

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, FEBRUARY 2, 2016

Present: Chairman Patricia A. Brown, Vice-Chairman Susan N. Iuliano, Selectman Charles C. Woodard, Selectman Robert C. Haarde (arrived 8:05 p.m.), Selectman Leonard A. Simon (arrived 8:15 p.m.), and Town Manager Melissa Rodrigues

The statutory requirements as to notice having been complied with, the meeting was convened at 7:36 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:36 p.m., Chairman Brown opened the meeting. She reminded residents of the Special Town Meeting on February 9, 2016 at the Lincoln-Sudbury Regional High School Auditorium.

Reports from the Town Manager

Town Manager Rodrigues announced the Board of Selectmen Office Hours will be February 25, 2016 from 9:00 a.m.-10:00 a.m. in the Thompson Room at the Flynn Building, with Vice-Chairman Iuliano and Selectman Woodard in attendance. She also stated Wednesday, February 10, 2016 is the deadline to register to vote to participate in the Presidential Primary on March 1, 2016. Town Manager Rodrigues also encouraged residents to attend the Community Meeting on Thursday, February 4, 2016 from 6:00 p.m. to 8:00 p.m. at the Goodnow Library regarding the articles for the February 9, 2016 Special Town Meeting.

Reports from the Board of Selectmen

There were no reports from the Selectmen.

Citizen's Comments

At 7:39 p.m., Chairman Brown announced there were no citizens who requested comment time and that there would be another opportunity for citizens to request time later on the agenda.

Legislative February 2, 2016 Discussion

Present: State Senators Jamie Eldridge and Michael Barrett and State Representative Carmine Gentile

At 7:45 p.m., Chairman Brown welcomed State Senators Jamie Eldridge and Mike Barrett and State Representative Carmine Gentile to tonight's meeting to provide the Board with a legislative update. The Board was previously in receipt of a memorandum from Chairman Brown to Representative Gentile dated January 25, 2016. In addition, Senator Eldridge distributed copies of a letter from him to the Board dated February 2, 2016, and a handout regarding "S.2120 An Act Improving the Administration and Enforcement of the Public Records Law."

Senator Eldridge summarized some of the FY17 budget priorities, including protecting local aid including Chapter 70, Chapter 90, SPED circuit breaker, lottery aid, and prioritizing full funding for regional school transportation. He stated other priorities include improving public transportation in the State and to advocate for protecting the environment, including the water infrastructure. Senator Eldridge referenced the Foundation Budget Review, noting it will be challenging to fund the recommendations. He stated he was pleased the Governor was able to allocate additional Community Preservation Act funds to communities such as Sudbury. Senator Eldridge stated the Governor's budget was released recently, and there will be challenging discussions in the months ahead to cover anticipated gaps.

Senator Barrett stated he was pleased to work with Representative Gentile on behalf of Sudbury to obtain State funding for the restoration of the Loring Parsonage. He stated he and Senator Eldridge are involved somewhat in the priorities covered by the entire State budget. Senator Barrett stated he is also very interested in environmental and energy-related issues. As Chairman of the Senate's Post Audit & Oversight Committee, he also has been very involved this past year working on keeping homeowner's insurance rates reasonable, since they were set to jump significantly due to last-year's harsh winter. Senator Barrett stated the State Senate will debate the Public Records Law this week. He explained there are a lot of pending issues and amendments to be worked through.

Representative Gentile stated he was pleased the Governor signed Sudbury's Senior Tax Relief extension bill the other day. He stated he sits on the Joint Committee of Higher Education and the Elder Affairs Committee, and he mentioned some of the priority projects pending. Representative Gentile is also working on a bill which would allow police officers and citizens to inform a State Board of potential law enforcement misconduct.

Chairman Brown referenced the list of questions the Board had provided in advance of tonight's Meeting, and she asked for an update regarding the public records legislation.

Senator Eldridge summarized some of the pending changes to the public records legislation, including each town must have a public access officer, the time for a town to comply with requests has been suggested to be changed from 10 to 15 days, and a fee of \$25 per hour (after the first two free hours) of a town employee's time can be charged. He also mentioned it is possible a higher hourly fee for more expensive employees might be considered. Senator Eldridge also noted it is possible that, if a record request outcome is appealed and litigated, towns may be required to pay the associated legal fees. He also stated it is being recommended that as many public documents as possible be posted online.

Senator Barrett stated the Massachusetts Municipal Association has posed a lot of questions regarding the proposed timelines and expense rate, which he believes will be debated this week. He highlighted the emphasis will be to strike a balance between providing access to records and alleviating towns of as many burdens as possible.

Vice-Chairman Iuliano stated the Town has similar concerns regarding staffing and appropriate timelines for reviews or requests and compliance.

Representative Gentile noted there is a House version of the pending bill and a Senate version. He stated the House version allowed for up to 75 days for towns to comply with requests, and he summarized a few other differences between the two versions. Representative Gentile stated a conference committee with members from both the House and Senate will be established to work through the differences in the two versions.

Selectman Woodard asked if a good faith standard is used to evaluate if a request has been wrongfully denied. Senator Eldridge stated the standard is whether one was working in bad faith. Selectman Woodard also asked if there would be a bad faith protection clause regarding paying for attorney fees, if a request outcome was litigated. Senator Barrett stated the Massachusetts Municipal Association has argued that there is no bad faith protection. He stated it will be important to look at the legal tests, so that the bill language is written well.

Selectman Woodard asked why these changes were considered. Senator Eldridge stated there have been instances when State agencies have not complied with the current public records law and/or where requestors believed they were charged excessive fees. Senator Barrett stated transparency has been an issue.

Chairman Brown asked for a status update on Sherman Bridge's reconstruction and the Landham Road intersection and culvert on Route 20.

Representative Gentile stated Sherman's Bridge is a \$4.5 million project, which is not in the Governor's FY16 Capital Plan, and thus it cannot be addressed at this time. Senator Eldridge explained the Legislature can decide to put a sum of money in a transportation bond bill, but it is ultimately up to the Governor as to how the money is spent. Senator Barrett stated Sherman Bridge has been on each of their short lists, but the project is in competition with several thousand other State projects. Each Legislator stated it will be important for them to continue to advocate for the Governor to release the bond funds for this project. Representative Gentile noted the Landham Road intersection was first put on the State's TIP list in the 1980s.

Chairman Brown asked for an update regarding the conclusions of the Foundation Budget Review Commission, and Representative Gentile provided a summary of some of the recommendations.

Senator Barrett stated he is not optimistic about useful outcomes or the potential for changes. He explained a computation exercise was performed regarding several education-related factors, and it was estimated an additional \$435 million per year would be needed to provide the State with the best quality education possible. However, Senator Barrett further stated the State currently has a \$432 million deficit in this year's budget, and it will be a struggle to meet the existing gap. He also noted none of the recommendations commit to actual appropriations. Senator Eldridge stated he is more optimistic than Senator Barrett about potential outcomes. Senator Barrett stated he does not think the money exists to effect changes.

Selectman Haarde stated the proposed additional \$435 million needed to provide quality public education in the State is likely higher than what it would actually be because the Foundation Budget allocation is so low for towns like Sudbury, which already spends much more than what is provided in the Foundation budget. He further stated he is glad the State is reviewing this information because the Foundation Budget figures are too low.

Vice-Chairman Iuliano stated she thought the differential was based only on two changes, and she emphasized even a small change can make a big difference for a town like Sudbury. She asked if any incremental changes could be made to improve the tremendous discrepancy which exist between the Foundation Budget allocation and what a town like Sudbury actually spends. She emphasized Sudbury spends far above the net school spending level required by the State. Vice-Chairman Iuliano stated Chapter 70 funding in recent years has only provided about 15-17% of the required net school spending level. Senator Barrett stated the real question is would any changes increase the appropriation, and he does not believe it is likely. He suggested one option to consider might be to create a graduated income tax system in 2018.

Chairman Brown referenced an email received today from Sudbury resident Jonathan Danielson, 37 Landham Road, regarding asking for assistance from Senators Eldridge and Barrett and Representative Gentile to help Sudbury lobby to rescind the MassHousing Sudbury Station LLC Chapter 40B development approval letter, and she distributed copies to the Legislators.

Chairman Brown asked the Legislators as to how they could best be reached. Senator Eldridge stated he often has office hours available on Fridays at his Marlborough office. Senator Barrett stated a meeting time could be requested of him by email or by telephone. Representative Gentile stated he schedules hours each month in Sudbury, which he publishes in the *Sudbury Town Crier*, and anyone is welcomed to call his office.

Chairman Brown thanked the Legislators for their time, and she concluded the discussion at 8:33 p.m.

EverSource – Moving Transmission Line from Sudbury to Hudson – Discussion

Present: Eversource Community Relations Specialist Joanne O’Leary, EverSource Transmission Line Project Manager Beverly Schultz, EverSource Project Outreach Specialist Mark Kimball, EverSource Representative Denise Bartone

At 8:33 p.m., Chairman Brown recused herself from the discussion regarding an EverSource transmission line project from Sudbury to Hudson, due to living in close proximity to the project. Vice-Chairman Iuliano opened the discussion and welcomed the EverSource Project Team to the Meeting. The Board was previously in receipt of copies of the PowerPoint slides for tonight’s presentation entitled, “Sudbury to Hudson Transmission Reliability Project,” and copies of two revised slides were distributed tonight.

EverSource Transmission Line Project Manager Beverly Schultz stated the project team has met with Sudbury’s Director of Planning and Community Development Jody Kablack about the proposed project, as well as the Town Manager. Ms. Schultz explained the ISO-New England, the independent system operator for New England, concluded there are inadequate transmission resources to serve the electricity needs in the Greater Boston and Southern NH area. Thus, the ISO has directed utilities to implement a series of transmission projects, and one of these is a proposed new 115KV transmission line between the existing substation in Sudbury and the Hudson Power and Light Plant. Ms. Schultz stated the line would provide power to Hudson Light & Power in two directions, and it would support and improve capacity and reliability. She explained evaluations were performed to determine the preferred and potential alternative routes between Sudbury and Hudson, and are proceeding with a transmission line project within the Mass Central rail corridor. It was further noted an underground alternative along this route has been requested by Sudbury officials, and it has been noted as a “Noticed Variation Design.” Ms. Schultz stated rail trail proponents have especially requested the transmission line be underground.

Ms. Schultz summarized the recommended Preferred Route as utilizing an existing abandoned MBTA railroad bed which is adjacent to the Sudbury substation and runs for approximately 7.6 miles (4.3 miles in Sudbury and 4.6 miles 3.3 miles in Hudson/Stow/Marlborough), and an additional 1.3 miles in Hudson being underground within Hudson street limits. She stated the total length of the new line is estimated to be 8.9 miles (4.3 miles in Sudbury and 4.6 miles in Hudson and small portions in Marlborough and Stow). Ms. Schultz explained as part of construction, a 12-foot wide access road (Mass. DOT standard gravel road) would be created, which could be used after construction is completed as a bike path. She stated it has been discussed and determined that it will not be necessary to rebuild bridges along the proposed path, as Eversource will be able to reach the transmission line from either side of a bridge. Ms. Schultz stated there will be outreach to keep many interested groups informed of the project’s progress and plans, including the Sudbury Valley Trustees, the Friends of the Bruce Freeman Rail Trail (Sudbury), Sudbury Greenways, Assabet River Rail Trail (Hudson) and the Track Road Committee in Stow, and she displayed a few photo simulations slides.

EverSource representative Denise Bartone summarized the environmental permitting which will be needed for the project, including working with the local Conservation Commissions, and the relevant State and Federal reviews and permitting, including looking at wetlands impacts and stormwater management construction.

Ms. Schultz stated EverSource will sponsor an Open House for all project Towns to gather community input (tentatively) on March 3, 2016 at the Hudson Town Hall [Editor’s Note: the Open Housing has been scheduled for March 16, 2016 at Sudbury Town Hall], and abutters within 300 feet of the proposed route will be mailed notices. She also summarized the Energy Facilities Siting Board process, which will include public

comments, and it is anticipated to take about a year. Ms. Schultz stated that, if all goes smoothly, construction could begin in 2018 and the transmission line would be in service in 2019. She reviewed a list of project stakeholders and what communications would be used with the public and with municipalities.

Vice-Chairman Iuliano asked if the Siting Board would determine whether the preferred or alternative route is constructed, and what role the Town could have in these discussion. Ms. Schultz stated the Siting Board is very fair in its evaluation and that it would review many factors (both pros and cons) related to both routes, in deciding with which one to proceed.

Selectman Woodard asked what the difference in cost would be for an overhead versus an underground route. Ms. Schultz stated the overhead route is estimated to cost approximately \$46 million, and the underground route has been estimated to cost approximately \$100 million. Selectman Woodard asked for confirmation that, if an overhead route is chosen, it would require approximately 82 feet of clearing for approximately seven miles. Ms. Schultz stated this is her understanding.

Selectman Haarde stated 82 feet of clearing could potentially come very close to abutters' properties in some locations. Ms. Schultz explained the 82 feet is the full width of the railroad right-of-way, which includes both sides. Selectman Haarde asked if it should be considered to have an Open House in Sudbury, since 4.3 miles of the estimated 8.9 mile-route travels through Sudbury.

Selectman Simon asked how Sudbury officials and residents can make their wishes known. Ms. Schultz stated anyone could contact the Siting Board directly and attend the Siting Board's Public Hearing (likely to be scheduled in May 2016), and it can choose whether it wants to be involved as an interested party and/or as an intervener. Selectman Simon emphasized it is Sudbury's preference for this to be an underground project, noting there would be significant benefits by doing it underground. He asked if Hudson has made its preference known. Ms. Schultz stated Hudson also wishes it to be an underground project. Selectman Simon asked what the surface is intended to be for the access road. Ms. Bartone stated it is proposed as a Massachusetts Department of Transportation (DOT) specified gravel surface. Selectman Simon asked if it would be acceptable if the Town wanted to put a hard surface over it in the future. Ms. Bartone stated a sub-base would be used which would accept asphalt at a later time, if that is what the Town wanted.

Town Manager Rodrigues asked if the project will have an impact on reliability in Sudbury. Ms. Schultz stated it may improve conditions, which are currently reliable.

Vice-Chairman Iuliano stated Sudbury will look forward to continuing these discussions because there are significant concerns regarding visibility, access, environmental issues and proposed route-clearing. Ms. Schultz stated Director of Planning and Community Development Jody Kablack has been very helpful in making the Project Team aware of Sudbury's concerns.

Selectman Haarde reiterated his request for EverSource to consider scheduling an Open House in Sudbury.

Selectman Simon asked if transmission reliability would be better underground versus as an overhead line. Ms. Schultz stated she is unaware that one is considered better than the other. She also stated this type of information would be available in the petition which would be available online once their application to the siting board is submitted. Selectman Simon suggested to Town Manager Rodrigues that tonight's PowerPoint slides should be posted on the Town website.

Sudbury Housing Trust and Planning and Community Development – Preparation of an Update to the Housing Production Plan for Submittal to DHCD – Discussion and Possible Vote

Present: Director of Planning and Community Development Jody Kablack and Regional Housing Services Office Manager Elizabeth Rust

At 9:08 p.m., Chairman Brown returned to the Meeting, and she opened a discussion regarding the preparation of an update to the Housing Production Plan (HPP) for submittal to the Department of Housing and Community Development (DHCD), and she welcomed Director of Planning and Community Development Jody Kablack and RHSO Manager Elizabeth Rust to the Meeting. The Board was previously in receipt of copies of a memorandum from the Sudbury Housing Trust dated January 28, 2016.

Ms. Kablack explained the Sudbury Housing Trust (SHT) plans to sponsor the renewal of the HPP this spring and it is asking for the endorsement of the Planning Board and Selectmen, since both Boards are required to adopt the HPP. She stated the current HPP is valid until July 13, 2016. Ms. Kablack stated a renewal is required to maintain the approved plan status and it will allow the Town to avail itself of the HPP provisions and protections. She explained the Town is close to reaching its 10% with the two pending Chapter 40B developments, and she believes it is in the Town's best interest to maintain an up-to-date HPP status. Ms. Kablack briefly explained the two-step process required to be certified for safe-harbor status, noting the town must have an approved HPP and it must create the required number of units. Ms. Kablack reviewed the DHCD subsidized inventory statistics, which indicate Sudbury has 388 units of the 592 currently needed, and thus the Town is short by 234 units. She explained how the census figures compiled every ten years impact these figures, noting that, in 2020, the Town has conservatively projected it could be short of its 10% goal by 266 units.

Selectman Woodard asked when the 2020 census is issued, and Ms. Kablack and Ms. Rust explained how the figures would be calculated in 2020 and issued in 2021.

Ms. Kablack reviewed the renewal process, noting the HPP must be adopted and delivered to DHCD by April 1, 2016. The SHT will conduct a public workshop on February 29, 2016 at the Goodnow Library, complete the plan and then present it to both the Selectmen and Planning Board in March 2016. Ms. Rust noted the timeline is tight.

Chairman Brown asked what the anticipated cost is for this project. Ms. Kablack stated the SHT has budgeted approximately \$7,000, which includes the consultant's fee, who will run the community workshop on February 29th.

Selectman Woodard stated the SHT memo is a very good explanation of how the affordable housing safe harbor status works. Selectman Simon concurred, and he suggested Town Manager Rodrigues should post it on the Town website.

Chairman Brown asked for clarification of when units are considered created, approved, and certified, which Ms. Kablack and Ms. Rust provided.

Ms. Kablack announced the Sudbury Station LLC Comprehensive Permit was filed with the Town last Friday.

It was on motion unanimously

VOTED: To support the efforts of the Sudbury Housing Trust and Sudbury's Planning and Community Development Department to prepare an update to Sudbury's Housing Production Plan for submittal to the Department of Housing and Community Development (DHCD).

Annual Town Election – the Language of the Ballot Questions – Discuss and Possible Vote

At 9:46 p.m., Chairman Brown opened a discussion regarding the language for the Ballot Questions for the Annual Town Election on March 28, 2016. The Board was previously in receipt of the draft Ballot Questions, Chapter 10 of the Commonwealth of Massachusetts Acts of 2016, a series of related emails from Sudbury's Town Clerk Rosemary Harvell to Town Manager Rodrigues, an email from Town Counsel Barbara Saint Andre to Ms. Harvell and the Town Manager dated January 28, 2016, and the State House Bill No. 3890.

Selectman Woodard clarified the capital articles presented and approved at the Annual Town Meeting will be on the ballot of the Town Election which follows the Annual Town Meeting.

It was on motion unanimously

VOTED: To approve the Ballot Questions for the Annual Town Election on March 28, 2016, as reviewed tonight and noted below:

Ballot Question: Senior Tax Exemption

"Shall an act passed by the general court in the year 2016, entitled 'An Act extending a certain property tax exemption for seniors in the town of Sudbury', be accepted?"

Yes _____ No _____

Ballot Question: Civil Service

"Shall the Town's acceptance of Chapter 31 of the General Laws (Civil Service law) be revoked for all positions in the Police Department?"

Yes _____ No _____

Chairman Brown stated that if there is someone who wishes to present a report in opposition to these articles, they should contact the Town Manager's Office. Since she is unaware of anyone at this time, Chairman Brown requested Town Counsel be asked to write the opposition reports.

Finance Committee – Budget Discussions Update

Present: Finance Committee Chair Susan Berry

At 9:29 p.m., Chairman Brown took this agenda item out of order, and she welcomed Finance Committee Chair Susan Berry to the Meeting to discuss the Committee's budget discussions, which are underway.

Ms. Berry stated the Finance Committee, based on preliminary revenue figures, gave guidance last fall to the three cost centers that their cumulative growth, combined, could be no more than 2.6%. She stated each cost center presented a budget with growth of 2.6%, but Sudbury Public School (SPS) indicated it would need to eliminate four to five full-time equivalents (FTEs) to meet the 2.6% goal. Ms. Berry stated the Committee then looked at the preliminary General Fund Budget Summary, which indicated there is a gap of approximately \$489,000 between revenue and expenses to get to a no-override budget. She stated this is due to a few factors, including an increase of 6.6% in the Minuteman School assessment, and the largest factor being the shift in the assessment the Town will pay for the Lincoln-Sudbury Regional High School

(L-SRHS) budget (from 84.46% to 86.26%, with a resulting impact of \$483,700). Ms. Berry stated some work has been done to reduce the gap to approximately \$350,000. She also stated each cost center has been asked to send their Budget Strategies Task Force (BSTF) representative with suggestions of how to further close this gap to a joint meeting with the Finance Committee on February 10, 2016. Ms. Berry further stated it was suggested the recommendations not include decreasing the amount in the Other Post-Employment Benefits (OPEB) Normal Cost line of each cost center's budget. She stated the Finance Committee still had several questions, and so it scheduled a meeting with the two School Superintendents and their respective Finance Directors and the Town Manager, which was helpful. Ms. Berry stated that, due to timing constraints, the Finance Committee will only plan to have the one joint meeting on February 10, 2016 with the BSTF. She suggested that, if the Board of Selectmen wish to attend and participate, the Selectmen may want to post the meeting.

Chairman Brown stated she will post the meeting, noting it does not oblige each Selectman to attend.

Selectman Woodard asked what percentage is anticipated for a no override budget with the existing \$350,000 gap. Ms. Berry stated it is approximately 2.2%.

Selectman Woodard asked why the L-SRHS Assessment has shifted. Ms. Berry stated the required minimum contribution number provided by the State has changed.

Selectman Woodard stated it may have to be considered to not transfer the \$150,000 of cell tower revenues into the stabilization fund as had been proposed, to help with the budget gap. He also noted there are no excess levy funds available to access.

Town Manager Rodrigues stated she has spoken to the Superintendents recently and she met with Ms. Berry today, and the three cost centers continue to make progress on closing the gap.

Chairman Brown reviewed what articles will be jointly presentation to the Selectmen and Finance Committee at their joint meeting on February 23, 2016, including the Community Preservation Committee articles, the Fairbank Center Task Force, the Wayside Inn, the Capital Improvement Advisory Committee (CIAC) and possibly the Featherland Tennis Courts.

Vice-Chairman Iuliano asked if Town Moderator Michael Fee will moderate the February 10, 2016 meeting. Ms. Berry stated he is scheduled to do so.

Selectman Woodard commended Ms. Berry on the fine job she has done as Finance Committee Chair.

Special Town Meeting Articles – Discuss and Take Positions

At 9:50 p.m., Chairman Brown opened a discussion regarding the February 9, 2016 Special Town Meeting (STM) articles. The Board was previously in receipt of copies of handouts entitled, "Minuteman Regional Vocational School District Suggested Forms of Article and Motion for Debt Issue Approval," a flow chart entitled "Pathways to Bonding MSBA Approval January 27, 2016, Local approval (120 Days) = May 23, 2016," "Special Town Meeting to Consider Amendments to the Minuteman Regional Agreement January-February 2016," and "Minuteman Regional High School Estimated Tax Rate Impact 16 Member Towns."

Chairman Brown reviewed the four articles, and asked for the Board to vote its position.

It was on motion unanimously

VOTED: To support Article 1 for the February 9, 2016 Special Town Meeting.

It was also on motion unanimously

VOTED: To support Article 2 for the February 9, 2016 Special Town Meeting.

Chairman Brown asked if Article 3 should be Indefinitely Postponed.

Selectman Simon explained that as part of the current Minuteman Agreement, Wayland had requested to withdraw last year, but Lexington voted last fall to oppose Wayland's exit. Thus, he stated a vote on this article would have no practical effect and it may be unnecessarily confusing for Sudbury voters.

The consensus of the Board was that Article 3 would be Indefinitely Postponed at the February 9, 2016 Special Town Meeting.

It was further on motion unanimously

VOTED: To support Article 4 for the February 9, 2016 Special Town Meeting.

Vice-Chairman Iuliano asked if the order in which the articles will be discussed is still in question.

Chairman Brown stated Sudbury's bylaw states the order of articles can be changed by a 4/5 vote by Town Meeting. She stated the order in which the articles appear in the Warrant make sense to her.

Selectman Simon suggested it might be more logical to reverse the order of the first two articles related to Minuteman and vote on whether the Town wishes to withdraw from the District first, and then in order to do this, it would next vote to approve the new Agreement. He believes this would be easier for citizens to follow.

Vice-Chairman Iuliano stated she believes the issues will be complex enough for voters and she thinks reversing the order might be an added distraction. She believes the order of the articles as presented in the Warrant is fine, and discussing them as presented will result in a smoother discussion.

Selectman Woodard questioned that, if the voters decide not to withdraw, then the Town should not approve the new Agreement because the current Agreement would actually cost Sudbury less money.

Vice-Chairman Iuliano stated she believes it is in Sudbury's interest either way to approve the new Agreement. Selectman Woodard and Selectman Simon stated one would want to avoid being stuck with the debt for the new facility under the terms of the new Agreement.

Vice-Chairman Iuliano asked if Town Counsel opined on the order of the articles. Chairman Brown explained that Town Counsel stated the order of discussion of the articles and votes has no impact on the legal effect of the votes.

Selectman Haarde stated the order of the articles does not need to be voted tonight and the Board does not seem to be in agreement on this matter. He noted anyone could make a motion at the Special Town Meeting to change the order of the articles.

Chairman Brown asked if a meeting should be scheduled before the Special Town Meeting to further discuss this. Selectman Simon stated he believes a meeting should be scheduled.

Town Manager Rodrigues stated Town Counsel noted any article can be reconsidered because the Town Meeting votes are not considered final until the Town Meeting is dissolved.

Selectman Simon stated he learned today that Minuteman has undertaken a postcard campaign in Carlisle and Wayland in an attempt to influence the vote, and he anticipates Sudbury residents may also receive them. He finds this action questionable, and he circulated a copy of one of the postcards. Selectman Woodard stated he finds the postcard outrageous and a bit misleading. Selectmen Haarde and Woodard stated this type of behavior is all the more reason why Sudbury should withdraw from the Minuteman District. Selectman Haarde stated the Town should prepare a rebuttal to the postcard to be distributed to citizens and posted on the Town website. Selectman Simon offered to work with Town Manager Rodrigues to prepare a draft rebuttal.

Annual Town Meeting Articles and Actions

At 10:13 p.m., Chairman Brown opened a discussion regarding accepting the Annual Town Meeting articles submitted. The Board was previously in receipt of copies of a draft list of articles submitted for the 2106 Annual Town Meeting Warrant, and accompanying draft Warrant Articles. In addition, copies of an updated list of articles and supplemental article information and updates received after tonight's Board meeting packets were compiled were distributed tonight.

Vice-Chairman Iuliano referenced page 74 of tonight's meeting packet, noting the Town Forum article was only to have the last sentence deleted, and not the last two sentences.

Chairman Brown noted that some articles reference a Warrant Report as being attached, but the Board was not provided copies. Town Manager Rodrigues stated her staff has the reports and would incorporate them accordingly.

Town Manager Rodrigues highlighted that in the updated articles distributed tonight, Chairman Brown had asked her to add an article to allow for scheduling a fall Town Meeting.

Chairman Brown stated she envisions it as a regularly scheduled Town Meeting to attend to possibly zoning-related articles and capital projects.

Vice-Chairman Iuliano stated she has concerns that this is a big change, and that it might be better to have discussions about the pros and cons and then possibly present the article next year.

Selectman Woodard asked if it is intended to be a back-up meeting, if needed, or an actual change to having two Town Meetings each year. Chairman Brown stated they would be two separately scheduled meetings.

Selectman Woodard stated that money-related articles need the May Town Meeting timeframe for preparation and implementation. However, it is possible non-money articles could be discussed at an October Town Meeting. Vice-Chairman Iuliano asked if this is doable. Town Manager Rodrigues stated bonds could be sold and reserves could be used to pay the interest for that year. Selectman Woodard stated this would not be possible for a capital exclusion, and Town Manager Rodrigues concurred. Selectman Woodard stated he thinks the idea of two Town Meetings needs to be thought through a bit more.

Chairman Brown suggested the proposed article could be put on the Board's "to-do" list rather than changing the bylaw quickly. Town Manager Rodrigues stated the article could be held.

Selectman Simon questioned whether having two Town Meetings would dilute the effectiveness of the Annual Town Meeting, and he noted there would be additional costs incurred by the Town.

Selectman Haarde asked if the Board would have to have the second Meeting. Selectman Woodard stated the bylaw is written stating the Board would have to call the Meeting. Selectman Haarde stated the Board does not need to decide on the suggested article tonight.

It was on motion unanimously

VOTED: To accept the Annual Town Meeting articles submitted by Monday, February 1, 2016, and to refer any Zoning Bylaw amendments to the Planning Board.

Annual Town Meeting and Town Election Warrant Schedules – Review

At 10:24 p.m., Chairman Brown opened a discussion regarding the Town Meeting and Election Warrant schedules. The Board was previously in receipt of copies of a draft Warrant Schedule prepared by Town staff.

Chairman Brown drew the Board's attention to the yellow highlighted deadline dates. She noted the Annual Town Meeting and the Special Town Meeting within the Annual Town Meeting Warrants need to be signed by April 5, 2016.

Selectman Woodard stated the Town Election which will follow the Annual Town Meeting for the capital items approved needs to be called before the Annual Town Meeting so it could ideally be scheduled two weeks after the Annual Town Meeting.

Citizens' Comments – Continuation

Chairman Brown announced no citizens had requested time for comments tonight.

Future Board of Selectmen Agenda Items - Discussion

At 10:28 p.m., Chairman Brown opened a discussion regarding future agenda items. She stated a meeting will be scheduled prior to the Special Town Meeting on February 9, 2016. She reviewed upcoming agenda items for February 23rd, including the joint meeting with the Finance Committee, the CAFR report, signing the Town Election Warrant and a brief update report regarding Geoff Phillips' resolution, which Selectman Woodard and Mr. Phillips have been working on.

Vice-Chairman Iuliano reminded Board members they are to submit comments regarding the Town Manager evaluation process and tools by February 23, 2016, to be discussed at a future Board meeting.

Town Manager Rodrigues stated she has an update on the divestment of fossil fuels endorsement to discuss at a future Board meeting.

Chairman Brown stated she would like to schedule a time in March to discuss the Board's goals.

Selectman Simon stated that, in the past the Town Manager prepared a list for the Board to work with.

Selectman Woodard suggested using the last set of Board goals done in August 2015 and adding new initiatives approved since then, as a basis to start the discussion.

Selectman Haarde suggested maybe the Board should start with a clean slate and brainstorm a new set of goals.

Chairman Brown stated that, in the past, there were so many goals, that they were not all actively worked on. She would like to see the Board's goals as a fairly concise list, which focuses on goals which can get done, and which the Board can tie into the Town Manager evaluation process.

Vice-Chairman Iuliano suggested the Board would need to involve Town staff to hear feedback regarding implementation and scheduling before any goals could be finalized.

Selectman Simon noted that, in the past, it was suggested goal-setting be delayed until after new Board members are seated following the Annual Town Meeting, so they could be involved and provide input. Selectman Woodard stated that it is possible a new Board member may not have enough history to offer input in their first year.

Chairman Brown stated she wishes to hold the goal discussions soon. She requested all Board members to notify her when they could be available for a meeting to discuss the Board's goals so that everyone is in attendance.

Sudbury Police Union – MCOP Local 370 – Memorandum of Understanding
Present: Police Chief Scott Nix

At 7:40 p.m., Chairman Brown took this agenda item out of order, and she welcomed Police Chief Scott Nix to the Meeting. She explained a Memorandum of Agreement (MOA) A & B between the Town of Sudbury and the Sudbury Police Union, MCOP Local 370 was voted in Executive Session, but needs to be voted and ratified again in Regular Session.

Police Chief Nix stated the Memorandum allows the Police Department to be removed from the civil service process, which he believes will give the Town a better opportunity for hiring candidates from a broader pool.

Vice-Chairman Iuliano noted this will also be on the ballot to be approved by the Town.

It was on motion unanimously

VOTED: To approve the Memorandum of Agreement (MOA) A & B between the Town of Sudbury and the Sudbury Police Union, MCOP Local 370, both dated January 28, 2016, and to ratify the vote taken in Executive Session between the Town of Sudbury and the Police Union.

Minutes

Chairman Brown, Vice-Chairman Iuliano and Selectman Woodard each requested a few minor edits be made to the minutes.

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of January 19, 2016, as amended tonight.

American Cancer Society – Special Permit for Relay for Life of Lincoln/Sudbury

It was on motion unanimously

VOTED: To approve a Special Permit to the American Cancer Society, to hold the “Relay for Life of Lincoln/Sudbury” on Saturday, May 14, 2016 at 12:00 p.m. through Sunday, May 15, 2016 at 6:00 a.m., subject to compliance with conditions outlined by the Peter Noyes School, the Police and Fire Departments, as well as Park and Recreation and the Presbyterian Church.

Presidential Primary Election Warrant

It was on motion unanimously

VOTED: To sign the Presidential Primary Election Warrant for posting by the Constable no later than February 23, 2016.

There being no further business, the meeting adjourned at 10:41 p.m.

Attest: _____
Melissa Murphy-Rodrigues
Town Manager-Clerk

Documents & Exhibits

1. Meet with Legislators (Representative Carmine Gentile, Senator Jamie Eldridge, Senator Mike Barrett)

Attachments:

- 1.a 1.25.16 Letter to State Legislators
- 1.b State Legislator Materials Presented 02.02.16

2. Eversource discussion on moving transmission line from Sudbury to Hudson

Attachments:

- 2.a Eversource Sudbury BOS Presentation final

3. Discuss and possibly vote to support the efforts of the Housing Trust and the Planning and Community Development Department to prepare an update to the Housing Production Plan for submittal to DHCD.

Attachments:

- 3.a Sudbury HPP - Project Introduction to BOS PB

4. Discuss and possibly vote on Ballot Question language for the March 28, 2016 Annual Town Election.

Attachments:

- 4.a 2016 ATE Ballot Questions
- 4.b Senior Tax Exemption Bill Info_v2
- 4.c BillH3890
- 4.d Chp.10 Acts of 2016_Senior Tax Exemption

5. Discuss the Finance Committee's budget under development (Susan Berry presenting)

6. Discuss and take positions on February 9, 2016 Special Town Meeting Articles

Attachments:

- 6.a 1. 16 (d) bonding Warrant Article 1.21.16
- 6.b 2. BOND PATH 1.21.16
- 6.c 3. Special Town Meeting Calendar v3 01212016
- 6.d 4. Estimated Tax Rate Impact 16 towns v. 17.0

7. Vote to accept Annual Town Meeting articles submitted by Monday, February 1, 2016, and refer any Zoning Bylaw amendments to the Planning Board.

Attachments:

- 7.a 2016 ATM Article List_v2
- 7.b ATM Articles Submitted by 1.29.16
- 7.c Updated Article List and Submissions_02.02.16

8. Discuss Town Meeting/Town Election Warrant Schedule as prepared by staff

Attachments:

- 8.a Warrant schedule DRAFT_2016 ATM, STM, ATE

9. Continuation of Citizen's Comments, as needed

Attachments:

- 9.a Citizens Comments 2.2.16.pdf

10. Discuss upcoming agenda items

Attachments:

- 10.a POTENTIAL UPCOMING AGENDA ITEMS_02_02_16

11. Discussion and vote on whether to approve the Memorandum of Agreement (MOA) A & B between the Town of Sudbury and the Sudbury Police Union, MCOP Local 370, both dated 1/28/16, and ratify the vote taken in Executive Session between the Town of Sudbury and the Police Union.

Attachments:

- 11.a MOA_Police A
- 11.b MOA_Police B

12. Vote to approve the regular session minutes of 1/19/16.

Attachments:

- 12.a BOS 01-19-16_minutes draft

13. Vote to approve a Special Permit to the American Cancer Society, to hold the "Relay for Life of Lincoln/Sudbury" on Saturday, May 14 at 12:00 P.M. through Sunday, May 15, 2016 at 6:00 A.M., subject to compliance with conditions outlined by the Peter Noyes School, the Police and Fire Departments, as well as Park and Recreation and the Presbyterian Church.

Attachments:

- 13.a Relay for Life 2016_BOS
- 13.b Relay for Life Approvals 2016

14. Vote to sign the Presidential Primary Election Warrant for posting by the constable no later than February 23, 2016.

Attachments:

- 14.a presidential primary warrant 2016 FINAL