

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, NOVEMBER 17, 2015

Present: Chairman Patricia A. Brown (arrived 7:45:P.M.), Vice-Chairman Susan N. Iuliano, Selectman Charles C. Woodard, Selectman Robert C. Haarde, Selectman Leonard A. Simon, and Town Manager Melissa Rodrigues

The statutory requirements as to notice having been complied with, the meeting was convened at 7:33 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

At 7:33 p.m., Vice-Chairman Iuliano opened the meeting. She announced a State Community Preservation Act (CPA) match of 32% was received by the Town totaling approximately \$534,729. Vice-Chairman Iuliano and Town Manager Rodrigues cautioned residents to expect traffic delays tomorrow morning due to paving work to be done in the Town Center. Vice-Chairman Iuliano also announced the upcoming holiday hours for Town Offices, which will close at 12 noon on November 28, 2015 and they will be closed on November 26, and November 27, 2015. Offices will also close at 12 noon on December 24, 2015 and December 31, 2015, and they will be closed on December 25, 2015 and January 1, 2016. She also announced the Community Preservation Committee will conduct Public Hearings on November 18 and December 2, 2015 to review FY17 Project Submissions. Selectmen's Office Hours will be held on Wednesday, December 2, 2015 in the Thompson Room of the Flynn Building from 9:00-10:00 a.m., with Vice-Chairman Iuliano and Selectman Simon in attendance. Vice-Chairman Iuliano stated the Town needs a volunteer to represent Sudbury on the Minuteman Regional School Building Committee, and she noted important issues are now being deliberated by the Committee.

**Reports from the Town Manager**

Town Manager Rodrigues thanked the Sudbury Military Veterans Group and everyone who coordinated the well-attended Veterans' Day Appreciation Luncheon. She also thanked Vice-Chairman Iuliano for hosting the Town Forum, which was very productive.

**Reports from the Board of Selectmen**

Selectman Woodard stated he thought the Town Forum was well attended, and that the Town has gotten better at structuring the meeting each year. He also attended the HOPEsudbury telethon, which raised more than its goal for this year's event.

Selectman Simon stated he attended two Minuteman Regional Vocational High School District-related meetings. Sudbury hosted a meeting on November 14, 2015 with representatives from six member towns regarding whether to endorse a District-wide election. Selectman Simon stated the second meeting was on November 16, 2015 at 7:30 a.m., where Minuteman administration presented its plan for a new facility and for funding support. He stated six member towns do not support a District-wide election. He distributed copies to the Board of a handout from the meeting of a Minuteman PowerPoint slide presentation entitled, "Building Project: A District Wide Perspective and Discussion." Selectman Simon stated a follow-up meeting is scheduled in Weston on December 2, 2015 for member-town Selectmen to further discuss options.

On November 9, 2015, Selectman Haarde stated he attended a Mission Gratitude fundraiser at Symphony Hall for the Home Base Program, which treats the invisible wounds of war. The event raised \$1.2 million for this worthy cause. He also attended the Veterans' Appreciation Luncheon at the Senior Center, noting the Wayside Inn provided the food, and Felicia Pinckney from the Home Base Program was a speaker. Selectman Haarde also attended the Viet Nam War Memorial Ceremony, noting Selectman Woodard remarks were well done. He also attended a Fairbank Center Study Group meeting, noting the group is close

to deciding next steps. Selectman Haarde congratulated the Lincoln-Sudbury Regional High School Boys' and Girls' Soccer teams, which are both playing tonight in the State Semi-Final Championships.

Vice-Chairman Iuliano thanked all who helped coordinate and participate in the Town Forum. She has received positive feedback regarding the Forum, and particularly, the input provided by Director of Planning and Community Development Jody Kablack, Facilities Director Jim Kelly and the handling of the discussion by Town Moderator Fee. She explained there were unanticipated telecommunication difficulties which prevented a live broadcast, but she encouraged residents to view the Forum when it is available online and to complete the survey on the Town website. Vice-Chairman Iuliano also attended a meeting of the Sudbury Housing Authority. She recognized and highlighted the many recent events (Hopesudbury telethon, the Viet Nam Veterans' Memorial ceremony, and the Veterans' Appreciation Luncheon) which were so well organized and supported by the community.

Chairman Brown stated State Representative Carmine Gentile contacted her today to update her on the status of Sudbury's Senior Tax Relief bill which is still in Committee review. The Board has been asked to provide a response to the State as to whether the bill will need to be renewed every three years by the Selectmen or by a Town Meeting vote. Chairman Brown suggested this should be scheduled as a future agenda item. She announced the Site Eligibility Applications filed with MassHousing by Avalon Bay and Sudbury Station LLC can be accessed on the Town website or at the second floor Reference Desk of the Goodnow Library.

### **Citizen's Comments**

At 7:49 p.m., Chairman Brown recognized Sudbury citizen Geoff Phillips, 125 Hudson Road.

Mr. Phillips stated he is concerned about the narrow scope of the proposed A.S.K. Proclamation to possibly be signed by Sudbury. He distributed a handout to the Board of statistics from the Center for Disease Control which he believes clearly shows that there are many more prevalent dangers to children than those presented by unlocked guns. Mr. Phillips stated he does not minimize the danger of guns, but he questions whether this should be the sole focus by the Board, if child safety is really the objective. Mr. Phillips believes supporting this campaign will establish a precedent for what could become a "slippery slope."

### **A.S.K. Gun Safety Program – Discussion and Possible Vote to Sign Proclamation**

At 7:53 p.m., Chairman Brown opened a discussion regarding whether to sign a proclamation for the gun safety program called A.S.K., which was continued from the November 3, 2015 meeting. The Board was previously in receipt of copies of a draft proclamation and an email from Sudbury resident Geoff Phillips, 125 Hudson Road, dated November 6, 2015.

Vice-Chairman Iuliano noted the Board broached at its last meeting the possibility of other issues coming before the Board for support. However, she stated this issue was brought to the Board's attention by our State Representative, as part of a broader campaign, and this was the particular issue before the Board.

Selectman Haarde stated he would be inclined to support proclamations on all the other dangers mentioned by Mr. Phillips tonight, but he noted the Board was only presented with this issue, which seemed like a good idea to support.

Selectman Woodard stated he thinks it is a straightforward request to support a broader campaign.

Selectman Simon stated the only issue before the Board was the A.S. K. initiative, and the Board took a position on the issue. He stated Mr. Phillips has raised good points tonight, and the Board would likely consider them, if it were asked to do so. Selectman Simon stated he and Selectman Woodard revised a sample proclamation to prepare a draft which focuses on the simple A.S.K. concept. Vice-Chairman Iuliano stated she liked the revisions made to the draft.

Chairman Brown stated it is important to note that the signing of a Proclamation would not impose any influence on Sudbury's Police Department in regard to how it does its job. She also stated that, if the will of the Board is to support this campaign with a Proclamation, then the Board should probably discuss as a future agenda item how it will handle similar other requests that do not fall within its authority.

Mr. Phillips stated he believes signing a proclamation will set a precedent, and he questioned where it will stop regarding all the other types of requests for support which could be brought to the Board

It was on motion

VOTED: To sign the proclamation read aloud tonight, which recognizes the work of the Asking Saves Kids (A.S.K.) campaign, promoting parents communicating with others to enhance child safety related to unlocked firearms.

Chairman Brown abstained from the vote.

**National Development – Development Agreement Negotiations – Discussion and Possible Vote on Letter to be Sent to National Development**

At 8:05 p.m., Chairman Brown asked Selectman Haarde to update the Board on negotiations with National Development.

Selectman Haarde stated he, Director of Planning and Community Development Jody Kablack, Town Manager Rodrigues and Town Counsel Barbara Saint Andre had one meeting to discuss the Town's needs and strategy, and they will meet again tomorrow.

Vice-Chairman Iuliano asked if the Board could provide the negotiation committee with input.

Selectman Haarde stated many Town boards and committees have been asked to provide input.

Selectman Woodard asked if the Board will be provided with a draft list of asks before the agreement is finalized. He believes the Board should have a chance to review and comment on items for inclusion in the final agreement.

Town Manager Rodrigues stated that certain aspects regarding the negotiation agreement should not be discussed publicly, and that the committee will meet with the developer tomorrow for the first time. Ms. Rodrigues stated Town Department Heads have provided input. She cautioned it could be detrimental to negotiations to discuss certain things publicly.

Selectman Simon stated he would be interested in knowing the input received, and he would like to see as much of the process as possible discussed in open public sessions.

Vice-Chairman Iuliano stated she would like to provide input, but she understands it would not be in the Town's best interests to open up the negotiation process.

Chairman Brown stated Ms. Rodrigues has had prior experience with similar agreements, and thus, she is willing to trust her recommendations. Ms. Rodrigues stated these types of agreements are typically done in private by the team designated. However, she mentioned the Board would be involved in prioritizing content.

Selectman Simon stated this is the largest development proposed for the Town in decades, and it may be the most important one, which has the most financial impact, which will be proposed for years to come. He reiterated he does not understand why it cannot be discussed openly.

Chairman Brown stated it would be helpful for the Board to review a process outline. She also asked the Board to submit specific ideas and input to members of the committee.

Selectman Haarde stated a list of asks could be presented to the Board at some point in the process. He suggested Board members send comments to Ms. Rodrigues, noting he would prefer if all Selectmen are involved in the process. Vice-Chairman Iuliano stated this should be a comprehensive list of the brainstorming ideas presented, but it should not include the planning strategy for the negotiations by the committee.

Town Manager Rodrigues stated she would provide a process outline and the list of asks to the Board at a future date.

Sudbury resident Kirsten Roopenian, 45 Harness Lane, suggested two Selectmen be on the negotiation committee to avoid potential feedback that decisions are made “behind closed doors.” Chairman Brown explained that, if two Selectmen are assigned to the committee, it becomes a subcommittee, and thus it would be subject to Open Meeting Law regulations.

#### **Melone Property – Request for Quotation Responses – Discussion and Possible Vote**

At 8:20 p.m., Chairman Brown asked Vice-Chairman Iuliano and Selectman Haarde to update the Board on the reference checks they performed on GeoInsight, Inc., Weston & Sampson, and Bois Consulting Co., Inc. The Board was previously in receipt of copies of an email from Director of Planning and Community Development Jody Kablack dated November 9, 2015 and an email from Michael Webster from GeoInsight, Inc. dated November 9, 2015, noting additional tasks not listed in the Request for Quotation (RFQ) could be completed for an additional \$5,400.

Selectman Haarde provided a brief summary of his reference checks on GeoInsight and Bois Consulting. Feedback received was positive regarding both companies. He stated he had a long conversation with the Chair of Framingham’s Board of Health who spoke glowingly about Bois.

Vice-Chairman Iuliano provided a brief summary of the reference checks on GeoInsight and Weston & Sampson. She stated both companies received similar positive feedback, noting she was told GeoInsight was great presenting and communicating its findings to the public and Weston & Sampson was very good at listening to constituencies.

Town Manager Rodrigues stated Director of Planning and Community Development Jody Kablack is attending another meeting tonight. However, Ms. Kablack mentioned to her that the Town likely only needs items 1,2, and 5 to accomplish the goals of the RFQ as were noted in GeoInsight’s recommended additional tasks in Mr. Webster’s November 9, 2015 email.

Selectman Woodard stated he believes that, given the magnitude of the issue, the focus should be on choosing the firm which will do the best job, and the difference of a relatively small amount of money should not be the deciding factor.

Selectman Simon stated all three firms which were checked for references appear well qualified. He further stated he liked GeoInsight's emphasis on the Sudbury Water District and water information. He also believes GeoInsight's additional recommendations indicate the firm will be proactive in its analysis, which could help the Town have high confidence in its work product.

Selectman Haarde stated he prefers Bois, and he believes they have a renowned team of consultants available to do the work.

Vice-Chairman Iuliano stated she prefers GeoInsight because she thought it submitted a comprehensive proposal and it emphasized the impacts on the Town's water system and presentation of its findings to the public.

Chairman Brown stated she prefers Bois because of its willingness to meet with people early in its process to learn about the issues. She believes the project needs to determine for the Town if there is potential contamination on the property and it needs to address the concern of public outreach.

It was on motion unanimously

VOTED: To award the contract to GeoInsight, Inc. for analysis of potential contamination at the Melone property to undertake the scope of services specified in the Request for Quotation, and the additional items of #1, 2, and 5 for an additional cost of up to \$4,000 as noted in the November 9, 2015 email from Michael J. Webster, and to authorize the Town Manager to sign said contract.

**Avalon Bay Project Eligibility Application – 526-528 Boston Post Road – Discussion and Possible Vote on a Letter to be Sent to MassHousing**

Present: Avalon Bay Communities, Inc. Senior Vice President of Development Scott Dale, Avalon representative David Gillespie and Avalon's Corporate Counsel Steven Schwartz

At 8:38 p.m., Chairman Brown welcomed Avalon Bay Communities, Inc. Senior Vice President of Development Scott Dale to the Meeting to update the Board on the Avalon Bay Project Eligibility Application, which was recently submitted to the Massachusetts Housing Partnership (MHP). The Board was previously in receipt of copies of a letter from MHP dated November 12, 2015 and accompanying 760 CMR 56.04(4) "Findings in Determination of Project Eligibility." Chairman Brown noted a Site Visit has been scheduled by MHP for November 24, 2015. She also noted the Town has a 30-day comment period with a deadline of December 12, 2015. Chairman Brown emphasized Board members should think about tonight's information and the project and then provide Director of Planning and Community Development Jody Kablack with input by the end of this week to allow Ms. Kablack time to synthesize the information and prepare a draft letter for the Board's review at its December 1, 2015 Meeting. She noted Ms. Kablack is attending another meeting in Town tonight.

Through a PowerPoint presentation, Mr. Dale stated Avalon Bay submitted its Project Eligibility Application to MHP for a new Comprehensive Permit development on an 18-acre portion of the Raytheon site on November 6, 2015. He summarized the State and local permitting (Comprehensive Permit with the Zoning Board of Appeals (ZBA) and Site Eligibility with the Massachusetts Housing Partnership), and the Order of Conditions from the Conservation Commission (Abbreviated Notice of Resource Delineation is in process and a Notice of Intent will follow), which will be needed. Mr. Dale noted a traffic study is underway,

improvements for Route 20 are planned and Avalon will work with the Massachusetts Department of Transportation (DOT) to obtain an access permit and traffic signal. He stated there is a 30-day comment period underway, and a decision is expected in early December, after which they will file for the Comprehensive Permit.

Mr. Dale provided some background regarding Avalon's experience, noting it manages over 40 housing communities in the State, of which 34 have an affordable component, and 23 have been permitted under Chapter 40B. He highlighted Avalon has centralized its affordable housing component to facilitate compliance. Mr. Dale displayed pictures of other Avalon projects at Assembly Row, Lexington Hills, and the Hingham Shipyard, which are successful mixed-use developments. He also displayed a list of other contractors who would be part of the Avalon development team, all of whom are highly regarded in their fields. Mr. Dale displayed renderings of the property's existing conditions, noting Raytheon will phase its exit over the next three to 15 months, master plan, site plan, streetscape, amenities, and two architectural building styles, described as either direct entry or traditional townhomes. He stated National Development has filed a Special Permit Application for the Whole Foods grocery store component.

Selectman Woodard asked if 10% of the units will have three bedrooms. Mr. Dale confirmed this to be the required amount.

Vice-Chairman Iuliano asked how future tenants qualify and how local preferences are handled. Mr. Dale stated the units are initially publicized and a waiting list is created, which is followed by a lottery process and a verification of qualifications. He also stated the entire process is done by Avalon and it can work with the Town throughout the process. Mr. Dale stated Avalon can accommodate local preferences according to the guidelines, which allow for up to 70% of the units to be set aside for this purpose.

Selectman Simon asked for clarification, which Mr., Dale provided, regarding the driveway entrances and which one is intended for residential access.

Selectman Woodard asked how the affordable units are audited to ensure they remain affordable. Mr. Dale stated Avalon prepares an annual report for the State and for the Town. Avalon's Corporate Counsel Steven Schwartz stated MHP, at the State level, is responsible for monitoring and enforcement.

Chairman Brown asked if Mr. Dale's presentation slides for tonight could be posted to the Town website, and he responded affirmatively.

Selectman Woodard stated the Board generally supports the project, and he suggested this be conveyed in the tone of the draft letter.

Selectman Haarde stated this is the Board's opportunity to identify all potential issues to be noted in the draft letter. He listed several items which are incomplete at this time, including an opinion from the Conservation Commission regarding the wetlands on the property, input from the Public Safety Departments, and a traffic study has not been completed. He also stated wastewater and water usage are concerns, as is the impact on the Town's schools. Selectman Haarde noted a Phase I environmental report has been done, and he asked if the Town should independently review the information, since so much housing is being considered for the site. He also suggested input from Department Heads should be solicited. Selectman Haarde emphasized this application should be assessed in the same manner as the Sudbury Station LLC application was.

Town Manager Rodrigues stated the Department Heads have been asked to provide input to Ms. Kablack to be incorporated into the draft letter to be reviewed by the Board on December 1, 2015.

Selectman Simon stated he does not see the two applications as similar, and he considers the Avalon project as far superior to redevelop the Raytheon land. He stated Selectman Haarde's points should be considered as part of the Board's complete review and preparation of its letter.

Chairman Brown suggested Selectman Haarde's comments should be shared with Ms. Kablack and other Board comments should also be submitted to her this week.

Selectman Woodard stated the Board clearly opposed the Sudbury Station application in its letter, and he believes whoever is preparing the draft letter should have a sense of the Board's position on this project.

Selectman Haarde stated the Board does not typically vote on whether it supports a project at this stage, and he noted MHP is not inclined to deny the Application. He believes the Board needs to independently review all potential factors, follow the same checklist process it did for Sudbury Station and not play the two projects off of each other.

Chairman Brown stated a letter could be sent to MHP supporting the application with or without reservations. Copies of letters sent previously to MassHousing from the Town (on different 40B proposals), which were generally supportive and mentioned items to be addressed, were distributed to the Board.

Selectman Woodard reiterated his belief that it is important for the Town's credibility with MHP for the draft letter to have a tone which reflects the Town's position regarding the project.

Selectman Haarde stated he believes it is premature to vote a position on the project at this time, given that the information is incomplete. He noted that, in the past, when the Selectmen had Site Plan authority they did not vote a position so as not to prejudice a later Site Plan decision. Selectman Haarde reiterated a traffic study has not been done and the Conservation Commission has not weighed in.

Selectman Simon stated the Board had similar incomplete information from Sudbury Station and it made a decision to oppose the project. He considers the Town as being in a fortunate situation that it has been able to review the two applications in parallel. Selectman Simon stated the Board clearly heard from residents who passionately opposed the Sudbury Station Application, but it has not received similar feedback regarding the Avalon Application. Thus, he believes the Board could make a judgement call about the application with the information it has received to date.

Vice-Chairman Iuliano stated she believes the Board should provide direction for the tone of the draft letter.

Selectman Haarde emphasized he believes it is important for the Board to do its due diligence for this application on all the same items it reviewed for Sudbury Station LLC.

It was on motion unanimously

VOTED: To ask Town staff to draft a letter regarding the Avalon Bay Site Eligibility Application, on behalf of the Board to be sent to the Massachusetts Housing Partnership, which is generally supportive and includes reservations and also reflects that the Town finds this site appropriate for affordable housing, as is reflected in Sudbury's Housing Production Plan, but the Town has reservations about potential impacts.

**Community Preservation Committee Project Submission - Bruce Freeman Rail Trail Design Funds**

At 9:35 p.m., Chairman Brown opened a discussion regarding the Community Preservation Committee (CPC) Project Submission requested amount for the Bruce Freeman Rail Trail (BFRT) Design Funds, which was continued from November 3, 2015. The Board was previously in receipt of copies of a spreadsheet entitled, "CPA Bonding Capacity 11/4/15," and a memorandum from Director of Planning and Community Development dated September 30, 2015. In addition, copies of handouts entitled "Attachment B: Mass DOT Model Scoping Workbook" from the VHB Final Proposal for the BFRT 25% Design and the "VHB Project Schedule" and a notice from the Bruce Freeman Rail Trail.org website regarding "Public Information Meeting for Phase 2C 75% Design" were distributed tonight.

Selectman Simon stated no project in Sudbury has had as much support from residents as the BFRT, and he often hears comments regarding when it will come to fruition. He stated it is unfortunate it has been a very long process. Selectman Simon believes it is incumbent on the Board to try to provide sufficient design funds to make this happen.

Chairman Brown suggested Selectman Simon should focus his comments on the agenda topic.

Selectman Simon stated he and the Board were not asked what figure should be submitted on the Community Preservation Committee (CPC) Project Submission Form. He believes the request should be enough to get the 75% design done. Selectman Simon believes that by dragging out the funding, it gives the message that the project is not a priority. He referred to the VHB project timeline for the 25% design, and he suggested the project should move from this stage immediately into the 75% design. Selectman Simon stated the residents have made their wishes known, and he believes the Board should request \$250,000 from the CPC. He further stated he believes the CPC could then make its recommendation regarding funding and/or let a Town Meeting decide at what pace the project should proceed, but that this Board should not make the decision by limiting the funding request to \$100,000. Selectman Simon also stated Concord is meeting tonight regarding its 75% design.

Vice-Chairman Iuliano stated she supports the project, but the funding depends on timing. She asked if it might be better for the Town to fund the design over a two year period, noting that by the 2017 Town Meeting the Town would have a better idea of the 75% costs. Vice-Chairman Iuliano also noted the initially requested \$100,000 would be enough to cover the anticipated six month gap in funding from January to June 30, 2017.

Selectman Simon reiterated his opinion that the Board should not make a policy decision to slow down the project.

Selectman Woodard referenced Ms. Kablack's September 30, 2015 memo, noting VHB stated it only needed \$100,000 to cover the six-month gap, and thus the request reflected this need.

Selectman Haarde stated he would like to have a rail trail as soon as possible, but he has heard the CPC has a challenging funding cycle this year. He does not have enough information at this time, and he believes the CPC should recommend how much funding is available.

Vice-Chairman Iuliano stated she is concerned about presenting to the Town a request for \$250,000 as if it is known to be the cost of the 75% design, when this is not yet confirmed. She also thinks it would be difficult to argue to the CPC for all of the \$250,000.



Selectman Simon stated he is concerned the Board is sending the wrong message to the CPC with the \$100,000 request.

Selectman Haarde stated the CPC would prefer project proponents to have already vetted their own costs. He asked if there would be an upcoming Special Town Meeting, which could be used as a back-up plan for funding.

Chairman Brown stated the consensus of the Board tonight seems to be that the CPC should decide on how much funding is available. She stated she shared the Board's discussion from its last meeting with the CPC at its meeting on November 4, 2015. Chairman Brown explained the CPC has a challenging funding round, given requests already far exceed funds available this year, and the CPC asked her to share this information with the Board.

Selectman Woodard asked how much is in the Community Preservation Act (CPA) Reserves. It was noted the Town received a 32% State CPA match for this year, and that reserves are approximately \$3 million. He also noted the CPC has project request amounts still pending, particularly for the Wayside Inn project.

Chairman Brown expressed her concern that this issue should have been discussed when there were opportunities to do so in October and not pulled off the Consent Calendar by Selectman Simon at the Board's last meeting. Selectman Simon stated he had raised his concerns previously to Ms. Kablack in mid-October. Selectman Haarde stated he has no objection to the discussion process to date, noting any Selectman has the right to pull an agenda item off the Consent Calendar, if they see reason to do so.

Sudbury resident Dan DePompei, 35 Haynes Road, stated he does not believe the CPC fully vets the projects which are submitted, because the Committee views its job as finding the money for what is submitted. Mr. DePompei stated the request is submitted as a recreational activity, however, he is not sure it is eligible as such, and he referred to regulations, noting the BFRT right-of-way is not owned by the Town, but rather by the Mass. DOT. He also stated the BFRT has significant environmental concerns.

Chairman Brown reminded Mr. DePompei the issue before the Board is the CPC Project Submission request for funds. Mr. DePompei stated he does not believe any CPC funds should be allocated until all BFRT-related issues are discussed and legally resolved.

Sudbury resident Dick Williamson, 21 Pendleton Road, stated he attended Concord's 75% design meeting earlier tonight. He stated Concord is anxious for Sudbury to move forward with the BFRT. Mr. Williamson also stated a precedent has been set by the towns to the north on the BRFT of using CPA funds for rail trails.

Selectman Woodard stated he would consider altering the requested amount for a higher figure.

Vice-Chairman Iuliano reiterated she supports the project and she wants it to go forward, but she feels better splitting the requests over two years.

Selectman Simon stated he does not feel the difference between \$100,000 and \$250,000 is a large amount.

It was on motion unanimously

VOTED: To support a revision to the Community Preservation Committee FY17 funding request from \$100,000 to \$150,000 for further design of the Bruce Freeman Rail Trail.

**Existing Police Station – Discussion and Possible Vote on Disposition, Survey Results and Future Use**

Present: Facilities Director Jim Kelly

At 10:05 p.m., Chairman Brown opened a discussion regarding the future use of the existing Police Station. The Board was previously in receipt of copies of a memorandum from former Assistant Planner Jim Kupfer dated April 21, 2015, including a survey update and comments received from respondents and an “Appraisal of Market Value 415 Boston Post Road, Sudbury, Massachusetts” dated September 29, 2015, prepared by Prospectus, LLC.

Facilities Director Jim Kelly stated plans are for the Police Department to move into its new building on December 8, 2015, after which the Town will need to decide on the future use of the current Police Station. Mr. Kelly suggested reaching out to the public to debate the issue and ideas prior to the Annual 2016 Town Meeting, but he also noted an article would need to be submitted in January for the Warrant.

Selectman Haarde suggested drafting an article proposing to sell the current building.

Selectman Woodard suggested the Board needs to take a position regarding the building and present it to Town Meeting.

Selectman Simon noted the current site has been appraised at \$750,000. He stated the Town needs to decide if it wishes to repurpose the building, demolish or sell it.

Chairman Brown asked what is the cost to the Town to “mothball” the building for a period of time. Mr. Kelly stated a lot of financial issues would need to be considered, including the cost of continuing to own and operate the building and the loss of incoming revenue. In response to a question from the Board, Mr. Kelly stated he cannot think of a public need the building could serve for the Town, and it is not adequate to handle the needs of the Sudbury Public School Administration offices. He believes the building is a tear-down situation.

Selectman Woodard suggested drafting a proposal to sell the property. Selectman Haarde concurred, noting it is a prime location on Route 20.

Selectman Simon noted the property is only .63 acres.

Chairman Brown stated she sensed some sentiment from the community to not sell the building. Selectman Haarde referenced the survey material, noting the highest percentage (38%) of responders preferred to sell it, and 58% of responders suggested either selling or leasing it.

Selectman Woodard suggested the Board should schedule a future agenda item to discuss selling the property.

Selectman Simon asked Town Manager Rodrigues to ask other Town boards and committees for their opinions regarding the property. Town Manager Rodrigues stated she would do so. She also suggested asking the appraiser how the value would be impacted, if there were no building on the site.

Sudbury resident Kathryn Jacob, 328 Old Lancaster Road, suggested considering other uses underneath a new use (stacking) to maximize the efficiency of the site.

Chairman Brown asked if the Board thinks this proposal should be added to a January 2016 Special Town Meeting, if one were to be called. Selectman Haarde stated he does not view this issue as significantly time-sensitive, and he would be inclined to wait until the Annual Town Meeting.

Mr. Kelly stated he also attended a Capital Improvement Advisory Committee Meeting earlier tonight, and other ideas were mentioned which will be researched, such as a land lease, which would allow the Town to still own the property while also allowing for it to be leased for up to 30 years.

Town Manager Rodrigues asked if it would be helpful for her to collect cost information regarding the building being vacant for a year. Chairman Brown asked the Town Manager to collect this information for the Board, noting an article will also need to be prepared for Town Meeting.

### **Davis Field Redevelopment - PARC Grant Application – Discussion**

At 10:21 p.m., Chairman Brown opened a discussion regarding the PARC Grant application submitted by the Park and Recreation Commission regarding the Davis Field Redevelopment project.

Chairman Brown stated that, on November 9, 2015, Director of Planning and Community Development Jody Kablack received a letter from the Park and Recreation Commission stating it was no longer pursuing the PARC Grant for the Davis Field project because the timing of the awards is still uncertain. Thus, Chairman Brown announced a Special Town Meeting does not have to be called tonight to occur no sooner than December 22, 2015, as had been anticipated.

Selectman Haarde asked that, if the Town were to hear in the coming months that a PARC Grant were awarded to Sudbury, could the Town redirect those funds to another field project. Town Manager Rodrigues stated this is not possible because the Grant applications are park-project specific.

### **Town Manager Performance Evaluation and Next Steps – Discussion**

At 10:25 p.m., Chairman Brown opened a discussion regarding the Town Manager performance evaluation process and next steps. The Board was previously in receipt of copies of a sample “Performance Appraisal of the Chief Administrative Officer (Manager) for the Municipality of XXXX,” and the relevant section of the International City/County Management Association’s (ICMA) Manager Evaluations Handbook.

Chairman Brown stated she spoke with Town Manager Rodrigues about including her in establishing and discussing annual performance reviews for the Town Manager position.

Town Manager Rodrigues stated it would be helpful for her to understand the Board’s goals and objectives.

Vice-Chairman Iuliano suggested it might be beneficial to appoint a Board subcommittee to create a draft evaluation. She also suggested possibly including a self-evaluation component.

Selectman Woodard stated he liked the sample provided in tonight’s packet, and he suggested also using the former Town Manager’s performance evaluation as a resource.

Selectman Simon asked if the evaluation would be conducted annually. Chairman Brown stated this would be the intention after the objectives are set.

Vice-Chairman Iuliano and Chairman Brown offered to represent the Board on this subcommittee to meet with the Town Manager, and the Board accepted their offers.

**Budget Strategies Task Force – Revise Mission Statement – Discussion and Possible Vote**

At 10:30 p.m., Chairman Brown opened discussion regarding revising the Mission Statement for the Budget Strategies Task Force. The Board was previously in receipt of copies of a draft red-lined revised Budget Strategies Task Force Mission Statement.

Chairman Brown stated there was feedback from the Sudbury Public Schools (SPS) regarding it being premature to revise the Mission Statement until all three cost centers have an opportunity to discuss it.

Selectman Woodard stated he had not been aware of any objections from SPS, and he asked if SPS had an alternative suggestion. He noted the draft revision is the result of the recommendations made by the Finance Committee and the Task Force.

Selectman Haarde stated the Board should wait until SPS has a chance to discuss it. However, he further stated he finds it odd to include which groups to meet with in a Mission Statement. It was noted the Finance Committee Chair Susan Berry wanted to include this so the potential expectation would be explicitly stated. Selectman Simon stated it is presented as not mandatory, but as a strong suggestion.

Selectman Woodard reminded the Board the initial intention was to vote on this item at the Board's December 1, 2015 Meeting.

**Sudbury Historical Society – Donation**

Present: Sudbury Historical Society Executive Director Sally Hild and Sudbury Historical Society President Stewart Hoover

At 9:29 p.m., Chairman Brown took this agenda item out of order, and she opened a discussion regarding accepting a donation from the Sudbury Historical Society. The Board was previously in receipt of copies of a letter from Sudbury Historical Society Executive Director Sally Hild dated November 10, 2015.

Sudbury Historical Society President Stewart Hoover stated the Society is pursuing a lease with the Town for the Town-owned Loring Parsonage to renovate the building to be used as a Town Museum and Visitor Center. Mr. Hoover further stated the Permanent Building Committee (PBC) has informed the Society an appraisal costing approximately \$3,900 will be needed as part of this legal process. He also stated the Society's Board voted today to approve a gift of \$3,900 to the Town for this purpose and to keep this project moving forward.

Chairman Brown asked if an actual check will be given to the Town. Mr. Hoover stated a check will be authorized to be paid tomorrow.

It was on motion unanimously

VOTED: To accept the Sudbury Historical Society's donation in the amount of \$3,900 to be used by the Town for an appraisal of the Loring Parsonage, as requested by Sally Purrington Hild, Executive Director, pending anticipated receipt.

**Future Board of Selectmen Agenda Items - Discussion**

Chairman Brown stated an Executive Session needs to be scheduled regarding Sudbury Station LLC and for Police Chief Nix to update the Board on security issues. The consensus of the Board was the morning of December 4, 2015 would be possible for a two-hour meeting. Chairman Brown will check the availability of Chief Nix and try to coordinate this.

Chairman Brown stated finalization of the Board's letter to the Massachusetts Housing Partnership regarding the Avalon project will be added to the December 1, 2015 agenda. She also stated the Board will need to appoint a representative to work on the negotiation of a purchase price for the Wayside Inn proposal, and a representative to negotiate the Loring Parsonage Lease. Chairman Brown also reminded the Board it will need to decide whether it wants to renew the Senior Tax Relief Program every three years or whether it should be done at Town Meeting. She also would like to discuss at a future meeting what issues the Selectmen will consider supporting with proclamations.

Chairman Brown stated the Sudbury Clergy Association has suggested meeting with the Board on February 1, 2016. She asked Board members to submit possible dates and times to Patty Golden. Selectman Simon suggested also asking the Clergy group for a few other possible dates and times.

Chairman Brown stated she and Finance Committee Chair Susan Berry are suggesting two joint meetings. One would be held during the Board's February 23, 2016 meeting and the second one would be held during the Finance Committee's March 7, 2016 meeting. A brief discussion ensued regarding other meeting schedules.

Selectman Simon suggested the Town's Facebook page should be a future agenda item.

There being no further business, the meeting adjourned at 10:55 p.m.

Attest: \_\_\_\_\_  
Melissa Rodrigues  
Town Manager-Clerk

**Documents & Exhibits**

1. Discussion and vote whether to sign a proclamation recognizing the work of the Asking Saves Kids (A.S.K.) campaign.

**Attachments:**

- 1.a Proclamation- ASK
- 1.b I am Concerned about the Narrowness of the Proposed ASK Campaign Proclamation

2. Discussion on Development Agreement negotiations, and possible vote on letter to National Development.

3. Discussion and possible vote on Melone LSP consultant

**Attachments:**

- 3.a GeoInsight\_Update

4. Discussion of the Avalon Bay housing proposal and possible vote on letter to Mass Housing concerning the Avalon Bay Project Eligibility Application

**Attachments:**

- 4.a Avalon Sudbury 30-day notice 11-12-15
- 4.b Avalon Sudbury - Selectmen

5. Discuss Bruce Freeman CPC project and possible vote on changing the Selectmen's recommendation to CPC

**Attachments:**

- 5.a CPA Projections Sept 2015
- 5.b Freeman\_Sept30
- 5.c FY17 Financials and Proposals

6. Update on future use of current Police Station. Jim Kelly, Joint Facilities Manager, to present.

**Attachments:**

- 6.a Old Police Station Reuse Survey Final Results
- 6.b Condensed\_SUDBURY - APPRAISAL - 415 BOSTON POST ROAD

7. Discussion concerning the PARC grant application

8. Discuss Town Manager performance evaluation and next steps

**Attachments:**

- 8.a Performance+Appraisal+Municipality ICMA 2014
- 8.b Manager-Evaluations-Handbook-12-30-13 (2)

9. Discussion and possible vote to revise Budget Strategy Task Force mission statement

**Attachments:**

- 9.a DRAFT BSTF mission statement edited

10. Vote to accept the Sudbury Historical Society's donation in the amount of \$3,900 to be used by the Town for an appraisal of the Loring Parsonage, as requested by Sally Purrington Hild, Executive Director.

**Attachments:**

- 10.a letter to selectmen - Nov 17 mtg

11. Discuss future agenda items