currently, 9.9 acres of land that comprise the southwest portion of the Property are set aside for conservation. The central and southern portions of the Property consist of 20.3 acres of land that have historically been mined for gravel. The northeast portion of the Property consists of 16.4 acres of land that is located in the Town of Concord, much of which is occupied by wetland and lowland areas. A copy of the Town GIS Map depicting the Melone Property is attached.

Topography at the Property has been altered significantly by gravel mining operations. Historically and regionally, the topography generally slopes downward to the east and south into flat lying low areas on the south side of North Road and areas to the east and southeast in Concord. The land surface elevation in the central and southern portions of the Property (approximately 28 acres) has been reduced or lowered by approximately 30 or more feet as a result of gravel mining operations. The central portion of the Property consists of a relatively flat low-lying, gravel pit area. The flat lying area is bordered by relatively steep upward slopes to the adjacent un-mined land.

Property abutters include:

To the north:

• undeveloped woodland and wetland areas located within the Town of Concord.

To the west:

• Northwood, a 12.4-acre parcel that used to be part of the Sperry Rand/Unisys property that was redeveloped in the early 2000s into a multi-unit senior housing complex.

• the Sperry/Unisys Site, which was subdivided and redeveloped as multi-use residential (Frost Farm) and commercial properties.

To the south:

- on the north side of North Road, by the approximately 1.0-acre, rectangular Wagner residential property.
- on the south side of North Road, by agricultural fields, and undeveloped land occupied by Sudbury No.5 water supply well.

To the east and southeast:

- a 6.87-acre undeveloped parcel that is owned by the Sudbury Water District and currently occupied by a cellphone tower.
- undeveloped wetland and woodland areas.

Historically, the Property appears to have been used for agricultural and then gravel mining purposes. Aerial photographs indicate that an orchard covered the approximate western half of the Property from at least 1938 to approximately 1957, after which time the orchards appear to have been in decline. Gravel mining operations appear to have commenced in the central portion of the Property (directly north of North Road) between 1952 and 1957. Larger scale gravel mining began in the eastern portion of the Property in approximately 1969.

Gravel mining operations have removed soil from the approximately eastern half of the area that was historically occupied by the orchard. The portion of the Property currently located to the west of the gravel mining area are undisturbed areas that were once occupied by orchards.

Review of historical aerial photographs indicated that from the late 1970s to the early 1990s, the portion of the Property directly northwest of the Wagner property was occupied by miscellaneous vehicles. According to a 1992 Preliminary Environmental Site Assessment Report for the Property by Woodard & Curran, Inc. (Woodard & Curran), Mr. Wagner removed 35 cars from that portion of the Property sometime after May 1991. The vehicles are gone as of a 1994 aerial photograph. The area where the vehicles were located was subsequently mined for gravel.

The Woodard & Curran report also included the analytical results of six soil samples collected by a representative of the Sudbury Board of Health at the Property in 1991. The samples were collected at one location in the southern portion of the Property (SS-1) and at two locations near the Sudbury/Concord Town line in the northern portion of the Property (SS-2 and SS-3). Locations SS-1 and SS-3 are within the area of the Property that was once occupied by orchards. Location SS-2 was located east of the historical orchard and the area was subsequently mined for gravel.

At the three locations soil samples were collected from 2 to 6 inches and 6 to 12 inches bgs and analyzed for the Resource Conservation and Recovery Act (RCRA) eight metals. Metals concentrations at locations SS-2 and SS-3 were consistent with background/natural soil. Slightly elevated concentrations of lead and arsenic (above MADEP Identified Background Levels in Soil, MADEP, 2002) were detected in the soil samples collected from location SS-1. Arsenic was detected at concentrations of 34.1 and 34.2 parts per million (ppm), and the MADEP background concentrations of 112.5 and 131.2 and the MADEP background concentration is 100 ppm. The concentrations of arsenic and lead that were detected in the samples from location SS-1 are within the range of concentrations observed in natural soils, and may be attributable to local variability. The presence of these metals in soil may also be attributable to the historical use of pesticides/herbicides within the former orchard.

Environmental Database Review

GeoInsight performed an initial screening of various regulatory databases using an Environmental Data Resources, Inc. (EDR) Radius Map Report dated January 4, 2016. The EDR report provides information regarding the use and storage of oil and hazardous materials (OHM) and releases of OHM to the environment that were identified in their search of federal and state databases. The EDR report was used to identify records and information pertinent to evaluating the possible presence of environmental conditions that could affect the Property. The database review included neighboring properties, with particular attention being paid to those properties upgradient or cross-gradient with significant environmental records, if applicable.

The EDR database review identified four state-listed hazardous waste sites and one Leaking Above Ground Storage Tank (LAST) site located within approximately one mile of the Property. The Sperry Research Center was listed on both the Environmental Response, Compensation and Liability Information System (CERCLIS) and as a State-listed hazardous waste site (for RTNs 3-0435 and 3-21667).

RTN 3-21667 is associated with the detection of metals (specifically beryllium and nickel) in soil samples collected from an excavation trench along the remaining pipe sections of the former Chemical Neutralization System and sanitary wastewater system. Impacts to groundwater were not identified. A Method 3 Risk Characterization demonstrated that the metals in soil did not pose a significant risk of harm to human health, safety, public welfare, or the environment. No remedial response actions were conducted in response to this release condition. A Class B-1 RAO was submitted to MADEP on March 3, 2003 for RTN 3-21667.

The remaining two state-listed hazardous waste sites and the LAST site are greater than 0.25 miles from the Property and are not anticipated to adversely impact environmental conditions at the Property based upon their distance from the Property and the types and quantity of OHM released.

Potential Impacts From Off-Property Sources

Groundwater conditions, both physical (depth to groundwater and direction of flow) and chemical, have not been evaluated on the Property. Limited groundwater characterization data are available on adjacent properties near the north Property boundary, near the southwest Property corner, and on the Sudbury Water District property to the east.

The central portion of the Property does not appear to be directly downgradient of the Leach Field and Gravel Pit source areas of the Sperry Rand/Unisys Site. Portions of the Gravel Pit Area plume were present along the north boundary of the Property, and historically extended to the east onto a limited area of the Concord/wetland portion of the Property. Additionally, groundwater impacts associated with the Leach Field Lowland Area plume were present along the south portion of the Property along North Road. Historically, pumping of Sudbury Well No.5 may have pulled portions of the Leach Field Area Lowland plume onto the south portion of the Property.

Several monitoring wells identified as the "CEW" series were installed (prior to 1991) in wetland area just north of the Property to assess groundwater conditions associated with the Gravel Pit Area. Groundwater analytical data from 1991 indicate that generally low concentrations of CVOCs (including TCE) were detected in several of the CEW wells located near the Property boundary. These impacts were not further characterized, and the CEW wells do not appear to have been sampled since 1991.

TCE has consistently been detected in samples of shallow and deep overburden groundwater in monitoring wells located approximately 200 feet west of the southwest corner of the Property (i.e., near the entrance to the Northwood property). Groundwater impacts at this location (wells MW-1 and 02-05) are not readily connected to the known overburden impacts near the Leach Field and Gravel Pit source areas, or the Leach Field Lowland Area plume that is located south of North Road (i.e., well 91-S22 area).

Similarly, TCE has been detected in samples of overburden groundwater on the Wagner property and the Sudbury Water District property to the east, and in overburden and shallow bedrock near Well No.5. TCE has also been detected in overburden groundwater between Well No.5 and the Leach Field Lowland Area plume to the west. Historical operation of Well No.5 may have pulled the southern portion of the plume eastward toward the well.

However, this potential pulling of the southern portion of the Leach Field Lowland Area plume to the well does not explain the presence of TCE in overburden groundwater several hundred feet north of Well No.5 (on the north side of North Road), or within shallow bedrock at Well No.5. Several historical researchers suggested that the TCE impacts at Well No.5 may be attributable to the Gravel Pit Area plume. This possibility was never fully evaluated. Were this to have occurred, the Gravel Pit Area plume would have had to extend across the northeast/Concord portion of the Property.

WATER SUPPLY INFORMATION

Portions of the Property and the Sperry/Unisys Site are located within Zone II areas for the Sudbury Water District Well No.5 and the Town of Concord White Pond wellfield. Zone IIs are considered the geographic areas that would be expected to typically provide water to a municipal well under most pumping situations. For this reason, Zone II areas are considered environmentally sensitive, and they receive increased attention and protection with regard to land uses that could adversely impact groundwater quality.

The Zone II area for Well No.5 extends northward across North Road across the entire Property, northward to the approximate location of the White Pond wellfield. The Zone II includes the Gravel Pit Area, and also extends to the west toward the Leach Field Lowland Area of the Sperry/Unisys Site.

The Zone II area for the White Pond wellfield extends southward to the north border of the Property, and includes that Gravel Pit Area of the Sperry/Unisys Site. The White Pond wellfield Zone II also extends southwesterly to include the Leach Field Upland Area of the Sperry/Unisys Site. The Zone II area for the White Pond wellfield does not extend southward onto the main/central portion of the Property.

Sudbury Water District – Well No.5

Sudbury Water District Well No.5 is located approximately 575 feet southeast of the southeast corner of the Melone Property. The well is 65 feet deep and is located in the lower portion of the sand and gravel overburden soils. The well was installed in 1964.

In the late 1980s, TCE was detected in samples of water obtained from Well No.5 and the well was shut down. In 1991, an air stripper treatment system was installed to remove the TCE and other volatile organic compounds that may be present, and Well No.5 was reactivated.

During the early 2000s, Well No.5 was operated seasonally during peak demand during the summer months (May/June to September/October). The well typically operated at a rate of 350 to 460 gpm, and on average supplied approximately 50 million gallons of water annually.

Well No.5 was shut down in 2009 because of water quality issues associated with the presence of iron and manganese. Since 2009, the Sudbury Water District has performed the required sampling to maintain Well No.5's active status (thus insuring that the well could be used in the future if needed).

Considerations:

• Historical groundwater characterization data associated with the Sperry/Unisys Site groundwater plumes were obtained during the period that Well No.5 was operational. Hydraulic conditions in the vicinity of Well No.5 have likely changed since use of the well was discontinued in 2009. The change in hydraulic conditions has likely impacted the movement of the Leach Field Lowland Area plume.

• When operating, Well No.5 likely draws water from the east, southern, and central portions of the Property and from the historical footprint of the Leach Field Lowland Area plume.

Town of Concord – White Pond Wellfield

The Town of Concord White Pond wellfield is located approximately 900 feet north of the north border of the Melone Property. The White Pond well is 64 feet deep and is located in the lower portion of the sand and gravel overburden soils. The well was installed in 1970.

During the 1990s and early 2000s, the White Pond wellfield was operated seasonally during peak demand during the summer months (generally May/June to September/October). The well typically operated at a rate of 330 to 450 gpm, and on average supplied approximately 60 million gallons of water annually.

Water from the White Pond well historically contained low to moderate concentrations of iron and manganese. The concentrations of these metals would increase each year toward the end of the summer. In an attempt to improve the quality of water from the well, in 1999 the Town of Concord installed two shallow satellite wells near the White Pond well. The satellite wells were installed 50 feet north and 50 feet south of the existing well, and were placed at a depth of 40 feet. Field investigations had suggested that shallow groundwater in the vicinity of the White Pond Well contained lower concentrations of iron and manganese.

The three wells were piped together (and referred to as the White Pond wellfield) and operated concurrently at a combined rate that was similar to the historical White Pond Well rate. Use of the satellite wells did not significantly improve the water quality with regard to iron and manganese.

In November 1999, the Gravel Pit Area treatment system was shutdown to facilitate the collection of hydrogeologic data during a pumping test conducted by the Town of Concord on the White Pond Well. The pumping test was completed in June 2000. Results of the pumping test indicated that a measured drawdown response was not detected in any of the monitoring wells in the Gravel Pit Area. These data suggested a low potential for residual groundwater impact in the Gravel Pit Area to adversely impact the White Pond Well during then-current pumping rates.

In 2008, the Town of Concord connected the White Pond wellfield to the newly constructed Deaconess Water Treatment facility, which includes treatment for iron and manganese. Since 2008, the White Pond wellfield has operated year round. The White Pond wellfield typically operates at a rate of 150 to 280 gpm, and on average supplies approximately 120 million gallons of water annually.

Considerations:

• Prior to 2008, when the White Pond wellfield was operated seasonally, most of the groundwater flow came from the north, from the White Pond area.

- Data collected in 1999/2000, when the White Pond well operated seasonally, indicated that the well did not likely induce overburden water flow from the Gravel Pit Area to the well. It is unclear what effect the increased well use has on groundwater flow patterns in the vicinity of the Gravel Pit Area, and, if there is a potential for migration of groundwater from the north portion of the Property as a result of the increased use of the White Pond wellfield.
- The main/central portion of the Property is not located within the Zone II area for the White Pond wellfield.

REDEVELOPMENT CONSIDERATIONS

Based upon information obtained during our focused review of conditions associated with the Sperry/Unisys Site, and information regarding local water supplies, we identified the following possible environmental considerations associated with future redevelopment of the Melone Property.

Soil Related:

- Much of the soil over the central and east portion of the Melone Property was mined for gravel. Consequently, the soil that is currently located at the ground surface is comprised of deeper native soil that is not expected to have been impacted by historical uses of the Property.
- The non-gravel-mined west portion of the Melone Property was historically occupied by an orchard. Shallow soil located in this portion of the property may contain residues from historical application of pesticides/herbicides.
- The "gravel pit" portion of the Sperry Rand/Unisys Site is separate and distinct from the gravel pit at the Melone Property. Information were not reviewed that indicated operations at the Sperry Rand/Unisys Site resulted in impacts to soils at the Melone Property.

Groundwater Related:

- Depth to groundwater is likely shallow (i.e., several feet) in the portions of the Melone Property that were mined for gravel and the north portion of the Property that consists of wetland areas in Concord.
- Depth to groundwater in the west, un-mined portion of the Melone Property is likely much deeper, and may be as much as 20 to 30 feet bgs.
- There are no historical or current data for groundwater at the Melone Property. Available information suggests that impacts associated with the Sperry/Unisys Site Gravel Pit Area plume extended onto the north border and possibly the north portion of the Melone Property (i.e., the portion located in Concord). Because of their location, topography,

and presence of wetlands, the areas that may have been historically impacted by the Gravel Pit Area plume are not likely the portions of the Melone Property to be considered for redevelopment.

• Available information suggests that impacts associated with the Sperry/Unisys Leach Field Area plume may extend onto the southwest and southern portions of the Melone Property.

Use Related:

- Assuming that any redevelopment of the Melone Property that included buildings would rely upon municipal water, the primary issue associated with possible impacts from the Sperry/Unisys Site groundwater plumes would be the potential for vapor intrusion into buildings. The concentrations of CVOCs historically detected in groundwater near the Melone Property are relatively low and are not of a magnitude that typically creates significant vapor intrusion issues. However, there are routine, low-cost engineering controls that can be incorporated into new building design that would address and eliminate concerns over possible future vapor intrusion.
- From a geologic perspective, the soils and hydraulic conditions at the Melone Property appear suitable for providing a reliable source of irrigation water. It is uncertain whether CVOCs may be present in overburden water at the property. If CVOCs are present, there are cost-effective and readily available treatment methods to remove the compounds prior to irrigation use.
- Redevelopment that includes the construction of buildings would likely result in the need for private wastewater treatment at the Melone Property. The design, location, and use of on-site private wastewater systems would have to be evaluated with regard to possible use of Well No.5 in the future, and possible impacts to groundwater quality within the Zone II area for Well No.5 and the White Pond wellfield.

ATTACHMENTS:

Figure 1 (obtained from the Environmental Resources Management [ERM] *Combined Temporary Solution Status Report #12 for the Gravel Pit & Leach Field Areas* dated December 4, 2015

Town GIS Map Depicting Melone Property

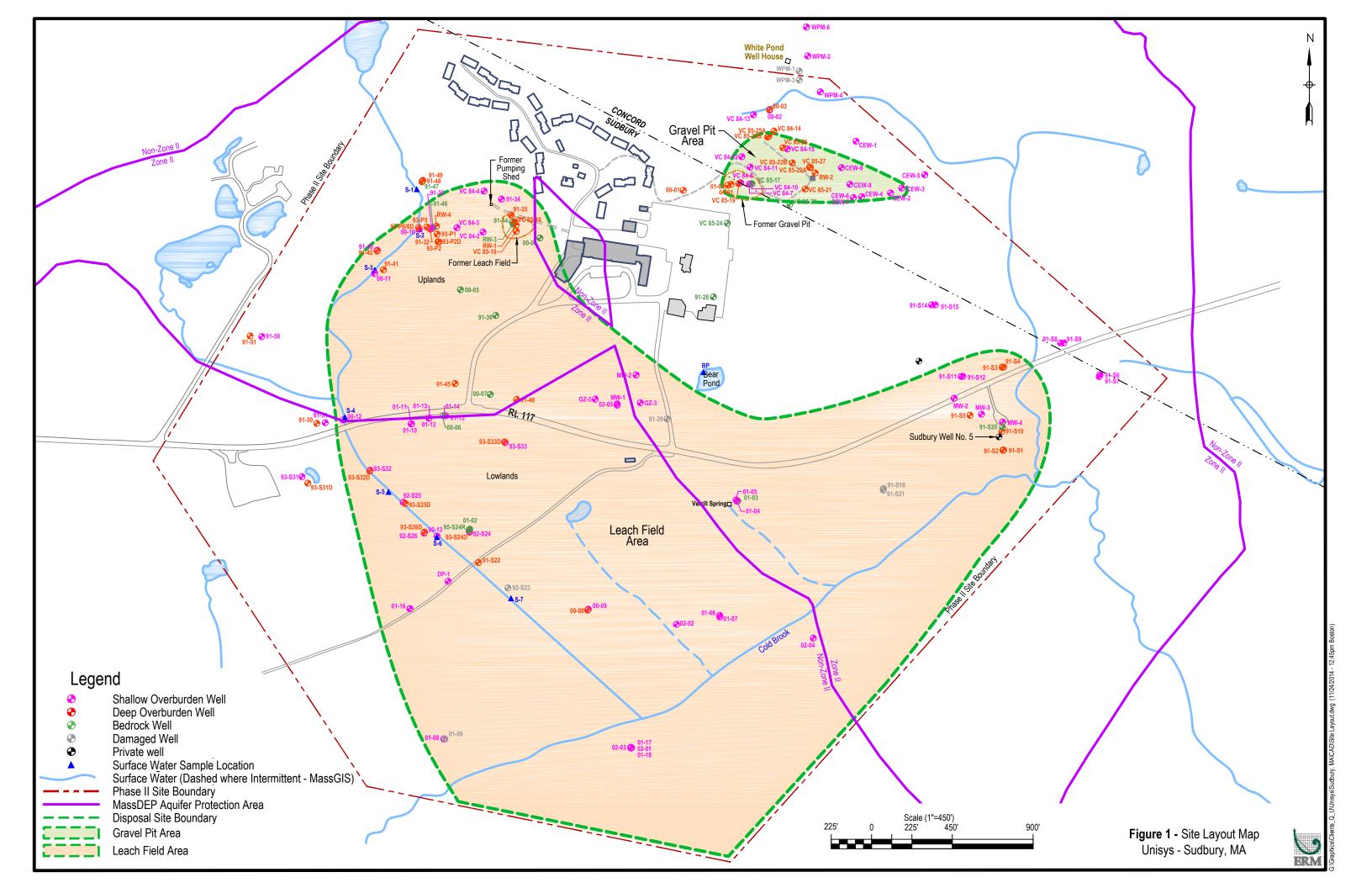
Water Supply Summary - Sudbury Water District Sudbury Well No.5

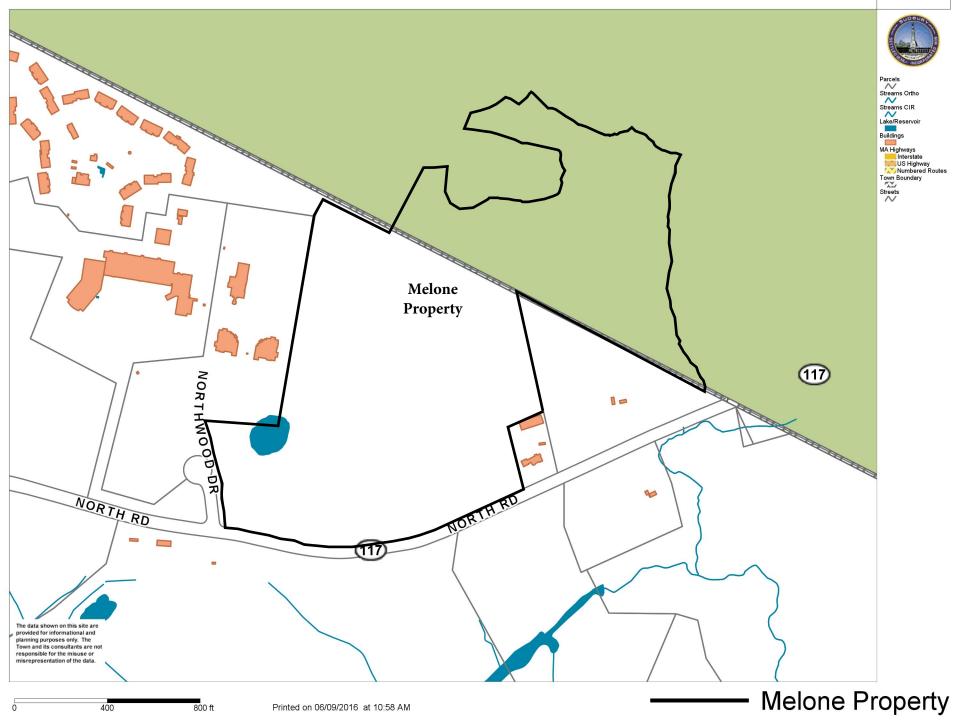
Water Supply Summary - Town of Concord White Pond Wellfield

Concord White Pond Well Pumping Data

Sudbury Well No.5 Pumping Data

Combined Concord White Pond Well and Sudbury Well No.5 Pumping Data





MELONE PROPERTY ENVIRONMENTAL EVALUATION

SUDBURY WATER DISTRICT WELL NO. 5

WELL CONSTRUCTION RECORD

Installed:	May 9, 1964
Well Depth:	65 feet
Screen Length:	15 feet
Screen Diameter:	24 inches
Static Water Level:	10 feet below top of pipe
Rate:	350 gpm (0.5MGPD)
Drawdown:	20 feet after 48 hours

WELL NO. 5 ZONE II DELINEATION REPORT, SUDBURY WATER DISTRICT, August 1993, H20 Engineering Consulting Associates, Inc.

In the early 1980s, Well No. 5 was shut down because of the presence of trichloroethene (TCE) at concentrations greater than the applicable maximum contaminant level (MCL; 5 ppb).

In 1991, LBG conducted an extended pump test on Well No. 5 as part of the Sperry/Unisys Site investigations. H2O installed an air stripper unit on Well No. 5 so that the water could enter the distribution system.

Calculated Safe Yield = 638 gpm

PUMPING TEST ANALYSES OF SUDBURY WELL NO. 5, February 1992, Leggette, Brashears & Graham, for Unisys Corporation

35-day Pump Test at 291 gpm 7-day Pump Test at 373 gpm

The radial area of influence associated with the pump test was identified to range from 900 to 1500 feet.

OPERATIONAL HISTORY

Seasonal operation (summer months) until 2008; pump rate of 350 to 460 GPM; 50 MGY.

Well No. 5 has not operated since 2009 because of iron/manganese issues. Well No. 5 is sampled and maintained by the Sudbury Water District so that the well could be used in the future, if needed.

MELONE PROPERTY ENVIRONMENTAL EVALUATION

TOWN OF CONCORD WHITE POND WELLFIELD

WELL CONSTRUCTION RECORD

Installed:	March 23, 1970
Well Depth:	64 feet
Screen Length:	15 feet
Screen Diameter:	18 inches
Static Water Level:	2 feet bgs
Rate:	535 gpm (0.8 MGPD)
Drawdown:	20 feet

9 day Pump Test: 1,000 gpm first 25 hours, 710 gpm the remainder.

A PROPOSAL TO ENHANCE THE WATER QUALITY AT THE WHITE POND GRAVEL WELL BY THE ADDITION OF TWO SHALLOWER SATELLITE/REPLACEMENT WELLS, CONCORD, MA, April 1999, D.L. Maher Co.

Satellite Well 1 (T.W. #1-98)	Installed August 25, 1999 40 feet deep, 16 inch diameter, 7 foot well screen
Satellite Well 2 (T.W. #50S)	Installed September 1, 1999 40 feet deep, 16 inch diameter, 7 foot well screen

WHITE POND WATERSHED MANAGEMENT PLAN, May 29, 2015, ESS Group

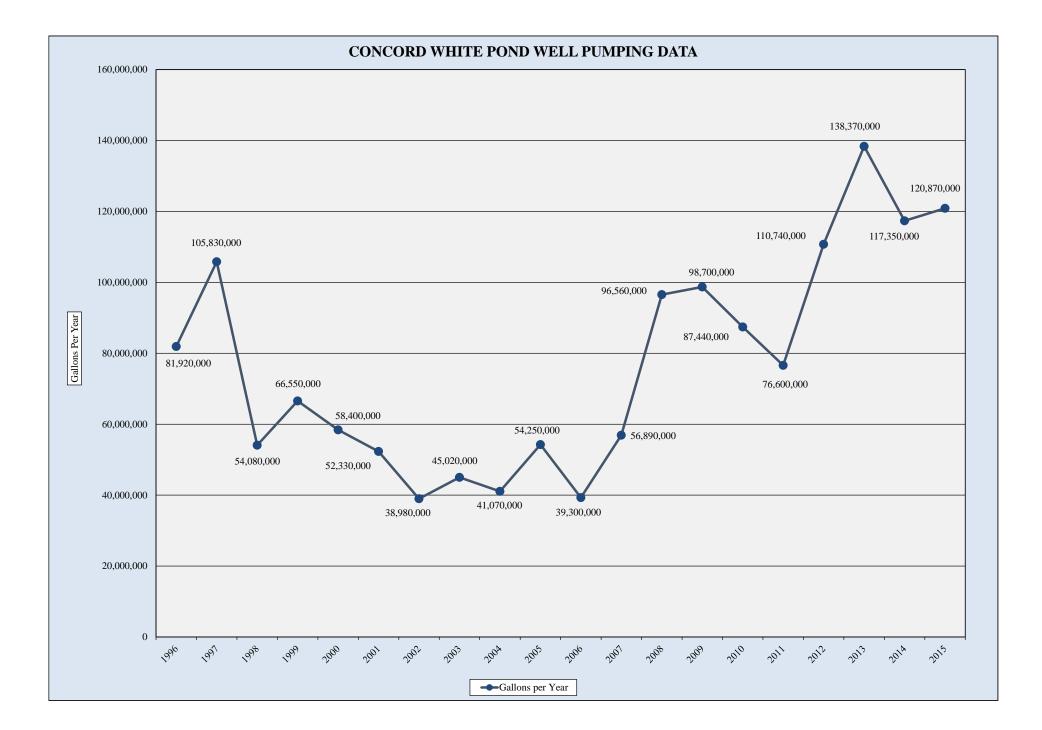
In 2007, the Town of Concord activated a new water treatment facility located at the Deaconess well site, which was connected to the White Pond well. The Town was then able to use the White Pond well as originally intended on a year-round basis.

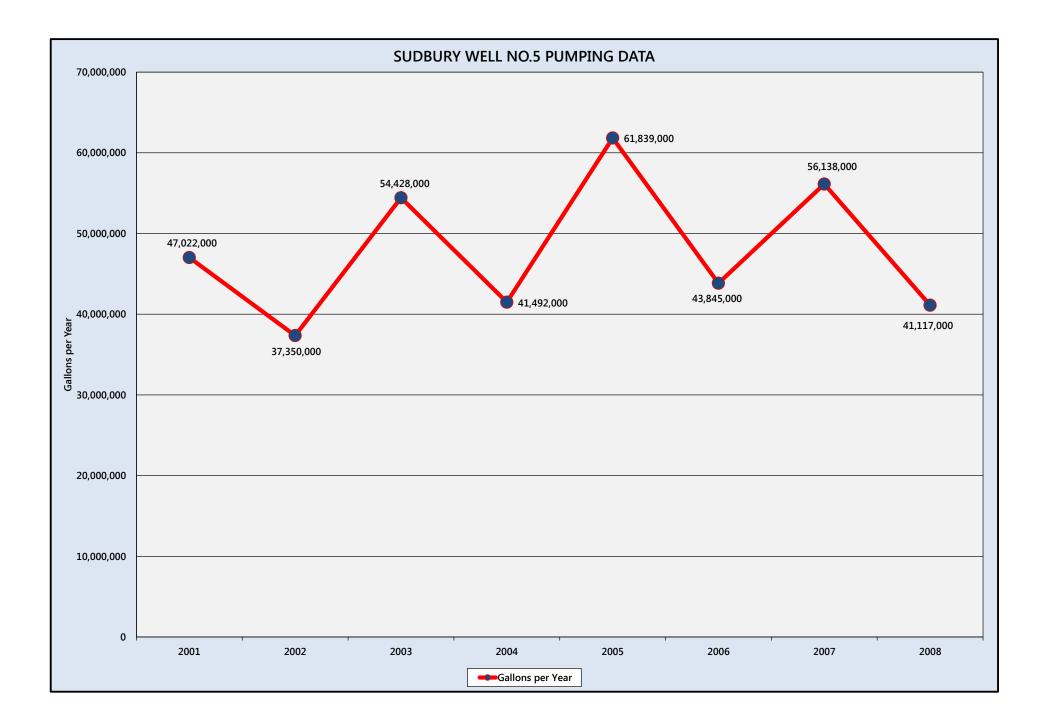
OPERATIONAL HISTORY

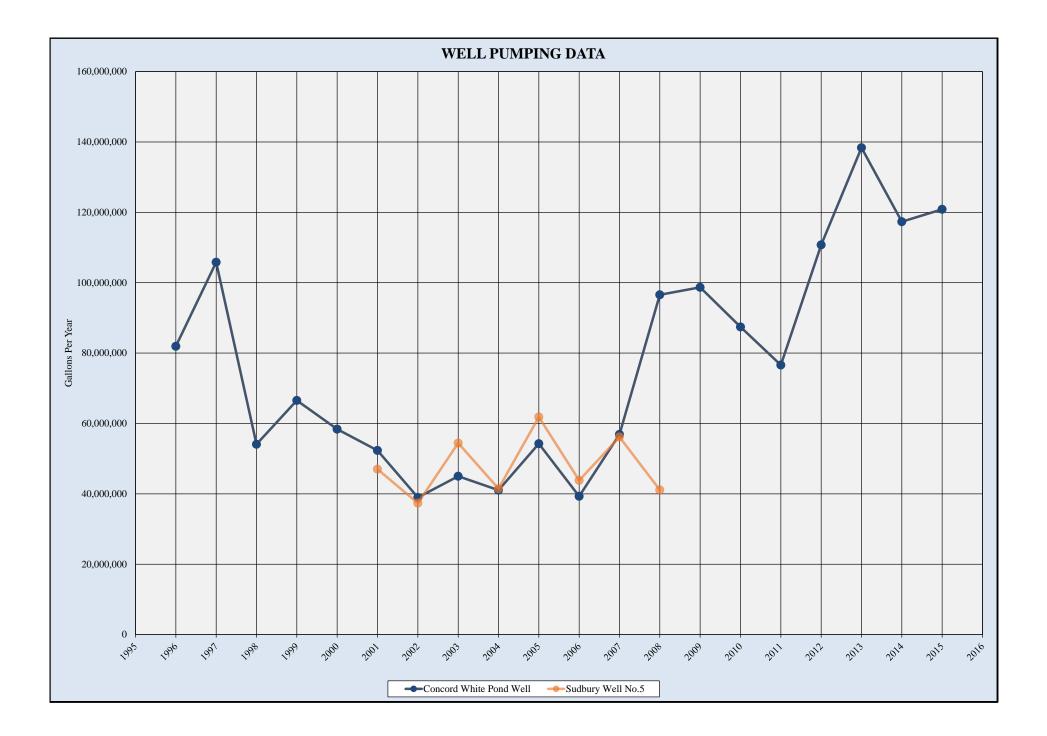
Original well was upgraded with two shallower satellite pumping wells in an attempt to address iron/manganese water quality issues. Use of the satellite wells did not improve water quality.

Seasonal operation (summer months) until 2008; pump rate of 330 to 450 GPM; 60 MGY.

Continual operation since 2008; pump rate of 150 to 280 GPM; 120 MGY.









TIMED ITEM

2: Chili Basil Stock Transfer

REQUESTOR SECTION

Date of request:

Requestor: PTT Restaurant, Inc. d/b/a Chili Basil

Formal Title: PUBLIC HEARING: Vote to approve a Transfer of Stock of 25% of shares in the corporation from Christopher Segur to Tharanee Rojthanasirivanich for PTT Restaurant, Inc. d/b/a Chili Basil Restaurant at 385 Boston Post Road. Also, vote to approve a change of manager for Chili Basil from Christopher Segur to Pavarisa Doucette, as requested in an application dated January 11, 2017. No alterations to the premises are planned. The premises (i.e, 385 Boston Post Road) are described as follows: one floor with kitchen, dining area, office, sidewalk dining area; one entrance on south side and one entrance on north side.

Recommendations/Suggested Motion/Vote: **<u>PUBLIC HEARING</u>**: Vote to approve a Transfer of Stock of 25% of shares in the corporation from Christopher Segur to Tharanee Rojthanasirivanich for PTT Restaurant, Inc. d/b/a Chili Basil Restaurant at 385 Boston Post Road. Also, vote to approve a change of manager for Chili Basil from Christopher Segur to Pavarisa Doucette, as requested in an application dated January 11, 2017. No alterations to the premises are planned. The premises (i.e, 385 Boston Post Road) are described as follows: one floor with kitchen, dining area, office, sidewalk dining area; one entrance on south side and one entrance on north side.

Background Information: Please see application attached.

Financial impact expected: \$75 Application Fee

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting: Amanda Barrera of Kerstein, Coren & Lichtenstein, LLP

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending

02/07/2017 7:30 PM

Attachment2.a: Chili Basil_New Manager_Transfer Stock_BOS(2199:Chili Basil Stock Transfer)
The Commonwealth of Massachusetts Alcoholic Beverages Control Commission 30 ARD DF SLIECTMEN 239 Causeway Street SUDBURY. MA Boston, MA 02114 www.mass.gov/abcc 2017 JAN 11 P 12:46
AMENDMENT APPLICATION FOR A CHANGE OF BENEFICIAL INTEREST OR TRANSFER/ISSUANCE OF STOCK
Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.
1. NAME OF LICENSEE (Business Contact) PTT RESTAURANT, INC-
ABCC License Number 1250000 ZZ Gity/Town of Licensee SUBBURY
2. <u>APPLICATION CONTACT</u> The application contact is required and is the person who will be contacted with any questions regarding this application.
First Name: ALAN Middle: "R - Last Name: GOODMAN
Title: ATTORNEY Primary Phone:
Email:
3. <u>BUSINESS CONTACT</u> Please complete this section <u>ONLY</u> if there are changes to the Licensee phone number, business address (corporate headquarters), or mailing address.
Entity Name:
Primary Phone: Fax Number:
Alternative Phone: Email:
Business Address (Corporate Headquarters)
Street Number: Street Name:
City/Town: State:
Zip Code: Country:
Mailing Address
Street Number: Street Name:
City/Town: State:
Zip Code: Country:
1

2.a

Packet Pg. 6

AMENDMENT APPLICATION FOR A CHANGE OF BENEFICIAL INTEREST OR TRANSFER/ISSUANCE OF STOCK

4. CURRENT OWNERSHIP (Before Change in Beneficial Interest)

2.a

Please list all individuals or entities with a direct or indirect, beneficial or financial interest in this license. This pertains to the current licensee (before change in beneficial interest occurs).

Title / Position	% Owned	Other Beneficial Interest	
ANICH PRESIDENT	7570	N/.4	
TRUTHSURDE, SOCROTARY	25 670	NA	

PROPOSED OWNERSHIP (After Change in Beneficial Interest)

Please list all individuals or entities with a direct or indirect, beneficial or financial interest in this license.

An individual or entity has a <u>direct beneficial interest</u> in a license when the individual or entity owns or controls any part of the license. For example, if John Smith owns Smith LLC, a licensee, John Smith has a direct beneficial interest in the license.

An individual or entity has an indirect beneficial interest if the individual or entity has 1) any ownership interest in the license through an intermediary, no matter how removed from direct ownership, 2) any form of control over part of a license no matter how attenuated, or 3) otherwise benefits in any way from the license's operation. For Example, Jane Doe owns Doe Holding Company Inc., which is a shareholder of Doe LLC, the license holder. Jane Doe has an indirect interest in the license.

A. All individuals listed below are required to complete a Beneficial Interest Contact - Individual form.

B. All entities listed below are required to complete a Beneficial Interest Contact - Organization form.

C. Any individual with any ownership in this license and/or the proposed manager of record must complete a CORI Release Form.

	Name	Title / Position	% Owned	Other Beneficial Interest
MARANIST	RAJITANISIZIV	PRESIDENT	100%	N /.+-
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	4			

CERTIFICATE OF VOTE

PTT RESTAURANT, INC.

This certifies that at a meeting of the Board of Directors of PTT Restaurant, Inc. on December 21, 2016 at 385 Boston Post Road, Sudbury, Massachusetts, a quorum being present and voting throughout, the following Vote was taken and remains in full force and effect:

"Voted: to elect Tharanee Rojthanasirivanich as president of the corporation, effective upon approval of the Sudbury Licensing Board and the Massachusetts Alcohol Beverages Control Commission;

"Voted: to elect Pavarisa Doucette as treasurer and secretary of the corporation, effective upon approval of the Sudbury Licensing Board and the Massachusetts Alcoholic Beverages Control Commission; and

"Voted: to approve the transfer of 250 shares of stock in the corporation from Christopher Allen Segur to Tharanee Rojthanasirivanich for the price of \$1.00, also effective upon approval of the Sudbury Licensing Board and the Massachusetts Alcohol Beverages Control Commission."

Attested and signed this $\frac{7}{1000}$ day of January, 2017.

hall G

Christopher Allen Segur, Secretary PTT Restaurant, Inc.

WARRANTY BILL OF SALE

Known all men by these presents, that Christopher Allen Segur ("Seller") for and in consideration of One dollar does hereby grant, sell, assign, transfer and convey to Tharanee Rojthanasirivanich of 462 Mt. Auburn Street, Watertown, Massachusetts 02472 ("Buyer"), all right, title and interest in and to the following:

250 shares of common stock in PTT Restaurant, Inc., a Massachusetts corporation.

To have and to hold in all singular, the herein described stock is conveyed unto the Buyer and her heirs, successors and assigns forever.

The Seller hereby warrants and confirms unto Buyer that Seller has a good right to sell the stock conveyed hereby. Seller does hereby bind himself to indemnify, warrant and forever defend title to the stock unto Buyer, from and against the lawful claims and demands of all persons whomsoever.

This Bill of Sale and the provisions herein contained shall be binding upon and inure to the benefit of the Buyer and Seller and their respective heirs, successors and assigns.

In witness whereof, this instrument has been executed under seal by Seller as of this day of January, 2017.

Witness:

proll C

Christopher Allen Segur

AGREEMENT FOR SALE OF STOCK

This Agreement is made this <u>H</u> day of <u>December</u>, <u>2017</u> Christopher Allen Segur, of Watertown Massachusetts (" Segur ") and Tharanee Rojthanasirivanich, of Watertown, Massachusetts ("Rojthanasirivanich") in regard to the Capital Stock of PTT Restaurant, Inc., a Massachusetts corporation ("the Corporation"), d/b/a Chili Basil, Building G, Mill Village, 365 Boston Post Road, Sudbury, Massachusetts 01776.

For good and valuable consideration, the receipt of which is hereby acknowledged, Segur and Rojthanasirivanich hereby agree as follows:

- 1. Srimahakosol will transfer to Rojthanasirivanich all of his stock in the Corporation for the price of One (\$1.00) Dollar; and
- 2. Rojthanasirivanich shall be responsible henceforth for all payments due to Lessor and any other liabilities and obligations of the Corporation to Old World Realty Corp., Trustee of Mill Village Realty Trust, its successors and assigns. As to business obligations of the Corporation, if the Corporation fails to pay such obligations when due and a creditor or taxing authority makes a claim directly against Segur for amounts that came due subsequent to January 1, 2017 that the Corporation failed to pay, then Rojthanasirivanich will indemnify Segur and hold him harmless from said claims or obligations, and will cause the Corporation to pay, settle or otherwise resolve that which was the basis of the claim against Segur.

This Agreement constitutes the entire agreement of the Parties hereto and may be amended only by an instrument in writing, duly executed by both Parties.

Witness our hands and seals this $\frac{7}{100}$ day of December, 2017.

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Christopher Allen Segur

Tharanee Rojthanasirivanich

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Mobile Phone:			Р	lace of Emplo	yment	CHILI BASIL			
Alternative Phone:			F	ax Number]	
Citizenship / Resider	ncy / Background Info	rmation	of Proposed	Manager					
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Chili Basil Change of Manager & Stock Transfer Application Department Feedback

Board of Health Approval:

From: Murphy, Bill Sent: Monday, January 30, 2017 12:29 PM Subject: RE: Amended Alcohol License Application: Chili Basil

I have **NO CONCERNS** with this application.

William C. Murphy, MS, RS, CHO Director of Public Health

Building Department Approval:

From: Herweck, Mark Sent: Monday, January 30, 2017 12:17 PM Subject: RE: Amended Alcohol License Application: Chili Basil

Hi Leila; I have NO ISSUES with Chili basil.

Thank you

Fire Department Approval:

From: Whalen, John Sent: Monday, January 30, 2017 4:04 PM To: Frank, Leila <FrankL@sudbury.ma.us> Subject: RE: Amended Alcohol License Application: Chili Basil

Hello Leila,

The Fire Department has **NO ISSUES** with this transfer.

John M. Whalen Assistant Fire Chief

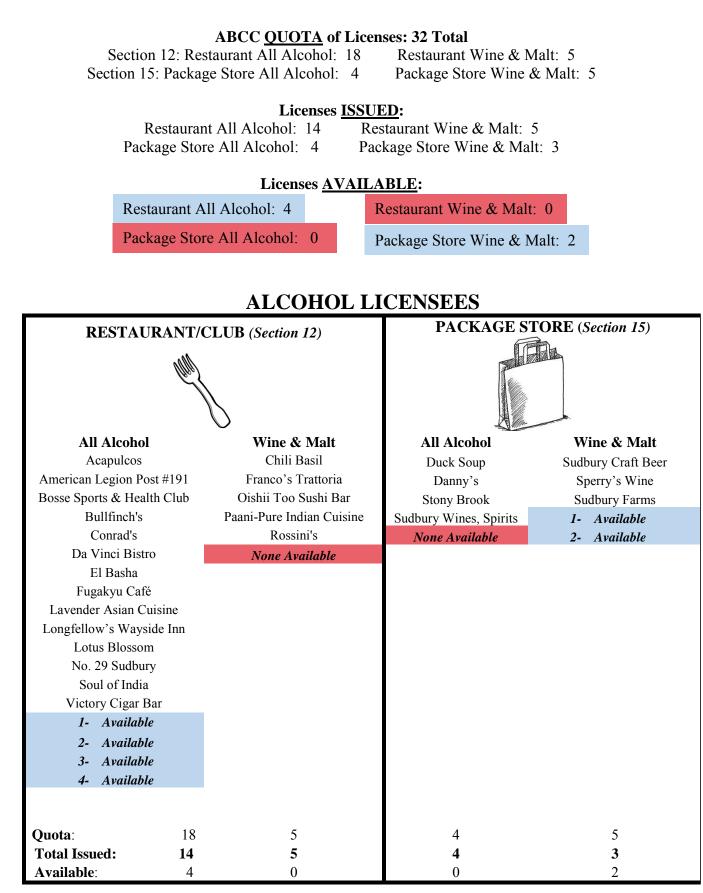
Police Department Approval:

From: Nix, Scott Sent: Thursday, January 12, 2017 10:39 AM Subject: RE: Amended Alcohol License Application: Chili Basil

The police department has **NO ISSUE** with the change.

Respectfully, Scott Nix Chief of Police 2.b

Sudbury Alcohol License Quota & Availability





TIMED ITEM

3: CSX Framingham

REQUESTOR SECTION

Date of request:

Requestor: Beth Suedmeyer, Environmental Planner

Formal Title: Presentation/discussion on CSX Sudbury-Framingham railtrail corridor. Kelly Boling, Project Manager, The Trust for Public Land, to attend.

Recommendations/Suggested Motion/Vote: Presentation/discussion on CSX Sudbury-Framingham railtrail corridor. Kelly Boling, Project Manager, The Trust for Public Land, to attend.

Background Information: Attached presentation

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending

02/07/2017 7:30 PM

Securing Sudbury's CSX Corridor for Public Use

Sudbury Board of Selectmen (February 7, 2017)



Attachment3.a: Sudbury BOS Presentation 02-03-17_CSX (2171 : CSX Framingham)

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About The Trust for Public Land

- National conservation non-profit, founded in 1972
- 5,000 park and conservation projects completed in 47 states, Puerto Rico, and the U.S. Virgin Islands, conserving more than 3 million acres of land
- National leader in creating public funds for land conservation, working with states, counties, and cities to generate \$34 billion for conservation since 1996
- Created, sustained, or supported 340 local land trusts



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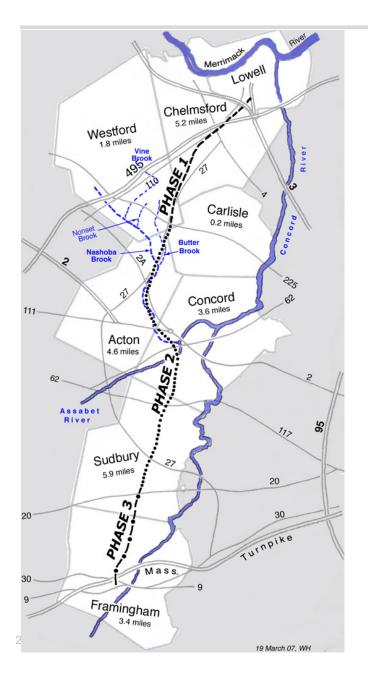
Why TPL Cares About the CSX Corridor

- Establishes new regional open space linkage
- Enables extension of Bruce Freeman Rail Trail
- Supports our Metro Mayors Coalition Climate-Smart Cities initiative by expanding active transportation options
- If corridor isn't secured, abandonment by CSX could result in permanent loss of regionally important trail opportunity
- We think we can help
 - Expertise in rail-banked property interests
 - National relationship with CSX



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About the Local CSX Corridor



Northerly Section (Phase 2D)

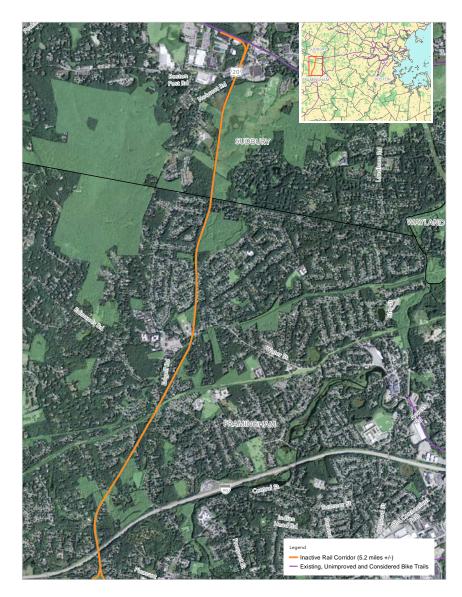
- Acquired by MASS DOT
- Under construction or moving into construction
- Northern Sudbury section approaching 25% design completion



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3.a

About the Local CSX Corridor



Southerly Section (Phase 2E)

- 4.62 miles, connecting Sudbury with Framingham
- Links neighborhoods, business districts, and open spaces
- Enables southward extension of Bruce Freeman Rail Trail



About Rail Corridors & Railbanking

- Corridors typically a mix of fee-simple and easement interests
- If corridors are abandoned, associated easement interests typically exinguished
- 1983 National Trails System Act (16 USC 1247 (d)) allows railbanking instead of abandonment
- Railbanking enables "interim" trail us while allowing possibility of future rail line reactivation
- Enables trail use while preserving nation's rail corridor network
- Few instances of corridor reactivation nationwide none in MA, none on CSX corridors

Appraisal

- Appraisal of ±4.62-mile Sudbury-Framingham CSX corridor jointly commissioned by Sudbury, Framingham, The Trust for Public Land, and CSX
- Colliers' 4/4/16 appraisal indicates total corridor value of \$4.79 million
 - Sudbury portion (±1.25 miles /11.25 acres):
 \$770,000
 - Framingham portion (±3.37 miles/31.32 acres):
 \$4,020,000



Key Challenges

- CSX won't segment the corridor, so Sudbury must purchase before Framingham can
- Mass DOR opined that railbanked corridors can't be purchased with CPA open space funds, as conservation property interest is not necessarily perpetual
- Limited opportunity for securing state and federal acquisition capital



Potential Funding Mechanisms

- Budget appropriation (NB: Framingham envisions 2-3 sequential annual appropriations to fund its corridor acquisition)
- Bonding outside CPA
- Pursuing project as CPA-funded historic preservation effort
- Persuading DOR to change its position on use of CPA open space funds to purchase railbanked property interests



Discussion

- Is securing the southerly CSX corridor a priority for Sudbury—or is it comfortable loosing it to abandonment?
- If Sudbury wishes to acquire the corridor, what funding mechanism(s) make the most sense?
- Other questions or concerns?



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Securing Sudbury's CSX Corridor for Public Use

Sudbury Board of Selectmen (February 7, 2017)



Attachment3.a: Sudbury BOS Presentation 02-03-17_CSX (2171 : CSX Framingham)



4: Accept ATM articles

<u>REQUESTOR SECTION</u> Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept Annual Town Meeting articles submitted by January 31, 2017, and refer any Zoning Bylaw amendments to the Planning Board.

Recommendations/Suggested Motion/Vote: Vote to accept Annual Town Meeting articles submitted by January 31, 2017, and refer any Zoning Bylaw amendments to the Planning Board.

Background Information: See attached documents

Financial impact expected:n/a

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting:

Pending
Pending
Pending
Pending
Pending

Attachment4.a: Zoning Bylaw Warrant Article (2140 : Accept ATM articles)



Town of Sudbury

Planning Board

Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776 978-639-3387 Fax: 978-443-0756

planningboard@sudbury.ma.us

https://sudbury.ma.us/planning

TO:Patty Golden, Administrative AssistantFROM:Meagen P. Donoghue, Director of PlanningRE:Warrant Article for 2017 Town MeetingDATE:January 31, 2017

Enclosed please find an article submitted by the Planning Board for inclusion in the 2017 Town Meeting Warrant:

Amend Article, in Zoning Bylaw, Section 1230 Conformance, by replacing the words "six months" to a "one year" in the definition of Conformance, or act on anything relative thereto.

Please have the Board of Selectmen refer to this article to the Planning Board at their earliest convenience.

If you need anything further, please advise.

Attachment

cc: Town Counsel

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Amend Zoning Bylaw, Article 1230, Conformance.

To see if the Town will vote to amend Article 1230 (the Zoning Bylaw), as follows:

Amend Article 1230, by replacing the words "six months" with the words "one year" to read as follows:

1230. Conformance. Construction or operations under a building permit or special permit shall conform to any subsequent amendment of this Bylaw unless the use or construction is commenced within a period of one year after the issuance of the permit, and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as possible.

Planning Board Report: This proposed article for the 2017 Annual Town Meeting, Changes the Sudbury Zoning Bylaw of Conformance to meet the Commonwealth's new requirements of Chapter 40A §6. The State's Act doubles the time within which the permittee can commence construction or operations under the Building or Special Permit from six (6) months to twelve (12) months. This lengthier period provides developers with additional time to obtain financing or secure other necessary approvals and begin construction or use without fear of a zoning change that might otherwise nullify the project. The Act was approved by the Governor with an Emergency Preamble, this law immediately took effect on August 2016.

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Planning Board

As Amended Voted: January 25, 2017

#	Article Title	Status	Sponsor	Article Presenter	BOS Position	Report BOS position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calenda
	IN MEMORIAM RESOLUTION		-							
	FINANCE/BUDGET									
1	Hear Reports	submitted	BOS						Majority	
2	FY17 Budget Adjustments	submitted	BOS						Majority	
3	Stabilization Fund	submitted	BOS						Two-thirds	
4	FY18 Budget	submitted	FinCom						Majority	
5	FY18 Transfer Station Enterprise Fund Budget	submitted	FinCom						Majority	
6	FY18 Pool Enterprise Fund Budget	submitted	FinCom						Majority	
7	FY18 Recreation Field Maintenance Enterprise Fund Budget	submitted	FinCom						Majority	
8	Unpaid Bills	submitted	Town Accountant						Four-fifths	
9	Chapter 90 Highway Funding	submitted	DPW Director						Majority	
10	Town/School Revolving Funds (consolidated)	submitted	Finance Director						Majority	
11	Amend Bylaws by Adding New Section Establishing Revolving Funds	submitted	Finance Director							
12	Fund Litigation Costs - Eversource	submitted	Town Manager				Stabiliza- tion fund	\$200,000		
13	Fund Litigation Costs - Sudbury Station	submitted	_				Stabiliza- tion fund	\$150,000		
14	Bruce Freeman Rail Trail	submitted	Town Manager					\$330,000		

S-support; IP-Indefinitely Postpone; RTM-Report at Town Meeting

Page 1

				Article	BOS	Report BOS position at	Funding	Requested	Required	Consent
#	Article Title	Status	Sponsor	Presenter	Position	ΑΤΜ	Source	Amount	Vote	Calenda
			Town							
15	Post Employment Health Insurance Trust Funding	submitted	-							
			Goodnow							
			Library							
16	Goodnow Library Charter Amendment	submitted								
	Temporary Moratorium on Marijuana		Town							
17	Establishments	submitted	Manager							
	Amend Article XVII of the Town of Sudbury									
	Bylaws - Licenses and Permits Subject to Unpaid		Town							
18	Taxes and Fees	submitted	_							
			Board of							
	Amend Town Bylaws, Art. XXVII.4 - In-Ground		Health							
19	Irrigation Systems	submitted								
			Planning							
20	Amend Zoning Bylaw, Article 1230, Conformance	submitted	Board							
	Capital Articles									
			Town							
21	FY18 Capital Budget	submitted	Ŭ							
			DPW							
22	DPW Rolling Stock Replacement	submitted	Director					\$182,000)	
23	Purchase of Fire Department Ladder Truck	submitted	Fire Chief					\$670,000)	
			Facilities							
24	School Rooftop HVAC Unit Replacement	submitted	Director					\$55,000)	
			DPW							
			Director/							
	Town and Schools Parking Lots, and Sidewalks		Facilities							
25	Improvements	submitted	Director					\$275,000)	
	Wireless Technology Infrastructure		Facilities	1	1					
26	Improvements - Sudbury Public Schools	submitted	Director					\$175,000)	

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# Article Title	Status	Sponsor	Article Presenter	BOS Position	Report BOS position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calenda
Sudbury Public Schools Playground		Facilities							
27 Improvements	submitted	Director					\$150,000)	
CPC Articles									
28 Lyons Pride/S.M.I.L.E Pour in Place Surfacing	submitted	СРС					\$70,975		
29 Featherland Multisport Court Reconstruction	submitted	СРС					\$220,000)	
30 Bruce Freeman Rail Trail	submitted	СРС					\$330,000)	
31 Town Hall Restoration/Rehabilitation	submitted	СРС					\$600,000)	
32 Sudbury Housing Authority Allocation	submitted	СРС					\$212,600)	
33 Regional Housing Services Office Allocation	submitted	СРС					\$30,000)	
FY18 Community Preservation Fund General 34 Budget and Appropriations	submitted	СРС							
Petition Articles									
35 Plastic Check-out Bag Ban bylaw	submitted	LS Environ- mental Club)						
36 Plastic Bottled Water Regulations bylaw	submitted	LS Environ- mental Club							



5: FY18 operating budget

<u>REQUESTOR SECTION</u> Date of request:

Requestor: Susan Iuliano

Formal Title: Update and discussion concerning FY18 operating budget, including potential override budget

Recommendations/Suggested Motion/Vote: Update and discussion concerning FY18 operating budget, including potential override budget

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending



6: FY18 capital budget

<u>REQUESTOR SECTION</u> Date of request:

Requestor: Susan Iuliano

Formal Title: Update and discussion concerning FY18 capital budget, including FY18 recommendations from the Strategic Financial Planning Committee for Capital Funding.

Recommendations/Suggested Motion/Vote: Update and discussion concerning FY18 capital budget, including FY18 recommendations from the Strategic Financial Planning Committee for Capital Funding.

Background Information: Attached minutes from 12/8/16 strategic financial planning committee for capital funding

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending

6.a

Strategic Financial Planning Committee for Capital Funding Committee Thursday, December 8, 2016 Silva Room, Flynn Building

Present: Charles Woodard (Chairman), Mark Howrey, Joan Carlton, Kevin Matthews, Patricia Brown, Thomas Travers, James Kelly, Dennis Keohane, Lucie St. George, Susan Berry, Lisa Kouchakdjian, Elena Kleifges Absent: Melissa Murphy-Rodrigues Also Present: Maryanne Bilodeau (Assistant Town Manager), Susan Rothermich (Sudbury Public Schools Business Manager)

The Chairman called the meeting to order at 7:36 am.

Selection of Clerk: Tom Travers volunteered to take minutes for this meeting.

Approval of Minutes: The minutes of November 3 meeting were approved.

Discussion and Vote of Capital Funding Recommendations for FY18:

Provided at the meeting were:

- 1) A schedule of Raytheon Mitigation Funds
- 2) An updated December 5, 2016 Capital Plan
- 3) Chuck Woodard's Capital funding data points analysis with CPC 2018 funding requests.

Dennis Koehane provided the following information regarding the amount of available free cash that would be available to fund capital projects:

Free Cash Certified	\$ 3,074,985
Less: Amount already appropriated Finance Committee Operating Reserve Stabilization fund addition	430,000 455,000 100,000
Total	985,000
Free cash Available for Capital Projects	2,089,985
Amount to be initially designated for Capital Projects	\$ 1,573,000
Free Cash Contingency remaining for capital projects	\$ 516,985

After a review and discussion of the various information available to the committee the following summarizes the unfunded needs for FY18 and proposed funding plan:

Total Small Project requests including rolling stock	\$ 2,829,190
Large project request for a new Fire Truck	940,000
Total projects needing funding	\$ 3,769,190
Loss other funding sources:	
Less other funding sources:	1.0.50.000
CPC funding	1,258,000
Operating budget	413,190
Private funding	200,000
Total other funding	\$ 1,871,190
Unfunded shortfall	\$ 1,898,000
Fund shortfall as follows:	
Free Cash	1,573,000
Raytheon Public Safety mitigation funds	325,000
Total	\$ 1,898,000

A motion was made and seconded to approve the above funding plan and recommend this plan to Board of Selectman for funding the capital plan for the FY 2018.

Proposal to re-purpose Rolling Stock Stabilization Fund:

It was proposed to re-purpose the Rolling Stock Stabilization Fund to broaden its scope to be able to be used for all Capital projects and change its name to the Capital Stabilization Fund.

The committee decided to postpone any action on this proposal at the time.

Discussion of Capital Approval and Funding Process:

The members felt it was important to have this process in place as soon as possible so that the Capital Approval and Funding Process is documented and available well in advance of deliberations on the FY19 budget.

It was agreed the Mark Howrey, Chuck Woodard and Dennis Koehane should meet and identify the data needed and develop a proposal for consideration at the next meeting.

Meeting schedule: The Committee will meet at 7:30 AM on January 19, 2017 in the Silva Room of the Flynn Building.

The meeting was adjourned at 9:01 am.

Respectfully submitted, Thomas S. Travers



7: SPS Admin Space

<u>REQUESTOR SECTION</u> Date of request:

Requestor: Susan Iuliano

Formal Title: Update and discussion concerning plans for SPS Administration Space

Recommendations/Suggested Motion/Vote: Update and discussion concerning plans for SPS Administration Space

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Pending
Pending
Pending
Pending
Pending



8: Ballot Question policy

<u>REQUESTOR SECTION</u> Date of request:

Requestor: Susan Iuliano

Formal Title: Discussion and possible vote concerning Ballot Question policy, including vote on whether to release any related legal opinions

Recommendations/Suggested Motion/Vote: Discussion and possible vote concerning Ballot Question policy, including vote on whether to release any related legal opinions

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending

Board of Selectmen Ballot Question Policy

Chapter 180 of the Acts of 1996 requires the Sudbury Board of Selectmen to provide registered voters the following information for any ballot question submitted solely to Town voters (other than a ballot pursuant to M.G.L. ch.53, §18A): (1) the full text of such question; (2) a fair and concise summary of such question; and (3) arguments for and against such question. See Attachment.

Further requirements include the following:

- The required information is to be sent to the voters at least 7 days before such an election.
- The Board of Selectmen, or when designated, Town Counsel, shall seek written arguments from the principal proponents and opponents of each question.
- The Board of Selectmen shall designate a date for receipt for such arguments and shall provide notice of such 14 days before the date arguments are to be received.
- The Board of Selectmen shall designate those best able to present the arguments for and against each question.
- If no argument is received within the time allowed, Town Counsel shall prepare such argument.
- No argument shall contain more than 250 words.

The requirements of this law will be implemented as follows for any ballot questions to be submitted for an Annual Town Election or a Special Town Election.

- Notice of proposed ballot questions and a request for written arguments for and against the questions will be posted on the Town website at least or <u>46 days</u> before the election **plus** additional days as needed to allow Board of Selectmen meetings for actions listed below. The Board of Selectmen will also reach out to relevant parties including petitioners for citizen questions and ballot question committees.
- The Board of Selectmen will determine those persons best able to present the arguments for and against each question in an open meeting. In the absence of submission, Town Counsel will prepare the argument.
- Written arguments for and against ballot questions will be reviewed by Town Counsel for legal compliance. Neither Town Counsel nor the Board of Selectmen will review the written arguments for substance, opinion, or accuracy.
- The Board of Selectmen will not edit arguments submitted other than those submitted by the Board.

Days before election	Action	Purpose
46 + days for BOS	Notice of proposed ballot	
meetings	questions and request for	
	written arguments	
39 + days for BOS	BOS decides authors for pro	To allow 14 days before due to
meetings	and con arguments	Town Counsel
35+ days for BOS	Wording of final ballot	To comply with state ballot law
meetings	questions to Town Clerk	
25 + days for BOS	Written arguments	To allow 7 days for Town Counsel
meetings	submitted to Town Counsel	review and submission to BOS
18 + days for BOS	BOS approves final warrant	
meetings		
18 days	Delivery to printer	To allow printer 7 days before
		mailing date
11 days	Delivery to Post Office	To allow 4 days for mail
7 days	Posting and receipt of	
	warrant	

Approved by the Board of Selectmen _____.



9: Town Manager Evaluation process

<u>REQUESTOR SECTION</u> Date of request:

Date of request.

Requestor: Susan Iuliano

Formal Title: Review of Town Manager evaluation process and schedule

Recommendations/Suggested Motion/Vote: Review of Town Manager evaluation process and schedule

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending

TOWN OF SUDBURY EVALUATION PROCESS FOR THE TOWN MANAGER

PREFACE

The Sudbury Board of Selectmen is committed to an evaluation process that is positive, constructive, and measurable in assessing performance. The BOS seeks to provide sound and regular feedback to the Town Manager throughout the year. The purpose of the evaluation instrument is to formally appraise the Town Manager's performance on an annual basis. The BOS will assess the Town Manager's performance in management practices and in the accomplishment of goals. The evaluation process should be implemented with mutual respect for all involved, to assist the Town Manager in reviewing her effectiveness and to work toward the common goal of improving the Town of Sudbury.

PROCESS

The evaluation shall consist of:

SECTION 1: A narrative self-evaluation completed by the Town Manager, addressing major areas of responsibility and progress in meeting the goals agreed upon by the BOS and the Town Manager.

SECTION 2: A composite evaluation based on a checklist of the Town Manager's major areas of responsibilities. Each Selectman will complete an individual checklist review form to evaluate each area. The composite evaluation scoring for each area will be an average of the Selectmen's individual ratings, with each Selectman's score weighted equally. The Town Manager Evaluation Subcommittee will provide a draft summary of the comments provided by the Selectmen for each area, to be approved by the BOS.

SECTION 3: A composite evaluation concerning the Town Manager's progress in meeting the goals agreed upon by the BOS and the Town Manager. Each Selectman will complete an individual narrative concerning the Town Manager's progress in meeting these goals. The Town Manager Evaluation Subcommittee will provide a draft summary of the comments provided by the Selectmen for each goal, to be approved by the BOS.

PROCEDURE AND SCHEDULE

By **October 15** each year, the BOS will establish or update goals for the Town of Sudbury that may be annual or multi-year objectives, with a focus on the following calendar year. Within the context of these goals, the BOS and Town Manager together will outline specific annual goals, for the upcoming calendar year, to assist the Town Manager in identifying her role in implementing the Town goals. The BOS will establish a Town Manager Evaluation Subcommittee to draft these goals. The Town Manager's goals will be established by the end of **November.** The Town Manager also may establish administrative goals for the Town staff.

Throughout the year, individual Selectmen should identify any performance concerns or recommendations and discuss these directly with the Town Manager. Substantial concerns, including any that require corrective action, should be discussed by the BOS in an open session. In any event, the BOS will conduct an informal discussion concerning the Town Manager's performance in **July or August** each year.

To initiate the formal review process, the Town Manager will submit a narrative self-evaluation to the BOS by **March 1** each year, addressing the prior calendar year. Each Selectman will complete an individual Section 2 checklist form and a Section 3 goal narrative and submit these to the Town Manager Evaluation Subcommittee by **March 15**, evaluating the Town Manager's performance for the prior calendar year.

These individual evaluations, combined with information from the Town Manager's selfevaluation, will be compiled by the Subcommittee into a draft composite evaluation. The Subcommittee will then meet with the Town Manager to discuss the draft evaluation. The Subcommittee will submit the draft evaluation to the board by the first BOS meeting in **April**. The BOS will review and approve the evaluation by **April 30** to ensure that those members who have supervised the Town Manager during the preceding calendar year vote on the evaluation. All BOS discussion of the evaluation will occur in an Open Meeting and both individual and composite written evaluations will be available as public records.

The BOS will generally conduct the salary review for the Town Manager in June of each year.

FOR 2016: The process for 2016 will be different given that the Town Manager commenced employment on December 1, 2015. In the summer of 2016, the BOS will conduct an informal evaluation discussion with the Town Manager concerning the Town Manager's performance since December 1, 2015. Then, starting in March 2017, the BOS will follow the process described above to evaluate the Town Manager's performance from December 1, 2015, through December 31, 2016.



10: BOS Quarterly Newsletter

<u>REQUESTOR SECTION</u> Date of request:

Requestor: Vice Chair Woodard

Formal Title: Discussion of Board of Selectmen Quarterly Newsletter

Recommendations/Suggested Motion/Vote: Discussion of Board of Selectmen Quarterly Newsletter

Background Information: attached document

Financial impact expected:n/a

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting:

Pending
Pending
Pending
Pending
Pending

Quarterly BOS Newsletter

Distribution via the town website in the same way the Town Manager Newsletter is handled.

First issue via the Town Manager Newsletter mailing list and ask people to select whether they want to subscribe and receive notification of future issues?

4-7 articles per newsletter

Up to 500 words each (roughly one typewritten page)

Each Board member is expected to compose at least one article

Possible topics (not necessarily in the first issue, or limited to one issue):

Eversource Sudbury Station Wayside Inn Capital Planning Bruce Freeman Rail Trail New Appointments Selectmen's Goals for 2017 Fairbank Community Center Town Hall

Sudbury Station Susan Iuliano

On September 20, 2016, the Zoning Board of Appeals issued a Comprehensive Permit (under Chapter 40B) to Applicant Sudbury Station, LLC, the developer seeking to build 250 units of rental housing (Village at Sudbury Station) on land adjacent to cemeteries in Sudbury's historic Town Center. The Comprehensive Permit Decision approved the project with a number of conditions, including limiting the development to 30 units and eliminating Peter's Way as a proposed access from Concord Road.

The developer appealed the Comprehensive Permit Decision to the state Housing Appeals Committee. The ZBA filed a response in defense of the ZBA Decision and the Town moved to intervene to enforce the Town's rights as an abutter. Over the last few months, the parties have filed numerous pre-hearing pleadings, which include the Applicant's Motion for a Summary Decision and the Town's Motion to Dismiss the appeal. These and other motions are currently pending review by the Housing Appeals Committee.

In addition, the Selectmen have initiated a separate legal action in Land Court, to enforce restrictions on the parcel of land that the developer seeks to use as the Peter's Way access. When the Town conveyed this Town-owned land in 2012, it was as part of a land swap that would give the Town additional cemetery land in exchange for enabling the land owners to access a previously landlocked parcel for purposes of building one house. The transfer was unanimously approved at the 2011 Town Meeting based on the stated understanding that the Town-owned parcel would be used as access to one house lot. The Planning Board subsequently approved a subdivision plan consistent with this understanding. The current proposed use of the parcel is not consistent with these prior Town actions.

The Land Court judge held a Case Management Conference; various preliminary pleadings have been filed or are anticipated. The Town is also closely following a related Land Court suit filed by adjacent land owners against the ZBA and the owners of the parcel proposed for development, seeking to annul the ZBA Decision and arguing the developers do not have the legal right of access over Peter's Way needed for the proposed project.

The Selectmen and the Town Manager are working closely with both Town Counsel and special legal counsel to aggressively pursue the Town's best interests in these litigation matters. Resolution of these actions may take many months. We will continue to update the Town concerning critical actions and decisions that may affect the status of the proposed development.

Additional information is available on the Town Website: Sudbury Station

Fairbank Community Center Pat Brown

Sudbury has been evaluating the possibilities for a significant redesign of the existing Fairbank Community Center since 2012. The Fairbank Task Force developed an article for 2016 Annual Town Meeting requesting funds for design for a new Fairbank Community Center. However amid uncertainty concerning the specific design proposed and the net operating costs of the proposed facility, the article was Indefinitely Postponed.

Following 2016 Town Meeting, the Fairbank Task Force reorganized with largely new membership, including a new Director of Park & Recreation, and a new mission statement. The reconstituted

Fairbank Task Force ("Fairbank 2.0") has been meeting since August to develop a proposal for the Fairbank Center.

The Task Force is assembling numbers on the following options:

- Maintain only. We can continue to use the facility as is. The building is sound, with significant shortcomings (the roof leaks), but it requires major capital maintenance. The current five year capital plan includes repair of the flat roof in FY19 for \$1.3 million, window replacement in FY21 for \$750,000, and sprinkler (fire suppression) work in FY22 for \$350,000. BH+A estimates costs as \$1 million to \$3 million over the next ten years. Our Facilities Director believes it may cost more. This does not address any currently unmet programming needs, and does not consider transition costs--keeping our programs running while construction is in progress.
- 2. Rebuild existing. We can substantially rehabilitate the existing space to bring it up to current building code without expanding it. Given the shortcomings of the Fairbank School wing, it would be cheaper to demolish that wing and rebuild than to rehabilitate it. Other areas may require only renovation. Aside from minor reconfigurations this would replicate the existing space (about 40,000 square feet) at an estimated cost of \$12 million including "soft costs". Questions remain about potentially phasing construction, unmet programming needs and transition costs.
- 3. New facility. Request design funds for a substantially new facility, one the Task Force and the community can support to meet our future programming needs and to operate in a prudent and sustainable manner. The Task Force has been wrestling to propose a single design that meets this goal. Costs—both capital and operating—are highly dependent on the design proposed. In light of the growing needs of the community and the opportunity to create a more usable community space, the Task Force is attempting to develop consensus on a single sustainable design for a new facility.

Recognizing that the Fairbank project will not be complete in time to address the urgent needs of the Sudbury Public Schools Administration currently housed at Fairbank under the leaking roof, the Selectmen are moving ahead with a separate plan for the administration. The Fairbank Task Force continues to work on a plan to have all three alternatives above completed and to present a plan for moving forward to Sudbury Annual Town Meeting in the spring of 2018.

Bruce Freeman Rail Trail Len Simon

The pace of work and accomplishments in moving the Bruce Freeman Rail Trail forward picked up in the past year.

VHB, the design engineering firm, is nearing completion of the 25% design which it expects to submit to MassDOT by March 2017. This will trigger a 3-6 month review by MassDOT during which time its comments and modifications will be incorporated into the design. As part of their evaluation and review MassDOT will hold a public meeting in Sudbury, possibly in August, to hear from residents.

Additional work, outside the scope of the RFP, included a detailed traffic study for certain road crossings and further engineering work on a damaged bridge abutment at the Pantry Brook crossing.

VHB held two public meetings last fall to familiarize the town with the design process, gather input from residents, and update the town on design progress to date. One of the meetings featured a PowerPoint presentation which provided an overview of what has been accomplished to date and a timeline of future tasks. These can be found at the Bruce Freeman page on the town web site: https://sudbury.ma.us/pcd/2014/11/25/bruce-freeman-rail-trail-update-info/

VHB submitted an ANRAD (Abbreviated Notice of Resource Area Delineation) to the Conservation Commission in July. The Commission, with the assistance of an outside consultant, approved an ORAD (Order of Resource Area Delineation), with conditions, on November 7, 2016. This was a major step forward.

In November, following a presentation by VHB and the town's Environmental Planner, the Board of Selectmen voted to approve a request for \$330,000 for additional design funds for the Bruce Freeman Rail Trail to the Community Preservation Committee. This includes funding for the 75% design.

The town's Environmental Planner, Beth Suedmeyer, is preparing documents to be submitted to the Metropolitan Planning Organization (MPO) to get the BFRT onto the TIP (Transportation Improvement Program), a critical step in obtaining federal and state funding for construction.

The Bruce Freeman Rail Trail Design Task Force, a Board of Selectmen appointed committee composed of representatives from town boards, the Friends of the BFRT, and at-large citizens, has begun its work. It met for the first time on January 17, 2017. The Board of Selectmen is looking to this Task Force to gather information and community feedback to help guide the Board and Town staff in making thoughtful design decisions.

If the requested \$330,00 of funding is approved at the May 2017 town meeting, the 75% design work can begin this Spring. Construction of the rail trail, which will cost over \$6,000,000 and be paid with federal and state dollars, is still a few years away. But much has been accomplished over the past year and Sudbury is definitely on the right track to make the dream of a great rail trail in our community a reality.

Town Hall Bob Haarde



Since 1639, the Town of Sudbury's seat of government has been one of the longest standing government meetinghouses in all of America. Sudbury's original "Town Hall" burned down on February 5th 1930. Above is a picture of our original Town Hall - the building in the middle. Both the First Parish Church and Meetinghouse and the two Sudbury Town Halls have shared the purpose of seating Sudbury's Town Government since 1723.

The original Town Hall was built in 1846 across Concord Road from its current location and next to the First Parish Church. The third building to the right is the current Presbyterian Church and the site where the current Town Hall now stands was one of the Haynes Family barns. The old Town Hall built in 1846 replaced the original First Parish Meeting House, which was built in 1723, as the seat of government. The original Town Hall lasted until 1930, 84 years, until it burned to the ground.

Parmenter and Garfield's General Store is the building that currently sits in Marlboro in the Stephen Anthony's plaza and is often thought to be Sudbury's original Town Hall because it bears a resemblance. This building was originally erected in Sudbury Center in 1790 near the intersection of Hudson and Concord Roads and was moved by Henry Ford in 1928 to its current location in Marlboro. The Parmenter and Garfield General Store served the Town of Sudbury as the General Store, Post Office and school for advance students. Proprietor John Garfield had a distant cousin from Ohio, James Garfield, who was attending Williams College in Massachusetts and was asked by John to be the schoolmaster during his spare time at his general store in Sudbury. James Garfield taught the children in Sudbury for several years before going on, later in life, to become 20th President of the United States of America.

The current Town Hall was built in 1932. The lead architect was famous Sudbury resident Charles Way who built many of the timeless brownstones still standing in Boston's Back Bay. Other famous Sudbury residents were also involved in the construction of our town hall including Joseph Everett Chandler, who restored the Paul Revere House and the old State House in Boston, and Ralph Adams Cram, the architect of Princeton College, West Point and the Cathedral of St. John the Divine in Manhattan, New York City.

The Sudbury Town Hall Blue Ribbon Committee has spent several years studying various options for our Town Hall, including demolition and replace, restoration and expansion. Ironically, our current 1932 Town Hall is 84 years old, the same age as the original 1846 Town Hall when it burnt down. The current Town Hall is in a constant state of disrepair with aged plumbing, electrical and structural systems.

The Board of Selectmen are currently considering a \$600,000 Annual Town Meeting article to fund architectural and design services for a restoration of Town Hall. This restoration will result in lower energy costs, protect the building from fire, flooding and other disaster while also creating increased capacity and increased uses of the building. The building will also become ADA compliant and the upstairs and downstairs areas of Town Hall which have been largely dormant for decades will become usable spaces for our community to enjoy for social, cultural, civic and education meetings and functions.



11: Citizen's Comments (Cont)

<u>REQUESTOR SECTION</u> Date of request:

Requested by: Patty Golden

Formal Title: Citizen's Comments (Cont)

Recommendations/Suggested Motion/Vote: Citizen's Comments (Cont)

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending



12: Future agenda items

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Future agenda items

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending



CONSENT CALENDAR ITEM

13: Continue opt-out incentive program

REQUESTOR SECTION

Date of request:

Requestor: Maryanne Bilodeau, Asst. Town Manager/HR Director

Formal Title: Vote to approve to continue the Opt-Out Incentive Program through 6/30/19 for those Active Employees who currently participate in the program and for those Active Employees enrolled in our health plans and who Opt Out of being covered by the Town of Sudbury health plans, as described in the attached document "Opt-Out Incentive Program, w/updates for 7/1/17", as recommended by Maryanne Bilodeau, Asst. Town Manager/HR Director.

Recommendations/Suggested Motion/Vote: Vote to approve to continue the Opt-Out Incentive Program through 6/30/19 for those Active Employees who currently participate in the program and for those Active Employees enrolled in our health plans and who Opt Out of being covered by the Town of Sudbury health plans, as described in the attached document "Opt-Out Incentive Program, w/updates for 7/1/17", as recommended by Maryanne Bilodeau, Asst. Town Manager/HR Director.

Background Information: see attachments

Financial impact expected:continue realized savings from current program

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Pending
Pending
Pending
Pending
Pending



TOWN OF SUDBURY Office of the Asst. Town Manager/HR Director

Maryanne Bilodeau Asst. Town Manager/HR Director 278 Old Sudbury Road Sudbury, Massachusetts 01776 Tel: (978) 639-3386 Email: bilodeaum@sudbury.ma.us

To: Board of SelectmenFrom: Maryanne BilodeauRe: Continuation of Opt-Out Incentive ProgramDate: February 1, 2017

Attached is information describing the Opt-Out Incentive Program which was started on July 1, 2011.

Basically how the program works is that if an employee, who has been covered by the Town's health insurance for at least two years, decides to Opt Out of being covered by health insurance through the Town and shows proof of being <u>enrolled in health insurance</u> elsewhere, the Town will pay a set amount of \$1,500 per year for an individual, and \$3,000 per year for a family plan.

The first year we started this program we had 4 participants. The program has grown to approximately 48 participants and continues to save the Town a tremendous amount of money.

Since this continues to be a successful program, we are asking to continue the program for two more years, starting 7/1/17 through 6/30/19. In two years we will reevaluate the program and come back to you at that time to discuss extending the incentive longer.

Thank you.



Town of Sudbury

Human Resources Office 278 Old Sudbury Rd. Sudbury, MA 01776

FOR OFFICE US	SE ONLY
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NAME:

Date Enrolled in Plan: Opt Out Date:

Plan Name	 Ind./Family

Proof of Other Insurance (on employer letterhead or health cards showing coverage effective date): $\underline{\mathbf{Y} \text{ or } \mathbf{N}}$

Approved by: _____

OPT-OUT INCENTIVE PROGRAM –w/ updates for 7/1/17

With this option, the Town will pay a set amount of \$1,500 per year for an individual and \$3,000 per year for a family plan to Active employees, who are covered under the Town's health insurance for a minimum of two consecutive years and then <u>opt-out of being</u> covered through our plans <u>and enroll in health insurance</u> elsewhere. You can enroll in the Opt-Out at any time of the year as long as there is a qualifying event.

The guidelines for the Program are:

- (a) The Opt-Out incentive is only available to Active employees who have been enrolled in the Town's health insurance for a minimum of two (2) continuous years and then choose to Opt Out.
- (b) The Town will pay a set waiver incentive amount: \$1,500 per year for individual plan; and \$3,000 per year for a family plan upon proof of other insurance.
- (c) The Town will pay the Opt-Out benefit via payroll on a bi-weekly basis, less any required withholdings.
- (d) If there is a qualifying event in which an employee who has opted-out needs to opt back onto Town insurance, the employee will be allowed to do so as long as it is within 30 days of the qualifying event.
- (e) The only way to receive the Opt-Out incentive is if the employee is not covered by the Town's health plans in any way OR by health insurance coverage through the Lincoln-Sudbury Regional High School. (This includes through a parent or spouse's plan).
- (f) Changing from a family to individual plan does not count.
- (g) The Opt-Out will have a sunset provision. We'll continue the program for two years and will then review as to whether or not to continue to offer it. If the Town decides not to continue the Opt-Out Program, employees will be given an opportunity to get back onto the Town's health plans if they choose. (Two-year period runs from 7/1/17 to 6/30/19.)
- (h) Any issues or disputes that arise regarding enrollment periods or rules and regulations relating to the implementation of the program shall be reviewed by the Town's Assistant Town Manager/Human Resources Director. His/her determination shall be final and binding.
- (i) If I Opt-Out, I understand that I will not be eligible for mitigation money should mitigation money be available in the future. In the past, Mitigation money has only been available to active employees who have continued to be enrolled in a GIC plan since 7/1/12.
- (j) Should there be a case where an employee did not meet the criteria and received the opt-out in error, the employee must reimburse the Town the Opt-Out money they received through Town payroll deductions. *(over)*

13.b

I hereby acknowledge that:

-My decision not to participate in one of the Town's health plans is made voluntarily and that I have read and understand the guidelines stated above.

-I also certify that I am not covered by health insurance through the Lincoln Sudbury Regional High School.

-I understand that I will receive the bi-weekly Opt-Out Incentive payments during the period of time I am not covered by the Town's health insurance.

-Should I choose to come back onto the Town's health insurance, the Opt Out payments will cease.

-Should I receive opt out money in error because I do not qualify for the program, I agree to reimburse the Town for all Opt Out money received.

Along with completing an enrollment form terminating GIC coverage, employees <u>must provide</u> "Proof of other Insurance" on company letterhead or a copy of health insurance cards showing:

>effective date of coverage

>whether the plan is individual or family

>names of the family members covered under the plan

If you have questions, please contact Deb Greeno/Benefits Coordinator at 978-639-3348 or greenod@sudbury.ma.us.

Print Name:

Date:

Signature: _____



CONSENT CALENDAR ITEM

14: Minutes approval

<u>REQUESTOR SECTION</u> Date of request:

Requested by: Patty Golden

Formal Title: Vote to approve the regular session minutes of 1/24/17.

Recommendations/Suggested Motion/Vote: Vote to approve the regular session minutes of 1/24/17.

Background Information: attached draft

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Pending
Pending
Pending
Pending
Pending

02/07/2017 7:30 PM



CONSENT CALENDAR ITEM

15: Bike MS Minuteman Ride

REQUESTOR SECTION

Date of request:

Requestor: Emily Christian, National Multiple Sclerosis Society

Formal Title: Vote to grant a Special Permit to the National Multiple Sclerosis Society, to Hold the "Bike MS Minuteman Ride" on Saturday, July 15, 2017, from 9:00 A.M. through approximately 3:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race's conclusion.

Recommendations/Suggested Motion/Vote: Vote to grant a Special Permit to the National Multiple Sclerosis Society, to Hold the "Bike MS Minuteman Ride" on Saturday, July 15, 2017, from 9:00 A.M. through approximately 3:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race's conclusion.

Background Information:

Financial impact expected:N/A

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Leila S. Frank	Pending
Patty Golden	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending

02/07/2017 7:30 PM

Attachment15.a: Bike MS Minuteman Ride 2017_BOS (2173 : Bike MS Minuteman Ride)



MS.

National Multiple Sclerosis Society Greater New England Chapter BUARD OF SILLETMEN SUDBURY, MA

2017 JAN -9 P 1:55

January 5, 2017

Town Manager Flynn Building 278 Old Sudbury Road Sudbury, MA 01776

Dear Town Manager:

The National Multiple Sclerosis Society, Greater New England Chapter is excited to host the 9th annual Bike MS: Minuteman Ride on July 15, 2017. Bike MS is a fundraising campaign that raises vital dollars to move the National MS Society closer to a world free of MS. With these dollars, the Greater New England Chapter supports 21,000 people in Maine, Massachusetts, New Hampshire, Rhode Island and Vermont living with multiple sclerosis.

Our route will take us through Sudbury. We expect approximately 100 cyclists to be riding through your town in small groups. Enclosed are cue sheets for street by street directions of the route.

Cyclists will be instructed to ride single file on the right side of the road, and to observe all rules of the road. Our own support vehicles will travel the route to ensure the safety of all.

If you could complete the enclosed form and mail, email or fax it back to me at 781-890-2089, that would be great. If you have any questions regarding this event please feel free to contact me at **begin the second**

Sincerely,

EuclB lik

Emily Christian Logistics Manager

101A First Avenue Suite 6 Waltham MA 02451 1115 tel +1 800 344 4867 fax +1 781 890 2089 www.MSnewengland.org

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15.

TOWN OF SUDBURY

Office of Selectmen www.sudbury.ma.us

Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776-1843 978-639-3381 Fax: 978-443-0756 Email: <u>BOSadmin@sudbury.ma.us</u>

APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

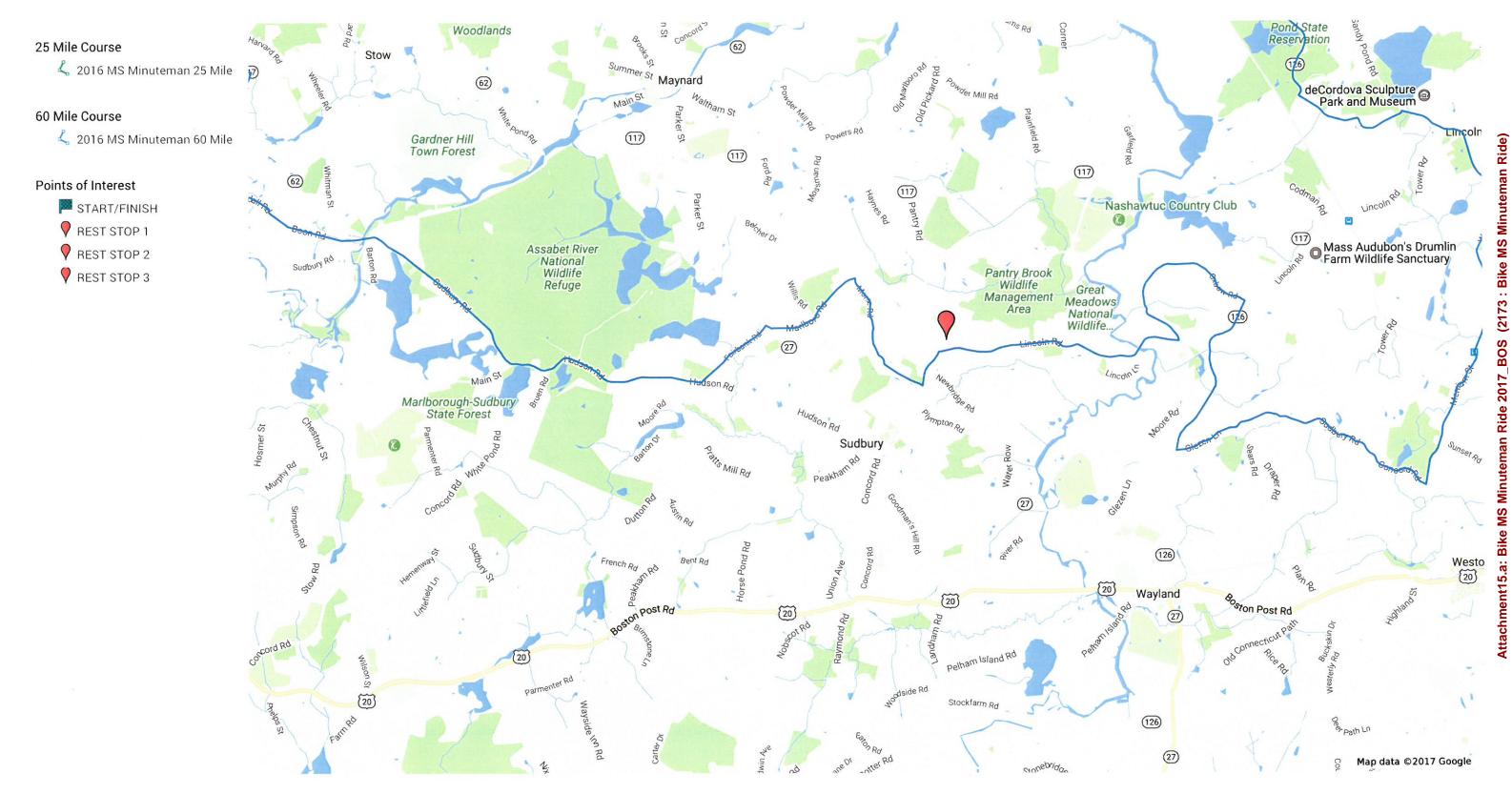
Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Board of Selectmen prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Towns cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Board of Selectmen approval. Processing begins after all required materials are received, so please plan accordingly.

Organization Name Noteral Mas Socie	hi
Event Name B.K. MS: Minutemen R	Licle
Organization Address 1014 First Ave seite	6 WALKIM, MA 02451
Name of contact person in charge _ Emily Chris	tian
Telephone Numb	
Email address	
Date of event	Rain DateNA
Starting time 9:00am	Ending time 3:00,200
Route of the race/relay and portion of the road requeste	1
this application) See we sheets	
Anticipated number of participants 150	
Assembly area (enclose written permission of owner if	private property to be used for assembly)
Concord-Carliste Highs	school
Organization that proceeds will go to	
Any other important information	

The undersigned applicant agrees that the applicant and event participants will conform to applicable laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.

Signature of Applicant Date -17

2016 MS Minuteman Ride KC1AJJ



2016 MS Minuteman Ri...

46 views

SHARE

25 Mile Course

2016 MS Minuteman 25 Mile

60 Mile Course

2016 MS Minuteman 60 Mile

Points of Interest

START/FINISH

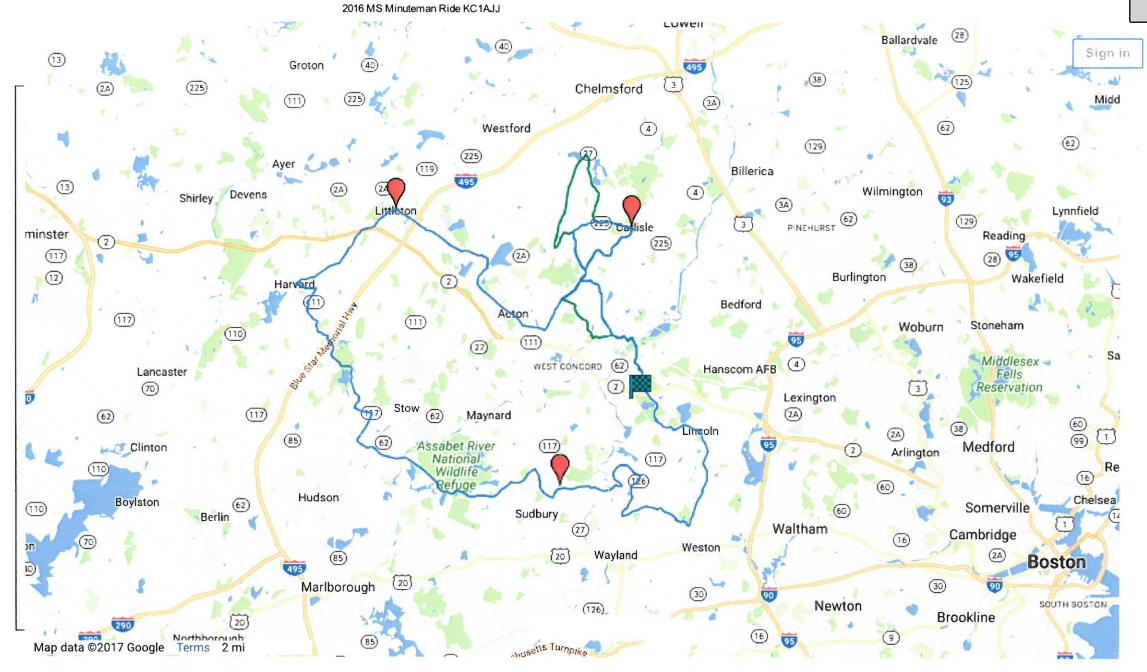
REST STOP 1

REST STOP 2

REST STOP 3



Made with Google My Maps



15.a

Net Control: 978 888-3363

Miles	Direction	Description	Go	Town:	
0.00	L	Walden St.	0.30	Concord	
0.30	R	Heywood St. 0.10			
0.40	L	Lexington Rd.	0.30		
0.70	R	Monument St.	0.90		
1.60	L	Liberty St.	0.20		
1.80	R	Estabrook Rd.	0.20		
2.00	cont.	Barnes Hill Rd.	0.40		
2.40	cont.	Barretts Hill Rd.	0.80		
3.20	R	Strawberry Hill Rd.	1.90	Acton	
5.10	R	Pope Rd.	1.30	Carlisle	
6.40	L	West St.	1.70		
8.10		Acton St.	0.40		
8.50	cont.	Carlisle Rd.	0.70		
9.20	R	Rt. 27 / Main St.	1.60	Westford	
10.80	cont.	Bruce Freeman Rail Trail @ 225/27 intersection	2.30	Chelmsford	
13.10	R	Lakeside Ave.	0.00	Choinereid	
13.10	R	Rt. 27 / Acton Rd.	0.00		
13.10	L	Elm St.	1.00		
14.10	cont.	Fiske Rd.	1.50	Carlisle	
14.70	R	Curve St.	2.30	Gundio	
15.60	L	Rt. 225 / Westford St.	1.40		
17.00	L	REST STOP #3 - Carlisle Town Hall			
	L	Out of Rest Stop	0.10		
17.10	R	Concord St.	1.40		
18.50	R	South St.	1.30		
19.80	BL	West St.	0.10		
19.90	R	Pope Rd.	0.40	Concord	
20.30	L	Spencer Brook Rd.	0.40	concord	
20.70	BR	Westford Rd.	0.70		
21.40	BR	Lowell Rd.	1.50		
22.90	L	Barnes Hill Rd.	0.40		
23.30	cont.	Eastbrook Rd.	0.30		
23.60	L	Liberty St.	0.20		
23.80	R	Monument St.	1.00		
24.80	L	Lexington Rd.	0.20		
25.00	R	Heywood St.	0.10		
25.10	L	Walden St.	0.30		
25.40	R	Concord- Carlisle High School			
		Congratulations! You made it!			
		Route closes at 3:00PM			

2017 Bike MS Minuteman Bike Ride - 60 mile

Net Control: 978 888-3363

Miles	Directior	Description	Go	Town
0.00	R	Walden St	0.7	
0.70	X	Rt. 2 / Continue on Rt. 126	0.7	
1.28	S	Continue on Rt 126 past Walden Pond	0.54	
1.82	L	Baker Bridge Rd.		
2.97	R	Sandy Pond Rd. (not marked)	1.18	
3.61	Х	Lincoln/Bedford Rd, Cont on Weston Rd.	0.64	
4.41	R	Silver Hill Rd., cont. on Weston Rd.	0.80	
5.55	X	Route 117, Continue on Merriam St.	1.14	
7.26	R	Concord Rd.	1.71	
8.04	BL	Sudbury Rd.	0.78	
8.76		Continue on Glezen Rd.	0.72	
10.00	R	Route 126/Concord Rd.	1.24	
11.60	L	Oxbow Rd.	1.60	
13.40	R	Sherman Bridge Rd.	1.80	
15.80		REST STOP #1 - Lincoln-Sudbury H.S.	1.40	Sudbury
	R	out of rest stop	0.00	
16.00	BL	Concord Rd.	0.20	
16.30	R	Morse Rd.	0.30	
17.60	L	Marlboro Rd.	1.30	
18.60	R	Route 27/Maynard Rd.	1.00	
18.70	L	Fairbanks Rd.	0.10	
19.50	R	Hudson Rd.	0.80	
21.50	BR	Sudbury Rd.	2.00	
23.60		Continue on Boon Rd.	2.10	Hudson
24.20	Х	Route 62/Gleasondale Rd.	0.60	
24.30	BR	Randall Rd.	0.10	Stowe
24.80	S	Edison St.	0.50	
25.10	R	Hudson Rd.	0.30	
26.30	L	Route 117/Great Rd.	1.20	
26.62	BR	Lantern Ln.	0.32	
26.94	R	Hiley Brook Rd.	0.32	
27.24	BL	Harvard Rd.	0.30	
28.46	BL	Continue on Finn Rd.	1.22	
9.42	R	Stow Rd.	0.96	
	х	Under Route 495	2.36	
1.78	R	Slough Rd.		
2.39	L	Oak Hill Rd.	0.61	
2.69		Old Littleton Rd.	0.30	Harvard
5.87		Route 2, Continue on Oak Hill Rd.	3.18	
7.28		Sanderson Rd.	1.41	Littleton
7.38		REST STOP #2 - Fallons Fine Liquor	0.11	
	X	Railroad Tracks	0.01	
	~ ~ ~			

Net Control: 978 888-3363

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Miles	Direction	Description	Go	Town:
40.11	L	Newtown Rd.	0.11	
40.22	R	Nashoba Rd.	0.63	
40.85	R	Nagog Hill Rd.	0.56	
41.41	R	Fort Pond Rd.	0.68	Acton
42.09	L	Newtown Rd.	1.60	
43.69	X	Route 27, Continue on Concord Rd.	0.00	
43.69	BL	Concord Rd.	1.30	
44.99	R	Route 2A/Great Rd.	0.10	
45.09	L	Pope Rd.	2.50	Concord
47.59	- BL	West St.	1.70	Carlisle
49.29	R	Acton St.	0.90	
50.19	R	Route 225/Westford St.	1.40	
51.49		REST STOP #3 - Carlisle Town Hall	0.10	
51.59	R	Concord St.	1.30	
52.89	R	South St.	1.30	
54.19	BL	West St.	0.50	
54.86	R	Pope Rd.	0.23	Concord
54.69	L	Spencer Brook Rd.	0.40	
55.09	BR	Westford Rd.	0.70	
55.79	BR	Lowell Rd.	1.50	
57.29	L	Barnes Hill Rd.	0.40	
57.69	R	Eastbrook Rd.	0.20	
57.89	L	Liberty St.	0.20	
58.09	R	Monument St.	0.90	
58.99	L	Lexington Rd.	0.30	
59.29	R	Heywood St.	0.10	
59.39	L	Walden St.	0.30	
59.69	R	Concord-Carlisle High School		
		Congratulations! You made it!		
	5 ÷	Route closes at 3:00PM		

Bike MS: Minuteman Ride Department Feedback July 15, 2017

DPW

From: Nason, Dan Sent: Wednesday, February 01, 2017 10:44 AM Subject: ACCEPTED: Bike MS: Minuteman Ride 2017 When: Saturday, July 15, 2017 9:00 AM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).

The Public Works Department does not foresee any major construction on the roadways outlined in the attached applications. The Department also assumes there are no resources (personnel, cones, barrels barricades, etc.) needed by the Public Works and thereof no costs incurred by the Department for either of these events.

Regards, Dan Nason

FIRE DEPARTMENT

From: Miles, William Sent: Tuesday, January 24, 2017 8:53 AM Subject: ACCEPTED: Bike MS: Minuteman Ride 2017 When: Saturday, July 15, 2017 9:00 AM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).

PARK & RECREATION

From: McNamara, Kayla Sent: Tuesday, January 17, 2017 11:55 AM Subject: ACCEPTED: Bike MS: Minuteman Ride 2017 When: Saturday, July 15, 2017 9:00 AM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).

POLICE DEPARTMENT

From: Nix, Scott Sent: Tuesday, January 17, 2017 11:48 AM Subject: ACCEPTED: Bike MS: Minuteman Ride 2017 When: Saturday, July 15, 2017 9:00 AM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).

The police department **DOES NOT HAVE AN ISSUE** with this continuing event. Thank you.

Respectfully, Scott Nix Chief of Police



CONSENT CALENDAR ITEM

16: Boston Brain Tumor Ride 2017

REQUESTOR SECTION

Date of request:

Requestor: Katie Federico, National Brain Tumor Society

Formal Title: Vote to Grant a Special Permit to the National Brain Tumor Society, to hold the "Boston Brain Tumor Ride" on Sunday, May 21, 2017, from 7:30 A.M. through approximately 2:45 P.M., subject to compliance with conditions outlined by the Police and Fire Departments, DPW and Park and Recreation, subject to receipt of a certificate of liability.

Recommendations/Suggested Motion/Vote: Vote to Grant a Special Permit to the National Brain Tumor Society, to hold the "Boston Brain Tumor Ride" on Sunday, May 21, 2017, from 7:30 A.M. through approximately 2:45 P.M., subject to compliance with conditions outlined by the Police and Fire Departments, DPW and Park and Recreation, subject to receipt of a certificate of liability.

Background Information: CONSENT CALENDAR

Financial impact expected:N/A

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Leila S. Frank	Pending
Patty Golden	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending

02/07/2017 7:30 PM



16.

January 6, 2017

Town of Sudbury C/O Leila Frank Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776

Dear Ms. Frank,

The National Brain Tumor Society is holding their 23rd annual Boston Brain Tumor Ride on Sunday, May 21, 2017. Our non-profit, charity ride requests permission to travel on a portion of the streets of the Town of Sudbury on that day. The event starts at 200 West St in Waltham and consists of the following routes:

- 62-mile begins at 7:30am
- 40-mile begins at 8:30am
- 25-mile begins at 9:00am
- 10-mile begins at 10:00am

For this event, all departing riders will exit from 200 West St, turning right onto West Street and left on Winter Street to Old County Road. All riders returning to the finish at 200 West Street will travel from Rt. 117 onto Lexington St to the finish at 200 West Street. Attached are the turn-by-turn directions and course maps for all the routes. This year roughly 700 riders are anticipated.

We will have full communication support from the Boston area Amateur Radio Club. A HAM radio operator will be in each support vehicle, as well as at Command Central at the event start/finish location, and at all Water/Rest stops. Police details and volunteers will line the route acting as Route Marshals to offer extra safety and support for the participants.

Thank you very much for your consideration of this request, and we look forward to working with you again this year. Should you need to contact me, I can be reached at a state of the stat

Sincerely,

Katie Federico Regional Development Director, New England National Brain Tumor Society

Packet Pg. 71



g 16.

TOWN OF SUDBURY

Office of Selectmen www.sudbury.ma.us

Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776-1843 978-639-3381 Fax: 978-443-0756 Email: selectmen@sudbury.ma.us

APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Board of Selectmen prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Towns cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Board of Selectmen approval. Processing begins after all required materials are received, so please plan accordingly.

. _ . _

Organization Name	Society
Event Name Boston Brain Tumor Ride	
Organization Address 55 Chapel St, Suite Name of contact person in charge Katie Fed Telephone N	e 200, Newton, MA 02458 Ierico
Email addre	
Date of event 5/21/17	Rain Date n/a
Starting time 7:30am	Ending time 2:45pm (or earlier)
Route of the race/relay and portion of the road this application)	l requested to be used (please indicate on map and attach to S
Anticipated number of participants 700	
Assembly area (enclose written permission of n/a	owner if private property to be used for assembly)
Organization that proceeds will go to Nation	al Brain Tumor Society
Any other important information	ned letter
The undersigned applicant agrees that the app	plicant and event participants will conform to applicable

laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.

Signature of Applicant	latie	Fedlia	Date	1/6/17
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SELLES CONTROL OF CONT

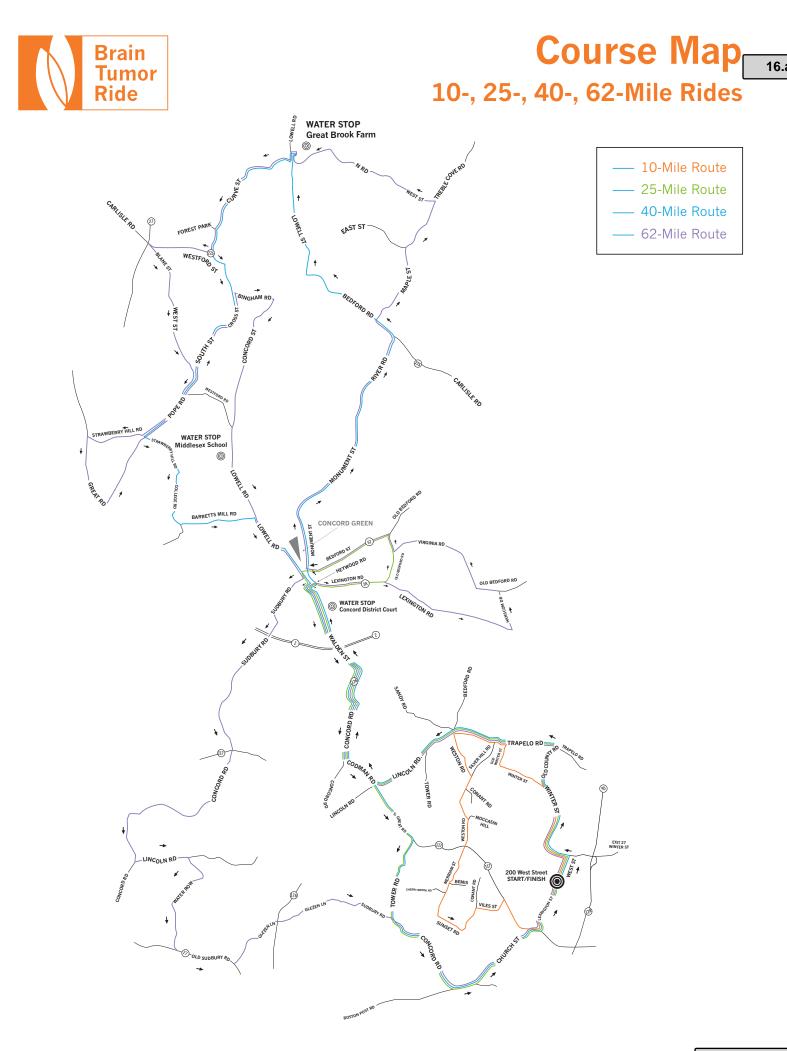
TOWN OF SUDBURY

Office of Selectmen www.sudbury.ma.us

Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776-1843 978-639-3381 Fax: 978-443-0756 Email: <u>selectmen@sudbury.ma.us</u>

CONTINUED: APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT...

 Application Checklist: Application Form Map of Route Evidence of Certificate of Insurance (please see details above) 	
Please submit completed application and materials to: Board of Selectmen 278 Old Sudbury Rd. Sudbury, MA 01776 Fax: 978-443-0756 Email: <u>BOSadmin@sudbury.ma.us</u>	
FOR INTERNAL USE ONLY	
Application received in Selectmen's office by	Date
Recommendation and requirements of Sudbury Chief of Police:	
Signature of Police Chief	Date

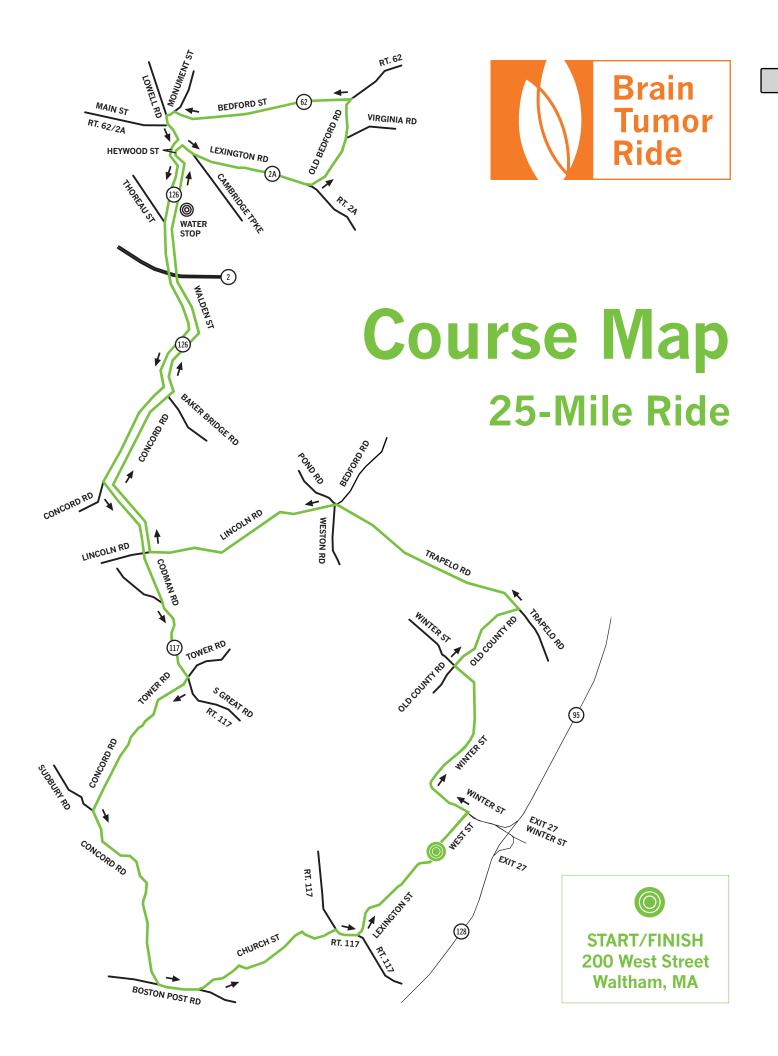




Course Map 10-Mile Ride

1







25-Mile Ride

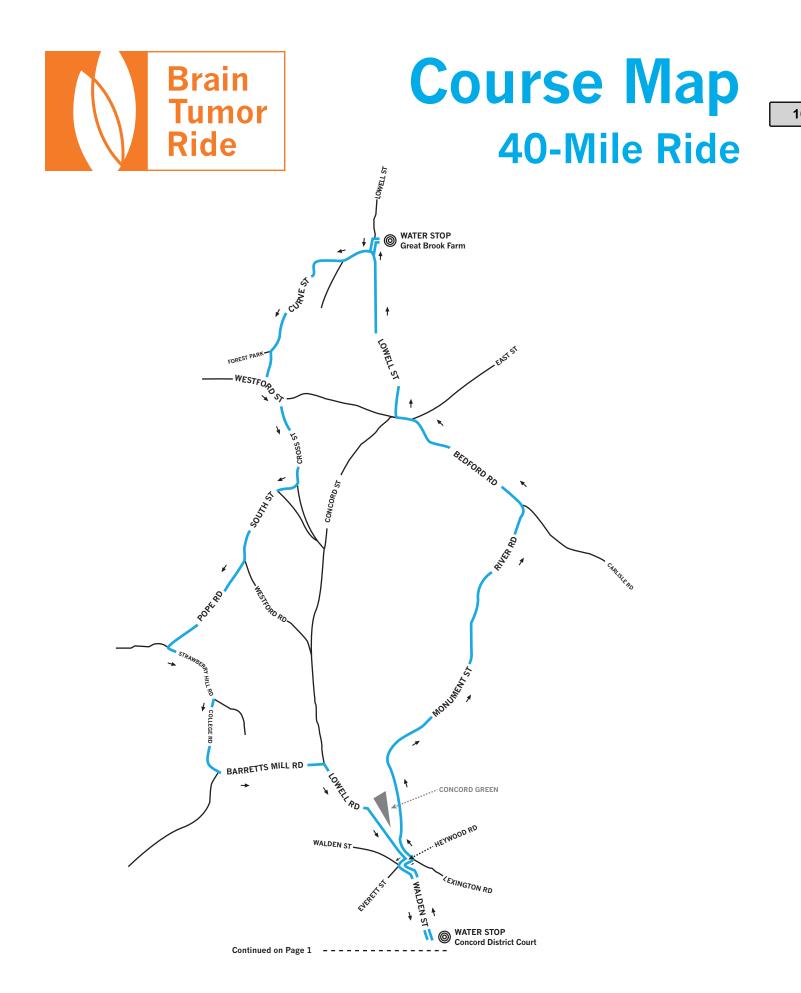
TURN BY TURN

Turn right onto West St. Turn left onto Winter St. Turn right onto Old County Rd. Turn left onto Trapelo Rd. Turn left onto Lincoln Rd. Turn right onto Codman Rd. Turn right onto SR 126 (Concord Rd.) Cross over Rt. 2 onto Walden St. (SR 126) Continue straight to Water Stop Turn right onto Heywood St. Turn right onto Lexington Rd. (Rt. 2A) Turn left onto Old Bedford Rd. Turn left onto SR 62 (Bedford St.) Go around Monument Square to Lexington Rd. (Rt. 2A) Turn right onto Heywood St. Turn left onto Walden St. (SR 126) Continue to Concord Water Stop Cross over Rt. 2 onto Walden St. (SR 126) Turn left onto Codman Rd. Turn left onto SR 117 (S Great Rd.) Turn right onto Tower Rd. Bear left onto Concord Rd. Bear left onto Boston Post Rd. Turn left onto Church St. Turn right onto SR 117 (North Ave) Turn left onto Lexington St. Go straight onto West St. End at 200 West St.



Course Map 40-Mile Ride







40-Mile Ride

TURN BY TURN

- 0.0 miles Turn RIGHT onto West St.
- 0.4 miles Turn LEFT onto Winter St.
 - Two (2) speed bumps
- 1.9 miles Turn RIGHT onto Old County Rd.
- 2.6 miles Turn LEFT onto Trapelo Rd.
- 4.3 miles Turn LEFT onto Lincoln Rd.
- 6 miles Turn RIGHT onto Codman Rd.
- 6.7 miles Turn RIGHT onto Concord Rd./Route 126 North 25.0 miles Turn sharp LEFT onto Strawberry Hill Rd.
 - · Changes to Walden St.
- 8.6 miles Cross Rt 2/2A

(2) 9.3 miles WATER STOP AT CONCORD DISTRICT COURT - 29.0 miles Go straight past the Concord Green and

- 9.7 miles Turn RIGHT onto Heywood St.
- 9.75 miles Turn LEFT onto Lexington Rd.
- 10.0 miles Bear RIGHT onto Monument St. at the Concord Green
 - Bear LEFT at first fork
 - Bear RIGHT at second fork to stay on Monument St.
 - Changes to River Rd.
- 13.3 miles Monument St. becomes River Rd.
- 14.5 miles Turn LEFT onto Bedford Rd./Route 225
- 16.2 miles Turn RIGHT onto Lowell St. (first turn off rotary)

(0) 18.8 miles WATER STOP AT GREAT BROOK FARM (on right hand side on Lowell Street)

- 19.0 miles Turn LEFT onto Lowell St.
- 19.1 miles Turn quick RIGHT onto Curve St.
 - Bear LEFT to stay on Curve St.

- 21.2 miles Turn LEFT onto Westford St./Route 225
- 21.5 miles Turn RIGHT onto Cross St.
- 22.5 miles Turn RIGHT onto South St. • May be unmarked
- 22.6 miles Turn RIGHT to stay on South St.
- 23.5 miles Turn LEFT onto West St.
- 23.6 miles Turn RIGHT onto Pope Rd.
- 25.9 miles Turn RIGHT onto College Rd.
- 26.8 miles Turn LEFT onto Barretts Mill Rd.
- 28.0 miles Turn RIGHT onto Lowell Rd.
- through rotary onto Lexington Rd.
- 29.5 miles Turn RIGHT onto Heywood St.
- 29.6 miles Turn LEFT onto Walden St.
 - Changes to Concord Rd.

(6) 30.0 miles WATER STOP AT CONCORD DISTRICT COURT

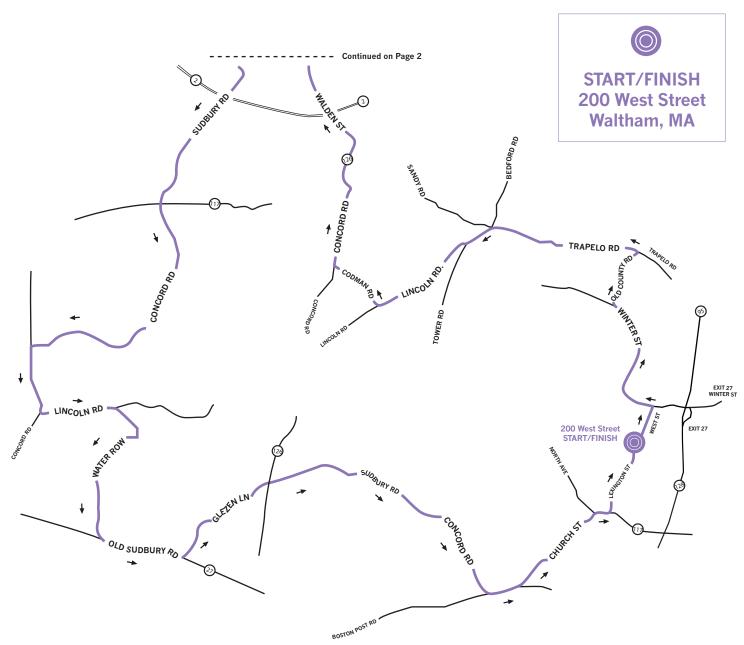
- 32.5 miles Turn LEFT onto Codman Rd.
- 33.6 miles Turn LEFT onto S. Great Rd./Route 117
- 34.25 miles Turn RIGHT onto Tower Rd. • Changes into Concord Rd.
- 35.6 miles Bear LEFT to stay on Concord Rd.
- 37.2 miles Turn LEFT onto Boston Post Rd.
- 37.6 miles Bear LEFT onto Church St.
- 38.9 miles Turn RIGHT onto North Ave./Route 117
- 39.0 miles Turn LEFT onto Lexington St.
 - Five (5) speed bumps
- 40.0 miles Turn RIGHT into 200 West St.

END

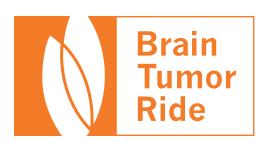
16.8

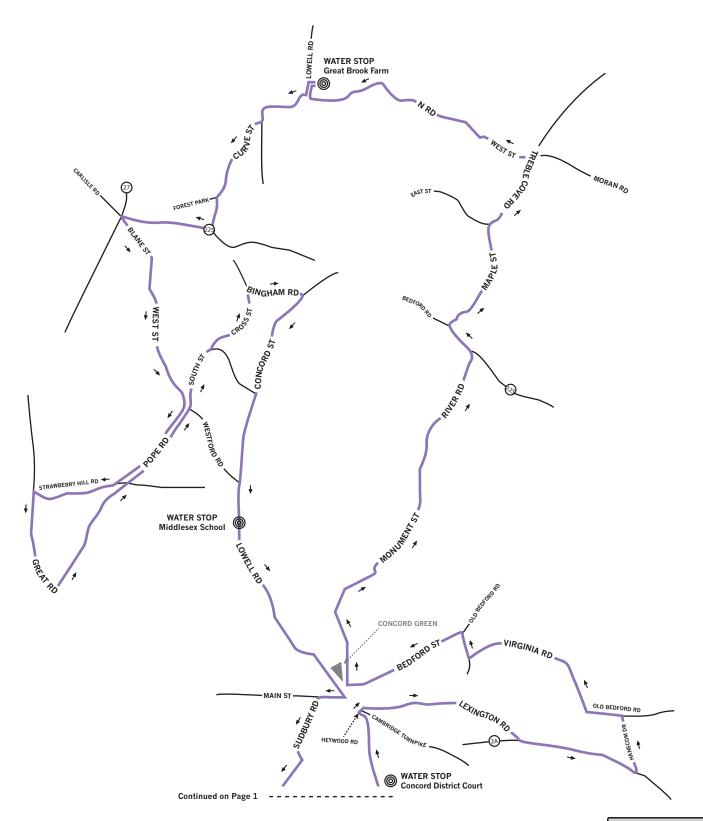


Course Map Metric Century











Metric Century

TURN BY TURN

- 0.0 miles Turn RIGHT onto West St.
- 0.4 miles Turn LEFT onto Winter St.
 - Two (2) speed bumps
- 1.9 miles Turn RIGHT onto Old County Rd.
- 2.6 miles Turn LEFT onto Trapelo Rd.
- 4.3 miles Turn LEFT onto Lincoln Rd.
- 6.0 miles Turn RIGHT onto Codman Rd.
- 6.7 miles Turn RIGHT onto Route 126N/Concord Rd.
 Changes to Walden St.
- 8.6 miles Cross Route 2/2A

9.3 miles WATER STOP AT CONCORD DISTRICT COURT

- 9.7 miles Turn RIGHT onto Heywood St.
- 9.75 miles Turn RIGHT onto Lexington Rd.Bear LEFT at first fork
- 10.9 miles Bear RIGHT at second fork to stay on Lexington Rd.
- 11.7 miles Turn LEFT onto North Great Rd./2A East
- 13.3 miles Turn LEFT onto Hanscom Dr.
- 14.2 miles Turn LEFT onto Old Bedford Rd.
- 14.6 miles Turn RIGHT onto Virginia Rd.
- 16.2 miles Turn RIGHT onto Old Bedford Rd.
- 16.7 miles Turn LEFT onto Bedford St./Route 62
- 18.1 miles Turn RIGHT onto Monument St.
 Bear LEFT to stay on Monument St.
- 21.4 miles Becomes River St.
- 22.5 miles Turn LEFT onto Bedford Rd./Route 225
- 22.8 miles Turn RIGHT onto Maple St.
 Bear RIGHT staying on Maple St.
- 24.1 miles Turn RIGHT to stay on Maple St.
 Turns into Treble Cove Rd./North Rd.
- 25.0 miles Turn LEFT onto West St.
- Turns into North (N) Rd. - 27.7 miles Turn RIGHT onto Lowell St.

27.8 miles WATER STOP AT GREAT BROOK FARM (on right hand side on Lowell Street)

- 27.8 miles Exit water stop and turn LEFT onto Lowell St.
- 27.9 miles Turn quick RIGHT onto Curve St.
 Stay LEFT to stay on Curve St.
- 30.1 miles Turn RIGHT onto Westford St./Route 225

- 31.1 miles Turn sharp LEFT onto Blane St. before the traffic light
 - Turns into West St.
- 33.3 miles Bear RIGHT onto West St.
- 33.4 miles Bear RIGHT onto Pope Rd.
- 34.7 miles Turn RIGHT onto Strawberry Hill Rd.
- 35.7 miles Turn LEFT onto Great Rd/Route 2A/Route 119
- 36.8 miles Turn LEFT onto Pope Rd.
- 38.1 miles Cross Strawberry Hill Rd. continuing on Pope F
- 39.4 miles Turn LEFT onto West St.
- 39.5 miles Bear RIGHT onto South St.
- 40.4 miles Turn LEFT towards Cross St.
 May be unmarked
- 40.5 miles Turn LEFT onto Cross St.
- 41.0 miles Turn RIGHT onto Bigham Rd.
- 41.7 miles Turn RIGHT onto Concord St.
 - Turns into Lowell St.

44 miles WATER STOP AT MIDDLESEX SCHOOL

- 46.7 miles Turn RIGHT onto Main St./Route 62 after passing the Concord Green
- 46.9 miles Bear LEFT onto Sudbury Rd.
- 47.6 miles Bear RIGHT to stay on Sudbury Rd.
- 47.9 miles Cross Rt 2/2A
- 49.3 miles Bear LEFT staying on Sudbury Rd.
- 50.0 miles Cross Rt 117, becomes Concord Rd.
- 52.4 miles Turn LEFT to stay on Concord Rd.
- 53.2 miles Turn LEFT onto Lincoln Rd. at Lincoln-Sudbury High School
- 54.0 miles Turn RIGHT onto Water Row
- 56.0 miles Turn LEFT onto Old Sudbury Rd./Route 27
- 56.9 miles Turn LEFT onto Glezen Ln. Four (4) speed bumps
- 57.9 miles Bear Right to stay on Glezen Ln.
- 59.2 miles Becomes Sudbury Rd.
- 60.0 miles Becomes Concord Rd.
- 61.5 miles Turn LEFT onto Boston Post Rd.
- 61.9 miles Bear LEFT onto Church St.
- 63.1 miles Turn RIGHT onto Route 117/North Ave.
- 63.3 miles Turn LEFT onto Lexington St.
 Five (5) speed bumps
- 64.2 miles Turn RIGHT into 200 West St.

Brain Tumor Ride Department Feedback May 21, 2017

DPW

From: Nason, Dan Sent: Wednesday, February 01, 2017 10:39 AM Subject: RE: Bike MS & Brain Tumor Ride

Regarding both the Brain Tumor and the MS Ride events, I offer the following comments:

The Public Works Department does not foresee any major construction on the roadways outlined in the attached applications. The Department also assumes there are no resources (personnel, cones, barrels barricades, etc.) needed by the Public Works and thereof no costs incurred by the Department for either of these events.

Regards, Dan Nason

FIRE DEPARTMENT

From: Whalen, John Sent: Friday, January 20, 2017 10:48 AM Subject: **ACCEPTED**: Brain Tumor Ride 2017 When: Sunday, May 21, 2017 7:30 AM-2:45 PM (UTC-05:00) Eastern Time (US & Canada).

PARK & RECREATION

From: McNamara, Kayla Sent: Thursday, January 19, 2017 4:18 PM Subject: ACCEPTED: Brain Tumor Ride 2017 When: Sunday, May 21, 2017 7:30 AM-2:45 PM (UTC-05:00) Eastern Time (US & Canada).

POLICE DEPARTMENT

From: Nix, Scott Sent: Thursday, January 19, 2017 8:05 AM Subject: ACCEPTED: Brain Tumor Ride 2017 When: Sunday, May 21, 2017 7:30 AM-2:45 PM (UTC-05:00) Eastern Time (US & Canada).



CONSENT CALENDAR ITEM

17: Easement acceptance - 100 Horse Pond Rd

REQUESTOR SECTION

Date of request:

Requestor: Beth Suedmeyer, Environmental Planner

Formal Title: Pursuant to the provisions of G.L. c. 83, §4, Article XII s. 3 of the Sudbury General Bylaws, and any other enabling authority, vote to accept the Grant of Easement set forth in the document entitled "DECLARATION OF RESTRICTIVE COVENANTS AND GRANT OF EASEMENT REGARDING STORM WATER MANAGEMENT SYSTEM" granted by Chabad Center of Sudbury, for stormwater system maintenance purposes upon the property shown as 100 Horse Pond Road as "Plan of Land in Sudbury, Mass.," prepared for Olive T. Stone by Schofield Brothers, Inc., dated April 24, 1986 recorded with the Middlesex South Registry of Deeds as Plan No. 1176 of 1986.

Recommendations/Suggested Motion/Vote: Pursuant to the provisions of G.L. c. 83, §4, Article XII s. 3 of the Sudbury General Bylaws, and any other enabling authority, vote to accept the Grant of Easement set forth in the document entitled "DECLARATION OF RESTRICTIVE COVENANTS AND GRANT OF EASEMENT REGARDING STORM WATER MANAGEMENT SYSTEM" granted by Chabad Center of Sudbury, for stormwater system maintenance purposes upon the property shown as 100 Horse Pond Road as "Plan of Land in Sudbury, Mass.," prepared for Olive T. Stone by Schofield Brothers, Inc., dated April 24, 1986 recorded with the Middlesex South Registry of Deeds as Plan No. 1176 of 1986.

Background Information:

See memorandum attached dated January 19, 2017 relative to the storm water management system at the Chabad Center at 100 Horse Pond Road.

Financial impact expected:n/a

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Pending
Pending
Pending
Pending
Pending

02/07/2017 7:30 PM



Town of Sudbury

Planning and Community Development Department

Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776 978-639-3387 Fax: 978-443-0756

http://www.sudbury.ma.us/services/planning

TO:	Board of Selectmen
FROM:	Beth Suedmeyer, Environmental Planner, Planning and Community Development
	Meagen Donoghue, Director, Planning and Community Development
RE:	Request for Acceptance of Easement for Chabad Center at 100 Horse Pond Road
	Stormwater Management for January 24, 2017 BOS Meeting
DATE:	January 19, 2017

On September 9, 2015, the Planning Board issued a Decision to grant the Chabad Center of Sudbury (Owner) a Stormwater Management Permit (Permit). The Permit included a condition stating the Owner is responsible for the perpetual maintenance of the stormwater management system located on the property.

Furthermore, the Stormwater Management Permit Decision stipulates:

A restrictive covenant requiring construction of the stormwater system in accordance with the Plan, and maintenance of the stormwater management system in accordance with the Operation and Maintenance Plan shall be recorded on the Premises. This covenant shall allow for the placement of municipal liens on the Premises if the owner fails to fully construct the system or fails to maintain the system and the Town needs to do so. The Applicant shall submit the covenant for review and approval of the Board or its representative prior to recording at the Middlesex South District Registry of Deeds.

To this end, through the attached Covenant, the Chabad Center agrees to provide such perpetual maintenance of the stormwater system by imposing restrictive and protective covenants on the property. In the event that the Owner fails to do so, an easement over the property is created to allow the Town, through its Department of Public Works, to perform such maintenance and charge and assess the Owner for the cost.

Town Counsel recommended revisions to the previous form used for stormwater management covenants when the Covenant was prepared for grocery store associated with "Meadow Walk at Sudbury" in October and November of 2016. They also suggested the Owner grant an easement to the Town for better protection in the event it elects to remedy a failed stormwater system. The grant of an easement provides the explicit right of the Town to enter upon private property to conduct inspections and perform any required work. This document mimics the one developed for the National Development project.

We respectfully ask for the Board's acceptance of the easement.

DECLARATION OF RESTRICTIVE COVENANTS AND GRANT OF EASEMENT REGARDING STORMWATER MANAGEMENT SYSTEM

This Declaration of Restrictive Covenants and Grant of Easement (this "Restriction") is made as of this <u>day of January</u>, 2017 by Chabad Center of Sudbury, Inc., of 100 Horse Pond Road, Sudbury, Massachusetts 01776 (the "Owner"), in favor of the Town of Sudbury (the "Town"), a Massachusetts municipal corporation, by and through its Board of Selectmen, having an address of 278 Old Sudbury Road, Sudbury, MA 01776.

Whereas, Owner owns the premises known as 100 Horse Pond Road, Sudbury, Massachusetts, by virtue of a deed dated February 12, 2015 recorded with the Middlesex South Registry of Deeds in Book 65005, Page 133; and

Whereas, Owner applied to the Sudbury Planning Board for approval of the construction of a 7,800 +/- sq. ft. paved parking area and associated improvements (the "Project") upon the property known as 100 Horse Pond Road and shown as a 87,880 +/- sq. ft. parcel on a plan of land entitled "Plan of Land in Sudbury, Mass.," prepared for Olive T. Stone by Schofield Brothers, Inc., dated April 24, 1986 recorded with the Middlesex South Registry of Deeds as Plan No. 1176 of 1986 (the "Land"); and

Whereas, the stormwater management system required to drain stormwater relating to the Project is to be located on the Land; and

Whereas, the Sudbury Planning Board's decision to grant Owner that certain Stormwater Management Permit dated September 9, 2015 (the "Decision") is contingent upon the Owner being responsible for the perpetual maintenance of the stormwater management system located on the Land, including, without limitation, bio-retention area, drainage catch basin, pipes, and other structures, facilities, and/or appurtenances related thereto (as the same may be altered from time to time, the "Stormwater System"); and

Whereas, the Owner agrees to provide such perpetual maintenance of the Stormwater System by imposing restrictive and protective covenants on the Land and by granting an easement over the Land and to allow the Town, by and through its Department of Public Works ("DPW"), having an address of 275 Old Lancaster Road, Sudbury, MA 01776, if Owner fails to do so, to perform such maintenance and charge and assess the Owner for the cost thereof,

Now therefore, the Owner hereby declares the following covenants and grants the following easement:

1. The Owner, and/or its successors and assigns, shall be responsible, at its sole cost and expense, for constructing, installing, maintaining, operating, repairing, and replacing, the Stormwater System located on the Land for the purpose of allowing for the proper and efficient flow of stormwater as described in the Best Management Practices and the operation and maintenance plan entitled "Operation & Maintenance Plan/Stormwater Management Plan" for Sudbury Chabad Center at 100 Horse Pond Road, prepared by Drake Associates, Inc. and dated August 3, 2015, on file with the Town, as the same may be amended or renewed from time to time with the prior written consent of the Town such consent not to be unreasonably withheld, delayed or conditioned.

2. The Owner hereby grants to the Town the non-exclusive, perpetual right and easement to enter the Land and any and all portions thereof for the purpose of inspecting the Stormwater System to determine compliance with the terms hereof, and to take any and all actions necessary or convenient to abate or remedy any violation hereof upon the terms and conditions set forth herein. Notwithstanding the above, the Town shall have no obligation to take any such actions.

3. In the event of a failure by the Owner to comply with the requirements of this Restriction resulting in the failure of the Stormwater System to function properly, the DPW shall have the right to deliver to the then Owner of the Land a written notice (pursuant to the notice provision below) to remedy said violation specifying the work that is required in order to enable the Stormwater System to function properly and providing for a thirty (30) day time period in which to complete such work. If the remedy is of such a nature that the same cannot be reasonably completed within said thirty (30) day period, then the DPW shall impose such other, additional timeframe upon the Owner as is reasonable under the circumstances. In the event the remedy is not completed in a manner reasonably satisfactory to the DPW within said thirty (30) day period (or such other additional timeframe imposed by the DPW), or the Owner shall fail to commence such remedy within the applicable period, or thereafter fail to prosecute the completion of same with diligence and continuity, then the DPW may, but shall have no obligation to, enter upon the Land and remedy the failure described in its notice as set forth in Paragraph 4 below.

4. In connection with any such entry, the DPW shall use reasonable efforts (a) to give prior notice to Owner of same, except in the case of emergency, and (b) not to unreasonably interfere with the conduct of the business on the Land, or with access to the Land, except to the extent as may be reasonably required in order to prosecute such remedy. DPW shall promptly restore or replace any portion of the areas outside the Stormwater System disturbed in the exercise of its rights hereunder.

Prior to exercising any right to enter the Land under this Restriction, or, in the case of emergency, as soon as is practicable, DPW agrees to carry and keep in effect, at DPW's sole cost and expense, comprehensive general liability insurance covering the Land in commercially reasonable amount in light of the nature of the work to be undertaken which may be included under the Town's so-called blanket or master insurance policy covering other property or insureds in addition to those required hereunder. DPW shall also cause any party performing work on the DPW's behalf on the Land and/or the Stormwater System in accordance with the terms of this Restriction to obtain and keep such insurance prior to entering upon the Land. Any insurance provided for above shall name Owner as additional insured and certificate holder, provided however, that the coverage amounts set forth in the Town's policy of insurance naming the Owner as an additional insured shall be limited \$100,000 as set forth in M.G.L. c. 258.

5. The rights hereby granted to the Town include the right to enforce the obligations of the Owner set forth herein by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violation, including, without limitation, relief requiring repair, maintenance or replacement of the Stormwater System (it being agreed that the Town has no

adequate remedy at law), and shall be in addition to, and not in limitation of, any other rights and remedies available to the Town. The Town shall have the option to enforce said obligations, but does not have the obligation to do so. The actual expenses incurred by the Town in abating or remedying any violation hereof and in enforcing the duties of the Owner hereunder shall be paid by the Owner within thirty (30) days after delivery of written notice to Owner by the Town accompanied by reasonable evidence of such expenses, and, if not paid within the time allowed, the Town may recover its costs by means of a municipal lien and/or betterment assessments on the Property in accordance with G.L. Chapter 80 and/or other applicable law. Any election by the Town as to the manner and timing of its right to enforce these covenants or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

6. Within twenty (20) days after written request therefor, DPW shall execute and deliver to the then Owner an estoppel certificate stating that to the best of the DPW's knowledge as of the date of the certificate whether any default has occurred under this Restriction by the Owner, and if there are known defaults, specifying the nature thereof. Notwithstanding anything contained herein to the contrary, the issuance of an estoppel certificate shall in no event subject the Town to any liability whatsoever, notwithstanding the negligent or otherwise inadvertent failure of the DPW to disclose correct and/or relevant information included in any such estoppel certificate, but the DPW shall be estopped from claiming or enforcing hereunder any then-existing default not set forth in such certificate, the same, if any, being waived upon the issuance of any such certificate.

7. No amendment, release or rescission of this Restriction shall be effective without the written approval of the Town.

8. This Restriction shall run with the land and shall bind and inure to the benefit of the owners of the Property and their respective successors and assigns.

9. The covenants and obligations contained herein are for the benefit of and enforceable by the Town in perpetuity. The Owner acknowledges that said covenants, as they are held by the Town, constitute perpetual restrictions held by a governmental body, as those terms are defined in G.L. c. 184, §26, and are thus not subject to G.L. c. 184, §827-30, and, in any event, shall be enforceable for a term of at least 99 years.

10. The Owner, its successors and assigns, solely during the period of its and their respective ownership of the Land, shall defend, indemnify and hold the Town harmless from any and all claims, damages, losses, costs and liabilities, including, without limitation, reasonable attorneys' fees, relating to the Stormwater System and/or the Owner's actions taken or the Owner's failure to take action as may be required under this Restriction, excluding in any event from the foregoing indemnity, any matter arising from the negligence or willful misconduct of the Town.

11. The Owner agrees to record this Restriction with the Middlesex South District Registry of Deeds within twenty (20) business days after the date hereof, but the failure to do so shall not affect the validity hereof. The Owner further agrees to provide the Town with a copy of the recorded Restriction within seven (7) business days after its recording.

12. All notices required or permitted hereunder shall be in writing and addressed to the parties as set forth above or at such other addresses as the parties may designate from time to

time by notice given in accordance with the terms hereof. Notices may be given by hand delivery, or by recognized overnight delivery service, including the U.S. Postal Service, and shall be deemed given upon receipt in hand, or one (1) business day after deposit with such overnight delivery service, as applicable.

13. The Owner agrees to obtain from any mortgagee having a mortgage on the Land as of the date hereof a subordination to this Restriction, stating that such mortgages shall be subject to this Restriction. Such subordinations shall be obtained and recorded promptly.

14. The recitals stated in the preamble of this Restriction are incorporated herein in their entirety.

[End of text. Signatures on next page.]

17.b

Executed under seal as of this _____ day of January, 2017.

Chabad Center of Sudbury, Inc.

By_____ Name: Yisroel Freeman Title: President

And

By_____ Name: Rochel Shayna Freeman Title: Treasurer

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this _____ day of January, 2017, before me, the undersigned notary public, personally appeared the above-named Yisroel Freeman as President and Rochel Shayna Freeman as Treasurer, of Chabad Center of Sudbury, Inc., proved to me through satisfactory evidence of identification, which were _______, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose, in such capacity as aforesaid.

Notary Public My commission expires:

Attachment17.b: CHABAD STORMWATER COVENANT 2017.rev1 (2183 : Easement acceptance - 100 Horse Pond Rd)

ACCEPTANCE OF EASEMENT

On this day of , 2017, the Town of Sudbury, acting by and through its Board of Selectmen pursuant to the provisions of G.L. c. 83, §4, Article XII s. 3 of the Sudbury General Bylaws, and any other enabling authority, hereby accepts the foregoing Grant of Easement.

TOWN OF SUDBURY,

By Its Board of Selectmen

Susan N. Iuliano, Chairman

Charles C. Woodard, Vice Chairman

Patricia Brown, Member

Robert C. Haarde, Member

Leonard A. Simon, Member

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ____ day of _____, 2017, before me, the undersigned notary public, personally appeared _______, member(s) of the Sudbury Board of Selectmen, proved to me through satisfactory evidence of identification which was ______, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that s/he/they signed it voluntarily for its stated purpose on behalf of the Town of Sudbury.

Notary Public My commission expires:



CONSENT CALENDAR ITEM

18: \$200 donation to Park & Rec

REQUESTOR SECTION

Date of request:

Requestor: Kayla McNamara, Director of Park & Rec

Formal Title: Vote to accept, on behalf of the Town, a \$200 donation from the Jeffrey and Polly Heier Family fund, Fidelity Charitable, to the Program Contributions and Donations account, 191448/483100, as requested by Kayla McNamara, Director of Parks, Recreation & Aquatics.

Recommendations/Suggested Motion/Vote: Vote to accept, on behalf of the Town, a \$200 donation from the Jeffrey and Polly Heier Family fund, Fidelity Charitable, to the Program Contributions and Donations account, 191448/483100, as requested by Kayla McNamara, Director of Parks, Recreation & Aquatics.

Background Information: attached memo

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Town Counsel	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending

02/07/2017 7:30 PM

Attachment18.a: Park & Rec donation (2197 : \$200 donation to Park & Rec)

Town of Sudbury

Park & Recreation Department



18.a

Park and Recreation Department 40 Fairbank Road Sudbury, MA 01776 978-443-1092

JAN 25

Packet Pg. 94

McNamarak@sudbury.ma.us

Memorandum

TO: Patty Golden FROM: Kayla McNamara RE: Donations DATE: January 23, 2017

To the Board of Selectmen:

Please accept the following donation from the Jeffrey and Polly Heier Family fund, Fidelity Charitable. This donation will be deposited in the Program Contributions and Donations Account 191448/483100.

Fidelity Charitable Fund

\$200

I have enclosed a copy of the check. The total donation is \$200.

Please let me know when this donation is approved and I will deposit the check.

Thank you,

Kayla McNamara Director of Parks, Recreation & Aquatics 40 Fairbank Road Sudbury, MA 01776-1843 978-639-3259



CONSENT CALENDAR ITEM

19: Items donated to Teen Center

REQUESTOR SECTION

Date of request:

Requestor: Kayla mcNamara, Director of Parks, Recreation & Aquatics

Formal Title: Vote to accept, on behalf of the Town, a donation from the Teen Center Parent Board of the following items: two 39" Insignia TV's, two Rocketfish TV wall mounts, a new Playstation 4 system, one Sony controller (PS4), PS4 Minecraft Game, PS4 FIFA 17 Game, PS4 NBA 2K17 Game, and PS4 Madden NFL 17 Game, for a total value of \$1,013.80. These items are for use at the Teen Center, and/or programs under the direction of the Youth Coordinator/Teen Center Director and the Park and Recreation Director. Also, to send a thank-you letter to the Teen Center Parent Board for their generous donation to the Park and Recreation Department.

Recommendations/Suggested Motion/Vote: Vote to accept, on behalf of the Town, a donation from the Teen Center Parent Board of the following items: two 39" Insignia TV's, two Rocketfish TV wall mounts, a new Playstation 4 system, one Sony controller (PS4), PS4 Minecraft Game, PS4 FIFA 17 Game, PS4 NBA 2K17 Game, and PS4 Madden NFL 17 Game, for a total value of \$1,013.80. These items are for use at the Teen Center, and/or programs under the direction of the Youth Coordinator/Teen Center Director and the Park and Recreation Director. Also, to send a thank-you letter to the Teen Center Parent Board for their generous donation to the Park and Recreation Department.

Background Information: Attached memo

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Pending
Pending

02/07/2017 7:30 PM

Park & Recreation Department



<u>1</u>9.

Park and Recreation Department 40 Fairbank Road Town of Sudbury Sudbury, MA 01776 978-443-1092 McNamaraK@sudbury.ma.us

Dear Board of Selectmen,

The Teen Center Parent Board has generously dontated several items to the Park and Recreation Department, for us by the Teen Center and or programs through the direction of the Youth Coordinator/Teen Center director and Park and Recreation Director.

The Teen Center Parent Board dontation consists of, two 39" Insignia TV's, Two Rocketfish TV wall mounts, a new Playstation 4 system, one Sony controller (PS4), PS4 Minecraft Game, PS4 FIFA 17 Game, PS4 NBA 2K17 Game, and PS4 Madden NFL 17 Game. The total value of this donation is \$1,013.80.

- 2 Insignia 39" TV \$399.98
- 1 Rocketfish Titlting TV Wall Mount \$199.98
- 1 Playstation 4 \$249.00
- 1 Sony Controller (PS4) \$39.00
- 1 Minecraft (PS4 Game) \$29.96
- 1 FIFA 17 (PS4 Game) \$28.00
- 1 NBA 2K17 (PS4 Game) \$ 39.88
- 1 Madden NFL 17 (PS4) \$28.00

Please accept the above items as a donation, for use by the Teen Center and or Programs under the direction of the Youth Coordinator/Teen Center Director and the Park and Recreation Director.

If you have any questions, please feel free to contact me.

Thank you,

Kayla McNamara Director of Park, Recreation & Aquatics Sudbury Park and Recreation/Atkinson Pool McNamaraK@sudbury.ma.us 978-443-1092 X3259





CONSENT CALENDAR ITEM

20: Election officers

REQUESTOR SECTION

Date of request:

Requestor: Rosemary B. Harvell, Town Clerk

Formal Title: Vote to appoint Sudbury registered voters, Karen S. Regan, Unenrolled, of 32 Singletary Lane, Judy A. Reed, Unenrolled of 207 Pratt's Mill Road, Walter A. Reed, Republican, of 207 Pratt's Mill Road and Michael Dziekan, Democrat, of 48 Raynor Road as Election Officers for terms to expire on August 14, 2017, as recommended by the Town Clerk.

Recommendations/Suggested Motion/Vote: Vote to appoint Sudbury registered voters, Karen S. Regan, Unenrolled, of 32 Singletary Lane, Judy A. Reed, Unenrolled of 207 Pratt's Mill Road, Walter A. Reed, Republican, of 207 Pratt's Mill Road and Michael Dziekan, Democrat, of 48 Raynor Road as Election Officers for terms to expire on August 14, 2017, as recommended by the Town Clerk.

Background Information:

Financial impact expected:n/a

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:PendingPatty GoldenPendingMelissa Murphy-RodriguesPendingBarbara Saint AndrePendingSusan N. IulianoPendingBoard of SelectmenPending

02/07/2017 7:30 PM



CONSENT CALENDAR ITEM

21: Goodnow Library Foundation One Day Alcohol License

REQUESTOR SECTION

Date of request:

Requestor: Samantha Greenfield, Goodnow Library Foundation

Formal Title: Vote to grant a 1-day All Alcohol license to Goodnow Library Foundation, Inc, to accommodate an Annual Fundraiser on Saturday, March 4, 2017 from 7:00 PM to 10:00 PM at Goodnow Library, 21 Concord Rd, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

Recommendations/Suggested Motion/Vote: Vote to grant a 1-day All Alcohol license to Goodnow Library Foundation, Inc, to accommodate an Annual Fundraiser on Saturday, March 4, 2017 from 7:00 PM to 10:00 PM at Goodnow Library, 21 Concord Rd, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

Background Information: Requested information provided. Building Inspector, Police Dept, Fire Dept, and Board of Health expressed no issues.

Financial impact expected:\$35 license fee to General Fund

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:	
Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Susan N. Iuliano	Pending
Board of Selectmen	Pending

02/07/2017 7:30 PM



Town of Sudbury

Office of Selectmen www.sudbury.ma.us Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776-1843 978-639-3381 Fax: 978-443-0756 Email: <u>BOSadmin@sudbury.ma.us</u>

APPLICATION FOR ONE-DAY LIQUOR LICENSE (NON-PROFIT)

Non-profit organizations hosting an event in Sudbury are eligible to apply for a one-day liquor license. All licensees must purchase their alcoholic beverages from a licensed Massachusetts wholesaler, manufacturer, winery shipment licensee, farmer brewery, farmer distillery or holder of a Special Permit issued by the ABCC.

Application processing can take up to four weeks as approval from the Fire, Police, Building and Board of Health departments are required prior to Board of Selectmen approval. Processing begins after all required materials are received, so please plan accordingly.

Name of Responsible Manager: Gamantha C. Greenhild GLF
Address of Responsible Manager: 21 Concord Ld. Sicher
Phone:
Non-Profit Organization Name: Ogylow Wbray Tourdation
Name & Purpose of Event: 10 Maising gala
Name(s) of Brewery/Distillery/Winery/Wholesaler/Manufacturer to provide alcohol:
License Type Requested: \Box \$25 Wine & Malt – OR – \Box \$35 All Alcohol
Event Date: March 4, 2017
Event Time: 7-10pm
Event Venue & Address: Goden & Library, H Concord Rd.
Documents Enclosed:
$\Box \text{ Certificate of Liability naming the Town of Sudbury } \mathcal{O} \mathcal{A} \mathcal{A} \mathcal{A}$
Proof of bartender(s) training/certification - to come from Sud. Wine
Application fee: \$25 Wine & Malt or \$35 All Alcohol. Check payable to Town of Sudbury.
$=$ \vec{P} lease submit completed application and materials to:
Board of Selectmen, Attn: Application Processing, 278 Old Sudbury Rd., Sudbury, MA 01776
E A Lala
$\frac{12}{\text{Date}}$ $\frac{12}{10}$ $\frac{10}{10}$ Applicant Signature
Applicant Signature

Goodnow Library Foundation Gala 2017 Department Feedback March 4, 2017

Fire Department Approval:

From: Miles, William Sent: Tuesday, January 24, 2017 8:53 AM Subject: ACCEPTED: Goodnow Library Annual Fundraiser 2017 When: Saturday, March 04, 2017 7:00 PM-10:00 PM (UTC-05:00) Eastern Time (US & Canada).

Board of Health Approval:

From: Murphy, Bill Sent: Thursday, February 02, 2017 12:12 PM Subject: RE: Goodnow Library Gala March 2017

The health department **DOES NOT HAVE ISSUES** with this application.

William C. Murphy, MS,RS,CHO Director of Public Health

Building Department Approval:

From: Herweck, Mark Sent: Thursday, February 02, 2017 11:45 AM To: Frank, Leila Subject: ACCEPTED: Goodnow Library Annual Fundraiser 2017 When: Saturday, March 04, 2017 7:00 PM-10:00 PM (UTC-05:00) Eastern Time (US & Canada).

Police Department Approval:

From: Nix, Scott Sent: Thursday, January 12, 2017 10:39 AM Subject: ACCEPTED: Goodnow Library Annual Fundraiser 2017 When: Saturday, March 04, 2017 7:00 PM-10:00 PM (UTC-05:00) Eastern Time (US & Canada).

The police department has **NO ISSUES** with the event.