

*Kevin Geraghty, Chairman*  
*Michael Chizy, Vice Chairman*  
*Ryan Fattman, Clerk*  
*John L. Hebert*  
*Michael Frustaci*



*Sutton Town Hall*  
*4 Uxbridge Road*  
*Sutton, Massachusetts 01590*  
*(508) 865-8727*  
*Fax: (508) 865-8721*

*Laura Rodgers, Acting Town Administrator*  
*Jennifer Hager, Assistant Acting*  
*Town Administrator*  
*Debbie Jacques, Administrative Assistant*

## **TOWN OF SUTTON**

### **BOARD OF SELECTMAN**

Meeting Minutes

**Minutes Accepted and Filed with the Town Clerk on 9/19/07 : by vote of 5-0**

**7:00 p.m. – September 4, 2007**  
Sutton Town Hall, Selectmen's Meeting Room

**Members in Attendance:**

Kevin Geraghty, Chairman  
Michael Chizy, Vice Chairman  
Ryan Fattman, Clerk  
John Hebert  
Michael Frustaci

**Also in Attendance:**

Laura Rodgers, Acting Town Administrator  
Jennifer Hager, Assistant Acting Town Administrator  
Debbie Jacques, Administrative Assistant

Chairman Geraghty calls the meeting to order at 7:00 followed by the Pledge of Allegiance.  
No discussion or comments under Public Forum

Selectman Frustaci motions to approve as presented minutes from the August 21, 2007 Board of Selectmen Minutes,  
Selectman Fattman seconds the motion, All in Favor Passes 5-0  
Selectman Frustaci motions to approve as presented but not release Executive Session minutes from August 21, 2007  
Selectman Fattman seconds the motion, All in Favor Passes 5-0

Workshop meeting minutes:

Selectman Frustaci moves to approve Cable Workshop minutes, Selectman Fattman seconds Passes 4-0-1 (Selectman Chizy was not present for workshop)  
Selectman Frustaci moves to approve as presented Goals & Objectives workshop, Selectman Fattman seconds, All in Favor Passes 5-0

Public road Layouts of John Rd. & Deborah Dr. After a brief discussion with Town Planner Jennifer Hager, Selectman Frustaci motions an intent to layout John Rd. and Deborah Dr. as public ways in accordance with G.L. c.82,s.22. Selectman Chizy seconds the motion, All in Favor Passes 5-0

The owner of Bagels n' Kabobs, Mr. Tanios Kahale, is present to continue the discussion from August 21, 2007 meeting regarding his establishment, Bagel's & Kabobs located at 160 Sutton Square Plaza, offering "BYOB" to his patrons. The Selectmen have checked around and there are no regulations to prohibit this. The Selectmen thank Mr. Kahale for coming before them and discussing his plans, the BOS offer their full support on this.

Dudley Gendron outside beer and wine license: Mary Krumsik, manager for the Dudley Gendron Legion Post #414, is here to request an outside One-Day Beer and Wine License for the annual Chicken Barbeque on September 9, 2007. Chief Dennis

Towle has issued his comments and as noted on the One Day License, a detail police officer must be present during the hours beer and wine is to be served (1pm to 5pm). The BOS offer support as this is an annual event. Selectman Chizy motions to approve the One Day Beer and Wine Selectman Fattman seconds the motion, All in favor Passes 5-0

Co-sponsor warrant article-Right to Farm Bylaw: Jen Hager gives background information on this article.

This is currently a State law but restating it as a bylaw serves several purposes including gaining points as far as capitalizing on grant opportunities. Its main purpose is to state that the Town of Sutton encourages, promotes, and protects agriculture in the community. Farming has always been very important to residents in Sutton, this just reaffirms it. Over 3,500 acres in Sutton is currently under Ch 61 protection as agricultural operations. Selectman Geraghty is concerned with the possibility of for instance, a logging business running 24 hours a day. Jen Hager replies that the nuisance by law is still in place to protect residents and the bylaw doesn't say agricultural operations can run rampant it says they should operate with "minimal conflict" and according to "normally accepted agricultural practices" Jen stated that if this "Right To Farm" article should pass, a disclosure notification would have to be available for all residents and perspective residents via posting in at least one of four locations. Selectman Chizy motions to co-sponsor the warrant article for the Right to Farm, Selectman Frustaci seconds the motion, All in Favor Passes 5-0

Proposals for CWMP Update: Jen Hager informs board that she has received proposals from Graves Engineering as well as Dewberry for the Comprehensive Wastewater Treatment Plan update. Four sections in the plan must be updated immediately to aid Sutton's current IMA negotiations with Millbury. Jen Hager feels that Dewberry is competent but is limited to what they will provide where as Graves is competent and responsive to our needs. The proposals came back between \$22,000.00 and \$24,000.00. Jen informs BOS that this plan must be certified with DEP, Graves is willing to see it through the certification with DEP. Dewberry does not state that. The BOS feel Graves would be a wise choice but question where the funds will come from as it was not budgeted. The BOS do not want to put this cost onto the current sewer users as it would not benefit the current users directly. Accountant Tim Harrison is called into the meeting. Tim informs BOS that this must be approved at the October Town Meeting. He feels free cash would be the best source. The Selectmen request Laura Rodgers and Jen Hager to talk to the Sewer Commissioner Don Obuchowski to see if the funds (Graves proposal \$22,400.00) could be borrowed from the Sewer Enterprise Fund and then paid back after the October Town Meeting with funds out of the free cash account. Laura is asked to work on the article for the warrant. Selectman Chizy motions to hire Graves Eng. to update the four sections in the CWMP, Selectman Hebert seconds the motion, All in favor Passes 5-0

Town Administrator Updates:

Waters Farm Fire & Burglary systems: Acting TA Laura Rodgers met with Acting President of Waters Farm Brian Jamros, Acting Fire Chief Paul Maynard and the Building Commissioner John Couture. John and Paul went to the farm and both agree that a residential alarm system could be used. All present are in agreement to move forward with a residential fire and burglar system. Specifications and scope of work is to be drafted. The Town Clerks office or the TA's office will handle bids, per request of Brian Jamros. This should be in early November. They all agree that the price should be around \$5,000.00.

Cingular Wireless: notification was received that Cingular will terminate Cell Tower lease in April of 2009. This will mean a loss to the town of \$19,000.00 annually as well as \$1,850.00 monthly.

Announcements:

Selectman Chizy: September 7<sup>th</sup>, Senior Center Breakfast

Selectman Fattman: MMA Statewide Essay Contest for 6<sup>th</sup> graders

Selectman Geraghty: Lions Club Wine Tasting at Blackstone National on September 15<sup>th</sup> 7-11pm

Round Table:

Selectman Frustaci: Private Roads to be discussed. Thanks Laura and Jen for work well done as Acting TA

Selectman Fattman: would like to schedule another meeting at Senior Center, get dates from Michelle for availability

Selectman Geraghty: agrees that Laura and Jen have done an exceptional job as Acting TA. Commends them both

Chairman Geraghty entertains a motion to enter into brief Executive Session:

**Selectman Frustaci so moves that the Board enter into executive session for the purpose of discussing pending litigation with the intention of returning back to open session for the purpose of adjournment. Selectman Chizy seconds the motion. All in Favor, Motion passes 5-0**

