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IN BOARD OF SELECTMEN
MONDAY, NOVEMBER 5, 1990

Present: Chairman Judith A. Cope, David A. Wallace and John C. Drobinski.

The statutory requirements as to notice having been fulfilled, the meeting was convened at 7:30 p.m., at the Fairbank Senior Center.

Sudbury Community Arts Center, Inc. - Renewal of Sublease

The Board reviewed memorandum dated October 30, 1990, from the Executive Secretary which updated the Board relative to assisting in the resolution of the sublease issue between the Town's lessee B'Nai Torah and its sublessee Sudbury Community Arts Center.

Mr. Thompson recommended that the Board sign an amendment to the lease between the Town and Congregation B'Nai Torah, which would rescind the Congregation's obligation to pay the Town 15% of the rent received from sublessee Sudbury Community Arts Center, Inc. The Board concurred with Mr. Thompson's statement that the Arts Center serves a broad base of citizens and enjoys significant support from the community.

It was on motion unanimously

VOTED: To authorize the Chairman to sign Amendment to Lease Between the Town of Sudbury and Congregation B'Nai Torah dated April 30, 1990, as prepared by Town Counsel's Office, to effect the above recommended change to provide a 15% rental subsidy for the Sudbury Community Arts Center, Inc., stating for the record that no precedent is being set by this action.

Bid Award: Printing of 1990 Annual Town Report

Upon review of memorandum dated November 1, 1990, from administrative assistant Janet Silva, setting forth details of six bids received for printing the 1990 Town Report, it was on motion unanimously

VOTED: To accept the low bid of Athol Press, Inc., Athol, Massachusetts, dated October 23, 1990, at the price of \$56.85 per page for pages to be typeset and \$50.50 per page for camera-ready pages per specifications dated October 2, 1990, with the option of choosing alternates as bid; it being understood that a color process cover requires additional approval by the Board of Selectmen.

Scheduling of Public Hearing

It was on motion unanimously

VOTED: To schedule a public hearing to consider allowing package stores located in Town to be open for business on the two Sundays before Christmas and New Year's days for Monday, November 19, 1990, at 8:00 p.m.

Donations

It was on motion unanimously

VOTED: To accept the following donations:

1. \$2.00 to be deposited into the General Fund, originally donated for the 350th Anniversary Celebration; and
2. \$70.75 miscellaneous donations for deposit into the Council on Aging Van Donation Account; and to authorize the Council On Aging to expend the same for purposes of operating and maintaining the Council On Aging van.

HMM Associates

It was on motion unanimously

VOTED: To authorize the Chairman to sign a contract with HMM Associates of Concord to provide traffic consulting services relative to proposed housing on the so-called Parkinson Land off Route 27.

Upon inquiry by Selectman Drobinski, Executive Secretary Thompson informed that Town Counsel has reviewed same.

Memorial Day Committee

Upon review of application of Pat Nelles of Ten Winter Street, and letter of recommendation dated October 28, 1990, from Winifred C. Grinnell, Secretary, Memorial Day Committee, it was on motion unanimously

VOTED: To appoint Pat Nelles of Ten Winter Street to the Sudbury Memorial Day Committee, replacing Catherine F. Hall, for a three-year term to expire April 30, 1993.

Police Officer Robert I. Chaffee - Reinstatement

Upon review of memorandum dated November 5, 1990, from Town Counsel Paul L. Kenny, it was on motion unanimously

VOTED: To reinstate Robert I. Chaffee as a Sudbury Police Officer pursuant to Town Counsel's memorandum to the Board of Selectmen dated November 5, 1990.

The Tab - Holiday Food Drive

The Board reviewed communication dated October 30, 1990, from The Tab announcing its sponsoring a holiday Food Drive, in cooperation with Food for the Hungry and Metrowest Harvest; and requesting assistance from all communities in allowing them to place collections boxes on Town property.

It was on motion unanimously

VOTED: To support the efforts of The Tab in conducting a Food Drive by allowing the placement of collection boxes on Town property during the period November 6, through December 20, 1990.

Chairman Cope suggested the Fairbank Senior Center would be a good locale for one collection box. Executive Secretary Thompson suggested another location could be the Fire Station at Town Hall.

Tab reporter Dan Caccavaro was present and confirmed that food collected in Sudbury will first be distributed to Sudbury agencies.

Metro Plan 2000

Chairman Judith A. Cope reported that Metro Plan 2000, which is a Massachusetts Area Planning Council subcommittee, is bringing its presentation back to Sudbury as part of the Town's next Town Forum, scheduled for November 26, 1990.

Mrs. Cope showed the Selectmen the fliers that will be distributed and stated that she will be doing so.

Public Hearing - Transfer of License - 394 Boston Post Road

Present: Sherry Hsuech-Yun Chen, Manager, Lotus Blossom, and three members of her family; Attorney Thomas Landry.

At 8:00 p.m., Chairman Judith A. Cope convened a public hearing to consider the application received October 15, 1990, for transfer of the Restaurant License for the Sale of All Alcoholic Beverages from Shawmut Bank, N.A., to Ho-Tai Sudbury, Inc., d/b/a Lotus Blossom, 394 Boston Post Road, involving interior, window, and exit changes in the premises, pledge of stock and pledge of license as collateral. Also for consideration are applications for a Common Victualler License and Entertainment License.

Executive Secretary Thompson stated that all appropriate abutters and Town officials have been notified and return receipts received.

The Board acknowledged receipt of the following:

1. Letter dated October 26, 1990, from Fire Chief Michael Dunne stating he has no objection, subject to an automatic fire suppression system being installed over the deep fryer;
2. Memorandum dated October 31, 1990, from Health Director Robert C. Leupold advising that renovation plans have been reviewed and discussed with the Chen family representatives, and stating his recommendation for approval;
3. Letter dated October 26, 1990, from Deputy Inspector of Buildings Earl D. Midgley recommending approval;
4. Note dated October 31, 1990, from Town Treasurer and Collector of Taxes Chester Hamilton advising that all real estate and personal property taxes due on this parcel are current.

Executive Secretary Thompson advised that verbal recommendation for approval was given October 26, 1990, by Police Chief Peter B. Lembo.

Executive Secretary Thompson informed that he has reviewed the file and all documents are in order and all requirements have been met. Mr. Thompson recommended approval.

At the invitation of Chairman Cope, Attorney Thomas Landry, P. O. Box 305, Sudbury, introduced himself and his client, Sherry Hsuech-Yun Chen, Manager of Lotus Blossom and representative of her family who own the property.

Attorney Landry explained that Shawmut Bank was the holder of the license as a result of foreclosure on that property. At the time of foreclosure Three Dollar Dewey's was the most recent tenant; and Attorney Landry reminded the Board that a restaurant has been operating at that location for many years. Attorney Landry informed that the Chen family owns the Lotus Flower restaurant located at 341 Cochituate Road, Framingham, as well as two restaurants in New York.

In response to inquiry by Selectman John C. Drobinski, Attorney Landry described the nature of the window changes and assured that they will be going before the Design Review Board.

After further discussion, it was on motion unanimously

VOTED: To approve application received October 15, 1990, for transfer of the Restaurant License for the Sale of All Alcoholic Beverages from Shawmut Bank, N.A., to Ho-Tai Sudbury, Inc., Sherry Hsuech-Yun Chen, Manager, d/b/a Lotus Blossom, 394 Boston Post Road, involving interior, window, and exit changes in the premises, pledge of stock and pledge of license as collateral to Shawmut Bank;

and it was further unanimously

VOTED: To approve a Common Victualler License and Entertainment License to Ho-Tai Sudbury, Inc., d/b/a Lotus Blossom;

said licenses to be held until final favorable inspection by the Board of Health, Building Inspector and Fire Chief.

Sherman's Bridge

Chairman Judith A. Cope reported that she attended a Sherman's Bridge meeting in Wayland recently wherein the road commissioners of Wayland met to hear concerns expressed by a couple of abutters who want to keep the bridge permanently closed.

Mrs. Cope noted that, while many of the signatories of the petition were not present at the meeting, a number of other abutters, neighbors, etc., were present and expressed support for the re-opening.

As a result of a comment made by one of the opponents, Chairman Cope requested the Executive Secretary to contact Police Chief Peter B. Lembo and request that a police officer be placed at the Sherman's Bridge location around 10:00 p.m. once or twice to observe the ongoings at that time.

Unisys

Selectman John C. Drobinski reported that he received an inquiry expressing concern about the Unisys investigation work plan developed for the DEP. Mr. Drobinski reiterated his comments made at an earlier meeting that he does not believe what Unisys has submitted is a work plan; and the Board concurred with

Mr. Drobinski that they are unable to comment until a "real" work plan is received and reviewed.

Executive Secretary Thompson informed that a representative of the DEP telephoned last week for clarification of the Selectmen's letter that was sent; and Mr. Thompson made the Board's feelings clear.

Fort Devens - FOCUS

Selectman John C. Drobinski stated that he read in last week's Town Crier a legal notice from the Environmental Protection Agency that the FOCUS Group in Stow is looking for a grant from the SuperFund. Mr. Drobinski asked who in Sudbury is involved in that FOCUS Group, and Executive Secretary Thompson stated that he believes Conservation Coordinator Deborah Montemero may be involved in some way.

Mr. Drobinski expressed his concern that where that Group has applied for a \$50,000.00 grant, if Sudbury is not "plugged into" their process, then Sudbury could not say how these particular funds get expended.

Mr. Thompson will look into the matter and report his findings to the Board.

Tuition For Non-Residents

The Board acknowledged receipt of memorandum dated October 29, 1990, from Director of Finance/Town Accountant James Vanar concerning non-resident students attending Lincoln-Sudbury Regional High School.

Mr. Thompson will look into the matter and report his findings to the Board.

Executive Session

At 8:30 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss a police grievance matter.

(Chairman Cope, aye; Selectman Wallace, aye; Selectman Drobinski, aye).

Chairman Cope announced that public session would not reconvene immediately following Executive Session.

There being no further business to come before the Board, the meeting was adjourned.

Attest:

Richard E. Thompson
Executive Secretary-Clerk