

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JANUARY 5, 2016

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 7:40 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:40 p.m., Chairman Brown opened the meeting. She announced there will be an Open House for the new Police Headquarters on Hudson Road on January 30, 2016, from 10:00 a.m. to 12 noon, and she encouraged the public to attend.

Reports from the Town Manager

Town Manager Rodrigues stated Nomination papers, which will be due by February 8, 2016, are now available at the Town Clerk's Office for elected positions, and she listed the positions available. She also stated State Senator Eldridge's Office informed her that public meetings will be held regarding commuter rail service. The nearest meeting location for Sudbury will be in Concord on January 28, 2016, and an online survey should also be available from January 7 to February 12, 2016.

Reports from the Board of Selectmen

Selectman Woodard stated he attended and chaired the Strategic Financial Planning Committee for Capital Funding Meeting on December 17, 2015. He stated the Committee will meet tomorrow night to finalize its recommendations, which will be reported to the Board at a later date. Selectman Woodard also reported he and Chairman Brown attended a ceremony on December 18, 2015 to accept a State check for \$145,000 for renovations to the Loring Parsonage project.

Selectman Simon stated he worked on the proposal sent on December 20, 2015 to Minuteman Regional Vocational High School suggesting that upcoming votes required by the member towns be coupled. On December 21, 2015, Minuteman's School Committee adopted the coupling recommendation and it approved the new revised Regional Agreement, which will be presented at Sudbury's Special Town Meeting (STM) on February 9, 2016. Selectman Simon stated the revised Agreement contains a one-time option for member towns to exit the Minuteman District, and Sudbury and six other towns are listed as considering this provision. He stated he and Chairman Brown drafted a series of Frequently Asked Questions, which are on the Town website, to help educate residents on the benefits and alternatives surrounding the Minuteman-related Warrant articles. Selectman Simon also attended the Fairbank Community Center Task Force, which will report its recommendations soon to the Capital Improvement Advisory Committee (CIAC) and the Permanent Building Committee (PBC). He also reported the survey on the right-of way is underway for the Bruce Freeman Rail Trail 25% design project.

Vice-Chairman Iuliano stated she also participated in some of the meetings already noted.

Citizen's Comments

At 7:47 p.m., Chairman Brown recognized Sudbury citizen Dan DePompei, 35 Haynes Road.

Mr. DePompei stated he recently met with Town Manager Rodrigues regarding the Bruce Freeman Rail Trail (BFRT). He believes confusion remains regarding whether the project is, or is not, intended to comply with the Town's bylaws. Mr. DePompei believes this should be clarified, since there is a Community

Preservation Committee (CPC) funding request pending for 75% design funds. Mr. DePompei further stated he believes there should be public discussions regarding the projected net revenues and anticipated costs for the two pending Chapter 40B developments, and he is interested in being provided with this information.

At 7:50 p.m., Chairman Brown recognized Sudbury citizen David Hornstein, 22 Candy Hill Road.

Mr. Hornstein asked why the restriction was not included in the deed for the land swap which was made for the land off Peter's Way, which is now part of the pending Sudbury Station LLC development proposal. Chairman Brown stated the seller was asked to include the restriction at the time, but he declined to do so, which was his legal prerogative. Mr. Hornstein stated the article for the land swap presented to Town Meeting referenced a submitted plan, and this plan did note the restriction for one house lot, and this is what Town Meeting voted. He questions whether the article was misrepresented at Town Meeting as being restricted to one house lot, if he is now learning that the seller had the discretion to alter the development plan.

Selectman Haarde stated he cannot recall if the term restricted was used at Town Meeting, and he now believes the article could have been better presented. He further stated the owner always has the ability to alter a subdivision plan. Selectman Haarde also stated that, unfortunately, in these types of circumstances, hindsight is always 20/20, but at the time the Town did not have the information it now has.

Chairman Brown stated Mr. Hornstein's questions would require additional follow-up, and she concluded the comment period.

Annual 2016 Town Meeting – Meeting Date

Chairman Brown announced the Annual Town Meeting will begin on Monday, May 2, 2016, and the Warrant period is now open. All articles for inclusion in the Annual Town Meeting Warrant are due to the Selectmen's Office, 278 Old Sudbury Road, and they are to be stamped in no later than 5:00 p.m. on Monday February 1, 2016.

It was on motion unanimously

VOTED: To open the Warrant Period for the Annual Town Meeting, which will begin on May 2, 2016.

Warrant for Special Town Meeting – Vote Approval

Copies of the "Town of Sudbury Massachusetts Official Warrant Special Town Meeting Tuesday, February 9, 2016" were distributed tonight to the Board. It was noted the corresponding Warrant Period closed yesterday at 5:00 p.m. Chairman Brown summarized the four articles included in the Warrant, noting it is possible Article 3 may be passed over.

Town Manager Rodrigues noted Article 4's title should refer to the former Police Station versus the existing Police Station.

Selectman Simon stated Articles 1 and 2 relate to the Town's relationship with Minuteman Regional Vocational High School. He emphasized the importance of these issues, and he encouraged residents to access the many sources of information available on the Town's website. Selectman Simon suggested a time should be set aside prior to the Special Town Meeting to help educate the public regarding the relevant issues and options available to Sudbury.

It was on motion unanimously

VOTED: To approve the Warrant for Special Town Meeting on February 9, 2016, which must be in the hands of residents by January 26, 2015.

Public Hearing: Eastbrook, Inc., d/b/a Sperry's Fine Wine & Brew, 435 Boston Post Road, - Package Store License for the Sale of Wines & Malt Beverages

Present: President and Owner Anthony Speranzella, Kevin Gelsinon, Manager, and the applicant's attorney William F. Brewin, Jr.

At 8:05 p.m., Chairman Brown opened the Public Hearing regarding the request by Eastbrook, Inc., d/b/a Sperry's Fine Wine & Brew (Anthony Speranzella, President), 435 Boston Post Road, Unit 6, Sudbury, for a Package Store License for the Sale of Wines & Malt Beverages, under M.G.L. Chapter 138, Section 15, Kevin Gelsinon, Manager. The Board was previously in receipt of copies of the application and accompanying materials, emails from Town Department Heads, stating no objections to the request, and a handout entitled "Sudbury Alcohol License Quota & Availability." In addition, copies of an email from Sudbury residents Kevin and Bettina Westerberg, 239 Raymond Road, were distributed tonight to the Board along with a response to the concerns expressed in this email from Sudbury Police Chief Scott Nix dated January 5, 2016.

The applicant's attorney William Brewin summarized the application request, noting the owner has been in business since 1996 at several other locations, which have all been well-received. Mr. Brewin emphasized the business is considered to be customer-friendly and it takes its responsibility as a commercial citizen seriously. He further stated the business has a history of being involved with the community and sponsoring youth-oriented activities. Mr. Brewin noted the Manager Kevin Gelsinon will be TIPS certified. In response to a question from Selectman Woodard, Mr. Brewin clarified the proposed address as Unit #6 at Sudbury Crossing Plaza (the former luggage store).

Selectman Woodard stated the applicant has prior experience. However, he further noted the Board has recently approved a few other liquor-related licenses. He asked the applicant if they believe a market exists for their services in Sudbury. Mr. Speranzella stated he believes the market exists.

Selectman Simon asked if cigarettes would be sold, in addition to cigars. Mr. Speranzella stated there are no plans for cigarette sales. Selectman Simon referenced an email received from residents Kevin and Bettina Westerberg, 239 Raymond Road, and a copy was provided to the applicant. Selectman Simon noted the potential concerns noted, and asked if they could be addressed. Mr. Speranzella stated the business is not loud, and nor is the HVAC system, which is a new state-of-the-art system. He also stated there would be no loitering, and he wishes to make people happy.

Selectman Haarde read aloud each of the Westerberg's concerns, and he asked the applicant to address how each one is, and would be, handled. He encouraged the applicant to ensure there would be no loitering at the rear exit and to monitor that there be no public drinking in the vicinity. Selectman Haarde suggested the property owner/landlord should be contacted regarding the use of the upper parking lot. It was suggested to the applicant that all activity for promotional events be processed through the front of the business.

At 8:17 p.m., Chairman Brown opened the Hearing to public comments.

Sudbury resident Bettina Westerberg, 239 Raymond Road, stated she has several concerns. She also stated she is aware of a neighbor who was not duly notified of tonight's Hearing. Thus, Ms. Westerberg asked if the Board would consider postponing its decision. She stated she does not believe the proposed

business is family-friendly and consistent with other businesses near the intended location. Ms. Westerberg also stated HVAC noise has been disruptive, and she believes there will be more deliveries at the rear than in the past.

Selectman Simon stated the Board received related email comments from Police Chief Nix today stating no problems were anticipated based on his prior observations. He suggested that, if problems become a nuisance in the future, they should be brought to the Town Manager's or the Police Department's attention. Selectman Simon emphasized the Board does not want residents to feel uncomfortable.

Ms. Westerberg stated that it is possible the Police Chief did not observe problems in the past, but, now, the Police Station has been relocated, and she is concerned about future activity.

Chairman Brown stated she appreciates the concerns being expressed. However, she believes that, if problems come to fruition, they should be brought to the attention of the Police and/or Building Departments. Thus, she stated she is not inclined to act on the concerns expressed.

Selectman Simon referenced the feedback received from the Police and Fire Departments, the Board of Health, and the Building Department, all noting no objections to the application request.

Vice-Chairman Iuliano stated she believes it is helpful for the applicant to be aware of the concerns expressed, but she does not see any reason for the Board to delay or deny the application request.

Selectman Haarde asked if the Public Hearing should be delayed, since there is knowledge of one abutter not being notified. It was noted the person not notified is a new homeowner. Town Manager Rodrigues explained the proper notification would have been sent to the owner of record, which may have been the former property owner.

Selectman Woodard asked the applicant what a two-week delay would mean to him. Mr. Speranzella stated it would result in loss of revenue and it would put the project behind schedule. Mr. Brewin noted the applicant is also subject to lease obligations. Selectman Woodard stated the Board is cognizant of the needs of all parties, and tries to be fair to everyone.

Ms. Westerberg asked if the flow of traffic for the intended location has been studied. Mr. Speranzella stated no traffic problems are anticipated. He also stated the business has planned for three, 15-minute only parking spaces to help facilitate parking.

Chairman Brown stated she is inclined to rely on the Police Chief's opinion, and she closed the Hearing for public comments.

It was on motion unanimously

VOTED: As the Local Licensing Authority for the Town of Sudbury, in accordance with to approve the application of Eastbrook, Inc., d/b/a Sperry's Fine Wine & Brew (Anthony Speranzella, President), 435 Boston Post Road, Unit 6, Sudbury, for a Package Store License for the Sale of Wines & Malt Beverages under M.G.L. c.138, s.15, Kevin Gelsinon, Manager.

Annual Senior Tax Work-off Limit – Request for an Increase

Present: Council on Aging Director Debra Galloway

At 8:40 p.m., Chairman Brown opened a discussion regarding the recommendation of the Council on Aging (COA), to increase the annual senior tax work-off amount from \$900 to \$1000 per year. The Board was previously in receipt of copies of a memorandum from the Sudbury COA dated December 10, 2015.

COA Director Debra Galloway stated the COA voted unanimously to approve the change in the maximum amount of tax abatement available to participants in the Property Tax Work-Off Program. She explained the increase brings the amount in line with the adjustment to the new \$10 per hour minimum wage requirement. Ms. Galloway stated the Program is a benefit to many Town and School offices and departments, noting there are currently 55 senior citizens and two veterans who participate in the successful Program.

Chairman Brown stated the total impact of this item is approximately \$6,800 per year.

Selectman Simon stated the Program participants do a great job and they are very valuable for the Town. In particular, he noted how helpful the staff is at the Town's Put and Take.

It was on motion unanimously

VOTED: To approve an increase in the annual senior tax work-off amount from \$900 to \$1,000 per year, as recommended by Debra Galloway, Council on Aging Director.

Transportation Related Topic - Discussion

Present: Sudbury resident Zachary Shapiro and Council on Aging Director Debra Galloway

At 8:55 p.m., Chairman Brown opened a discussion regarding transportation as requested by Sudbury resident Zachary Shapiro. The Board was previously in receipt of copies of emails from Mr. Shapiro dated October 26, 2015, October 28, 2015, and December 1, 2015, an email from Vice-Chairman Iuliano to Mr. Shapiro dated October 28, 2015, an email from Chairman Brown to Mr. Shapiro dated December 1, 2015, and a handout entitled "Sudbury Senior Center – Sudbury Connection Vans." In addition, Vice-Chairman Iuliano distributed copies tonight of a handout entitled, "Transportation in Sudbury for Seniors and Disabled Residents Background for January 5, 2016, Meeting," and Town Manager Rodrigues distributed copies of a chart of transportation-related financial data for 2010-2016.

Vice-Chairman Iuliano referenced her handout, noting the many short-term and long-term options the COA and its Transportation Subcommittee are working on.

Mr. Shapiro thanked the Board and Council on Aging (COA) Director Debra Galloway for their assistance in helping him to raise awareness about transportation needs in Sudbury. He stated his mother has been a resident in Town for nearly 40 years and she is disabled. Mr. Shapiro explained, through the use of a PowerPoint presentation, that his mother's mobility is hindered by Sudbury's lack of appropriate transportation options such as a handicapped van or access to the MBTA RIDE program for out-of-Town locations. He suggested possible solutions of instituting a pilot fixed route in Sudbury and increasing the hours and geographic outreach of the current van service. Mr. Shapiro highlighted the Town's growing senior population, noting 20.3% are over the age of 60. He suggested financing resources need to be further researched.

Selectman Woodard commended Mr. Shapiro on a good presentation of useful information, which the Town should continue to investigate further through the work of the COA and its subcommittee and other avenues.

In response to a question from Vice-Chairman Iuliano, Ms. Galloway explained a transportation-related revolving fund has a limit on monies which can be spent, but not on the amount of money which can be out into the fund. She stated the COA is studying the best ways to utilize the funds available.

Town Manager Rodrigues referenced the chart of financial information regarding transportation assessments that she and Ms. Galloway have created.

Selectman Haarde asked if the Commission on Disability has been contacted for input. Mr. Shapiro and Ms. Galloway stated it has been difficult to locate a contact on the Commission. It was noted the Commission currently has many vacant positions, and it may not be active.

Chairman Brown stated the COA Transportation Subcommittee has been working on many of the issues highlighted tonight, and she applauded their work and urged the COA to continue its good work on behalf of the Town and its residents. The consensus of the Board was that Ms. Galloway should provide the Board with an update report sometime in the future.

Former Police Station – Discussion and Possible Special Town Meeting Article

Present: Facilities Director Jim Kelly

At 9:10 p.m., Chairman Brown opened a discussion regarding the future use of the former Police Station, and she welcomed Facilities Director Jim Kelly to the Meeting.

Mr. Kelly stated his focus previously was on building the new Police Headquarters. However, now that the Police Department has relocated to the new facility, it is time to focus on what to do with the former Police Station. Mr. Kelly stated he prepared an article for the Special Town Meeting to meet the submission deadline yesterday, since there was not a Board Meeting scheduled in time. He further stated there was an article presented at last year's Town Meeting to give the Board the authority for disposition of the property, but Town Meeting was clear it wanted to retain its decision-making authority. Mr. Kelly referenced the survey which was posted on the Town website, noting 39% of responders supported selling the property for commercial use, which would also avoid further maintenance costs. He believes the Town should talk about the future of the property, and he suggested possibly holding an idea-gathering public meeting. In response to questions from Selectman Simon, Mr. Kelly stated the property is .6 of an acre, it has been appraised at \$750,000, and he has not had any inquiries from potential buyers. However, Town Manager Rodrigues stated she had an inquiry today. She also stated she would continue to meet with Mr. Kelly and they could begin to market the site.

Chairman Brown suggested that, if a public forum is to be scheduled, it needs to be coordinated soon.

Selectman Haarde referenced the Special Town Meeting Warrant Article #4. He believes the Facilities Director Report section makes it clear that the intent is to sell the property. However, Selectman Haarde does not believe the intent is as clear in the language of the article itself. Town Manager Rodrigues stated the word "convey" rather than "sell" leaves open the possibility for the Town to lease the property. Selectman Haarde stated the Board and the public have expressed the preference to sell the property and not to lease it. Selectman Woodard opined that, depending on the terms, a lease could be a better deal than a sale.

Following a brief discussion, Chairman Brown summarized that Mr. Kelly will work to coordinate an informational meeting prior to February 9, 2016, and he will begin to work on the wording for a Request for Proposal, so that, if an article vote passes, bids could be quickly solicited.

Selectman Woodard stated residents need to be encouraged to attend the Special Town Meeting, and he suggested the content of the articles should be publicized. Chairman Brown also stated residents need to be encouraged to attend to ensure there is a quorum present.

Sudbury resident Kirsten Roopenian, 45 Harness Lane, stated it seems as if the decision has already been made to sell the property and that is the intent of the article. She urged the Board to be sure residents are given a clear message regarding what input is being sought at the public forum. Selectman Haarde concurred, stating the time to discuss ideas and options is over, and the Town should proceed towards a sale.

Chairman Brown asked Board members for a show of hands regarding who supports a sale of the property, and everyone raised their hand, and the discussion was concluded.

Board of Selectmen's Policy on Issuing Proclamations – Discussion

At 9:32 p.m., Chairman Brown opened a discussion regarding whether the Board should have a policy regarding issuing proclamations. The Board was previously in receipt of copies of a draft policy for "Citations and Proclamations," which Chairman Brown fashioned from the Town of Winchendon example the Board had previously favored.

Chairman Brown stated she is concerned about the amount of time the Board should spend on issues it cannot locally effect.

It was on motion unanimously

VOTED: To adopt the policy in tonight's agenda packet, as reviewed and discussed tonight, for the Town of Sudbury regarding "Citations and Proclamations."

Resolution – "Asking Saves Kids from Drugs" - Discussion

Present: Sudbury resident Geoff Phillips

At 9:35 p.m., Chairman Brown opened a discussion regarding a request for a resolution titled, "Asking Saves Kids from Drugs," and she welcomed Sudbury resident Geoff Phillips to the Meeting. The Board was previously in receipt of copies of the slides for tonight's presentation to the Board by Sudbury resident Geoff Phillips.

Given that the Board in the previous agenda item adopted a new policy on Citations and Proclamations, Chairman Brown asked if Mr. Phillips would be offended if the Board did not sign the draft Resolution provided. Mr. Phillips stated, he would be a bit offended, since the Board received his request in November 2015. Mr. Phillips further stated that, he would consider withdrawing tonight's agenda item, if the Board would retract its previous vote regarding what he considered to be a gun-control related proclamation.

Selectman Woodard stated the Board did not consider the previous proclamation request to be gun-control related, but rather it viewed it as part of a broader campaign to raise awareness about gun safety for children. Mr. Phillips disagreed, stating the gun-control position of the proponent was obvious. He also stated he tried to caution the Board before it voted on the gun-related proclamation that it was setting a precedent for future

requests for a multitude of items and positions. Mr. Phillips stated drugs are a far greater danger to children than guns are.

Selectman Simon stated he believes the Board supported the previous proclamation because it viewed it as gun-safety oriented and not gun-control oriented, and because it came as a request from a State Legislator. He also stated he understands the points Mr. Phillips is trying to make, but two wrongs do not make a right, and it cannot reverse the Board's prior action.

Selectman Haarde stated he does not believe the Board needs to revisit its decision on the gun-related proclamation. He believes drugs are a big issue and there are problems in Sudbury. Selectman Haarde stated he has no problem supporting Mr. Phillips requested resolution and anything else which will help keep children safe. Mr. Phillips stated that, if this is indeed the case, then the proclamation could be broadened to include other things which can harm and kill children. He also stated he does not believe there has been a parity of discussion regarding his resolution. Vice-Chairman Iuliano stated both sides of the issues raised by Phillips could be argued.

Selectman Woodard asked if tonight's proposed resolution could be connected to a broader public awareness campaign, which the Board could support. Vice-Chairman Iuliano suggested the Community Resource and Awareness Network (CRANE) Program in Lincoln and Sudbury could be contacted as part of a public relations effort.

Following a brief discussion, it was the consensus of the Board that, on behalf of the Board, Selectman Woodard would work with Mr. Phillips to develop a resolution request to be considered by the Board to support. Mr. Phillips asked Selectman Woodard to contact him with a suggested first meeting date.

It was on motion unanimously

VOTED: To have Selectman Woodard, on behalf of the Board, work with Sudbury resident Geoff Phillips to review the resolution request for "Asking Saves Kids from Drugs" discussed tonight, and to report back to the Board at a future date their recommendations.

Codes of Conduct - Discussion and Possible Vote

At 9:52 p.m., Chairman Brown opened a discussion, which had previously been continued, regarding memorializing a Code of Conduct 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), the "Town of Sudbury Code of Conduct of the Board of Selectmen (9/13/04), and a memorandum from Vice Chairman Iuliano dated December 27, 2015. In addition, Vice-Chairman Iuliano distributed copies with reline changes accepted of the drafts "Town of Sudbury Code of Conduct of the Board of Selectmen" and the "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 stated Selectman Simon has submitted a few revisions which will need to be incorporated into a new draft.

Chairman Brown asked what the objective is for this document, how it is intended to be used, and whether it is intended to be more of a guideline.

Vice-Chairman Iuliano stated she views the document as not enforceable, but more of an aspirational and guiding document.

A brief discussion ensued regarding the distinction which should be made between a code of conduct and a code of ethics.

Selectman Simon volunteered to work with Vice-Chairman Iuliano to develop the next revised draft.

Selectman Woodard stated he believes the Board should have a Code of Conduct. Selectman Haarde concurred, noting there should be one code, which applies to all relevant parties. He suggested the document could be simplified.

It was on motion unanimously

VOTED: To form a subcommittee of the Board of Selectmen comprising of Vice Chairman Iuliano and Selectman Simon to revise the “Town of Sudbury Code of Conduct of the Board of Selectmen” and the “Code of Conduct for Town of Sudbury Committees Whose Members are appointed by the Sudbury Board of Selectmen or the Sudbury Town Manager,” to be reviewed by the Board at a future meeting.

Budget Strategies Task Force and Finance Committee Meetings – Discussion and Possible Vote for a Facilitator

Present: Finance Committee Chair Susan Berry

At 10:08 p.m., Chairman Brown opened a discussion regarding whether the Board should vote for a facilitator to oversee the proposed joint meetings of the Finance Committee and the Budget Strategies Task Force. The Board was previously in receipt of copies of an email from Finance Committee Chair Susan Berry dated December 21, 2015.

Selectman Haarde asked if a facilitator is needed.

Finance Committee Chair Susan Berry stated the recommendation was made for a facilitator based on the example set by Acton. She also noted it is thought that having someone with negotiation experience facilitate the meetings could be helpful.

It was on motion unanimously

VOTED: To support the recommendation of the Finance Committee to ask Town Moderator Michael Fee to act as a facilitator for the proposed joint meetings of the Finance Committee and the Budget Strategies Task Force.

Minuteman Regional Vocational Technical High School –Update on Regional Agreement & Discussion and Possible Vote on Calling a Special Town Meeting

At 10:09 p.m., Chairman Brown opened a discussion regarding the Minuteman Regional Vocational High School’s Regional Agreement. The Board was previously in receipt of copies of a draft proposed 2016 revised Minuteman Regional Agreement dated December 21, 2015. Chairman Brown suggested the discussion should focus on what needs to happen before the Special Town Meeting. She also suggested it might be helpful to coordinate a public forum to allow residents to learn about the issues and ask questions.

Chairman Brown stated a series of “Frequently Asked Questions” regarding Minuteman is on the Town website.

Selectman Simon provided a brief summary of events related to Minuteman during the past year. He noted the Selectmen from the 16 member towns of the Minuteman School District eventually took control of drafting a revised Regional Agreement which could satisfy all parties. Selectman Simon emphasized Sudbury supports vocational education, and its focus has been on how best to provide this option, in a cost-effective manner.

Selectman Simon explained there are two articles on the Special Town Meeting (STM) Warrant which address whether to approve the revised Regional Agreement, and whether to withdraw from Minuteman’s District. He believes a public discussion on the pros and cons of the articles would be helpful to have before the STM on February 9, 2016.

The consensus of the Board was that a combined public forum should be coordinated to discuss the Minuteman and former Police Station articles and issues. Town Manager Rodrigues stated she would work with Facilities Director Jim Kelly tomorrow to coordinate a date (February 4, 2016 at the Goodnow Library was offered as a suggestion, even though Selectmen Woodard and Haarde may not be able to attend). The further consensus of the Board was that Selectman Simon would prepare and submit to the Town Manager prior to January 12, 2016, a draft handout for the forum which highlights the issues, consequences and alternatives available. Additional suggestions from Board members should be submitted individually by Board members to Town Manager Rodrigues to be incorporated into the draft, which will be reviewed by the Board at its next meeting on January 19, 2016.

Future Board of Selectmen Agenda Items - Discussion

Chairman Brown stated State Legislators are tentatively scheduled to provide the Board with an update at the Board’s February 2, 2016 Meeting. She suggested the Board should discuss at its January 19, 2016 meeting the topics to be discussed with the Legislators. Chairman Brown announced she will be on vacation January 8-17, 2016, and thus, Vice-Chairman Iuliano will prepare the agenda for the January 19, 2016 Board Meeting.

Selectman Woodard stated the Strategic Financial Planning Committee for Capital Funding may be ready to present its report and recommendations at the Board’s January 19, 2016 Meeting. He also suggested the Board may want to discuss Annual Town Meeting articles at its January 19, 2016 Meeting. Selectman Woodard also requested a discussion regarding the National Development negotiations be scheduled as a future agenda topic.

Selectman Simon asked if the two Town Counsel opinions, voted in Executive Session earlier tonight by the Board to be released to the public, should also be a future agenda item to be released in a regular session. Town Manager Rodrigues will check with Town Counsel regarding the proper procedure.

Minutes

The Board asked that the first sentence of the last paragraph on Page 1 of the Minutes be revised to delete the words “Sudbury Station LLC” and replace them with the words “Avalon Bay.” The Board also asked that the last sentence of the second full paragraph on Page 7 of the Minutes be revised to read as follows: “Following a brief discussion, it was decided the parenthetical part of the sentence noted above “(due to personal employment or business on behalf of the Town, and excluding leisure travel)” should be deleted.”

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of December 15, 2015, as amended tonight.

Sudbury Historic District Commission – Reappointment

It was on motion unanimously

VOTED: To reappoint Frank W. Riepe, 54 New Bridge Road, to the Historic District Commission, for a term ending January 1, 2021, as requested by Fred Taylor, Chairman.

Park and Recreation Department - Teen Center Donation

It was on motion unanimously

VOTED: To accept, on behalf of the Town, the donation of a moderately used Foosball Table, valued at \$200, to be used at the Teen Center, from Janet Fell, 41 Rolling Lane, as requested by Mark Simmons, Youth Coordinator/Teen Center Director, and to send a thank-you letter to Ms. Fell for her donation to the Park and Recreation Department.

Excelon/Select Utility Gift/Donation Account – Accept Rebate Check

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$22,623 rebate check to be deposited into the Excelon/Select Utility Gift/Donation Account, (as requested by James Kelly, Facilities Director, in a memo dated December 15, 2015), said funds to be accepted toward future energy saving opportunities, under the direction of the Energy Committee.

There being no further business, the meeting adjourned at 10:33 p.m.

Attest: _____
Melissa Murphy-Rodrigues
Town Manager-Clerk

Documents & Exhibits

1. Open in regular session in Flynn Building, Silva Room, and vote to immediately enter into Executive Session for the following reasons: 1.) To discuss strategy with respect to litigation (Abrams v. Conservation Commission) and collective bargaining if an open meeting may have a detrimental effect on the bargaining and litigating position of the town and the chair so declares under G.L. c. 30A, §21(a)(3); 2.) To comply with the requirements of and act under the authority of any general or special law per G.L. c. 30A, 21(a)(7) and Suffolk Construction v. DCAM, as to whether to approve that the Board of Selectmen waive the Town's attorney-client privilege with respect only to the June 17, 2015 email opinion from attorney Barbara Saint André, and publicly release it. 3.) To consider the purchase, exchange, lease or value of real property (Wayside Inn and National Development) if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. At the conclusion of Executive Session, vote to

reconvene in Open Session at Lower Town Hall, 322 Concord Road, 7:30 pm. Also, at conclusion of Open Session at Lower Town Hall, vote to reconvene in Executive Session.

Attachments:

1.1.a Town Counsel Goodnow Opinion

2. Announce that the Annual Town Meeting will begin on Monday, May 2, 2016. The warrant period is now open. Articles for inclusion in the Annual Town Meeting Warrant are due to the Selectmen's Office, 278 Old Sudbury Road, and are to be stamped in no later than 5:00 pm on Monday, February 1, 2016.

3. Vote to approve Warrant for Special Town Meeting, Feb. 9, 2016, which must be in the hands of residents by January 26, 2015.

4. As the Local Licensing Authority, vote on whether to approve the application of Eastbrook, Inc, d/b/a Sperry's Fine Wine & Brew (Anthony Speranzella, President), 435 Boston Post Rd., Unit 6, Sudbury, for a Package Store License for the Sale of Wines & Malt Beverages, under G. L. Ch. 138, s.15, Kevin Gelsinon, Manager.

Attachments:

- 4.a Sperry's Fine Wine & Brew_BOS
- 4.b Dept Approvals_Sperry Fine Wine & Brew
- 4.c Alcohol License Quotas_12.30.15
- 4.d Sperry Resident Concern and Response

5. Vote to approve an increase in the annual senior tax workoff amount from \$900 to \$1000 per year, as recommended by Debra Galloway, COA Director.

Attachments:

5.a memo to selectmen re property tax work prog 2015

6. Discuss transportation item with resident Zachary Shapiro.

Attachments:

- 6.a Sudbury Transportation Discussion Emails
- 6.b Transportation Summary

7. Discussion on former Police Station and potential Special Town Meeting article. Jim Kelly to attend.

8. Discussion and potential vote on Selectmen's policy on issuing proclamations.

Attachments:

8.a CITATIONS AND PROCLAMATIONS

9. Discussion regarding resolution titled "Asking Saves Kids from Drugs." Resident Geoff Phillips to attend.

Attachments:

- 9.a Asking Saves Kids from Drugs 29_Dec_15
- 9.b ASKD Resolution 29_Dec_15 - Proposed Version

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

Attachments:

- 10.a Memo re code of conduct
- 10.b Code of Conduct for Committees draft for 1.5.16 meeting

- 10.c Code of Conduct for Committees 8-09
- 10.d Code of Conduct - Board of Selectmen draft for 1.5.16 meeting
- 10.e Code of Conduct - Board of Selectmen

11. Discussion and possible vote regarding facilitator for joint meetings with the Budget Strategy Task Force and Finance Committee.

Attachments:

- 11.a Berry_Email

12. Minuteman High School discussion

Attachments:

- 12.a Proposed Amended Minuteman Regional District Agreement (2015.12.21)

13. Discuss upcoming agenda items

14. Vote to approve the regular session minutes of Dec. 15, 2015.

Attachments:

- 14.a BOS 12-15-15 as of 12-2-15 JAK_Minutes

15. Vote to reappoint Frank W. Riepe, 54 New Bridge Road, to the Historic District Commission, for a term ending January 1, 2021, as requested by Fred Taylor, Chairman.

Attachments:

- 15.a HDC Email
- 15.b <https://www.sudbury.ma.gov/HDC/members>

16. Vote to accept, on behalf of the Town, the donation of a moderately used Foosball Table, valued at \$200, to be used at the Teen Center, from Janet Fell, 41 Rolling Lane, as requested by Mark Simmons, Youth Coordinator/Teen Center Director. Also, to send a thank-you letter to Ms. Fell for her donation to the Park and Recreation Department.

Attachments:

- 16.a Foosball Table Donation Memo

17. Vote to accept, on behalf of the Town, a \$22,623 rebate check to be deposited into the Excelon/Select Utility Gift/Donation Account, (as requested by James Kelly, Facilities Director, in a memo dated December 15, 2015), said funds to be accepted toward future energy saving opportunities, under the direction of the Energy Committee.

Attachments:

- 17.a Eversource_rebate_JKelly