

IN BOARD OF SUDBURY SELECTMEN
THURSDAY, AUGUST 20, 2015

Present: Chairman Patricia A. Brown, Vice-Chairman Susan N. Iuliano, Selectman Charles C. Woodard, Selectman Robert C. Haarde, Selectman Leonard A. Simon, and Interim Town Manager Maryanne Bilodeau

The statutory requirements as to notice having been complied with, the meeting was convened at 7:43 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:43 p.m., Chairman Brown opened the meeting. She announced the Planning Board will hold a Public Hearing on September 9, 2015 regarding adopting site plan rules and regulations. She also announced the Feeley Field tennis courts have re-opened and the Willis Lake restrictions have been rescinded. Chairman Brown also announced the Community Preservation Committee has an at-large member position opening. She noted the Town Center project is running behind schedule due to utility company-related delays. Work will likely continue into late November. Chairman Brown cautioned residents to be aware of solicitors in Town looking for roofing work, and to be sure to check worker credentials. Chairman Brown also announced an Agricultural Fair will be held on September 12, 2015 at Heritage Park from 10:00 a.m. to 4:00 p.m and there is a fair scheduled this weekend at the Wayside Inn. She encouraged residents to attend these events. Chairman Brown also stated the Town Center Landscape Plan is available for public review, and the Sudbury Historic Districts Commission will hold a related Public Hearing on September 17, 2015.

Reports from the Interim Town Manager

Interim Town Manager Bilodeau stated the Town Center project has encountered some issues with the utilities and ledge, which has caused project delays. She stated Police Chief Scott Nix is working with both School Superintendents to ensure traffic problems are mitigated once the school year resumes.

Reports from the Board of Selectmen

Vice-Chairman Iuliano stated she attended the recent Budget Strategy Task Force Meetings, and the meeting held in Sudbury regarding Minuteman. She commended Selectman Simon for the excellent job he did coordinating the Minuteman meeting with representatives from the other member towns. Vice-Chairman Iuliano stated a more detailed update on these topics will be given later tonight. She announced Selectmen's Office Hours are still being coordinated for a time yet to be determined.

Selectman Haarde offered congratulations to the Lincoln-Sudbury varsity lacrosse team, coached by Brian Vona, which won the high school lacrosse Massachusetts State championship this year. He stated the team had an outstanding season this year, and years of hard work culminated in earning recognition as State champions. Selectman Haarde also congratulated the Sudbury 50-70 baseball team (comprised of rising 8th graders), coached by Mike Walsh, which won the State championship this summer and represented Massachusetts in the regional tournament held on Long Island, New York. The baseball team advanced to the semi-final round, and if it had been successful in that tournament, it would have competed for the national title in California. He noted this State championship is particularly significant because Sudbury was able to reconfigure the Featherland softball field to accommodate 50-70 baseball games (a 50-foot pitcher's mound and 70-foot base paths), which is a level of baseball Sudbury has not been able to participate in prior to this year. Selectman Haarde thanked Department of Public Works (DPW) Director Bill Place and his department for making these games a reality in Sudbury. He stated it is noteworthy that in Sudbury's first year competing at this level it was able to win the State championship and represent Massachusetts in the regional tournament in New York. Selectman Haarde thanked the Sudbury Town employees, whose hard work and flexibility made this happen.

Selectman Simon stated the Fairbank Community Center Task Force has held meetings on July 15, August 4 and August 11, 2015, and more information regarding its work will be provided later tonight. He also stated an update will be provided tonight regarding two recent meetings held on August 3 and August 14, 2015 related to the Minuteman Regional Vocational High School issues of concern (size of a new facility and how the costs will be funded). Selectman Simon stated Sudbury sponsored the August 3, 2015 meeting in Town, and 13 of the 16 Minuteman District member towns were represented for the discussion. He also stated he has spoken with consultant Jon Wortmann regarding Sudbury's Listening Project.

Selectman Woodard stated he attended the Budget Strategy Task Force Meeting on August 4, 2015, and that he would report more details regarding the group's work later as part of one of tonight's agenda items. He also commended Chairman Brown on her management of the Board.

Citizen's Comments

At 7:54 p.m., Chairman Brown announced no citizens had requested time for comments tonight.

Minuteman Regional Technical High School –Update on Massachusetts School Building Authority Board Meeting & School Building Project Draft Resolution and Proposed District-wide Election - Discussion

Present: State Representative Carmine Gentile

At 8:00 p.m., Chairman Brown opened a discussion regarding Minuteman Regional Vocational Technical High School. The Board was previously in receipt of copies of a handout from Minuteman entitled, "Enrollment Resolution Facts: The Determination of the 628-Student Design Enrollment Number," a letter from Minuteman's Superintendent and accompanying enrollment data, a letter from the Massachusetts School Building Authority (MSBA) to Town of Belmont officials dated July 21, 2015, a memorandum from MSBA Director of Capital Planning Mary Pichetti to John McCarthy dated July 21, 2015, a section of the Massachusetts Department of Education's laws and regulations regarding "Capital Costs Payable by Out of District Communities," charts regarding Minuteman's enrollment for 2014-2015, the slides from Minuteman's "MSBA's Facilities Assessment Subcommittee Presentation dated June 24, 2015," and a public communications release entitled, "Massachusetts School Building Authority (MSBA) Endorses Construction of a New Minuteman High School dated August 6, 2015."

Selectman Simon summarized the background for the discussion. He stated Sudbury, and other Minuteman District member towns, have had concerns regarding the proposed size of a new Minuteman facility and the ways the new facility would be funded. Selectman Simon noted there have been related meetings with representatives from the 16 member towns in August, and the MSBA held a related meeting on August 6, 2015.

State Representative Carmine Gentile stated State Treasurer Deb Goldberg chaired a MSBA meeting on August 6, 2015. Representative Gentile stated the need for vocational training in Massachusetts was presented at the meeting. He further stated no one seems to dispute the need for a new Minuteman facility. Representative Gentile explained the MSBA voted unanimously to allow the plan for a 628-student school to move forward, and Minuteman is to prepare schematics accordingly. He highlighted Wayland has voted to be removed from the Minuteman District, and eight of the current 16 member towns send approximately 13% of the students to the school, but they pay approximately 50% of the costs. Representative Gentile further highlighted four of the member towns, which are displeased with the Minuteman proposal, represent 53% of a district-wide popular vote. He stated it is possible Minuteman could decide to pursue a District-wide election, if other approaches do not succeed. Representative Gentile stated it has been estimated the

current facility would need \$100 million to restore versus \$140 million for a new facility. He explained legislation was passed in March 2015 which allows the Minuteman School Committee to capture capital funding from non-member students/towns.

Selectman Simon stated the Minuteman issues are complex. However, he further stated he believes it comes down to the member towns, which send 385 students currently to the school, and which are subsidizing the cost of educating non-member students by paying a higher tuition rate and by paying completely for capital costs. Selectman Simon believes the potential ongoing operating costs for the next several decades for the out-of-District students should be a factor considered by Sudbury. He also stated he does not believe Minuteman has managed its finances well. Selectman Simon stated he is also concerned that, if non-member towns are charged for capital costs in the future, they may decide to develop in-house programs or go elsewhere for vocational training. He stated the Minuteman School Committee will hold a meeting on September 8, 2015, and he opined that it may decide to ask for a District-wide election. Selectman Simon believes Sudbury needs to prepare for this possible outcome, and he emphasized the stakes are high for Sudbury taxpayers.

Vice-Chairman Iuliano asked if there has also been interest indicated in allowing for revisions to be made to the current member and non-member tuition rates. Representative Gentile stated the tuition rates are set by the State.

Selectman Woodard asked if the capital cost regulation is enforceable and who holds the accompanying political clout. He noted there are currently 748 students enrolled, but the new school proposal is for 628 students. Thus, Selectman Woodard stated this might be incentive for non-member towns to become members to ensure their students continue to be accommodated. He believes this could be a potential outcome if it were managed well by the School Committee. However, Selectman Woodard further stated he has concerns whether the School is well managed.

Selectman Haarde stated he believes there are so many out-of-District students because those towns realize they get a great deal. He further stated that, if the great deal is taken away, it is possible the non-member towns will look for alternative choices. Selectman Haarde stated the proposed student numbers do not add up.

Representative Gentile emphasized the Sudbury students who are currently attending Minuteman will continue with their education there. However, due to controversy about the future of the facility, he also stated it is possible some parents have shied away from currently choosing Minuteman as an option for their children.

At 8:28 p.m., Chairman Brown thanked State Representative Carmine Gentile for his update, and the discussion was concluded.

Melone Property Environmental Data Review – Scope of Services Discussion

Present: Assistant Planner Jim Kupfer

At 8:28 p.m., Chairman Brown welcomed Assistant Planner Jim Kupfer to the Meeting to discuss the scope of services regarding the Melone property environmental data review. The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated August 13, 2015, and accompanying draft “Town of Sudbury Request for Qualifications Melone Property Environmental Data Review,” a list of the Department of Environmental Protection (DEP) reports on the Sperry Rand/Unisys property, a link to DEP’s website for a list of all Licensed Site Professionals

(LSP), a list of engineering firms with which Sudbury has worked with their LSPs, and a DEP "Guide to Licensed Site Professionals."

Mr. Kupfer stated the Board had previously requested a draft scope of services be presented to procure the services of a qualified environmental engineer to report on the status of the Sperry Rand/Unisys contamination and its impact on the Melone property. He explained the primary focus of the independent firm will be to review the existing reports (over 180 filed with the DEP). Mr. Kupfer stated the next steps include the Board finalizing the scope of services to be reviewed by Town Counsel and deciding which LSPs to send it to.

Selectman Woodard stated the key objective of the data review is to help the Town understand the status of any soil and/or groundwater contamination, or lack thereof. Mr. Kupfer stated the third-party review of the monitoring data from 1985 to June 2015 would help to provide the Town with a risk basis for future development.

Selectman Haarde asked if the monitoring wells are on the Melone site. Mr. Kupfer stated there are, and he referenced a map which indicated two monitoring wells. Selectman Haarde asked to view the map. He then indicated a section of the property, which could be developed in the future, but where there do not appear to be any monitoring wells.

Vice-Chairman Iuliano stated she envisions the LSPs hired would identify any gaps of information for the Town and they would offer recommendations. She suggested this be added to the scope of services.

Selectman Woodard stated he believes the Town should wait to see what conclusions the LSPs draw and what recommendations are made, since no one on the Board is qualified to assess the data.

Chairman Brown read aloud a possible revision which was submitted for the scope of services. The consensus of the Board was the submitted revision should be added to the scope of services.

Selectman Simon stated he likes that the scope of services reviews the historical data, covers what has been done to date and that it will consider the future.

Chairman Brown suggested the draft scope of services could also be shared with the Sudbury Water District and the Board of Health for input. She also asked if the LSPs to be hired will be familiar with the type of (low density vs. high density) contaminants previously found.

Selectman Woodard suggested Mr. Kupfer should collect input from Town Counsel, the Board of Health and the Sudbury Water District, and he should present a revised scope of services at the next Board Meeting on September 8, 2015. Chairman Brown asked Board members to provide their input to Mr. Kupfer prior to August 31, 2015. Selectman Woodard asked who would narrow the field of LSP firms to receive the scope of services.

Selectman Haarde stated he does not agree with the approach being taken. He believes the Town should do what was originally proposed, which included establishing an independent committee to conduct public meetings to develop a Request for Proposal to be sent out to all possible bidders. Selectman Haarde does not think it is a good idea for the Town to narrow the list to only LSPs it has worked with before. He believes the original process should be followed and the project should be completed as an open bid, or the resulting report may not be accepted as an independent one by the public.

Selectman Woodard stated the Board has been elected by the citizens to represent them. Selectman Simon concurred.

Vice-Chairman Iuliano highlighted the Planning Department did not suggest narrowing the selection list of LSP firms, but rather they simply provided a few names to consider. She believes no plan has yet been set as to which firms will receive the Request for Qualifications (RFQ) and that any further suggestions would be welcomed. Mr. Kupfer confirmed her statements to be accurate.

At 8:45 p.m., Chairman Brown reiterated the Board should provide its input to Mr. Kupfer by August 31, 2015, and she concluded the discussion.

Buddy Dog – Update

Present: Buddy Dog's attorney Michael Fee and Buddy Dog Board of Trustees' member Steve Burt

At 8:45 p.m., Chairman Brown welcomed Attorney Michael Fee to the meeting to update the Board on Buddy Dog's relocation plans.

Mr. Fee introduced Buddy Dog Board of Trustees' member Steve Burt to the Board to provide an update.

Mr. Burt stated Buddy Dog had made a statement six months ago it would suspend its intentions to relocate to Wayside Inn Road for six months. In the interim, he stated Buddy Dog has explored other options which were not available to it when it purchased the land on Wayside Inn Road. Mr. Burt stated he met with Chairman Brown and Selectman Simon during Board Office Hours recently. He reported EverSource moved its Sudbury substation in the past 18 months to a site behind 163 Boston Post Road, and on the property adjacent to the current site of Buddy Dog, it is storing telephone poles and using 163 Boston Post Road for access to its new substation. Mr. Burt explained Buddy Dog leased approximately 5,000 square feet a few years ago from EverSource (then NStar) for parking. He further explained Buddy Dog has had discussions with EverSource regarding expansion plans, and it will continue to work towards an agreement with the company. Mr. Burt asked the Board to support Buddy Dog's efforts to obtain the adjacent property and, if the opportunity arises, to support Buddy Dog's plans with Ever Source. Mr. Burt explained one impediment to reaching an agreement with EverSource has been the storage of its poles. He stated there is a possible Town-owned site, which may become available to offer a lease to EverSource for storage of the telephone poles. Mr. Burt stated Buddy Dog needs a new facility, and it wishes to remain in Sudbury, and he asked for the Board's support of Buddy Dog's efforts.

Selectman Simon stated he is pleased a viable solution has been presented, which eliminates many of the concerns related to a Wayside Inn Road re-location. He believes these new initiatives will be welcomed news for many citizens. Selectman Simon asked if a purchase or a lease is being considered for 163 Boston Post Road. Mr. Burt stated several options are under consideration. Selectman Simon clarified EverSource will need a location to store its telephone poles, and if a lease is signed with the Town, it will also provide revenue for the Town. He stated he views the proposed negotiations as a "win-win-win" situation.

In response to a comment from the Board, Attorney Fee clarified the Town-owned facility is related to the Wayland-Sudbury Septage Facility, and it could become available August 1, 2017.

In response to a question from the Board, Mr. Burt summarized Buddy Dog's idea to build a smaller new shelter at 163 Boston Post Road as the adoption center, with a community room, and later to renovate the current shelter to include a new clinic. He stated the plans are ambitious because they also include a goal of raising approximately \$4.5 million.

At 9:00 p.m., Chairman Brown thanked the gentlemen for the update, and the discussion was concluded.

Budget Strategy Task Force – Status Report

At 9:00 p.m., Chairman Brown opened a discussion regarding a status report from the Budget Strategy Task Force. The Board was previously in receipt of a list of “Cost Center Allocation Questions.”

Selectman Woodard read aloud the mission statement of the Budget Strategy Task Force, and he described its membership composition. He stated the Task Force has met this summer and it will continue its work through the Fall. Selectman Woodard summarized work completed to date, including gathering historical data from the three cost centers and meeting with representatives from the three cost centers to discuss budget pressures. He stated the Task Force will be asking six other towns, which have regional school systems, how cost center allocations are made, and he referred to a list of questions prepared by the Task Force to send/ask other towns. Selectman Woodard stated the Task Force’s next meeting will be held on September 1, 2015.

Chairman Brown noted the Task Force meetings held are available on SudburyTV.org, but she was not able to find meeting minutes on the Town website. Finance Committee Chair and Budget Strategy Task Force member Susan Berry stated there are draft minutes for two previous meetings held, which will be voted on September 1, 2015.

Selectman Woodard stated he anticipates another update will be provided to the Board once feedback is received from the other towns with regional school systems and when the Task Force has more information regarding how out-of-district costs are budgeted.

Fairbank Community Task Force – Status Report

Present: Fairbank Community Task Force Co-Chairman Jack Ryan and Facilities Director Jim Kelly

At 9:09 p.m., Chairman Brown welcomed Fairbank Community Task Force Co-Chairman Jack Ryan and Facilities Director Jim Kelly to the Meeting to provide the Board with a report. The Board was previously in receipt of copies of an email from Interim Town Manager Maryanne Bilodeau dated July 29, 2015 providing a link to the Fairbank Community Center Feasibility Study from March 2015.

Mr. Ryan referenced the March 2015 Feasibility Study, noting the 279-page report and appendices provide information regarding the current Fairbank building and a possible new community center. He further stated the Study is available on the Facilities Department’s section of the Town website. Mr. Ryan stated the study concluded it is not cost effective to renovate the current structure, and it recommends building a new structure. He explained the Study provides three design options which work around the existing Atkinson Pool. Mr. Ryan stated a public forum regarding Fairbank was held last spring, and public input was received. He noted the three designs proposed are 40,000, 50,000 and 60,000 square-foot options, including the Pool. It has been suggested the 60,000 square-foot option best meets the current and projected future needs of the primary current users, the Park and Recreation Department and the Senior Center.

Mr. Ryan stated the consensus of the Task Force is that a new, 60,000 square-foot building should be constructed, sooner rather than later. He highlighted the Fairbank roof has been patched and maintained by Mr. Kelly and his staff, but its condition continues to deteriorate. Mr. Ryan emphasized the Task Force is cognizant of other pending Town building projects, and thus it is working with the Permanent Building Committee (PBC) and the Town Hall Blue Ribbon Committee to best coordinate needed projects. He further stated the Task Force believes it should present its recommendations to the Board of Selectmen for the Board to consider making a request at the 2016 Annual Town Meeting for a sum of money for a design firm to

prepare construction documents for a new community center. Mr. Ryan stated this project will need to be discussed in several Town venues with several groups, and it will require further budget analysis. He also stated the Task Force believes an additional design option should be considered which includes new aquatic facilities. Mr. Ryan stated the Atkinson Pool is 20 years old, and senior citizens do not use it as much as they might because its temperature is maintained for competitive swimming.

Mr. Ryan stated the Task Force has discussed that construction of a new facility will cause a long-term disruption to current users and their programs. The group has questioned whether temporary facilities will need to be found/built. He stated the consulting firm which completed the Feasibility Study will meet with the Task Force to advise regarding next steps and costs. Mr. Ryan stated then the Task Force will finalize its recommendations to be brought back to the Board.

Vice-Chairman Iuliano asked if the rumors she has heard regarding re-routing Fairbank Road are true.

Facilities Director Jim Kelly stated he has discussed this possibility with the DPW Director Bill Place. He and Mr. Ryan stated some creative ideas have been put forth, and every idea is being considered.

Selectman Woodard asked how public input would be solicited for a proposed new community center. He suggested this might be a good topic for the upcoming Town Forum. Selectman Woodard stated more information will be needed regarding how much it will cost to relocate the building's current users and activities.

Mr. Kelly stated this is always a concern for all projects. He noted Town staff works hard to reach as many audiences as possible with information prior to Town Meetings, articles in the *Town Crier* and postings on the Town website.

Mr. Ryan stated the proposed 60,000 square-foot structure is estimated to cost \$20+ million, and the 40,000 option was estimated to cost \$14 million. It was noted these figures do not include the costs for temporary relocation. Selectman Woodard stated proposed operating budgets should also be prepared.

Vice-Chairman Iuliano asked if it is known where the Sudbury Public School (SPS) administration would be moved. Mr. Kelly stated many topics have been discussed this summer, including this and many other intermingled issues. Mr. Ryan stated SPS, Park and Recreation and the Senior Center will all be asked for ideas about what they will do if construction is to commence in the summer of 2017.

Selectman Simon stated the sequencing of capital expenses as part of an overall plan is important for the Town and citizens to know, and he asked the Task Force to be mindful of this. Mr. Kelly stated most of the major pending projects are part of the Capital Improvement Advisory Committee's forecast.

Sudbury resident Kristen Roopenian, 45 Harness Lane, noted it took the Town a few Town Meetings to obtain approval for a new Police Station for \$8 million. If it takes time for a new project to be approved, Ms. Roopenian expressed concern regarding the safety of the current building and its inhabitants. She asked if there is a back-up plan, if the building were to become too dangerous. Ms. Roopenian also asked about whether there would be any private funding for a new center, noting new revenue-generating options should be discussed as part of new building projects. She noted she lives near the Fairbank site, and that she and her neighbors on Harness Lane have been impacted by the Haskell Field activity. Ms. Roopenian cautioned the Board, that Harness Lane residents, including herself, would likely not look favorably on another multi-year building construction project in close proximity to their homes.

Mr. Ryan stated the Task Force is aware of concerns related to the Haskell location as well as those of abutters.

Chairman Brown stated it may be a problem coming back to the Board asking for funding because she is unaware of available Town funds which could be used. Sudbury Finance Committee Chair Susan Berry concurred, stating she is not aware of any excess funds.

At 9:44 p.m., Chairman Brown thanked Mr. Ryan and Mr. Kelly for the information, and she concluded the discussion.

Methods Machines Site Plan – Release Performance Bond

At 9:45 p.m., Chairman Brown opened a discussion regarding releasing the performance bond held by the Town for the Methods Machines Site Plan. The Board was previously in receipt of copies of a letter from Director of Planning and Community Development Jody Kablack dated August 6, 2015, recommending release, an email from Dave Duane dated July 21, 2015 requesting payment, a letter from the applicant's engineer Thomas DiPersio, Jr. dated June 22, 2015 and accompanying Town of Sudbury Stormwater Management Bylaw Certificate of Completion, and the Town of Sudbury Site Plan Decision Sudbury Board of Selectmen Macot Realty Trust/Methods Machine 65 and 71 Union Avenue dated February 12, 2013, and the Town of Sudbury Site Plan Modification Decision Sudbury Board of Selectmen Macot Realty Trust/Methods Machine 65 and 71 Union Avenue dated April 28, 2015.

Interim Town Manager Bilodeau referenced Ms. Kablack's letter, noting there are no outstanding issues, and the work has been completed in compliance with the conditions.

It was on motion unanimously

VOTED: To release the performance bond held by the Town of Sudbury in the amount of \$19,154.00, plus any interest accrued, for the Methods Machines Site Plan approval dated February 12, 2013 and modified on April 28, 2015, for property located at 65 & 71 Union Avenue, based on the recommendation of the Director of Planning and Community Development dated August 6, 2015.

Town Counsel – Policy for Accessing Services – Discussion and Vote

Chairman Brown stated the discussion regarding the draft policy for accessing Town Counsel services needs to be postponed to allow Vice-Chairman Iuliano additional time to prepare relevant materials. The Board was previously in receipt of the revised draft, and highlighted and red-lined versions of the "Policy on Access to Town Counsel and Confidentiality of Attorney-Client Communications."

Town Forum – Planning Discussion and Report on Lincoln State of the Town Meeting Format

At 9:47 p.m., Chairman Brown opened a discussion regarding planning for the Fall 2015 Town Forum. Vice-Chairman Iuliano distributed copies tonight of a list of related items for the Board to consider.

Vice-Chairman Iuliano stated scheduling a Saturday Town Forum this year would be difficult because the only possible date is November 14, 2015. She recommended holding the 2015 Forum on a weekday evening, and asking attendees this year their thoughts about a Saturday Forum for next year. Vice-Chairman Iuliano proposed six possible dates for the Forum, and she asked Board members to email her regarding their availability. She asked for suggestions regarding how long the Forum should be, and she asked if a new location other than Town Hall should be considered. The consensus was that two hours should suffice. Vice-

Chairman Iuliano stated she believes communication should be one of the topics discussed. She suggested a survey be posted on the Town website to help solicit interest in other topics, and she asked Board members to also email suggestions to her.

Selectman Woodard stated it would be helpful to encourage the community to participate in as many ways as possible.

Chairman Brown noted there is no list yet as to who will be asked to attend. A brief discussion ensued regarding whether topics should be advertised ahead of time or generated at the Forum. Selectman Simon stated it would be helpful to know the topics in advance so as to think about them and prepare for the discussion. Selectman Haarde stated he believes the Forum should be more about listening to the public and less about canned presentations. Vice-Chairman Iuliano asked if Selectman Haarde had a specific suggestion regarding the format. He stated he would prefer a higher percentage of the agenda be allocated to open discussion. Chairman Brown stated she likes the idea of a survey.

At 10:07 p.m., Chairman Brown asked the Board to let Vice-Chairman Iuliano know, prior to August 27, 2015, their preferences regarding dates to hold the Town Forum and topics to be discussed, and she concluded the discussion.

Codes of Conduct and Ethics - Discussion

At 10:08 p.m., Chairman Brown opened a discussion regarding memorializing Codes of Conduct and Ethics for all Town board and committee members, including the Board of Selectmen. The Board was previously in receipt of copies of a draft "Code of Conduct for Town of Sudbury Committees Whose members are appointed by the Sudbury Board of Selectmen or the Sudbury Town Manager."

Chairman Brown suggested, and the Board concurred, the second sentence of the draft be deleted. It was also suggested the words "Board of Selectmen" be added to the title of the document after the word "for."

Selectman Woodard and Selectman Simon stated they believe the Board should hold itself at least to the same standards as it does other Town board and committees, noting it should set the tone for the Town.

Chairman Brown asked what happens if one Board member thinks another Board member has not complied with the code. It was also asked how the code would be enforced.

Selectman Haarde stated he does not agree that items #6 and #15 in the draft should be part of an official code of conduct.

Vice-Chairman Iuliano referenced an approved 2004 version of the Code of Conduct which already includes the items mentioned by Selectman Haarde. She asked if the Board should have its own Code of Conduct or whether it should be combined into one uniform document. Chairman Brown noted there is also a Code of Conduct adopted by the Board July 11, 2006 and revised September 8, 2009.

Selectman Simon stated the Code of Conduct should be self-enforced, and if someone is unable to abide by its content, they should not choose to run for elected office or they should resign.

Selectman Woodard stated enforcement will also occur by the voters at the ballot box.

Chairman Brown asked Vice-Chairman Iuliano to provide Interim Town Manager Bilodeau with a copy of the 2004 version, noting the two documents will be compared and discussed at the Board's next meeting.

Ballot Question – Discussion of “Pro” and “Con” Wording

Chairman Brown opened a discussion regarding the “pro” and “con” wording of Ballot questions. The Board was previously in receipt of copies of a handout entitled “Ballot Question Arguments Pro and Con Application of Chapter 180 of the Acts of 1996 prior to August 20, 2015,” and relevant emails from former Town Manager Maureen Valente to now Chairman Pat Brown dated February 2, 2012, from Chairman Brown to the then Board of Selectmen dated February 1, 2012, and from Chairman Brown to the Rail Trail Conversion Advisory Committee dated February 2, 2012, and the relevant section of Massachusetts General Laws Chapter 180.

Chairman Brown provided a brief background regarding how the Home Rule Act in Sudbury has been handled in recent years regarding drafting the 250-word arguments for and against articles for the Town Warrants. If there has not been a willing party to prepare a position, the previous default position was to have it drafted by Town Counsel. Chairman Brown suggested there should be a defined process in order to meet the Town Warrant deadlines.

Selectman Simon suggested, and the Board concurred, that Town Counsel be requested to prepare recommendations for a process and accompanying timeline for the Board’s review. He also noted this Home Rule Act might have implications regarding Minuteman, if the School Committee decides to pursue a District-wide election.

Board of Selectmen Meeting Calendar – Discussion and Possible Reschedule of September 29, 2015 Meeting

It was on motion unanimously

VOTED: To reschedule the Board of Selectmen’s September 29, 2015 Board of Selectmen Meeting to September 17, 2015.

Town Manager Candidate Interviews – Schedule a Date

Chairman Brown asked the Board to consider a few suggested dates to schedule Town Manager candidate interviews. She explained the Interview Panel would be conducting its interviews of six candidates on August 26, 2015, and it will provide feedback to Municipal Resources, Inc. (MRI). Three finalists will then be recommended by MRI to the Board to be interviewed. Chairman Brown suggested the session could begin at 6:00 p.m., with each candidate being interviewed for an hour starting at 6:30 p.m., followed by discussion by the Board at approximately 9:30 p.m. regarding assessments of the candidates.

It was on motion unanimously

VOTED: To request Interim Town Manager Bilodeau to ask MRI if it is possible to coordinate the Town Manager candidate interviews for a September 10, 2015 meeting to begin at 6:00 p.m.

Future Board of Selectmen Agenda Items - Discussion

Chairman Brown asked if anyone had requests for future Board agenda items, and none were offered. She mentioned the Board might want to consider in the future that it is not legally clear when job performance can be discussed in open session and when it crosses into discussion of someone’s character and reputation,

which needs to be discussed in Executive Session, noting the person needs to be present and can be accompanied by counsel.

Minutes

Selectman Woodard submitted a revision to insert the following words “ the proportion of member and non-member students” to the end of the sentence of the first full paragraph on page 4, after the word “knowing,” of the draft Regular Session Meeting Minutes of July 28, 2015.

It was on motion

VOTED: To approve the Regular Session Meeting Minutes of July 28, 2015 as amended.

Selectmen Simon and Haarde abstained from the vote.

Bullfinch's Restaurant - Sunday Entertainment License Renewal

It was on motion unanimously

VOTED: To renew the current Sunday Entertainment License for Bullfinch's Inc., d/b/a Bullfinch's Restaurant, 730 Boston Post Road, for a live jazz trio from 11:00 a.m. to 2:00 p.m., for the period of September 6, 2015 to August 31, 2016.

One-Day Wine & Malt License – Goodnow Library

It was on motion unanimously

VOTED: To grant a one-day All Alcohol license to Goodnow Library Foundation, Inc., to accommodate an Annual Fundraiser on Saturday, October 24, 2015 from 6:30 p.m. to 9:00 p.m. at Goodnow Library, 21 Concord Road, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

Community Preservation Committee – Resignation

It was on motion unanimously

VOTED: To accept the resignation of Seamus O’Kelly, 16 French Road, from the Community Preservation Committee, and to send him a letter of appreciation for his service to the Town.

There being no further business, the meeting adjourned at 10:35 p.m.

Attest: _____
Maryanne Bilodeau
Interim Town Manager-Clerk

Documents & Exhibits

3. *Report from Representative Carmine Gentile on MSBA Board meeting regarding Minuteman High School*

Attachments:

- a) Minuteman_all_docs
- b) MM_MSBA_PSR Presentation_2015-0624 FINAL eab v3_2_pgs
- c) MSBA Endorses Minuteman Project 08-06-15 scs

4. *Review Melone Property Environmental Data Review - Scope of Services for LSP. Jim Kupfer, Assistant Planner, will attend.*

Attachments:

- d) PCD Env Data Review Cover Memo and Scope

6. *Report on status of the Budget Strategy Task Force, and seek feedback from the Board.*

Attachments:

- e) Cost Center Allocation Questions

7. *Report from Fairbank Community Task Force. Jack Ryan, co-chair, will attend.*

Attachments:

- f) Fairbank Community Center Feasibility Study

8. *Vote to release the performance bond held by the Town of Sudbury in the amount of \$19,154.00, plus any interest accrued, for the Methods Machines Site Plan approval dated February 12, 2013 and modified on April 28, 2015, for property located at 65 & 71 Union Ave, based on the recommendation of the Director of Planning and Community Development dated August 6, 2015.*

Attachments:

- g) Performance Bond Release Memo and attachments

9. *Discussion and vote on policy for accessing Town Counsel services*

Attachments:

- h) TownCounselPolicy_2015_Mar_10
- i) Town Counsel Policy 2.24.15
- j) Town Counsel Policy 2.24.15_markup

11. *Review and possibly vote changes to the Codes of Conduct and Ethics for all Town board and committee members, including Board of Selectmen*

Attachments:

- k) Code of Conduct for Committees 8-09

12. *Discussion on Ballot question "pro" and "con" wording*

Attachments:

- l) Ballot Question Arguments Pro and Con
- m) ballot questions materials
- n) RTCAC Pro and Con position statements for rail trail articles
- o) RTCAC Quorum on January 9 Perhaps not Time Critical Information Please read ASAP
- p) SpecialAct-BallotQuestionInfoc180of1996

16. *Vote to approve the regular session minutes of 7/28*

Attachments:

q) BOS 7-28-15_draft

17. *Vote to renew the current Sunday Entertainment License for Bullfinch's, Inc., d/b/a Bullfinch's Restaurant, 730 Boston Post Road, for a live jazz trio from 11:00 a.m. to 2:00 p.m. for the period of September 6, 2015 to August 31, 2016.*

Attachments:

r) Bullfinchs Sunday Application Materials 2015

18. *Vote to grant a 1-day All Alcohol license to Goodnow Library Foundation, Inc, to accommodate an Annual Fundraiser on Saturday, October 24, 2015 from 6:30 PM to 9:00 PM at Goodnow Library, 21 Concord Rd, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.*

Attachments:

s) Goodnow Annual Fund BOS
t) Oct Goodnow Approvals 2015

19. *Vote to accept the resignation of Seamus O'Kelly, 16 French Road, from the Community Preservation Committee and thank him for his service to the Town.*

Attachments:

u) Okelly_CPC