

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, DECEMBER 18, 2018

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

The statutory requirement as to notice having been complied with, the meeting was convened at 7:00 p.m. in the Town Hall – Lower Level.

**Opening Remarks by Chairman**

At 7:00 p.m., Chairman Haarde called the meeting to order and announced the Town holiday schedule: Town offices in the Town Hall, Flynn Building, Senior Center, and the DPW building will close at noon on December 24 and December 31 and will be closed December 25 and January 1. The Goodnow Library will be open 9 a.m. to 1 p.m. on Monday, December 24, and will be open 9 a.m. to 4 p.m. on Monday, December 31, and will be closed on December 25 and January 1. The Fairbank Community Center will close at 12 p.m. on Monday, December 24 and December 31, and Park & Recreation and the Fairbank Center will be closed December 25 and January 1. The Atkinson Pool will close at 12:00 p.m. on December 24 and at 4 p.m. on December 31, and will also be closed on December 25, 2018, and January 1, 2019.

Chairman Haarde announced that the Council on Aging is seeking members to join the nine-member board appointed by the Board of Selectmen. Anyone interested can find information on the Town website.

**Reports from Town Manager**

Town Manager Rodrigues congratulated employee of the year, Police Officer Michael Lucas, who has been working with the Town of Sudbury for 35 years and is an LSRHS graduate. Town Manager Rodrigues stated that she met Officer Lucas' mother today who is still a Sudbury resident. Chairman Haarde also extended his congratulations to Officer Lucas.

**Reports from Selectmen**

Vice-Chairman Carty thanked everyone who came out for the December 11th Special Town Meeting, which had the greatest attendance of any previous Town Meeting within the last 20 years.

Vice-Chairman Carty announced that last weekend the 5<sup>th</sup> annual "Warriors 4 Warriors" event took place between Lincoln-Sudbury Regional High School and Concord-Carlisle Regional High School to benefit the Scott Milley Fund. The event was held at the New England Sports Center, and he thanked everyone involved in the event including the Milley family.

Selectman Dretler thanked the Town staff for all their work at the December 11 Town Meeting. She also mentioned that Mooyah Burgers recently opened at Meadow Walk.

**Citizen's Comments on Items Not on Agenda**

Resident Daniel DePompei, 35 Haynes Road, stated that at the December 11 Town Meeting and in the Board of Selectmen Newsletter the Bruce Freeman Rail Trail was described as being 5.9 miles. Mr. DePompei added that he was concerned because the 25% design plan was predicated on the trail being 4.4 miles which it is not. The current environmental considerations are based on the 4.4-mile configuration which exceeds the MEPA (Mass. Environmental Protection Act) threshold for wetlands and impervious surface.

Mr. DePompei suggested that it may be prudent to think about how to address MEPA going forward and involve the Conservation Commission in this effort.

**Consent Calendar**

**Execute letter requesting data from GIC**

It was on motion unanimously

VOTED: To authorize the Chairman to execute a letter requesting data from GIC to use in processing employees' W-2 forms, as requested by Christine Nihan, Town Accountant.

**Donation from Sudbury United Methodist Church**

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$371 donation from the Sudbury United Methodist Church into the Cheri-Anne Cavanaugh Trust Fund, said funds to be expended under the direction of the Town Social Worker to counsel Lincoln-Sudbury Regional High School students, and to send a letter of appreciation to the Methodist Church.

**Landham Brook Marsh Conservation Land Conservation Restriction**

Selectman Simon stated that he attended the Conservation Commission meeting two weeks ago, and the technical requirements indicated that the document had to be signed by the Board of Selectmen.

It was on motion unanimously

VOTED: As Grantors, to execute the Landham Brook Marsh Conservation Land Conservation Restriction acting pursuant to, by and through M.G.L. c.184, s. 31-33, and the December 3, 2014 Special Town Meeting vote, granting a Conservation Restriction to the Sudbury Valley Trustees, on the land located on Landham Road, Sudbury, constituting approximately 33.48 a. +/- described in a deed recorded in the Middlesex South Registry of deeds at BK 64967, PG 93 and shown as "Parcel A" on a plan of Land entitled "Plan of Land in Sudbury, Mass, Owner and Applicant Madison Place Sudbury, LLC" prepared by Thompson-Liston Associates, Inc. , dated December 16, 2014 and recorded as Plan 131 of 2015; said Conservation Restriction is granted in perpetuity and exclusively for conservation and passive recreation purposes with continuation of Conservation Commission land stewardship under M.G.L. c.40, s.8C pursuant to the vote under Article 3 of the October 16, 2017 Special Town Meeting.

**Approve minutes of 10/30/18**

Selectman Simon had to recuse himself from this vote, as he was not present at the 10/30/18 meeting.

It was on motion unanimously

VOTED: To approve the regular session minutes of 10/30/18.

**Transloc (micro-transit pilot) transportation**

Vice-Chairman Carty spoke with the Metro-West Transportation Authority and Representative Gentile, and did not think that going forward with the Transloc program was a good option at this time. He maintained that he liked the Transloc concept, but that the UBER and Lyft programs were probably more practical for now, and will keep the Board informed of any related updates.

**Common Victualler License for Riceberry, 621 Boston Post Road**

Present: Lanlalit Soars and Narumon Lynch, owners.

At 7:15 p.m., Chairman Haarde introduced Lanlalit Soares and Narumon Lynch, owners of the new Thai restaurant, Riceberry.

Ms. Soares stated that she and her partner, Narumon Lynch, purchased the Paani Restaurant site at 621 Boston Post Road, and that they owned another Thai restaurant in Framingham. Ms. Soares mentioned that there is another Thai restaurant in Sudbury, but Riceberry would be very different.

Chairman Haarde inquired about the differences between the two restaurants. Ms. Soares replied that the difference was in the recipes.

Chairman Haarde asked when the restaurant was expected to open. Ms. Soares replied that Riceberry was to open in mid-January once all Town approvals were finalized. Town Manager Rodrigues added that the opening date would be somewhat dependent on when Paani moves into its new site.

Vice-Chairman Carty asked if there will be any design changes in the restaurant. Ms. Soares stated that the only changes may be with decorations.

Selectman Simon queried about Riceberry's anticipated all-alcohol pouring license. Town Manager Rodrigues added that there are additional licenses available. Selectman Simon noted that Riceberry would have to return to the Board regarding the alcohol license. Ms. Soares stated that she spoke with Ms. Frank in the Selectmen's office regarding the TIPS alcohol-training documentation. Chairman Haarde detailed that all servers at the restaurant must be TIPS trained.

Selectman Simon asked about appropriate insurance for the serving of alcohol. Ms. Soares said that the insurance will be in place tomorrow, and the Board of Health and Building Department would be performing inspections. Town Manager Rodrigues mentioned that the license is subject to conditions.

Vice-Chairman Carty asked if the restaurant in Framingham had a liquor license. Ms. Soares replied it did not.

Selectman Dretler asked about the significance of the name "Riceberry." Ms. Soares explained that Riceberry is a purple rice, and is a healthier-type rice compared to white rice. The rice will be very fresh and delivered to the restaurant twice a week.

Selectman Simon asked how long the Framingham restaurant has been in business. Ms. Soares responded that store has been in business for two and a half years.

Selectman Simon asked if there had been any problems at the Framingham location. Ms. Soares responded that there had not been any problems.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to approve a new Common Victualler License for Riceberry, 621 Boston Post Road, as requested in an application dated November 15, 2018, subject to conditions put forth by the Fire Department and Building Department.

#### **Fairbank Community Center update**

Chairman Haarde informed the Board that the Fairbank Community Center will be retained as a rolling agenda item to be discussed at each future Board meeting.

Town Manager Rodrigues stated that she met with the COA subcommittee last week, and there will be a staff meeting in January to review the staff proposal including a new cost estimate from PROS Consulting which eliminates the double gymnasium aspect of the plan. There will be discussions and review with SPS, COA and Park and Recreation to be followed by presentation to the Board, anticipating submission of a warrant for Annual Town Meeting in May.

**Town Hall Renovation update**

Present: Greg Blake, member of the PBC (Permanent Building Committee)

Town Manager Rodrigues stated that the renovation design for the Town Hall has been worked on over the past months, and the 2015 Blue Ribbon Committee Plan was the basis of the current design. One focus of the design plan is accessibility from the front entry of the Town Hall via a semi-enclosed ramp from the side. Town Manager Rodrigues reviewed the proposed plans and highlighted CMR 521 - the Mass. regulation requirement that "all public entrance(s) of a building...shall be accessible." Chairman Haarde asked about the status of the time capsule. Mr. Blake said that the accessibility ramp could be built on top of the time capsule at the front entry.

Selectman Brown mentioned that visually the front of Town Hall would remain the same. Town Manager Rodrigues affirmed that statement.

Town Manager Rodrigues stated that the proposed addition to the Town Hall would extend the Town Clerk's area, and would provide enclosed entrances, second floor space, an elevator, a chair lift, improved security and restrooms, a meeting room/theatre addition, and space for SudburyTV technicians.

Mr. Blake added that the proposed renovation provides the Town Clerk with the necessary bulletin board for meeting postings, and part of the proposal includes a second floor with a balcony maintaining the historical heritage of the building. Town Manager Rodrigues stated that the proposed second floor will be handicapped-accessible but the balcony would not.

Town Manager Rodrigues stated that the proposed basement will provide more storage, especially for the Town Clerk's voting sheets, a catering kitchen, and provision for the elevator. She noted that half of the basement will remain a crawl space.

Vice-Chairman Carty asked where the voting machines are currently stored. Town Manager Rodrigues replied that storage is scattered about, so the designated space will be a great improvement.

Selectman Dretler asked about the Town Hall parking lot. Mr. Blake stated that the design plan directs parking traffic away from Town Hall making access to the building safer and more efficient, and also includes a sidewalk along the side of Town Hall. He added that the retaining wall by the Loring Parsonage will be softened, and the driveway leading to the parking lot will be widened.

Selectman Dretler questioned the school drop-off/pick-up aspect. Mr. Blake replied that that the redesign is driven by the school and includes pick-up and drop-off provisions. Selectman Brown affirmed that the school will be involved with the traffic planning aspect with consideration given to bus accessibility and maneuverability.

Selectman Dretler stated that any improvements regarding the school will be very beneficial, and she liked the accessibility proposals.

Town Manager Rodrigues presented the landscape plan stating that the cost of the proposed renovation was approximately \$7 million plus \$300,000 for the accessibility work. The Town Hall project could be included in CPC funding in 2023, or other funding sources could be explored. She will be presenting the project to CPC for the first time at tomorrow's meeting.

Chairman Haarde asked if the Town Hall project was considered a historical renovation. Mr. Blake confirmed that it was. Vice-Chair Carty asked about the historical criteria, adding that the Town Hall is not yet 100 years old. Mr. Blake explained that the historical criteria applied, and that the Town Hall is listed on the National Historic Register.

Selectman Simon asked if CPC funding and other funding might be applicable for the Town Hall. Town Manager Rodrigues confirmed that was possible for funding, but that CPC could not assume a project of this size yet. Such

a request could be presented to CPC in 2020 for a portion of funding (bonding approximately \$1 million, and appropriating an estimated additional \$400,000 in CPC reserve funding).

Selectmen Brown questioned what other funding sources might be considered, since CPC could only supply some funding. She would like to see a more definitive plan to identify all the funding before seeking partial CPC funding. Town Manager Rodrigues responded that there were no other significant historic building grants available from the state.

Selectmen Dretler reiterated that \$7.3 million was required for the project today, and asked what the cost would be if the project was delayed until 2023. Mr. Blake stated that there will be a construction increase of 4% to 5% annually going forward and that the cost in 2023 could be approximately \$8-\$8.5 million.

Chairman Haarde suggested keeping a Spring Town Meeting placeholder for this proposed project.

Vice-Chairman Carty stated that approximately \$150,000 has been spent on the project to date. Mr. Blake added that the amount spent on plans is closer to \$200,000.

Selectman Simon stated that the problem involves the fact that the Town studies a project, provides funding for plans, and nothing happens, with no suggested funding for projects, such as the Fairbank Community Center, the Fire Stations, and SPS space. As time passes the construction pricing becomes greater. He recommends that the Board examine the important aspect of capital planning and maintenance.

Selectman Simon stressed that the Town Hall was among the other listed projects in dire need of restoration. The Town Hall is at least 80 years old, and has been without upgrade for some 30 years. He added that various heating system replacement parts have been unavailable, and strongly endorsed that the Town Hall project be on a placeholder to present at May Town Meeting. Selectman Simon added that the Town Hall is the “hub” of Sudbury and should be regarded as a priority.

Vice-Chairman Carty questioned the definition of “dire need,” and asked what aspect of the plan was most necessary at this time. Mr. Blake replied that new roofing was needed, it was not falling apart, but was getting worse with time.

Selectman Simon mentioned that the “dire need” aspect referenced that the Town Hall could become another Fairbank Center, and should be addressed sooner rather than later. Vice-Chairman Carty stated that the Town has many projects to address at this time, and it’s not realistic to request funding for so many big capital items. He emphasized that prioritization and direction is very much needed.

Selectman Dretler inquired about the risks associated with waiting until 2023. Town Manager Rodrigues mentioned the price-escalator increase risk.

Selectman Brown asked what action is necessary to ensure that the roof has water tightness. Mr. Blake explained that the roof is slate and needs to be replaced.

Selectman Simon asked if it were possible to address the roof now, and address the actual remaining renovations at a later time. Mr. Blake reiterated that piecing parts of the renovation ultimately costs more money.

Selectman Brown asked for roofing cost estimates. Selectman Dretler asked if completing the roofing part of the project would lessen future escalator costs. She stated she sees the value in doing the project all at one time.

Selectman Simon asked if the PBC had taken a position on the project. Mr. Blake answered that PBC did not take positions.

Selectman Dretler asked if the current plan allows for future expansion if needed. Town Manager Rodrigues responded that the presented plan allows for future expansion such as a second floor addition, but does not include the Veterans’ office space in the current plan.

Selectman Simon suggested a placeholder for this topic to revisit in January, and asked Town Manager Rodrigues to provide an update, and possibly a joint meeting with CPC. Town Manager Rodrigues will update the Board in January, but is confident that CPC is unable to accommodate funding for the project at this time. She explained that she was uncomfortable about asking CPC to commit to funding in 2023 as CPC membership might be different as well as other possible changes in Town.

Chairman Haarde agreed, and added that he had never seen such a long-range process succeed.

Selectman Simon recommended putting this project on the Boards' short list of goals and re-examine the priority of the project. Chairman Haarde detailed that last year the Town made progress with the Flynn Building, the Parsonage, the Police Station, and the schools. This building project and some others need to be included on the renovation list to be completed in the next few years. Perhaps the Town could be creative in funding the Town Hall project.

Mr. Blake stated that it would be preferable to present an update to the Board after the meeting in January with the Historical Commission and the Historic Districts Commission. He expected the Commissions would recommend some modification of the plan, and stressed that meeting with the various commissions and boards could be a long process, and might not be finalized until March.

Chairman Haarde reiterated the importance of putting the Town Hall project on a placeholder for May Town Meeting.

Mr. Blake stated that Bill Barletta, Facilities Director, was most helpful regarding assessing the Town Hall, and explained that Mr. Barletta will be continuing with directing the maintenance aspect of the project.

**Vote to approve release of Meadow Walk mitigation funds in the amount of \$107,710 for SPS technology**

Town Manager Rodrigues stated that the request was approved by the Sudbury School Committee, and this was a good way to get the school-wide technology project completed. The Town has received approximately \$425,000 of mitigation funds for "town and school technology" from the MeadowWalk project. The remainder of the \$850,000 will be received when the necessary conditions are met.

Selectman Brown asked whether this project upgrades core switches in the Sudbury schools, and not in the Fairbank building administrative space. Town Manager Rodrigues confirmed that.

It was on motion unanimously

VOTED: To approve release of Meadow Walk mitigation funds in the amount of \$107,710 to be used for SPS technology.

**Appoint two Board members to the Master Plan Steering Committee**

Chairman Haarde felt strongly that two Selectmen should be represented on the Master Plan Steering Committee.

Town Manager Rodrigues stated that the Master Plan is reflective of an inclusive process, and is taking direction from a different consultant than was utilized twenty years ago regarding the current Master Plan.

Selectman Brown agreed that many of the Master Plan pieces are prescribed.

It was on motion unanimously

VOTED: To appoint two Board members (Janie Dretler and Dan Carty) to the Master Plan Steering Committee, as requested by the Planning Board. These terms are to expire 5/31/2020.

**Approve proposed 2019 Board of Selectmen Newsletter Schedule of Deadlines**

Selectmen Brown stated that upon review of the proposed Selectmen Newsletter Schedule of Deadlines, she discovered that the Board is not scheduled to meet on April 23, 2019 and suggested that the assignment deadline be moved back a week to April 9. The Board is not scheduled to meet October 15, 2019 and recommended that instead, the assignments be made on October 22.

Town Manager Rodrigues will check with Leila Frank, and have this item taken up at the next Board meeting.

**Announce that 2019 Annual Town Meeting will commence Monday, May 6, 2019 at 7:30 PM. The warrant period is now open. Articles for inclusion in the Annual Town Meeting Warrant are due to the Selectmen's office, 278 Old Sudbury Road, and are to be stamped in no later than 4:30 PM on Thursday, January 31, 2019.**

It was on motion unanimously

VOTED: To open the warrant for 2019 Town Meeting.

**Citizen's Comments (cont.)**

There were no citizen's comments.

**Discuss upcoming agenda items**

Items for the next Board's agenda January 8, 2019 include Camp Sewataro, Route 20 sewer service, deed restrictions and proposals for 40 acres acquired in Town Center, and approval of the 2019 Board of Selectmen newsletter schedule of deadlines.

Town Manager Rodrigues explained that the owner of Camp Sewataro does not want to wait until May Town Meeting to determine the intentions of the Town. Town Manager Rodrigues will meet with CPC tomorrow to request appraisal funding for the property.

Selectman Brown affirmed that this request was for appraisal funding. Chairman Haarde suggested that the request may include funding for appraisal and feasibility study. Town Manager Rodrigues agreed it is very important to indicate that the Town has a plan.

Selectman Simon asked about the cost of such an appraisal. Town Manager Rodrigues expected the associated cost to be approximately \$5,000 as Sewataro has about the same acreage as Broadacres Farm. Town Manager Rodrigues reiterated that Sewataro is on the warrant as a placeholder article, and is listed as one of the Boards' goals. Selectman Brown felt this was a reasonable request.

In regard to the Quarry North transfer of the 40 acres at Town Center, Chairman Haarde suggested that possible deed restrictions be discussed at the next Board meeting. Town Manager Rodrigues affirmed that the Board had to have discussions before assigning any Conservation Restrictions for that property. Chairman Haarde confirmed that initial restrictions should include the rail trails and recreation areas.

Selectman Simon queried if a solar farm could be incorporated somewhere on the property. Chairman Haarde agreed that inclusion of solar panels was a good idea. Selectman Simon stated that implementing such use might be a good revenue source for the Town. Town Manager Rodrigues stated that bids would have to go out for solar or agricultural use. Selectman Simon suggested that EDF Renewals, the firm that responded to a previous Town RFP, might be a good choice. Vice-Chairman Carty agreed it was worth looking into.

Vice-Chairman Carty stated that strategic capital planning for maintenance, and not for funding of major projects, is an important discussion to include on the Board's January 22 agenda. This discussion would provide a catalyst for necessary action going forward.

Town Manager Rodrigues suggested that the Complete Streets topic also be discussed and that grants are available. Selectman Brown recommended this discussion take place at the January 22<sup>nd</sup> Board meeting.

Selectman Brown suggested that the January 22<sup>nd</sup> meeting might also include a review of policies, and discussion with the Town Manager or the Finance Director.

The Board wished everyone a Happy Christmas and New Year.

There being no further business to discuss, the meeting adjourned at 8:43 p.m.

Attest:\_\_\_\_\_

Melissa Murphy-Rodrigues  
Town Manager-Clerk