

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, AUGUST 8, 2017

Present: Chairman Robert C. Haarde, Vice-Chairman Leonard A. Simon, Selectman Patricia A. Brown, Selectman Daniel E. Carty and Town Manager Melissa Rodrigues

Absent: Selectman Susan N. Iuliano

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

Opening Remarks

At 7:30 p.m., Chairman Haarde opened the meeting. He announced the last Summer Concert Series event at Haskell Field will be on August 14, 2017. He also announced the September 11th Memorial Garden Oversight Committee invites the community to participate in the Memorial Ceremony on September 11, 2017 beginning at 8:30 a.m. Chairman Haarde stated the Board's August Office Hours will be held August 24, 2017 at the Flynn Building Silva Conference Room from 9:00 a.m. - 10:00 a.m., and he and Selectman Brown will be in attendance. He also stated the Town needs public input regarding expanding transportation services for Sudbury residents, and citizens are encouraged to complete a survey on the Town website and/or to contact the Senior Center.

Reports from the Town Manager

Town Manager Rodrigues announced parents of both Minuteman Regional and Assabet Valley vocational students will soon receive letters regarding pick up times and location stops for the school year. She encouraged anyone with questions to contact her office for assistance.

Reports from the Board of Selectmen

Selectman Carty announced the Senior Center is in need of van drivers.

Citizen's Comments

At 7:32 p.m., Chairman Haarde recognized Sudbury resident Dan DePompei, 35 Haynes Road.

Mr. DePompei stated he recently tried to clarify with two Selectmen why some Selectmen believe the Town cannot design the Bruce Freeman Rail Trail (BRFT) according to Town bylaws. During this discussion, he stated he was referred to a May 3, 2016 letter to the Selectmen from former Acting Town Planner Michelle Ciccolo. Having viewed the videotape of the Selectmen's May 3, 2016 Meeting, Mr. DePompei proceeded to highlight pieces of information presented at this Meeting, including it being noted that it would be inappropriate for the Town to not comply with its own bylaws. Mr. DePompei asked if the Town has completed a wetlands delineation that satisfies Town bylaws and the Wetland Protection Act (WPA) requirements, and if it has been approved by the Conservation Commission. He also asked if the cost estimates for the BRFT include estimates for replication under the WPA and the local bylaws.

At 7:35 p.m., Chairman Haarde thanked Mr. DePompei for his comments, noting the BRFT is not on tonight's agenda, and he concluded the comment period.

Sudbury Historical Society – Discuss and Potentially Sign a Lease for the Loring Parsonage for the Purpose of the Sudbury Historical Museum

Present: Sudbury Historical Society (SHS) President Stewart Hoover, SHS Director Sally Hild, and SHS's attorney Joshua Fox

At 8:01p.m., Chairman Haarde opened a discussion regarding a potential lease by the Town with the Sudbury Historical Society (SHS) for the Loring Parsonage for the purpose of the Sudbury Historical Museum, and he welcomed Sudbury Historical Society (SHS) President Stewart Hoover, SHS Director Sally Hild, and SHS's attorney Joshua Fox to the Meeting. The Board was previously in receipt of copies of the red-lined draft "Town of Sudbury Lease Agreement" with The Sudbury Historical Society, Inc., noting edits from KP Law. In addition, copies of a handout entitled, "Loring Parsonage Lease" was distributed to the Board tonight, noting highlights of the draft Lease.

Mr. Hoover stated SHS has been working on this project for over two years, which is estimated to cost approximately \$1.5-\$1.6 million. He stated fundraising efforts have generated nearly \$1.5 million to date, and it would help to have a signed lease to raise the remaining \$100,000. Mr. Hoover emphasized the SHS intends to treat the building respectfully and to maintain its historical nature. He stated SHS's Counsel Joshua Fox has worked with Town Counsel to prepare the draft Lease, in an effort to move the project forward.

Town Manager Rodrigues stated she provided the Board a summary of Lease highlights today, and tonight's agenda packet includes anticipated operating costs.

Chairman Haarde noted the Lease would be for 30 years, and rent would be for \$1 per year. He also noted the tenant would maintain appropriate insurances.

Vice-Chairman Simon thanked SHS for its work, stating he looks forward to this addition to the community. He encouraged SHS to include a Visitor Center in the plans, given the location is ideal in the Town Center. Vice-Chairman Simon believes a Visitor Center could help draw attention to the Town and its businesses. Mr. Hoover stated the SHS agrees and it sees a Center as a benefit for all.

Selectman Brown stated she appreciates the long process and work given to this project. She asked if the estimated operating expenses includes funds set aside for future capital improvements. Town Manager Rodrigues stated only operating costs have been estimated, and future capital needs for the building would be part of the Town's capital plan. Selectman Brown asked what the parking arrangements and demand will be for the project. Town Manager Rodrigues stated parking is expected to be accommodated within the current parking options.

Selectman Carty congratulated the SHS on its fundraising efforts. Mr. Hoover stated the project has had the support of the Selectmen, the Permanent Building Committee (PBC) and the ongoing assistance from Combined Facilities Director Jim Kelly.

In response to a question from Selectman Brown, Mr. Hoover stated they would like to obtain the remaining \$100,000 and start work on the project as soon as possible. He noted the PBC would oversee the project and contractors.

It was on motion unanimously

VOTED: To approve and sign the "Town of Sudbury Lease Agreement" with The Sudbury Historical Society, Inc., as reviewed tonight, for the Loring Parsonage for the purpose of the Sudbury Historical Museum.

Public Hearing: SRG Restaurant of Sudbury, LLC d/b/a Oak Barrel Tavern - Application for a Restaurant License for the Sale of All Alcohol Beverages

Present: SRG Restaurant of Sudbury, LLC d/b/a Oak Barrel Tavern Owner Jeffrey Charloff and Manager Richard P. Lanza and their attorney Peter Barbieri

At 7:45 p.m., Chairman Haarde opened a Public Hearing regarding the application of SRG Restaurant of Sudbury, LLC d/b/a Oak Barrel Tavern, 528 Boston Post Road, Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under G.L. Ch. 138, s. 12, Richard P. Lanza, Manager. The Board was previously in receipt of copies of a letter from the applicant's attorney Peter Barbieri dated July 11, 2017, and accompanying Commonwealth of Massachusetts Application for a Retail Alcoholic Beverages License and documentation, feedback from Town Department Heads, noting no concerns, and a listing entitled, "Sudbury Alcohol License Quota & Availability."

It was on motion unanimously

VOTED: To open the Public Hearing to approve the application of SRG Restaurant of Sudbury, LLC d/b/a Oak Barrel Tavern, 528 Boston Post Road, Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under G.L. Ch. 138, s. 12, Richard P. Lanza, Manager.

The applicant's attorney Peter Barbieri described the location of the new restaurant as within the new Meadow Walk development. Mr. Barbieri stated the owner, Jeffrey Charloff, operates a similar restaurant in Worcester, and he would like to open a second restaurant in Sudbury. He stated plans are for a 5,500 square-foot restaurant to be constructed approximately one year from now. Mr. Barbieri stated the proposed Sudbury manager, Richard Lanza, has significant restaurant and alcohol-serving experience, and he is appropriately certified.

Oak Barrel Tavern Owner Jeffrey Charloff provided a brief summary of his restaurant's menu items, noting the operation does not attract a late-night crowd.

Town Manager Rodrigues stated the application is in order, and she referenced the updated list of Town alcoholic licenses.

Mr. Barbieri stated he recommends to his clients that they meet with the local Police Department, and he anticipates the applicant will do so.

Vice-Chairman Simon referenced the seating plan on page 37 of tonight's agenda packet, noting the bar location, and he asked where the televisions would be located. Mr. Charloff stated the televisions would be mostly in the bar area and they would not be a distraction for other diners.

Vice-Chairman Simon asked if there have been any alcohol-serving violations at the Worcester location, and how long that restaurant has been open. Mr. Barbieri stated it has been open since 2015, and there have been no violations. Vice-Chairman Simon emphasized the Town takes seriously the responsibility involved with having a liquor license, and he recommended for the applicant to access the Town's relevant guidelines. He also asked if the full menu will be available until closing. Mr. Charloff stated he also takes the responsibility of holding a liquor license seriously. He also stated he is aware that at least five menu items must be served through closing hours.

Selectman Carty asked if there are plans for outdoor seating. Mr. Charloff stated there are not at this time, and this is not mentioned in the lease. Chairman Haarde asked if there is space for a patio in the future. Mr. Charloff stated there is a community area nearby, but its use has not been discussed with the developer.

Chairman Haarde asked why the applicant chose to come to Sudbury. Mr. Charloff stated he heard about the Meadow Walk development and it seemed like a good fit for what he was looking for and he was familiar with the community.

It was on motion unanimously

VOTED: To close the Public Hearing regarding the application of SRG Restaurant of Sudbury, LLC d/b/a Oak Barrel Tavern, 528 Boston Post Road, Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under G.L. Ch. 138, s. 12, Richard P. Lanza, Manager.

Vice-Chairman Simon stated when the Meadow Walk development was approved, it envisioned a mixed-use environment, with restaurants, which would generate positive revenues, and the Town wishes success for this restaurant.

It was also on motion unanimously

VOTED: As the Local Licensing Authority for the Town of Sudbury, to approve the application of SRG Restaurant of Sudbury, LLC d/b/a Oak Barrel Tavern, 528 Boston Post Road, Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under G.L. Ch. 138, s. 12, Richard P. Lanza, Manager.

Public Hearing: To Determine if Lisa Burke, 39 Poplar Street has Complied with a Previous Board Order to Restrain a Dangerous Dog

Present: Police Chief Scott Nix

At 8:08 p.m., Chairman Haarde opened a Public Hearing pursuant to M.G.L. c. 140, s.157 to determine whether Lisa Burke of 39 Poplar Street, Sudbury, has complied with the Board's June 14, 2017 order to restrain the Dangerous Dog owned and/or kept by Ms. Burke in the Town of Sudbury, and/or to determine whether all or any portion of said order should be modified or withdrawn or if any additional conditions should be imposed, and he welcomed Police Chief Scott Nix to the Meeting. The Board was previously in receipt of copies of the "Notice of Decision and Order Dangerous Dog" dated June 14, 2017 and sent by certified mail, return receipt requested to Ms. Burke, and the "Notice of Hearing to Review Compliance with Order to Restrain Dangerous Dog" dated August 2, 2017 and sent by certified mail, return receipt requested, to Ms. Burke. In addition, copies of an email from Lisa Burke to Police Chief Nix dated August 6, 2017 were distributed to the Board tonight.

It was also on motion unanimously

VOTED: To open the Public Hearing pursuant to M.G.L. c. 140, s.157 to determine whether Lisa Burke of 39 Poplar Street, Sudbury, has complied with the Board's June 14, 2017 order to restrain the Dangerous Dog owned and/or kept by Ms. Burke in the Town of Sudbury, and/or to determine whether all or any portion of said order should be modified or withdrawn or if any additional conditions should be imposed.

Police Chief Nix stated compliance with the June 14, 2017 Notice of Decision and Order has been slower than anticipated due to unexpected family circumstances. Chief Nix stated that, at this time, all conditions have been complied with except for completion of the fence, which should be finished in the next ten days.

Town Manager Rodrigues clarified 32 feet of fencing has been installed, and another 75 feet will be installed shortly. She also stated she has discussed the circumstances with Town Counsel, who suggested the Board could provide Ms. Burke with an extension to complete the fence and the Board could amend the conditions of the Decision and Order to delete the condition of sending a letter of apology to one victim.

Chairman Haarde stated there is pending litigation between the victim's family and the dog owner, and thus it has been advised that the Town cannot require an apology letter.

Vice-Chairman Simon stated he would want the Board to see a report from the Animal Control Officer regarding her findings upon recent inspection before voting on an extension. He would like to have written confirmation of compliance with the Order's conditions. Vice-Chairman Simon further stated he agrees with the apology letter not being required by the Town.

Chief Nix stated he has emails from the Animal Control Officer and other relevant communications regarding documentation of compliance with conditions, which he could provide to the Board for review.

Selectman Brown asked Chief Nix if he is satisfied with the information provided by the Animal Control Officer. Chief Nix stated he has recently spoken with the dog owner, and, with the exception of the completion of the fence, he is satisfied with the updates he has received. He also stated there have been no further incidents reported. Chief Nix further stated several neighbors have communicated their support for the dog owner, noting they have not been afraid and they were upset to hear about this situation.

Vice-Chairman Simon stated he believes the fencing was one of the most important conditions with which to comply for the safety and protection of all.

Selectman Carty stated he had noticed progress on the fence installation had halted, and he was concerned. He believes it is important to bring closure to this situation and that the remainder of the fence needs to be installed within the next 30 days.

Vice-Chairman Simon requested visual/photographic documentation of compliance be provided to the Board for review, with the written documentation package from Chief Nix. He stated the Town needs to be comfortable that as many safety measures have been taken as is possible. Selectman Brown added the information should include a letter from the Animal Control Officer, as requested by Vice-Chairman Simon.

Chairman Haarde asked if there were any comments from the public, and none were offered.

In response to a question from the Board, Town Manager Rodrigues stated the deadline for compliance has passed, and as of this date, the dog owner would be in non-compliance, due to the remainder of the fence not being installed.

It was on motion unanimously

VOTED: To close the Public Hearing regarding whether Lisa Burke of 39 Poplar Street, Sudbury, has not complied with the Board's June 14, 2017 order to restrain the Dangerous Dog owned and/or kept by Ms. Burke in the Town of Sudbury, and/or to determine whether all or any portion of said order should be modified or withdrawn or if any additional conditions should be imposed.

It was also on motion unanimously

VOTED: To amend the "Notice of Decision and Order Dangerous Dog" dated June 14, 2017, by deleting item #10 regarding the dog owner providing a letter of apology.

SRG Restaurant of Sudbury, LLC d/b/a Oak Barrel Tavern - Application for a New Common Victualler License

Present: SRG Restaurant of Sudbury, LLC d/b/a Oak Barrel Tavern Owner Jeffrey Charloff and Manager Richard P. Lanza

At 8:26 p.m., Chairman Haarde opened a discussion regarding the application of SRG Restaurant of Sudbury, LLC d/b/a Oak Barrel Tavern, 528 Boston Post Road, Sudbury, for a new Common Victualler License, as requested in an application dated July 13, 2017, subject to conditions put forth by the Fire Department and the Building Department. The Board was previously in receipt of copies of the Town of Sudbury Application for Common Victualler & Entertainment License and feedback from Town Department Heads, noting no concerns.

Town Manager Rodrigues stated the application is in order and no concerns have been expressed from Town Departments.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to approve a new Common Victualler License for Oak Barrel Tavern, 528 Boston Post Road, Sudbury, as requested in an application dated July 13, 2017, subject to conditions put forth by the Fire Department and the Building Department.

Town Trust Funds – FY18 – Vote to Accept and Approve Expenditure Limits

Present: Finance Director Dennis Keohane

At 8:29 p.m., Chairman Haarde opened a discussion regarding accepting and approving the expenditure limits for the Town Trust Funds for fiscal year 2018, and he welcomed Finance Director Dennis Keohane to the Meeting. The Board was in previous receipt of copies of a memorandum from Mr. Keohane dated August 2, 2017, and brief descriptions of the applicable trust funds.

Mr. Keohane explained recommendations are made for these expenditure limits annually for the purposes established by the donors. He provided the Trust Fund balance, noting the funds are sustainable because investment income totaled approximately \$164,175 and the FY18 request is only for approximately \$77,000.

Vice-Chairman Simon thanked Mr. Keohane for the helpful information materials provided. He asked where the remainder of the investment income goes and if it is allocated proportionately to the trust funds. Mr. Keohane stated it is allocated proportionately to enhance the fund balances.

Selectman Carty stated the trust fund descriptions of bequests are impressive in their historical longevity. Chairman Haarde concurred, noting the historical connections of these funds to the Town are very interesting.

It was on motion unanimously

VOTED: Acting as Co-Trustees, to accept that the Board of Selectmen approve the following expenditure limits for the Town Trust Funds for fiscal year 2018: Goodnow Library \$25,000; Cheri-Anne Cavanaugh \$2,000; Discretionary \$2,500; September 11th Memorial \$7,500; Perpetual Care \$40,000; for a total of \$77,000.

Future Relocation of Sudbury Public Schools Administration Subcommittee of the School Committee for Sudbury Public Schools – Discuss Potential Administrative Office Options

Present: Future Relocation of Sudbury Public Schools Administration Subcommittee Member Richard Tinsley and Combined Facilities Director Jim Kelly

At 8:35 p.m., Chairman Haarde opened a discussion regarding potential administrative office options for the Sudbury Public Schools Administration (SPS), and he welcomed Future Relocation of Sudbury Public School's Administration Subcommittee Member Richard Tinsley to the Meeting.

Mr. Tinsley stated the Future Relocation of Sudbury Public Schools Administration Subcommittee voted at its last meeting to proceed with an article for presentation on the October 2017 ballot to use funds from the sale of the former Police Station to be used towards steps needed to move forward with a relocation plan. He stated a previous needs assessment indicated the need for 8,900 square feet for SPS Administration. However, Mr. Tinsley stated the Committee believes this number needs to be re-assessed, noting SPS currently uses 6,000 square feet, a lower head count is expected, and there is a need to plan for the future. He stated the Subcommittee does not know yet how much money to ask for, but it would like enough to cover work needed until a more detailed construction fund proposal can be presented at the May 2018 Town Meeting. Mr. Tinsley emphasized high-quality numbers are needed regarding the amount of square feet and the number of employees to plan for before the best decision for relocation can be made. He also stated once better numbers are available, then better costs estimates can be done regarding an option at the Nixon School and for other options, such as rental or purchase of another property.

Chairman Haarde asked if all options are still on the table, and Mr. Tinsley stated they are. However, in response to another question from the Board, Mr. Tinsley stated the Nixon School location option is the best of the possible school locations in Town.

Mr. Tinsley highlighted that, at this time, there is not sound financial information available to appropriately compare options. He stated an estimate of \$5 million has been mentioned for approximately 9,000 square feet.

Vice-Chairman Simon stated he has reservations regarding whether School Committee members, who are trained to oversee the education of Sudbury's students, have the required expertise to assess relocation and construction options. He suggested a new committee of Town staff members, the Town Manager, members from the Permanent Building Committee and the Finance Committee could be established to make recommendations regarding how much space is really needed and the possible options to fulfill the need. Vice-Chairman Simon believes the relocation process needs to be formalized and more structured so the Town's due diligence process would be evident when a proposal is presented at Town Meeting.

Mr. Tinsley stated the current location at Fairbank is currently safe, but the building may not be so in five years. Thus, the intention is to plan now for a move sometime in the next two years.

Selectman Brown stated some people have asked her why a rental property is not being considered as an option. She emphasized it is important for people to understand the necessary procurement procedures with which a public municipality must comply. Selectman Brown suggested the procurement guidelines and timelines should be compiled and made available to the public.

Selectman Carty stated he agrees that the main goal for SPS is to educate Sudbury's youth. He emphasized the need is real for a new location for SPS Administration, and any option will have associated costs. Selectman Carty believes residents need to understand what the different options will cost, and which options the Town can legally pursue. He emphasized residents want to know their money is being spent as wisely as is possible. Selectman Carty stated he appreciates the Subcommittee reviewing the options available. He advised the Subcommittee to be sure about what it is asking for in a Warrant article. Selectman Carty also highlighted the Warrant for the October Town Meeting opens tomorrow and closes on

August 31, 2017, and thus there is not a lot of time to finalize an article. He asked for clarification regarding who “owns” this project, and who would be submitting the article.

Vice-Chairman Simon asked if funding for this project could be tied to the proceeds from the sale of a Town asset. Town Manager Rodrigues stated there is approximately \$450,000 from the sale of the former Police Station which could be used for any capital need, but, she also stated it would be up to the Board to recommend funding options.

Vice-Chairman Simon asked how much would be requested for the initial study to reassess space needs. Mr. Tinsley stated he is not sure of an amount at this time to complete the internal assessment of square footage and to research location options.

Vice-Chairman Simon suggested adding an item to the agenda for the Board’s next Meeting to establish a new committee comprised of Town staff and Town committee members and the SPS Superintendent to develop recommendations for the amount of space needed for SPS Administration and determine the most cost-effective location to move to.

Selectman Carty stated that, if a new committee is formed, a proposal would not be ready for the October Town Meeting. He noted all of the \$450,000 from the Police Station sale would not need to be used for an office space design study. Selectman Carty advised Mr. Tinsley against requesting the entire \$450,000 for this purpose. Selectman Carty stated progress regarding relocation of SPS Administration is needed.

Vice-Chairman Simon suggested Town Manager Rodrigues should prepare an article for funding for an office space study for the October Town Meeting and the Subcommittee should also submit an article, noting one could be withdrawn as the Town Meeting draws closer. He believes it would be beneficial to shift the coordination of the design study to the Town’s professional staff and away from SPS staff.

Selectman Brown asked what the next steps would be to perform the internal space assessment. Based on past experience, Town Manager Rodrigues stated a consultant would likely need to be hired for approximately \$60,000.

In response to a question from Selectman Brown, Mr. Tinsley stated he anticipates between the October 2017 Town Meeting and the May 2018 Town Meeting, an assessment of design needs would need to be completed and then cost comparisons would need to be assessed of different locations, in order to determine which specific location to propose at the May 2018 Town Meeting.

At 9:15 p.m., Chairman Haarde stated the consensus is that everyone supports finding a new home for SPS Administration, with the help of a third-party expert to help determine the best place to go, and he concluded the discussion.

Access Agreement to BPR Sudbury Development to Construct Improvement to Boston Post Road – Review and Vote to Execute

At 10:15 p.m., Chairman Haarde opened a discussion to review and potentially execute an Access Agreement to BPR Sudbury Development to construct improvements to Boston Post Road, including an interceptor signal to control traffic. The Board was previously in receipt of copies of the draft “Access Agreement” between the Town of Sudbury and BPR Sudbury Development LLC.

Town Manager Rodrigues stated BPR informed her today that the preliminary permit from the Department of Transportation was received today, and thus work could begin on Route 20 as soon as

tomorrow. She and Chairman Haarde emphasized Route 20 traffic will be impacted for the next few months. Town Manager Rodrigues stated it is hoped to have a second entrance to the development finished before schools open. She explained this Access Agreement allows BPR to access portions of the Fire Station land to perform the widening, paving and landscaping work to widen Route 20, to install the new traffic signal, and to store equipment and park, if needed. Town Manager Rodrigues further explained it is a three-year agreement for one area and, until construction is done, for another area. She noted the Town can terminate the Agreement with written notice and that the Agreement relieves the Town of liability, names Sudbury as an insured, guarantees no interference and that the property will be kept and left in good order.

Selectman Brown asked what is being agreed to for three years. Town Manager Rodrigues stated BPR will have the right to do the work for three years, but it is anticipated the work will not take three years to complete.

Selectman Carty asked if the Fire Department and Town Counsel are satisfied with the draft Agreement. Town Manager Rodrigues stated the developer has worked closely with all appropriate Town officials.

Selectman Carty recommended communication regarding Route 20 work progress with the public be done “early and often” to avoid public frustration. He also suggested disseminating the information on social media and as many forums as possible.

Town Manager Rodrigues stated a lot of work will be scheduled for evening hours to avoid rush-hour complications.

Chairman Haarde reiterated traffic will be impacted temporarily by this work, and he encouraged the public to understand and plan accordingly.

It was on motion unanimously

VOTED: To execute an Access Agreement to BPR Sudbury Development to construct improvements to Boston Post Road, including an interceptor signal to control traffic.

Call Special Town Meeting on October 16, 2017 and Set Open and Close of Warrant Dates

At 9:21 p.m., Chairman Haarde opened a discussion regarding whether to call a Special Town Meeting to be held on Monday, October 16, 2017, at 7:30 p.m., in the Lincoln-Sudbury Regional High School Auditorium, and to open the Warrant commencing August 9, 2017, and to close the Warrant for said Special Town Meeting on Thursday, August 31, 2017 at 5:00 p.m. The Board was previously in receipt of copies of a draft “2017 STM Warrant Schedule” dated August 8, 2017.

Town Manager Rodrigues noted anyone interested in submitting a petition article needs 100 signatures for the October 2017 Special Town Meeting and they need to have Town Counsel review their draft articles. In response to a question from the Board, she mentioned a few potential articles to be submitted for October, including one for the new Fire Station, possibly two capital articles, possibly a playground related article, and possibly changing a Town bylaw to comply with State regulations.

Selectman Brown stated she would like to include an article to change the bylaw so as not to require a review of Town Counsel services every three years.

It was on motion unanimously

VOTED: To call a Special Town Meeting to be held on Monday, October 16, 2017, at 7:30 p.m., in the Lincoln-Sudbury Regional High School Auditorium, and to open the Warrant commencing August 9, 2017, and to close the Warrant for said Special Town Meeting on Thursday, August 31, 2017 at 5:00 p.m., and to grant authority to the Town Manager to submit articles for the October 2017 Special Town Meeting Warrant on behalf of the Board of Selectmen.

Citizen's Comments

At 9:26 p.m., Chairman Haarde recognized Sudbury resident and Lincoln-Sudbury Regional High School Committee Chairman Kevin Matthews, 137 Haynes Road.

Mr. Matthews stated the Lincoln-Sudbury Regional High School Committee believes the Community Field needs to be resurfaced soon, noting it is believed to be at the end of its expected lifespan. He stated the Committee appreciated the support received at last year's Fall Town Meeting, which allowed for timely work to be done on other fields this summer. Mr. Matthews stated the Park and Recreation Commission expressed some concerns at a meeting last night. He suggested it might be time to begin informal discussions regarding the current Intramural Agreement to determine if its structure is what is wanted for the future. Mr. Matthews mentioned maintenance of the Community Field can be complicated because the use of Lincoln funds would also likely need to be requested. He emphasized the School would prefer if it could maintain its assets without assistance, but it is not possible.

Vice-Chairman Simon requested Mr. Matthews to submit to the Town Manager a memorandum outlining what would be requested by the High School.

At 9:35 p.m., Chairman Haarde thanked Mr. Matthews for his input, and he concluded the comment period.

Future Board of Selectmen Agenda Items - Discussion

At 9:35 p.m., Chairman Haarde suggested Vice-Chairman Simon should submit a memo to the Board explaining his recommendation for a new SPS Administration Relocation Committee to be formed.

Selectman Brown and Selectman Carty both requested a future update regarding the Landham Road intersection.

Town Manager Rodrigues stated future agenda items would include the refinancing of Community Preservation Act bonds and the proposed Welcoming Town Initiative.

Selectman Brown suggested the Melone Charette should be listed as a future agenda item.

Vice-Chairman Simon stated Town Forum planning needs to be a future agenda item. It was noted suggested Forum topics can still be submitted for consideration.

Selectman Carty suggested a future agenda item to discuss a project task board or something similar for the Town website. Town Manager Rodrigues stated the Information Technology Department has been looking at similar options to implement. Selectman Carty also mentioned possible future agenda items including the return of unused Community Preservation Act funds, and how River's Edge will tie into the Town's water system. He also suggested considering a way for Town board and committee volunteers to informally meet each other.

Selectman Brown stated she attended the Park and Recreation Commission Meeting last night, and concerns were expressed about other Town field surfaces needing repair, such as Cutting Field. She suggested a more integrated approach should be considered for all fields.

First Student - Contract for Busing of Sudbury Students to Assabet Valley Regional High School

It was on motion unanimously

VOTED: To allow the Town Manager to enter into a contract with First Student for the busing of Sudbury students to Assabet Valley Regional High School.

Disability Commission – Appointment

It was on motion unanimously

VOTED: To approve the Town Manager’s appointment of Kay Bell to the Commission on Disability for a term ending May 31, 2020.

Grant of Easement- Maynard Road – HP, LLC

It was on motion unanimously

VOTED: Pursuant to the provisions of G.L. c. 83, §4, Article XII s. 3 of the Sudbury General Bylaws, and any other enabling authority, to accept the Grant of Easement set forth in the document entitled “DECLARATION OF RESTRICTIVE COVENANTS AND GRANT OF EASEMENT REGARDING STORMWATER MANAGEMENT SYSTEM” granted by Maynard Road – HP, LLC, for stormwater system maintenance purposes upon the property shown as “Plan of Land Lots E & F Maynard Road in Sudbury, Mass.” by Connorstone Engineering, Inc., dated: April 6, 2017 that is recorded with the Middlesex South Registry of Deeds as Plan No. 505 of 2017.

Capital Environmental, LLC – Sign Environmental Engineering Services Proposal

It was on motion unanimously

VOTED: To authorize the Town Manager to sign a proposal between the Town and Capital Environmental, LLC for environmental engineering services to be performed relative to the classification and off-site management of stockpiled material at the DPW as outlined in the proposal dated June 12, 2017 with a not-to-exceed amount of \$98,550.

“Ride to Defeat ALS” – Special Permit

Vice-Chairman Simon recused himself from this agenda item vote, as he is a fundraiser for the cause.

It was on motion

VOTED: To grant a Special Permit to Myke Farricker, Committee Co-Chair to hold a “Ride to Defeat ALS” (formerly “Positive Spin for ALS”) bike ride on Sunday, September 24, 2017 from 7:00 a.m. through approximately 4:00 p.m., following the same route as in previous years, subject to Police Department safety

requirements, proof of insurance coverage and the assurance that any litter will be removed at the race's conclusion.

“Walk for the Poor” – Special Permit

It was on motion unanimously

VOTED: To grant a Special Permit to Ronald Nix, Vice-President, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a “Walk for the Poor” on Sunday, October 1, 2017 from 11:00 a.m. through approximately 2:00 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.

AMVETS Post 79 – Amputee Veteran Motorcycle Ride – Special Permit

It was on motion unanimously

VOTED: To grant a Special Permit to AMVETS Post 79, to hold the Amputee Veteran Motorcycle Ride on Saturday, August 26, 2017, 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.

Boy Scout Troop 60 – Eagle Scout Recognition

Selectman Carty stated he participated in Troop 60's review of the Scouts for Eagle status, and he would likely be attending the scheduled ceremony.

It was on motion unanimously

VOTED: To enter into the Town record and congratulate Fady Gemayel, Ben Short and Patrick O'Beirne of Troop 60 for having achieved the high honor of Eagle Scout.

Minutes

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of July 18, 2017.

There being no further business, the meeting adjourned at 9:45 p.m.

Attest: _____

Melissa Murphy-Rodrigues
Town Manager-Clerk

Documents & Exhibits

1. To discuss and potentially sign a lease between the Sudbury Historical Society and the Town of Sudbury for the Loring Parsonage for the purpose of the Sudbury Historical Museum.

Attachments:

- 1.a KP-#562338-v4-SUDB-_Loring_Parsonage_Lease
- 1.b Operating Costs - Estimate

2. As the Local Licensing Authority, vote on whether to approve the application of SRG Restaurant of Sudbury, LLC. d/b/a Oak Barrel Tavern, 528 Boston Post Rd., Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under G. L. Ch. 138, s.12, Richard P. Lanza, Manager.

Attachments:

- 2.a OakB Application_BOSv2
- 2.b Department Approvals_Oak Barrel Tavern_New All Alc
- 2.c Alcohol License Quotas

3. Public Hearing pursuant to MGL Chapter 140 Section 157 to determine whether Lisa Burke of 39 Poplar Street has complied with Board's June 14, 2017 order to restrain the dangerous dog owned and/or kept by Ms. Burke in the Town of Sudbury, and/or to determine whether all or any portion of said order should be modified or withdrawn or if any additional conditions should be imposed.

Attachments:

- 3.a Notice of Decision and Order_Dangerous Dog_06.14.17
- 3.b Aug 2 Cert Hearing Notice Letter

4. As the Licensing Authority for the Town of Sudbury, vote to approve a new Common Victualler License for Oak Barrel Tavern, 528 Boston Post Road, as requested in an application dated July 13, 2017, subject to conditions put forth by the Fire Department and Building Department.

Attachments:

- 4.a OakB CV_BOS
- 4.b Department Approvals_Oak Barrel Tavern_CV

5. Acting as Co-Trustees, vote to accept that the Board of Selectmen approve the following expenditure limits for the Town Trust Funds for fiscal year 2018: Goodnow Library \$25,000; Cheri-Anne Cavanaugh \$2,000; Discretionary \$2,500; September 11th Memorial \$7,500; Perpetual Care \$40,000; for a total of \$77,000.

Attachments:

- 5.a FY18 Trust Fund Spending Limits
- 5.b In Sudbury We Trust FY17

6. To discuss potential administrative office options with the Future Relocation of SPS Administration Subcommittee of the School Committee for Sudbury Public Schools.

7. Review and execution of an Access Agreement to BPR Sudbury Development to construct improvements to Boston Post Road, including an interceptor signal to control traffic.

Attachments:

- 7.a KP-#589041-v1-SUDB_Access_Agreement_(Fire_Station_and_Lot_8)
- 7.b Exhibit A Plan
- 7.c Exhibit B

8. Vote to call a Special Town Meeting to be held on Monday, October 16, 2017, at 7:30 p.m. in the Lincoln-Sudbury Regional High School Auditorium, and to open the Warrant commencing August 9, 2017, and to close the Warrant for said Special Town Meeting on Thursday, August 31, 2017 at 5:00 p.m.

Attachments:

8.a Warrant schedule Oct_2017 STM

9. Citizen's Comments (cont)

10. Discuss future agenda items

Attachments:

10.a POTENTIAL UPCOMING AGENDA ITEMS_08_08_17

11. Vote to allow the Town Manager to enter into a contract with First Student for the busing of Sudbury students to Assabet Valley Regional High School.

12. Vote whether to approve the Town Manager's appointment of Kay Bell to the Disability Commission for a term ending May 31, 2020.

Attachments:

12.a Bell COD App

12.b KBell_resume_6-17

13. Pursuant to the provisions of G.L. c. 83, §4, Article XII s. 3 of the Sudbury General Bylaws, and any other enabling authority, vote to accept the Grant of Easement set forth in the document entitled "DECLARATION OF RESTRICTIVE COVENANTS AND GRANT OF EASEMENT REGARDING STORMWATER MANAGEMENT SYSTEM" granted by Maynard Road – HP, LLC, for stormwater system maintenance purposes upon the property shown as "Plan of Land Lots E & F Maynard Road in Sudbury, Mass." By Connorstone Engineering, Inc., dated: April 6, 2017 that is recorded with the Middlesex South Registry of Deeds as Plan No. 505 of 2017.

Attachments:

13.a E&F SW Covenant and Easement-BOS Memo 20170801

13.b E&F SW Covenant Easement-TC edits wo BOS Sigs

14. Vote to authorize the Town Manager to sign a proposal between the Town and Capital Environmental, LLC for environmental engineering services to be performed relative to the classification and off-site management of stockpiled material at the DPW as outlined in the proposal dated June 12, 2017 with a not-to-exceed amount of \$98,550.

Attachments:

14.a Legacy_Pile_soils_mgmt

15. Vote to grant a special permit to Myke Farricker, Committee Co-Chair, to hold a "Ride to Defeat ALS" (formerly "Positive Spin for ALS") bike ride on Sunday, September 24, 2017, from 7:00 a.m. through approximately 4:00 p.m., following the same route as in previous years, subject to Police Dept. safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race's conclusion.

Attachments:

15.a Charitable Walk Permit Ride to Defeat ALS 7-18-17_BOS

15.b Ride to Defeat ALS 2017 Approvals

16. Vote to grant a special permit to Ronald Nix, Vice-President, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a "Walk for the Poor" on Sunday, October 1, 2017, from 11:00 a.m. through approximately 2:00 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:

- 16.a St Anselm Walk for the Poor 2017_BOS
- 16.b St Anselm Walk for Poor Approvals 2017

17. Vote to Grant a Special Permit to AMVETS Post 79, to hold the Amputee Veteran Motorcycle Ride on Saturday, August 26, 2017, 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 ride's conclusion.

Attachments:

- 17.a 2017 Amputee Vets Motorcycle Ride_BOS
- 17.b Amputee Motorcycle Ride Approvals 2017

18. Vote to enter into the Town record and congratulate Fady Gemayel, Ben Short and Patrick O'Beirne of Troop 60 for having achieved the high honor of Eagle Scout.

Attachments:

- 18.a Boy Scout Troop 60 Request_05.24.17

19. Vote to approve the regular session minutes of July 18, 2017.

Attachments:

- 19.a BOS - 7-18-17 minutes draft