

SUDBURY SELECT BOARD

TUESDAY, MARCH 7, 2023

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Lisa Kouchakdjian, Select Board Member Jennifer Roberts, Town Manager Andrew Sheehan

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:02 PM, via Zoom telecommunication mode.

Chair Russo announced the recording of the meeting and other procedural aspects included in the meeting.

Call to Order/Roll Call

Select Board Roll Call: Carty-present, Kouchakdjian-present, Roberts-present, Dretler-present, Russo-present

Opening Remarks by Chair

- Provided SPS Committee updates
- Announced MBTA Community Action Plan documentation has been approved
- Announced MA House has passed bill to extend municipal remote meetings to March 31, 2025; now before MA Senate

Reports from Town Manager

- Reported that Combined Facilities Director Sandra Duran signed contract to demolish several dilapidated buildings at Broadacres; could begin demolition next week
- Reported that Combined Facilities Director Sandra Duran has contracted with an environmental firm to examine discharge from Atkinson Pool
- Announced Danielle Marini-King will assume the role of Sustainability Coordinator
- Thanked Public Works and Public Safety for a job well done at last week's snow storm

Reports from Select Board

Vice-Chair Dretler

- Reported the BFRT Advisory Task Force met last week and discussed crossing at Rte. 20 design, with TIP project status being recommended; voted in support of changing mission/title to Rail Trail Committee and to add MCRT to the charge
- Reported a Public Design Hearing was held last week to discuss 25% design with Mass DOT
- Attended MMA Social Media Conference today, adding that additional information will be available
- Attended MAGIC meeting this afternoon; DEI training update was presented.
- Reported recently met to take positions on Town Meeting Articles

Board Member Carty

- Provided update on SPS Budget Forum

- Reported MMA Social Media presentation was hosted by former Sudbury Town Manager Melissa Rodrigues

Board Member Roberts

- Reported latest Municipal Update was released with Town Manager Sheehan
- Announced the Finance Committee met last night, override discussion took place
- Announced Earth Day event on April 22nd at the Library; other Earth Day events include Town Clean-Up Day and Rainbow event – additional information on Town website
- Recognized DPW Department article regarding snow removal technology which appeared in a national publication

Board Member Kouchakdjian

No additional reports

Public Comment

Resident Manish Sharma, 77 Colonial Road, mentioned Women's History Month, and recognized Select Board Members Dretler, Roberts and Kouchakdjian, and thanked them for their service to Sudbury.

Mr. Sharma spoke of Losar, a three-day Buddhist holiday celebrated at this time, and Holi, a Hindu holiday which will be recognized at the Goodnow Library tomorrow. Mr. Sharma asked Board Members to attend the event at the library tomorrow, adding that Holi marks the beginning of spring, with wishes for a good harvest.

As the Local Licensing Authority, vote on whether to approve the application of Sudbury Sundries, Inc, d/b/a Sudbury Sundries, 100 Boston Post Rd., Sudbury, for a Package Store License for the Sale of Wine & Malt Beverages, under G. L. Ch. 138, s.15, Ashraf Youssef, Manager. The premises proposed to be licensed (i.e., 100 Boston Post Road) is described as: Left unit of a 2-unit commercial building. Single entrance in the left front and single exit in the rear. Approximately 2600 Sq. Ft.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Dretler-aye, Roberts-aye, Carty-aye, Kouchakdjian-aye, Russo-aye

VOTED: To open the public hearing for the application of Sudbury Sundries, Inc, d/b/a Sudbury Sundries, 100 Boston Post Rd., Sudbury, for a Package Store License for the Sale of Wine & Malt Beverages, under G. L. Ch. 138, s.15

Present: Ashraf Youssef, 273 W. Main Street, Hopkinton, MA, Applicant; Attorney Tom McEnaney - KP Law; Attorney Lee Smith - KP Law

Attorney McEnaney conducted the swearing in of Mr. Youssef.

Vice-Chair Dretler suggested that Mr. Youssef describe the events requiring Police intervention ten years ago. Mr. Youssef provided related narrative regarding the mentioned occurrence, emphasizing that there was a misunderstanding.

Vice-Chair Dretler mentioned tobacco violations several years before. Mr. Youssef said the clerk was fired. She stressed that all employees must be TIP trained. Vice-Chair Dretler requested that a detailed floor plan be provided, and commented that the building must be ADA compliant.

Board Member Carty noted the reluctance by the Police Department about providing any type of recommendation/feedback regarding the issue. He further expressed concerns about the parking situation at the site.

Board Member Kouchakdjian indicated her concern about ADA compliance, as well as accessible parking signage.

Board Member Roberts mentioned staff concerns regarding accessibility, parking, emergency vehicles, and an underground storage tank. She expressed her concern regarding the absence of Police Department recommendation.

Chair Russo commented about inclusion of Police commentary, inadequate parking, level of management supervision over the years, and behaviors potentially associated with impulse buying of liquor at a gas station. He opined if the risks outweighed public good.

Resident Key Bell, 348 Old Lancaster Road, inquired about the licensing process. She mentioned there were many aspects to be considered, including ADA accessibility and existing building codes.

Resident Dave Henkels, 17 Twin Pond Lane, mentioned in-house training and associated liability.

Resident Ryan Poteet, 11 Maple Avenue, expressed concern about the location of the store and the fact that children have a strong presence in the area.

Resident Manish Sharma mentioned ambiguity in licensure procurement, and the need for consistency in permitting.

Chair Russo itemized the areas needing further information from the applicant:

- Store layout
- Insurance for alcohol sales
- Training of employees
- Tracking of alcohol sales

Chair Russo presented possible application options: to deny, to approve, or to withdraw the application.

Chair Russo read in the words of the motion. Board Member Kouchakdjian moved in the words of the Chair. Board Member Roberts seconded the motion.

It was on motion 5-0; Carty-aye, Kouchakdjian-aye, Roberts-aye, Dretler-aye, Russo-aye

VOTED: To continue the application of Sudbury Sundries, Inc, d/b/a Sudbury Sundries, 100 Boston Post Rd., Sudbury, for a Package Store License for the Sale of Wine & Malt Beverages, under G. L. Ch. 138, s.15, Ashraf Youssef, Manager. The premises proposed to be licensed (i.e., 100 Boston Post Road) is described as: Left unit of a 2-unit commercial building. Single entrance in the left front and single exit in the rear. Approximately 2600 Sq. Ft., to the Select Board meeting on March 21, 2023 at 7:15 PM.

Discussion/vote on First Parish License

Chair Russo acknowledged that Ms. Cline of First Parish was not able to attend tonight's meeting, and suggested tabling the agenda item to an upcoming Select Board meeting. Board Members concurred.

Select Board FY24 budget presentation by Town Manager Sheehan

Present: Finance Director Dennis Keohane, Assistant Town Manager Maryanne Bilodeau

Town Manager Sheehan presented the PowerPoint Town Budget Presentation – Fiscal Year 2024

Resident Manish Sharma asked about any available grants, and what opportunities the Town might be researching for additional funding, including available solar panel rebates.

Discussion on 2023 Annual Town Meeting articles: consent calendar; positions on articles; other

Present: Town Moderator Cate Blake

Board Members agreed:

- Articles 39 and 40 would be drafted by Town Counsel
- Board Member Roberts would present Article 16, Board Member Carty would present Article 11 and 14, and Board Member Kouchakdjian would present Article 15 at Town Meeting
- Chair Russo to present "In Memoriam Resolution"
- Town Manager Sheehan to present Articles 2, 3, and 4 through 7, Article 13, 39 and 40
- Finance Director Dennis Keohane to present Article 9
- DPW Director Dan Nason to present Article 10

Article 1 – Hear Reports

Chair Russo motioned to support Article 1. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To support Article 1 – Hear Reports

Article 16 – Authorize Select Board to Petition the General Court to Adopt Legislation – An Act Authorizing the Town to establish a fee for a Checkout Bag Charge

Chair Russo motioned to support Article 16. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To support Article 16 – Authorize Select Board to Petition the General Court to Adopt Legislation – An Act Authorizing the Town to establish a fee for a Checkout Bag Charge

Article 39 – Amend General Bylaws - Affordable Housing Trust Bylaw

Chair Russo motioned to support Article 39. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To support Article 39 – Amend General Bylaws - Affordable Housing Trust Bylaw

Article 40 – General Bylaw for the Placement of Small Wireless Facilities in the Public Ways

Chair Russo motioned to support Article 40. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To support Article 40 – General Bylaw for the Placement of Small Wireless Facilities in the Public Ways

Article 52 – Community Preservation Act Fund – Regional Housing Services Office (RHSO) Membership Fee

Chair Russo motioned to support Article 52. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To support Article 52 – Community Preservation Act Fund – Regional Housing Services Office (RHSO) Membership Fee

Article 32 – Withdrawn

Article 51 – Community Preservation Act Fund – Indigenous Cultural Landscape Study

Chair Russo motioned to support Article 51. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To support Article 51 – Community Preservation Act Fund – Indigenous Cultural Landscape Study

Discussion regarding 2023 Annual Town Meeting logistics, process, calendar, and other topics

Present: Cate Blake, Town Moderator

Ms. Blake confirmed that 10 minutes would be allocated to presenters and 5 minutes for others. She stated that a robust Consent Calendar would help with the Town Meeting process, along with the introduction of electronic voting.

Discussion took place regarding improvements for visually impaired voters.

Discussion and vote to approve the Select Board's submission to the 2022 Annual Town Report

Chair Russo suggested the Fairbank Community Center include the department provisions, such as COA, School Department, and other minor edits.

Chair Russo motioned to approve the Select Board's submission to the 2022 Annual Town Report, with minor edits. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Carty-aye, Kouchakdjian-aye, Roberts-aye, Dretler-aye, Russo-aye

VOTED: To approve the Select Board's submission to the 2022 Annual Town Report, with minor edits

Vote to review and possibly approve the open session minutes of 1/30/23

Chair Russo motioned to approve the open session minutes of 1/30/23, as edited. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Roberts-aye, Kouchakdjian-aye, Dretler-aye, Carty-aye, Russo-aye

VOTED: To approve the open session minutes of 1/30/23, as edited

Upcoming agenda items

March 21st

- BFRT Task Force amendments
- Proclamation Policy background – Member Roberts - future
- Remote Meeting Policy

Public Comments (cont.)

None

Consent Calendar

Vote to accept a grant and approve execution of an agreement by the Town Manager between the Massachusetts Department of Environmental Protection and the Town of Sudbury for funding in the amount of \$81,909.31 toward the installation of charging stations at selected areas of Town properties; and further, approve execution of contracts to be signed by the Town Manager with the approval of Town Counsel relative to infrastructure and construction as applicable between the installers and the Town.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Roberts-aye, Carty-aye, Dretler-aye, Kouchakdjian-aye, Russo-aye

VOTED: To accept a grant and approve execution of an agreement by the Town Manager between the Massachusetts Department of Environmental Protection and the Town of Sudbury for funding in the amount of \$81,909.31 toward the installation of charging stations at selected areas of Town properties; and further, approve execution of contracts to be signed by the Town Manager with the approval of Town Counsel relative to infrastructure and construction as applicable between the installers and the Town

Vote to approve the appointment of Ken Holtz, 175 Landham Road, as the Conservation Commission's representative to the Bruce Freeman Rail Trail Task Force for a term expiring 5/31/23, to fulfill the term of Richard Morse

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Roberts-aye, Carty-aye, Dretler-aye, Kouchakdjian-aye, Russo-aye

VOTED: To approve the appointment of Ken Holtz, 175 Landham Road, as the Conservation Commission's representative to the Bruce Freeman Rail Trail Task Force for a term expiring 5/31/23, to fulfill the term of Richard Morse, as requested by Lori Capone, Conservation Coordinator

Vote to accept a \$1,500 grant from HOPEsudbury to be applied toward Sudbury Police Department's Jail Diversion Program maintained through Advocates

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Roberts-aye, Carty-aye, Dretler-aye, Kouchakdjian-aye, Russo-aye

VOTED: To accept a \$1,500 grant from HOPEsudbury to be applied toward Sudbury Police Department's Jail Diversion Program maintained through Advocates, as requested by Chief Nix

Vote to enter into the Town record and congratulate Savannah Lily Butler of Scout Troop 65 for having achieved the high honor of Eagle Scout.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Roberts-aye, Carty-aye, Dretler-aye, Kouchakdjian-aye, Russo-aye

VOTED: To enter into the Town record and congratulate Savannah Lily Butler of Scout Troop 65 for having achieved the high honor of Eagle Scout

Adjourn

Chair Russo motioned to adjourn the Select Board meeting. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Roberts-aye, Carty-aye, Dretler-aye, Kouchakdjian-aye, Russo-aye

VOTED: To adjourn the Select Board meeting

There being no further business, the meeting ended at 10:56 PM.

SB Meeting 3/7/23 - Documents & Exhibits

1. As the Local Licensing Authority, vote on whether to approve the application of Sudbury Sundries, Inc, d/b/a Sudbury Sundries, 100 Boston Post Rd., Sudbury, for a Package Store License for the Sale of Wine & Malt Beverages, under G. L. Ch. 138, s.15, Ashraf Youssef, Manager. The premises proposed to be licensed (i.e., 100 Boston Post Road) is described as: Left unit of a 2-unit commercial building. Single entrance in the left front and single exit in the rear. Approximately 2600 Sq. Ft.

Attachments:

- 1.a Sudbury Sundries Wine Malt Package Store App_SB
- 1.b Legal Notice_Sudbury Sundries_WM Package
- 1.c Alcohol License Quotas_02.15.23
- 1.d Department Feedback_Sudbury Sundries_Package Store WM
- 1.e Police_Pair sold drugs out of Sudbury gas station
- 1.f 2011 Sudbury Sundries WM Application and Hearing

2. Discussion/vote on First Parish License

Attachments:

- 2.a License of Triangle 011323_redline.pdf
- 2.b License of Triangle 011323_clean.pdf

3. Select Board FY24 budget presentation by Town Manager Sheehan. Finance Director Dennis Keohane and Assistant Town Manager Maryanne Bilodeau will be in attendance.

Attachments:

- 3.a Article 3 FY24 Budget 2023.02.24 CORRECTED 3-1-2023

4. Discussion on 2023 Annual Town Meeting articles: consent calendar; positions on articles; other.

Attachments:

- 4.a 2023 ATM_Articles_ 2-28-23 AJS 2.28.23.2 rev

5. Discussion regarding 2023 Annual Town Meeting logistics, process, calendar, and other topics.

Attachments:

- 5.a WARRANT SCHEDULE MAY 2023 ATM__ATE_final

6. Discussion and vote to approve the Select Board's submission to the 2022 Annual Town Report.

Attachments:

- 6.a Select Board and Town Manager Report 2022

7. Vote to review and possibly approve the open session minutes of 1/30/23.

Attachments:

- 7.a SB_draft_1.30.23_min_for_review

8. Upcoming agenda items

Attachments:

- 8.a Upcoming items 03.07.23

10. Vote to accept a grant and approve execution of an agreement by the Town Manager between the Massachusetts Department of Environmental Protection and the Town of Sudbury for funding in the amount of \$81,909.31 toward the installation of charging stations at selected areas of Town properties;

and further, approve execution of contracts to be signed by the Town Manager with the approval of Town Counsel relative to infrastructure and construction as applicable between the installers and the Town.

Attachments:

10.a MassDEP Grant Acceptance_CMT PAC_03.07.23

11. Vote to approve the appointment of Ken Holtz, 175 Landham Road, as the Conservation Commission's representative to the Bruce Freeman Rail Trail Task Force for a term expiring 5/31/23, to fulfill the term of Richard Morse, as requested by Lori Capone, Conservation Coordinator.

Attachments:

11.a Appointment Letter - Ken Holtz - BFRTTF 2023

12. Vote to accept a \$1,500 grant from HOPEsudbury to be applied toward Sudbury Police Department's Jail Diversion Program maintained through Advocates, as requested by Chief Nix.

Attachments:

12.a Advocates JDP Program Outcomes Sheet 9 17

12.b Co-Response Model Info Slide

13. Vote to enter into the Town record and congratulate Savannah Lily Butler of Scout Troop 65 for having achieved the high honor of Eagle Scout.

Attachments:

13.a Eagle_scout_email