

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, NOVEMBER 7, 2017

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 7:34 p.m. in the Lower Town Hall.

**Opening Remarks**

At 7:34 p.m., Chairman Haarde opened the meeting. He announced the Hosmer House will hold its Holiday Open Houses on December 2, 3, 9, and 10, 2017. Chairman Haarde also announced the Board will hold its Office Hours on November 30, 2017 from 3:00 p.m. to 4:00 p.m., at the Senior Center, with Vice-Chairman Simon and Selectman Iuliano in attendance. He also stated the Town Clerk's Office will be open until 8:00 p.m. on November 21, 2017 for voter registration for the Special Town Election on December 11, 2017 and there will be two public forums on November 8, 2017 regarding the Council on Aging's Livable Sudbury Assessment (additional information is available on the Town website). Chairman Haarde congratulated the Lincoln- Sudbury 8<sup>th</sup> Grade Youth Football Team and the Lincoln-Sudbury Regional High School Football team, both of which have advanced to the State semi-finals.

**Reports from the Town Manager**

Town Manager Rodrigues stated Town Offices will be closed on November 10, 2017 in observance of the Veterans' Day holiday.

**Reports from the Board of Selectmen**

Vice-Chairman Simon stated he, Chairman Haarde and Selectman Carty attended the Veterans' Luncheon at the Senior Center, noting the event was very well done.

Selectman Brown stated the Fairbank Community Center survey is available online and in hard copy until November 15, 2017, and she encouraged residents to provide input.

Selectman Carty thanked those who coordinated last week's Hazardous Waste Day and the volunteers who coordinated a successful HOPEsudbury telethon.

**Citizen's Comments**

At 7:40 p.m., Chairman Haarde recognized Sudbury resident Ray Phillips, 40 Whispering Pine Road.

Mr. Phillips asked the Board to consider terminating all work contracts with VHB engineering firm. He cited several examples of VHB projects which he believes present conflicts of interests, including the Mass. Central Rail Trail, the Eversource substation upgrade and the Meadow Walk development. Mr. Phillips believes it is time for the Town to send a message to VHB and Eversource that these conflicts are no longer acceptable. He stated he was upset by a recent filing by VHB, which stated balanced feedback was received from Sudbury's Board of Selectmen and Town officials regarding costs and route selections for the Eversource transmission line reliability project. Mr. Phillips urged the Board again to consider terminating all business with VHB.

**Public Hearing: Update on Compliance – Update to Determine if Lisa Burke, 39 Poplar Street has Complied with a Previous Board Order to Restrain a Dangerous Dog**

Present: Police Chief Scott Nix and resident Kathleen McLean-Rocca

At 7:45p.m., Chairman Haarde opened a Public Hearing regarding whether Lisa Burke, 39 Poplar Street, has complied with the Board's June 14, 2017 order to restrain the Dangerous Dog owned and/or kept by Ms. Burke in the Town of Sudbury, and he welcomed Police Chief Scott Nix to the Meeting. The Board was previously in receipt of copies of an email from Ms. Burke dated October 24, 2017, memorandum from Chief Nix dated September 6, 2017, the "Notice of Decision and Order Dangerous Dog" dated June 14, 2017 and sent by certified mail, return receipt requested to Ms. Burke, emails from and to Chief Nix and Animal Control Officer Jennifer Condon dated July 19 through July 21, 2017 and one dated September 6, 2017, a report from "Home Again," a letter to Jennifer Condon from dog trainer Daniel Titus dated August 3, 2017, the "Notice of Hearing to Review Compliance with Order to Restrain Dangerous Dog" dated August 2, 2017 and sent by certified mail, return receipt requested to Ms. Burke, and a letter sent by certified mail, return receipt requested to the dog owner from the Town Manager dated August 10, 2017. In addition, copies of an email from Sudbury Cedar Fence Co to Chief Nix dated September 25, 2017 were distributed tonight.

It was on motion unanimously

VOTED: To open the Public Hearing to determine whether Lisa Burke of 39 Poplar Street, Sudbury, has complied with the Board's June 14, 2017 order to restrain the Dangerous Dog owned and/or kept by Ms. Burke in the Town of Sudbury, and/or to determine whether all or any portion of said order should be modified or withdrawn or if any additional conditions should be imposed.

Vice-Chairman Simon asked if Ms. Burke, the dog owner, was in attendance tonight, and it was stated she was not present. He stated he believes there are aspects of the Board's initial order which have not been complied with and are still outstanding, including a six-foot high fence and a two-foot underground barrier. Vice-Chairman Simon stated he has not been provided with evidence that there is a two-foot wire barrier below ground. He also stated Ms. Burke has stated several times that her son and his dog would be relocating from Sudbury. If the dog, which has been deemed to be dangerous, has left the Town at any time, the initial order called for the Town Clerk's Office to be notified, which has not occurred. Vice-Chairman Simon stated the dog owner should have come to the Board first to ask permission to alter the installation requirements before having different fencing installed. He also stated he has not been provided with frequent reports from the Animal Dog Control Officer during the past several months. Thus, Vice-Chairman Simon stated he is not comfortable with the Board stating compliance with the order has been achieved until further documentation is provided.

Selectman Brown referenced the October 24, 2017 email from Ms. Burke, and she asked if it describes the fence which was installed. Police Chief Nix stated it does describe what was installed, but he is unsure how far below the ground the wire was installed. He also stated the current fence seems sturdy to him, and he confirmed that no one observed the actual installation.

Selectman Iuliano stated the Board had intended for a fence to be installed which was six feet above ground and two feet below ground. Chief Nix clarified the Order called for Dog Officer Condon to approve the fence and it was Ms. Condon who brought the installation discrepancies to his attention to inform the Board. He also clarified the materials used for the fence which was installed.

Selectman Carty read aloud the relevant section of the Order regarding the fence specifications.

Vice-Chairman Simon stated the Board was clear that the fence needed to be six feet high above ground, given that the dog is a large German Shepherd.

Chairman Haarde asked if the Board finds it acceptable that metal wire was placed underground to avoid rotting conditions, and if the Board wanted to require that it be two feet underground. He also asked if there were any comments from the public.

Sudbury resident and mother of one of the victims bitten by the dog Kathleen Rocca, 129 Horse Pond Road, stated she has concerns regarding the dog training of the dangerous dog. Ms. Rocca stated she has been told by kennel experts that the trainer who has been working with the dog is not qualified to work with an aggressive dog, and she stated she shared this information with Chief Nix. She also stated an aggression evaluation by a master dog trainer should have been required by the Board. Ms. Rocca believes the dog trainer has misrepresented his credentials, and she is concerned that the Board did not vet his qualifications. She requested for the Board to follow the correct protocol and to require an aggression evaluation be completed.

Chief Nix stated he discussed this information with the dog owner, who is satisfied with the dog trainer's work and representation to them of his skills. He also noted the dog owners had initiated the dog training before the Board's first Meeting on this matter.

In response to a question from Ms. Rocca regarding why the aggression evaluation was not done, Chairman Haarde stated it was not ordered by the Board. Selectman Iuliano stated the Board members are not dog experts, and the Order left it up to the Dog Officer to monitor the training.

Sudbury resident Janie Dretler, 286 Goodman's Hill Road, stated she has been bitten twice by dogs and she understands how upsetting the experience can be. Ms. Dretler stated the Town has a liability with this dog in Sudbury, and she stated she has concerns having the dangerous dog in the neighborhood.

It was on motion unanimously

VOTED: To amend the Board of Selectmen's "Notice of Decision and Order Dangerous Dog" dated June 14, 2017, to modify Condition 4 as follows: 1. The owner shall install at the property, as an enclosure for the dog, a six-foot high fence enclosure above the ground level and all around. The fence shall be stockade and/or wire mesh, securely affixed to posts. The fence shall extend two feet below ground level and shall be wire mesh affixed to posts. The total height of the above and below ground portions of the fence shall be eight feet. The plans and specifications shall be approved by the Animal Control Officer prior to installation. Fence must be installed within 30 days of this revised order.

It was also on motion unanimously

VOTED: To amend the Board of Selectmen's "Notice of Decision and Order Dangerous Dog" dated June 14, 2017, to include, as #12, the following condition: The dog shall undergo an aggression evaluation to be completed by a qualified master dog trainer. The qualified master trainer shall submit a written report to the Board of Selectmen.

Chief Nix stated he would research potential master trainers.

It was on motion unanimously

VOTED: To close the Public Hearing regarding whether Lisa Burke of 39 Poplar Street, Sudbury, has not complied with the Board's June 14, 2017 order to restrain the Dangerous Dog owned and/or kept by Ms. Burke in the Town of Sudbury, and/or to determine whether all or any portion of said order should be modified or withdrawn or if any additional conditions should be imposed.

### **Special Town Election – Responses for Written Arguments and Vote to Sign Warrant**

At 8:29 p.m., Chairman Haarde took this agenda item out of order, and he opened a discussion regarding the responses to notice for ballot question written pro and con arguments and the signing of the Warrant for the Special Town Election on December 11, 2017. The Board was previously in receipt of copies of the draft "Official Warrant Special Town Election, Monday, December 11, 2017."

Town Manager Rodrigues stated Fire Chief Bill Miles submitted an argument in favor of the ballot question and no con arguments were received, and thus Town Counsel prepared the opposition argument. She also suggested the last blank page of the Warrant be used to include the flyer for the 2018 Sudbury Town Forum on Saturday, March 3, 2018. The Board supported this suggestion.

Selectman Iuliano suggested, and the Board concurred, the Warrant language should be revised to reflect that the proposed bonding cost is for design, construction and relocation to a temporary Fire Station, and not just for construction.

Sudbury resident Janie Dretler, 286 Goodman's Hill Road, stated there will be a lot of information available for residents to vet the Fire Station ballot question prior to the December Election.

It was on motion unanimously

VOTED: To sign the Warrant for the Special Town Election on December 11, 2017, as amended tonight by Selectman Iuliano, which must be received by voters and posted by Monday, December 4, 2017.

### **Town Forum – March 3, 2018 - Discussion**

At 8:33 p.m., Chairman Haarde opened a discussion regarding the next Town Forum.

Vice-Chairman Simon stated the Forum is scheduled for Saturday, March 3, 2018 at the Lincoln-Sudbury Regional High School from 10:30 a.m. to 12:30 p.m. He stated the sole topic for discussion will be the new marijuana law, noting it may be one of the most significant laws passed in recent decades. Vice-Chairman Simon stated a panel discussion is planned, comprised of Town Counsel, the Police Chief, and Dr. Anne Evins from the Addiction Department at Massachusetts General Hospital. He stated he is trying to also add a social worker to the panel. Vice-Chairman Simon stated the objective of the Forum is to inform the Town about this important legislation which will have short-term, long-term and legal implications. He noted questions from the public will be welcomed in several ways prior to the Forum and throughout the discussion. He also thanked Town Manager Rodrigues for preparing a flyer advertising the Forum. Vice-Chairman Simon emphasized it is hoped residents and their children will be able to attend.

Selectman Carty suggested panelists may also want to be prepared to respond to questions regarding vaping.

**CPC Committee Member Vacancy – Review Recording of Community Preservation Committee’s Interviews of Candidates**

At 8:40 p.m., Chairman Haarde opened a discussion regarding two candidates, Taryn Trexler and Scott Smigler, who submitted applications for the CPC at-large member vacancy. He explained both candidates could not attend tonight’s Meeting to be interviewed, so the Board reviewed the videotape of the interviews held by the Community Preservation Committee (CPC) on October 12, 2017. The Board was previously in receipt of copies of the “Town of Sudbury Application for Appointment” submitted by Sudbury residents Taryn Trexler and Scott Smigler and a memorandum from Director of Planning and Community Development Meagen Donoghue dated October 18, 2017.

Selectman Brown stated the CPC will meet on November 15, 2017 and it will begin its review of project requests for funding this year. She explained the CPC interviewed both candidates, both of whom are very qualified, but it reached a split decision on which candidate to recommend for appointment. Selectman Brown also highlighted appointments of at-large CPC members are the responsibility of the Board of Selectmen.

Sudbury resident and CPC member Diana Warren, 32 Old Framingham Road, stated she had sent an email to the Board earlier today. Ms. Warren explained she was unable to attend the CPC’s October 12, 2017 meeting due to illness, and she wishes she had been able to call in her vote. She emphasized that had she been in attendance her vote would have been for Taryn Trexler, whom she believes to be immensely qualified for the position, and Ms. Trexler would have been the recommendation of the CPC by a vote of 4-3. Ms. Warren asked the Board to take this information into consideration as it makes its decision.

Selectman Iuliano stated she has worked with both applicants, they are both excellent, and either one would be a great choice. However, she stated she views Mr. Smigler’s experience as being broad and Ms. Trexler’s experience as being more specifically related to the CPC. Selectman Iuliano stated she believes Ms. Trexler is a better fit for the CPC.

Selectman Carty stated he knows both candidates and they are both qualified. However, he stated he questions whether Ms. Trexler’s background is more focused on open space and historic, and he thinks Mr. Smigler’s background is more general to relate to the four CPA-eligible areas.

Vice-Chairman Simon stated Ms. Trexler has significant strengths in two CPA- eligible categories compared to none for Mr. Smigler. He also highlighted the CPC is not a policy-making body. Vice-Chairman Simon believes there are other Town committees/boards regarding policies and finances which might be better fits for Mr. Smigler.

Selectman Brown stated she attended the CPC Meeting and participated in its vote. She believes the CPC needs more financial expertise, so she supports Mr. Smigler’s candidacy. Selectman Brown also stated she is happy to see two new Sudbury residents who want to be involved with the Town.

Chairman Haarde stated both applicants are good candidates, although he also stated he does not know Ms. Trexler. He encouraged both applicants to continue to be involved with Town committees and issues.

It was on motion

VOTED: To appoint Taryn Trexler to fill a vacancy on the Community Preservation Committee for a term ending May 31, 2020, with only Selectman Iuliano and Vice-Chairman Simon supporting the motion, and thus the motion failed.

It was also on motion

VOTED: With a vote of 4-0 and 1 abstention, to appoint Scott Smigler to fill a vacancy on the Community Preservation Committee for a term ending May 31, 2020.

Vice-Chairman Simon abstained from this vote.

**Envision Melone Charrette – Presentation of Results and Potential Vote on Next Steps**

Present: Director of Planning and Community Development Meagen Donoghue

At 8:53 p.m., Chairman Haarde welcomed Director of Planning and Community Development Meagen Donoghue to the Meeting to provide a presentation of the results from the Envision Melone Charrette held on October 3, 2017 and the online survey. Copies of Ms. Donoghue's slide presentation for tonight were distributed this evening along with copies of a draft Request for Proposal (RFP) prepared for discussion purposes only.

Ms. Donoghue stated the Town conducted a public participation program (Charrette) on October 3, 2017 and an online survey was available from October 10 - October 31, 2017. She thanked those who participated in both activities. Ms. Donoghue stated the Charrette focused on the work of small groups and the survey represents individual responses. She highlighted the survey results were not able to eliminate the potential for multiple responses from the same person or the possibility that survey responders had also completed evaluations at the Charrette. Ms. Donoghue provided some information regarding the Charrette, noting there were 42 participants, including two from Concord and there were 28 evaluation responses received. Regarding the online survey, she stated there were 44 participants (including 42 residents, two business owners, one abutter, and 16 who serve on a Town Committee). She also provided information regarding the age ranges of responders. Ms. Donoghue stated the Charrette asked the groups to consider four categories and she provided the top responses for each category as follows: strengths of the property noted, included size, location, being Town-owned and developable. She stated weaknesses noted, included traffic, possible environmental issues, location/access and topography. Ms. Donoghue also stated opportunities mentioned by responders included revenue, mixed-use possibilities, open space, and affordable housing/recreation; and threats mentioned by responders included traffic, impacts on nearby well water, strains on Town resources, and possible environmental issues. She further stated best uses for the property which were mentioned included housing, recreation, mixed-use, commercial, solar, and a phased approach. Other creative ideas mentioned included an amphitheater/arts and cultural center, a dog park, school bus storage, warehousing/clean industrial assembly, and community gardens. Ms. Donoghue stated there were more positive comments from responders than negative ones. She stated recommendations offered included changing the zoning of the property, partnering with the Sudbury Water District, partnering with Concord and creating a marketing packet. Ms. Donoghue stated she will be compiling a full report of these results and statistical data and it should be available by the end of next week.

Selectman Carty stated he thought the event was fun and well done.

Vice-Chairman Simon referenced the comments regarding possible environmental issues. He noted the draft RFP distributed tonight also references a history of contamination. Vice-Chairman Simon stated he believes the Town needs to better understand what the environmental issues are before it takes next steps, and he suggested the Town should evaluate the environmental concerns.

Town Manager Rodrigues stated she has received a quote for \$15,000 from GeoInsight to perform some water and soil testing on the property. Selectman Brown asked how long it would take to get these results. Town Manager Rodrigues stated it would involve significant boring, but she does not think it would take too

long to complete. Selectman Iuliano asked if GeoInsight would be testing for certain uses. Town Manager Rodrigues stated probably not, but the testing would likely be done with allowable uses in mind.

Selectman Iuliano stated much of the previous discussions regarding Melone have been related to determining best uses for the property. She stated she was surprised to see the draft RFP regarding selling the property, when this option has not really been discussed.

Town Manager Rodrigues stated Chairman Haarde asked her to prepare the draft RFP for discussion purposes. Chairman Haarde stated he believes it would be helpful to issue an RFP to see what real life offers/responses are received for what is possible to do at this site. Even if an RFP is issued, he noted the Town does not have to accept any of the responses and the Town could decide not to sell.

Selectman Carty stated he likes the idea of “putting some bait out” to see what might be possible.

Selectman Brown stated her group at the Charrette was excited about the possibility of the property being used for some economic purpose. Chairman Haarde stated it is unlikely the Town would develop the property at a cost of millions of dollars, but it would be great if it could generate some revenue or have a solar micro grid installed to help the Town.

Selectman Iuliano reiterated her confusion about the process of suggesting that the property be sold.

Chairman Haarde stated it is possible a developer might be able to build for a purpose and that the Town could retain ownership of the property. He believes the RFP has a chance to receive more responses if it is not too restrictive.

Selectman Brown highlighted a Town Meeting vote would be needed to sell Town-owned land. Town Manager Rodrigues confirmed this statement, and she also stated an appraisal would be needed to sell it.

Vice-Chairman Simon stated the size of Melone is similar to the size of the former Raytheon property, and part of the Melone land is in Concord. He asked if the Concord land presents any constraints for Sudbury. Town Manager Rodrigues stated that Concord zoning would have to be complied with for the Concord land.

Vice-Chairman Simon asked about the private house on the hill, which is currently an obstacle for using the property in the most beneficial manner. Chairman Haarde stated the house could possibly be acquired by the Town with a Town Meeting vote.

Vice-Chairman Simon suggested the Town could take a multi-track approach by having GeoInsight complete the spot testing and the Town could issue an RFP, while still working to develop other uses and costs which could benefit the Town.

Sudbury resident Janie Dretler, 286 Goodman’s Hill Road, stated she attended the Charrette and she appreciated the information which was shared. However, Ms. Dretler stated she feels as if the Town is “putting the cart before the horse” without knowing what the potential contamination issues are. She asked if the Melone property has ever been testing for contaminants, and Chairman Haarde responded that it has not. Selectman Iuliano stated the Board has previously discussed having further testing performed.

In response to a question from Ms. Dretler regarding nearby water wells, Chairman Haarde stated the Town’s water from all wells is mixed, and the Sudbury Water District would oversee such issues.

Ms. Dretler stated she reviewed the draft RFP distributed tonight, and she stated she has concerns regarding it being issued as presented. She stated the RFP references only recreational and playing field uses and she believes the community has suggested other uses should also be considered. Town Manager Rodrigues stated the RFP is for discussion purposes only.

Chairman Haarde suggested the language in the RFP should be revised to reflect that there is a history of contamination in the area.

Ms. Dretler stated she supports Vice-Chairman Simon's recommendation for the Town to evaluate multiple uses before issuing an RFP. She reiterated her concern that the draft RFP only addresses a single scope. Ms. Dretler stated she believes the Town should be more focused on all of its needs when discussing this property.

Selectman Carty stated he believes mixed uses, open space and some form of mixed-use revenues should be put out to the public to help determine what the Town's focus should be. He also clarified that the Board is only discussing a draft RFP tonight, and the Board is not advocating for any next action steps at this time.

Ms. Dretler asked if National Development could be asked for its opinion regarding what is possible for this site. Chairman Haarde stated it is probably not possible to do so.

Sudbury resident and member of the Sudbury Housing Authority (SHA) Steve Swanger, 14 Bent Brook Road, stated he thought the Charrette was a great start to a Town discussion which needs to be continued. He asked Ms. Donoghue to aggregate the answers received from the online survey from the Charrette event in the final report. Mr. Swanger stated he was surprised when he saw the draft RFP because it does not reflect what he heard from residents at the Charrette and what he thought was the process the Town was undertaking to determine the best uses for the property. He emphasized Melone is one of the last large parcels in Town, and thus, he believes it is very important for the Town to take its time in determining its future. Mr. Swanger stated he believes all of the uses identified by citizens at the Charrette, which were listed in tonight's presentation, should be included in an RFP and not just playing fields. He believes the Town should be specific about what it wants by providing a comprehensive list of options to help potential developers respond to the RFP. Mr. Swanger stated he believes the Town still has some work to do before issuing an RFP, and he emphasized this is an opportunity for citizens to take matters into their own hands in order to better control local issues. He urged the Board to not move this process too quickly, noting he believes it would be a mistake to do so.

Chairman Haarde stated the information received from the Charette and survey provides vital feedback for the Town to use as it vets ideas for the property going forward. He suggested adding the uses as identified earlier in tonight's presentation to the RFP as recommended by Mr. Swanger.

Sudbury resident Joe Laferrera, 47 Windmill Drive, stated he believes the Town needs to identify its goals and priorities for this property, as suggested earlier by Selectman Iuliano. He stated he would like to see some recreational opportunities developed at Melone in order to help ensure that Davis Field remains as it is. Mr. Laferrera urged the Board to define Sudbury's priorities first.

Chairman Haarde suggested, and the Board concurred, to instruct the Town Manager to revise the draft RFP to include all of the best uses identified in tonight's presentation.

Vice-Chairman Simon stated he would like to see Ms. Donoghue's final report and have time to consider the many citizens' comments received tonight before making any final decisions regarding next steps.



Selectman Carty stated the Board needs to hear more feedback from the public such as what was shared tonight. He stated the Town needs to perform testing at the site in order to determine whether the property is, or whether it is not, contaminated. Town Manager Rodrigues stated the Town can move forward with the testing since it is estimated to cost less than \$25,000. Vice-Chairman Simon stated it is important for testing to occur so the Town will know what it faces going forward. Selectman Iuliano concurred, stating the testing is critical to the process.

Selectman Brown noted the option to sell the property will only arise if an offer to purchase is received.

Chairman Haarde asked for Ms. Donoghue's final report to be an agenda item at the Board's November 28, 2017 Meeting. It was also requested that an agenda item be scheduled for a future Board meeting as soon as GeoInsight's report on its testing at the Melone property is available.

Town Manager Rodrigues stated she will be meeting soon with the new Commissioner for the Sudbury Water District.

Vice-Chairman Simon stated more time is needed to vet the Town's goals for the property.

#### **Board of Selectmen and Town Manager FY18 Goals – Discussion and Possible Vote**

At 9:55 p.m., Chairman Haarde opened a discussion regarding the FY18 Goals for the Board and the Town Manager. Town Manager Rodrigues distributed copies of goals for herself, which she drafted for review.

Chairman Haarde asked if the Board wants to pick fewer goals this year, which it believes are attainable, and possibly assign Board members to them. He also asked if the Board would like to set goals in a meeting focused only on this activity or to discuss the goals as part of a regularly scheduled Board meeting.

Selectman Iuliano stated she believes the Board first needs to review its current goals to break them down before the list is shortened.

Town Manager Rodrigues stated she believes it has been helpful to establish the goals with Town staff present.

Vice-Chairman Simon stated he believes it is important to have Town staff input regarding goal-setting. He also stated he thinks the Board should re-evaluate its list of goals and then develop a shorter list of high-priority goals.

Selectman Brown stated she prefers to have a separate meeting dedicated to goal-setting. She also suggested that the goal-setting meeting be held somewhere "off-site" or somewhere different to help focus the discussion.

Selectman Carty stated he would like to set realistic, achievable goals, which could possibly be achieved in one, three or seven years. He also stated he likes the idea of an "off-site" meeting.

Chairman Haarde asked the Town Manager to try to coordinate a meeting time for all five Board members to set goals and to invite the Department Heads to attend. Selectman Carty suggested this meeting should be scheduled sooner rather than later.

Sudbury resident Scott Smigler, 125 Plympton Road, stated he believes off-site sessions can be productive. He suggested for the Board to consider hiring a coach to run the session. Selectmen Iuliano and Carty stated they think this is a great idea. Chairman Haarde recommended, and the Board concurred, for the Board to seek a facilitator rather than a coach to coordinate the discussion.

Town Manager Rodrigues referenced her draft goals, which Chairman Haarde read aloud quickly. Chairman Haarde and Vice-Chairman Simon stated the draft list is a lot to accomplish in one year.

Chairman Haarde suggested, and the Board concurred, to not endorse the Town Manager's draft goals tonight, and to take additional time to review them.

### **Citizen's Comments**

At 10:10 p.m., Chairman Haarde announced no citizens have requested comment time tonight.

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

At 10:11 p.m., Chairman Haarde opened a discussion regarding future agenda items.

Several Board members asked for the Coolidge project to be added as a future agenda item.

Selectman Carty mentioned that the Joint Meeting with the Planning Board should be used to discuss any relevant matters. Town Manager Rodrigues stated she would review topics for the agenda. Selectman Carty also suggested a discussion regarding a Town-wide facilities' needs assessment, a Maynard Road update, and an October 2017 Special Town Meeting post-mortem discussion as future agenda items.

Selectman Iuliano stated a future agenda item should be to discuss a possible bylaw change regarding the timing for the fall Town Meeting.

Vice-Chairman Simon stated a future agenda item should be a discussion regarding a capital budget and the Board should review the Town's bylaws and develop a policy for a capital budget each year, including how it will be funded.

It was noted that "Stale CPA Article re-appropriation," "Refinancing CPA bonds" and "Stock Farm Road-Issues with Eversource" should be deleted from the "Potential Upcoming Agenda Items/Meetings" list.

### **Sudbury Cable Access Corporation - Contract Extension**

It was on motion unanimously

VOTED: To extend the Sudbury Access Corporation (SAC) contract for a three-year term to expire November 15, 2020.

### **Dog/Animal Control Officer Services - Renew Professional Services Agreement**

Present: Police Chief Scott Nix

At 8:16 p.m., Chairman Haarde took this agenda item out of order, and he announced this item has been requested to be removed from the Consent Calendar for discussion.

It was on motion unanimously

VOTED: To remove the agenda item regarding the renewal of the Professional Service Agreement for Dog/Animal Control Officer services from tonight's Consent Calendar for discussion as a Miscellaneous item.

Town Manager Rodrigues stated the Board voted a contract last year for one year through October 31, 2017, with the option to renew for one or two additional years.

Police Chief Scott Nix stated he has worked closely with Dog/Animal Control Officer Jennifer Condon during the past year, and there have been no issues or concerns. He stated he believes Ms. Condon has done a good job, she provides monthly reports to him and checks in with him by phone and in-person and his Department is pleased with her responsiveness.

Vice-Chairman Simon stated he expressed concerns about awarding this contract last year, and he still has concerns this year. He stated he did not receive sufficient reports from Ms. Condon regarding the dangerous dog Boomer this year, and the few he did receive were lacking in clarity. Vice-Chairman Simon also stated Ms. Condon was tasked to monitor the installation of the fencing for Boomer, and it did not comply with the Board's order. He noted the Town is in a difficult position because a Request for Proposal (RFP) was issued for these services and Ms. Condon was the only responder. However, he believes the Town has a responsibility to be sure the Officer performs their job well, and he does not have sufficient evidence that this is the case.

Town Manager Rodrigues noted she asked Police Chief Nix to be the liaison to the Board regarding the Dog Hearings. Police Chief Nix stated he has received numerous updates from Ms. Condon and monthly reports and Ms. Condon was the one who brought to light the discrepancies in Ms. Burke's fence installation. He apologized for not sharing more of this information with the Board.

Selectman Iuliano asked if there is an alternative to Ms. Condon providing the services. Town Manager Rodrigues stated Ms. Condon provides these services for many of the surrounding communities and there are not many options available. Police Chief Nix stated some larger cities provide these services "in-house."

Vice-Chairman Simon made a motion to not approve the renewal of the Professional Service Agreement for Dog/Animal Control Officer services with Jennifer A. Condon, CEO, Owner of Boardmans Animal Control, Inc., 147 Parker Street, Maynard, MA, and the motion was not seconded.

It was on motion

VOTED: To approve renewal of the Professional Service Agreement for Dog/Animal Control Officer services with Jennifer A. Condon, CEO, Owner of Boardmans Animal Control, Inc., 147 Parker Street, Maynard, MA, for a two-year renewal period commencing November 1, 2017 through October 31, 2019, upon the terms and conditions set forth in the initial contract, said compensation to be eleven monthly payments of \$1,942.59 each, plus one monthly payment of \$1,942.62 for the first renewal term (2<sup>nd</sup> year of contract) and twelve monthly payments of \$2,000.87 for the second renewal term (3<sup>rd</sup> year of contract); and to appoint Jennifer A. Condon as Dog/Animal Control Officer for the Town of Sudbury, for one year through October 31, 2018, in accordance with the statute.

Vice-Chairman Simon opposed the vote.

Selectman Iuliano stated she appreciates the concerns expressed by Vice-Chairman Simon, but she believes Ms. Condon has shown a lot of improvements in her performance in the past year. Vice-Chairman Simon stated he has not seen adequate examples to assure him that this is the case.

**Minutes**

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of October 24, 2017.

**“Bike MS Minuteman Ride”**

It was on motion unanimously

VOTED: To grant a Special Permit to the National Multiple Sclerosis Society to hold the “Bike MS Minuteman Ride” on Saturday, July 14, 2018, from 9:00 a.m. through approximately 3:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

**Sudbury Cultural Council – Appointment and Reappointments**

It was on motion unanimously

VOTED: To appoint Ellen Gitelman, 19 Raynor Road, to the Sudbury Cultural Council as Chairman for a term to expire October 30, 2020, as requested by SCC Member Cynthia Nelissen.

It was also on motion unanimously

VOTED: To reappoint Cynthia Kazior, 34 Blacksmith Dr., and Yael Kupiec-Dar, 77 Hemlock Road, to the Sudbury Cultural Council for terms to expire November 13, 2020.

It was further on motion unanimously

VOTED: To accept the resignation of Jeanne Maloney, 119 Willis Road, as a member of the Sudbury Cultural Council and to send a letter of thanks for her service to the Town.

**Budget Strategies Task Force - Reappointments and Appointments**

It was on motion unanimously

VOTED: To reappoint Susan Berry, 4 Dawson Dr., Joan Carlton, 47 Old Coach Rd., Richard Tinsley, 6 Meachen Rd., Radha Gargeya, 120 Powder Mill Rd., Melissa Murphy-Rodrigues, Town Manager, Anne Wilson, SPS Superintendent and Bella Wong, L-SRHS Superintendent to the Budget Strategies Task Force for a term ending June 30, 2018.

It was also on motion unanimously

VOTED: To appoint Christine Hogan, 49 Blueberry Hill Lane, to the Budget Strategies Task Force for a term ending June 30, 2018, as recommended by the Sudbury Public Schools’ Committee, and to send a letter of thanks to resigning member Lucie S. St. George for her service to the Town.

**Sunday Entertainment License – Renewal – Bullfinch’s Restaurant**

It was on motion unanimously

VOTED: To renew the current Sunday Entertainment License for Bullfinch's, Inc., d/b/a Bullfinch's Restaurant, 730 Boston Post Road, for a live jazz trio from 11:00 a.m. to 2:00 p.m. for the period of January 1, 2018 to December 31, 2018.

There being no further business, the meeting adjourned at 10:21 p.m.

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

**Documents & Exhibits**

1. Tax Classification Hearing - In accordance with General Laws Ch. 40, sec. 56, as amended, to determine the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2018 tax rate. In attendance will be the Board of Assessors (Joshua M. Fox, Esq, Trevor A. Haydon; Liam J. Vesely, Chair), Cynthia Gerry, Director of Assessing, and presenting will be Harald Scheid, Principal Regional Assessor.

**Attachments:**

- 1.a 2018 Classification Hearing including Addendum
- 2. As the Local Licensing Authority, vote on whether to approve the application of Bullfinchs, Inc, d/b/a Bullfinchs, 730 Boston Post Rd, for a Change of hours to opening at 10AM on Sundays, under G. L. Ch. 138, s.12, Thomas Scott Richardson, Manager.

**Attachments:**

- 2.a Bullfinchs Change of Hours 2017\_v2
- 2.b Bullfinchs Change of Hours
- 3. Vote to open a joint meeting with the Planning Board to vote to appoint Associate Member Nancy Kilcoyne, 35 Hickory Road, to full member with a term expiration of 5/31/18, to fill the remainder of Christopher Morely's term who recently resigned from the Planning Board.

**Attachments:**

- 3.a Resignation Chris Morely recv'd 10.10.2017
- 3.b Chris Morely resigns Planning Board etc.
- 3.c Kilcoyne resume PB
- 4. Discuss Master Plan with Planning Board
- 5. Discuss Marijuana with Planning Board
- 6. Discuss Route 20 and Landham Rd 75% design plan with Planning Board

**Attachments:**

- 6.a 75-100 Plans
- 7. Vote to close joint meeting with Planning Board, and resume Board of Selectmen meeting.

8. Presentation of Envision Melone report from Meagen Donoghue, Planning & Community Development Director, and review draft RFP.

**Attachments:**

8.a rfpmelonedraft11.28.17\_v2

9. Discussion on Coolidge

10. Discussion with Finance Committee chair, Bryan Semple, regarding budgeting process.

**Attachments:**

10.a Budget Guidance Letter 2019

10.b Budget Reconciliation Sheet

11. Discussion and possible vote to amend Strategic Financial Planning Committee for Capital Funding mission statement to add two members from Community Preservation Committee (CPC).

**Attachments:**

11.a CPC 11-15-17 as of 10-13-17

11.b StrategicFinancialPlanning\_CapitalFundingCommitteeMissStatement\_updated5.20.14

12. Citizen's Comments (cont)

13. Discuss Upcoming Agenda Items

**Attachments:**

13.a POTENTIAL UPCOMING AGENDA ITEMS\_11\_28\_17

14. Vote to approve the regular session minutes of Nov. 7, 2017.

**Attachments:**

14.a BOS 11-07-17\_minutes DRAFT

15. Vote to sign a proclamation for Sergeant Timothy Bradford Hall, acknowledging his safe return home after spending ten months in Afghanistan, and proclaiming Friday, December 1, 2017 as Sergeant Timothy Bradford Hall Day in Sudbury.

**Attachments:**

15.a Proclamation - SPC\_Hall\_2017\_rev

16. Vote to authorize the chairman to execute a letter requesting data from GIC to use in processing employees' W-2 forms, as requested by Christine Nihan, Town Accountant.

**Attachments:**

16.a GIC W2 Data Request FY17

17. Vote to accept, on behalf of the Town, a gift of \$10,000 from the Friends of Sudbury Senior Citizens, Inc, as requested by Debra Galloway, in a memo dated October 18, 2017, to enable the Council on Aging toward the cost of the University of Massachusetts Boston Gerontology Institute Livable Sudbury Needs Assessment, said funds to be expended under the direction of the Town Manager.

**Attachments:**

17.a memo from friends of senior center

17.b memo to selectmen needs asst funds acceptance

18. Vote to accept the resignation of Christopher Morely, 321 Old Lancaster Road, from the Community Preservation Committee, the Fairbank Community Center Task Force, and the Town Hall Blue Ribbon Committee, and to send a letter of thanks for his service to the Town.

**Attachments:**

18.a Resignation Chris Morely recv'd 10.10.2017

**19.** To approve award of program contracts by the Town Manager on behalf of the Park and Recreation Department for winter art programs to be provided by Garro Studios, LLC, at \$33,000 for full participation.

**20.** Vote to enter into Executive Session to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Eversource), pursuant to General Laws chapter 30A, §21(a)(3).

**21.** Vote to close Executive Session and not return to Open Session.