

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, DECEMBER 4, 2018

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

The statutory requirement as to notice having been complied with, the meeting was convened at 7:00 p.m. in the Town Hall Lower Level.

At 7:00 p.m., Chairman Haarde motioned and it was on motion unanimously

VOTED: To resume Open Session

Opening Remarks by Chairman

Chairman Haarde congratulated the LSRHS Boys Varsity Soccer Team in winning the Division 1 North State Championship.

He announced that Special Town Meeting will be December 11, 7:30 p.m., at the LSRHS auditorium.

Chairman Haarde stated that the Social Security Benefits Auction for Autistic Adult Children will take place at the Liberty Bay Credit Union, 300 Granite Street, Braintree on Thursday, December 6, from 10:00 a.m. to noon. Pre-registration is required, and the event is sponsored by the Autism Resource Center of the South Shore.

Chairman Haarde shared that Eversource will be conducting drone transmission surveys this week along the transmission corridor beginning in Wayland through to the Sudbury electric substation, and then heading south toward Framingham.

Chairman Haarde announced that the Hosmer House had a great opening last weekend, and it will also be open this weekend, December 8th and 9th, from 11:00 a.m. to 4:00 p.m. The Christmas Tree and Menorah lighting in Sudbury Center on Dec. 1 was a great success. He hopes this tradition continues and suggested closing down the road in the future in order to host an even grander event.

Reports from Town Manager

Town Manager Rodrigues thanked all Town employees who worked on the Town Forum as well as the Chamber of Commerce and the Historical Society who worked on the Town Christmas tree and Menorah lighting events. Approximately 650 people passed through the Hosmer House at the holiday open house last weekend.

Town Manager Rodrigues encouraged the public to come to Town Meeting and that babysitting will be available, and overflow provisions will be made.

Reports from Selectmen

Vice-Chairman Carty thanked all for their participation at the Town Forum adding that it was a great success. He also thanked everyone who worked on the Tree and the Menorah lighting event in Town Center, and was pleased with the turnout.

Vice-Chairman Carty attended the Capital Planning Conference at University of MA Collins Center along with Selectman Dretler, Selectman Brown, and Facilities Director Bill Barletta.

Selectman Simon attended the Conservation Commission meeting last night which voted unanimously to support the six Town Meeting articles.

Selectman Simon agreed that the Christmas tree and Menorah lighting event was a great success, and it was a community-unifying event. He hoped that the spirit continued through the Special Town Meeting on December 11th. Selectman Simon said that there were a number of letters in the *Sudbury Town Crier* in support of Town Meeting articles, and thanked Selectman Brown for her contribution.

Selectman Brown stated that at the I-495 Metrowest Planning Meeting the group discussed long-range planning and focused on the commuter rail and parking. She explained to the Board that transit review forms are available for MAPC, MBTA and MassDOT services, and asked Board members to go online and submit their reviews of those transportation modes and related parking conditions.

Selectman Brown attended the Hosmer House on Friday, and encouraged all to attend the Hosmer House holiday open house. Selectman Simon thanked all who worked on the open house which was exceptional this year.

Selectman Dretler stated that the Capital Planning Conference held last Friday was very informative. The Christmas tree and Menorah lighting event went very well, and she would advocate for the event to continue for years to come.

Selectman Dretler noted that the Chabad Center of Sudbury will be sponsoring the Hanukkah Celebration event at Town Center tomorrow, December 5th, from 5:30 p.m. to 6:30 p.m. The nine-foot Menorah will be lit. There will be an LED juggling show, Hanukkah treats will be provided, and all are welcome. Selectman Dretler added that the Mill Village will have their holiday celebration this weekend which includes caroling.

Selectman Dretler detailed that she, Selectman Brown, and Interim Town Planner, Beth Suedmeyer will be attending the MAPC (Metropolitan Area Planning Council) Breakfast Meeting on Thursday which will launch the Greater Boston Regional Plan – MetroCommon 2050. Selectman Dretler will report back to the Board with information from that meeting.

Citizen's Comments on Items Not on Agenda

Resident Ralph Tyler, One Deacon Lane, thought that the Town Forum went very well especially with addressing the Sudbury Station agreement. He advocated for a combined presentation of Articles for Town Meeting on December 11 including Sudbury Station agreement and the associated exchange. He suggested combining Articles 1, 2, 3, 4 and 6 with one vote. He spoke to Town Manager Rodrigues, Town Counsel, and the Town Moderator about this proposal and did not hear any negative responses. He distributed a handout "Town Meeting Time – A Handbook of Parliamentary Law," which covered the topic of two or more articles being covered in a single vote, and the document provided example of such cases.

Chairman Haarde asked Mr. Tyler to remain for further discussion of the topic, and Mr. Tyler agreed to stay.

Discussion and vote to finalize Selectmen's goals

Chairman Haarde read the high priority and non-high priority goals aloud which the Board had established at the goal setting meeting several weeks before. He detailed that land acquisition and use of land are not in the high priority goal category, but are ongoing goals as well as ADA planning, inclusionary zoning, Eversource, Broadacres Farm, Melone, open space, and a project management tool.

Town Manager Rodrigues affirmed that the detailed itemization of all goals had been documented and spelled out on the white board at the goal setting meeting.

Chairman Haarde reiterated the high priority goals with goals/deliverables:

*Capital Planning – Goal is to work with Town Committee (Strategic Financial Planning for Capital Funding) to finalize a recommendation for long-term funding of Capital.

*Fairbank Community Center – Goal is to work with staff toward presenting a Fairbank Community Center proposal at May Town Meeting.

*Fire Station #2 and #3 – Goal is to work with Chief Whalen to understand Fire Department needs for presentation at the May Town Meeting, and to move potential projects towards construction, at October Town Meeting.

*North/South Rail Trail – Goal is finalization of 25% design, contract for 75% and 100% of design, and begin work under that contract, work with state on the public hearing, and continue to explore purchase of CSX.

*Sewataro – Goal is to explore potential purchase in order to preserve and complete due diligence by April 2019, decision by June 29, 2019 and October Town Meeting funding.

*Town Center – Goal is to continue progress toward preserving the character and nature of the historic Town Center.

Vice-Chairman Carty proposed editing the non-priority goal: project management tool goal, suggesting a more detailed description of that goal title should include “formalized project management process and control.” The tool is the method for achieving the goal, but the process and control aspect was emphasized at the goal setting meeting.

Selectman Simon clarified that the North/South Rail Trail and the corresponding goal refers to the Bruce Freeman Rail Trail, with the CSX segment referencing the right of way south of Station Road.

Selectman Simon motioned to vote to finalize the Selectmen’s goals as outlined by the Chairman. Selectman Brown seconded the motion.

Selectman Dretler stated that she was not necessarily in agreement with the listed high-priority goals.

Chairman Haarde explained that changes could be made in the form of a motion, and determine if the motion gets seconded, and then the Board could discuss and vote on it.

Town Manager Rodrigues reviewed the priority selection process that took place at the goal setting meeting utilizing the sticker method. Vice-Chairman Carty added that the technique was termed “multi-voting.” Selectman Dretler noted that it was possible that a Selectman could direct ten stickers to one item/goal. Town Manager Rodrigues affirmed the statement.

Vice-Chairman Carty stated that some detail was missing from the Board of Selectmen Goals – 12/4/18; specifically adding that the priority goal of Town Center should have the 2019 Deliverables read: “The acquisition and preservation of land in Town Center by May of 2019.”

Chairman Haarde recommended amending the Town Center priority goal and deliverables and then move forward. Town Manager Rodrigues agreed that the other priority goals and deliverables were complete.

Chairman Haarde told the Board that goals and priorities can be reviewed, added to or amended at any time. Selectman Dretler stressed that going forward she would like to incorporate a more scientific approach for goal-setting. Chairman Haarde stated that he regarded the process as a nomination process, and changes could be made.

Selectman Brown emphasized that she had an issue with timing, and it was very important to vote to finalize the goals so that Town Manager Rodrigues could have her goals in order by January 1st. She detailed that the Board was late in establishing goals this year.

Vice-Chairman Carty reiterated that the “multi-voting” technique used to establish the priority of goals was scientific, and was frequently used by the US Air Force and is most effective. He suggested that the Board refer to

Google where they could read more about the “multi-voting” method. Chairman Haarde had no issue with the “multi-voting” method.

Selectman Simon stated that he wanted to understand Selectman Dretler’s concerns, and if there are issues the Board should discuss them further. He added that Selectmen’s Goals reflects a living document, and could be changed at any time. Chairman Haarde agreed. Selectman Brown stated that the required timetable is an important consideration for setting the Town Manager’s goals, and the Town Manager requires basic Selectmen’s goals now to formulate her 2019 goals. Selectmen’s goals could later be amended as needed. Chairman Haarde commented that this year was most extraordinary, and October was the ideal time to get these matters accomplished. Vice-Chairman Carty stated that the goals should be reviewed periodically.

Selectman Dretler asked if the associated deliverables/goals would be voted upon at this meeting. Chairman Haarde suggested that the mentioned amendments be included in the vote this evening including the Town Center deliverable as amended by Vice-Chairman Carty.

Selectman Dretler inquired about Camp Sewataro, and inquired about the related “due diligence” process. Town Manager Rodrigues responded that receiving appraisals, speaking with other Town departments to determine interest, and exploration of what the Town might do with the property were the “due diligence” factors. She added that a feasibility study would be done, if funding could be obtained. Selectman Dretler asked what would happen if funding was not provided. Town Manager Rodrigues replied that it would be then addressed internally. Chairman Haarde added that steps regarding Sewataro would be taken sooner or later than June 2019, and thought that working on the RFP would be a good idea.

Chairman Haarde stated that the multi-voting method was endorsed by the Town Moderator. Town Manager Rodrigues added that it was the same process used last year. Chairman Haarde reiterated that the process used for next year’s goal setting session could be discussed further.

Selectman Simon recognized that Mr. Halpin, the moderator at the November 6th goal setting meeting, did exercise some of this interpretation as well, especially with the Town Center item. He noted that if situations change in the next several months, it is important to note that the list can be changed or modified accordingly. Vice-Chairman Carty agreed that periodic review was necessary.

Selectman Dretler stated that she agreed, and that the goal-setting process should be commenced earlier next year, perhaps in October. The Board agreed.

It was on motion unanimously

VOTED: To accept the Selectmen’s Goals as amended.

Discussion on Fairbank Community Center

Town Manager Rodrigues provided an update on the most recent incidents at the Fairbank Center last week - one being the strong smell of gas requiring evacuation, and the other being the boiler malfunction. There was a gas build-up in the chimney causing a back fire, and the chimney was currently being serviced. She added that boiler #2 is out of service at this time, and that boiler supplemented the other boiler, and pricing for that repair is forthcoming.

Selectman Simon stated that earlier today he inspected the boiler as well as the whole building with Mr. Barletta, Facilities Director. He said that the two boilers work in concert with each other, and the system is about 15 years old. Selectman Simon stated that he was very concerned about the condition of the building, and stressed that the Fairbank Center needs renovation. He discovered that the pool’s heating system was working okay, and the technician told him that the newer systems have a holding tank, and that the cost for that heating system would be approximately \$25,000.

Selectman Simon stated that he also examined the leaking roof which leaks inside the building when there is rain, snow and ice. Selectman Simon stated that it was critical that Fairbank be addressed at the May Town Meeting, in order to bring the Center up to standards in consideration of operation and liability. After his tour today, Selectman Simon confirmed that the Board's goal of placing Fairbank in the high priority listing was correct.

Town Manager Rodrigues stated that she had begun work on the Fairbank article in preparation for Spring Town Meeting, and she would be meeting with interested residents tomorrow. Chairman Haarde stated that the Board will continue to put the Fairbank Center on the agenda for upcoming Board meetings and added that the repair of boiler #2 was necessary now.

Selectman Dretler was at the Fairbank Center when the boiler malfunctioned, and asked if that boiler would be replaced. Town Manager Rodrigues replied that the boiler would be repaired. Selectman Dretler detailed that the tiling in the Fairbank ladies' room was in very poor condition including the floor and the overwhelming chemical smell which she believed was related to the ventilation system.

Mr. Tyler suggested that the Board present a comprehensive proposal at May Town Meeting, and not just a request for funding of the design aspect.

Selectman Dretler agreed with Mr. Tyler, and maintained that the Fairbank Community Center is more than a Senior Center, and May Town Meeting must present the site as a Community Center for all ages.

Selectman Simon mentioned that an improved Fairbank Center must be properly marketed targeting all groups in Town. He said that if the Center is not improved or renovated there would be no Fairbank Center which would not be acceptable for Sudbury.

Selectman Dretler mentioned that the Fairbank article came very close to passing at last Town Meeting, and affirmed that the Town just has to work harder for the vote at next Town Meeting.

Ratify tax classification hearing vote from 11/27/18

Town Manager Rodrigues stated that the Board previously voted on the tax classification, but this vote would ratify the Board's votes taken on 11/27/18.

It was on motion unanimously

VOTED: To ratify Tax Classification

Vice-Chairman Carty maintained that getting all related tax information earlier next year would be beneficial. Selectman Brown suggested that a Board meeting with the assessors before the voting meeting would be helpful.

Chairman Haarde mentioned that in the past, a representative from the Chamber of Commerce would come to the tax classification hearing and advocate for a single tax rate. He added that a single tax rate could be more welcoming to businesses and perhaps bring more business into Town, which would aid in the stability of the residential tax rate.

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

Town Manager Rodrigues stated that she spoke with the Town Moderator and Town Counsel regarding procedures as well as Mr. Tyler's suggestion of combining the Articles for Special Town Meeting on December 11. She stated that everyone is in favor of Mr. Tyler's proposal, but it cannot be implemented because it would be impossible to move in the words of the articles 1 and 2, as the full zoning descriptions are not printed on the Warrant.

Town Manager Rodrigues stated that she would provide the overview of the Melone project and Sudbury Station at the Town Meeting, and Planning Board Chairman, Stephen Garvin, would present Articles 1, 2 and 3, and direct all question and debate regarding those articles. Town Manager Rodrigues stated that this approach at Town Meeting would provide for a more streamlined presentation, as recommended by Mr. Tyler. Selectman Simon stated that the Conservation Commission supported all articles at their meeting last night.

Selectman Brown emphasized that the zoning language was not provided until very recently which is why it was not included on the Town Warrant. Town Manager Rodrigues affirmed the statement, and 1,000 copies of the zoning articles will be distributed at Town Meeting on December 11th and will be available on the Town website.

Selectman Dretler stated that the Melone Forum presentation by Town Manager Rodrigues was outstanding, and thanked other presenters at the Forum. Close to 500 people viewed the Forum on SudburyTV. Town Manager Rodrigues added that 51 people streamed live broadcasting of the Forum.

It was on motion unanimously

VOTED: To support Articles 1, 2, 3, 4, 5, and 6, for the Special Town Meeting on December 11, 2018.

Selectman Brown stated that the Finance Committee voted in support of Articles 1, 2, 3, 4, and 6 eight to one, and were not in favor of Article 5.

The Board continued discussion on Article 5 –The Repurpose of the Melone Stabilization Fund. Chairman Haarde stated that the \$1.1 million Melone stabilization fund was slated to be used to improve the Melone land for municipal use or sale. He stressed that having that fund in place did affect the negotiations, and commented that this fund could have been moved to a different fund at the October Town Meeting. Chairman Haarde recognized that it would have been difficult to move those funds at October Town Meeting because a deal was not in place, therefore, it was unknown if that fund would be needed or not. He recommended doing something with this fund, and stated that it would continue to affect negotiations moving forward in the Melone process if the proposal passed. He recommended the funds be repurposed so that the developer could not later designate that funding for other Melone improvements. The funds could be transferred to Broadacres or their use could be broadened for other Town opportunities or capital.

Town Manager Rodrigues agreed that repurposing the Melone Stabilization Fund was necessary, and perhaps could be allocated to a Broadacres Fund. She could draft a motion for the repurposing of the Melone stabilization fund for additional uses by the town.

Chairman Haarde agreed stating that the funds cannot be used unless Town Meeting appropriates them for a specific use, such as Parcel #1 at Broadacres, and at a future Town Meeting repurposing of the fund would be reflected by one article, and then a separate article to appropriate the funds for that use.

Selectman Brown would be very concerned if the stabilization funds had to be allocated to Melone and the developer would benefit and not the Town.

Vice-Chairman Carty also agreed that if the Quarry North project moved forward and the funds remain at Melone, further negotiations with the developer would be hindered. Chairman Haarde commented that if the Quarry North transaction did not pass, then there would be no sense in repurposing that fund. Selectman Dretler added that she would like more specifics in regard to Article 5. Town Manager Rodrigues stated that the Park and Recreation Commission was in support of Article 5.

Chairman Haarde maintained that stabilization funding could not be put into the operating budget, and that the money received for the land (\$1 million) must be used for like capital. The second \$1 million is for mitigation (such as traffic) and the \$1.1 million from the stabilization fund came from the former gravel pit operations.

Selectman Dretler emphasized that the Melone acquisition is \$1 million, plus the 40 acres in the Town Center.

Renew Alcoholic Beverages, Common Victualler and Entertainment licenses to expire December 31, 2019; and Motor Vehicle Classes 1, 2, and 3 licenses to expire January 1, 2020

Town Manager Rodrigues stated that none of the victuallers had unpaid taxes.

Selectman Simon stated that a report from Bill Murphy, Health Director, stated that the licenses listed could be renewed.

Selectman Dretler asked about the status of pending licenses. Town Manager Rodrigues replied that those establishments would not receive licenses until they are in full compliance. The Board would not be signing off on this vote until the next Board meeting.

It was on motion unanimously

VOTED: To renew the applications for the licensees listed and documents for Alcoholic Beverages, Common Victualler and Entertainment licenses to expire December 31, 2019; for and Motor Vehicle Classes 1, 2, and 3 licenses to expire January 1, 2020, as shown on the attached lists.

Discuss upcoming agenda items

In preparation for the December 18th agenda, Chairman Haarde stated that discussion regarding the Fairbank Community Center would be continued.

Town Manager Rodrigues stated that the licenses just approved could be signed at the December 18th meeting.

Vice-Chairman Carty mentioned that the placeholder for Transloc transportation was slated for December 18th.

Town Manager Rodrigues mentioned that the Town Hall representatives wished to discuss the design on the 18th, if possible.

Selectman Dretler mentioned that the Planning Board's Master Plan Steering Committee appointment of one or more Selectmen should be discussed at the next meeting.

Selectman Dretler stated that she would like the Division of Local Services to appear before the Board based on conversations at the Capital Planning Conference, which she attended. Selectman Dretler would reach out to determine when that presentation might be.

Selectman Brown mentioned that the Town Manager Evaluation should be placed on an agenda in January.

Selectman Brown also mentioned that she would like to have the legislators come in so that the Board could share with them what the Town is doing, and hear what they are doing especially in consideration of the new session commencing. She thought that designating a meeting in January for that meeting would be preferred.

Selectman Brown stated that she would be interested in an update regarding the new member of the LS School Committee when chosen. Chairman Haarde stated that he responded to the Doodle request for meeting scheduling regarding the new member and has not yet heard of a scheduled meeting. He thought that the School Committee was looking at next week or January.

Chairman Haarde explained that the Board received a letter from the Town of Concord regarding the Quarry North development. He said that he thought that the letter was reasonable, and he suggested that staff research past records when the Town of Sudbury composed a similar letter to the Town of Concord regarding the Mews project. He also recommended examining the Concord Selectmen meeting minutes for that same timeframe. Chairman Haarde suggested that after researching this, the Board could review a draft response letter, and have that review on a January agenda.

Town Manager Rodrigues stated that the Town of Concord has met with the developer of Quarry North. Chairman Haarde confirmed that the developer cannot build any more than six houses there, and what Concord will allow is unknown at this time. Selectman Simon suggested that forwarding the letter to the developer of Quarry North would also be advised. Town Manager Rodrigues stated that the letter would be forwarded to Quarry North with inclusion on the Town website.

Chairman Haarde stated that the Board would decide if a meeting on December 11th, was necessary.

Consent Calendar

Accept energy efficiency incentive check from National Grid in the amount of \$3,600

It was on motion unanimously

VOTED: To accept, on behalf of the Town, an energy efficiency incentive check from National Grid in the amount of \$3,600, as part of the 2017 Green Community Grant, for installation of HVAC Controls and EMS at the Goodnow Library, as requested by William Barletta, Facilities Director, and expended under his direction.

Accept resignation of Craig Gruber from the Local Emergency Planning committee and the Strategic Financial Planning for Capital Funding committee

It was on motion unanimously

VOTED: To accept the resignation of Craig Gruber from the Local Emergency Planning committee and the Strategic Financial Planning for Capital Funding committee, and send him a letter of thanks for his service to the Town as he is moving out of Sudbury.

Town Manager Rodrigues confirmed that staff would be sending a letter of thanks to Craig Gruber.

There being no further business, the meeting adjourned at 9:00 p.m.

Attest: _____

Melissa Murphy-Rodrigues
Town Manager-Clerk