

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, NOVEMBER 28, 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 7:30 p.m. in the Lower Town Hall.

Opening Remarks

At 7:30 p.m., Chairman Haarde opened the Meeting. He announced the Board attended a reception for Chris Morely earlier tonight. He stated Chris has resigned his positions on several Town boards/committees and he thanked Chris for his many years of service to the Town. Chairman Haarde announced the Board will conduct Selectmen's 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 announced the Town needs snow plow contractors, and anyone interested should contact the Department of Public Works. Chairman Haarde congratulated the Lincoln-Sudbury Regional High School Football Team who made it to the State's Super Bowl, noting the team will play Friday night at Gillette Stadium.

Reports from the Town Manager

Town Manager Rodrigues announced Open Houses will be held for Fire Station 2 this Friday from 5-7 p.m. and on Saturday from 9 a.m. to 12 noon. She also announced she will conduct Town Manager Office Hours on December 7, 2017, at the Flynn Building's Silva Conference Room, from 11:00 a.m. to 12 noon.

Reports from the Board of Selectmen

Selectman Iuliano shared information related to the proposed new Fire Station 2. She stated that, since 1978 when the Fire Department had its last increase in personnel, there have been 784 housing units added to the Route 20 area and 339 units of assisted living. Chairman Haarde highlighted some of these units were Chapter 40B developments, and thus they could not be stopped by the Town.

Selectman Carty stated he and Selectman Iuliano recently met with the School District Administrative and Structural Options Committee and this Committee will meet again at 6 p.m. tomorrow at the Flynn Building. He also stated there was some discussion at a recent School Committee Meeting regarding student projections for the next few years, and he hopes the Board can review this information at a future time. Selectmen Carty congratulated the High School for its fine production of "The Secret Garden."

Vice-Chairman Simon stated he met with representatives from the Curtis Middle School, the High School, the Board of Health Director and a social worker recently regarding marijuana issues and the upcoming Town Forum. Chairman Haarde stated he has been hearing a lot about vaping, and he hopes this issue can be incorporated into the Town Forum discussion. Vice-Chairman Simon stated he would work to include vaping for the Forum discussion, noting the High School has adopted a vaping policy.

Citizen's Comments

At 7:44 p.m., Chairman Haarde announced no citizens have requested comment time tonight.

Public Hearing: Tax Classification

Present: Sudbury Director of Assessing Cynthia Gerry, Regional Assessor/Consultant Harald Scheid, Chairman of the Board of Assessors Liam Vesely and Board of Assessors' members Joshua Fox and Trevor A. Haydon

At 7:44 p.m., Chairman Haarde opened the Public Hearing to determine what percentage of the local tax levy will be borne by each class of real and personal property relative to setting the FY 2018 tax rate. The Board was previously in receipt of copies of the Public Hearing Notice, the informational package entitled, "Town of Sudbury Fiscal 2018 Classification Hearing dated November 28, 2017," prepared by the Board of Assessors, and a revised version of this package, including an "Addendum Sudbury's Means Tested Senior Tax Exemption."

It was on motion unanimously

VOTED: To open the Public Hearing to determine what percentage of the local tax levy will be borne by each class of real and personal property relative to setting the FY 2018 tax rate.

Chairman of the Board of Assessors Liam Vesely stated tonight's Hearing is primarily to set a tax classification factor and to set a tax rate, and to vote on a few exemption options, as required each year through a Public Hearing. He also stated setting a cap for the Senior Means Tested Tax Exemption will also be discussed.

Mr. Vesely referenced the "Town of Sudbury Fiscal 2018 Classification Hearing dated November 28, 2017," packet prepared by the Board of Assessors throughout his presentation. He explained the Board of Selectmen needs to decide its position on whether or not to allow a residential property exemption and a small commercial exemption. He summarized the Residential Exemption as presented on Page 5 of the packet, stating it is very commonly used in urban areas where there are a lot of investment properties to shift the tax burden from owner-occupied properties to non-owner-occupied properties. He also stated the tax exemption would shift a higher tax burden from one group of the residential sector to another group within the residential sector. Mr. Vesely stated the exemption would adversely impact taxpayers at or above the median property valuation. He also noted that, historically, the Board has voted that the residential exemption is not appropriate for Sudbury.

Vice-Chairman Simon asked if the Assessors believe there is any reason to adopt this exemption, and Mr. Vesely stated they do not believe so because Sudbury has very few rental properties.

It was on motion unanimously

VOTED: To not adopt a **Residential Exemption for Fiscal Year 2018.**

Selectman Iuliano stated the residential exemption would be difficult to implement because Sudbury already has a Means-Tested Senior Tax Exemption which is working well and which implements a shift within the residential class.

Mr. Vesely next summarized the small commercial exemption on Page 6 of the packet as an option to grant up to 10% of the property valuation to commercial (not industrial) property, which qualifies as having no more than ten employees during the previous calendar year and is housed in a building with a valuation of less than \$1,000,000. He explained only 33 small businesses would meet the required qualifications. Mr. Vesely stated some small businesses in Sudbury might be burdened by this option, and, in the past, the Board has not adopted this option.

Vice-Chairman Simon asked if the Assessors believe there is any reason to reconsider the Board's previous position, and Mr. Vesely stated they do not believe there is a reason for a change.

It was on motion unanimously

VOTED: To not adopt the Small Commercial Exemption for Fiscal Year 2018.

Mr. Vesely stated the Open Space Exemption noted on Page 7 of the packet is not applicable to Sudbury. He explained no properties in Sudbury have been so defined, and thus, no vote was needed by the Board.

Vice-Chairman Simon thanked the Board of Assessors for its work throughout the year. Mr. Vesely stated Sudbury Director of Assessing Cynthia Gerry and Regional Assessor/Consultant Harald Scheid help tremendously with the Assessors' work.

Mr. Scheid stated Massachusetts law requires that a tax shift be considered each year. He referred to page 3 of the packet as he described the possible shift factors for consideration. Mr. Scheid stated that, last year, the Board voted a 1.38 commercial, industrial and personal property (CIP) factor. This year, he stated the Assessors recommend that the Selectmen consider reducing the shift factor to 1.33. Mr. Scheid explained the CIP sector is very small in Sudbury and that the Town has historically tried to increase the tax rate uniformly for the residential and commercial sectors. He stated a 1.33 shift for FY18 would yield a similar increase in dollars, without the adjustment for the Means Tested Senior Exemption, for both sectors. Mr. Scheid stated the 1.33 shift factor would result in a CIP tax rate of \$24.30/1000 and a residential tax rate of \$17.83/1000. He highlighted Page 4 of the packet provides a comparison of the tax rates for FY17 and FY18. Mr. Scheid explained the Town experienced some new growth this year and that this was all in the residential sector. He also explained residential valuations have increased on the average approximately 3%. Mr. Scheid stated the average residential tax bill would increase by approximately \$439, prior to adjustments for new growth.

Selectman Brown asked if the \$439 increase includes the tax override voted at the May 2017 Town Meeting. Mr. Scheid stated the override is included in this figure. Selectman Carty stated the override would account for approximately \$184 of the \$439 increase. From one perspective, Mr. Scheid stated new growth could be considered to cover the cost of the override.

Vice-Chairman Simon asked how small the commercial sector is. Mr. Scheid stated only 6.75% of the assessment base is within the CIP sector.

Selectman Iuliano asked for clarification regarding how the tax shift is determined regarding the dollars to be yielded, which Mr. Scheid provided.

Vice-Chairman Simon asked if the Assessors could project what impact the Meadow Walk development will have in the future. Mr. Scheid stated a lot of information will need to be reviewed, but they would anticipate a large new growth figure for next year, noting this year's figure was slightly under \$1 million.

Chairman Haarde opened the discussion to public comment, but none was offered.

Vice-Chairman Simon stated it seems appropriate to keep the same balanced approach to the tax rate as taken in prior years.

It was on motion unanimously

VOTED: In accordance with M.G.L. Ch. 40, Sec.56, as amended, 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 rates and sets the Residential Factor at 0.976078 with a corresponding CIP shift of 1.33, pending certification of the Town's annual tax recap by the Massachusetts Department of Revenue.

At 8:10 p.m., Board of Assessors' member Joshua Fox provided a brief summary for FY18 of the Town's Means-Tested Senior Tax Exemption program. He stated FY18 is the fifth year of Sudbury's program, which shifts the tax burden from qualified residential property owners to other residential property owners. Mr. Fox explained the Board voted for FY17 to cap the total exemptions granted to a dollar cap equal to 0.5% of the residential levy (after any CIP shift). In FY18, the Board could decide to increase the percentage up to and including 1.0%. Mr. Fox stated that, for FY18, 115 applications were received, and 113 of them were deemed to be qualified, subject to final rate setting approval by the Department of Revenue (DOR). He further stated this year's calculation of \$417,000 needed for the approved exemptions suggests the need to adjust the cap percentage. Mr. Fox stated the Assessors recommend approving a 0.55% cap to achieve the \$417,000 needed.

Selectman Iuliano stated it makes sense to increase the cap. However, she asked the Assessors if they considered adjusting the income threshold above the nominal 10.0%. Mr. Fox stated adjusting the income threshold can be complicated, and the Assessors did not think this was necessary since the cap is still very much below the 1.0% limit.

Vice-Chairman Simon asked if the number of applications received for the Exemption are similar to last year. Ms. Gerry stated the number of applications received has been fairly consistent. Mr. Fox encouraged senior citizens to pursue the Exemption if they think they might qualify.

Selectman Carty stated seniors must apply for the Exemption each year. Ms. Gerry confirmed this to be accurate, and she noted income cannot exceed the State's Circuit Breaker limits. In response to a question from the Board, Ms. Gerry and Mr. Fox stated one application was rejected because it did not qualify and another application was rejected due to excessive assets.

It was on motion unanimously

VOTED: In accordance with Chapter 169 of the Acts of 2012, the total FY18 cap on the exemptions granted by the **Means Tested Senior Tax Exemption** shall be 0.55% of the residential property tax levy.

At 8:17 p.m., the Board thanked the Board of Assessors for their thoughtful work, and the Hearing was concluded.

Bullfinchs, Inc., d/b/a Bullfinchs - 730 Boston Post Rd - Change of Hours Application – Discussion and Vote

Present: Bullfinchs' Bookkeeper Terry Richardson

At 8:17 p.m., Chairman Haarde opened a discussion regarding whether to approve the application of Bullfinchs, Inc., d/b/a Bullfinchs, 730 Boston Post Road, for a Change of Hours to open at 10:00 a.m. on Sundays, under G.L. Ch. 138, s.12, Thomas Scott Richardson, Manager. The Board was previously in receipt of copies of a letter of a Bullfinchs Restaurant Corporate Vote dated October 1, 2017, and emails of feedback from Town Departments.

Bullfinchs' Bookkeeper Terry Richardson stated they have had requests from customers to open for breakfast on Sundays. Ms. Richardson stated there are a lot more restaurants now in Sudbury and Marlborough area and Bullfinchs would like the chance to compete for business.

Selectman Carty asked if there is an issue with opening at 10:00 a.m. for an establishment with a liquor license. The consensus of the Board was that this would not present a problem at breakfast time.

Selectman Brown asked if the Building Inspector's inspection was in order. Town Manager Rodrigues stated it was.

It was on motion unanimously

VOTED: As the Local Licensing Authority, to approve the application of Bullfinchs, Inc., d/b/a Bullfinchs, 730 Boston Post Road, for a Change of Hours to opening at 10:00 a.m. on Sundays, under G.L. Ch. 138, s.12, Thomas Scott Richardson, Manager.

Joint Meeting with the Planning Board - Planning Board Vacancy – Interview Candidate

Present: Planning Board Chairman Steve Garvin, Planning Board Members Peter Abair, John Hincks, Charles Karustis and Candidate and Planning Board Associate Member Nancy Kilcoyne and Director of Planning and Community Development Meagen Donoghue

At 8:23 p.m., Chairman Haarde welcomed members of the Planning Board for a joint meeting to consider the appointment of a new member to the Planning Board, and he and Planning Board Chairman Steve Garvin each opened the Joint Meeting with their respective Boards. The Board was previously in receipt of copies of a letter of resignation from the Planning Board from Christopher Morely received October 10, 2017, an email from Mr. Morely dated September 28, 2017, and a resume for Planning Board Associate Member Nancy Kilcoyne.

Vice-Chairman Simon asked former Associate, and now full Planning Board Member John Hincks how the transition of membership has worked. Mr. Hincks stated he found the time as an Associate Member very beneficial and he would encourage all boards to have Associate Members.

In response to a question from the Board, Planning Board Chairman Steve Garvin stated that, if Ms. Kilcoyne is appointed as a full member tonight, the Planning Board would begin to advertise for and encourage Associate Member applications. Chairman Haarde encouraged people to reach out to fellow residents who might be interested.

It was on motion and roll call unanimously

VOTED: To appoint Planning Board Associate Member Nancy Kilcoyne, 35 Hickory Road, to a full member of the Planning Board with a term expiration of May 31, 2018, to fill the remainder of Christopher Morley's term, who recently resigned from the Planning Board, Selectman Daniel E. Carty, aye, Selectman Patricia A. Brown, aye, Selectman Susan N. Iuliano, aye, Vice-Chairman Leonard A. Simon, aye, Chairman Robert C. Haarde, aye, John Hincks, aye, Peter Abair, aye, Chairman Steve Garvin, aye, and Charles Karustis, aye.

Vice-Chairman Simon congratulated Ms. Kilcoyne, noting her impressive background.

At 8:28 p.m., the Joint Meeting of the Board of Selectmen with the Planning Board continued to discuss the next three agenda items.

Joint Meeting with the Planning Board – Master Plan – Discussion

Director of Planning and Community Development Meagen Donoghue stated the Planning Board renewed its discussion regarding a new Master Plan when the Town submitted an application for a State Community Compact Grant.

Planning Board Chairman Steve Garvin stated the Planning Board has begun work on a draft Request for Proposal (RFP), but it has been recommended that the Town should first work on a RFP to hire its consultant. After a consultant is on board, the next step would likely be to create a committee to work on the new Master Plan.

Vice-Chairman Simon asked if there is a deadline for completion of the Master Plan. Town Manager Rodrigues stated the deadline for the Community Compact Grant is June 30, 2019.

Vice-Chairman Simon stated it would be helpful for the Planning Board to update the Selectmen periodically during the next 17- month process. Chairman Garvin stated the Board would share its draft RFP and it will encourage input throughout the process, which is intended to be transparent. He also stated the goal is to have a consultant on board by the first quarter of 2018.

Selectman Carty encouraged making sure information in the Master Plan is consistent with information in other Town sources (such as population projections). He asked how facilities' needs would fit into the Master Plan. Chairman Garvin stated facilities are typically addressed in a separate process, but it might be touched upon in a Master Plan.

Selectman Brown stated June 2019 is an ambitious schedule, and she thanked the Planning Board for beginning this work.

Joint Meeting with the Planning Board – Marijuana – Discussion

Town Manager Rodrigues stated tonight's discussion is in anticipation of the need to present a zoning bylaw-related article for the May 2018 Town Meeting. She explained that, since the Town previously voted no regarding marijuana, Sudbury enjoys a bit of a safe haven.

Vice-Chairman Simon stated he believes Town Counsel will be collecting information from other communities regarding options available in preparation for a Warrant article. He further stated there will be opportunities to also obtain input from the public regarding its preferences for Sudbury.

In response to a question from Selectman Iuliano, Town Manager Rodrigues stated she would not recommend putting more than one option in the Warrant. It is believed that the general public sentiment will be known through public discussions by sometime in January 2018.

Selectman Brown highlighted zoning for medicinal marijuana would not be effected.

Planning Board member John Hincks asked how close the previous vote was in Town regarding marijuana. Selectman Carty stated there was only a 227 vote margin.

Vice-Chairman Simon announced the Town Forum will be held on March 3, 2018 from 10:00 a.m. to 12:30 p.m. at the High School, and marijuana will be the topic. He stated it is hoped residents will attend and students will also be encouraged to attend.

Chairman Garvin asked if Police Chief Nix has recommended a preferred option for the Town. Town Manager Rodrigues stated Chief Nix would prefer an outright ban, noting he is concerned about edibles. Vice-Chairman Simon highlighted there would be no field sobriety test for marijuana as there is for alcohol, and thus enforcement becomes difficult. He also noted the legal age for marijuana is the same as it is for alcohol, 21, but marijuana is easier to conceal and harder to detect.

Director of Planning and Community Development Meagen Donoghue stated there is very useful information available online regarding State-wide zoning options.

From a zoning perspective, Chairman Garvin stated he would be curious to know what Wayland and other surrounding towns are planning. Town Manager Rodrigues noted Wayland did not put any zoning in place for medicinal marijuana.

Selectman Iuliano asked what the next steps should be. Town Manager Rodrigues stated she would distribute to the Planning Board the information Town Counsel will soon provide.

Selectman Carty asked if the Town would also want to consider banning vaping. Town Manager Rodrigues stated the Board of Health has some policies it is reviewing. Selectman Brown referenced the Town's Tobacco Use Bylaw from 1988. She proposed these regulations be updated to what is enforced by the Board of Health and that the Town should update its bylaw.

Vice-Chairman Simon stated BOH Director Bill Murphy informed him vaping has been included as a form of smoking, and the High School has adopted a no-vaping policy.

Chairman Haarde requested additional research on how other towns are handling these issues be done prior to the Board's next Meeting and for the Board to also discuss vaping.

Selectman Carty stated he would not want to pass a ban for marijuana and later realize it contains a loophole for vaping. Chairman Garvin noted marijuana use is allowed in some aspects within households, and the Board should discuss how this would fit in with any action steps taken. Vice-Chairman Simon also noted marijuana plants can be gifted.

Joint Meeting with the Planning Board – Route 20 and Landham Road 75% Design - Discussion

At 8:49 p.m., Chairman Haarde opened a discussion regarding the Landham Road intersection. The Board was previously in receipt of copies of the "Massachusetts Department of Transportation Highway Division Plan and Profile Route 20 (Boston Post Road) at Landham Road In the Town of Sudbury Middlesex County Federal Aid Project No. 75%/100% Submittal."

Town Manager Rodrigues referenced the plans provided, noting the project is complicated and Town staff is in the process of reviewing the plans. In response to a question from Selectman Brown, Town Manager Rodrigues stated hard copies of the plans are maintained in her office. She stated the Town has been asked to provide any comments and she also encourages letters of support for the project to be completed. Town Manager Rodrigues asked the Planning Board to submit a letter of support.

Planning Board Chairman Steve Garvin stated the plans look good. He noted more landscaping would be beneficial on the corner on the Coolidge side. He further noted the intersection will be more efficient with the traffic signal.

Planning Board member Peter Abair stated this project is a priority because it is a high-volume intersection.

Vice-Chairman Simon asked if the traffic light will be a “smart” light. Chairman Haarde requested for a “smart” traffic light to be advocated for and confirmed.

Selectman Brown asked if a Public Hearing would be held on the 75% design. Town Manager Rodrigues stated she would check on this.

Selectman Carty asked about the abutters. Town Manager Rodrigues stated she believes contact has been made with nearly all the abutters. She further stated contact with the abutters is bound to continue based on the plans. Town Manager Rodrigues noted pedestrian accessibility at this intersection will be greatly improved.

Selectman Carty encouraged Town entities to provide letters of support for this important project.

At 8:55 p.m. Planning Board Chairman Steve Garvin announced the close of the Joint Meeting of the Planning Board with the Board of Selectmen.

Envision Melone: Shaping Melone’s Future Together Final Report Presentation and Draft RFP Discussion

Present: Director of Planning and Community Development Meagen Donoghue

At 8:55 p.m., Chairman Haarde welcomed Director of Planning and Community Development Meagen Donoghue to present the “Envision Melone: Shaping Melone’s Future Together Final Report” dated November 16, 2017. The Board was previously in receipt of an email dated November 20, 2017 from Ms. Donoghue, which provided a link to the Final Report on the Town’s website (and hard copies were distributed tonight) and an email dated November 28, 2017 from Leila Frank with an accompanying draft Request for Proposal (RFP) for discussion purposes (hard copies were distributed tonight).

Ms. Donoghue explained the final report has been posted on the Town website for the past week.

Vice-Chairman Simon stated he does not believe the Melone Charrette or Final Report have identified a clear need or consensus regarding the use of the property. He believes it would be wise to delay action on the property until results from the Meadow Walk mixed-use development can be assessed regarding retail and rental market rates and other factors. Vice-Chairman Simon highlighted the privately-owned Wagner property does not allow for optimum use of the property, and thus it needs to be addressed. He also stated there is another mixed-use property underway on Route 27 in Maynard, which is only four miles from the Melone site, and it would be helpful to wait to see how that project impacts traffic and other factors. Vice-Chairman Simon stated he has not heard what the specific Town goal would be which would be achieved, or what the specific need to be filled is with the proposed RFP at this time. He emphasized the Melone property is one of the last large undeveloped parcels in Town, and he views land as “money in the bank.” He believes there is no rush to take action with the property. Vice-Chairman Simon suggested possibly using the property for a temporary use such as a parking lot for school buses or using part of the parcel as a solar farm. He reiterated he believes the Town should wait and take time to assess a lot of factors in the vicinity.

Selectman Brown stated she has questions regarding whether there would be the need for another mixed-use development in the area, given the other two large mixed-use projects already underway.

Chairman Haarde stated he thinks a solar farm and a bus parking lot are good ideas. However, he noted people in town have been advocating for housing and recreational uses on this site and for uses which could generate tax revenues. Chairman Haarde stated a lot of needs have been mentioned, but he believes it will be up to developers to present viable business plans. He also noted a mixed –use development could be entities other than retail and housing. Chairman Haarde stated he does not believe the Town should wait to issue an RFP because of other pending projects because he believes there will always be new projects and ideas competing with each other. He also stated the Town has the option to decide not to do anything, even if an RFP is issued.

Selectman Iuliano asked how the Board is going to decide on an intended use for Melone. She noted a lot of ideas have been suggested which need to be sorted through so a decision can be made regarding how the Town wants to use the land. Selectman Iuliano further noted the Board has not decided whether the Town will choose to develop the property or not.

Chairman Haarde stated only 12 of the 20 Melone acres located in Sudbury can be developed, only four Melone acres can be developed which are located in Concord and only four Melone acres can be developed which are owned by the Sudbury Water District. He further stated he does not believe there is a compelling need to buy the Wagner property because he believes the Melone property can be accessed from either side. Chairman Haarde stated there is a lot of sloped, undevelopable land at Melone which faces south and it could possibly be conducive for a solar farm.

Vice-Chairman Simon stated it would have been good to ask the Planning Board earlier tonight for its opinion regarding the Melone property, and he requested the Planning Board's input. Because some land at the Melone site is owned by Concord, he suggested reaching out to Concord to work collaboratively on a common use. Vice-Chairman Simon also suggested the Board should consider making determining the best use for the Melone property one of its goals for the coming year. He stated using Melone for a bus parking lot would free land up next to the Noyes School, which could possibly be used for recreational activities. Vice-Chairman Simon emphasized the Town still does not know about contamination on the land. He further emphasized this is the last big undeveloped property in Town, and it is irreplaceable once it is gone. Vice-Chairman Simon urged for the Board to do more testing on the site, obtain input from the Planning Board, and to try to work collaboratively with Concord and eventually to assign a Task Force to assess the information.

Selectman Carty stated the Town always has the option to hold onto the land. However, he further stated he believes issuing an RFP could help shrink the list of potential uses for the property.

Vice-Chairman Simon stated Town Manager Rodrigues has advised that it is not wise to issue more than two RFPs for the same project. He urged the Board to know what it wants before issuing an RFP.

Selectman Iuliano asked if Selectman Carty was suggesting that the Town needs to find out what options are commercially viable by issuing a RFP. She also asked why the Town would not just do an appraisal. Selectman Iuliano stated she believes more information is needed before a RFP is issued.

Chairman Haarde stated he believes the market will determine what is commercially viable at the site. He referenced the revised draft RFP distributed tonight, noting recreation is mentioned in order to solicit uses which are consistent with recreation.

Selectman Brown highlighted any decision regarding Town-owned land would need to be approved at Town Meeting. She noted her Charrette group was very interested in options for the property which could generate revenue because the Town has many capital projects which need to be funded in the coming years.

Chairman Haarde stated there has been significant testing done regarding contamination in the vicinity, and thus he does not expect to hear any surprises from testing to be done on the site. Although, he also stated he believes doing more testing is a good idea. Town Manager Rodrigues stated some testing has been targeted on the site and the results should be available to the Town in the next month.

Chairman Haarde read aloud the most recent revisions made to the draft RFP.

Sudbury resident and member of the Sudbury Housing Authority (SHA) Steve Swanger, 14 Bent Brook Road, stated there is a very clear need for family housing in Sudbury. Mr. Swanger stated the SHA received 350 applications for family housing last year, it had to close the application period, and it received another 100 applications after the application period closed. Historically, he explained most of these applications have Sudbury ties. Mr. Swanger emphasized Sudbury's need for family housing has not been met. Mr. Swanger questioned why the Melone property process is being pushed forward. He believes a RFP has been drafted which ignores the input received at the Charrette. He referenced the revised RFP, which still states "recreational aspects will be looked on favorably." Mr. Swanger suggested the RFP should be revised to be compatible with both recreation and housing uses, or the current language should be deleted as the only priority. He questioned again what the rush is to move on this property. Mr. Swanger emphasized Sudbury has a history of being a thoughtful town. He suggested the Town should determine what its vision is for the property and then develop a RFP. Mr. Swanger stated issuing a RFP should not be taken lightly, and he stated he believes it is too early in the Melone process to issue a RFP.

Chairman Haarde stated that he takes offense at Mr. Swanger's comments and tone regarding the revisions made to the RFP. He also stated the Melone property has been discussed for years and he believes the suggested changes were made to the revision.

Mr. Swanger stated it is not his intent to offend Chairman Haarde or the Board, but he is passionate in his beliefs. He emphasized this is a large property and he believes the Town needs to take the time to do the right thing with it for the long-term.

Sudbury resident Kirsten Roopenian, 45 Harness Lane, stated the Melone land has been discussed for a long time. She stated she sensed a renewed excitement at the Charrette regarding people being part of the process to determine if the Town should sell it, keep it or develop it, possibly in a phased-approach. Ms. Roopenian stated she read the revised RFP and she is concerned about the number of times contamination is mentioned and that no report can be cited regarding the property. She suggested the Planning Board could perhaps help shape what should be at this site by evaluating the zoning options. Ms. Roopenian stated she too believes it is premature in the process to issue a RFP, but she thinks discussion should continue.

Chairman Haarde stated it would be helpful for the Planning Board to look at zoning. Regarding contamination, Chairman Haarde opined the former Raytheon site probably had more contamination than Melone, and it was not tested prior to determining its use. However, he further noted the Town did not own the former Raytheon site.

Ms. Roopenian stated the Selectmen have a unique position to decide how they can serve the Town for a long time into the future. She stated the discussion and process seems rushed.

Sudbury resident Janie Dretler, 286 Goodman's Hill Road, thanked the Board for some of the revisions made to the RFP and for approving testing on the site. Regarding restricted use, Ms. Dretler stated she does not believe the revised RFP has changed much from the original one. She suggested removing the language regarding "recreational aspects will be looked on favorably" and "playing fields that will be open to the

public or gifted to the municipality.” As presented, she stated she views the revised RFP as a ballfield RFP, and she questioned what the purpose of the draft RFP is.

Chairman Haarde stated the draft was for discussion purposes. He strongly stated it is not a recreation RFP, but it is assumed some land would be used for recreation. He stated the revised RFP could possibly be cleaned up a bit.

Ms. Dretler asked for confirmation that a RFP would not be issued until the testing results are received and reviewed. Selectman Iuliano stated this would seem appropriate and she clarified the Board of Selectmen has not decided on the revised RFP or whether it should be issued.

Chairman Haarde stated the discussion of putting ballfields at Melone goes back to discussions previously held in Town to save Davis Field for its current uses.

Selectman Iuliano stated there has also been a long history of discussion and a Town Meeting vote for pursuing housing at the Melone site.

The Coolidge Phase 2 - Request for Local Funds – Discussion

At 10:00 p.m., Chairman Haarde opened a discussion regarding funding for the Coolidge Phase 2 development.

Selectman Iuliano stated the Board previously voted to submit a request to the Community Preservation Committee (CPC) for \$150,000 to be considered as local funds for the Coolidge Phase 2 development in its pursuit of a State grant. At that time, the Board was aware of a previous commitment of the Sudbury Housing Trust (SHT) to also provide \$100,000 as local funds. However, since that time, Selectman Iuliano stated the SHT has subsequently voted to also provide the remaining \$150,000 local funds contribution, if it is not awarded CPA funds or WestMetro HOME Consortium funds for the Coolidge Phase 2. Thus, Selectman Iuliano asked if the Board wishes to withdraw its funding request to the CPC.

Selectman Brown clarified the Board’s funding request was submitted to the CPC by its November 6, 2017 application deadline, prior to the SHT vote taken on November 7, 2017 to provide additional funding by amending its project request for its 10% required Community Preservation Act housing allocation, and she read aloud the relevant section of the amended application.

It was on motion unanimously

VOTED: To withdraw the Board of Selectmen’s project submission request to the Community Preservation Committee for funding for the Coolidge Phase 2 development.

Town Budget Process – Discussion

At 10:08 p.m., Chairman Haarde opened a discussion regarding the FY18 Town Budget process and he stated this agenda item will be postponed to a future meeting.

Strategic Financial Planning Committee for Capital Funding – Amend Mission Statement Regarding Membership Composition – Discussion and Possible Vote

At 10:09 p.m., Chairman Haarde opened a discussion regarding whether to amend the Strategic Financial Planning Committee for Capital Funding’s Mission Statement to add two members from the Community

Preservation Committee (CPC). The Board was previously in receipt of copies of the current Mission Statement, last amended on July 28, 2015. In addition, copies of the draft CPC November 15, 2017 Meeting Minutes were also distributed electronically to the Board.

Selectman Brown referenced the draft CPC November 15, 2017 Meeting Minutes, and she reported the CPC voted at its last Meeting unanimously to not be represented on the Strategic Financial Planning Committee for Capital Funding. She summarized some concerns expressed by CPC members regarding conflicting duties and interests and that they do not view the CPC as part of the capital process or as a capital funding source.

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

Town Manager Rodrigues stated the Board will discuss its goals at a meeting on December 4, 2017, for which a facilitator has been hired.

Selectman Brown stated she may request time on the December 19, 2017 Meeting agenda to discuss the Fairbank Community Center Task Force after the Task Force hears from its consultant in early December.

Selectman Iuliano asked if the Board has voted on the draft Town Manager goals it reviewed, and she was informed the Board has not yet voted on them.

Selectman Carty asked if there is an update on the High School's football field. He also suggested discussing financial policies as a future agenda item and having a recap discussion of the Fall Town Meeting. Chairman Haarde stated the Fall Town Meeting recap is on the Board's December 5, 2017 Meeting agenda.

Selectman Brown stated Sudbury is part of MAGIC, but, three other surrounding towns are part of the MetroWest Consortium. She suggested a future discussion regarding whether Sudbury should join the MetroWest Consortium in order to facilitate Route 20 corridor planning.

Chairman Haarde asked if the landscaping plan for Melone is ready for discussion. Town Manager Rodrigues stated she would check.

At 10:20 p.m., Selectmen Carty and Brown left the Meeting and they both exited the Hall.

The following Consent Calendar items were taken out of order by Chairman Haarde at 7:40 p.m.

Minutes

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of November 7, 2017.

Proclamation – Sergeant Timothy Bradford Hall

It was on motion unanimously

VOTED: 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.

Chairman Haarde read aloud the Proclamation.

Group Insurance Commission – Authorization to Request Data

It was on motion unanimously

VOTED: To authorize the Chairman to execute a letter requesting data from the Group Insurance Commission to use in processing employees' W-2 forms, as requested by Christine Nihan, Town Accountant.

Friends of Sudbury Senior Citizens - Gift

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a gift of \$10,000 from the Friends of Sudbury Senior Citizens , 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.

Community Preservation Committee – Resignation

It was on motion unanimously

VOTED: 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.

Park and Recreation Department – Award of Program Contracts

It was on motion unanimously

VOTED: To approve the 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.

Executive Session

At 10:21 p.m., Chairman Haarde announced the Board would now enter into Executive Session and that the Regular Session meeting would not resume at the conclusion of the Executive Session.

It was on motion and on roll call unanimously

VOTED: 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, section 21 (a) (3), and not to enter back into public session, Selectman Susan Iuliano, Vice-Chairman Leonard Simon, aye, and Chairman Robert C. Haarde, aye.

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

Attest: _____
Melissa Murphy-Rodrigues
Town Manager-Clerk