

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, JANUARY 19, 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 7:35 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

At 7:35 p.m., Chairman Brown opened the meeting. She announced the MBTA has scheduled public meetings to discuss commuter rail schedule changes. A meeting regarding the Fitchburg commuter line will be held on January 28, 2016 from 6:00 p.m.-8:00 p.m. in Concord and a meeting regarding the Worcester commuter line will be held on February 1, 2016 from 6:30 p.m.-8:30 p.m. in Worcester. Chairman Brown will provide web links to additional information to the Board and Town Manager.

**Reports from the Town Manager**

Town Manager Rodrigues reminded the community of several upcoming events: the new Police Headquarters Open House on January 30, 2016 from 10:00 a.m. to 12 noon, a Community Meeting at the Goodnow Library on February 4, 2016 from 6:00 p.m. to 8:00 p.m. to discuss the Special Town Meeting subjects and gather feedback, a Special Town Meeting on February 9, 2016 at the Lincoln-Sudbury Regional High School Auditorium at 7:30 p.m., and a Rabies Clinic for Dogs and Cats at 424 Boston Post Road, on January 23, 2016 from 10:00 a.m. to 12 noon. She also announced the Town Census forms were recently mailed to residents, and the deadline to register to vote in the February 9<sup>th</sup> Special Town Meeting is January 29, 2016, and the Town Clerk's Office will be open on the 29<sup>th</sup> from 8:30 a.m. to 8:00 p.m. to accommodate registration.

**Reports from the Board of Selectmen**

Selectman Woodard stated he attended the Strategic Financial Planning Committee for Capital Funding Meeting on January 6, 2016, and he will present the Committee's recommendations later tonight. He also presented the report to the Finance Committee on January 11, 2016. Selectman Woodard also attended a Permanent Building Committee Meeting on January 7, 2016 and a Capital Improvements Advisory Committee (CIAC) Meeting on January 12, 2016.

Selectman Simon attended a Conservation Commission Meeting on January 11, 2016. He reported 14 violation updates were on the Commission's agenda, including one regarding the Bruce Freeman Rail Trail (BFRT), which was deemed to be very minor in scope. Selectman Simon stated he attended the Fairbank Community Center Task Force Meeting last night, where it was voted to submit a placeholder article for the Annual Town Meeting for design funds for a 60,000 square-foot building. He also stated he met with the Superintendents of Assabet Valley Regional High School and Keefe Vocational Technical High School, and that he had previously met with the Superintendent of Nashoba Regional Vocational High School. Selectman Simon stated the schools were impressive and they would be able to accommodate new students from Sudbury as in-district or out-of-district students for less money than what is anticipated to be the cost at Minuteman Regional Vocational High School, if Sudbury remains in the Minuteman District. He further stated some information was corrected by Minuteman in response to the Frequently Asked Questions information Sudbury had posted online.

Selectman Haarde referenced the latest Town Manager Newsletter, noting Fire Captain Doug Stone was named Sudbury's Employee of the Year.

Vice-Chairman Iuliano stated she has attended CIAC, Finance Committee and Planning Board Meetings. She noted the Finance Committee will hold budget hearings on January 20 and January 21, 2016, and she encouraged residents to attend and keep apprised of these important meetings. Vice-Chairman Iuliano also stated the Town's Senior Means-Tested Tax Bill was approved by the State's House and Senate and is on its way to be signed by the Governor.

**Citizen's Comments**

At 7:50 p.m., Chairman Brown announced no citizens have requested time for comments tonight.

**April 5, 2016 Public Hearing – Intention Voted**

At 7:50 p.m., Chairman Brown read aloud the Board's intention to lay out certain public ways at a Public Hearing on April 5, 2016. The Board was previously in receipt of a memorandum from Elaine Jones to Town Manager Rodrigues dated December 30, 2015 and accompanying maps.

Selectman Simon asked if the public will have the opportunity to receive more details. Town Manager Rodrigues stated the Public Hearing will provide this opportunity, and it was suggested the Town Engineer could also be asked to attend the Public Hearing to address questions.

It was on motion unanimously

VOTED: The intention of the Board of Selectmen is to lay out the following ways at a public hearing on April 5, 2016, at 8 p.m.: Arboretum Way from Maynard Road to a dead end, a distance of 1,025 ft. +/-; Trevor Way from Horse Pond Road to a dead end, a distance of 415 ft. +/-; Tall Pine Drive from Horse Pond Road to a dead end, a distance of 1,093 ft. +/-; and further to refer the proposed layouts to the Planning Board for its reports prior to the April 5, 2016 hearing.

**Public Hearing: Change of Premises of a Package Store License for the Sale of All Alcoholic Beverages – Duck Soup**

Present: Duck Soup Owner/Manager Louise Mawhinney

At 7:55 p.m., Chairman Brown opened the Public Hearing regarding the application request of Morrison Frost, LLC, d/b/a Duck Soup, 365 Boston Post Road, for a Change in Premises of a Package Store License for the Sale of All Alcoholic Beverages, under M.G.L. Ch. 138, s.15, Louise A. Mawhinney, Owner/Manager. The Board was previously in receipt of copies of the "Application for Retail Alcoholic Beverage License" and accompanying materials and exhibits, and feedback from Sudbury Department Heads, noting no objections to the request.

In response to a question from Selectman Woodard, Duck Soup Manager Louise Mawhinney stated business has been good since she acquired the shop.

Selectman Simon asked Ms. Mawhinney to explain the application request. He also asked if liquor sales have gone smoothly in the past year. Ms. Mawhinney stated the storefront next door to her current location has become available, and she decided it made sense to acquire more space for her merchandise. She also stated liquor sales are a very small percentage of her revenue.

Chairman Brown opened the hearing for public comments, and since there were none, she closed the hearing for public comments.

It was on motion unanimously

VOTED: As the Local Licensing Authority, to approve the application of Morrison Frost, LLC, d/b/a Duck Soup (Louise Mawhinney, Owner/Manager), 365 Boston Post Road, Sudbury, for a Change in Premises of a Package Store, under M.G.L. Ch. 138, s.15. The premises proposed to be licensed (i.e., 365 Boston Post Road) are described as follows: 1,300 sq. ft. existing single level retail store (Mill Village Plaza) with walk in cooler and storage in basement. The main entrance/exit is at the front of the store and one exit is at the rear. The description of alterations is described as expansion into adjacent store to provide additional 1,200 square feet of retail space. There will be two entrances/exits at the front of the store.

**Public Hearing: El Basha Sudbury Inc., d/b/a El Basha Grill and Bar, 423 Boston Post Road – Application for Restaurant License for the Sale of All Alcoholic Beverages**

Present: El Basha Sudbury Inc., d/b/a El Basha Grill and Bar Manager Elie N. Sakhat and his brother and the applicant's lawyer Peter Barbieri

At 8:30 p.m., Chairman Brown opened a Public Hearing regarding the application submitted by El Basha Sudbury Inc., d/b/a El Basha Grill and Bar, for a Restaurant License for the Sale of All Alcoholic Beverages, under M.G.L. Ch. 138, section 12. The Board was previously in receipt of copies of a letter from the applicant's lawyer Peter Barbieri and accompanying Commonwealth of Massachusetts Alcoholic Beverages Control Commission Retail Alcoholic Beverages License Application, and accompanying documents and exhibits, Town of Sudbury Department feedback comments received and a handout entitled, "Sudbury Alcohol License Quota & Availability." In addition, the applicant distributed copies to the Board tonight of a sample menu from their other locations, a letter regarding financing from Commerce Bank dated January 14, 2016, and a revised plan prepared by AA Design Services, LLC.

El Basha Sudbury Inc., d/b/a El Basha Grill and Bar Manager Elie N. Sakhat explained he and his family have over ten years of experience in the restaurant business, managing their family businesses in Worcester and Westborough. He emphasized the family has signed a lease for the former Radio Shack location, and it looks forward to opening in Sudbury.

The applicant's lawyer Peter Barbieri referenced the revised floor plan, stating a slight change to the seating plan from 48 seats to 46 seats has been worked out with the Town's Building Department. He also stated the applicant has made plans to secure financing for \$250,000.

Selectman Woodard asked if the Westborough location serves liquor. Mr. Sakhat stated it does not because there were no licenses available when they opened in Westborough. However, he further stated both Worcester locations serve alcohol, and he has many years of related experience, and he is TIPS-certified.

Town Manager Rodrigues stated she has been advised a few details regarding requirements could still be resolved following a license being approved.

Selectman Woodard asked if the second exit issue noted in the materials has been resolved. Mr. Sakhat stated it has been addressed with the Building Department and it is noted on the revised plan distributed tonight.

Vice-Chairman Iuliano noted previous plans had reflected a proposed mezzanine area. Mr. Sakhat stated this has been eliminated from the revised plans due to height constraints.

Selectman Haarde asked if the business is intended to function as a package store or as a restaurant.

Mr. Sakhat stated it will be a restaurant and there will be no liquor allowed to be brought in or to leave the premises.

Selectman Simon asked if the applicant was aware that a package store license for beer and wine was recently approved for a location only two doors away, and whether the applicant perceived this as a concern. Mr. Sakhat stated they are aware of the other proposed new business, but they do not perceive it as competition because the two businesses will be providing different services.

In response to a question from Selectman Simon, Mr. Sakhat described the intended cuisine as Mediterranean and Lebanese, showcasing family recipes. He also stated the restaurant will be open seven days a week, and it will serve lunch and dinner.

Selectman Haarde stated it is great to see new businesses come to Sudbury, especially restaurants.

At 8:45 p.m., Chairman Brown opened the Hearing for public comment, and since there were none offered, she also closed the hearing for public comments. She asked for clarification regarding how much funding will be provided for the new business, which Mr. Barbieri provided.

It was on motion unanimously

VOTED: As the Local Licensing Authority for the Town of Sudbury, to approve the application of El Basha Sudbury Inc., d/b/a El Basha Grill and Bar, 423 Boston Post Road, Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under M.G.L. Ch. 138, section 12, Elie N. Sakhat, Manager. The premises proposed to be licensed (i.e., 423 Boston Post Road) are described as follows: 2,125 square foot restaurant. First Floor – dining/bar areas; two bathrooms, kitchen, storage and coolers with front public and rear emergency exits.

### **Fairbank Community Task Force – Status Report and Recommendations**

At 8:00 p.m., Chairman Brown took this agenda item out of order, and she asked Selectmen Simon and Haarde to update the Board on the recent work of the Fairbank Community Task Force. She stated she was aware the Task Force voted on recommendations last night and she discussed this with Finance Committee Chair Susan Berry. Chairmen Brown and Berry suggested that the Task Force should present its report at a future joint Finance Committee and Selectmen meeting on either March 7 or February 23, 2016.

Selectman Simon stated the Task Force met on January 18, 2016, and it voted unanimously to submit a Town Meeting article placeholder requesting design funds only for a 60,000 square-foot building (option #3), which was estimated 18 months ago to cost approximately \$22 million. He further stated the Task Force has not decided if the full design costs of approximately \$2 million or a portion of this would be requested at the 2016 Town Meeting. In addition, Selectman Simon stated the Task Force has discussed four possible add-ons to the project including a second gym, a second pool, relocation services during construction, and possibly adding a second floor to the new Center. He further noted estimated costs for the four add-ons are not currently available. Facilities Director Jim Kelly was asked to reach out to the architect who prepared the schematic designs. Selectman Simon stated Task Force Co-Chairman Jack Ryan will present a report at a CIAC Public Hearing next week.

Selectman Haarde stated it will need to be determined which Town entity should sponsor the article and whether one article should be submitted for design funds and another article should be submitted for an amount up to the amount needed for the new facility. Selectman Simon stated the Task Force did not vote last night to support submitting a request for construction funds. Selectman Haarde stated that it would not

make sense to invest \$2 million in design funds for a project which might not later be approved at a future Town Meeting.

Selectman Simon stated the Task Force has been evaluating the options since 2012, and these recommendations are the first steps to seeing what the public wants to do with the Center. He also mentioned the current Center's roof continues to deteriorate as time passes.

Vice-Chairman Iuliano stated her concern that a placeholder article be submitted by someone before the Warrant deadline. She also stated it would make sense for the Task Force to sponsor the article. Selectman Woodard concurred.

Selectman Woodard stated that, as a Selectman and as a voter, he would want to understand more about what \$22 million would actually buy before voting for it. He stated he is inclined to think that the design fund only should be requested now.

Selectman Haarde stated the design phase will get the Town closer to having better information about a final cost for a new facility. He emphasized the Task Force has evaluated a lot of information over a long period of time, and he encouraged those interested to access the binders of data and design information available.

The consensus of the Board was that the information collected by the Task Force has been impressive, however, there are still large pieces of information missing for such a large capital expense.

Town Manager Rodrigues stated she will work with Mr. Kelly to ensure a placeholder article is submitted for the Warrant.

Chairman Brown thanked Selectmen Simon and Haarde for their work keeping apprised of the Task Force's efforts, and at 8:20 p.m., she concluded the discussion.

### **Board of Selectmen's 2016 Annual Town Meeting Articles - Discussion**

At 8:47 p.m., Chairman Brown opened a discussion regarding the 2016 Annual Town Meeting Articles to be submitted by the Board of Selectmen. The Board was previously in receipt of copies of draft Warrant articles for the following articles: Town of Sudbury Bylaws – Art. III.11 Town Forum, Article 1 - Hear Reports, Rescind Civil Service Laws and Regulations Acceptance – Sudbury Police Department, Disposition of Former Police Station, 415 Boston Post Road, FY16 Budget Adjustments, Purchase Development Rights/Grant Conservation Restriction - Wayside Inn Land, Rolling Stock Stabilization Fund – Repurposing, Street Acceptances, Article 3 Stabilization Fund, and Article 14 Rolling Stock Stabilization Fund.

Town Manager Rodrigues noted this is the Board's last meeting before the Warrant closes on February 1, 2016, and she reviewed the draft articles provided in tonight's agenda packet.

Vice-Chairman Iuliano explained her reasons for submitting the Town of Sudbury Bylaws – Art. III.11 Town Forum article. She stated she has made revisions to the current bylaw to not require that the Forum be two and one-half hours long and to not require that Chairs of all the Town committees and boards be present. She also stated she consulted with Sudbury resident Dan DePompei, who submitted the current bylaw, and she shared his feedback. Vice-Chairman Iuliano reviewed her recommended language.

Selectman Woodard stated he has difficulty with whether this bylaw should require this level of specificity. He believes the Town has gotten better each year at conducting the Forum.

Selectman Simon stated other towns do not specify a lot of requirements. He believes the objective of the Forum should be to generate flexible and informal discussion. Chairman Brown noted some other towns do not have Forum bylaws.

It was on motion unanimously

VOTED: To authorize the Town Manager to submit the articles for the 2016 Annual Town Meeting Warrant on behalf of the Board of Selectmen, as discussed tonight, including amending the Town of Sudbury Bylaws – Art. III.11 Town Forum by deleting the last sentence of the draft article reviewed tonight.

### **Capital Funding Committee – Recommendations Report**

At 9:00 p.m., Chairman Brown asked Selectman Woodard as the Strategic Financial Planning Committee for Capital Funding’s Chair to present its Report of Recommendations. The Board was previously in receipt of copies of the “Town of Sudbury Final Report of the Strategic Financial Planning Committee for Capital Funding dated January 6, 2016.”

Through a PowerPoint presentation, Selectman Woodard presented some background information, including that the Town’s capital assets cost approximately \$164,360,568. He presented charts reflecting the Town’s historical capital spending for the past nine years, noting the information excluded large, new projects. Selectman Woodard stated the Committee had a basis to work with of the inventory of Town assets which had been compiled by members of the three cost centers in 2013, and it was updated in 2014 and 2015. He referenced the Committee’s mission statement, and he displayed a chart of “Projected Capital spending FY17-FY21,” noting the Town needs to catch up for its many previous years of underspending in this category. In response to a comment by Vice-Chairman Iuliano, Selectman Woodard clarified this report reflects the recommended financing for projected project asks, but it is not a recommendation for actually spending the required funds. He briefly summarized how a capital budget is different than the operating budget, noting the capital budget covers purchases of capital equipment, buildings, building improvements, etc., and the items are typically granted by the taxpayers’ approval for a capital or a debt exclusion. Selectman Woodard further stated there is a small amount (\$404,000) designated in the operating budget for capital items. He stated the capital budget has been recommended to include debt service to pay for the item, and replenishment capital to maintain its functionality and to replace aging components.

Selectman Woodard stated the Committee’s objective was to keep the tax impact on current infrastructure below the FY14 level, and to avoid major year-to-year swings in the tax impact for residents. He summarized the FY17 Recommendations by the Committee as follows, which were explained in more detail on Pages 102 and 103 of tonight’s agenda packet: the Five-Year Capital Improvement Plan should be updated annually, the annual appropriation for capital spending paid from the tax levy should not exceed \$5.7 million, there appears to be no Free Cash available to reduce the amount of capital exclusions, for FY17, small projects, rolling stock and Public Safety vehicles up to \$2.2 million recommended by the CIAC should be funded by capital exclusions, and the Town should consider bonding some projects to smooth out the tax impact. He stated the Committee cited two exceptions for projects which they believe should be bonded (the Fairbank roof, and a new ladder Fire truck), if they were ever to be approved.

Selectman Haarde emphasized replacing the Fairbank roof should not be discussed as a stand-alone possible project. He noted the Town has been advised by architects that the current structure could not support a new roof, and to replace the roof would be a mistake.

Chairman Brown clarified the CIAC, and not this Committee, recommend projects to move forward. She asked for clarification regarding how a small project is defined. Selectman Woodard stated a project with an estimated cost between \$300,000 and \$1 million.

Selectman Woodard displayed a chart reflecting the Budget Impacts of Historical Capital Spending for the past ten years. He stated the Committee believes the Town should, for the long-term, continue to limit its use of debt for large projects and to consider bonding small projects to manage tax impacts for residents, it should begin planning to fund at the 2016 Town Meeting the Rolling Stock Stabilization Fund, and it should appropriate the money that the Town receives from the rental of land for a cell tower for the DPW Rolling Stock Stabilization Fund (approximately \$113,000 annually).

Chairman Brown asked whether this suggests that in seven to ten years the Town should no longer have legacy debt for small projects, and Selectman Woodard stated he believes that to be the case. Vice-Chairman Iuliano highlighted the importance of starting to implement the recommendations and keeping it going in the years to come.

Selectman Simon stated he assumes the information does not account for a catastrophic loss, and Selectman Woodard stated this was correct.

Selectman Woodard stated the CIAC and Finance Committees have been made aware of the Committee's recommendations.

Chairman Brown requested that Selectman Woodard's slides from tonight's presentation be posted on the Town website. Town Manager Rodrigues stated this would be done tomorrow.

### **Town Manager Performance Evaluation – Discussion Regarding Process and Proposed Form**

At 9:40 p.m., Chairman Brown opened a discussion regarding the Town Manager performance evaluation process and the forms to be used. The Board was previously in receipt of copies of a draft "Town of Sudbury Evaluation Process for the Town Manager," and a draft "Town of Sudbury Town Manager Evaluation Form."

Vice-Chairman Iuliano stated she, Chairman Brown and Town Manager Rodrigues met as a subcommittee to review the Town Manager performance evaluation process. She referenced the draft materials provided in tonight's agenda packet, noting the recommended process would include a self-evaluation by the Town Manager, a checklist evaluation to be completed by each Board member, and an evaluation of the Town Manager by each Board member based on the achievement of goals, which would later be compiled and averaged by the subcommittee. Vice-Chairman Iuliano also reviewed the suggested time schedule for these activities to occur each year. She emphasized maintaining open communication throughout the year on an informal basis is also important.

The consensus of the Board was that comments or revisions to the materials reviewed tonight should be submitted to Town Manager Rodrigues by February 23, 2016, who will bring the material to the subcommittee for review.

### **Legislative February 2, 2016 Discussion – Discuss Potential Agenda Topics**

At 8:25 p.m., Chairman Brown took this agenda item out of order, and she opened a discussion regarding possible agenda topics to be discussed by the Board at its February 2, 2016 meeting with State Legislators.

Selectman Woodard suggested asking the Legislators when the proposed healthcare reform legislation will move forward and whether anything is holding it up. He also suggested asking whether the Legislature has examined, or will examine, the trends in the cost for municipalities for special education, and particular to this topic, the out-of-district tuition and fees. Vice-Chairman Iuliano suggested asking for an update regarding the results of the Chapter 70 Foundation cost information.

Selectman Simon suggested asking for a status regarding the public records legislation, and which version is likely to be voted. Selectman Haarde asked if this is relevant locally. Town Manager Rodrigues stated it could have local impacts. Selectman Simon stated the proposed changes are intended to make access to public records easier. Selectman Woodard asked what the costs would be for the Town to implement this. Town Manager Rodrigues explained there are systems in place to be able to charge for some employee time. Selectman Simon also suggested asking if there has been further discussion regarding medical marijuana legislation.

Selectman Haarde noted the Board typically also asks for an update on the Sherman Bridge and Route 20 bridge work.

Chairman Brown stated she would compile the suggestions in a correspondence to be sent in advance of the February 2, 2016 meeting with the Legislators, and she closed the discussion.

#### **2014 Town Meeting Resolution - Discussion**

At 10:00 p.m., Chairman Brown opened a discussion regarding the 2014 Town Meeting Resolution on fossil fuel divestment. The Board was previously in receipt of copies of the relevant 2014 Article 44.

Chairman Brown stated there are currently two bills before the State's Legislature, one is for fossil fuel divestment and the other is considering the impact on the returns to the State's pension funds.

Selectman Woodard noted the 2014 resolution is non-binding, and it was passed by well more than a majority at Town Meeting.

Vice-Chairman Iuliano suggested a vote to authorize the Board's Chairman to sign a letter which reflects that a Town Meeting Resolution asked the Board to sign a letter endorsing the resolution, however, the Board has not taken its position on this issue, but it endorses the Resolution on behalf of the 2014 Annual Town meeting voters who passed the article.

Selectman Haarde stated he is not prepared to take a position on divestment because he does not believe he has enough information to do so. He suggested waiting to get an update from the State's Legislators at the Board's next meeting.

Selectman Simon stated the 2014 Town Meeting vote passed the resolution by well more than a majority, and he asked if the Board is sidestepping the request of the voters for the Board to take a position on this topic.

Chairman Brown stated the Board owes it to the voters to pass along the resolution, and she suggested names referenced in the 2014 Article 44 be updated with current and accurate names.

Selectman Haarde stated he believes the Board has the ability to vote and take its own position on a topic, and that the Board cannot be made to endorse something by a Town Meeting vote. He stated the voters only asked the Board to endorse the Resolution, but the Board has not taken a position on this.



The consensus of the Board was that Town Manager Rodrigues would draft a letter based on tonight's discussion to be circulated to the Board for review.

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

Vice-Chairman Iuliano requested the Board discuss the Special Town Meeting at its February 2, 2016 Meeting. Selectman Simon stated he believes the Board should also discuss reversing the order of the first two articles for discussion regarding Minuteman. Vice-Chairman Iuliano suggested the proper procedure for this should first be checked with Town Counsel. The consensus of the Board was that Town Counsel should advise to ensure that the votes and their eventual results are done correctly by the Town.

Chairman Brown suggested asking the Council on Aging to provide a transportation update to the Board sometime in June. She asked if the Board foresees a good time to schedule a Forum regarding the two pending Chapter 40B applications, which was suggested by Sudbury resident Dan DePompei. The Board discussed if all the discussions needed to be conducted by the Zoning Board of Appeals and whether a Forum should be delayed until after the Comprehensive Permit Applications are filed. Town Manager Rodrigues stated she would check on the timing of when these are expected to be submitted.

Town Manager Rodrigues stated the ballot questions for the March Town Election should also be discussed at the Board's February 2, 2016 Meeting.

Selectman Haarde requested that the Selectmen's Reports at each meeting be discussed at the February 23, 2016 Board Meeting.

**The Sudbury Foundation – Grant**

Vice Chairman Iuliano recused herself from this agenda item and vote.

It was on motion

VOTED: To accept, on behalf of the Town, a grant of \$18,000 from The Sudbury Foundation, as requested by Marilyn Martino, Executive Director, in a memo dated January 5, 2016, to enable the Council on Aging to continue to fund the Senior Volunteer Coordinator position, said funds to be expended under the direction of the Town Manager.

**Minutes**

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of November 30, 2015 and the amended January 5, 2016 Regular Session Meeting Minutes.

**Massachusetts Housing Partnership (MHP) Application for Technical Assistance**

It was on motion unanimously

VOTED: To authorize the Chairman of the Board of Selectmen to sign the Massachusetts Housing Partnership (MHP) Application for Technical Assistance for the Avalon Sudbury project, as requested by Jody Kablack, Director of Planning and Community Development.

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

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

**Documents & Exhibits**

1. VOTE: The intention of the Board of Selectmen is to lay out the following ways at a public hearing on April 5, 2016, at 8 p.m.: - Arboretum Way from Maynard Road to a dead end, a distance of 1,025 ft. +/-; - Trevor Way from Horse Pond Road to a dead end, a distance of 415 ft. +/-; - Tall Pine Drive from Horse Pond road to a dead end, a distance of 1,093 ft. +/-; and further to refer the proposed layouts to the Planning Board for its reports prior to the April 5, 2016 hearing.

**Attachments:**

- 1.a Street Acceptances\_TC\_Memo
- 1.b Street Acceptances\_maps

2. As the Local Licensing Authority, vote on whether to approve the application of Morrison Frost LLC, d/b/a Duck Soup (Louise Mawhinney, Owner/Manager), 365 Boston Post Rd., Sudbury, for a Change in Premises of a Package Store, under G. L. Ch. 138, s.15.

**Attachments:**

- 2.a Duck Soup Alteration of Premises\_BOS
- 2.b Dept Feedback\_Duck Soup

3. As the Local Licensing Authority, vote on whether to approve the application of El Basha Sudbury, Inc, d/b/a El Basha Grill and Bar, 423 Boston Post Rd., Sudbury, for a Restaurant License for the Sale of All Alcoholic Beverages, under G. L. Ch. 138, s.12, Elie N. Sakhat, Manager.

**Attachments:**

- 3.a El Basha Application\_BOS
- 3.b Dept Feedback\_El Basha
- 3.c Alcohol License Quotas

4. Hear recommendations/report from Fairbank Community Center Task Force. Selectmen Haarde and Simon to present.

**Attachments:**

- 4.a FairbankCommunityCenterStudyTaskForceMissionStatement3

5. Consider 2016 Annual Town Meeting Articles to be submitted by the Board of Selectmen, and authorize Town Manager to submit articles on behalf of the Board of Selectmen.

**Attachments:**

- 5.a Town Forum Bylaw proposed revisions
- 5.b Binder1
- 5.c Rolling Stock Stabilization fund

6. Discussion and vote whether to approve Board of Selectmen's submission to 2015 Annual Town Report

**Attachments:**

- 6.a Board of Selectmen and Town Manager 2015\_FINAL

7. Hear recommendations/reports from Capital Funding committee. Selectman Woodard to present.

**Attachments:**

- 7.a final report Capital Funding January 2016
- 7.b attachment A- 5 year capital funding plan 120415\_\_
- 7.c attachment B- small projects 120415\_\_
- 7.d attachment C- rolling stock 120415\_\_

8. Discussion of Town Manager Evaluation Process and Form

**Attachments:**

- 8.a Evaluation Process draft for 1 19 16 meeting
- 8.b Section 2 checklist draft 1 19 16 meeting

9. Preparation for discussion with legislators at next meeting Feb. 2

10. Discussion and possible vote concerning the 2014 Town Meeting Resolution on fossil fuel divestment. Recommend vote to endorse pending legislation proposing divestment of state retirement funds from fossil fuel companies and to authorize Chairman Pat Brown to sign a letter to our state legislators endorsing such legislation.

**Attachments:**

- 10.a 2014-Proceedings Art 44

11. Discuss upcoming agenda items

12. Vote to accept, on behalf of the Town, a grant of \$18,000 from the Sudbury Foundation, as requested by Marilyn Martino, Executive Director, in a memo dated January 5, 2016, to enable the Council on Aging to continue to fund the Senior Volunteer Coordinator position, said funds to be expended under the direction of the Town Manager.

**Attachments:**

- 12.a COA Coord\_Grant\_SudFdn

13. Vote to approve the regular session minutes of Nov. 30, 2015, and January 5, 2016

**Attachments:**

- 13.a BOS Minutes 11-30-15\_draft
- 13.b BOS 1-5-16\_draft

14. Vote to authorize the Chairman of the Board of Selectmen to sign the Massachusetts Housing Partnership (MHP) Application for Technical Assistance for the Avalon Sudbury project, as requested by Jody Kablack, Director of Planning & Community Development.

**Attachments:**

- 14.a 40B application MHP Avalon