

IN BOARD OF SUDBURY SELECTMEN
MONDAY, MAY 7, 2018

Present: Chairman Robert C. Haarde, Vice-Chairman Leonard A. Simon, Selectman Susan N. Iuliano, Selectman Patricia A. Brown, Selectman Daniel E. Carty and Town Manager Melissa Rodrigues.

The statutory requirements as to notice having been complied with, the meeting was convened at 5:30 p.m. in Conference Room A at Lincoln-Sudbury Regional High School.

Opening remarks by Chairman

Chairman Haarde opened the meeting at 5:30 p.m., and asked if there were any opening comments or reports from Town Manager or from the Board of Selectmen.

Reports from Town Manager and Selectmen

None

Citizen's comments on items not on agenda

None

Submit ballot questions for June 12 Special Election to Town Clerk

Town Manager Rodrigues dictated the three ballot questions to be included for the Special Election, which were DPW Rolling Stock, the Fuel Island, and the Stearns Mill Pond Dam and bridge.

Vice-Chairman Simon asked if any modifications would be made on these ballot questions tonight, and Town Manager Rodrigues said not. A motion was made to approve the three ballot questions for the June 12 Special Election and submit to the Town Clerk.

It was on motion unanimously

VOTED: To approve and submit the ballot questions for June 12 Special Election to the Town Clerk.

Discussion and vote on Safe Community Policy

Selectman Iuliano thought the amended policy by Town Manager Rodrigues and Chief Nix was a much improved statement, and she thanked them for their efforts. She recommended that the Board discuss where they stood about Article #44 at this time, after review of the Welcoming Community modification.

Chairman Haarde thanked Selectman Iuliano and said that one correction to be made was that the previous statement brought forth had nothing to do with Article #44.

Selectman Iuliano thought it would be helpful to take up Article #44 first. Chairman Haarde responded that a vote for Article #44 is for Town Meeting, and not for Board discussion.

Selectman Iuliano recommended that the Board revisit Article #44 with amendments, and revote on it. Chairman Haarde responded that perhaps the Board could comment on this later tonight when Item #3 of tonight's agenda is presented, but that this matter was not appropriate for the agenda as composed.

Vice-Chairman Simon said that he had further questions about the Safe Community Policy, and stated that an announced public discussion on this topic would have been beneficial. He felt that this statement was a description of the Town Manager's duties and should have been included in the responsibilities listed in the Town Manager's contract. He thought that more time was needed in order to refine such a policy/statement, and not vote on it today. It deserves a more robust discussion. Chairman Haarde read the amended Safe Community Policy again, and stated that it was long overdue, and added that he spoke with the Town Social Worker, Police Chief, and Town Manager, and added that they agreed that this formal statement was overdue. He further explained that

the Town Social Worker said that she will implement this practice when dealing with people that she comes in contact with who might be the people who need this information most. Vice-Chairman Simon maintained that in fact there are no supporting documents from the Police Chief or the Social Worker.

Chairman Iuliano said that this statement is typically not what a Board of Selectmen would do, but just an anti-discrimination policy, which she asserted that she hoped the Town was already doing. She asked Town Manager Rodrigues if she had concerns for her staff regarding this Policy. Town Manager Rodrigues replied that this Policy was more of a value statement, which provides additional direction to employees, as well as the public in general. Also, she would implement this as a policy to be included in the employee handbook, and then ensure the policy is being implemented.

Vice-Chairman Simon reiterated that he would like direct input from the residents. Chairman Haarde maintained that he doubted very much that anyone would dispute anything about this policy. Selectmen Brown stated that there is a reported level of concern out there that she was not aware of and added that this statement/policy makes very clear what policy is, and that it must be followed. Selectman Carty stated that he did not see any reason not to adopt this statement of policy.

Comments

Resident Susan Berry, 4 Dawson Drive, stated that people could be alienated by decisions that have been made, and that this could have impact on the town later. Chairman Haarde answered that if anyone felt alienated due to age, citizenship, gender/gender identity, immigrations status, race, religion or sexual orientation, then that would be a policy discussion, and would be in violation.

John Baranowsky, 103 Belcher Drive, stated that because there will be a reorganization of the Board of Selectmen, he thought that more time should be given before voting. He posted something on the social media site, and felt that the posting response put him in a negative light, and he reinforced that he was not against the amended Safe Community Policy.

Gary Bean, Three Wilshire Street, said he certainly supported the amended Policy, but was concerned that some parts of the Policy could tie the hands of the Police Department, and asked Chief Nix if this amended Policy could be problematic; and wanted to know the Chief's opinion.

Police Chief Nix said that this amended Policy statement was less restrictive than the original statement, in his opinion, and he stated that he could not support or endorse either Policy version, but that the amended Policy was more encompassing.

Resident Peggy Espinola, 224 Goodman's Hill Road, said that she supported the amended Policy, but wanted the vote to be postponed until after Town Meeting, so that more people could discuss the Policy.

Resident Fred Taylor, 38 Cider Mill Road, said that he did not know of anyone who disagreed with the amended Policy, and added that it did appear to have relevance to Article 44. He added that because of the timing, he thought many people will be confused that this Policy was a substitute for Article 44, and asked if the vote could be postponed. Chairman Haarde stated that the amended Safe Community Policy was a policy of the Board of Selectmen, and Article 44 was a resolution by citizens; and one did not replace the other, nor had anything to do with the other.

Resident John Riordan, 12 Pendleton Road, said that he may have unintentionally misspoke at the last Board meeting, and may have referenced that the Chief supported the resolution. He detailed that he supported the Policy, and his mistake was not intended to mislead the Board. He further added that he was not trying to misrepresent Chief Nix in any way, and apologized to both Chief Nix and the Board. Chairman Haarde thanked Mr. Riordan.

Vice-Chairman Simon made a motion to continue this discussion at the next meeting on May 15.

There was no second to the motion.

Selectman Carty made a motion to adopt the Safe Community Policy as amended, and the motion was seconded.

Selectman Iuliano asked if Town Counsel had looked at the policy, and Town Manager Rodrigues responded that they had. Selectman Iuliano added that this Policy could be changed in the future if necessary. Chairman Haarde said that it could be changed at any time. Selectman Iuliano asked if this policy would be included as a policy review item at a future meeting, and Town Manager Rodrigues responded that it could be.

It was on motion, four in favor and one abstain. Haarde-aye, Carty-aye, Brown-aye, Iuliano-aye, Simon-abstain.

VOTED: To adopt the Safe Community Policy as amended.

Review Town Meeting articles, take positions on articles, and assign presentations

Article #2 - FY18 Budget Adjustments

Town Manager Rodrigues presented several budget adjustments.

It was on motion unanimously

VOTED: To support Article #2 - FY18 Budget Adjustments

Article #8 - FY18 Snow & Ice Transfer

Town Manager Rodrigues summarized the deficit amount. Chairman Haarde stated that funding of this article looked to be in somewhat good shape. Town Manager Rodrigues stated that this had been an extraordinary storm year. Selectman Carty mentioned that this dollar item was increased from the last meeting.

Vice-Chairman Simon made a motion to support Article #8 - FY18 Snow & Ice Transfer, because of the emergency conditions of this past winter, as noted by the Town Manager.

It was on motion unanimously

VOTED: To support Article #8 - FY18 Snow & Ice Transfer

Article #9 - Unpaid Bills

Town Manager Rodrigues stated that this article would be Indefinitely Postponed (IP'd).

It was on motion unanimously

VOTED: To IP Article #9 - Unpaid Bills

Article #26 - Noyes School Fire Alarm System Replacement

Town Manager Rodrigues recommended that Article #26 be IP'd, as funding was found in the school budget, in the amount of \$22,000.

It was on motion unanimously

VOTED: To IP Article #26 - Noyes School Fire Alarm System Replacement

Article #28 - Cutting Field

Mike Ensley, of Sudbury Park and Recreation stated that Cutting Field is 12 years old. He said that Cutting Field presented a borderline safety condition at this point, and a consultant looked at the field, and determined that it

probably had less than a two-year life remaining. Mr. Ensley added that the Town had received two field replacement quotes - one at \$450K, and one at \$550K with large contingency fees on both. Park and Rec had roughly \$235K from the National Development Fund, is asking \$250K from the Town, and now wants to move forward so the field could be completed by next spring or summer. Chairman Haarde said that one of the concerns that the Board previously had was the free cash position, which has now been modified.

Selectman Iuliano stated that there would be further mitigation funding and questioned if that additional funding would be designated to Park & Rec. Mr. Ensley responded that if the vote was not taken now, another year would be added, which puts the field at further risk of shutting down. All other available Town fields are about 40% overused causing potential added strain. He felt that Park and Rec is most always last in funding priority, and Park and Rec will fund some smaller projects that are needed now, with the goal being a 50-50 split for field funding half from field users and half from the Town.

Selectman Carty asked if the recently revised funding amount had been presented to the Finance Committee (FinCom). Town Manager Rodrigues said that FinCom voted not to support the article even after viewing the amended funding amount. Selectman Iuliano asked if any elaboration could be provided regarding the FinCom final vote.

FinCom member Susan Berry said that there was no mention from FinCom to rescind the article vote, and that timing played a role in the decision. She added that FinCom was meeting this evening before Town Meeting. Chairman Haarde asked Ms. Berry if there was a chance that FinCom could discuss this article again tonight. Ms. Berry replied that FinCom was probably done with this article.

It was on motion unanimously

VOTED: To support Article #28 - Cutting Field refurbishing and resurfacing.

Article #37 - Acquisition of Broadacres Farm

It was on motion unanimously

VOTED: To IP Article #37 - Acquisition of Broadacres Farm

Article #40 - Reversion FY19

Town Manager Rodrigues stated that CPC supported that the article be IP'd.

It was on motion four in favor and one abstain. Haarde-aye, Carty-aye, Simon-aye, Iuliano-aye, Brown-abstain.

VOTED: To IP Article #40 - Reversion FY19

Article #43 - Petition - Release of Deed Restriction

Town Manager Rodrigues stated that the Board heard from the owner's attorney who asked that the petition be postponed.

It was on motion unanimously

VOTED: To IP Article #43 - Petition - Release of Deed Restriction

Article #45 - Transparency in Political Donations

It was on motion unanimously

VOTED: Not to take a position on Article #45 - Transparency in Political Donations

Article #44 - Petition - Welcoming Town

Town Manager Rodrigues stated that the Board voted not to support Article #44 - Petition - Welcoming Town. Selectman Iuliano said that an alternative resolution is now being sought. Selectman Iuliano moved to support Article #44, based on changes made by the petitioners.

Selectman Carty said that the e-mail describing those changes was sent this afternoon, and he had no chance to read it. Chairman Haarde agreed that there was not enough time to review those changes.

Selectman Iuliano recommended that the Board address those changes at the Selectmen's meeting tomorrow night.

Discuss upcoming agenda items

Town Manager Rodrigues suggested that subcommittee for Selectmen's policies be on the next agenda, as well as the Fairbank Center, Selectmen appointments/re-appointments, and liaison assignments.

Selectman Brown suggested the idea of not discussing any new agenda items after 10:30 p.m. going forward with future meetings, and Board members agreed. Town Manager Rodrigues added that some Selectmen choose only two or three main topics to cover the first meeting after Town Meeting.

There being no further business, the meeting adjourned at 6:45 p.m.

Attest: _____
Melissa Murphy-Rodrigues
Town Manager-Clerk