

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, NOVEMBER 19, 2013

Present: Chairman John C. Drobinski, Vice-Chairman Charles C. Woodard, Selectman Lawrence W. O'Brien, Selectman Leonard A. Simon and Town Manager Maureen G. Valente

Absent: Selectman Robert C. Haarde

The statutory requirements as to notice having been complied with, the meeting was convened at 7:36 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

At 7:36 p.m., Chairman Drobinski opened the meeting. He announced the Town will receive \$895,751 (a 56% match) in Community Preservation Act (CPA) matching funds for FY14. Chairman Drobinski noted how beneficial these funds have been in the past decade, helping to preserve open space, recreational opportunities and historic aspects of Sudbury. He also reminded residents of the Special State Election to be held on December 10, 2013.

**Citizen's Comments**

Chairman Drobinski noted no citizen has requested time tonight to comment to the Board.

**Reports from the Town Manager**

Town Manager Valente stated the Wayland Acting Town Administrator informed her that the Board will soon receive a response regarding the concerns expressed for the proposed access to Wayland's Department of Public Works (DPW) site. Ms. Valente stated it is likely Wayland will not commit to not using Old County Road for access. She further noted there is a Wayland Special Town Meeting on November 20, 2013.

Town Manager Valente stated the Solar One panel ribbon-cutting ceremony was held on November 13, 2013. She emphasized how special the occasion was for Town staff members who have worked on this project for a long time, and she recognized Combined Facilities Director, Jim Kelly, DPW Director Bill Place, Finance Director Andrea Terkelsen and Town Counsel Paul Kenny. Ms. Valente also thanked the Energy and Sustainability Committee and the Board for their input. She highlighted the Town's timeliness in moving this project forward so as to maximize the financial benefits of the project.

Town Manager Valente attended the Veterans' Appreciation Luncheon, and she noted how well done the function was. She mentioned many meetings are in the planning process with Town boards, committees, and groups. Ms. Valente noted the Strategic Planning Capital Financing Committee held its first meeting last week, electing Vice-Chairman Woodard as its Chair and Finance Committee member Andrew Sullivan as Vice-Chair. Assistant Town Manager Maryanne Bilodeau will serve as the Committee's Clerk. Town Manager Valente also met with leadership from the Council on Aging to discuss the needs of the Senior Center.

Town Manager Valente attended today's Alert/Lockdown/Inform/Counter/Evacuate (ALICE) training held at the Lincoln-Sudbury Regional High School. She thanked Police Chief Scott Nix for coordinating the program. Ms. Valente stated approximately 70 people attended from the Town, Sudbury Public Schools, Lincoln-Sudbury Regional High School and surrounding towns. She stated the training was very eye-opening regarding what can and should be done to better enable people in crisis situations make good decisions before public safety personnel arrive on scene.

**Reports from the Board of Selectmen**

Vice-Chairman Woodard attended a Permanent Building Committee meeting where options for the use of Town Hall and space for the Sudbury Public Schools (SPS) administrative staff were discussed. He also attended the Solar One panel ribbon-cutting ceremony, noting the facility will help save the Town approximately \$100,000 a year. Vice-Chairman Woodard attended the Veterans' Luncheon, noting the Wayside Inn provided the food. He also was chosen to be the Chair of the Strategic Planning Capital Financing Committee. Vice-Chairman Woodard said the Committee will work to present final recommendations to the Board by the end of January 2014.

Selectman O'Brien and Chairman Drobinski conducted Selectmen's Office Hours last week. He stated approximately 12 people attended and a variety of topics were discussed. He also attended the groundbreaking ceremony for the B'nai B'rith development. Selectman O'Brien also attended the Solar One panel ribbon-cutting event, the Veterans' Luncheon, the Strategic Planning Capital Financing Committee meeting, a Troop 60 Boy Scout function and the ALICE training.

Selectman Simon stated he, Vice-Chairman Woodard and Selectman O'Brien attended a Chamber of Commerce meeting at the Wayside Inn, where many topics were discussed. He also attended the groundbreaking ceremony for the B'nai B'rith development and the Solar One panel ribbon-cutting event. Selectman Simon highlighted these projects are a result of integrated work on the local, State and Federal levels. He also commended the work over several years of previous Board members and Town staff which have helped these projects come to fruition. Selectman Simon attended today's ALICE training, noting it had a profound impact on him. He noted this type of program focuses on providing better safety for children and for the entire community. Selectman Simon also attended a Park and Recreation Commission meeting, where lighting and field maintenance issues were discussed. He will attend a Goodnow Library Trustees meeting on December 2, 2013. Selectman Simon further noted the Route 20 Sewer Citizens' Advisory Committee (CAC) met on October 16, 2013. He thanked CAC member John Baranowsky for providing meeting minutes to him.

Chairman Drobinski noted he attended many of the same events previously mentioned. He emphasized this is a busy time and there are a lot of good things being worked on in Town.

Town Manager Valente stated it is impressive how many hours Board members spend at Town-related activities.

**Public Hearing: Transfer of Restaurant License for the Sale of Alcoholic Beverages – Chili Basil Restaurant –385 Boston Post Road**

Present: Manager/Co-Owner Christopher Segur and applicant's attorney Alan Goodman

At 8:02 p.m., Chairman Drobinski opened the Public Hearing regarding the transfer of the Restaurant License for the Sale of Alcoholic Beverages for Chili Basil, and he read aloud the Public Hearing Notice. The Board was previously in receipt of copies of the Public Hearing Notice, the application and accompanying documentation, an email from Fire Chief William Miles dated November 13, 2013, an email from Board of Health Director Bob Leupold dated November 12, 2013, and an email from Police Chief Scott Nix dated November 11, 2013.

The applicant's attorney Alan Goodman summarized the request by the 42-seat restaurant located in Mill Village to transfer the Restaurant License for the Sale of Alcoholic Beverages from the current owner to Christopher A. Segur, PTT Restaurant, d/b/a Chili Basil. Mr. Goodman noted Mr. Segur is TIPS-certified. He explained the hours Mr. Segur will work, and that the primary owner/chef will also assist him. He stated

the proposed management team has been working for the current owner and no changes have been proposed to the menu, seating, décor, or operations. Mr. Goodman stated the Restaurant typically closes at 9:00 p.m.

Vice-Chairman Woodard asked for clarification of Mr. Segur's ownership status. Mr. Goodman stated he owns 25% of PTT Restaurant Inc., which has a Purchase and Sale Agreement to purchase the assets of the current business.

Vice-Chairman Woodard asked if the applicant is aware of the new alcohol rules and regulations. Mr. Goodman and Mr. Segur stated they have not received them. Town Manager Valente stated copies may have been sent to the current owner with renewal paperwork, but copies can also be provided to the applicant.

Selectman O'Brien highlighted the new alcohol rules and regulations for the applicant, emphasizing food service of five menu items must be offered, within a half-hour of ceasing alcohol service. Mr. Segur stated current and future practices would comply.

Selectman O'Brien informed the applicant the Police Department conducts sting operations, and he advised proper identification be requested from customers. He stated the intentions of the new regulations are to help businesses be successful and to help keep the public safe.

Selectman Simon asked if the kitchen would remain open to closing. Mr. Segur stated it does until closing at 9:00 p.m. on Sundays-Thursdays, and until closing at 9:30 p.m. on Fridays and Saturdays.

Chairman Drobinski asked Mr. Segur to provide the Town Manager with an email address, which he did. Chairman Drobinski emphasized the Board takes all matters related to alcohol licenses seriously, and he urged the applicant to be diligent regarding compliance to all rules and regulations.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, in accordance with M.G.L. c. 138, s. 12, to approve the transfer of an All Alcoholic Beverages Restaurant, Common Victualler and Entertainment licenses from Yee Yang, president Sweet Pepper, Inc., d/b/a Chili Basil, 385 Boston Post Road, to Christopher A. Segur, PTT Restaurant, d/b/a Chili Basil, said licenses to expire on December 31, 2013.

**Sudbury Celebrates 375/Sudbury Day Committee – Discussion**

Present: Sudbury Celebrates 375/Sudbury Day Committee Co-chair Ellen Gitelman

At 8:13 p.m. Chairman Drobinski opened a discussion regarding the preliminary report from the Sudbury Celebrates 375/Sudbury Day Committee. The Board was previously in receipt of copies of an email from Committee Co-Chair Hal Cutler, 163 Landham Road, and a Preliminary Report to the Board from the Committee. It was noted Chairman Drobinski had chaired the Town's 350<sup>th</sup> Celebration Committee.

Sudbury Celebrates 375/Sudbury Day Committee Co-chair Ellen Gitelman reviewed the proposed activities to celebrate this milestone for the Town. She emphasized the Committee is urging Town boards, committees, groups and residents to embrace and help create events for the coming year. Ms. Gitelman stated articles have and will appear in the *Town Crier*. She emphasized volunteers are needed to coordinate activities and to conduct events on given days. Ms. Gitelman also stated the Committee will be soliciting businesses and religious groups for assistance and sponsorships.

Ms. Gitelman stated her fellow Co-Chair Hal Cutler has a wealth of historical information about the Town. She stated it has been suggested floats representing historic Town buildings be created by Town groups for the July 4th Parade. Ms. Gitelman stated a logo contest was conducted. She circulated a copy of the winning entry by David Alderman depicting a granite road marker of Colonial times. The design will be used for marketing materials and memorabilia to be sold, including, t-shirts, mugs, and sweatshirts. In response to a question from Selectman O'Brien, Ms. Gitelman stated the Committee is working on E-commerce details.

Selectman O'Brien suggested the Committee utilizes the SudburyTV scroll board to highlight notices and events. He also suggested having sign-up forms for future marketing items available for the holiday season, possibly at the Hosmer House. Selectman O'Brien also suggested contacting the High School for volunteers who might need to fulfill their community service requirement.

Ms. Gitelman stated there will be a kick-off event for the celebration. A concert of Colonial Period music is planned for April 6, 2014. In addition, a period costume ball has been proposed to be held at the Wayside Inn on May 18, 2014, with a possible pre-dinner. Attendees can select any time period for their attire. Ms. Gitelman also stated Mr. Cutler and Sudbury Historical Society Curator/Archivist Lee Swanson will be coordinating a Speaker's Bureau. The Committee is also organizing an old-fashioned Community Fair on August 23, 2014. Ms. Gitelman urged anyone interested in volunteering to help either before or on the day of events to contact the Committee through information on the Town website. She noted a final big celebration will be planned for the weekend of September 6, 2014, including a Field Day, a 3.75 mile road race, a tug-of-war contest, food vendors, entertainment and an evening fireworks display.

Ms. Gitelman further noted other Town groups are coordinating events, including a Strawberry Shortcake Social sponsored by Memorial Congregational Church and a Scavenger Hunt sponsored by the League of Women Voters. She noted the work done in the past by the former Sudbury Day Committee raised funds which are available to be used for the 375<sup>th</sup> celebration activities.

The Board offered suggestions to encourage private donations from citizens and businesses, including placing eye-catching donation boxes around Town. At 8:41 p.m., the Board thanked Ms. Gitelman for the report, and wished her Committee well with all that is to be done.

#### **Commission on Disability – Candidate Interview**

Present: Applicant Pat Elgart

At 8:48 p.m., Chairman Drobinski welcomed Pat Elgart, 8 Howell Road, to the meeting to discuss her interest in serving on the Commission on Disability. The Board was previously in receipt of copies of Ms. Elgart's application for appointment and an email from Assistant Town Manager Maryanne Bilodeau dated November 8, 2013.

Ms. Elgart summarized her work experience, noting working with the Commission would be a logical progression for her to become more involved with the Town. She stated she is interested in helping to provide others with more transportation options.

Vice-Chairman Woodard thanked Ms. Elgart for volunteering for the appointment. He asked what she would like to accomplish. Ms. Elgart stated she hopes to help with marketing and with online communications and newsletters. She also hopes to help improve acceptability and accessibility for all who have physical and mental challenges.

Selectman O'Brien stated Ms. Elgart's background seems ideal. He believes the Commission should help to remind the Board and community about accessibility issues.

Selectman Simon stated he is the Board's liaison to the Commission, and he looks forward to future interactions. He suggested the Commission contacts the Sudbury Celebrates 375/Sudbury Day Committee to be sure all the proposed activities will be handicap-accessible. Selectman Simon asked Ms. Elgart for clarification regarding her credential as a certified peer specialist, which she provided.

It was on motion unanimously

VOTED: To approve the appointment of Pat Elgart, 8 Howell Road, as a member of the Commission on Disability for a term to expire May 31, 2016.

### **Minutes**

It was on motion unanimously

VOTED: To approve the regular and executive session meeting minutes of November 5, 2013.

### **FY14 First Quarter Report for Town Pooled Trusts**

It was on motion unanimously

VOTED: To accept the FY14 first quarter report for the Town Pooled Trusts submitted by the Town Treasurer/Finance Director, Andrea Terkelsen.

### **Common Victualler License – Karma Coffee Roasters – 100 Boston Post Road**

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to approve a new Common Victualler License for Karma Coffee Roasters, 100C Boston Post Road, David Conboy, Manager, as requested in an application dated May 10, 2013.

### **Capital Improvement Advisory Committee - Appoint Members**

It was on motion unanimously

VOTED: To appoint the following members to the Capital Improvement Advisory Committee for terms ending May 31, 2014: Eric Greece, 21 Drum Lane; Pascal Cleve, 3 Camperdown Lane; and Thomas Travers, 32 Old Framingham Road, for a term ending May 31, 2016.

### **Holders of Restaurant and Club Alcoholic Beverages Licenses - Serving Hour Extension – No. 29 Sudbury and bistro 20**

Selectman O'Brien asked how the applicants will be notified of the Board's decision regarding the extension request. Town Manager Valente stated they are informed by letter. Selectman O'Brien suggested a reminder be included in the letter to highlight the need to provide food service.

It was on motion unanimously

VOTED: To approve a one-hour extension of the licensed closing hour and the serving of alcoholic beverages for licensees who make application, in advance, to the Town Manager's Office; and for No. 29 Sudbury, 29 Hudson Road (from midnight to 1:00 a.m.) and bistro20, 120 Boston Post Road (midnight to 1:00 a.m.), on Thursday, November 28, 2013, (Thanksgiving Day) on the condition that the kitchen remains open and food is served.

**Cheri-Anne Cavanaugh Trust Fund – Donation**

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$40 donation from the Sudbury United Methodist Church Rebecca Circle into the Cheri-Anne Cavanaugh Trust Fund, to be expended under the direction of the Town Social Worker to counsel Lincoln-Sudbury High School students, and to send a letter of appreciation to the Rebecca Circle.

**Special State Election Warrant**

It was on motion unanimously

VOTED: To sign the Special State Election Warrant for posting by the constable no later than December 3, 2013, as requested by Town Clerk Rosemary B. Harvell.

**Certificate of Compliance – 6 Old County Road**

It was on motion unanimously

VOTED: To approve the Chairman's signature on Certificate of Compliance form for 6 Old County Road, Unit #28, and to delegate the Town Manager to sign for the "Municipality" for administrative actions on affordable housing units (refinancing approval, resale right of first refusal, resale procedures, etc.) where the Town of Sudbury is the Monitoring Agent, as requested by Jody Kablack, Planning and Community Development Director.

**NStar – Agreement for Planting Plan – Stock and Pelham Island Roads**

Chairman Drobinski opened the discussion regarding the final planting plan agreement for Stock and Pelham Island Roads with NStar. The Board was previously in receipt of copies of a letter from NStar Vegetation Management Director Vera L. Admore-Sakyi dated November 15, 2013. Copies of the final letter from Ms. Admore-Sakyi dated November 14, 2013 were distributed tonight.

Town Manager Valente referenced Ms. Admore-Sakyi's letter, stating it provides the conditions to which NStar has agreed, which she read aloud. Ms. Valente stated the Town has spent a lot of time on this issue, and she recommended accepting the agreement, as reviewed tonight.

Selectman Simon asked if the area neighbors support the proposed agreement. Town Manager Valente stated Sudbury resident Stan Kaplan, 98 Victoria Road, has followed the issue most closely, and he supports moving ahead with a finalized agreement. Selectman Simon stated he believes the proposed agreement is a fine outcome, which protects the Town.

Chairman Drobinski stated the agreement is more positive for Sudbury than he had anticipated. Selectman O'Brien concurred, and he commended Town Manager Valente and Town staff on their hard work to reach this agreement with NStar.

It was on motion unanimously

VOTED: To approve the negotiated agreement with NStar as described by the Town Manager tonight for the planting plan on Stock Farm and Pelham Island Roads.

Chairman Drobinski distributed packets to Board members regarding Town Manager Valente's evaluation. He asked the Board to return the information to him by December 3, 2013, so this topic can be placed on the Board's December 17, 2013 meeting agenda.

There being no further business, the meeting adjourned at 8:57 p.m.

Attest: \_\_\_\_\_  
Maureen G. Valente  
Town Manager-Clerk