

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, DECEMBER 1, 2015

Present: Chairman Patricia A. Brown, 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., Chairman Brown opened the meeting. She stated 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. She also announced there will be a Grand Opening Walk of the Landham Brook Marsh Conservation Area (formerly Johnson Farm) on Sunday, December 6, 2015 at 1:00 p.m., and she encouraged the public to attend. Chairman Brown also encouraged residents to participate in the Town Forum survey on the Town website. She noted there will be many public meetings and hearings in the coming months regarding the National Development and Avalon applications received for the Raytheon property, and she encouraged anyone who is interested to access more information on the Town website. Chairman Brown also reviewed upcoming holiday hours for Town Offices, which will 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.

Reports from the Town Manager

Town Manager Rodrigues stated Town business has run smoothly during her first month. She encouraged residents to participate and keep abreast of important meetings and discussions in the coming months, such as the Finance Committee and Community Preservation Committee (CPC) meeting, to help the Town have a better budget process.

Reports from the Board of Selectmen

Selectman Woodard stated he attended the Budget Strategies Task Force Meeting, where revisions to its Mission Statement were discussed. He also attended, with other Board members, the Site visit to the Raytheon property on November 24, 2015 for the Avalon Chapter 40B application. Last night, Selectman Woodard attended the Strategic Financial Planning Committee for Capital Funding Meeting regarding proposed FY17 project requests.

Selectman Simon attended the CPC Public Hearing on November 18, 2015 to advocate for a \$150,000 request for the Bruce Freeman Rail Trail 75% design. He also has been following the Sudbury Public Schools negotiations with its union to ratify a new agreement. Selectman Simon met with MassHousing representatives yesterday along with other Town officials to present the Town's practical and legal concerns regarding the Sudbury Station LLC Chapter 40B application. He also has spent time following Minuteman Regional Vocational High School's plans for a new facility and whether it would be possible for Sudbury to withdraw from the Minuteman District. Selectman Simon explained the Chairman of the Boxborough Board of Selectmen has presented a proposal which would allow District members to exit, while allowing the new school project to proceed. He noted a meeting of member Selectmen is scheduled tomorrow night, and it is hoped an agreement will be reached which satisfies all parties. Selectman Simon stated he believes a Special Town Meeting will be called by Minuteman prior to March 1, 2016 for member towns to ratify a new agreement.

Selectman Haarde stated he attended the recent Vocational Education Options Committee Meeting, wherein a vote was taken to recommend Sudbury should withdraw from the Minuteman District. He also

attended the Avalon Mass. Housing Partnership site visit and a very productive meeting this morning with Town Department Heads.

Vice-Chairman Iuliano stated she attended the Strategic Financial Planning Committee, a Community Preservation Committee meeting and the Avalon Mass. Housing Partnership site visit. She also attended a Sudbury Housing Trust Meeting this morning, wherein the Avalon proposed project was discussed.

Citizen's Comments

At 7:44 p.m., Chairman Brown recognized Sudbury citizen Dan DePompei, 35 Haynes Road.

Mr. DePompei presented a written copy of his remarks for tonight. He stated a request was made at the November 18, 2015 Community Preservation Committee (CPC) Meeting for 75% design funds for the Bruce Freeman Rail Trail (BFRT). Mr. DePompei further stated it was questioned how much time had been included in the design schedule for the Conservation Commission to review the NRAD and Wetlands Delineation and for any comments to be included in the design, and the Town Planner had stated this time had not been included, and that she had been advised local bylaws do not apply to the BFRT project. He also stated the Conservation Commission member of the CPC stated the local bylaws apply to all residents and all projects. Mr. DePompei stated Selectman Simon stated the BFRT is a Mass. DOT project, and it would apply for permitting at construction, but local bylaws do not apply, and that the Board of Selectmen voted in September 2014 to not invoke Sudbury's bylaws for the BFRT. He asked which Selectmen voted to ignore Sudbury's bylaws and who has advised that the Town bylaws are not applicable. Mr. DePompei stated he does not understand why some people believe a rail trail cannot be designed and constructed in compliance with all federal, state and local bylaws.

At 7:46 p.m., Chairman Brown recognized Sudbury citizen Ralph Tyler, 1 Deacon Lane.

Mr. Tyler stated he raised the issue of the Town needing a comprehensive walkway program at the Town Forum. He stated much of the 2001 priority Walkway Plan remains incomplete, and he believes the situation is a hazard and it is dangerous. Mr. Tyler suggested the Town should commit to completing Town walkways quickly by bonding the work now, while rates are low, and it should consider taking needed property easements by eminent domain. He encouraged the Board to sponsor such an article for the Annual 2016 Town Meeting.

Public Hearing: Tax Classification

Present: Town Finance Director/Treasurer Andrew Vanni, Sudbury Director of Assessing Cynthia Gerry, Regional Assessor/Consultant Harold Scheid, Chairman of the Board of Assessors Joshua Fox and Board of Assessors member Trevor A. Haydon

At 7:50 p.m., Chairman Brown opened the Public Hearing to determine what percentage of the local tax levy will be borne by each class of real and personal property relative to setting the FY 2016 tax rate. The Board was previously in receipt of copies of the informational package entitled, "Town of Sudbury Fiscal 2016 Classification Hearing dated December 1, 2015," prepared by the Board of Assessors and the Public Hearing Notice. In addition, copies of a handout compiles in Concord, entitled, "Addenda #3 Community Tax Rates," was distributed tonight.

Chairman of the Board of Assessors Joshua Fox explained the purpose of tonight's Hearing is to decide on the distribution of the tax burden among the various classes of property. He stated the Board of Selectmen would need to decide its position on whether or not to allow a residential property exemption and a small

commercial exemption. Mr. Fox stated Sudbury is not eligible for a third exemption, an open space exemption, because the Town has no property classified as open space, and thus no vote is required.

Chairman Brown asked that a brief summary be given of the tax classification process.

Regional Assessor/Consultant Harold Scheid stated tonight's Hearing is to set a tax rate, which is one component, and the other component is assessed valuation. Mr. Scheid stated that, historically, Sudbury's Selectmen have adopted a two-tier tax structure for the residential and CIP (commercial, industrial, personal property) classifications.

Mr. Fox proceeded to describe the residential exemption option, noting it allows for a deduction from the assessed value for qualifying properties of anywhere from 5-20%, within the class, of the average assessment as voted by the Board. He stated the option is typically implemented in communities with a large number of rental and/or investment/off-season properties. Mr. Fox noted that, historically, the Board has voted that the residential exemption is not appropriate for Sudbury.

Selectman Woodard noted the report provided indicates it would not be possible for Sudbury to adopt the residential exemption because it has the Means-Tested Senior Tax Exemption. Mr. Fox clarified it might be possible to have both of these exemptions, but implementation would be extremely difficult.

Selectman Simon asked if the Board of Assessors thought there were a reason for the Town to change its former position. Mr. Fox stated he could not foresee a reason to do so.

Mr. Fox next summarized the small commercial exemption option to grant up to 10% of the property valuation to commercial (not industrial) property, which qualifies as having no more than ten employees during the previous calendar year and is housed in a building with a valuation of less than \$1,000,000. Mr. Fox noted the tax shift would be within the same class, but only commercial properties are eligible. He further stated the small businesses in Sudbury would likely not benefit from this option, and, in the past, the Board has not adopted this option.

Selectman Simon asked if any small business has approached the Town or the Board of Assessors asking for the exemption, and the answer was there have been no such requests.

It was on motion unanimously

VOTED: To not adopt a Residential Exemption for Fiscal Year 2016.

It was also on motion unanimously

VOTED: To not adopt the Small Commercial Exemption for Fiscal Year 2016.

Chairman Brown asked for clarification regarding why it is noted each year that the Town cannot adopt the Open Space exemption. Mr. Fox explained no properties in Sudbury have been so defined because the Town already provides Chapter 61, Chapter 61A and Chapter 61B open space discounts. Thus, Chairman Brown announced no vote was needed by the Board.

Mr. Scheid proceeded to discuss setting a tax rate. He stated this is a full evaluation year for Sudbury, with Department of Revenue (DOR) certification. Mr. Scheid stated most assessed values will reflect an increase on the January 2016 bills, ranging from 3-5% for residential properties and 5-6% for CIP properties, due to a recently robust housing market. He also stated increased valuations do not result in increased taxes.

Mr. Scheid stated the DOR certification was successfully completed, and thus this Hearing was able to be scheduled. He emphasized the option to shift the tax burden to the residential sector is a decision for the Selectmen to make, and that the Board of Assessors has made no recommendation.

Selectman Woodard provided a brief summary of the tax shift option.

Mr. Scheid referenced the sample shift options available noted on page 8 of tonight's agenda packet. He also referenced Page 7 of the agenda packet, noting the FY16 maximum allowable levy is \$77,317,863, but only \$76,980,363 needs to be raised to cover the budget.

Selectman Woodard highlighted the "CIP Tax Rate" and "Res. Tax Rate" headings on the tax shift options chart on Page 8 of the agenda packet seemed to be reversed. Mr. Scheid confirmed this to be correct, and he apologized for the error. He noted a 1.38 CIP shift would be equivalent to a similar percentage increase for the residential and commercial sectors.

Chairman Brown questioned why in a Town like Sudbury, which has mostly all residential property, there is not a single tax rate. She believes having a split rate makes it hard for businesses. Mr. Scheid stated it is unusual for a Town like Sudbury to have a split rate, but he noted so does Lincoln.

Selectman Haarde asked what Lincoln's tax rates are. Vice-Chairman Iuliano directed him to the new handout distributed tonight. Selectmen Woodard and Simon noted the ratios of the split rate in Lincoln is similar to Sudbury's.

In response to a question from Selectman Simon, Sudbury Director of Assessing Cynthia Gerry stated Sudbury has historically had a split tax rate since approximately 1985. Ms. Gerry further stated prior Boards of Selectmen had attempted to move gradually towards a single rate in recent years, noting it is difficult to do so once a precedent has been established.

Selectman Haarde stated the prior Board of Selectmen wanted to move towards a single rate and tried to "inch" back towards this goal, noting it is not possible to make all sectors happy. Mr. Fox stated his recollection concurs with Selectman Haarde's.

Vice-Chairman Iuliano questioned if it is a time to try to "inch back" again on the tax shift.

Selectman Haarde stated he was not sure if a shift change is needed, but he would prefer to see a single tax rate, which does not penalize businesses. He emphasized the tax-rate vision should be for the long-term to help attract businesses, which could someday carry more of the tax burden and relieve the residential sector. However, in the meantime, Selectman Woodard questioned to where the hypothetical tax rate would be shifted. Selectman Haarde stated he believes there are businesses on Route 20, which are not developed to their maximum value.

Chairman Brown stated she would prefer for the Town to inch back to a single tax rate, which she believes would encourage businesses.

Selectman Simon stated he is loath to raise taxes on residents. He referred to historical tax information provided from FY09 to FY15, noting Sudbury has one of the lowest rates of increase, which averaged about 2.4% per year for this time period. Selectman Simon stated Wayland's tax rates were consistently higher. He further stated he has not heard that the Town's tax rate has driven away business or that businesses have moved out of Town because of it. He does not believe this is a time to change the tax structure and "rock the boat."

In response to a question from Selectman Haarde, Mr. Scheid provided some comparable information regarding Lincoln and Marlboro.

Sudbury resident Ralph Tyler, 1 Deacon Lane, stated he believes the Town's tax rate had a recent vote of confidence, given that Whole Foods has decided to move to Sudbury from Wayland. Mr. Tyler believes businesses are happy to be here for the demographics the Town provides. He stated he agrees with Selectman Simon's perspective, and he also suggested Board members should be cognizant that the residents have elected them to office.

Selectman Woodard stated he does not see that there is a tax problem in Town which needs to be fixed, and he is inclined to not raise residential taxes by a dollar more than they need to be.

Selectman Simon noted large companies such as National Development and Avalon Bay have also recently chosen to bring their businesses to Sudbury. However, Vice-Chairman Iuliano and Selectman Haarde noted the Town also has some empty store fronts. Selectman Haarde reiterated that he believes the Town needs to think on a long-term basis about how to attract more future businesses to Sudbury.

Selectman Simon stated he believes a lot of people choose to live in Sudbury because it is not commercial and because it values open space and good schools, and they want to retain the Town's non-commercial character. However, Vice-Chairman Iuliano noted there are others who would want more commercial options. She also stated she would be open to a slight change on the tax shift selected.

Chairman Brown questioned if a 1.33 shift should be considered. Selectman Woodard stated this difference would equate to approximately a \$20 per year variance on the average Sudbury homeowner.

It was on motion unanimously

VOTED: To open the Public Hearing discussion for public comment.

Sudbury resident Ralph Tyler, 1 Deacon Lane, stated he believes the idea that the Town can handle considerable more commercial properties is flawed, because along with more business comes more traffic and more congestion, which he does not think the Town can handle. He also noted that new businesses like National Development are coming to Town under the current tax structure.

Selectman Haarde stated he believes the Town is attracting a lot of housing on Route 20 rather than a lot of new businesses, and he thinks the Town could do something to address this.

Selectman Woodard stated that, if the goal is to have a single tax rate, it would add approximately \$325 to the average homeowner's tax bill, and he is not sure he agrees that this should be the Town's goal.

Sudbury resident Jim Gish, 35 Rolling Lane, stated he agrees with Vice-Chairman Iuliano that there is not enough definitive data to assess. Mr. Gish believes it is difficult to determine what the real impact of the Town's tax structure is on businesses. He thinks small shifts in the split tax rate probably will not impact larger public companies, but they may seriously impact small independent business owners.

It was on motion unanimously

VOTED: To close the Public Hearing discussion for public comment.

It was also on motion unanimously

VOTED: In accordance with General Laws Ch. 40, sec.56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2016 tax rate and set the Residential Factor at 0.973356 with a CIP shift of 1.38, pending certification by the State Department of Revenue.

Mr. Fox provided a brief summary for the third year of the Town's Means-Tested Senior Tax Exemption program. He stated there were 101 applications received, and all of them were deemed to be qualified, subject to final rate setting approval by the Department of Revenue (DOR). Mr. Fox stated this represents approximately \$330,000 in aggregate exemptions.

It was further on motion unanimously

VOTED: In accordance with Chapter 169 of the Acts of 2012, the total FY16 cap on the exemptions granted by the Means Tested Senior Tax Exemption shall be 0.5% of the residential property tax levy.

It was also on motion unanimously

VOTED: To grant authority to Sudbury Director of Assessing Cynthia Gerry, their designee to electronically sign the LA-5 Options and Certification Form in the Division of Local Services Gateway System, as needed on behalf of the Board of Selectmen, specifically in accordance with the votes taken at the Fiscal Year 2016 Classification Hearing held on December 1, 2015.

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

Present: Director of Planning and Community Development Jody Kablack

At 8:38 p.m., Chairman Brown welcomed Director of Planning and Community Development Jody Kablack to the Meeting to discuss with the Board next steps regarding 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 draft letter from the Board to Massachusetts Housing Partnership dated December 1, 2015, an email from Sudbury Housing Authority Director Sheila Cusolito dated November 30, 2015 and two emails from Sudbury resident Arlene Schragger, 6 Robert Frost Road, dated November 19, 2015 and November 23, 2015 respectively. In addition, copies of a letter from the Sudbury Housing Trust (SHT) dated December 1, 2015, a memorandum from Director of Planning and Community Development Jody Kablack dated December 1, 2015 and accompanying attachments and a draft letter from the Board of Selectmen to be sent to the Massachusetts Housing Partnership dated December 1, 2015 were distributed tonight.

Ms. Kablack summarized the content of her December 1, 2015 memo, regarding the proposed Avalon Sudbury project to construct 250 unit of rental housing on approximately 17.6 acres at the current Raytheon property. She explained the property is zoned Limited Industrial and within the Water Resource Protection Overlay District, and she described the existing site. Ms. Kablack stated there are wetlands on the property, which are in the process of being delineated through a Notice of Resource Area Delineation (NRAD) by the Conservation Commission. She described the proposed development for 32 buildings which would house 25% affordable units (63) and 75% market rate units and accompanying amenities. The housing units will be a mix of one (50%), two (40%) and three bedroom (10%) units, and all of the units will count towards the Town's 10% affordable housing goal. Ms. Kablack highlighted this is a preliminary application, but the Town would expect to see full engineering plans for permitting.

Ms. Kablack stated Town officials met with MassHousing recently regarding the Sudbury Station LLC project, which helped to determine the information the agencies are interested in, and not interested in, at this stage of the process. She stated the Raytheon property has been discussed several times over the past year in different forums, noting it has been considered as an appropriate site by the Town to be re-developed to help the Town reach its 10% affordable housing goal. Ms. Kablack summarized her comments and recommendations and those submitted by others to date, which included opinions related to traffic, impacts on schools, stormwater management, waivers, height of buildings, wetlands, setbacks, local preference, mitigation and technical consultants.

Chairman Brown referenced the draft letter prepared for review to be sent from the Board, noting this was the Board's last meeting to finalize comments to be sent to the Massachusetts Housing Partnership before the December 12, 2015 30-day comment period deadline.

Selectman Woodard suggested the word "directive" in the last sentence of the second paragraph on Page 1 be changed to "letter." He stated he was not comfortable with the word "reservations" in the first sentence on Page 2. Selectman Haarde suggested, and the Board concurred, that the word reservations be deleted and that the sentence be revised to reflect that the Board has some concerns about the development which it would like addressed.

Selectman Simon asked how many employees worked at Raytheon during its peak years. It was noted that, in recent years, there were approximately 1,200 employees, accounting for 2,400 trips to the site Monday-Friday, and thus this area is already familiar with substantial traffic. Selectman Simon stated he believes the Board generally supports the project, and he would suggest this be reflected in a general comment within the letter.

Vice-Chairman Iuliano asked for clarification of what was meant in the first sentence of item #8 at the bottom of Page 2, which Ms. Kablack provided. It was suggested the words "reasonably high" in this sentence be replaced with the word "appropriate."

It was noted that in the last sentence on Page 1 of the draft letter the number "87" should be corrected to read as "63" and that the sentence should be revised to reflect that non-age-restricted affordable rental units are not a prevalent housing type in Sudbury.

Selectman Simon suggested that the developer should be encouraged to do what it can to also make the opposite side of Route 20 more welcoming and complimentary to the new development.

In response to a question from Ms. Kablack, the Board stated it wished to attach comments received from the community to its letter.

Sudbury resident Jim Gish, 35 Rolling Lane, stated a traffic signal light is needed at the intersection of Horse Pond Road, and he asked for more information regarding the plans for the remaining 34.3 acres of the property. Mr. Gish suggested the development should be pedestrian and bike-friendly, and he requested developers be cognizant of light-pollution issues.

Selectman Simon stated a traffic signal at Horse Pond Road has long been on the Town's list of priorities.

Sudbury resident Debra Haberman, 31 Woodland Road, stated she believes the reservations noted in the letter are important, and she is particularly concerned about traffic impacts.

Sudbury resident Paul Bisson, 55 Highland Avenue, asked if zoning would need to be changed to allow for housing on the site and whether those changes would be applicable to all other properties. Ms. Kablack explained the Chapter 40B process supersedes local zoning, but other components of the redevelopment plan will require zoning changes. She further explained zoning-related discussions have occurred at recent Planning Board Meetings and they will continue leading up to the Warrant deadline for the Annual 2016 Town Meeting. Ms. Kablack stated a two-thirds vote is required at Town Meeting for zoning-related articles and that an article for an overlay district would likely be presented only for this property. Mr. Bisson asked if this is considered spot zoning and thereby illegal. Ms. Kablack stated it is being further reviewed by Town Counsel, who initially does not think it would be considered as spot zoning. Mr. Bisson asked if the Town would independently test soils, and it was noted this would be discussed with Avalon and National Development.

Sudbury resident Bryan Semple, 15 Revere Street, asked how many units the Town is projected to be short by for the 10% mandated affordable housing goal for 2020. It was stated 235 more units would satisfy the Town's obligation through 2020, and 275 more units would satisfy the projected obligation through 2030. Mr. Semple suggested that, if the project is only for 250 units, it does not provide a long enough safe harbor for the Town. He stated he believes the Town is considering this application and the Sudbury Station LLC applications separately, and he does not believe this is correct. Ms. Kablack stated it is possible the Town would look to work with the developer to increase the number of units at the Avalon project to satisfy projections to 2030 (explaining the projections are based on the census which is completed every ten years, and the actual building permits issued over the past five years). Chairman Brown asked Ms. Kablack to compile the data for units needed for the 2020 and 2030 goals and to share this information with the Board.

Sudbury resident Beverly Whitcomb, 53 Highland Avenue, asked for clarifications regarding waivers. Ms. Kablack stated the application process requires the applicant to disclose when the plans do not comply with the Town's bylaws and regulations. Ms. Whitcomb also asked if it is accurate that the Town is now considering applications for possibly 500 housing units, and she was told this is correct. She suggested the Town should contact other towns where Avalon has built properties. Ms. Whitcomb stated she has seen good Avalon results in another Town, but she encouraged Town officials to advocate for Sudbury's needs and vision.

Ms. Kablack stated this is a preliminary step in the process. She emphasized there have been previous public discussions regarding the development, and she encouraged residents to access meeting minutes and to view tapes of meetings for more information.

Selectman Haarde stated he attended a good meeting of the Town Department Heads this morning, noting they were all candid about their concerns. He also stated it will be important for everyone to focus on what has to be done to work through the issues in ways which will best benefit the Town.

It was on motion unanimously

VOTED: To ask Town staff to finalize the letter regarding the Avalon Bay Site Eligibility Application as amended tonight, on behalf of the Board, to be sent to the Massachusetts Housing Partnership prior to the December 12, 2015 deadline, and to authorize the Chairman of the Board of Selectman to sign the letter on the Board's behalf.

Board of Health – Mutual Aid- Discussion and Possible Vote

Present: Sudbury Board of Health (BOH) Director Bill Murphy and BOH members Carol Bradford and Susan Sama, and Wayland Health Director Julia Junghanns

At 9:31 p.m., Chairman Brown welcomed Sudbury Board of Health (BOH) Director Bill Murphy and BOH members Carol Bradford and Susan Sama, and Wayland Health Director Julia Junghanns to the Meeting to discuss the proposed Board of Health Mutual Aid Agreement between the Towns of Sudbury and Wayland. The Board was previously in receipt of copies of a draft "Mutual Aid Agreement among Public Health Agencies in Emergency Preparedness Region 4A," between the Towns of Sudbury and Wayland.

Mr. Murphy stated meeting staffing needs at times can be challenging and there can be gaps in services in emergency situations. He stated the draft Agreement was based on a sample Department of Health document and it describes the responsibilities for both Towns. Mr. Murphy stated the Agreement is intended to provide coverage when it is needed, and he envisions it will rarely be implemented. He also stated the draft has been reviewed by Sudbury's and Wayland's Town Counsels and their insurance companies.

Selectman Woodard asked if an Agreement is really needed to offer assistance. It was noted assistance is given now, but an Agreement is good to have.

Chairman Brown asked for an example of a situation which would necessitate the use of Mutual Aid, and a few scenarios were provided. She also asked if Wayland has approved the Agreement. Ms. Junghanns stated the Board of Selectmen has not approved it in Wayland, but it is expected to do so, and many other Town Departments have reviewed it with no objections.

Selectman Simon stated providing backup assistance for our neighbor is the right thing to do, and he suggested parties come back to the Board at the conclusion of the five-year trial period to report on how it worked.

It was on motion unanimously

VOTED: To approve the Board of Health Mutual Aid Agreement between the Towns of Sudbury and Wayland as reviewed tonight.

Town Hall Blue Ribbon Committee – Presentation of Preliminary Recommendations

Present: Town Hall Blue Ribbon Committee Vice-Chairman Howard Gold, and Committee Members Chris Morely and Frank Riepe

At 9:40 p.m., Chairman Brown welcomed Town Hall Blue Ribbon Committee Vice-Chairman Howard Gold, and Committee Members Chris Morely and Frank Riepe to the Meeting to update the Board on the Town Hall Blue Ribbon Committee's preliminary recommendations. Copies of a handout entitled, "Bullet Point Perspectives on Sudbury Town Hall" were distributed tonight (it was noted the Committee has not yet voted on the bullet points). Chairman Brown stated the Committee has recommended Town Hall should remain as a meeting space, and that moving the Sudbury Public School (SPS) Administration offices to the Flynn Building and the Flynn offices into Town Hall is not a preferred option.

Mr. Gold stated the Committee worked to fulfill its Mission Statement through several meetings and discussions and it visited Town Halls in other communities. He stated members discussed options considering many factors and they deliberated ideas through historical and practical lenses. On behalf of the Committee, Mr. Gold thanked Facilities Director Jim Kelly and Director of Planning and Community Development Jody Kablack for their assistance. He stated the Committee believes Town Hall is a great building, but it can, and should, be better.

Mr. Morely stated that some members of the Committee initially wanted to tear down the structure and start anew, and they heard similar feedback from the public. However, he stated there has been over a

decade-long process of discussing the use of Town buildings and the need to move the SPS Administration, which the Committee considered. Mr. Morely stated the Committee determined it would be a more expensive option to move SPS Administration to the Town Center area. He stated the Committee discussed how much the Town Hall could possibly be used, and it researched its current use over the recent year. Mr. Morely stated the Committee was surprised to learn how much the Lower Town Hall is actually used, and it determined its focus should be as a community meeting place in the Town Center.

Mr. Riepe stated some things are necessary to extend the life of the building, including making it handicap-accessible and in compliance with Federal and State laws. He further stated the upstairs has been closed off for decades, and he described some of the former uses for the second floor. Mr. Riepe explained the building could be enhanced with new HVAC and plumbing systems and it could be historically restored. He stated meeting rooms could be maintained, and their configuration could be improved. Mr. Riepe stated the Town Clerk Offices would be reorganized with handicap access and brought up to current standards. He also noted installing a building elevator and a caterer's kitchen in the approximately 4,000 square-foot basement (which could be opened for private use) have been suggested. Mr. Riepe stated the anticipated cost is \$5.5 million, noting this was also the lowest cost solution the Committee deliberated. He explained the cost involved with moving SPS Administration to the Flynn Building could not be justified by the Committee and it believes the Town would have greater flexibility planning these projects separately. Mr. Riepe stated there has been a lot of work done planning for improvements to the Fairbank Building, and the Committee is cognizant that Fairbank is in greater need of immediate repair than Town Hall. He noted a good portion of the restoration of Town Hall could be paid for with Community Preservation Act (CPA) funds.

Selectman Woodard asked if there is currently CPA funding capacity for this type of project. Mr. Morely stated there is not the capacity now, but eventually there would be. He emphasized it is important to plan prudently for these types of projects.

Mr. Gold emphasized that, although the Committee considered cost as a factor, it was not the determining point. He explained the Committee evaluated options based upon several factors and the final recommendation made satisfied all the key points.

Chairman Brown asked when the report will be ready and be available on the Town website. Mr. Morely stated the Committee would likely vote on the report by the end of this year.

Chairman Brown asked what the suggested timeline is for the restoration project. Mr. Morely stated Mr. Kelly has helped the Committee to understand that the Fairbank Building needs attention sooner than Town Hall does and SPS Administration needs to be relocated. Mr. Riepe stated the Committee discussed the future of SPS Administration and it considered two possible scenarios: 1) to build a building on the Nixon/or some school property, or 2) for SPS to rent commercial space on a long-term basis. Mr. Morely stated the Committee discussed options, but it did not take a vote.

Mr. Riepe stated the focus was on what should Town Hall be for the long-term. Mr. Morely added that the Town Clerk's Office is constrained and needs to be modernized.

Vice-Chairman Iuliano stated she attended some Committee meetings, and she was impressed by the open and thoughtful process which was undertaken. She asked approximately how much it would cost to move SPS Administration to the Town Center area. Mr. Morely stated that, based on a two-year old report, it would be comparable to construction of a building on the Nixon School property. Mr. Riepe stated the Town Hall parking and septic systems are currently maxed out.

Vice-Chairman Iuliano noted that, often, it is heard that a tear-down is more cost effective than restoration, yet the Committee has recommended restoration. Mr. Riepe stated the Committee believes the building is deserving of restoration. Mr. Gold stated it is prudent to keep a building, if it is possible to do so.

Mr. Morely stated the Committee envisions Town Hall as a hub for community activity. He emphasized projects become more costly over time, and the time to dedicate funds to design is now.

Mr. Riepe stated Town Hall is important to Sudbury's civic spirit.

Selectman Simon asked how much a feasibility study would cost and what would an estimate be for schematic designs. Mr. Kelly stated a feasibility study may not be the next nest step, but rather it might be to start the design phase. He stated a bid would have to go out for designers and a project manager would have to be hired. Mr. Kelly stated this cost is typically 10% of the total project cost.

Selectman Haarde stated the Committee has presented a significant and thoughtful change of direction for the building.

Selectman Woodard stated he looks forward to receiving the final report and that he supports the recommendation made.

Codes of Conduct and Ethics - Discussion and Possible Vote

At 10:20 p.m., Chairman Brown opened a discussion, which had previously been continued, 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 red-lined "Code of Conduct of the Board of Selectmen" (9/13/04), a draft red-lined "Code of Conduct for Town of Sudbury Committees Whose Members are appointed by the Sudbury Board of Selectmen or the Sudbury Town Manager, " (adopted by the Selectmen July 11, 2006 and revised September 8, 2009), a draft red-lined "Town of Sudbury Code of Conduct of the Board of Selectmen (9/13/04), and a draft redlined "Code of Conduct for Town of Sudbury Committees Whose Members are appointed by the Sudbury Board of Selectmen or the Sudbury Town Manager," (Vice Chairman Iuliano's version, which was first adopted May 10, 2000 by the Selectmen).

Chairman Brown suggested, and the Board concurred, that, due to the lateness of the hour, this agenda item would be deferred to a future meeting.

Selectman Haarde requested, and the Board concurred, that the numerous red-lined documents be synthesized into one draft for the Board's review. Vice-Chairman Iuliano offered to do this.

Sudbury's Means-Tested Senior Tax Exemption Program – Discussion and Possible Vote Regarding Renewal Policy

Present: State Representative Carmine Gentile

At 10:24 p.m., Chairman Brown opened a discussion regarding whether the Annual Town Meeting or the Board of Selectmen should renew, every three years, the Senior Tax Exemption. The Board was previously in receipt of a draft "Floor Amendment."

State Representative Carmine Gentile explained the pending Special Act is in Committee and is awaiting the Board's decision regarding a renewal process.

The consensus of the Board was that a vote from Town Meeting should renew the Exemption Program every three years.

Chairman Brown highlighted the Assessor's Office would be in a difficult position if the renewal were to fail at a Town Meeting in close proximity to anticipated implementation. The consensus of the Board was that the renewal should be voted a year prior to its expiration.

It was on motion unanimously

VOTED: To instruct Sudbury's State Legislature that the decision of Sudbury's Board of Selectmen is that the renewal of the Special Act for the Means-Tested Senior Tax Exemption will be done at the Annual Town Meeting, beginning in 2018 and every three years thereafter.

Future Board of Selectmen Agenda Items - Discussion

Selectman Woodard confirmed for Chairman Brown that the Budget Strategies Task Force Mission Statement should be on the December 15, 2015 agenda.

Chairman Brown stated Selectman Simon has requested an agenda item to discuss the Town's Facebook page. She has suggested a future agenda time to discuss petition requests and tonight's agenda item for the Town Code of Conduct will be rescheduled.

Town Manager Rodrigues stated there is correspondence from the Park and Recreation Commission regarding accepting and donating funds for the Featherland Field which will need to be a future agenda item.

Selectman Simon stated he would submit a few suggestions for future agenda items, including an update on Minuteman, in an email to Chairman Brown.

Vice-Chairman Iuliano asked that accessible transportation in Sudbury be a future agenda item.

Selectman Simon requested that, if a Board member receives a question or request from a resident, the request should be shared with the Board so that a response is established reflecting the entire Board's perspective.

Minutes

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of November 3, 2015.

Petros Pizzeria & Grill - Gift

It was on motion unanimously

VOTED: To accept a gift from Petros Pizzeria & Grill, 730 Boston Post Road, to the Selectmen's Holiday Party of luncheon catering, valued at \$642, as requested in an email dated November 19, 2015 from Leila S. Frank, Selectmen's Office Supervisor/Information Officer, and to send a letter of thanks to Petros Pizzeria & Grill.

Vocational Education Options Committee – Appointment

It was on motion unanimously

VOTED: To appoint David R. Manjarrez, 47 Firecut Lane, as a Member of the Vocational Education Options Committee, for a term ending May 31, 2016, as recommended by Pat Brown, Vocational Education Options Committee Chair.

Group Insurance Commission – Authorization to Request Data

It was on motion unanimously

VOTED: To authorize the Chairman to execute a letter requesting data from the Group Insurance Commission to use in processing employees' W-2 forms.

Sudbury Fire Department – Vote to Approve Exemptions

It was on motion unanimously

VOTED: Pursuant to M.G.L. c.268A, to approve exemptions under s.20(b) from Firefighters Kevin Cutler and Dana J. Foster, in order to provide personal services (snowplowing) for the Department of Public Works, as submitted in Disclosures dated November 12, 2015 and November 1, 2015, respectively.

Varsity Wireless Investors LLC – Gift

Selectman Simon asked if the fact that a legal appeal has been filed impacts the Town's ability to accept the gift.

Chairman Brown stated it is anticipated that the check would be accepted and held accordingly.

It was on motion

VOTED: To accept a check from Varsity Wireless Investors LLC in the amount of \$20,000, as a gift for the purchase of public safety communications equipment, to be expended under the direction of the Sudbury Police Chief or Sudbury Fire Chief, as requested in a memo from Jody Kablack, Planning Director.

Selectman Haarde abstained from the vote.

There being no further business, the meeting adjourned at 10:45 p.m.

Attest: _____
Melissa Rodrigues
Town Manager-Clerk

Documents & Exhibits

1. Tax Classification Hearing - In accordance with General Laws Ch. 40, sec. 56, as amended, to determine the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2016 tax rate. In attendance will be the Board of Assessors (Joshua M. Fox, Esq. Chairman, Trevor A. Haydon; Liam J. Vesely), Cynthia Gerry, Director of Assessing, and Harald Scheid Principal Regional Assessor.

Attachments:

- 1.a TAX CLASSIFICATION HRG 2015
- 1.b FY 2016 Classification Hearing Document
- 1.c Classification Hearing Senior Means Tested Exemption Addendum

2. Avalon Bay LLC - Discussion and vote to send letter regarding application to MassHousing before the Dec. 12 Deadline

Attachments:

- 2.a SHT Comments to BOS Avalon

3. Discussion and possible vote to approve Board of Health Mutual Aid Agreement between the Towns of Sudbury and Wayland. In attendance will be: Bill Murphy, Sudbury Board of Health Director, a member of the Board of Health, and Wayland Health Director Julia Junghanns.

Attachments:

- 3.a Mutual_Aid_Template 2 1

4. Town Hall Blue Ribbon Committee to present preliminary recommendations to Board

5. Discussion and possibly vote changes to the Codes of Conduct and Ethics for Town board and committee members, including Board of Selectmen

Attachments:

- 5.a Code of Conduct - Board of Selectmen_RH
- 5.b Code of Conduct - Committees 8-09_RH
- 5.c Code of Conduct - Board of Selectmen PAB
- 5.d Code of Conduct - Board of Selectmen iuliano revision
- 5.e Code of Conduct - Committees iuliano revision
- 5.f Code of Conduct - Board of Selectmen cew redlines

6. Discussion and possible vote to instruct legislators whether Annual Town Meeting or the Board of Selectmen would renew the Senior Tax Exemption

Attachments:

- 6.a H3815_Revenue_SudburyTaxExemption_FA_alternative_BoardofSelectmen (002)

7. Discuss upcoming agenda items

8. Vote to approve the regular session minutes of 11/3/15

Attachments:

- 8.a BOS 11-3 -15 as of 11-3-15 JAK

9. Vote to accept a gift from Petros Pizzeria +Grill, 730 Boston Post Road, to the Selectmen's Holiday Party of luncheon catering, valued at \$642, as requested in an email dated November 19, 2015 from Leila S. Frank, Selectmen's Office Supervisor/Information Officer, and to send a letter of thanks to Petros Pizzeria + Grill.

Attachments:

- 9.a Petros Donation Email 11.19.15
- 9.b Petros Catering Estimate

10. Vote to appoint David R. Manjarrez, 47 Firecut Lane, as a Member of the Vocational Education Options Committee, for a term ending 5/31/16, as recommended by Pat Brown, Vocational Education Options Committee Chair.

Attachments:

- 10.a Manjarrez Application for VEOC_BOS

11. Vote to authorize the chairman to execute a letter requesting data from GIC to use in processing employees' W-2 forms.

Attachments:

- 11.a GIC W-2 Info Draft_Dec1_2015

12. Vote, pursuant to M.G.L. c.268A, to approve exemptions under s.20(b) from Firefighters Kevin Cutler and Dana J. Foster, in order to provide personal services (snowplowing) for the Department of Public Works as submitted in Disclosures dated November 12, 2015 and November 1, 2015, respectively.

Attachments:

- 12.a Snowplowing Disclosures

13. Vote to accept a check from Varsity Wireless Investors LLC in the amount of \$20,000, as a gift for the purchase of public safety communications equipment, to be expended under the direction of the Sudbury Police Chief or Sudbury Fire Chief, as requested in a memo from Jody Kablack, Planning Director.

Attachments:

- 13.a Lease Payment for equipment (002)