

**Sudbury Finance Committee and Board of Selectmen  
Joint Meeting Minutes  
April 11, 2016**

**ATTENDENCE**

**Finance Committee Members Present:** Susan Berry, Chair, Fred Floru, Vice Chair, Joan Carlton, Jeff Barker, Adrian Davies, Jose Garcia-Meitin, Bryan Semple

**Board of Selectmen Members Present:** Pat Brown, Chair, Bob Haarde, Susan Iuliano, Len Simon, and Chuck Woodard

**Also Present:**

Melissa Rodrigues, Town Manager, Dennis Keohane, Finance Director/Treasurer Collector, Carmine Gentile, State Representative, Jim Marotta, Chairman, Park & Recreation Commission, Mark Howrey, Chairman, Capital Improvement Advisory Committee, Jack Ryan, Chairman, Fairbanks Community Center Study Task Force, Jim Kelly, Combined Facilities Director, Gregory George, Fairbanks Task Force, Richard Williamson, Fairbanks Task Force, Chris Morely, Chairman, Community Preservation Committee, Stan Kaplan, Sudbury Resident

**Absent:** From the Finance Committee: Jeff Atwater and Mark Minassian.

**CONVENE:**

Chairman Susan Berry called to order the joint meeting of the Finance Committee and the Board of Selectmen at 7:35 p.m. The meeting convened at Town Hall, 322 Concord Road, Sudbury, MA 01776.

**ITEM 1:** Article 45 Remote Participation at Town Meeting - Carmine Gentile

Chairman Berry welcomed State Representative Carmine Gentile and invited him to speak about Article 45 - Remote Participation at Town Meeting.

Representative Gentile provided background information on this proposal. Representative Gentile stated that Sudbury resident, Stan Kaplan contacted him with the idea of finding a way that would allow a Town Meeting member, who is either temporarily or permanently disabled, the ability to vote during the Annual and Special Town Meeting. Representative Gentile spoke about an organization that could facilitate the remote voting process. Representative Gentile stated that there would be a one-time cost of \$10,000, and every year thereafter the cost would be \$1,000. The discussion that followed included questions and

answers on security issues, the look and feel of the system as well as how the system would work at Town Meeting.

Chairman Berry recognized Sudbury Resident, Stan Kaplan. Mr. Kaplan spoke about the origin of his idea. Mr. Kaplan stated that he likes the idea of remote voting because Sudbury has a growing elder population. Mr. Kaplan stated that this is a benefit that the Board of Selectmen could offer to this constituency. Selectman Simon noted that the Attorney General has issued guidelines for remote participation. He added that the state has recognized that the guidelines are acceptable and desirable for certain individuals.

**ITEM 2: Article 25 Featherland Tennis Courts - P&R**

Chairman Berry welcomed Jim Marotta, Chairman, Park & Recreation Commission and invited him to speak about Article 25 - Featherland Tennis Court.

Mr. Marotta shared background information on this proposal. Mr. Marotta explained that the Featherland Tennis Courts were taken down last spring because of weather damage. Mr. Marotta described the repairs this proposal would entail. Mr. Marotta stated that the Park & Recreation Commission voted 5 to 0 in favor of replacing the courts. Mr. Marotta noted that the courts are a neighborhood amenity, and are used by all ages. The warrant article is a request for \$175,000. The discussion that followed included questions and answers on the life expectancy of the tennis courts and maintenance costs. Patricia Brown, Chairman of the Board of Selectmen stated that this item is on the ballot and if passed by Town Meeting, would be a capital exclusion by the voters.

Chairman Berry welcomed Mark Howrey, member of the CIAC. Mr. Howrey stated that the CIAC has met with the Park & Recreation Commission three times regarding the Featherland Tennis Courts. Mr. Howrey explained that the conversation included whether or not this item should be funded through the CPC, and cost. Mr. Howrey stated that because the CIAC did not have a well-defined cost estimate for this proposal the CIAC could not move forward with the proposal. Chairman Brown noted that from the CPC perspective, because there was not a public hearing on this matter, the CPC could not move forward with this proposal.

- Tom Travers called to order the Capital Improvement Advisory Committee (CIAC), to meet jointly with the Finance Committee, and Board of Selectmen to hear and discuss Article 33.

**ITEM 3: Article 33 Fairbank Community Center Design - Task Force**

Chairman welcomed Jack Ryan, Chairman, Fairbank Community Center Study Task Force, and Jim Kelly, Combined Facilities Director, and invited them to speak about Article 33.

Mr. Ryan explained that this Article is a request \$1.2M for design development costs not construction costs. Mr. Ryan stated that the design development cost would pave the way for construction estimates as well as operating expenses and revenue assessments. Mr. Ryan presented an aerial view of the existing Fairbank Community Center including the Atkinson Pool and he described existing programming. Mr. Ryan summarized the mission of the Fairbank Community Center Study Task Force. Mr. Ryan noted that the existing structure is not sustainable.

Mr. Ryan presented a scenario for the Option 1 Program, which would provide 40,000sqft but does not meet existing needs. Mr. Ryan presented a scenario for the Option 2 Program, which would provide 50,000sqft but does not meet existing needs. Mr. Ryan presented a scenario for the Option 3 Program, which would provide 60,000sqft. Mr. Ryan stated that the position of the Fairbank Community Center Study Task Force was to start with Option 3; deliberating on all scenarios and considerations, which led to the Option 3A Program. The Option 3A Program would require the existing structure to be torn down and its occupants relocated. Mr. Ryan explained that this has led to an Option 4 Program that includes a second floor design. The Option 4 Program design would provide 78,180sqft. Mr. Ryan outlined cost associated with each option and spoke about possibilities for generating revenue. Mr. Ryan stated that the Task Force is requesting design funds for a new multigenerational community center. Discussion followed.

Selectman Woodard asked about the existing space for the Senior Center and Park & Recreation. Mr. Ryan replied that Park & Recreation and the Senior Center currently uses 35,000 square feet.

The discussion continued with CIAC members. The conversation included a discussion on costs associated with the Fitness Center, design development costs, construction timeline, bonding and annual cost to the tax payer based on bonding and size of facility. The conversation also included a lengthy discussion on operating cost. Chairman Berry stated that the Finance Committee would need to know actual cost. Town Manager, Melissa Rodrigues noted that this item would be a debt exclusion item.

- Tom Travers adjourned the Capital Improvement Advisory Committee (CIAC), at 9:00 p.m. Joint meeting of the Finance Committee, and Board of Selectmen continued.

**ITEM 4: Special Town Meeting Articles**

- Wayside Inn Development Rights - Fund for Due Diligence  
Ms. Rodrigues referred to memoranda that both Committees have received under separate cover. Ms. Rodrigues outlined items needed to move forward with **Special Meeting Warrant, Article 1 - Conversation Restriction Wayside Inn**. Ms. Rodrigues stated that she does not have a full budget at this time for this item and that she would be submitting a Financial Reserve Transfer Request to fund this item.

- Legal Fees - Response to Eversource Transmission Line Plan  
Selectman Brown recused herself from this portion of the meeting. Ms. Rodrigues outlined items needed to move forward with **Special Meeting Warrant, Article 2 - Fund Litigation Costs - Eversource Project**. Ms. Rodrigues stated that Eversource has indicated to the Town that it plans to file before the Energy Facilities Siting Board to place a high voltage 115V line through Sudbury. Ms. Rodrigues stated that she would be requesting a Financial Reserve Transfer Request to partially cover legal fees, hiring experts, and all related costs for preparing for and entering into litigation in regards to the Eversource/Hudson reliability. Ms. Rodrigues stated that Town Counsel has estimated that the litigation fees, which will include the cost of experts, will be \$125,000. Ms. Rodrigues stated that she is requesting \$40,000 in the FY16 budget from the Financial Reserve and \$85,000 from Special Town Meeting. Ms. Rodrigues stated that the Town would contract with a government relations firm. This cost is approximately \$130,000. Ms. Rodrigues stated that she is requesting that \$40,000 in the FY16 budget from the Financial Reserve and in FY17 \$100,000 from Free Cash.

Chairman Berry recognized Sudbury resident, Bill Schineller. Mr. Schineller spoke about the Eversource Project. He expressed concern for declining property tax revenues and outlined suggestions that the Finance Committee could initiate that would relieve the tax burden of its residents. Mr. Schineller added that the declining property tax revenue would negatively impact the town's budget as well as have a negative impact on the conservation of Sudbury's natural resources.

Selectman Iuliano stated that the Board of Selectmen has voted to oppose this project on the right of way, whether it's above ground or underground. She added that the Selectmen are currently in conversation with Eversource about other options. She noted the conversations are preliminary, the Selectmen are in the process of gathering information that would inform its litigation strategy.

A motion was made and duly seconded to adjourn the joint meeting of the Board of Selectmen and Finance Committee Meeting.

**ITEM 5: Transfers and Other Business**

Transfers -

Ms. Rodrigues submitted four Transfer Request:

1. \$75,000 from the Financial Reserve Account to the Legal Expenses line item in the Law Department to fund regular ongoing legal fees.
2. \$40,000 from the Financial Reserve Account to the Legal Expenses line item in the Law Department to fund litigation expenses for the Eversource project for FY16, including expert and litigation costs.
3. \$40,000 from the Financial Reserve Account to the Town Manager's expense line item to fund governmental relations and public relations costs related to the Eversource project.
4. \$30,000 from the Financial Reserve Account to the Town Manager's expense line item to fund various expenses relating to due diligence in exploring a conservation restriction with the Wayside Inn

Ms. Rodrigues stated that the current balance in the Financial Reserve account is \$347,898 after the transfers the balance would be \$162,898. A brief discussion followed.

**Motion and Vote:**

Joan Carlton moved, and Bryan Semple seconded, the motion to approve the transfers per the memo from Melissa Rodrigues, Town Manager, on April 11, 2016.

**The motion carried. The vote was unanimous.**

Mr. Semple asked whether or not the Sudbury Housing Trust Financials had to be audited. Mr. Keohane responded that the Sudbury Housing Trust Financials do need to be audited. The last audit was done in 2013. Mr. Keohane stated that the 2014/2015 Audit would begin on May 18<sup>th</sup>. The 2016 audit would begin in September.

Other Business -

Chairman Berry stated that she would like the Committee to consider starting the April 25<sup>th</sup> meeting at 7:00 pm rather than at 7:30 pm. A brief discussion followed. The consensus was to start at 7:00pm rather than 7:30 pm.

**ITEM 6: Deliberation and Possible Votes on Annual Town Meeting and/or Special Town Meeting Articles**

Chairman Berry introduced this item. Chairman Berry stated that the Finance Committee would consider the following outstanding CPC Warrant Articles:

- Article 38 - Community Preservation Fund: Sudbury Housing Trust Allocation
- Article 41 - Community Preservation Fund: Sudbury History Center and Museum at the Loring Parsonage
- Article 43 - Community Preservation Fund General Budget and Appropriations

Chairman Berry stated that Chris Morely is available to answer questions on the Articles. Chairman Berry stated that the town is at its limit for debt service. Chairman Berry asked if this would defer the CPC's original vote for the museum. Mr. Morely stated that this project, which has been worked on through the years, currently has \$600,000 of the \$1,000,000 that is need and currently have \$350,000 in available funds. In response to Mr. Semple, Mr. Morely stated that CPC would be clear at Town Meeting that CPC is aware that the Town does not have bonding capacity.

Mr. Semple expressed concern that the Sudbury Housing Trust had not been audited for two years. Mr. Keohane stated that the Sudbury Housing Trust financials are part of the CAFR but also need a separate audit which has not happened.

**Motion and Vote:**

Fred Floru moved, and Jose Garcia-Meitin seconded the motion that the Finance Committee recommend approval of Article 38 - Community Preservation Fund: Sudbury Housing Trust Allocation. **The motion carried. The vote was 6 yes 1 no.**

**Motion and Vote:**

Joan Carlton moved, and Fred Floru seconded the motion the Finance Committee recommend approval of Article 41 - Community Preservation Fund: Sudbury History Center and Museum at the Loring Parsonage.

**The motion carried. The vote was unanimous.**

**Motion and Vote:**

Bryan Semple moved, and Jose Garcia-Meitin seconded the motion that the Finance Committee recommends approval of Article 43 - Community Preservation Fund General Budget and Appropriations. **The motion carried. The vote was unanimous.**

Chairman Berry suggested that the remaining articles needing the Finance Committee vote be deferred until the April 25<sup>th</sup> meeting. Bryan Semple requested that the committee deliberate Article 33 - Fairbank Community Center Design. After a discussion on Article 33, the Finance Committee agreed to start the meeting on April 25 at 7:00pm instead of 7:30pm and take up the remaining articles at that time.

**ITEM 7: Public Comment**

There were no comments

**ITEM 8: Adjournment**

**Motion and Vote:**

Fred Floru moved and Jeff Barker seconded the motion that the April 11, 2016 Finance Committee meeting adjourn at 10:23 p.m.

The motion carried. The vote was unanimous.

Next scheduled meeting of the Finance Committee is Monday, April 25, 2016 at 7:30 in the Flynn Building.

*Respectfully Submitted: Cheryl Gosmon, Recording Secretary*