

SUDBURY SELECT BOARD  
TUESDAY JUNE 11, 2024  
7:00 PM, ZOOM

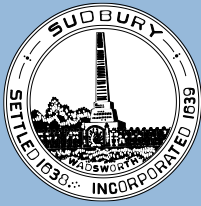
Click the link below to join the Select Board meeting via Zoom:  
<https://us02web.zoom.us/j/360217080>  
 For audio only, call the number below and enter the meeting ID on your telephone keypad.  
 Dial-in number: 978-639-3366 or 470-250-9358

Item #	Time	Action	Item
	7:00 PM		CALL TO ORDER
<b>EXECUTIVE SESSION</b>			
1.	7:00 PM	<i>VOTE</i>	Vote to enter Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2).
2.		<i>VOTE</i>	Vote to close Executive Session and resume Open Session.
			Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Public comments on items not on agenda
<b>PUBLIC HEARINGS</b>			
3.	7:15 PM	<i>VOTE / SIGN</i>	<b>PUBLIC HEARING:</b> As the Local Licensing Authority, vote on whether to approve the application of LJD Partners LLC, d/b/a Soul of India, 103 Boston Post Rd., Sudbury, for an Alteration of Premises/Addition of Outdoor Seating of an All Alcohol Restaurant, under M.G.L. c. 138, s.15A & 16B. Dariusz Zwinga, Manager, to attend.
4.	7:30 PM	<i>VOTE / SIGN</i>	<b>PUBLIC HEARING:</b> As the Local Licensing Authority, discuss/vote on All Alcoholic Beverages License of Fugakyu Café Corp., d/b/a Fugakyu Café, 621 Boston Post Road to consider status of alcohol license and termination of lease.

*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. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible. The Chair reserves the right to accept public comment on any item and may establish time limits.*

<b>Item #</b>	<b>Time</b>	<b>Action</b>	<b>Item</b>
<b>CONSENT CALENDAR</b>			
5.		<i>VOTE</i>	Vote to enter into the Town record and congratulate Elizabeth Huettig of Girl Scout Troop 65254, recognized at an Award Ceremony on Tuesday, June 4, 2024, for having achieved the high honor of the Girl Scout Gold Award. Also vote to authorize the chair to sign a congratulatory letter on behalf of the Board.
6.		<i>VOTE / SIGN</i>	Vote to accept the Declaration of Restrictive Covenant and Grant of Easement regarding Stormwater Management System for the property at 199 Raymond Road subject to the Stormwater Management Permit issued for the property.
<b>MISCELLANEOUS</b>			
7.		<i>VOTE</i>	Discussion and possible vote on whether to approve the Town Manager Contract between the Town of Sudbury and Andrew J. Sheehan, and ratify the vote taken in Executive Session.
8.			Discussion of repairs and funding of drainage sink hole on Washington Drive.
9.		<i>VOTE</i>	Discussion and vote on whether to adopt the Ambulance rates as described in the memo from the Fire Chief, dated June 11, 2024, said rates to be effective as of July 1, 2024.
10.			Continuation of Diversity, Equity, & Inclusion Commission discussion, including Tercentenary markers. Chris Hagger, Historical Commission chair, invited to attend.
11.		<i>VOTE</i>	Discussion and possible vote on adoption of Purchase Contract Policy and Flag Policy.
12.		<i>VOTE</i>	Vote whether to approve the annual Select Board's re-appointments of those listed (all of which are subject to acceptance).
13.		<i>VOTE</i>	Vote to review and possibly approve the minutes of 4/30/24 and 5/7/24.
14.			Upcoming agenda items
<b>EXECUTIVE SESSION</b>			
15.		<i>VOTE</i>	Vote to enter Executive Session to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares, pursuant to General Laws chapter 30A, §21(a) (exception 3).
16.		<i>VOTE</i>	Vote to close Executive Session and not resume Open Session.

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SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**EXECUTIVE SESSION**

**1: Exec session re: negotiation with nonunion personnel**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote to enter Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2).

Recommendations/Suggested Motion/Vote: Vote to close Open Session and enter Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2).

Background Information:

Financial impact expected:

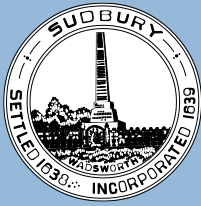
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**EXECUTIVE SESSION**  
**2: Close Executive Session**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote to close Executive Session and resume Open Session.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

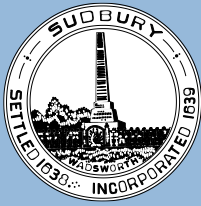
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**TIMED ITEM**

**3: Soul of India Outdoor Seating**

REQUESTOR SECTION

Date of request:

Requestor: Dariusz Zywna, Manager

Formal Title: PUBLIC HEARING: As the Local Licensing Authority, vote on whether to approve the application of LJD Partners LLC, d/b/a Soul of India, 103 Boston Post Rd., Sudbury, for an Alteration of Premises/Addition of Outdoor Seating of an All Alcohol Restaurant, under M.G.L. c. 138, s.15A & 16B. Dariusz Zwinga, Manager, to attend.

Recommendations/Suggested Motion/Vote: **PUBLIC HEARING:** As the Local Licensing Authority, vote on whether to approve the application of LJD Partners LLC, d/b/a Soul of India, 103 Boston Post Rd., Sudbury, for an Alteration of Premises/Addition of Outdoor Seating of an All Alcohol Restaurant, under M.G.L. c. 138, s.15A & 16B. Dariusz Zwinga, Manager, to attend.

Background Information:  
See attached application and department feedback.

Financial impact expected:\$150 application fee

Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM

**Soul of India – Alteration of Premises: Outdoor Seating 2024**  
**Department Feedback**

<b>Department</b>	<b>Staff</b>	<b>Date</b>	<b>Comments</b>
Building Department	Andrew Lewis	5/29/24	They need to submit a certification from a design professional regarding AAB compliance per the decision from Planning.  <i>Applicant submitted Certification on 6/4/24</i>
Fire Department	Asst. Chief Choate	5/29/24	That is all I need. Thank you for following up. No issues with the FD.  <i>From applicant:</i> <ol style="list-style-type: none"> <li>1. We do not plan on using any heaters</li> <li>2. The tent is fire rated</li> </ol>
Health Department	Vivian Zeng	5/24/24	Health dept is good.
Planning Department	Adam Burney	5/28/24	The Planning Board has issued a minor site plan for the property at 103 Boston Post Road and has not further outstanding issues.
Police Department	Chief Nix	5/24/24	The Police Department is good.



*The Commonwealth of Massachusetts*  
**Alcoholic Beverages Control Commission**  
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
 www.mass.gov/abcc

### AMENDMENT-Change or Alteration of Premises Information

**Change of Location**

- Payment Receipt
- Monetary Transmittal Form
- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

**Alteration of Premises**

- Payment Receipt
- Monetary Transmittal Form
- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

#### 1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
LJD Partners LLC dba Soul of India	Sudbury	00038-RS-1250

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

Applicant seeks permission extend the right to serve alcoholic beverages on temporary outdoor seating

#### APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Dariusz Zywina	Manager	[REDACTED]	[REDACTED]

#### 2. ALTERATION OF PREMISES

##### 2A. DESCRIPTION OF ALTERATIONS

Please summarize the details of the alterations and highlight any specific changes from the last-approved premises.

Applicant seeks permission to continue the right to serve alcoholic beverages on the restaurant's seasonal outdoor patio

##### 2B. PROPOSED DESCRIPTION OF PREMISES

Please provide a complete description of the proposed premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Please see the attached documents describing the temporary seating area

Total Sq. Footage	600	Seating Capacity	16	Occupancy Number	50
Number of Entrances	1	Number of Exits	1	Number of Floors	1

**AMENDMENT-Change or Alteration of Premises Information**

**3. CHANGE OF LOCATION**

**3A. PREMISES LOCATION**

Last-Approved Street Address

Proposed Street Address

**3B. DESCRIPTION OF PREMISES**

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Total Sq. Footage

Seating Capacity

Occupancy Number

Number of Entrances

Number of Exits

Number of Floors

**3C. OCCUPANCY OF PREMISES**

Please complete all fields in this section. Please provide proof of legal occupancy of the premises. (E.g. Deed, lease, letter of intent)

Please indicate by what means the applicant has to occupy the premises

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?  Yes  No

Attachment 3.b: Soul of India Outdoor Seating\_2024\_SB (6256 : Soul of India Outdoor Seating)



**4. FINANCIAL DISCLOSURE**

Associated Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):

Associated Cost(s):

\$0. None, we successfully implemented the seasonal patio during COVID.

**SOURCE OF CASH CONTRIBUTION**

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Total:	

**SOURCE OF FINANCING**

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

Attachment 3.b: Soul of India Outdoor Seating\_2024\_SB (6256 : Soul of India Outdoor Seating)

**APPLICANT'S STATEMENT**

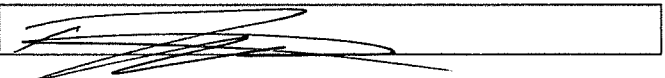
I, Dariusz Zywna the:  sole proprietor;  partner;  corporate principal;  LLC/LLP manager  
Authorized Signatory

of LJD Partners LLC  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: 

Date: 2/15/2024

Title: Manager

Attachment 3.b: Soul of India Outdoor Seating\_2024\_SB (6256 : Soul of India Outdoor Seating)

**ENTITY VOTE**

The Board of Directors or LLC Managers of  Entity Name

duly voted to apply to the Licensing Authority of  and the City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on  Date of Meeting

For the following transactions (Check all that apply):

Alteration of Licensed Premises

Change of Location

Other

"VOTED: To authorize  Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

A true copy attest,

  
Corporate Officer /LLC Manager Signature

Dariusz Zywna  
(Print Name)

For Corporations ONLY

A true copy attest,

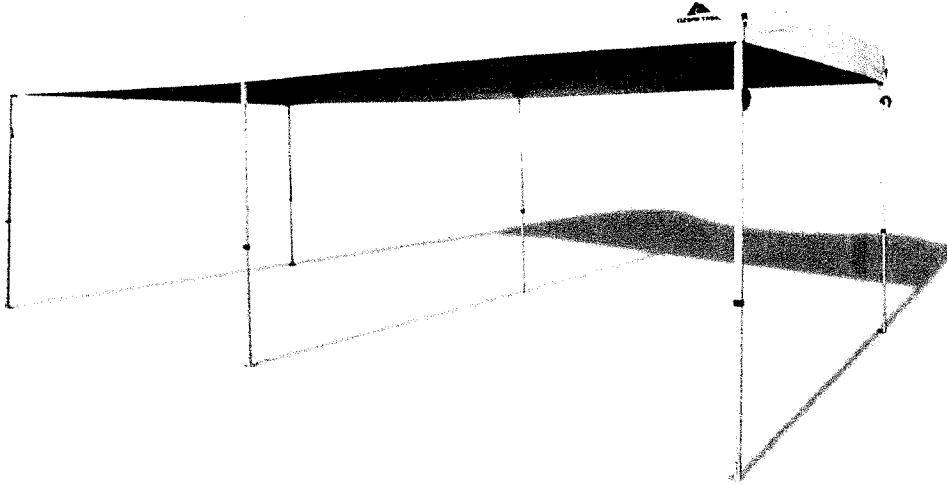
\_\_\_\_\_  
Corporation Clerk's Signature

\_\_\_\_\_  
(Print Name)

Attachment3.b: Soul of India Outdoor Seating\_2024\_SB (6256 : Soul of India Outdoor Seating)

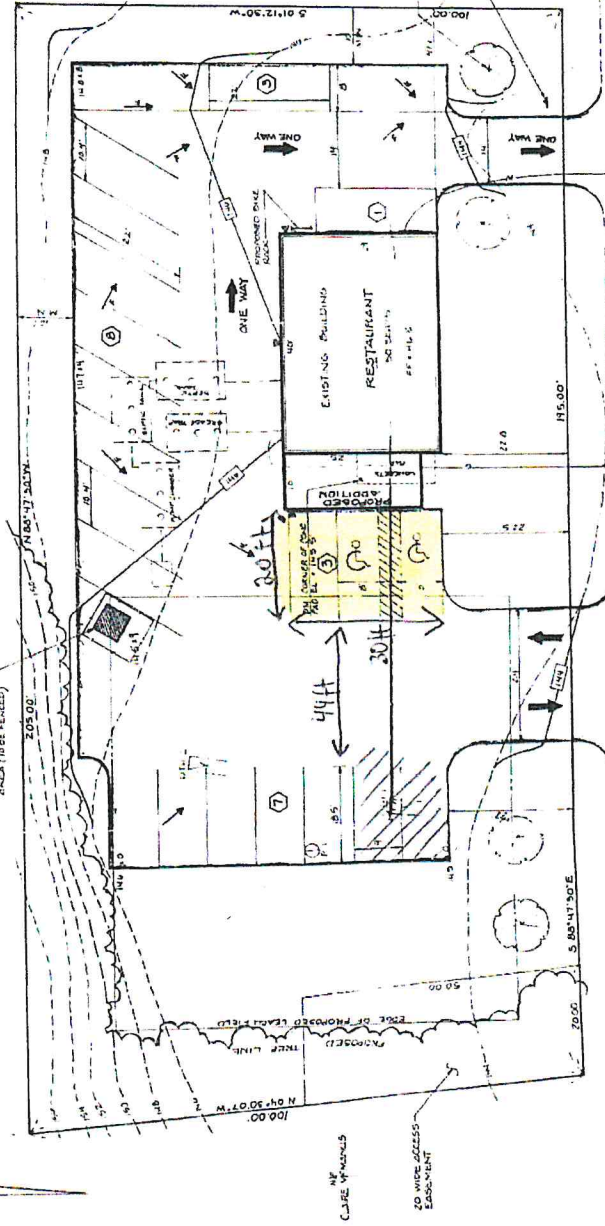
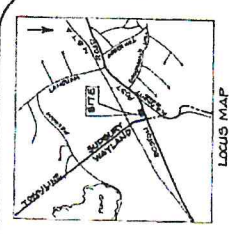
### REVISED SEATING PLAN AND DESCRIPTION

- a. Please see the included site plan. We propose to set up a temporary tent/outdoor patio in front of the restaurant, where there are currently 3 parking spots (1 handicap and 2 regular). This area is approximately 21ft in depth and 31ft in length. We propose to move the handicap parking spot temporarily directly across of this area where there is existing parking. The new handicap spot will take up 2 parking spots total and be designated via a handicap parking sign.
- b. The entire outdoor space will be approximately 21ftx31ft
- c. The portion of the space used for outdoor dining will be 20ftx30ft
- d. Please see the attached plan showing a proposed layout of tables and chairs. Each table is 24in x 27in and seats 2 people. Tables can be combined to accommodate a maximum of 6 people per each row. There are 3 rows. All tables will be 6ft apart.
- e. Tables are 24in x 27in.
- f. Barrier will include a temporary vinyl fence in segments of approximately 5 ft, posts held in place by buckets filled with cement. Buckets filled with cement will further serve as a safety barrier against vehicular traffic.
- g. Tenting will include three 10x20ft canopies, side by side to take up the entire 20ftx30ft patio space.



- h. Proposed outdoor patio would have ADA accessibility and easy access to all ADA features of the restaurant.
- i. There are no residential buildings in the vicinity of the restaurant.

Proposed outdoor patio area  
Proposed temporary handicap spot



PLAN REFERENCES:

- 1. PLAN OF LOT PREPARED FOR CLARE WINNINGS PREPARED BY SUBCOMMITTEE FOR THE PLAN OF THE MA 88 112 PL 411
- 2. SUBCOMMITTEE FOR THE PLAN OF THE MA 88 112 PL 411
- 3. SUBCOMMITTEE FOR THE PLAN OF THE MA 88 112 PL 411

PLAN NOTES:

- 1. THE PURPOSE OF THIS PLAN IS TO SHOW AN EXISTING AREA OF LAND AND TO SHOW BUILDINGS WITH PROPOSED ADDITION AND REMOVED PARKING.
- 2. RECORD OWNER: MORGAN MULLIGAN, 100 BOSTON POST ROAD, BOSTON, MA 02111.
- 3. BOUNDARY OBTAINED FROM 2003 PLAN BY M.J. JONAS.
- 4. LOT LINE AND BOUNDARY OBTAINED FROM PLAN BY M.J. JONAS.
- 5. NOT TO BE SERVICED BY TOWNMASTER.
- 6. LOT TO BE SERVICED BY INDIVIDUAL ON SITE SEPTIC SYSTEM.

BOSTON POST ROAD ROUTE 20 (STATE HIGHWAY TO RIGHT OF WAY)

PARKING SCHEDULE:

- PARKING SPACES REQUIRED: 20 SPACES
- 3 SPACES FOR SERVICE
- 1 SPACE FOR TRUCKS
- 2 EMPLOYEE SPACES
- TOTAL SPACES REQUIRED: 26

OPEN SPACE:

- 20% REQUIRED: 5 COLBY
- 33% PROVIDED: 7.85 SQ
- BOUNDARY: 1.410 SF
- GRAVEL SURFACE: 11,149 SF
- TOTAL PARCEL: 20,000 SF

LEGEND:

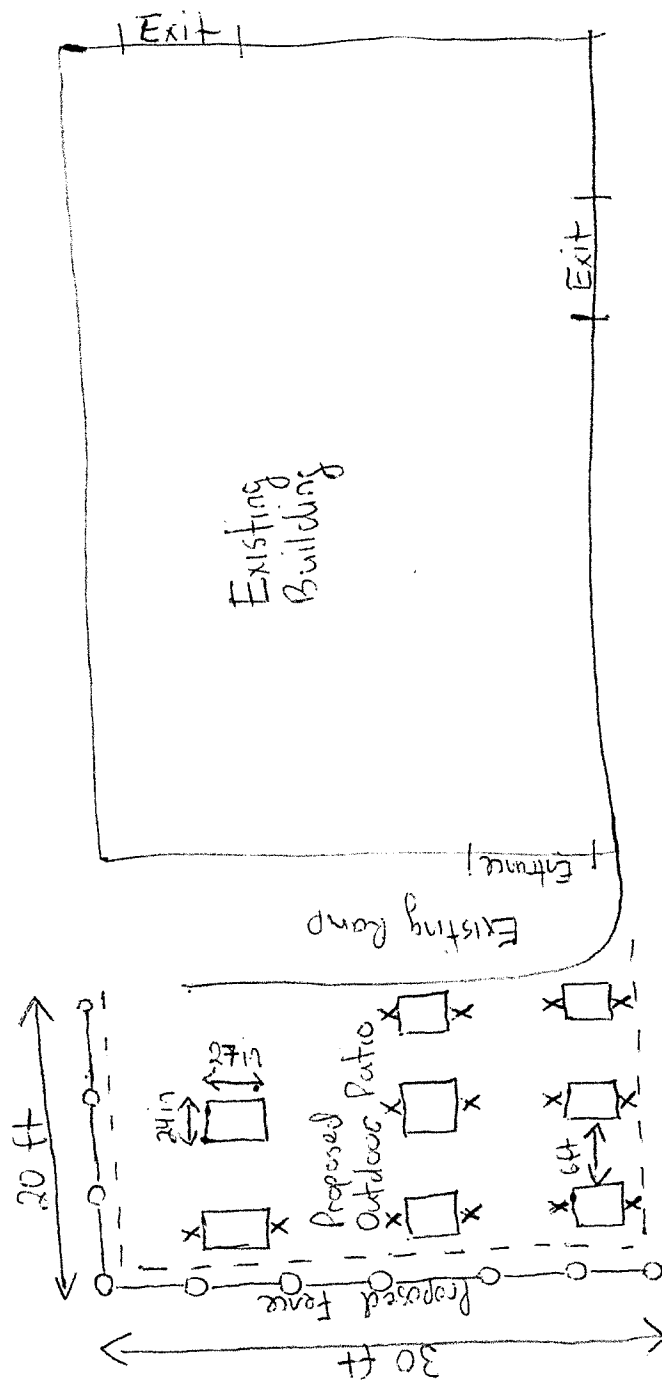
- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- PROPOSED DRIVE WAY
- PROPOSED DRIVE WAY
- PROPOSED DRIVE WAY

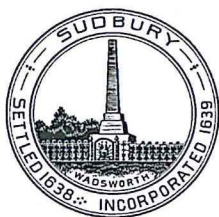
Site plan details including 'SIAM GARDEN' name, address '103 BOSTON POST ROAD SUBURBY, MA', and dates 'AUGUST 11, 2000'.

Professional seal and title block for MEISNER BREW CORPORATION, including project name 'SIAM GARDEN' and sheet number 'SHEET 1 OF 1'.

200

300





# Town of Sudbury

## Planning Board

Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-639-3314

PlanningBoard@sudbury.ma.us

www.sudbury.ma.us/planning

May 23, 2024

### DECISION

#### MINOR SITE PLAN

#### 103 Boston Post Road

TOWN CLERK  
SUDBURY, MASS  
2024 MAY 24 AM 11:19

**DECISION** of the Planning Board (the Board) on the request of Dariusz Zywna (Applicant) and Lotu Family Enterprise (Owner) for a Minor Site Plan approval under Section 6370 of the Zoning Bylaw for the property at 103 Boston Post Road (Assessor's Map K11-0016).

The Applicant requested Minor Site Plan approval to reconfigure parking spaces to allow for outdoor seating for the summer season at 103 Boston Post Road as presented in the following materials:

- Form SP-3, Request for Waiver from Site Plan Rules and Regulations dated May 15, 2024 with a date stamp of May 15, 2024.
- Drawing of proposed outdoor seating area, with a date stamp of May 15, 2024.
- Site Plan of Land prepared by Meisner Brem Corporation dated August 11, 2000 with a date stamp of May 15, 2024.

The Board held a public meeting on May 22, 2024 where the matter was discussed. Justin Finnicum, Julie Perlman, Anuraj Shah, and John Sugrue were present throughout the proceedings. The Board found the proposed modifications were minor in nature and would not have an impact on abutting properties, and therefore no public hearing was necessary. After due consideration of the request and the record, the Board voted **4 to 0** to **APPROVE** the Minor Site Plan with the following conditions:

- The applicant will submit certification from a Professional Engineer that the parking space, the path from the parking spaces to the restaurant, and the path from the outdoor seating area to the restaurant meet the requirements of the Massachusetts Architectural Access Board (MAAB).
- The outdoor seating area is permitted to be used from May 1<sup>st</sup> to October 1<sup>st</sup>. If the applicant wishes to expand this timeframe in the future a modification from the Planning Board will be required.

ON BEHALF OF THE SUDBURY PLANNING BOARD:

  
Adam R. Burney, MPA  
Director of Planning & Community Development

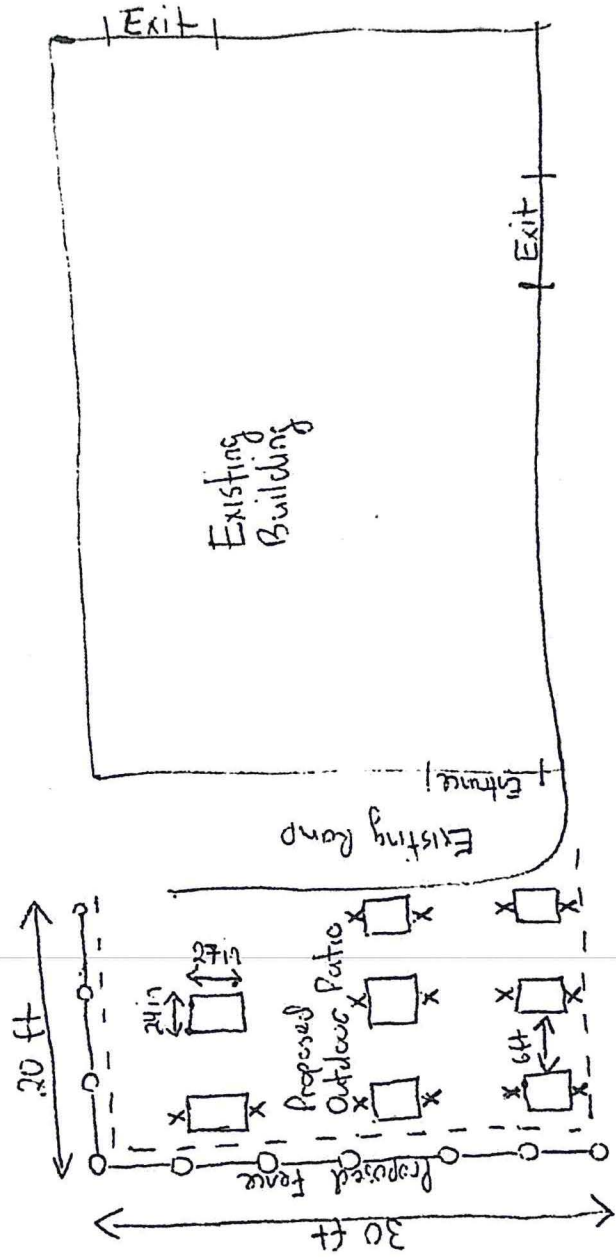
24 MAY 2024

Date

Attachment 3.c: 103 Boston Post Road - Site Plan Minor Decision 240523 (6256 : Soul of India Outdoor Seating)

RECEIVED  
MAY 15 2024

BY: .....



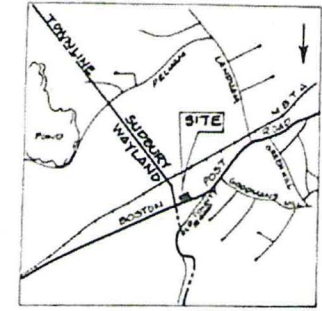


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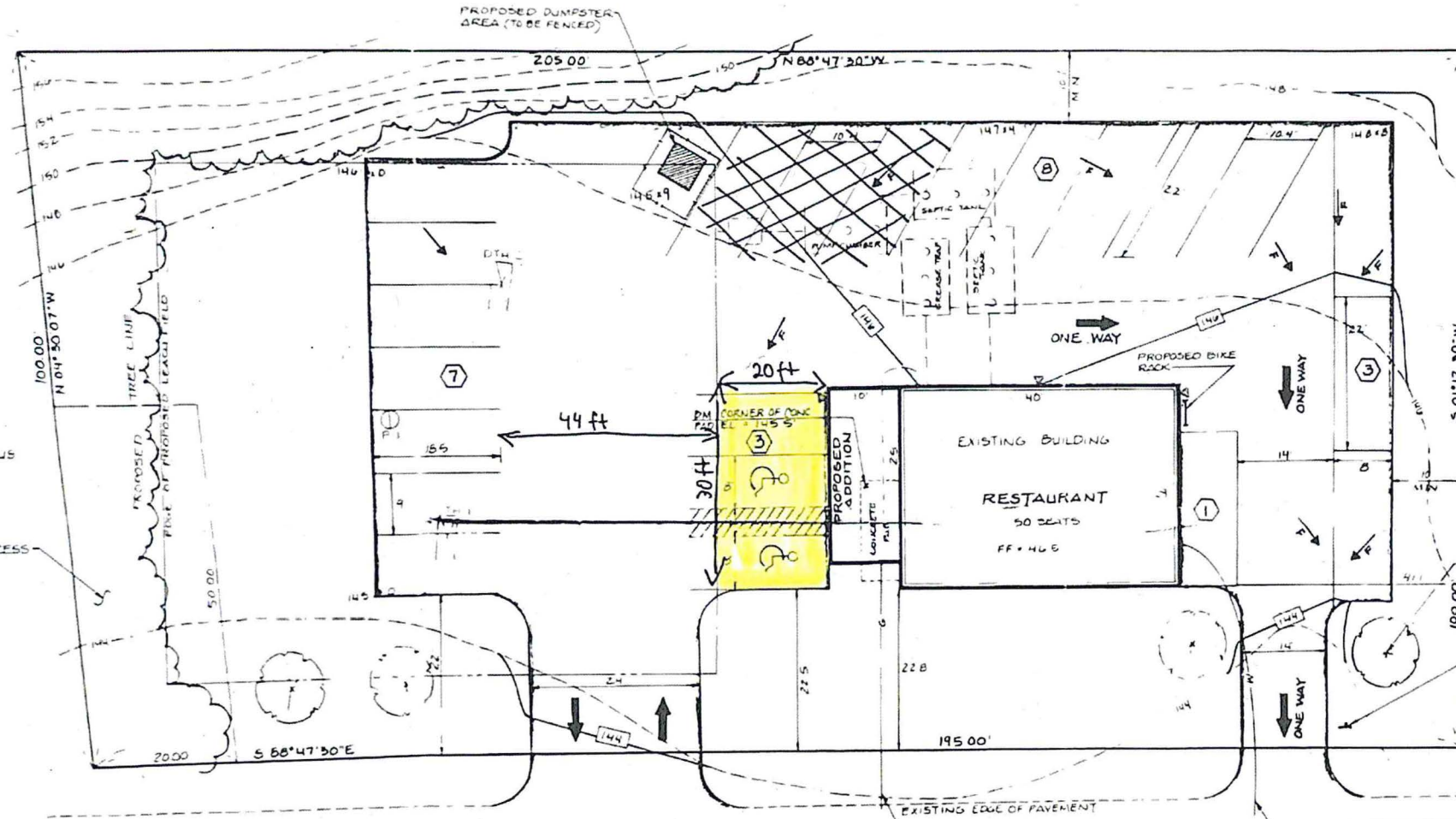
RECEIVED  
MAY 15 2024

Proposed Outdoor Patio  
Proposed temporary handicap parking

NIF MASSACHUSETTS HIGHWAY DEPARTMENT



LOCUS MAP



PLAN REFERENCES

- 1. PLAN OF LAND PREPARED FOR CLARE MCMANUS PREPARED BY ALEXANDER J. ZALESKI PLS PLAN 407 OF 1947 IN BK 7122 PG 194 SCALE 1"=40' DATED MAY 17 2000
- 2. SUBSURFACE SEWAGE DISPOSAL SYSTEM PLAN PREPARED BY M.J. DIMODICA SCALE 1"=20' DATED MARCH 17 2000

PLAN NOTES

- 1. THE PURPOSE OF THIS PLAN IS TO SHOW AN EXISTING PARCEL OF LAND AND EXISTING BUILDING WITH PROPOSED ADDITION AND REQUIRED PARKING
- 2. RECORD OWNER MAP PARCEL TOTAL AREA 20,000 SF  
MANOPE MOOKHIRUNTARA PRESENT ZONING INDUSTRIAL DISTRICT NO 4  
68 RIVERVIEW CIRCLE WAYLAND MA 01778
- 3. TOPOGRAPHY COMPILED FROM 505 PLAN BY M.J. DIMODICA DATED MARCH 17 2000
- 4. LOT LINE AND BUILDING LOCATION COMPILED FROM PLAN OF LAND IN SUDBURY MA PREPARED BY ALEXANDER SURVEY & ENGINEERING DATED 3-22-92
- 5. LOT TO BE SERVICED BY TOWNWATER  
LOT TO BE SERVICED BY INDIVIDUAL ON SITE SEPTIC SYSTEM

BOSTON POST ROAD ROUTE 20  
(STATE HIGHWAY 60 RIGHT OF WAY)

OPEN SPACE

30% REQUIRED = 6,000 SF  
 35% PROVIDED = 7,045 SF  
 BUILDING = 1,410 SF  
 GRAVEL SURFACE = 1,495 SF  
 TOTAL PARCEL = 20,000 SF

PARKING SCHEDULE

PARKING SPACES REQUIRED 50 SEATS  
 3 SEATS PER SPACE = 150 SPACES  
 5 EMPLOYEES (MAXIMUM) 1 SPACE PER EMPLOYEE = 5 SPACES  
 TOTAL SPACES PROVIDED = 22 (2 HANDICAP SPACES)

LEGEND

- EXISTING CONTOUR - - - - -
- PROPOSED CONTOUR - - - - -
- EXISTING EDGE OF PAVEMENT - - - - -
- PROPOSED EDGE OF PAVEMENT - - - - -
- # OF PARKING SPACES ⑦
- DRAINAGE FLOW DIRECTION →
- WATERLINE - - - - -
- GAS LINE - - - - -
- PROPOSED EXTERIOR LIGHTING - - - - -

NO	DATE	REVISION	BY
3			
2			
1			

SITE PLAN OF LAND  
 "SIAM GARDEN"  
 103 BOSTON POST ROAD SUDBURY, MA  
 PREPARED FOR:  
 MANOPE MOOKHIRUNTARA  
 68 RIVERVIEW CIRCLE WAYLAND, MA 01778  
 AUGUST 11, 2000

SCALE: 1" = 10'

MEISNER BREM CORPORATION  
 151 MAIN STREET, SALEM, NH 03078 (603) 883-3301  
 8 LANCASTER COUNTY RD. HANOVER, MA 01831 (978) 772-8188

DESIGNED BY: MLD DRAFTED BY: PDM APPROVED BY: JAB  
 JOB No. 1703 ACAD No. 1703 SHEET 1 OF 1

300

300



June 4, 2024

Dariusz Zywina  
Soul of India  
103 Boston Post Road  
Sudbury, MA 01776

Via: Email to: [dariusz.zywina@gmail.com](mailto:dariusz.zywina@gmail.com)

Reference: Accessible Parking Spaces  
103 Boston Post Road  
Sudbury, Massachusetts  
B+T Project No. 3523.00

Dear Mr. Zywina:

As requested, Beals and Thomas, Inc. (B+T) reviewed the existing parking spaces that are proposed to be converted to accessible parking spaces to accommodate the outdoor seating area at the Soul of India restaurant located at 103 Boston Post Road in Sudbury, MA. The parking spaces located along the southern side of the property comply with the slope requirements of 521 CMR and can be modified to be used as accessible spaces by re-striping the existing spaces to create an access aisle located between two spaces (see enclosed aerial photo). The two parking spaces are required to be eight feet (8') wide and the access aisle between is also required to be eight feet (8') in order to be van accessible. As discussed, the spaces will require signs at the front of each space indicating that they are accessible (refer to 521 CMR 23.6 for Signage requirements). Please do not hesitate to contact us with any questions.

Sincerely,

BEALS AND THOMAS, INC.

Daniel M. Feeney, PE  
Vice President



6/4/2024

Enclosure: Aerial photo

DJL/dmf/352300LT001

**Corporate Office**

144 Turnpike Road  
Southborough, MA 01772

[bealsandthomas.com](http://bealsandthomas.com) T 508.366.0560 F 508.366.4391

**Regional Office**

32 Court Street  
Plymouth, MA 02360

# Untitled Map

Write a description for your map.

3.d

## Legend

- 103 Boston Post Rd
- Soul of India
- Sudbury Endodontics
- Wayside Health Associates

86

103

Soul of India

Access Aisle

2 Accessible  
Parking Spaces

Signs

Google Earth

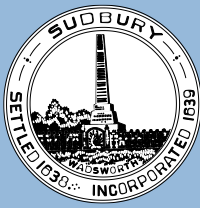
Image © 2024 Airbus

Attachment3.d: AAB Compliance Certification\_Sol (6256 : Soul of India Outdoor Seating)



100 ft

Packet Pg. 19



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**TIMED ITEM**

**4: Fugakyu License Status Hearing**

REQUESTOR SECTION

Date of request:

Requestor: Zachary Tuck, The Blakely Group

Formal Title: PUBLIC HEARING: As the Local Licensing Authority, discuss/vote on All Alcoholic Beverages License of Fugakyu Café Corp., d/b/a Fugakyu Café, 621 Boston Post Road to consider status of alcohol license and termination of lease.

Recommendations/Suggested Motion/Vote: **PUBLIC HEARING: As the Local Licensing Authority, discuss/vote on All Alcoholic Beverages License of Fugakyu Café Corp., d/b/a Fugakyu Café, 621 Boston Post Road to consider status of alcohol license and termination of lease.**

Background Information:  
See attached Notice of Hearing and Lease Termination Agreement.

Financial impact expected:

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting: Zachary Tuck, The Blakely Group

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

**Edward Leung**  
**20 Drabbington Way**  
**Weston, MA 02193**

Re: Alcoholic Beverages License # 00030-RS-1250  
Fugakyu Café Corp. d/b/a Fugakyu  
621 Boston Post Rd  
Sudbury, MA 01776  
Notice of Hearing

Dear Mr. Leung:

On June 11, 2024, at 7:30 p.m., the Sudbury Select Board will hold a hearing pursuant to G.L. c.138, §23 to discuss your alcoholic beverages license #00030-RS-1250 at 621 Boston Post Road, Sudbury. The hearing will be held via Zoom at <https://zoom.us/j/360217080>. The hearing will concern information obtained from your former landlord, a copy of which is enclosed, indicating that as of January 16, 2024, you no longer have any legal rights to possess or use the licensed premises, and moreover that your establishment has been closed since late March 2023. Moreover, the enclosed document also states that you have no intentions to seek a transfer of the alcohol license to another location for you to exercise. Since you have no legal rights to the licensed premises, you do not meet the requirements of G.L. c.138 to maintain possession of this license.

You may attend this hearing and be represented by counsel at your own expense if you wish. The enclosed facts, if proven, may constitute the basis for the Select Board to revoke or cancel your alcoholic beverage license pursuant to G.L. c.138, §23 or §77.

If you have any questions, please contact this office at 978-639-3381.

Sincerely,

Leila S. Frank  
Office Supervisor  
Sudbury Town Manager & Select Board's Office  
278 Old Sudbury Road  
Sudbury, MA 01776

Attachment4.a: Fugakyu\_License\_Hearing (6261 : Fugakyu License Status Hearing)

## LEASE TERMINATION AGREEMENT

This Agreement (the "Agreement") is entered into January 16, 2024, by and between Jerome M. Tuck and Richard L. Tuck, Trustees of The 621 Boston Post Road Realty Trust (the "Lessor" or "621 Trust"), as successor in interest of 621 Boston Post Road LLC ("621 LLC"), and Fugakyu Café Corporation (the "Lessee" or "Fugakyu"). Lessor and Lessee will sometimes be collectively referred to within this Agreement as the "Parties."

### RECITALS

This Agreement is made with reference to the following facts and objectives:

A. On or about December 14, 1999, 621 LLC and Fugakyu entered into a lease (the "Original Lease") for the premises located at 621 Boston Post Road, Sudbury, Massachusetts, and .

B. On or about August 16, 2005, 621 LLC and Fugakyu entered into a second lease (the "2<sup>nd</sup> Lease") for additional space abutting the premises.

C. On or about April 1, 2010, 621 LLC and Fugakyu executed an Amendment to Commercial Lease, combining the Original Lease and the 2nd Lease for more specifically, the first, second and third stores in from the western end with the office, storage attic and additional space on the second floor above said first, second and third stores (the "Premises"), and extending the lease term to March 31, 2017.

D. On or about December 28, 2016, 621 Trust and Fugakyu executed a Second Amendment to Commercial Lease, extending the lease term to March 31, 2027.

E. On or about March 31, 2023, Fugakyu closed the restaurant on the Premises.

NOW, THEREFORE, the Parties hereby acknowledge and agree as follows:

**1. RETURN OF POSSESSION OF PREMISES:** Fugakyu will surrender and return possession of the Premises to Lessor on or prior to January 16, 2024 in the same condition as exists as of the date of this Agreement, ordinary wear and tear excepted. Lessor hereby acknowledges that Lessor has recently entered and inspected the Premises on multiple occasions and is satisfied with the condition of the Premises.

**2. TRANSFER OF RIGHTS OF ASSETS:** Fugakyu will transfer all its rights to all assets currently located at the Premises to Lessor at the signing of this Agreement by both Parties. Fugakyu represents that it is the sole owner of all assets currently located at the Premises, including all restaurant equipment, appliances, and all other personal property, at that none of the assets are leased. This representation shall survive the termination of the Lease.

**3. LIQUOR LICENSE:** Fugakyu will finalize the renewal of the liquor license prior to the signing of this Agreement. Both Parties hereby acknowledge that by renewing the liquor license, Fugakyu is merely assuring the availability of the same liquor license for the new restaurant operator. The new restaurant operator will have to apply with the Town of Sudbury and ABCC for the transfer of the liquor license. The renewed liquor license will be held at the Town of Sudbury licensing department/Town Clerk's Office upon the final approval by the Town and ABCC of the application by the new restaurant operator.

**4. LEASE TERMINATION:** Lessor agrees the Lease(s) and any amendments shall be terminated as of January \_\_\_\_, 2024. Lessor shall release Fugakyu, its officers, directors, managers, shareholders, and guarantor(s) from any and all liabilities and obligations arising from the Lease(s) and amendments. All rent and additional rent due shall be waived, and all security deposits and last month paid by Fugakyu shall be retained by Lessor.

**5. MUTUAL RELEASE:** Effective as of the Effective Date, Landlord and Tenant for themselves and their respective heirs, executors, administrators, predecessors-in-interest, successors, and assigns, do hereby waive, release, and forever discharge each other, and their respective successors and assigns, from all actions, causes of action, sums of money, covenants, agreements, promises, damages, judgments, claims, and demands whatsoever in law or in equity which each against the other ever had, now has, or which they or their respective predecessors, successors or assigns hereafter may have, upon or by reason of any matter, cause, or thing whatsoever arising out of or in connection with the Lease, the Premises, or the Building; provided that: (i) neither party shall be released from any of its obligations under this Agreement (and this Agreement shall survive the termination of the Lease ); and (ii) neither Landlord nor Tenant shall be released from any indemnification obligations under the Lease as to matters occurring prior to the Effective Date and that expressly survive the termination of the Lease. For purposes hereof, all obligations of Tenant that survive termination of the Lease under Section 2 shall be collectively referred to herein as the "**Surviving Obligations.**"

**6. INDEMNIFICATION:** Landlord and Tenant each agree to indemnify, hold harmless, and defend the other from and against any and all claims, liabilities, losses, costs, damages, and expenses (including reasonable attorneys' fees, charges, and expenses in the enforcement of this indemnity) asserted against or suffered by the other party arising out of, related to, or caused by the breach or inaccuracy of any covenant, obligation, warranty, or representation under this Agreement by such party. The terms of this Section 6 shall survive the termination of this Agreement or the Lease.

**7. BINDING EFFECT:** This Agreement shall be binding upon and inure to the benefit of the respective heirs, successors, assigns, estates, and personal representatives of the Parties.

**8. MODIFICATIONS:** This Agreement shall not be amended or modified except in writing, signed by each of the Parties affected by such amendment or modifications.

**9. ATTORNEY’S FEES:** If any Party takes any steps to enforce or interpret this Agreement, the prevailing party shall be entitled to its reasonable attorney’s fees and costs in addition to any other relief to which it may be entitled.

**10. NEGOTIATED TRANSACTIONS:** The drafting and negotiation of this Agreement has been participated in by each of the Parties. For all purposes, this Agreement shall be deemed to have been drafted jointly by each of the Parties.

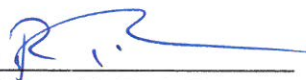
**11. COUNTERPARTS/EMAIL:** This Agreement may be executed in counterparts, each of which shall be deemed to be an original. Such counterparts, when taken together, shall constitute but one Agreement. Email/electronic signatures shall have the same force and effort as original signatures.

**12. AUTHORITY:** Any person executing this Agreement on behalf of a corporation, limited liability company, trust, partnership, or estate warrants that he or she has been duly authorized by such entity or estate to execute this Agreement on its behalf pursuant to duly adopted resolutions, order by the court or some other document or agreement empowering him or her to do so.


**13. JURISDICTION:** This agreement shall be governed by the laws of the Commonwealth of Massachusetts.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first above written.

Lessor:  
The 621 Boston Post Road Realty Trust

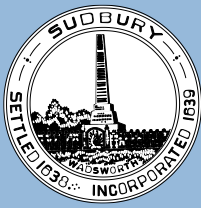
By:   
Richard L. Tuck, Trustee  
Duly authorized

Lessee:  
Fugakyu Café Corporation

By:   
Edward Leung, President  
Duly authorized

Attachment4.a: Fugakyu\_License\_Hearing (6261 : Fugakyu License Status Hearing)





## SUDBURY SELECT BOARD

Tuesday, June 11, 2024

**CONSENT CALENDAR ITEM****5: Girl Scout Award Recognition****REQUESTOR SECTION**

Date of request:

Requestor: Sudbury Girl Scouts

Formal Title: Vote to enter into the Town record and congratulate Elizabeth Huettig of Girl Scout Troop 65254, recognized at an Award Ceremony on Tuesday, June 4, 2024, for having achieved the high honor of the Girl Scout Gold Award. Also vote to authorize the chair to sign a congratulatory letter on behalf of the Board.

Recommendations/Suggested Motion/Vote: Vote to enter into the Town record and congratulate Elizabeth Huettig of Girl Scout Troop 461, recognized at an Award Ceremony on Tuesday, June 4, 2024, for having achieved the high honor of the Girl Scout Gold Award. Also vote to authorize the chair to sign a congratulatory letter on behalf of the Board.

Background Information:

**Gold Award Recipient:** Elizabeth Huettig**Project Name:** A Wayside Walk Through History

**Synopsis:** The main issue my project addressed is limited town history education, specifically positive town history, taught in my local elementary schools. Local history is so important for kids to learn in their early years because it helps them understand large events on a smaller scale and teaches them that big changes are made up of individual people like themselves. The local history that was taught was too brief and only addressed very specific negative aspects of the history. It is important not to hide the negative aspects of our history, but teaching a balanced impression of the history gives children the chance to gather all of the information and make their own decisions. I addressed the root cause by writing a book to create a space outside of school for kids to learn more about local history. The Sudbury Social Studies Coordinator made it clear that there was not space in the school curriculum to add in more local history, so it worked best to create a place in addition to school where kids could learn about local history. I also learned that the brain processes information best when children are learning outside and exercising; therefore, I created a storybook trail rather than just a book to teach broader local history in context. My audience learned about many events in Sudbury's history, gaining perspective about the impact of national events on individual people. They also learned that big changes are made up of individual people, inspiring them to take action themselves. In a more educational sense, readers learned basic information about feminism and slavery in the United States and in our town specifically. After the opening day celebration I officially passed ownership on to the Wayside Inn Foundation.

Financial impact expected:n/a

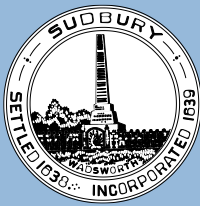
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM



## SUDBURY SELECT BOARD

Tuesday, June 11, 2024

**CONSENT CALENDAR ITEM****6: Covenant and easement for 199 Raymond Rd**REQUESTOR SECTION

Date of request:

Requestor: Adam Burney, Director of Planning &amp; Community Development

Formal Title: Vote to accept the Declaration of Restrictive Covenant and Grant of Easement regarding Stormwater Management System for the property at 199 Raymond Road subject to the Stormwater Management Permit issued for the property.

Recommendations/Suggested Motion/Vote: Vote to accept the Declaration of Restrictive Covenant and Grant of Easement regarding Stormwater Management System for the property at 199 Raymond Road subject to the Stormwater Management Permit issued for the property.

Background Information:

Attached documents.

Original (wet) SB signature required.

The Planning Board issued a decision to grant a Stormwater Management Permit for the property at 199 Raymond Rd. Condition II.D. indicates:

“Prior to completion of the project, 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 Town will provide template to the Applicant, who 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.”

As such, through the stormwater covenant, the Owner identified agreed to provide such perpetual maintenance of the stormwater management system by imposing restrictive and protective covenants on the respective property. In the event 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. The grant of easement provides the explicit right of the Town to enter upon private property to conduct inspections and to perform any required work.

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Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM

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 May 30<sup>th</sup>, 2024 by Sudbury Water District (the “Owner”) of 199 Ramond Road, Sudbury, MA 01776 (the “Property”) 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, the Owner applied to the Sudbury Planning Board for approval of a Stormwater Management Permit, for the Property (the “Project”) and the Planning Board, on January 12, 2022 issued a “Stormwater Management Permit”(the “Permit”) upon the Property shown as Lot 2 as shown on a Plan entitled Raymond Road Water Treatment Plant, and dated November 15, 2021 (Revised December 22, 2021), and recorded with the Middlesex South Registry of Deeds in Book 80241 Page 508 to which plan reference is made for a more particular description of said the Property.

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

Whereas, the Sudbury Planning Board’s decision to grant the Owner the Permit is contingent upon the Owner being responsible for the perpetual maintenance of the stormwater management system located on the Property, including, without limitation, all drip trenches 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 Property and by granting an easement over the Property and to allow the Town if the 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 to the Town 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 Property 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 and the Stormwater Operations and Maintenance Manual entitled prepared by Weston & Sampson Engineers, Inc., and dated

November 2021, 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 Property 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 Town shall have the right to deliver to the then Owner of the Property 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 Town 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 Town within said thirty (30) day period (or such other additional timeframe imposed by the Town), 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 Town may, but shall have no obligation to, enter upon the Property and remedy the failure described in its notice as set forth in Paragraph 4 below.

4. In connection with any such entry, the Town shall use reasonable efforts (a) to give prior notice to the Owner of same, except in the case of emergency, and (b) not to unreasonably interfere with the current use of the Property, or with access to the Property, except to the extent as may be reasonably required in order to prosecute such remedy. The Town shall promptly restore or replace any portion of the areas outside the Stormwater System disturbed in the exercise of its rights hereunder to the condition it was in prior to undertaking such work, to the extent reasonably possible.

Prior to exercising any right to enter the Property under this Restriction, or, in the case of emergency, as soon as is practicable, the Town agrees to carry and keep in effect, at the Town's sole cost and expense, comprehensive general liability insurance covering the Property 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. The Town shall also cause any party performing work on the Town's behalf on the Property and/or the Stormwater System in accordance with the terms of this Restriction to obtain and keep such insurance prior to entering upon the Property. Any

insurance provided for above shall name the 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 the 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 M.G.L. c. 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, the Town shall execute and deliver to the then Owner an estoppel certificate stating that to the best of the Town'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 Town to disclose correct and/or relevant information included in any such estoppel certificate, but the Town 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 Property 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, §§27-30, 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 Property, 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 Property 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.]



Executed under seal as of this 30<sup>th</sup> day of May, 2024.

PROPERTY OWNER:

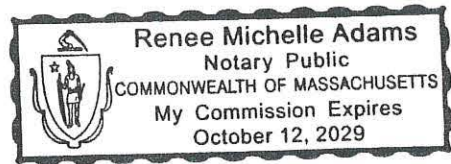
Vincent J. Roy  
Name: Vincent Roy  
Title: Executive Director, Sudbury Water District  
Duly Authorized

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 30<sup>th</sup> day of May, 2024, before me, the undersigned notary public, Renee Michelle Adams, the above-named member person personally appeared and proved to me through satisfactory evidence of identification, which was Personally known by me, to be the person whose name is signed on the preceding document and acknowledged to me that s/he signed it voluntarily for its stated purpose.

Notary Public  
My Commission Expires:



ACCEPTANCE OF EASEMENT

On this \_\_ day of \_\_\_\_\_, 2024, the Town of Sudbury, acting by and through its Board of Selectmen pursuant to the provisions of G.L. c. 83, §§1 and 3, and any other enabling authority, hereby accepts the foregoing Grant of Easement for drainage purposes.

TOWN OF SUDBURY,  
By Its Board of Selectmen

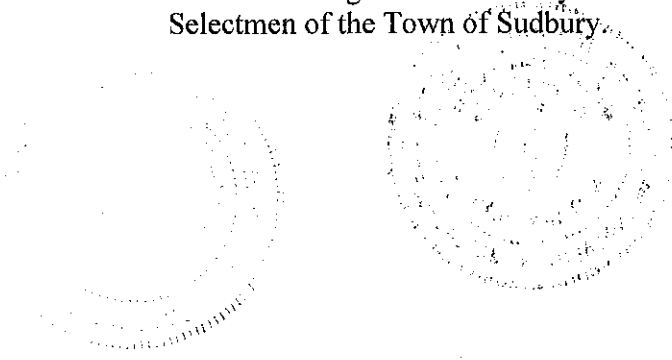
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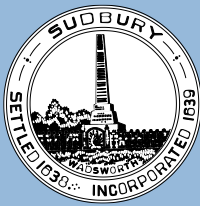
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

On this \_\_ day of \_\_\_\_\_, 2024, before me, the undersigned notary public, \_\_\_\_\_, the above-named member of the Board of Selectmen for the Town of Sudbury, personally appeared and proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding document and acknowledged to me that s/he signed it voluntarily for its stated purpose as a member of the Board of Selectmen of the Town of Sudbury.

Notary Public  
My Commission Expires:





SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**MISCELLANEOUS (UNTIMED)**

**7: Ratify vote taken in Executive Session**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Discussion and possible vote on whether to approve the Town Manager Contract between the Town of Sudbury and Andrew J. Sheehan, and ratify the vote taken in Executive Session.

Recommendations/Suggested Motion/Vote: Discussion and possible vote on whether to approve the Town Manager Contract between the Town of Sudbury and Andrew J. Sheehan, and ratify the vote taken in Executive Session.

Background Information:

Financial impact expected:

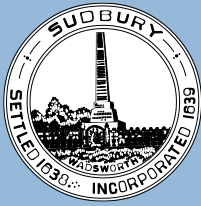
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**MISCELLANEOUS (UNTIMED)**

**8: Washington Drive Drainage Sink Hole**

REQUESTOR SECTION

Date of request:

Requestor: Dan Nason, DPW Director

Formal Title: Discussion of repairs and funding of drainage sink hole on Washington Drive.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected: Use of funds appropriated under Article 20 of the 2024 Annual Town Meeting.

Approximate agenda time requested:

Representative(s) expected to attend meeting: Dan Nason, DPW Director

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM



- Bridges
- Driveways
- Parking Lots
- Medians
- Sidewalks
- Curbs
- Roads
  - Paved
  - UnPav
- Buildings
- Parcels
- Streams Ort
- Streams CIF
- Lake/Reserv
- MA Highway Interst
  - US Hw
  - Numb
- Town Bound
- Streets



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

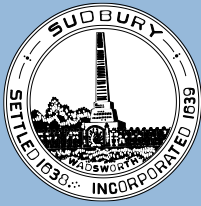
Attachment 8.a: Washington-Lafayette map (6270 : Washington Drive Drainage Sink Hole)

8.b

Attachment 8.b: Washington Rd (6270 : Washington Drive Drainage Sink Hole)

Packet Pg. 38





SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**MISCELLANEOUS (UNTIMED)**

**9: Fire Dept Ambulance Fees**

REQUESTOR SECTION

Date of request:

Requestor: Fire Chief John Whalen

Formal Title: Discussion and vote on whether to adopt the Ambulance rates as described in the memo from the Fire Chief, dated June 11, 2024, said rates to be effective as of July 1, 2024.

Recommendations/Suggested Motion/Vote: **Vote to adopt the Ambulance rates as described in the memo from the Fire Chief, dated June 11, 2024, said rates to be effective as of July 1, 2024.**

Background Information:

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This is the first ambulance rate increase since the Fire Department moved to Advanced Life Support (ALS) in 2013. The proposed rates will result in increased revenues. The actual financial impact will vary depending on the number and type of ambulance calls. Revenues from these fees are deposited into the receipts reserved for appropriation account and are used to offset operating and capital costs associated with operating the ambulance service. General Law c. 40, s. 22F gives the Select Board authority to set ambulance fees.

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Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM



# TOWN OF SUDBURY

## Fire Department

John M. Whalen  
Fire Chief

77 Hudson Road  
Sudbury, MA 01776  
Tel. (978) 440-5311  
Fax (978) 440-5305

Date: June 11, 2024

To: Andrew Sheehan  
Town Manager

Subject: Ambulance Billing Rates

The Sudbury Fire Department billing rate for ambulance services have not seen a substantial increase since we move our service to the Advance Support Level in 2013. I would like to recommend that we increase our current billing rates from Medicare plus 164% to Medicare plus 250%.

As you will see in the chart below this would provide for an increase in revenue that is needed to cover the increase in medical supplies. Patients that are currently on Medicare/Medicaid would not be affected as their rates are set by the Federal Government, this additional cost would be for patients with private healthcare insurance coverage.

John M. Whalen  
Chief of Department

<b>2023</b>	MEDICARE	PLUS 200	PLUS 250	PLUS 300	SUDBURY (current rates)
ALS	592.41	1777.23	2073.44	2369.64	1552.80
ALS2	857.44	2572.32	3001.04	3429.76	2247.45
BLS	498.88	1496.64	1746.08	1995.52	1307.61
MILEAGE	8.80	26.40	30.80	35.20	20.61
<b>2024</b>	MEDICARE	PLUS 200	PLUS 250	PLUS 300	SUDBURY (current rates)
ALS	606.69	1820.07	2123.42	2426.76	1552.80
ALS2	878.10	2634.30	3073.35	3512.40	2247.45
BLS	510.90	1532.70	1788.15	2043.60	1307.61
MILEAGE	9.02	27.06	31.57	36.08	20.61

Attachment 9.a: Ambulance Rate Memo 6\_11\_24 (6233 : Fire Dept Ambulance Fees)



# Sudbury EMS

## Ambulance Billing Projections

### 1100 Transports

	<u>Medicare</u>	<u>Medicaid</u>	<u>HMO</u>	<u>Private Pay/ No Insurance</u>	
<i>BLS Base Rate</i>	\$ 498.88	\$ 334.19	\$ 1,307.61	\$ 1,307.61	
<i>BLS Mileage</i>	\$ 8.80	\$ 6.45	\$ 20.61	\$ 20.61	
<i>BLS Miles</i>	1.5	1.5	1.5	1.5	
<i>BLS Miles Paid Per Transport</i>	\$ 13.20	\$ 9.68	\$ 30.92	\$ 30.92	
<i>ALS Base Rate</i>	\$ 592.41	\$ 396.86	\$ 1,552.80	\$ 1,552.80	
<i>ALS Mileage</i>	\$ 8.80	\$ 6.45	\$ 20.61	\$ 20.61	
<i>ALS Miles</i>	1.5	1.5	1.5	1.5	
<i>ALS Miles Paid Per Transport</i>	\$ 13.20	\$ 9.68	\$ 30.92	\$ 30.92	

<i>Total BLS Paid Per Transport</i>	\$ 512.08	\$ 343.87	\$ 1,338.53	\$ 1,338.53	BLS
<i>Total BLS Transports</i>	225	26	47	117	415
<i>Total Potential BLS Revenue</i>	\$ 115,218.00	\$ 8,940.49	\$ 62,910.68	\$ 156,607.43	

<i>Total ALS Paid Per Transport</i>	\$ 605.61	\$ 406.54	\$ 1,583.72	\$ 1,583.72	ALS
<i>Total ALS Transports</i>	377	43	77	196	693
<i>Total Potential ALS Revenue</i>	\$ 228,314.97	\$ 17,481.01	\$ 121,946.06	\$ 310,408.14	

<i>Total Potential ALS &amp; BLS Revenue</i>	\$ 343,532.97	\$ 26,421.50	\$ 184,856.73	\$ 467,015.57	\$ 1,021,826.76
<i>% Realized</i>	80.00%	80.00%	80.00%	50.00%	
<i>Total Revenue</i>	<u><u>\$ 274,826.38</u></u>	<u><u>\$ 21,137.20</u></u>	<u><u>\$ 147,885.38</u></u>	<u><u>\$ 233,507.78</u></u>	<u><u>\$ 677,356.74</u></u>

Attachment9.b: CY-2023 @ Current Rates (6233 : Fire Dept Ambulance Fees)

CY-2023 @ Current Rates

# Sudbury EMS Ambulance Billing Projections 1100 Transports

	<u>Medicare</u>	<u>Medicaid</u>	<u>HMO</u>	<u>Private Pay/ No Insurance</u>	
<i>BLS Base Rate</i>	\$ 498.88	\$ 334.19	\$ 1,746.08	\$ 1,746.08	
<i>BLS Mileage</i>	\$ 8.80	\$ 6.45	\$ 30.80	\$ 30.80	
<i>BLS Miles</i>	1.5	1.5	1.5	1.5	
<i>BLS Miles Paid Per Transport</i>	\$ 13.20	\$ 9.68	\$ 46.20	\$ 46.20	
<i>ALS Base Rate</i>	\$ 592.41	\$ 396.86	\$ 2,073.44	\$ 2,073.44	
<i>ALS Mileage</i>	\$ 8.80	\$ 6.45	\$ 30.80	\$ 30.80	
<i>ALS Miles</i>	1.5	1.5	1.5	1.5	
<i>ALS Miles Paid Per Transport</i>	\$ 13.20	\$ 9.68	\$ 46.20	\$ 46.20	

<i>Total BLS Paid Per Transport</i>	\$ 512.08	\$ 343.87	\$ 1,792.28	\$ 1,792.28	BLS
<i>Total BLS Transports</i>	225	26	47	117	415
<i>Total Potential BLS Revenue</i>	\$ 115,218.00	\$ 8,940.49	\$ 84,237.16	\$ 209,696.76	

<i>Total ALS Paid Per Transport</i>	\$ 605.61	\$ 406.54	\$ 2,119.64	\$ 2,119.64	ALS
<i>Total ALS Transports</i>	377	43	77	196	693
<i>Total Potential ALS Revenue</i>	\$ 228,314.97	\$ 17,481.01	\$ 163,212.28	\$ 415,449.44	

<i>Total Potential ALS &amp; BLS Revenue</i>	\$ 343,532.97	\$ 26,421.50	\$ 247,449.44	\$ 625,146.20	\$ 1,242,550.11
<i>% Realized</i>	80.00%	80.00%	80.00%	50.00%	
<i>Total Revenue</i>	<u><u>\$ 274,826.38</u></u>	<u><u>\$ 21,137.20</u></u>	<u><u>\$ 197,959.55</u></u>	<u><u>\$ 312,573.10</u></u>	<u><u>\$ 806,496.22</u></u>

Attachment9.c: CY-2023 +250 (6233 : Fire Dept Ambulance Fees)

# Sudbury EMS

## Ambulance Billing Projections

### 1100 Transports

	<u>Medicare</u>	<u>Medicaid</u>	<u>HMO</u>	<u>Private Pay/ No Insurance</u>	
<i>BLS Base Rate</i>	\$ 510.90	\$ 334.19	\$ 1,307.61	\$ 1,307.61	
<i>BLS Mileage</i>	\$ 9.02	\$ 6.45	\$ 20.61	\$ 20.61	
<i>BLS Miles</i>	1.5	1.5	1.5	1.5	
<i>BLS Miles Paid Per Transport</i>	\$ 13.53	\$ 9.68	\$ 20.61	\$ 20.61	
<i>ALS Base Rate</i>	\$ 606.69	\$ 396.86	\$ 1,552.80	\$ 1,552.80	
<i>ALS Mileage</i>	\$ 9.02	\$ 6.45	\$ 20.61	\$ 20.61	
<i>ALS Miles</i>	1.5	1.5	1.5	1.5	
<i>ALS Miles Paid Per Transport</i>	\$ 13.53	\$ 9.68	\$ 30.92	\$ 30.92	

<i>Total BLS Paid Per Transport</i>	\$ 524.43	\$ 343.87	\$ 1,328.22	\$ 1,328.22	BLS
<i>Total BLS Transports</i>	225	26	47	117	415
<i>Total Potential BLS Revenue</i>	\$ 117,996.75	\$ 8,940.49	\$ 62,426.34	\$ 155,401.74	

<i>Total ALS Paid Per Transport</i>	\$ 620.22	\$ 406.54	\$ 1,583.72	\$ 1,583.72	ALS
<i>Total ALS Transports</i>	377	43	77	196	693
<i>Total Potential ALS Revenue</i>	\$ 233,822.94	\$ 17,481.01	\$ 121,946.06	\$ 310,408.14	

<i>Total Potential ALS &amp; BLS Revenue</i>	\$ 351,819.69	\$ 26,421.50	\$ 184,372.40	\$ 465,809.88	\$ 1,028,423.46
<i>% Realized</i>	80.00%	80.00%	80.00%	50.00%	
<i>Total Revenue</i>	<u><u>\$ 281,455.75</u></u>	<u><u>\$ 21,137.20</u></u>	<u><u>\$ 147,497.92</u></u>	<u><u>\$ 232,904.94</u></u>	<u><u>\$ 682,995.80</u></u>

Attachment9.d: CY-2024 @ Current Rates (6233 : Fire Dept Ambulance Fees)

# Sudbury EMS

## Ambulance Billing Projections

### 1100 Transports

	<u>Medicare</u>	<u>Medicaid</u>	<u>HMO</u>	<u>Private Pay/ No Insurance</u>	
<i>BLS Base Rate</i>	\$ 510.90	\$ 334.19	\$ 1,788.15	\$ 1,788.15	
<i>BLS Mileage</i>	\$ 9.02	\$ 6.45	\$ 31.57	\$ 31.57	
<i>BLS Miles</i>	1.5	1.5	1.5	1.5	
<i>BLS Miles Paid Per Transport</i>	\$ 13.53	\$ 9.68	\$ 47.36	\$ 47.36	
<i>ALS Base Rate</i>	\$ 606.69	\$ 396.86	\$ 2,123.42	\$ 2,123.42	
<i>ALS Mileage</i>	\$ 9.02	\$ 6.45	\$ 31.57	\$ 31.57	
<i>ALS Miles</i>	1.5	1.5	1.5	1.5	
<i>ALS Miles Paid Per Transport</i>	\$ 13.53	\$ 9.68	\$ 47.36	\$ 47.36	

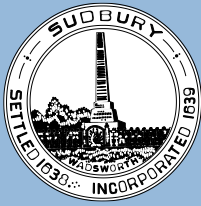
<i>Total BLS Paid Per Transport</i>	\$ 524.43	\$ 343.87	\$ 1,835.51	\$ 1,835.51	BLS
<i>Total BLS Transports</i>	225	26	47	117	415
<i>Total Potential BLS Revenue</i>	\$ 117,996.75	\$ 8,940.49	\$ 86,268.74	\$ 214,754.09	

<i>Total ALS Paid Per Transport</i>	\$ 620.22	\$ 406.54	\$ 2,170.78	\$ 2,170.78	ALS
<i>Total ALS Transports</i>	377	43	77	196	693
<i>Total Potential ALS Revenue</i>	\$ 233,822.94	\$ 17,481.01	\$ 167,149.68	\$ 425,471.90	

<i>Total Potential ALS &amp; BLS Revenue</i>	\$ 351,819.69	\$ 26,421.50	\$ 253,418.41	\$ 640,225.99	\$ 1,271,885.58
<i>% Realized</i>	80.00%	80.00%	80.00%	50.00%	
<i>Total Revenue</i>	<u><u>\$ 281,455.75</u></u>	<u><u>\$ 21,137.20</u></u>	<u><u>\$ 202,734.73</u></u>	<u><u>\$ 320,112.99</u></u>	<u><u>\$ 825,440.67</u></u>

CY-2024 @ Medicare Plus 250% Rates

Attachment9.e: CY-2024 +250 (6233 : Fire Dept Ambulance Fees)



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**MISCELLANEOUS (UNTIMED)**

**10: DEI Discussion - Tercentenary Markers**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Continuation of Diversity, Equity, & Inclusion Commission discussion, including Tercentenary markers. Chris Hagger, Historical Commission chair, invited to attend.

Recommendations/Suggested Motion/Vote: Continuation of Diversity, Equity, & Inclusion Commission discussion, including Tercentenary markers. Chris Hagger, Historical Commission chair, invited to attend.

Background Information:  
attached memo from Katina Fontes Feb. 8, 2024, and DEIC mission statement.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM

**From:** [Katina Fontes](#)  
**To:** [Select Board](#); [Diversity, Equity, and Inclusion Commission](#); [Historical Commission](#); [Historic Districts Commission](#)  
**Cc:** [Town Manager](#)  
**Subject:** Sudbury's Tercentenary Markers  
**Date:** Thursday, February 8, 2024 9:40:37 AM

---

Dear Sudbury Historical Commission, Historic Districts Commission, DEI Commission, and Select Board Members,

Last April, Athina Education hosted a [community forum](#) on Sudbury's Tercentenary Markers. The Massachusetts Department of Transportation (Mass DOT) manages the five markers in town along Routes 20 and 27. These cast iron, painted signs were installed around 1930, and most highlight historical events, including King Philip's War. In recent years, these signs have come under scrutiny for several reasons—the inclusion of the state seal at the top of each marker, which many find inappropriate and offensive; the cost of maintenance, which is on the shoulders of the taxpayer; and the controversial language used to describe historical events. The forum included representatives from different stakeholders, including a Nipmuc representative. From the latter, attendees heard about the pain caused by the presence of these markers on so many major roads across the commonwealth as a continuous reinforcement of biased narratives about past conflicts between the Indigenous inhabitants and the English colonists. The forum also prompted some of us to advocate for supporting changes to the state seal and flag through a Town Meeting Warrant Article passed by an overwhelming majority in October.

In May of 2023, the Historical Commission was contacted by Mass DOT inquiring about the restoration and resetting of the "Sudbury Fight" marker located at the intersection of Rt. 20 and Concord Rd, which had been removed for a construction project. The members voted unanimously to reply with the following: *"The SHC believes these signs are out of date. There are a number of Sudbury residents and organizations in town who find the words to be offensive. We do not recommend this sign be restored and put back."* I was pleased to hear about this decision and yet later dismayed when I saw the restored sign re-installed in its original location.

Other towns have been investigating ways to remove the signs and overcome challenges presented by attempts to work with Mass DOT. I have had conversations with members of boards in Concord who were likewise frustrated and decided after discussions across several town boards to remove Concord's three Tercentenary markers for "maintenance." **I encourage all of you to find a way to do the same.** These markers have outlived their purpose. They lack context and an Indigenous perspective. They were installed during a period of xenophobic and racist nativist views in the early 20<sup>th</sup> century as a means of venerating the Puritan settlers and sustaining a historically biased nostalgia for the colonialism of the past. Participants in Athina's community forum had different views about the signs and what should be done with them if they were removed. I suggest placing them in an archive to create a future public exhibit with the appropriate context.

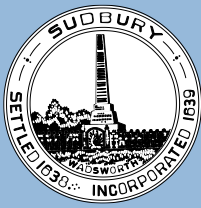
Our town is working hard to learn more about its Indigenous history and repair some past injustices. The Goodnow Library received a two-year \$20,000 grant from the Massachusetts Board of Library Commissioners in October to create an Indigenous History Special Collection, and the Historical Commission will soon begin a Town-wide Indigenous Cultural Landscape Study. These markers stand in stark contrast to this hard work. I urge you to contact your counterparts in Concord to learn more about their thinking and process. This [Concord Bridge article](#) provides some information. They have made a bold move, and it is now time for Sudbury and other towns to follow suit.

Sincerely,

Katina Fontes  
Dorothy Rd

**Katina Fontes,**  
**Ph.D.**  
President & Founder  
Athina Education, Inc.

- [617-331-0375](tel:617-331-0375)
- [katinafontes@gmail.com](mailto:katinafontes@gmail.com)
- [www.athinaeducation.org](http://www.athinaeducation.org)



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**MISCELLANEOUS (UNTIMED)**

**11: Purchase Contract Policy & Flag Policy**

REQUESTOR SECTION

Date of request:

Requestor: Town Manager Sheehan on behalf of Policy Subcommittee

Formal Title: Discussion and possible vote on adoption of Purchase Contract Policy and Flag Policy.

Recommendations/Suggested Motion/Vote: **Vote to adopt the Purchase Contract Policy and the Flag Policy as presented.**

Background Information:

The Select Board’s Policy Subcommittee has amended these policies and voted on 5//24/24 to recommend adoption by the Select Board.

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Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM



**PURCHASE CONTRACTS** (Adopted 8/9/99, 6/10/02, 8/16/16, 6/11/24)

Whereas, the Sudbury Town Manager Act, Chapter 131 of the Acts of 1994, designates the Town Manager with authority and responsibility to develop the annual operating and capital budgets; and

Whereas, said Act designates the Town Manager as responsible for purchasing; and

Whereas, the Town Manager and other staff hold the Inspector General's Massachusetts Certified Public Purchasing Officer (MCPPO) designation; and

Whereas, the Town Manager cannot spend without an appropriation; and

Whereas, capital budget expenditures are fully vetted during the capital planning and budget review process; and

Whereas, the Town Manager can request Town Counsel to review contracts where legal review is warranted.

Therefore, the Select Board adopts this policy with respect to Purchase Contracts:

The Town Manager is authorized to award and execute contracts procured pursuant to Massachusetts General Law c. 30B, c. 30, s. 39M, and c. 149, and those resulting from Town Meeting appropriation in any amount valued less than \$250,000, without the approval of the Select Board.

The Town Manager shall provide a list of such awards to the Select Board on a regular basis and a full year summary annually in January.

Voted by Select Board on June 11, 2024

**PURCHASE CONTRACTS** (Adopted 8/9/99, 6/10/02, 8/16/16, 6/11/24)

Whereas, the Sudbury Town Manager Act, Chapter 131 of the Acts of 1994, designates the Town Manager with authority and responsibility to develop the annual operating and capital budgets; and

Whereas, said Act designates the Town Manager as responsible for purchasing; and

Whereas, the Town Manager and other staff hold the Inspector General's Massachusetts Certified Public Purchasing Officer (MCPPO) designation; and

Whereas, the Town Manager cannot spend without an appropriation; and

Whereas, capital budget expenditures are fully vetted during the capital planning and budget review process; and

Whereas, the Town Manager can request Town Counsel to review contracts where legal review is warranted.

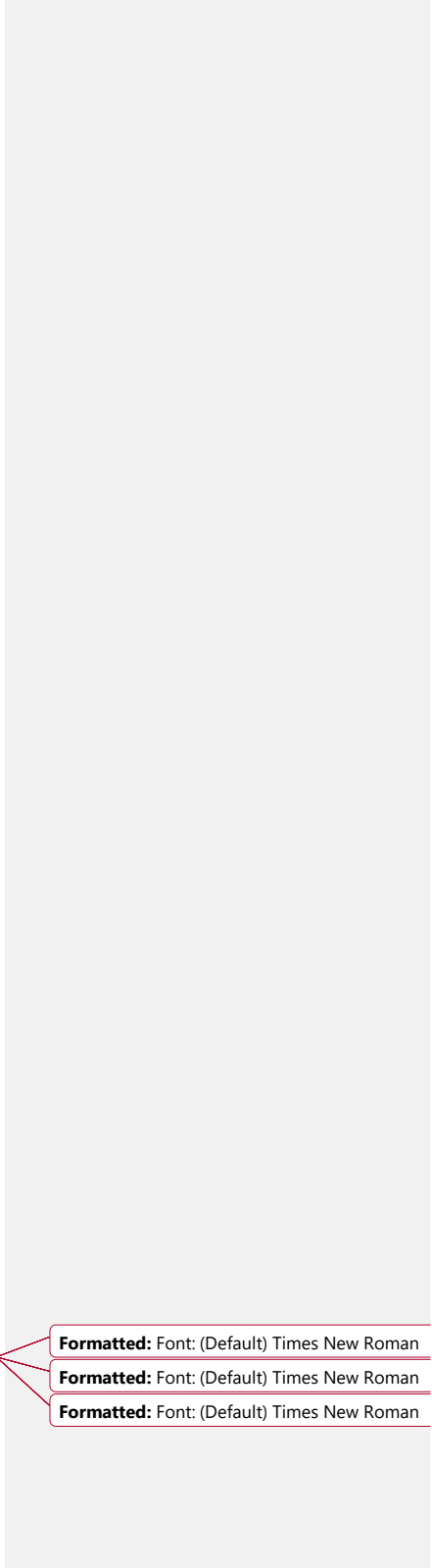
Therefore, ~~The~~ the Select Board adopts this policy with respect to Purchase Contracts:

The Town Manager is authorized to ~~award and execute~~ ~~enter into purchasing~~ contracts ~~procured pursuant to Massachusetts General Law c. 30B, c. 30, s. 39M, and c. 149, and those resulting from Town Meeting appropriation in any amount under valued less than \$25,000~~ \$250,000, without the approval of the ~~Select~~ Board of ~~Selectmen on purchases defined in Section 10(d) of the Town Charter.~~

~~The Town Manager is authorized to approve, without specific vote of the Board, those contracts \$25,000 and over which are renewals of contracts, with current vendors, previously approved by the Board.~~

The Town Manager shall provide a list of such awards to the ~~Select~~ Board ~~of Selectmen~~ on a regular basis and a full year summary ~~an annual basis~~ annually in January.

Voted by Select Board on June 11, 2024



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### Authority to Sign Contracts Survey of Area Towns

	Authority per Charter, Bylaw	Practice	Threshold to Delegate to TA/TM	Origin of Authority to Delegate	Comments
<b>Acton</b>	TM	TM	N/A	N/A	No threshold; TM authorized to sign all contracts
<b>Ashland</b>	TM	TM	N/A	N/A	No threshold; TM authorized to sign all contracts
<b>Concord</b>	TM	TM	N/A	N/A	No threshold; TM authorized to sign all contracts
<b>Hudson</b>	SB	EA*	\$10,000	Policy	EA authorized to sign contracts up to \$10,000
<b>Lincoln</b>	SB	TA	No limit	Tradition	By policy, there is no threshold; TA authorized to sign all contracts
<b>Maynard</b>	SB	TA	\$50,000	Policy	TA authorized to sign contracts up to \$50,000
<b>Natick</b>	SB	TM	No limit	Policy	By policy, there is no threshold; TA authorized to sign all contracts
<b>Wayland</b>	SB	TM	\$100,000	Policy	TA authorized to sign contracts up to \$100,000
<b>Weston</b>					
<b>Sudbury</b>	SB	TM	\$25,000	Policy	TA authorized to sign contracts up to \$25,000

Statutory notes

MCPPO designation for certain types of procurements  
 Bidding thresholds & requirements vary by type of procurement

\* Executive Assistant has comparable authority as Town Manager

Attachment 11.c: Contract authority - area towns (6269 : Purchase Contract Policy & Flag Policy)

Calendar Year 2023 Contracts (equal to \$25,000 & under \$25k)

DATE	NAME OF CONTRACT	AMOUNT	= & UNDER \$25K	RENEWAL?
7/10/2023	Agreement: Facilities (S. Duran) and Woodall Construction Co. Inc.	\$8,300.00	yes	
7/10/2023	Agreement: Facilities (S. Duran) and Woodall Construction Co. Inc.	\$9,995.00	yes	
7/10/2023	Agreement: Facilities (S. Duran) and Woodall Construction Co. Inc.	\$3,600.00	yes	
7/20/2023	Agreement: Park & Rec (d. Mannone) and Challenge Island	\$295.00/participant	yes	
8/5/2023	Agreement: Town (M. Bilodeau) and Gurney Water Treatment NE	\$3,176.00	yes	
8/10/2023	Agreement: Town (A. Sheehan) and Blackburn Building Conservation LLC	\$18,300.00	yes	
8/14/2023	Agreement: DPW (D. Nason) and Frost Solutions LLC	\$7,500.00	yes	
8/15/2023	Agreement: Park & Rec (D. Mannone) and On the Mark Archery, LLC, 9/15/2023-10/13/2023	various fees/per participant	yes	
9/11/2023	Agreement: Facilities (S. Duran) and S3 Design Inc	\$10,000.00	yes	
9/29/2023	Agreement: Facilities (S. Duran) and Suburban Masonry Corp	\$9,300.00	yes	
9/29/2023	Agreement: Facilities (S. Duran) and Macfarlane	\$11,554.23	yes	



**Calendar Year 2023 (Jul - Dec 2023) Contracts, MOUs, Grants (FY 24)**

DATE	NAME OF CONTRACT	AMOUNT	UNDER & = to \$25,000
7/1/2023	Agreement: Town (A. Sheehan) and MWRTA Contract Extension	\$135,000.00	no
7/6/2023	Agreement: Facilities (S. Duran) and Guardian Energy Management Solutions	\$6,848.00	yes
7/10/2023	Agreement: Facilities (S. Duran) and Woodall Construction Co. Inc.	\$8,300.00	yes
7/10/2023	Agreement: Facilities (S. Duran) and Woodall Construction Co. Inc.	\$9,995.00	yes
7/10/2023	Agreement: Facilities (S. Duran) and Woodall Construction Co. Inc.	\$3,600.00	yes
7/11/2023	Agreement: Senior Center (D. Galloway) and Gerard Dallal	\$200.00	yes
7/12/2023	Agreement: Senior Center (D. Galloway) and Herbert Crehan	\$125.00	yes
7/20/2023	Agreement: Facilities (S. Duran) and Steve's Contracting	\$9,810.00	yes
7/20/2023	Agreement: Park & Rec (D. Mannone) and Challenge Island- STEAM Camp	\$295.00/participant	yes
8/2/2023	Agreement: Senior Center (D. Galloway) and Janice McIntyre	\$200.00	yes
8/2/2023	Agreement: Town (M. Bilodeau) and OpenGov Inc.	July 1, 2023 = \$40,956.76; July 1, 2024 = \$42,700.84; July 1, 2025 = \$44,532.14	no
8/3/2023	Agreement: Town (A. Sheehan) and Frederick Scott for Haynes Meadow House property	\$1900/month Jul - Sept. 2023; 2250/month Oct. 2023- June 2024	no
8/5/2023	Agreement: Town (M. Bilodeau) and Gurney Water Treatment NE	\$3,176.00	yes
8/10/2023	Agreement: Town (A. Sheehan) and Blackburn Building Conservation LLC	\$18,300.00	yes
8/14/2023	Agreement: DPW (D. Nason) and Frost Solutions LLC	\$7,500.00	yes
8/15/2023	Agreement: Park & Rec (D. Mannone) and On the Mark Archery, LLC, 9/15/2023-10/13/2023	various fees/per participant	yes
8/29/2023	Agreement: Senior Center (D. Galloway) and James Porcella	\$275.00	yes
9/11/2023	Agreement: Facilities (S. Duran) and S3 Design Inc	\$10,000.00	yes
9/29/2023	Agreement: Facilities (S. Duran) and Suburban Masonry Corp	\$9,300.00	yes
9/29/2023	Agreement: Facilities (S. Duran) and Macfarlane	\$11,554.23	yes

**FLAG POLICY**

(Adopted 7/23/79, 8/23/99, 6/11/24)

Flags flown on municipal properties shall be limited to the United States flag, flag of the Commonwealth of Massachusetts\*, POW/MIA flag, and Gold Star flag. The decision on which flags will be flown shall be made jointly by the Town Manager and department head responsible for the property. The United States flag shall fly above all other flags.

Flags shall be flown at half-mast as follows:

- Until funeral services for an elected or appointed Town official who dies during their term of office;
- Until funeral services for a Town employee who dies during their employment with the Town;
- From the time of arrival in Sudbury of the body of a deceased Sudbury veteran brought back from overseas until after the funeral services;
- On those holidays or occasions so designated by the State or Federal government;
- On other occasions or days of mourning as determined by the Town Manager.

The Town's flagpoles are not, and are not intended, to serve as a forum for free expression by the public.

All flags shall comply with applicable flag etiquette.

This policy shall not apply to flags on public school properties.

\*Please note, at the time of adoption the Commonwealth of Massachusetts flag was under review by the Legislature.

Voted by Select Board on June 11, 2024

**FLAG CODE — POLICY**  
8/23/99, 6/11/24)

(Adopted 7/23/79,

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- From the time of arrival in Sudbury of the body of a deceased Sudbury veteran brought back from overseas until after the funeral services;
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This policy shall not apply to flags on public school properties.

\*Please note, at the time of adoption the Commonwealth of Massachusetts flag was under review by the Legislature.

Voted by Select Board on June 11, 2024

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All orders for the raising or lowering of the flag shall issue from the Board of Selectmen.

The flag may be lowered to half mast on notification of the death of any past or present Town official as a mark of respect to the memory of such official. The flag shall remain at half mast until after the funeral services.

Commented [SA1]: "...any past or present Town is exceptionally broad

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Attachment 11.f: Flag Policy AJS 2024-05-24 (6269 : Purchase Contract Policy & Flag Policy)



~~In time of war, the flag shall be flown from the time of opening to the time of closing of public buildings, in accordance with such orders that are issued by the proper authority.~~

~~In time of peace, the flag shall be flown from the time of opening to the time of closing of public buildings, but not before sunrise or after sunset unless ordered by the proper authority and properly illuminated.~~

~~Unless so ordered, the flag shall not be flown in inclement weather.~~

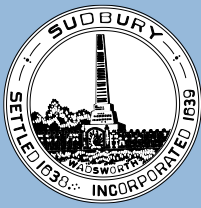
~~On Memorial Day, the flag shall be flown at half mast at the Town Hall, and at such other public buildings that are open, from sunrise to noon (12:00 p.m.) and at full mast until sunset.~~

~~Upon notification from the Selectmen's office, the flags on all public buildings are to be flown at half mast from the time of arrival, in Sudbury, of the body of a deceased veteran brought back from overseas, until after the funeral services.~~

~~The flag shall be flown at half mast on such occasions of local, state or national significance as may from time to time be determined by the Board of Selectmen or the Town Manager upon receipt of a specific request and/or recommendation from a Board, Committee, Commission, the Veterans Graves Officer, or from a duly authorized representative(s).~~

~~Flag laws and regulations shall be adhered to wherever appropriate, as adopted by the United States Congress.~~

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SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**CONSENT CALENDAR ITEM**

**12: 2024 Annual Board & Committee Re-appointments**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote whether to approve the annual Select Board's re-appointments of those listed (all of which are subject to acceptance).

Recommendations/Suggested Motion/Vote: Vote whether to approve the annual Select Board's re-appointments of those listed (all of which are subject to acceptance), to acknowledge the resignations of those who choose not to be re-appointed, and to send a letter of appreciation to the resigning volunteers for their service to the community.

Background Information:

Serving committee members and board/committee chairs were asked to provide feedback on continuing service by April 29, 2024. Expiring appointments were posted to the public and applications were requested by May 6, 2024.

Financial impact expected:

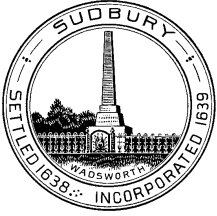
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM



Andrew J. Sheehan  
Town Manager

**TOWN OF SUDBURY**  
*Office of the Town Manager*  
*www.sudbury.ma.us*

278 Old Sudbury Road  
Sudbury, MA 01776-1843  
Tel: 978-639-3381  
Fax: 978-443-0756  
Email: [townmanager@sudbury.ma.us](mailto:townmanager@sudbury.ma.us)

MEMORANDUM

TO: Sudbury Select Board  
FROM: Andrew J. Sheehan, Town Manager  
DATE: May 22, 2024  
SUBJ.: Town Manager Appointments

Pursuant to the Sudbury Charter, Bylaws, and the General Laws of the Commonwealth of Massachusetts I am making the following appointments. These appointments are subject to confirmation by the Select Board.

Commission on Disability. These are reappointments:

- Leslie Quinto, through 5/31/2027
- Cheryl Wallace, through 5/31/27

Conservation Commission. These are reappointments:

- Kenneth Holtz, through 5/31/27
- Bruce Porter, through 5/31/27
- Mark Sevier, through 5/31/27

Historical Commission. These are reappointments:

- Christopher Durall, through 5/31/27
- Christopher Hagger, through 5/31/27

Historical Commission. This is a new appointment:

- Michael Wallace, through 5/31/27

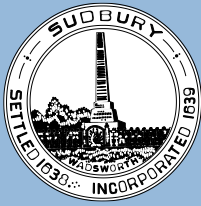
Sudbury Transportation Committee. This is a reappointment:

- Alice Sapienza, through 5/31/25

# 2024 Board/Committee Reappointments

## Appointed by Select Board

Board Name	Last Name	First Name	RESPONSE	TERM
Aging, Council on	Levine	Jeff	Term Limit Reached	3
Aging, Council on	Newberg	Anna	Yes	3
Aging, Council on	Sherman	Donald	Yes	3
Board of Appeals	Gossels	Jonathan	Yes	5
Board of Appeals	Hershberg	Michael	Yes	1
Board of Appeals	Ray	William	Yes	1
Capital Improvement Advisory Committee	Dallas	Matthew	Yes	3
Capital Improvement Advisory Committee	Winer	Richard	Yes	1
Community Preservation Committee	Remington	Lynne	No	3
Community Preservation Committee	Roopenian	Kirsten	Yes	3
Diversity, Equity and Inclusion Commission	Cyril	Pristine	No	2
Diversity, Equity and Inclusion Commission	Huang	Helen	No	1
Diversity, Equity and Inclusion Commission	Steffey	Joanna	No	2
Diversity, Equity and Inclusion Commission	Hu	Serena	Yes	2
Diversity, Equity and Inclusion Commission	Taylor	Janine	Yes	2
Earth Removal Board	Gammons	Bryan	Yes	1
Earth Removal Board	Hershberg	Michael	Yes	1
Earth Removal Board	Patch	Jonathan	Yes	1
Earth Removal Board	Ray	William	Yes	1
Energy & Sustainability Committee	Gopal	Venk	Yes	3
Energy & Sustainability Committee	Martino	Joseph	Yes	3
Memorial Day Committee	Dow	Elizabeth	No	3
Memorial Day Committee	Hiltz	Kenneth	Yes	3
Memorial Day Committee	Steinbachster	Suzanne	Yes	3
Memorial Day Committee	Wiegel	James	Yes	3
Permanent Building Committee	Kraemer	John	No	1
Rail Trails Advisory Committee	Pransky	Glenn	Yes	3
Rail Trails Advisory Committee	Vitale	Frank	No	3
Registrars, Board of	McQueen	John	Yes	3
Sudbury Housing Trust	Cerullo Merrill	Jessica	Yes	1
Sudbury Housing Trust	Cronin	Kelley	Yes	2
Sudbury Housing Trust	Howe	Cynthia	Yes	2
Sudbury Housing Trust	Riordan	John	Yes	2
Sudbury Transportation Committee	Lieberman	Robert	Yes	1
Sudbury Transportation Committee	Wallace	Cheryl	Yes	1
Town Historian	Hardenbergh	Jan	Yes	1



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**MISCELLANEOUS (UNTIMED)**

**13: Minutes approval**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to review and possibly approve the minutes of 4/30/24 and 5/7/24.

Recommendations/Suggested Motion/Vote: Vote to review and possibly approve the minutes of 4/30/24 and 5/7/24.

Background Information:  
attached drafts

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM

SUDBURY SELECT BOARD

TUESDAY APRIL 30, 2024

7:00 PM

(Meeting can be viewed at [www.sudburytv.org](http://www.sudburytv.org))

ZOOM Meeting

Present: Chair Janie Dretler, Vice-Chair Lisa Kouchakdjian, Select Board Member Daniel Carty, Select Board Member Jennifer Roberts, Select Board Member Charles Russo, Town Manager Andrew Sheehan

The statutory requirements as to notice having been compiled with, the meeting convened at 7:01 PM via Zoom telecommunication mode.

Chair Dretler announced the recording of the meeting and other procedural aspects included in the meeting.

**Call to Order**

Select Board Roll Call: Kouchakdjian-present, Carty-present, Russo-present, Dretler-present, Roberts-present

**Opening remarks by Chair**

- Mosquito Prevention seminar tonight
- Flag at half-staff in honor of Billerica Police Officer Ian Taylor
- Annual Town Meeting to begin Monday, May 6th at LSRHS; Town Warrant can be viewed on the website

**Reports from Town Manager**

- Thanked DPW and contractor, Blue Diamond, for completing drain repairs on Concord Road

**Reports from Select Board**

Vice-Chair Kouchakdjian

- Announced she would be recusing herself from discussion and vote on Item 6 on tonight's agenda

Board Member Russo

- Had no comments

Board Member Roberts

- Announced her presence
- Finance Committee met last night and addressed the Warrant Article for the EV Charging Station to be installed at the Goodnow Library

Board Member Carty

- Catch Connect Transit Service Launch Event June 6, 2024 at the Senior Center at 1:00 PM
- Thanked Garmen Gentile and his staff for assisting in securing of the related \$6,250 grant

Public comments

None

Consent Calendar

1. Vote to enter into the Town record and congratulate Hannah Delaney of BSA Scout Troop 65 for having achieved the high honor of Eagle Scout.

2. Vote to approve execution by the Town Manager of a Charter Transportation Agreement between the Town and First Student, Inc. for Sudbury student transportation services for the period July 1, 2024 through June 30, 2025, with extensions as may be agreed by the parties, said contract subject to approval by Town Counsel.

3. Vote whether to approve an increase in the abatement amount for both veterans and seniors in the Tax Work off program to \$2,000 annually, for a maximum of 133.3 hours of work, effective January 1, 2025.

Board Member Roberts requested additional discussion regarding agenda item 3.

Vice-Chair Kouchakdjian motioned to approve Consent Calendar Items 1, and 2 as included in the 4/30/24 Select Board agenda packet. Board Member Russo seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Russo-aye, Carty-aye, Roberts-aye, Dretler-aye

VOTED: To approve Consent Calendar items 1, 2 and 3 as presented in the 4/23/24 Select Board agenda packet

**Interview candidate for appointment. Following interview, vote whether to recommend Mary K. Farris, 35 Canterbury Drive, for appointment to the Energy and Sustainability Committee for a term expiring 5/31/27.**

Present: Mary K. Farris

Ms. Farris provided summary of her background which includes some 15 years of energy/sustainability employment with several international corporations. She stressed resiliency factors.

Board Members discussed related sustainability/resiliency topics with Ms. Farris. Ms. Farris stated that she was looking forward to assisting Sudbury with the advancement of the approved Sudbury Climate Change Proclamation aspects.

Chair Dretler stated she was happy to see volunteers advancing.

Vice-Chair Kouchakdjian read in the words of the motion. Board Member Roberts seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Russo-aye, Carty-aye, Roberts-aye, Dretler-aye

VOTED: To appoint Mary K. Farris, 35 Canterbury Drive, to the Energy and Sustainability Committee for a term expiring 5/31/27

**Discuss letter regarding Pedestrian Easement in the Tall Pines community**

Present: Tall Pines resident Robert Crane, 17 Trail Side Circle

Mr. Crane explained that Eversource had contacted direct abutters regarding work within such easement/s and Tall Pines residents were addressing alteration of view. He added the traffic on the Rail Trail would be increasing, thus installation of proposed fencing was most important. Mr. Crane detailed that the easement was installed in 1986 in connection with Lot B granting, along with another pedestrian easement, which would now be difficult to use due to current conditions. Mr. Crane requested that fencing be located on the property line and asked that the Select Board consider the release of that easement.

Town Manager Sheehan stated that he had discussed the matter with Town Counsel, and the initial inclination involved approval at Town Meeting

Board Member Carty referenced the Tall Pines Definitive Subdivision Plan, dated September 9, 1986, with focus on the Lot B easement. Board Member Carty opined that because no monies were exchanged with the original easement granting, Town Meeting vote appeared to be unnecessary.

Vice-Chair Kouchakdjian stated she had no problem with the proposal.

Board Member Russo indicated that he would rather not give up easements and would support the easement adjacent to the Rail Trail. He asked if department heads would be willing to provide input.

Chair Dretler stated that she was not interested in blocking any Town-owned land and looked forward to hearing from department heads.

Board Member Roberts asked if fencing could be installed within the easement. Town Manager Sheehan stated that such easements could not be obstructed.

Mr. Crane stated that at this time, access is limited to Conservation.

Chair Dretler stated that review of the topic would continue.

**As the Licensing Authority for the Town of Sudbury, vote whether to approve a new Class 1 License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts Thereof for Mercedes Benz of Sudbury, 141 Boston Post Road, as requested in an application dated April 4, 2024.**

Present: Faha Arshad, Manager - Mercedes Benz of Sudbury; Attorney Josh Fox – representing the Applicant

Vice-Chair Kouchakdjian recused herself.

Attorney Fox provided summary regarding the process involved with the new Class 1 License, adding that all has been going smoothly at the site.



Town Manager Sheehan commented that Staff had no issues with the proposal. Mr. Fox addressed efforts with Eversource.

Board Member Russo asked if anything would be going under the road. Mr. Fox stated not.

Chair Dretler read in the words of the motion. Board Member Russo seconded the motion.

It was on motion 4-0; Carty-aye, Russo-aye, Roberts-aye, Dretler-aye

VOTED: To approve a new Class 1 License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts Thereof for Mercedes Benz of Sudbury, 141 Boston Post Road, as requested in an application dated April 4, 2024

Vice-Chair Kouchakdjian rejoined the meeting at 7:54 PM.

**Discussion on Town Meeting Article 28 regarding GLT/Library EV Chargers**

Present: Combined Facilities Director Sandra Duran

Board Member Roberts confirmed that the Finance Committee thought the EV charging station funding should come from the revolving solar funds.

Board Member Carty acknowledged that the Library Trustees would not be attending this meeting.

Ms. Duran confirmed she had spoken to Library Trustees on April 26<sup>th</sup> and noted that Historical District Commission approval was unnecessary; the Town was awaiting Eversource approval of the design plan. She noted that this process might take some time, but the wait would result in lower costs.

Board Member Roberts indicated that not taking position this evening would be the best way to go in consideration of lower cost.

Chair Dretler felt that taking no position on the article would be best in consideration that the project is progressing.

Vice-Chair Kouchakdjian indicated that IPing the article would be the wise option.

Board Member Russo recommended that the Board conduct a brief pre-Town Meeting session on May 6. Board Member Carty agreed with discussing the topic during a brief Select Board Meeting on May 6, and he offered to convey this plan to the Library Trustees.

**Discussion regarding 2024 Annual Town Meeting: consent calendar, positions on articles; other**

In regarding to Article 16 – Amend Zoning Bylaw: Firearms Safety Business Use, Chair Dretler indicated a Select Board minority report would not be presented at Town Meeting. Vice-Chair Kouchakdjian indicated that she and Chair Dretler could speak as residents on this topic at Town Meeting.

Town Manager Sheehan confirmed that Town Counsel Lee Smith would address Article 8 – FY24 Snow & Ice Transfer at Town Meeting.

### **Discussion on Vocational Education**

Vice-Chair Kouchakdjian asked Board Members if they wanted her to send another letter to the vocational education schools being considered by the Board. She asked if the Board would endorse school visits by she and the Town Manager. Vice-Chair Kouchakdjian suggested the Board consider a proclamation/resolution in support of vocational education.

Board Member Carty did not agree with such proclamation but stated that written follow-up with the mentioned four vocational schools would be appreciated. Board Member Carty stated that all the mentioned schools should be visited and not just one or two of the schools.

Board Member Roberts supported reaching out to the four schools, indicating that a proclamation might not be necessary in light of the fact that vocational education has been a main goal for the Select Board for the last few years. She agreed with visits to the four schools.

Board Member Russo was in agreement with Vice-Chair Kouchakdjian reaching out to the vocational schools again. He indicated that Town Manager should not be expected to visit the schools at this time.

Vice-Chair Kouchakdjian offered to compose a draft letter to be sent to the four schools and submit the draft to the Town Manager for review.

### **Consent Calendar Item #3**

Board Member Roberts stated that she supported such an increase and asked about related funding. Town Manager Sheehan detailed that such funding came from the Assessors Overlay Fund.

Board Member Russo recommended receiving a confirmation letter from the Board of Assessors before voting on this.

Town Manager Sheehan confirmed that such a confirmation/sign-off letter would be requested. He noted that as of the December hearing, \$150,000.00 was in the Assessors Overlay Fund.

### **Adjourn**

Vice-Chair Kouchakdjian motioned to adjourn the Select Board Meeting; Board Member Carty seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Roberts-aye, Russo-aye, Carty-aye, Dretler-aye

VOTED: To adjourn the Select Board Meeting

There being no further business, open session ended at 8:50 PM.

SUDBURY SELECT BOARD  
TUESDAY MAY 7, 2024  
6:30 PM, CONFERENCE ROOM "A"  
LINCOLN SUDBURY REGIONAL HIGH SCHOOL  
390 LINCOLN ROAD, SUDBURY

Present: Chair Janie Dretler, Vice-Chair Lisa Kouchakdjian, Select Board Member Daniel Carty, Select Board Member Jennifer Roberts, Select Board Member Charles Russo, Town Manager Andrew Sheehan

**Call to Order**

The statutory requirements as to notice having been complied with, the meeting convened at 6:31 PM.

**Opening Remarks**

Member Russo remarked that an outright ban on the sale of firearms in Sudbury had, as of last night's Town Meeting, has now failed to be passed by Town Meeting voters on two occasions. He opined that, while a ban is unlikely to succeed, there is a clear path to enacting firearms protections in Sudbury and it is necessary for the Select Board to work together in order to achieve this goal.

**Discussion regarding 2024 Annual Town Meeting**

Town Manager Sheehan stated that, as indicated via email earlier, the only update regarding warrant articles which may be taken up during the second night of Town Meeting pertains to *Article 28: Electric Vehicle Charging Stations at Goodnow Library*. The total project cost is \$157,728. Eversource provided an incentive estimated at \$126,510.50 and the EVIP grant is estimated at \$26,049.50. The Town will be responsible for the \$5,160 balance, which can be paid through the Solar Revolving Fund. As a result, Town Meeting does not need to appropriate funds for the project.

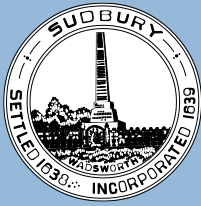
Member Carty indicated that this is a reversal from what was previously communicated to the Board. Town Counsel had previously opined that the funds needed to come from Free Cash, which requires Town Meeting authorization, but Counsel now advises that the funding may come from a Revolving Fund.

Town Manager Sheehan responded that, as this project will be paid for by incentives and grants, Town Meeting appropriation is no longer necessary.

The Board determined that it would be helpful to have Facilities Director Sandra Duran explain the current status of the project as well as the funding sources and to make a statement regarding the Board's position to not support the article. Members then deliberated on the wording of the statement that would be made. It was decided that a succinct statement indicating that the Board supports the project but does not support the article as it is not needed in order to fund the project, would be sufficient.

With the discussion concluded, Chair Dretler requested a motion to move to Executive Session and not return to Open Session.

Vice-Chair Kouchakdjian made the motion at 6:45PM. Member Carty seconded the motion.



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**MISCELLANEOUS (UNTIMED)**

**14: Upcoming agenda items**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Upcoming agenda items

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

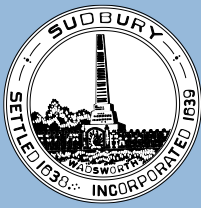
Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM

## POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING/EVENT	DESCRIPTION
June 25	GHG Emissions Inventory presentation – Sustainability Coordinator
	Sudbury 250 Committee Quarterly Update
	Minutes review and approval
July 16	Interview COA candidate
	Preliminary discussion re: Fall Town Meeting
	Select Board Newsletter Topic Discussion
September 24	Sudbury 250 Committee Quarterly Update
Future items/date to be determined	Legislative update – Gentile/Eldridge
	ARPA follow-up
	Economic Development Consultant Update
	Curtis Middle School civics projects
	Open Space Plan Implementation – Adam Burney
	Master Plan Implementation – Adam Burney
	Quarterly meeting and update with Select Board formed committees, i.e., Energy and Sustainability Committee, DEIC, COA, Housing Trust, Rail Trails Advisory Committee, etc.
	KPI policy discussion
	MWRA Expansion Study
	Liaison status update on LS agreement
	Broadacres Property: next steps
	Bike shuttle program
	Pets in cemeteries
	Quarterly review of approved Executive Session Minutes for possible release (February, May, August and November).
	Solar Panels
	Work Session with Town Counsel: Select Board/Town Manager Code of Conduct and other procedural training - Policy Subcommittee



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**EXECUTIVE SESSION**

**15: Executive Session discuss Collective Bargaining**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote to enter Executive Session to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares, pursuant to General Laws chapter 30A, §21(a) (exception 3).

Recommendations/Suggested Motion/Vote: Vote to enter Executive Session to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares, pursuant to General Laws chapter 30A, §21(a) (exception 3).

Background Information:

Financial impact expected:

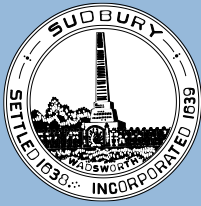
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM



SUDBURY SELECT BOARD  
Tuesday, June 11, 2024

**EXECUTIVE SESSION**

**16: Close Executive Session**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote to close Executive Session and not resume Open Session.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/11/2024 7:00 PM