

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, OCTOBER 4, 2016

Present: Chairman Susan N. Iuliano, Vice-Chairman Charles C. Woodard, Selectman Robert C. Haarde, Selectman Leonard A. Simon, Selectman Patricia A. Brown and Town Manager Melissa Rodrigues

The statutory requirements as to notice having been complied with, the meeting was convened at 7:30 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:30 p.m., Chairman Iuliano opened the meeting.

Reports from the Town Manager

Town Manager Rodrigues reminded residents of the October 17, 2016 Special Town Meeting and Public Safety Day on October 15, 2016 at 11:00 a.m. She also stated there will be early voting days, including a Saturday voting day from 8:30 a.m. - 12:30 p.m. on October 29, 2016 for the Presidential Election, which is scheduled for November 8, 2016. Additional information is available on the Town website.

Reports from the Board of Selectmen

Selectman Woodard stated Board of Selectmen's Office Hours are scheduled for October 27, 2016 at 7:30 p.m. at the Goodnow Library Community Room. He also noted there are ten Town committees seeking volunteers, and he encouraged anyone interested to apply for the open positions.

Selectman Simon stated he recently toured the work being done on the Loring Parsonage. He reported a lot of work is underway preparing the building to become a new resource for the Town. Selectman Simon mentioned he was disappointed to learn that small pieces of Styrofoam are no longer accepted in Sudbury for recycling. He encouraged Sustainable Sudbury to find a new vendor who will accept smaller pieces of Styrofoam from residents.

Citizen's Comments

At 7:35 p.m., Chairman Iuliano announced no citizens have requested comment time tonight.

Public Hearing: PTT Restaurant, Inc. d/b/a Chili Basil Restaurant – Request to Approve New Officer and Transfer of Stock

Present: Chili Basil Partner Tharanee Rojthanasirivanich and Manager Pavarisa Doucette

At 8:00 p.m., Chairman Iuliano took this agenda item out of order, and she opened the Public Hearing regarding the request to approve New Officer/Director Thavaree Ngamsetthamas as partner of the corporation and a Transfer of Stock of 20% of shares in the corporation from Christopher Segur to Thavaree Ngamsetthamas and 5% of shares in the corporation from Christopher Segur to Tharanee Rojthanasirivanich for PTT Restaurant, Inc. d/b/a Chili Basil Restaurant at 385 Boston Post Road. The Board was previously in receipt of copies of the Commonwealth of Massachusetts Alcoholic Beverages Control Commission Application for Multiple Amendments and accompanying documentation and a handout noting feedback from Town Departments. Chili Basil Partner Tharanee Rojthanasirivanich and Manager Pavarisa Doucette were welcomed to the Meeting.

In response to a question from the Board, Chili Basil Partner Tharanee Rojthanasirivanich explained the transfers are being requested because another partner has moved out of the State and the transfers are needed to facilitate business operations.

Town Manager Rodrigues stated the application is in order and no issues of concern have been raised by Town staff.

Vice-Chairman Woodard noted the documentation provided suggests there is also a new manager. He questioned whether approval is also needed for this appointment, and it was determined approval for a new manager should also be requested.

Selectman Haarde asked if the parties being transferred from and to are in attendance tonight, and he was told they are not. He stated his preference for relevant parties to be present for such discussions. Selectman Haarde asked if there has been TIPS training and whether there have been any prior violations. New manager Pavarisa Doucette stated TIPS training was done through an online course. She also stated they believe they have heard of a prior violation under former owners, but they are not aware of any incidents under current management.

Chairman Iuliano stated the Board wants to emphasize proper training is important in order to comply with all applicable laws. At 8:08 p.m., she opened the Public Hearing for public comment. No public comments were offered, and, at 8:09 p.m., Chairman Iuliano closed the Public Hearing for public comment.

It was on motion unanimously

VOTED: To approve New Officer Thavaree Ngamsetthamas as partner of the corporation and to approve a Transfer of Stock of 20% of shares in the corporation from Christopher Segur to Thavaree Ngamsetthamas and 5% of shares in the corporation from Christopher Segur to Tharanee Rojthanasirivanich for PTT Restaurant, Inc. d/b/a Chili Basil Restaurant at 385 Boston Post Road and to approve Pavarisa Doucette as Manager.

Selectman Haarde emphasized to the applicants how important TIPS training is, noting he did not find the responses to TIPS-related questions as complete as he would have liked.

Chairman Iuliano also informed the applicants the Police Department is available as a resource regarding TIPS-related matters.

Public Hearing: Da Vinci Bistro LLC d/b/a Da Vinci Bistro – 457 Boston Post Road - Application for Restaurant License for the Sale of All Alcoholic Beverages

Present: Co-owner Darius Zywna and Co-Owner/Manager Jaswant Singh

At 8:14 p.m., Chairman Iuliano opened the Public Hearing regarding the request to approve the application of Da Vinci Bistro LLC, d/b/a Da Vinci Bistro, 457 Boston Post Road, Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under M.G.L. Ch. 138, s. 12, Jaswant Singh, Manager. The Board was previously in receipt of copies of the Commonwealth of Massachusetts Alcoholic Beverages Control Commission Application for a Retail Alcoholic Beverages License and accompanying documentation, a handout entitled, "Sudbury Alcohol License Quota & Availability," and a handout noting feedback from Town Departments.

Co-owner Darius Zywna stated the plan is to open a casual Italian restaurant at the former *Friendly's* location. He stated the management team has experience with another restaurant location in Boston.

Co-Owner/Manager Jaswant Singh briefly summarized his restaurant experience and described the intended cuisine. It was noted he has also managed *Soul of India* and that the ownership for that restaurant and the proposed restaurant are the same. If needed, Mr. Singh stated it would be possible for him to manage both restaurants.

Selectman Simon asked if there is a liquor license at *Soul of India* and whether there have been any associated problems. Mr. Zywna stated there is a liquor license and they had a problem in their first year with an inexperienced bartender. He emphasized they learned a lesson from that experience and have since been more cautious about hiring.

Selectman Simon noted that, if approved, this would be the Town's 14th active pouring license, with four more available. He emphasized he welcomes a new restaurant to Town, but it is important for the Board to be sure the management of alcohol is being handled appropriately. Selectman Simon stated the Town receives reports from the State regarding liquor license infractions, which are public record, and Sudbury makes all efforts to not appear on such lists.

Town Manager Rodrigues stated the application is in order and Town departments have provided feedback noting construction is ongoing and there will be associated approvals needed. Mr. Singh noted it is an older building, and the systems needed more work than they had anticipated.

At 8:23 p.m., Chairman Iuliano opened the Public Hearing for public comment. No public comments were offered, and, at 8:23 p.m., Chairman Iuliano closed the Public Hearing for public comment.

Selectman Simon asked when the opening of the restaurant will be. Mr. Zywna stated they had hoped to open in November, but they have been delayed a bit. It is hoped the restaurant will open by the end of 2016.

It was on motion unanimously

VOTED: As the Local Licensing Authority, to approve the application of Da Vinci Bistro LLC, d/b/a Da Vinci Bistro, 457 Boston Post Road, Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under M.G.L. Ch. 138, s. 12, Jaswant Singh, Manager. The premises proposed to be licensed (i.e., 457 Boston Post Road) is a one story, 2,541 square-foot restaurant.

Former Police Station – Discussion and Possible Vote on Re-Issuing a Request for Proposal

Present: Combined Facilities Director Jim Kelly

At 7:35 p.m., Chairman Iuliano took this agenda item out of order, and she opened a discussion regarding whether to re-issue the Request for Proposal (RFP) for the Former Police Station property, and she welcomed Combined Facilities Director Jim Kelly to the Meeting. The Board was previously in receipt of copies of a revised draft "Town of Sudbury Request for Proposals For the Disposition of Real Property (Former Police Station) at 415 Boston Post Road Parcel ID: K08-0006 Sudbury, MA 01776" and a notice from the Town of Sudbury Facilities Department related to the RFP.

Mr. Kelly stated an RFP was previously issued, but no bids were received. He explained some feedback suggested potential bidders were put off by the minimum price requirement of \$750,000 in the RFP, and that the RFP requirements did not allow time to obtain permits. Mr. Kelly stated the RFP has been revised to eliminate the minimum acceptable price language and to include language which will allow a prospective buyer to obtain the required permits. Given that part of the property is in a residential zone, he explained it is possible a buyer might need six to nine months to obtain permits, if Zoning Board of Appeals hearings are needed.

Vice-Chairman Woodard noted the Town is not obligated to accept a bid proposal. Mr. Kelly stated the RFP would be evaluated on pricing and its qualitative nature, but the Town could reject any and all proposals.

In response to a question from Chairman Iuliano, Mr. Kelly explained the Purchase and Sale Agreement includes additional permitting language, noting the RFP will clarify this will be negotiated with a buyer.

Selectman Haarde asked why the Town does not just try to sell the building by putting it up for sale. He believes it is hard enough for someone to buy property without having to deal with the complications of an RFP process. Selectman Haarde believes the Town is potentially reducing its pool of potential buyers with this onerous process.

Selectman Simon stated the Town is not sure what the real obstacle was for potential buyers. He further stated the Town wants to be sure the potential buyer provides a good revenue source for the Town.

Town Manager Rodrigues stated the Town must go out to bid to sell this building according to State law. She later noted much of the RFP language is "boiler-plate."

Vice-Chairman Woodard stated the Town should know a potential buyer's plans for the property.

Selectman Haarde stated he believes the revised RFP does not solve the RFP obstacle of being complicated and he strongly recommended simplifying the process and removing some of the criteria.

Vice-Chairman Woodard stated he believes it is important for the potential buyer to have a proven track record. He suggested simplifying the comparative criteria.

Mr. Kelly stated he agrees the process is cumbersome and tedious. He believes he can help to clarify the process for potential buyers during the scheduled walk-through.

Selectman Simon stated the Town has an interest in the potential buyer being a good commercial citizen and that the proposed business is in character with the Town. He also emphasized the Town does not want to hold on to the property.

Selectman Brown stated the Town needs to be "user-friendly," within the legal guidelines because it is trying to sell to private owners who typically do not want to deal with government entities. As time passes, she highlighted the Town receives no revenue from the property. Selectman Brown stated she believes the process could be simplified.

Selectman Haarde referenced the five criteria listed on page 125 of tonight's agenda packet, noting he believes many of them could be eliminated.

Chairman Iuliano summarized the Board seems to want the RFP process to be more inviting, and it finds the revisions made regarding eliminating the minimum price bid and allowing time to obtain permits to be acceptable. She also stated the consensus of the Board is that the best use narrative should be simplified. Town Manager Rodrigues stated she and Mr. Kelly will work to incorporate these suggestions into a new draft which she will email to the Board for review.

Following a brief discussion, the consensus of the Board was that the proposal criteria should focus on the proposed use, a financial impact analysis and the prospective buyer's track record.

Vice-Chairman Woodard stated he thought the permitting language in the contract was well stated. It was noted this language was presented by Town Counsel.

It was on motion unanimously

VOTED: To approve the reissuing of the "Town of Sudbury Request for Proposals For the Disposition of Real Property (Former Police Station) at 415 Boston Post Road Parcel ID: K08-0006 Sudbury, MA 01776," as suggested by the Facilities Director and approved by Town Counsel, and incorporating the revisions as discussed tonight.

Special Town Meeting October 17, 2016 – Article 5 - Discussion and Possible Vote

Present: Lincoln-Sudbury Regional High School Superintendent Bella Wong and several Lincoln-Sudbury Regional High School Committee members

At 8:32 p.m., Chairman Iuliano took this agenda item out of order, and she opened a discussion regarding Article 5 (noting it was listed incorrectly as Article 6 on the agenda) for the October 17, 2016 Special Town Meeting (STM) regarding Artificial Turf Replacement at Lincoln-Sudbury Regional High School (L-SRHS), and she welcomed L-SRHS Superintendent Bella Wong to the Meeting. Copies of the PowerPoint slides for Ms. Wong's presentation tonight entitled, "L-S FY18 Capital Request: Lower Turf Fields, Security Cameras Sudbury October STM" were distributed to the Board tonight.

Superintendent Wong displayed slides including a photograph of the L-SRHS fields (T1 and T2) in question. She stated the fields were completed in the fall of 2004 and they have been used for 22 seasons. She noted the typical life expectancy for field turf is ten years, and Sudbury's is 12 years old. Superintendent Wong listed the School and Town groups who use the field and a few of the private renters (who are assessed a fee). She displayed a chart entitled, "Use data FY16," stating there is deterioration in high-use areas of the field. Superintendent Wong showed slides of repairs made to goal creases and she explained there are uneven surfaces and depressions occurring at field lines, which are safety issues. She explained why synthetic field turf is being requested versus natural turf, noting the maintenance cost for field turf is approximately \$5,000 per year versus \$30,000, and there is no resodding or watering costs per year. Superintendent Wong also stated the synthetic turf costs less to paint per year at \$2,000 versus \$6,000 per year for natural. She stated the estimated cost to replace the 150,500 square feet has been estimated at \$840,000 plus an additional \$35,000 for architecture and engineering costs. She further stated the approximated costs are based on an estimate provided by a real vendor who has visited the fields. Superintendent Wong stated studies have indicated that synthetic turf fields can be used three times more than natural surfaces. She further noted many private users seek synthetic turf fields, resulting in more revenue raised.

Superintendent Wong discussed proposed funding for the project, noting L-SRHS could approach both Lincoln and Sudbury through the usual capital-planning process. However, she stated L-SRHS is offering to use certain L-SRHS revolving funds, and the All Sports Boosters have agreed to contribute approximately \$117,500 to the project costs. She also stated repairing the field is a high priority, and the School Committee could vote to ask for permission to make the School's Excess & Deficiency (E&D) funds available to cover the remainder of the costs for this capital project. It was noted the Selectmen would then have 45 days to decide to present the request for approval to Town Meeting, or, if it decides to take no action in the 45-day timeframe, it will be deemed as an approval by the Board of Selectmen to use the funds as proposed.

Selectman Simon asked how much money the Town is being asked for, noting the wording of the Warrant Article is confusing. Superintendent Wong stated L-SRHS is requesting from the Town the permission to use the E&D funds as proposed. She clarified the School Committee would need to vote to make the request to both Lincoln and Sudbury, but it has chosen to not yet do so to avoid the 45-day clock from starting.

Vice-Chairman Woodard stated Sudbury's share of the L-SRHS E&D funds, which is its Free Cash, is 85%, which the Town could request to use in its Free Cash to fund other capital projects.

Selectman Brown summarized the authority to take a vote is with the L-SRHS School Committee, which would be followed by a 45-day deadline for the Town to decide its action or non-action.

In response to a question from the Board, Superintendent Wong stated she is not sure if the Board could vote to reject the request from the School Committee without presenting it to Town Meeting. Town Manager Rodrigues stated she believes the Board's options are to take no action and thereby approve the request, or to vote to present it to a Town Meeting within the 45-day timeframe.

Chairman Iuliano asked how much is in the L-SRHS E&D fund. Superintendent Wong stated it is estimated to be certified at \$1.2 million.

Vice-Chairman Woodard stated he understands the safety-related aspects of the project. However, he stated he would want to hear the Capital Improvement Advisory Committee's (CIAC) comments about the project before supporting the article at the STM. Superintendent Wong stated the project is on tomorrow night's CIAC Meeting Agenda.

Chairman Iuliano asked how this project relates to others being reviewed by the CIAC. Superintendent Wong stated this project has been on L-SRHS's five-year planning list for several years. She also stated she is inclined to believe Lincoln may choose to take no action on a vote by the School Committee, and she is not sure if Lincoln will have a fall Town Meeting.

Vice-Chairman Woodard stated that, if the CIAC did not recommend the project, it is possible Sudbury would want to request its 85% share of the E&D funds to be used for other capital projects.

Superintendent Wong stated it is possible the project cost could be reduced if the RFP is issued in the winter.

Selectman Brown asked if lighting is needed at the fields in early spring and late fall to maximize the use of the synthetic surface. Superintendent Wong stated the fields are not currently lit, but there is interest in future lighting. She further stated increased use of the fields is not the School's priority, but replacing the deteriorating turf surface is a priority. Superintendent Wong confirmed the estimated figures do not include lighting.

Selectman Simon asked if the CIAC will only be reviewing this project tomorrow night. Superintendent Wong stated she will also present the L-SRHS article request for security camera replacements and upgrades. Selectman Simon stated his concern is that the CIAC usually reviews many capital projects at once in an effort to prioritize its recommendations, and that these two projects will be reviewed in isolation tomorrow and not as they relate to other Town needs. He noted the two articles total approximately \$1 million, which is a significant amount of money. Superintendent Wong reiterated L-SRHS is offering to fund the synthetic turf replacement with its available reserves and the School is only asking for the approval to use the funds in this manner. She also stated L-SRHS would be asking for \$150,000 from the Town's Free Cash for the security camera article. Selectman Simon reiterated the Warrant language for Article 5 is confusing regarding funding being requested from the Town.

Selectman Haarde stated it is important to clear up the confusion regarding the article requests. He stated it appears that these proposals represent how L-SRHS wishes to spend its money. Superintendent Wong stated these projects have been on their priority lists for years.

Vice-Chairman Woodard reiterated Lincoln and Sudbury could ask for their portions of the E&D funds to be returned and added to the Town's Free Cash. Vice-Chairman Woodard emphasized this is why L-SRHS has to ask for the permission of the Lincoln and Sudbury Boards of Selectmen to spend the money as proposed. He further stated it should be determined what the appropriate balance level should be for the L-SRHS E&D Fund, and then anything above this amount should be returned to the Towns.

Selectman Haarde noted the Warrant article language mentions Proposition 2 ½, which could be confusing for voters, and he suggested the language be reviewed. Superintendent Wong stated she would continue to work on the language for the motions with Town Counsel.

Superintendent Wong highlighted that, although replacement of the field is on the L-SRHS priority list and they are maintained by L-SRHS in good faith, the fields are also used by many others.

L-SRHS School Committee member Gerald Quirk stated his understanding is that the School only has to return funds to Lincoln and Sudbury when the E&D Fund balance is above the designated 5%, and the School is allowed to keep anything below the 5% threshold. He emphasized the School has worked hard to amass these savings and that the turf project should not be a surprise because the need for the project has been discussed for years. Mr. Quirk stated he believes Article 5 presents a proposal for completing the project in the most expeditious manner.

Selectman Haarde stated he supports the project, noting he agrees with the safety aspects presented, including that the replacement materials of clean rubber and cork-fill will also be safer.

Town Manager Rodrigues stated that, typically the School Committee would take its vote before the article was placed on the Warrant, but L-SRHS facilitated the process by putting a placeholder article on the STM Warrant. She also noted tonight is the Board's last meeting prior to the STM and an action will be required by the Board to present the article at the STM. Chairman Iuliano stated another Board Meeting could be scheduled prior to the STM, as needed.

Selectman Simon and Vice-Chairman Woodard stated delaying a vote tonight would allow the Board to hear from the CIAC first.

Selectman Brown asked for confirmation that all maintenance for the fields would be performed by L-SRHS, and Superintendent Wong stated that is the current practice.

Mr. Quirk stated it would assist the School Committee in deciding whether to take its vote to have a sense as to what the Board's general disposition is.

Chairman Iuliano asked for comments from the Board, noting she supports the project and she would like to hear comments from the CIAC.

Vice-Chairman Woodard and Selectman Simon stated they are inclined to support Article 5, if the CIAC recommends the project.

Selectman Haarde stated he supports Article 5 since the money is available and this is how L-SRHS wishes to use the funds. He also stated he is interested in hearing from the CIAC.

Selectman Simon stated it is important to clarify the funding sources for the voters.

Selectman Brown stated she views the turf replacement as having safety benefits, and does not consider lighting for the fields as safety-related. She also stated she is inclined to support Article 5, barring any objections from the CIAC.

At 9:20 p.m., Superintendent Wong concluded her presentation by reviewing the STM Article 4 L-SRHS request to replace the existing 26 security cameras and to add internal and exterior cameras to cover fields, parking under the solar array, exterior doors, under stairwells and interior entry to auditorium points and the musical equipment storage areas. She emphasized the purpose of this project is to replace outdated equipment and to enhance School safety for the estimated project cost of \$150,000. Superintendent Wong stated the funding sources would be a Spring 2016 appropriation from Lincoln and an approval from Sudbury's Town Meeting to fund the project from Free Cash.

Selectman Simon noted the CIAC approved this article last year, as did Town Meeting, but the project was defeated at the polls. He also stated he would like to hear the CIAC's comments again this year.

At 9:24 p.m., Chairman Iuliano thanked Superintendent Wong and the L-SRHS representatives for tonight's information and she concluded the discussion.

Special Town Meeting October 17, 2016 – Preparation and Voting Positions on Articles

At 9:24 p.m., Chairman Iuliano opened a discussion regarding the October 17, 2016 Special Town Meeting (STM) and the Board's positions for the seven Warrant articles. The Board was previously in receipt of copies of the "Town of Sudbury Massachusetts Official Warrant Special Town Meeting Monday, October 17, 2016 7:30 p.m. Lincoln-Sudbury Regional High School Auditorium." In addition, copies of a spreadsheet listing the seven STM articles were distributed tonight.

The Board discussed which Selectman would report the Board's position on each article and it was decided as follows: Selectman Brown would report for Article 1, Selectman Simon for Article 2, Selectman Haarde for Article 3, Vice-Chairman Woodard for Article 4, and Chairman Iuliano for Article 6. It was further decided they would wait to make reporting assignments on Articles 5 and Article 7.

It was on motion unanimously

VOTED: To support Article 1 – STREET ACCEPTANCE – TREVOR WAY.

It was also on motion unanimously

VOTED: To support Article 2 - DPW ROLLING STOCK REPLACEMENT.

It was further on motion unanimously

VOTED: To support Article 3 - TOWN AND SCHOOL SECURITY AND ACCESS CONTROLS.

It was also on motion unanimously

VOTED: To support Article 4 - SECURITY SYSTEM UPGRADE (CCTV SYSTEM) – LINCOLN-SUDBURY REGIONAL HIGH SCHOOL.

It was further on motion unanimously

VOTED: To wait to take a position on Article 5 – ARTIFICIAL TURF FIELD REPLACEMENT – LINCOLN-SUDBURY REGIONAL HIGH SCHOOL.

Selectman Haarde stated the two petition articles, Article 6 and Article 7, may have some debate at the STM, and he asked if the Board should wait to take its position.

Chairman Iuliano stated she believes the Board should take a position on Article 6, since the Board is the local Licensing Authority.

Regarding Article 6, Sudbury resident Janie Dretler, 286 Goodman's Hill Road, stated she was surprised to learn when watching the Board's last meeting that a new full liquor license is being considered. Ms. Dretler expressed her concerns about the Town increasing its number of liquor stores. She asked what the evidence is to justify that another license is needed. Ms. Dretler stated she believes there are already five other sellers of alcohol within a half-mile distance from the proposed site. She referenced Sudbury's 2001 Master Plan and its Housing Production Plan, stating it was noted that maintaining the Town's character was a priority, and that 50% of Sudbury's households have children under the age of 18. Ms. Dretler questioned what kind of example so many liquor establishments set for the Town's youth. She also expressed concern that there may be additional liquor-related license requests from businesses which will want to be located at Meadow Walk. Ms. Dretler questioned if the petitioner's plans are in line with those of the Town. She urged the Board to consider whether another liquor license should be pursued by the proposed Special Act.

Vice-Chairman Woodard stated he believes it is important to support commercial businesses, and the public will determine the need for certain types of businesses. He emphasized the Route 20 business corridor is challenging because there is no sewer system, and thus, the types of businesses the Town can attract are limited. Vice-Chairman Woodard noted the high percentage of taxes paid by the residential base. He also stated he believes it is in the Town's long-term, best interest for its residents to support viable businesses in order to increase the commercial tax base.

Selectman Brown stated she has a problem with the article language which ties the requested license to the particular site of 435 Boston Post Road because she questions if the Town will always want it at this location. Town Manager Rodrigues stated she discussed this article requirement with State Representative Carmine Gentile, who confirmed that the Counsel for the House of Representatives required this language for consideration of the Special Act to be passed.

Chairman Iuliano stated she would have preferred if the article language had been more general, and not tied to a specific address, but she believes there are many reasons to support the article.

Selectman Simon stated he is not one to want to discourage commercial competition in Town. He stated that, if the Town cannot support the number of liquor store businesses, one may not be successful. Selectman Simon stated he does not believe the number of liquor-related establishments is such that it would be degrading for Sudbury. He further stated he views this request for Sperry's more as an expansion of a current business versus an issuance of a new license. Selectman Simon stated he does not believe the proposed Special Act would be a leap by the Town "in the wrong direction."

Selectman Haarde stated he likes to support businesses in the business district. However, he also stated Ms. Dretler has raised good points tonight. Selectman Haarde asked if the Board should address larger questions, such as what is an excessive number of liquor licenses for Sudbury, and should the Town let the market make this determination. Selectman Simon suggested, and the Board concurred, these questions be added to a future Board agenda for discussion.

Selectman Simon stated Ms. Dretler's comments are important and the Board takes her input seriously. However, he also stated the Board needs to weigh many factors as it deliberates issues.

Ms. Dretler repeated many of her concerns, noting she wonders what other businesses will be drawn to Meadow Walk.

Vice-Chairman Woodard stated the commercial base only represents 7% of Sudbury's tax revenue, which is why he believes it is in the best interest of residents to increase this revenue source.

Town Manager Rodrigues stated Meadow Walk has only discussed liquor licenses in relation to restaurants with the Town to date.

Selectman Simon noted the Town currently has two Package Store Wine and Malt Licenses available.

It was on motion

VOTED: To support Article 6 - SPECIAL ACT – GRANT OF ADDITIONAL ALL ALCOHOLIC BEVERAGE LICENSE NOT TO BE DRUNK ON THE PREMISES

Selectman Brown abstained from the vote.

Regarding Article 7, Chairman Iuliano asked if the Planning Board had discussed the article and taken a position. Town Manager Rodrigues stated she did not believe it has.

Selectman Simon asked why the petitioner did not first go to the Planning Board. Selectman Haarde stated the Board suggested at its last meeting that the petitioner should reach out to the Planning Board prior to the Special Town Meeting.

It was on motion unanimously

VOTED: To defer taking a position on Article 7 – POLES, OVERHEAD WIRES AND STRUCTURES PROGRAM STUDY until the Board has heard comments from Sudbury's Planning Board.

Lights on Afterschool – Request for Proclamation

At 10:02 p.m., Chairman Iuliano opened a discussion regarding a request for a proclamation for *Lights on Afterschool*. The Board was previously in receipt of copies of a relevant handout of the Board's "Citations and Proclamations" new policy guidelines, a letter from Massachusetts Afterschool Partnership representative Ardith Wieworka and a draft proclamation.

Chairman Iuliano stated she should not have directed this particular request to be on tonight's agenda because it does not meet the Board's new policy requirements. However, she did ask for clarification regarding which proclamation requests should be presented to the Board.

Selectman Simon suggested adding to the policy that the requestors be present to answer questions for requests deliberated by the Board.

Selectman Brown suggested the Board should be provided with the specific proposed proclamation language and the objective of the requesting person/organization and not a generic example.

Vice-Chairman Woodard stated he believes the Board has a fairly specific policy to follow, and that the Chair and Town Manager can discern which requests are worthy of being an item on a Board agenda. The Board concurred.

Board of Selectmen 2017 Meeting Calendar – Discussion and Possible Vote

At 8:27 p.m., Chairman Iuliano took this agenda item out of order, and she opened a discussion regarding the Board's 2017 Meeting Schedule. The Board was previously in receipt of copies of a revised draft Board of Selectmen 2017 Meeting Schedule for review.

Board members noted meeting dates where conflicts had been previously noted have not been resolved on the revised calendar. Town Manager Rodrigues also highlighted October 31, 2017 might not be an ideal meeting date due to Halloween.

Following a brief discussion, the Board agreed to move the July 11, 2017 date to July 18, 2017, to move the June 6, 2017 date to June 27, 2017, to move the October 31, 2017 date to October 24, 2017 and to move the November 21, 2017 date to November 28, 2017.

It was on motion unanimously

VOTED: To approve the Board of Selectmen Meeting Schedule for 2017, as reviewed and revised tonight as follows: to move the July 11, 2017 date to July 18, 2017, to move the June 6, 2017 date to June 27, 2017, to move the October 31, 2017 date to October 24, 2017 and to move the November 21, 2017 date to November 28, 2017.

Goodnow Library Parking Lot - Discussion

At 10:10 p.m., Chairman Iuliano recused herself from this agenda item discussion and she exited the Hall. Vice-Chairman Woodard took this agenda item out of order, and he opened a discussion regarding the Goodnow Library Parking Lot. Copies of a memorandum from Town Manager Rodrigues dated October 4, 2016 were distributed to the Board tonight.

Town Manager Rodrigues summarized her memo, stating she became aware of this parking issue in June 2016. She explained the management company of the property next door had erected No Parking signs throughout the Library lot. Town Manager Rodrigues noted residents often used the neighboring lot to park for library business. She further stated that, after further discussion, on June 27, 2016, Chief Nix contacted the Property Manager of the management company regarding availability for overflow parking in their rear lot. The manager agreed to speak to the owners regarding availability of spots and the potential for an insurance rider or even rental of said spots. On July 12, 2016, Chief Nix reported that the management company had gotten back with further questions about compensation, insurance and need. Town Manager Rodrigues stated the management company was asked if it would allow Library staff to park in the lot utilizing 15 spots. She stated the Police Chief reached out to the management company again in early September, and efforts are being made to set up a meeting with the management company owners to work on a solution. Town Manager Rodrigues stated recent communications from the management company suggest it will want the Town to pay for use of the parking spaces. She stated she will keep the Board abreast of any developments on this issue.

Selectman Simon suggested asking the management company to consider allowing permission to park in its lot for evening events at the Library and other times which might be possible to accommodate.

Selectman Brown asked what the real concern of the management company is, i.e., its own parking needs, liability or financial compensation. Town Manager Rodrigues stated she believes all three are factors in their position.

Board of Selectmen Meeting Practices – Discussion and Possible Vote

At 10:16 p.m., Chairman Iuliano rejoined the Meeting, and she opened a discussion regarding the Board's Meeting practices, including selectmen's announcements and the Consent Calendar agenda.

Chairman Iuliano stated she previously suggested dispensing with the reading of all Consent Calendar agenda items prior to voting on them. However, tonight, she proposed reading a summary list of the Consent Calendar items in the future prior to the Board's votes in order to give viewers key information on what is being voted.

Selectman Simon stated reading the full Consent Calendar only takes a minute or two, and, if a summary is to be read, he sees no reason not to read the full proposed votes. He noted some residents have no access to the Internet to view the Meeting Minutes, and he believes reading the full Consent Calendar provides the community with an element of transparency and it provides the Board the opportunity to sometimes commend someone or a group. Selectman Simon stated the Calendar items are much like a community bulletin board, and he does not think a few minutes to read them should be considered an imposition.

Selectman Haarde stated he thinks a summary of the Consent Calendar would be fine as long as it informs the public about what is going on.

Selectman Brown stated she does not mind a summary because if the agenda items are going to have discussion, then they should be taken off the Consent Calendar and treated similarly as the other agenda items.

Vice-Chairman Woodard stated he prefers for meetings to be efficient and informative and he thinks a summary of the Consent Calendar could accomplish this.

It was on motion

VOTED: To dispense with the full reading of Consent Calendar agenda items, subject to reading in its place a summary of these agenda items which clearly identifies what is being voted.

Selectman Simon opposed the vote.

Chairman Iuliano stated there was a change earlier this year to present abbreviated Selectmen's Reports and Selectman Simon asked that this decision be reconsidered so Selectmen could provide their liaison reports to residents.

Town Manager Rodrigues stated a Board of Selectmen's newsletter was recently suggested, and she proposed this might be a good forum for disseminating the information Selectman Simon has mentioned.

Vice-Chairman Woodard stated this could be a good way to achieve communication with residents. Selectman Haarde and Selectman Brown stated they also like the idea of a newsletter

Selectman Simon stated he thinks the newsletter is a good idea. However, he also urged residents at home watching tonight's Meeting to let the Board know their thoughts about their preferences for receiving reports

during Board meetings from the Selectmen. He stated the Board used to have a goal for greater transparency, but he believes this has diminished during Board meetings in the past year. Selectman Simon reiterated he would like to hear the thoughts of residents.

Citizens' Comments – Continuation

Chairman Iuliano announced no citizens had requested time for comments tonight.

Future Board of Selectmen Agenda Items - Discussion

At 10:28 p.m., Chairman Iuliano opened a discussion regarding future agenda items.

Vice-Chairman Woodard suggested the Town Forum should be an item on the October 18, 2016 Board Meeting agenda. Town Manager Rodrigues stated Town Department Heads are considering whether a Sudbury Day should be coordinated to be held on the same day as the Town Forum.

Selectman Brown stated future agenda items should include a review of the policy for building permit fees, follow-up on the Stock Farm Road issues with Eversource, an update on the Public Meetings to be held by VHB for the Bruce Freeman Rail Trail Design, and hearing an update from the Zoning Board of Appeals (ZBA) regarding the Sudbury Station LLC project.

Selectman Simon stated future agenda items should also be set regarding the number of liquor licenses in Town and what the Town is doing about a sewer system.

“Gobble Wobble” 5K & 10K Run – Smile Mass

It was on motion unanimously

VOTED: To grant a Special Permit to SMILE Mass, to hold the “Gobble Wobble for SMILE MASS” on Saturday, November 19, 2016, from 10:00 a.m. through approximately 12:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Selectman Haarde encouraged the community to access more information on the SMILE Mass. website regarding the variety of races one can participate in.

Minutes

Selectman Brown had previously provided revisions to the third paragraph on page 4 of the draft September 20, 2016 Meeting Minutes under the heading “Special Town Meeting October 17, 2016 – Petition Article regarding Sperry’s,” and copies of a revised draft incorporating her edits were distributed to the Board tonight.

It was on motion

VOTED: To approve the Regular Session Meeting Minutes of September 20, 2016, as revised by Selectman Brown.

Selectman Simon and Chairman Iuliano abstained from the vote.

Temporary Office Trailer – 199 Raymond Road – Request for Approval

Chairman Iuliano noted the requested dates needed for the temporary office trailer have been corrected in the proposed vote to be for one year rather than two years.

It was on motion unanimously

VOTED: To approve a request dated September 28, 2016 from Rebecca McEnroe, P.E., Superintendent of Sudbury Water District, to grant permission for one 32-foot temporary office trailer at 199 Raymond Road, from October 2016 through October 2017, subject to approval of the Building Inspector.

There being no further business, the meeting adjourned at 10:38 p.m.

Attest: _____
Melissa Murphy-Rodrigues
Town Manager-Clerk

Documents & Exhibits

1. Vote to approve New Officer Thavaree Ngamsetthamas as partner of the corporation and to approve a Transfer of Stock of 20% of shares in the corporation from Christopher Segur to Thavaree Ngamsetthamas and 5% of shares in the corporation from Christopher Segur to Tharanee Rojthanasirivanich for PTT Restaurant, Inc. d/b/a Chili Basil Restaurant at 385 Boston Post Road.

Attachments:

- 1.a Department Approvals_Chili Basil_Change Manager and Stock Transfer
- 1.b Chili Basil_Stock_Manager_Change_App_BOS

2. As the Local Licensing Authority, vote on whether to approve the application of Da Vinci Bistro LLC, d/b/a Da Vinci Bistro, 457 Boston Post Rd., Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under G. L. Ch. 138, s.12, Jaswant Singh, Manager.

Attachments:

- 2.a Alcohol License Quotas
- 2.b Department Approvals_DaVinciBistro
- 2.c Da Vinci All Alcohol Restaurant Application_BOS

3. Discuss and possibly vote on further revision of the RFP documents relative to the sale of the former Police Station as suggested by Facilities Director and approved by Town Counsel. James Kelly, Facilities Director, to attend.

Attachments:

- 3.a 2nd Legal Ad- Disposal of Police Sta
- 3.b 2nd - KP-555808-v1-SUDB_police_station_RFP_final
- 3.c Appendix F - with Permitting Clause

4. Discussion and possible vote concerning Special Town Meeting Article 6, Artificial Turf Replacement at Lincoln-Sudbury Regional High School. Superintendent Bella Wong to attend.

5. Prepare for Special Town Meeting on Oct. 17, 2016, and vote to take positions on all warrant articles.

Attachments:

5.a Warrant 10-17-16 final

6. Discussion and possible vote on request for Lights on Afterschool proclamation.

Attachments:

- 6.a CITATIONS AND PROCLAMATIONS
- 6.b MayorsSuggestedProclamation (1)
- 6.c Sample letter to towns and cities (1)

7. Review draft BOS meeting schedule for 2017, and possibly vote to approve schedule.

Attachments:

- 7.a 2017 Selectmen meeting schedule_draft

8. Discussion on Goodnow Library parking lot

9. Discussion and possible vote concerning BOS meeting practices, including Selectmen's Announcements and the Consent Calendar agenda.

10. Citizen's Comments (Cont)

11. Discuss future agenda items

12. Vote to Grant a Special Permit to SMILE Mass, to Hold the “Gobble Wobble for SMILE MASS” on Saturday November 19, 2016, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race’s conclusion.

Attachments:

- 12.a Gobble Wobble 2016 Application_BOS
- 12.b SMILE Mass Gobble Wobble 2016 Approvals

13. Vote to approve the regular session minutes of 9/20/16.

Attachments:

- 13.a BOS 09-20-16_Min_Draft

14. Vote to approve a request dated Sept. 28, 2016 from Rebecca McEnroe, P.E., Superintendent of Sudbury Water District, to grant permission for one 32 ft. temporary office trailer at 199 Raymond Road, from October 2016 through October 2018, subject to approval of the Building Inspector.

Attachments:

- 14.a Sudbury Water District office trailer request
- 14.b TOWN OF SUDBURY REGULATIONS FOR TRAILERS