

IN BOARD OF SUDBURY SELECTMEN  
THURSDAY, NOVEMBER 3, 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 welcomed Sudbury's new Town Manager Melissa Rodrigues to her first Board Meeting. Chairman Brown announced the Sudbury Transfer station "Put and Take" is closed for the winter and will open again next spring. She also announced the new Town Hall and Flynn Building office hours on Tuesdays from 8:30 a.m. to 7:00 p.m. and Fridays from 8:30 a.m. to 12:30 p.m., which became effective this week.

**Reports from the Town Manager**

Town Manager Rodrigues stated she is looking forward to working with the Board and Sudbury's residents. She also stated she is looking forward to the Town Forum on November 9, 2015 and the chance to meet more people. Town Manager Rodrigues encouraged people to reach out to her with their concerns.

**Reports from the Board of Selectmen**

Selectman Woodard stated he recently attended a Town Center Improvements project meeting regarding landscaping and other items and a Tri-District School Committee Meeting with Lincoln. He also attended the Strategic Financial Planning for Capital Funding Committee Meeting on October 27, 2015 and he met with the Town's CPA firm. Selectman Woodard also attended the Minuteman School Building Committee meeting and the Budget Strategies Task Force Meeting with the Finance Committee.

Selectman Simon stated he, Selectman Woodard and Chairman Brown attended the Minuteman Regional Vocational High School Building Committee meeting in Sudbury on October 27, 2015 regarding plans for the future of the School. He also stated he and Chairman Brown attended a meeting in Weston on October 28, 2015 for Selectmen from the 16 member towns of the Minuteman District. He stated significant changes in the dynamics of the discussion were apparent at these meetings, which he will elaborate on later tonight. Selectman Simon distributed copies of new graphs reflecting Minuteman's enrollment patterns. He stated the proposed Minuteman fiscal plan is dependent on a certain number of students, which does not seem to be based on existing data. Thus, Selectman Simon believes the financial model is not stable. He emphasized Sudbury is committed to vocational education, but he does not believe the proposed plans for a new school presented by Minuteman is an appropriate path for its School Committee to have put forth without substantial input from its member towns. Selectman Simon urged residents to watch and participate in the Hopesudbury telethon this weekend. Chairman Brown also encouraged community participation for the Telethon.

Selectman Haarde congratulated the Sudbury Youth Football 6<sup>th</sup> Grade team, which won the Dual-County-Tri-Valley League Championship, and will play for the State Championship in two weeks. If they become State champs, they will participate in the National Championship game in Florida.

Vice-Chairman Iuliano stated she attended recent Budget Strategies Task Force and Strategic Financial Planning for Capital Funding Committee Meetings and the Tri-District School Committee Meeting. She also attended the Town Moderator's Forum, where interesting ideas for procedural changes for Town Meeting were discussed. Vice-Chairman Iuliano reminded residents to attend the Town Forum on November 9 at 7:00

p.m. and to come early at 6:30 p.m., for a chance to meet Town Manager Rodrigues. She also encouraged residents to submit questions for the Forum in advance to the email noted on the Town website.

### **Citizen's Comments**

At 7:43 p.m., Chairman Brown announced no citizens had requested time for comments tonight.

### **Clerk**

It was on motion unanimously

VOTED: To appoint Melissa Rodrigues, Town Manager, as Clerk of the Board of Selectmen.

### **Sudbury Historical Commission – Interview and Appointment**

Present: Candidate Diana Warren

At 7:45 p.m., Chairman Brown welcomed Sudbury resident Diana Warren to the meeting to tell the Board why she is interested in serving on the Sudbury Historical Commission (SHC). The Board was previously in receipt of Ms. Warren's "Town of Sudbury Application for Appointment" and an email from Sudbury Historical Commission Chair Lyn MacLean dated October 15, 2015, stating the Commission unanimously recommends Ms. Warren's appointment.

Ms. Warren stated she has lived in Sudbury for five years and has spent her whole life nearby in Lincoln and Concord. She shared stories with the Board regarding her lifelong passion for historic preservation, and she displayed documents from the late 1600s she salvaged in her childhood. Ms. Warren listed the numerous historical associations she has been affiliated with, noting she would be honored to serve on Sudbury's Commission. She emphasized how rare and important Sudbury's historical records are and she is committed to preserving them for future generations.

Board members each thanked Ms. Warren for volunteering for the position, noting her passion and background would benefit the work of the Commission.

It was on motion unanimously

VOTED: To approve the Town Manager appointment of Diana E. Warren, 32 Old Framingham Road, #30, to the Sudbury Historical Commission for a term ending May 31, 2018.

### **A.S.K. Gun Safety Program – Presentation**

Present: Dhruba Sen

At 7:52 p.m., Chairman Brown welcomed Dhruba Sen to the Meeting to update the Board on a gun safety program called A.S.K. The Board was previously in receipt of copies of emails to and from Chairman Brown and Dhruba Sen dated October 29, 2015 and September 1, 2015, citations of commendation from the State's House of Representatives and State's Senate, a Town of Framingham Proclamation, and information from the A.S.K. website regarding related firearm statistics.

Mr. Sen stated he is the President of the State's Chapter of the Brady Antiviolence Campaign. He explained the Asking Saves Kids (A.S.K.) campaign encourages parents to ask if there is an unlocked gun in one's house before allowing their child to visit and play in other homes. He stated there are approximately 5,000 households in the State where guns are unsecured, and the impact would be high if there were a loss of

a child from a tragic accident. Mr. Sen emphasized this is a gun safety initiative and not a gun control effort. He noted Framingham issued a proclamation and the State's House and Senate issued citations. Mr. Sen requested the Board's issuance of a proclamation similar to Framingham's, which would be useful in advancing the A.S.K. message.

Selectman Simon thanked Mr. Sen for his efforts to keep children safe, noting if one accident is avoided, the efforts will have been worthwhile.

Selectman Woodard stated he believes it should be easy to ask Sudbury citizens to support this effort, which he views as safety-oriented and not politically-oriented.

Chairman Brown stated she views the initiative as a political issue, and she noted a few political connections such as the Brady campaign being a Chapter 501C4 corporation. She stated the national statistics can be viewed as disturbing, but she is not aware that this is a prevalent problem in Massachusetts, other than in Boston. Chairman Brown further noted the Board does not have jurisdiction for this, and she wondered if there could be other national and State issues the Board would also be asked to support in the future.

Selectman Haarde stated that it is probably not a bad idea from a safety standpoint to have parents ask these questions, even though it may be awkward. Selectman Woodard stated a parent could also decide not to ask the questions.

Vice-Chairman Iuliano stated she views the request from a public education aspect, which helps to highlight the issue to the community. She asked if the program is also shared with schools and police departments. Mr. Sen stated there is training involved regarding the program and they have reached out to schools and public safety departments.

Selectman Haarde asked Chairman Brown for clarification regarding a law she had referenced. From her response, he stated it appears there is already a law regarding storing a firearm improperly. Thus, he believes the Board's position would be that it is endorsing something which is already illegal.

It was on motion unanimously

VOTED: To recognize the work of the Asking Saves Kids (A.S.K.) campaign, promoting parents communicating with others to enhance child safety related to unlocked firearms by issuing a proclamation from the Town of Sudbury to be drafted for future review by the Board.

Selectmen Simon and Woodard offered to prepare a draft proclamation for the Board's review at a future meeting.

**Sudbury Station LLC – Site Eligibility Application for a Proposed Chapter 40B Development – Off Peters Way – Assessor's Map G09-0100 – Discussion and Comments for MassHousing**

Present: Director of Planning and Community Development Jody Kablack

At 8:18 p.m., Chairman Brown opened a discussion regarding a potential new Chapter 40B application received for a site located off Peters Way and Concord Road (Assessor's Map J06-0023), which was continued from October 20, 2015. The Board was previously in receipt of copies of a memorandum from the Sudbury Conservation Commission dated October 21, 2015, two emails from Sudbury Historical Commission Chair Lyn MacLean dated October 23, 2015 and November 3, 2015, a letter from the Sudbury Water District Superintendent Rebecca McEnroe dated October 26, 2015, and a letter from Sudbury's Planning Board dated October 30, 2015 and accompanying materials. In addition, copies of a petition signed

by residents and a cover letter dated November 2, 2015, a letter from three members of the Sudbury Historic Districts Commission (Linda Hawes, Lee Swanson, and Fred Taylor) dated November 2, 2015, an email from Sudbury resident Jonathan Danielson dated November 2, 2015, an email from Sudbury resident Marc Stern, Hudson Road, an email from Town Historian Lee Swanson dated November 3, 2015, a memorandum from Sudbury Police Chief Scott Nix dated November 3, 2015, a related section of the Official Warrant for the Annual 2011 Town Meeting regarding Article 27 and a draft letter to MassHousing from the Board drafted by Director of Planning and Community Development Jody Kablack and Selectman Simon were distributed tonight.

Selectman Woodard recognized the outstanding work done by Ms. Kablack, noting her talents, responsiveness and expertise is of tremendous value to the Board and Town, and he highlighted her work particularly on this project. Vice-Chairman Iuliano concurred.

Ms. Kablack reviewed the new materials and comments received to the file since the Board's last meeting, noting Selectman Woodard had provided her with some minor edits. She further noted the final letter from the Board is due to MassHousing by November 6, 2015.

Selectman Simon thanked everyone who provided input, noting he and Ms. Kablack tried to capture the essence of all comments in their draft letter. He stated the intent of the letter is to lay the foundation for MassHousing to not allow the proposed project to go forward, and he summarized some of the areas of concerns highlighted. Selectman Simon stated there was an article presented at the 2011 Annual Town Meeting regarding a land swap for this property with the Town. He explained that when the Town approved the article it was for a single family home to be built on the property and there was no mention of a possible large development. Selectman Simon noted the article was approved by voters based on the representation given by the landowner, but today's proposal is for something quite different. He opined there could be a strong legal basis for the Town to pursue, which has been noted in the draft letter regarding estoppel and equity. Selectman Simon mentioned the Town might want to consider putting aside funds for potential litigation purposes. He stated the Town is universally opposed to the project. Selectman Simon emphasized Sudbury recognizes the place Chapter 40B has in State law. However, he highlighted the Town has had a unique opportunity to consider and hear comments on two Chapter 40B proposals simultaneously. Selectman Simon further stated he believes the Town is in the best position to decide which project is more appropriate to fulfill its affordable housing obligation. He reiterated the Board has reviewed all the comments received, and it has attempted to draft the strongest case against the proposed development as possible.

Vice-Chairman Iuliano stated she thinks the letter is very effective. She asked if the petition signed by several residents could be included in the Board's package to be sent to MassHousing. The consensus of the Board was it should be included. Ms. Kablack suggested also including the letter from Sudbury's Police Chief, and the Board concurred, and it also requested that the Police Chief's comments be referenced within the draft letter. Selectman Woodard suggested also including the email received from Sudbury resident Jonathan Danielson, and the Board concurred. Chairman Brown suggested also including the letter from the Sudbury Water District, and the Board concurred.

Chairman Brown stated she thinks the letter is excellent and she thanked Selectman Simon and Ms. Kablack for their work and everyone who contributed to its content.

Selectman Haarde asked what the chances are that MassHousing would deny the application. He also noted the Johnson Farm application was approved with conditions by MassHousing. Ms. Kablack stated her sense is the chance for denial is fairly low, however, she noted the Town has highlighted numerous substantive issues and objections. She explained it is possible MassHousing could also approve this application with conditions. However, Ms. Kablack stated she believes this is a stronger letter, and it is a

more detailed argument by the Town than the one presented for Johnson Farm. In response to a comment from Selectman Simon, Ms. Kablack clarified Sudbury has never denied a Chapter 40B Comprehensive Permit application.

Selectman Woodard suggested the Board might want to have a separate discussion regarding potential litigation and its funding. Chairman Brown stated the discussion would need to be scheduled as an Executive Session.

Chairman Brown requested that the Board's letter drafted by Selectman Simon and Ms. Kablack be posted to the Town website.

Sudbury Historic Commission (SHC) Chair Lyn MacLean stated the SHC believes an archeological study should be required prior to Site Eligibility approval. The Board requested language be added to this section of the letter on Page 6 noting the Board endorses this request.

Sudbury resident David Hornstein, 22 Candy Hill Road, stated it appears as if the developers have not yet purchased the land, even though they maintain site control. Thus, Mr. Hornstein believes the Town has a stronger case with the current property owners, whom he believes still legally own the property. He believes the deed to the land references a plan, which made the use for the property clear as being for a single-family lot, and thus it should be considered as covered in the deed. Mr. Hornstein stated he supports the idea of the Board pursuing parallel litigation-related discussions in Executive Session.

Selectman Haarde asked if the wetlands issues broached by the Conservation Commission will also apply to a proposed rail trail, which abuts this property. Ms. Kablack stated the same wetlands constraints noted are prevalent in the area.

It was on motion unanimously

VOTED: To authorize the Chairman of the Sudbury Board of Selectmen to sign the letter from the Board to Mass Housing, as reviewed and amended tonight, regarding the proposed Chapter 40B application received for a site located off Peters Way, (Assessor's Map J06-0023) referred to as The Village at Sudbury Station.

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

Present: Director of Planning and Community Development Jody Kablack

At 8:45 p.m., Chairman Brown asked Director of Planning and Community Development Jody Kablack to present the Melone property Request for Quotation (RFQ) responses received for the scope of services regarding the Melone property environmental data review. The Board was previously in receipt of copies of RFQ response package materials received from GeoInsight, Inc., Weston & Sampson, Bois Consulting Co., Inc., and Capaccio Environmental Engineering, Inc.

Selectman Woodard asked if Ms. Kablack has any knowledge about the firms which responded. Ms. Kablack stated the Town has worked with Weston & Sampson on the Route 20 sewer project. She found the firm to be professional, responsive and knowledgeable regarding wastewater management issues. Ms. Kablack stated she has no knowledge about the other three firms.

Selectman Simon asked Ms. Kablack's opinion regarding the RFQs submitted. Ms. Kablack stated she thought the GeoInsight, Inc. response seemed very thorough and the firm made recommendations to enhance the work into a more robust project. She stated she has asked for an additional cost estimate for additional

services, but she has not heard back from them. Ms. Kablack recommended the Board might want to check references before selecting a firm.

Selectman Woodard asked what the budget is for the scope of services. Ms. Kablack stated it has been estimated to be between \$5,000 to \$10,000. She further stated the funds would be paid from the previously appropriated CPA funds of \$150,000.

Vice-Chairman Iuliano appreciated the focus GeoInsight, Inc. put on explaining the findings to the public and the emphasis put on the Town water wells and the Sudbury Water District. She also stated she found the response from Capaccio Environmental Engineering, Inc. to be lacking in details and it seemed narrow in its scope. Vice-Chairman Iuliano stated she also would favor a firm which has all types of personnel needed on staff.

Selectman Simon stated he thinks checking references is a good idea. He asked if GeoInsight should be asked to meet with Ms. Kablack or the Board. Ms. Kablack stated she believes the firms would be willing to meet, but she is not sure it is necessary for this type of project, which they would likely consider as small.

Selectman Haarde stated he has concerns with Weston & Sampson because it is a large, national firm, and junior personnel could be assigned to the project, and the scope of services is not its specialty. He also stated he is inclined to not prefer a firm which has already had a connection with the Town. Selectman Haarde also stated he was not as impressed with the Capaccio Environmental Engineering, Inc. response.

Selectman Simon stated he views a firm's prior relationship with the Town as a potential benefit rather than a drawback.

Each Board member stated their top two firm choices. Following a brief discussion, the Board decided to check references on GeoInsight, Inc., Weston & Sampson, and Bois Consulting Co., Inc. It was further decided Selectman Haarde and Vice-Chairman Iuliano would check the references and provide feedback to the Board at its November 17, 2015 Meeting. Board members were asked to retain the RFQ response packets and bring them to the November 17, 2015 Board Meeting.

**National Development – Assign Board Member to Work on Development Agreement Negotiations – Discussion and Possible Vote on Next Steps**

Present: Director of Planning and Community Development Jody Kablack

At 9:00 p.m., Chairman Brown asked Director of Planning and Community Development Jody Kablack to Discuss with the Board the possibility of assigning a Board member to work with Town Counsel and the Town Manager to begin negotiations on a Development Agreement with National Development regarding the Raytheon site.

Ms. Kablack explained the Town has the ability to negotiate for certain things it might want from the Raytheon re-development project. She believes it would be timely and appropriate to begin discussions with National Development regarding what the Town will support and what it would like in return. Ms. Kablack noted the developer will need the Board's and Town's support for zoning changes at Town Meeting. She further noted Town Manager Rodrigues and Town Counsel have previous experiences with such negotiations.

Town Manager Rodrigues stated it is important for the Town to think about what the burdens from the development might be and to start the process soon to mitigate them as much as possible.

Selectman Haarde stated this is a common practice to negotiate a mitigation package for things which could benefit the Town and to discuss the potential impacts of the development.

Chairman Brown explained one Board member has been recommended to work with Town Counsel and the Town Manager because two Board members would be considered to be a subcommittee and be subject to Open Meeting Laws.

Selectman Haarde volunteered to represent the Board for the negotiations. He also asked if negotiations should be considered for Sudbury Station. Ms. Kablack stated Sudbury Station is different because it does not need any assistance from the Town or approvals from Town Meeting. However, she also stated it is likely that the Town would require mitigation through the Comprehensive Permit process. Ms. Kablack stated she believes the Town has more leverage with the Raytheon project.

Selectman Simon also offered to represent the Board, noting his recent experience with the Sudbury Station application could be beneficial. He stated he would solicit resident and Town staff expertise and comments for the mission. Selectman Haarde stated he would also solicit feedback.

Vice-Chairman Iuliano and Chairman Brown stated they supported Selectman Haarde representing the Board.

Selectman Woodard noted Selectman Haarde had concerns about the National Development proposal not having more retail, and he asked if the Board could be assured this would not be part of the negotiation discussions undertaken by Selectman Haarde. Selectman Haarde stated he would like more retail included in the project, but he agreed that is a separate discussion and would not be part of the Development Agreement negotiations.

Vice-Chairman Iuliano stated she believes the inclusion of more retail would need to be a separate conversation because she is not sure more retail would be beneficial to Sudbury's current businesses.

Chairman Brown asked what the expected timeframe is for the negotiation process. Ms. Kablack stated she anticipates it would be a short-term assignment, since these details should be finalized before the Warrant closes on January 29, 2016.

It was on motion unanimously

VOTED: To assign Selectman Haarde to work with Town Counsel and the Town Manager to begin negotiations on a Development Agreement with National Development.

#### **Joint Meetings with Finance Committee – Spring 2016 Schedule – Discussion**

At 9:15 p.m., Chairman Brown opened a discussion regarding scheduling joint meetings with the Finance Committee in the spring of 2016, leading up to Annual Town Meeting. She stated she and the Finance Committee Chair Susan Berry spoke last week and they thought consolidating presentations from Town boards and committees in joint sessions might be more efficient for all parties.

The consensus of the Board was this is a good idea. Chairman Brown stated she will work with Ms. Berry to establish possible meeting dates.

**Sudbury Housing Trust – Proposed Purchase of Home Preservation Home #8**

At 9:16 p.m., Chairman Brown asked Vice-Chairman Iuliano to summarize the agenda item regarding the Sudbury Housing Trust (SHT) proposed purchase of real estate for Home Preservation Home #8. The Board was previously in receipt of copies of a memorandum from Elizabeth Rust, for the SHT, dated October 28, 2015.

Vice-Chairman Iuliano stated the eighth home under the Home Preservation Program, at 58 Robbins Road, was selected as part of this program, which is intended to preserve existing homes as affordable in a scattered site method. She explained the home was selected after reviewing all targeted houses on the market under \$450,000. The eligible purchaser was selected at a lottery held October 8, 2015, and their eligibility was finalized. Vice-Chairman Iuliano stated a Purchase and Sale Agreement was signed for \$425,000, of which the SHT will fund approximately \$215,000.

Selectman Woodard asked what happens if the property is sold in the future. Vice-Chairman Iuliano explained this process is monitored by the Regional Housing Services Office to ensure the next buyer would also be eligible. Director of Planning and Community Development Jody Kablack stated the home would have a perpetual deed restriction. Chairman Brown summarized the process, emphasizing the house would remain affordable into perpetuity.

**Minuteman Regional Technical High School –Update on Related October 27 and October 28, 2015 Meetings**

At 9:20 p.m., Chairman Brown asked Selectman Simon to update the Board on Minuteman Regional Technical High School-related meetings held in Sudbury on October 27, 2015 and in Weston on October 28, 2015. The Board was previously in receipt of copies of a memorandum from Selectman Simon dated October 28, 2015 sent to the Selectmen of the other 15 Minuteman District member towns, handouts entitled, “Minuteman Career & Technical High School – Enrollment Over Three Years,” “Protocol for Adopting Amended Agreement, Bonding and Withdrawing,” “Minuteman Regional High School Five Year Projected Revenue Plan and Assessments – New School Construction Project Based on 524 In-District Students and 104 Nonresident students,” “Minuteman Regional High School New School Building Project Projected Annual Debt Service,” and “Minuteman Regional High School New School Building Project Projected Tax Impact to Median Home by Member Town.” In addition, Selectman Simon distributed copies tonight of two graphs entitled, “Actual Three Years Minuteman In-District Enrollment As of October 1 2013-3015” and “Actual Ten Years In-District Minuteman Enrollment As of October 1 2006-2015.”

Selectman Simon stated the Minuteman School Committee held a meeting in Sudbury on October 27, 2015 to discuss plans for a new \$145 million school, which would be partly paid for by the Massachusetts School Building Authority (MSBA). He referenced his memo which was sent to the Selectmen of the other 15 Minuteman District member towns explaining the per student cost is approximately \$230,000 for the proposed 628-student new building, which is approximately twice as much as the cost at Essex or Putnam. In response to a question posed by Selectman Woodard at the October 27<sup>th</sup> meeting, Minuteman noted time and money was not spent to determine a true estimate for renovating the current facility, which would be a less expensive option for Sudbury. Selectman Simon stated the per student cost for the operating budget and debt service is approximately \$32,354, assuming 100% occupancy by 628 students. The Lincoln-Sudbury Regional High School cost is approximately \$18,000. Currently, and prior to a new building, Minuteman’s costs are 40-60% higher than most other vocational technical high schools in eastern Massachusetts. If fewer students attend the School, Selectman Simon noted an increase in the member town assessments would likely occur to cover the variance. He opined that it appears they need this cost structure to support 16 different programs offered. Selectman Simon explained the enrollment and financial projections are not based on any

studies. He emphasized the enrollment for in-District students has trended down for the past ten years, and is at its lowest point since 2000. Selectman Simon further stated out-of-District enrollment is down 22% over the past two years, with overall enrollment down 15% over the same timeframe. If the trend continues for two more years, there will not be enough students for a 628-seat school.

Selectman Simon stated the Minuteman School Committee needs a vote to pass by two-thirds to proceed with a District-wide Ballot and Election. As of the October 28, 2015 meeting in Weston, it appears this vote would be unsuccessful. He further stated the towns who have expressed objection to a District-wide Election represent approximately 225 of the 360 in-District students.

Selectman Woodard asked if someone is tracking the anticipated “no” votes, to be sure they do not change their minds. Selectman Simon stated he is keeping in close contact with representatives from those member towns opposed to a District-wide Election.

Selectman Simon stated Wayland had voted to leave the Minuteman District, however, Lexington voted not to allow Wayland to withdraw. He referenced a new proposed amendment to the Regional Agreement (page 229 of the Board’s agenda packet for tonight’s meeting) which has been drafted which could accomplish providing towns like Sudbury a pathway to withdraw from the District and to approve capital funding for a new school but not making the towns withdrawing from the District responsible for the capital funding costs. Selectman Simon emphasized this would be the best possible outcome.

Chairman Brown stated the language is not completely clear in the proposed amendment, and the Minuteman School Committee has intimated it is up to the Selectmen to revise the language, if needed. Chairman Brown thinks the proposal is a good start moving in a more positive direction. She noted a Minuteman Building Committee breakfast meeting is scheduled for November 16, 2015 to present plans to Selectmen from the member towns. Chairman Brown also noted she has tentatively scheduled a Vocational Education Options Committee (VEOC) meeting on November 19, 2015 at the Lincoln-Sudbury Regional High School, Conference Room A.

Selectman Simon stated the position previously held by Paul Lynch on the Minuteman School Building Committee needs to be filled. Chairman Brown stated the vacancy needs to be publicized. Town Manager Rodrigues stated she would coordinate the posting of the position.

Chairman Brown explained MSBA has approved a 628-student school plan and has committed to a 40% funding match, which will expire on July 1, 2016. Thus, she stated Minuteman’s strategy is geared to this deadline and not losing this funding opportunity.

Selectman Woodard stated he believes this could be a pivotal turning point for the future plans for the School. He commended Selectman Simon for his diligent work for the past few months reaching out to other Selectmen from member towns.

**SudburyTV – Discussion and Possible Vote Regarding Encouraging Taping of Town Board and Committee Meetings**

At 9:50 p.m., Chairman Brown opened a discussion regarding whether the Board wishes to encourage Town boards and committees to ask SudburyTV to record their meetings. The Board was previously in receipt of copies of a draft letter prepared by Vice-Chairman Iuliano to be sent from the Board’s Chair to members of Town boards, committees and commissions.

Vice-Chairman Iuliano summarized this agenda item is as a result of a suggestion made by SudburyTV to cover more municipal and school-related meetings.

Selectman Simon suggested it would be good to encourage meetings be broadcasted live. Vice-Chairman Iuliano and Chairman Brown stated it might be best to allow SudburyTV to coordinate services based on demand and having the meetings simply recorded might suffice.

It was further on motion unanimously

VOTED: To authorize the Board of Selectmen's Chair Pat Brown to sign, on behalf of the Board, the draft letter as reviewed tonight, to be emailed to members of Town boards, committees and commissions, encouraging them to contact SudburyTV to record their meetings.

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

Chairman Brown asked if anyone had requests for future Board agenda items. She read aloud a request she received from Samuel Cannarozzi requesting time to meet with the Board on November 17, 2015.

In response to a question from the Board, Town Manager Rodrigues stated the back real estate taxes owed to the Town had not been paid as of this morning.

Chairman Brown stated the license had been approved based upon a condition of the Town receiving payment for all taxes owed. Thus, since no money has been received by the Town, there is no license in effect at this time, and she is inclined to believe there is nothing to meet about until the taxes are paid.

Selectman Haarde suggested, and the Board concurred, that the Canarozzis should be told they can update the Board by email or hard copy any substantive new information available, which Chairman Brown said she would do.

Chairman Brown stated she spoke with Town Manager Rodrigues about discussing annual performance reviews for the Town Manager position at a future meeting. The Board and Ms. Rodrigues agree this should be a future agenda item. Chairman Brown stated she has sample evaluation materials and information she has collected which she will share with Ms. Rodrigues. She also asked other Board members and Ms. Rodrigues to similarly share any relevant materials they might have for review.

Selectman Woodard stated he would like to request potential litigation regarding the Sudbury Station proposal be discussed at a future Executive Session. He also stated the Budget Strategies Task Force Mission Statement may need to be amended, and this might need to be on the December 1, 2015 agenda. Selectman Woodard also stated he was contacted for a status report regarding what the follow-up was for the petition vote taken for Article 44 (related to fossil fuel) of the Annual 2014 Town Meeting, which passed by well more than a majority. Selectman Haarde suggested checking with State Representative Gentile, which Town Manager Rodrigues stated she would, regarding if there is still a bill pending and if endorsements are still needed.

Selectman Simon requested that an appointment to replace Paul Lynch on the Minuteman School Building Committee be added as a future agenda item.

Chairman Brown reminded Board members that Patty Golden sent them the Code of Ethics on October 22, 2015, and comments and/or revisions are due back on November 5, 2015.

**Strategic Financial Planning for Capital Funding Committee - Appointments**

It was on motion unanimously

VOTED: To appoint Finance Committee Designee Adrian Davies, 14 Gerry Drive, and Sudbury School Committee Designee Lisa Kouchakdjian, 30 Meadowbrook Circle, as members of the Strategic Financial Planning for Capital Funding Committee for terms to end on May 31, 2016.

**Holders of Restaurant and Club Alcoholic Beverages Licenses - Serving Hour Extension – No. 29 Sudbury and Lavender**

It was on motion unanimously

VOTED: To approve a one-hour extension of the licensed closing hour and the serving of alcoholic beverages for licensees who make application, in advance, to the Town Manager's Office: No 29 Sudbury, 29 Hudson Road, and for Lavender, 519A Boston Post Road, (1:00 a.m. to 2:00 a.m.) on Thursday, November 26, 2015, (Thanksgiving Eve) and Thursday, December 31, 2015 (New Year's Eve) on the condition that the kitchen remains open and food is served. Following the close of the full menu, licensees must provide, at a minimum, five (5) assorted items up until thirty (30) minutes before closing.

**CSX – Sign Early Acquisition Letter**

It was on motion unanimously

VOTED: To send the attached CSX Early Acquisition letter to John Deliere, Director, Right of Way Bureau, MassDOT, Highway Division, as recommended by Jody Kablack, Director of Planning and Community Development.

**CPC Proposals**

Selectman Simon suggested the request for the Bruce Freeman Rail Trail design funds should be increased from \$100,000 to \$250,000 to cover the full 75% design. He further stated he is uncertain how long \$100,000 would carry the project, and he believes it would be best to request money only once from Town Meeting to avoid slowing down the project or reaching a point of no activity due to a lack of funds.

Director of Planning and Community Development Jody Kablack stated the Community Preservation Committee (CPC) FY17 funding proposals were due yesterday.

Town Manager Rodrigues stated her understanding is that it is uncertain that \$250,000 would bring the project to 75% design.

Ms. Kablack stated the proposal was submitted to the CPC as a draft, but she is uncomfortable submitting it for \$250,000 because the amount for the 75% design is not yet known. She stated the Town may have a better sense of the cost at the conclusion of the 25% design, which is anticipated to be completed in December 2016. Ms. Kablack further explained the \$100,000 request was made to provide gap funding to carry the project to the Annual 2017 Town Meeting.

Selectman Simon stated he is uncomfortable underbidding the project submission to the CPC.

Ms. Kablack explained the CPC's tight timeframe to deliberate project submissions and to prepare Warrant articles by the end of January 2016. She stated the Board could discuss this project again at its November 17, 2015 meeting and let the CPC know its thoughts.

Selectman Simon requested this discussion be added to the November 17, 2015 agenda, and that the vote be amended tonight for this project to be for "not less than \$100,000."

Selectman Haarde stated he supports continuing the discussion on November 17, 2015 because he would need to hear more before taking a position on changing the requested amount.

It was on motion unanimously

VOTED: To support the submission of the following proposals to the Community Preservation Committee for FY17 funding: \$100,000 for additional Town Center landscaping, \$100,000 for construction of walkways, and not less than \$100,000 for additional funds for design of the Bruce Freeman Rail Trail.

### **Park and Recreation – Gift**

It was on motion unanimously

VOTED: To accept a gift from Betsy Cohen, 12 Darvell Drive, to the Park and Recreation Department of a moderately used SportCraft Turbo Air Hockey table, valued at \$200, as requested in a memo dated October 26, 2015, from Mark Simmons, Youth Coordinator/Teen Center Director, said item to be used at the Jean Lind Teen Center, and to send a letter of thanks to Ms. Cohen.

### **Minutes**

At 10:03 p.m., Chairman Brown took this agenda item out of order. She stated she was absent from the October 6, 2015 Board meeting, and thus would abstain from the vote on the minutes.

It was on motion

VOTED: To approve the Regular Session Meeting Minutes of October 6, 2015.

Chairman Brown abstained from the vote.

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of October 20, 2015.

There being no further business, the meeting adjourned at 10:20 p.m.

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