

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, JUNE 19, 2018

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

Absent: Selectman Leonard A. Simon

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

**Opening Remarks by Chairman**

At 7:00 p.m., Vice-Chairman Carty announced that he would be presenting the opening remarks because Chairman Haarde was detained. He announced the Sudbury 4<sup>th</sup> of July events, including the 4<sup>th</sup> of July Road Race, with the kids' race starting at 8:30 a.m., and others to begin at 9:00 a.m. Registrations are being taken online at [www.runreg.com/Sudbury-july-4th-road-race-2018](http://www.runreg.com/Sudbury-july-4th-road-race-2018) through July 3. From 11:00 a.m. to 3:00 p.m., there will be a 4<sup>th</sup> of July Open House at the Hosmer House, thanks to the Sudbury Historical Commission. Vice-Chairman Carty said that the theme of this year's 4th of July Parade is "Remember why it's the 4<sup>th</sup> of July," and the parade will begin at 1:00 p.m. starting at Chiswick Park.

Vice-Chairman Carty stated that mosquito spraying will be continuing this week, and details would be on the Town website. He added that spraying would take place in the Landham Road, Woodside Road, Raymond Road, Nobscot Road, Goodman's Hill Road and Old Lancaster Road neighborhoods. Street sweeping will begin on Monday, July 9 over a period of about four weeks. It will begin in the north part of town and work south until all streets are swept. He asked that people try not to park on the street during the sweeping.

Vice-Chairman Carty added that the Board of Selectmen Office Hours will be tomorrow, June 20, 11:00 a.m., at the Senior Center lounge with Selectmen Brown and Dretler in attendance.

Vice-Chairman Carty gave the results of the June 12, Special Town Election, saying that #1 - DPW Rolling Stock and vehicles, did not pass; #2 - DPW Fuel Storage, did pass; and #3 – the Stearns Mill Pond Dam, and replacement of the Dutton Road Bridge, passed as well.

Vice-Chairman Carty thanked everyone who helped make Race Amity Day a success, especially Dr. Smith. There were a number of activities throughout town with a great ceremony in the afternoon.

He added that residents are encouraged to apply to committees with vacancies such as the Sudbury Housing Trust, Design Review Board, Commission on Disability, and Town Historian. The Town website provides more details.

**Reports from Town Manager**

Town Manager Rodrigues thanked everyone involved in the Special Town Election, especially Town Clerk Rosemary Harvell and her team. The bylaw regarding the ban on plastic bags and bottles goes into effect June 30, 2018. These bylaws were passed at 2017 Town Meeting in an effort to reduce plastics. More information is on the Town website. Town Manager Rodrigues recommended that residents refer to [www.sudburyontap.org](http://www.sudburyontap.org) which provides a list of businesses that have agreed to fill any reusable water bottles with tap water. Those businesses will provide a water sticker on their front door entrance, and bottles can be filled at these businesses for free through a grant from the Sudbury Foundation. She further detailed that the Town is going to be giving away reusable cotton canvas bags at the Senior Center, the Flynn Building, and at the Medical Reserve Corps tent on the 4<sup>th</sup> of July. The canvas bags will also be available at the Truck Day event on July 11<sup>th</sup>, and the bags will start to become available on June 30. For questions please contact the Health Department at 978-440-5479.

Town Manager Rodrigues announced that on July 11<sup>th</sup> the Goodnow Library will host Truck Day from 10:00 a.m. to 1:00 p.m. Last year over a thousand people attended.

### **Reports from Selectmen**

Selectman Brown stated that she and the Town's Environmental Planner, Beth Suedmeyer, attended the MAGIC Meeting on June 7<sup>th</sup>. The leading interests for communities were implementation of the marijuana law, and Master Planning. She added that she attended the Sudbury Housing Trust meeting on June 15<sup>th</sup>, and the Trust members are interested to know who will be the new member from the Board of Selectmen. Town Manager Rodrigues said that originally that selection was to be on tonight's agenda, but the Chairman decided to postpone that topic because Selectman Simon is absent from tonight's meeting.

Selectman Dretler said that Race Amity Day was a great event, with activities at the Library, the Performing Arts Center, and the Police Station, with a lovely ceremony at Heritage Park. She recently attended two trainings: a Finance Forum at the College of the Holy Cross, and the New Selectmen Training session held at the Natick Community Center.

### **Citizen's Comments on items not on Agenda**

Resident, Dan Depompei, 35 Haynes Road, stated that he has come before the Board previously to take the opportunity to encourage the Board to correct history, as on May 3, 2016; the Board took a vote regarding partial funding of the 75% design for the Bruce Freeman Rail Trail. He read from the record: "vote whether the partial 75% design of the Bruce Freeman Rail Trail, in Article #42, should be designed to comply with Sudbury Town bylaws." Mr. Depompei added that the vote was 3 no, and 2 yes, and the vote was not to comply with the bylaws. He added, that he personally believes, that the vote taken was outside the Board of Selectmen's authority, and he said that at this time, he is requesting that the Board revisit and correct the record by voting again, with what is a more complete understanding. He added that this vote is still of importance because the funds have not been awarded yet for the 75% design, and it is still possible to award those funds and for the contract to be in compliance with MA DOT standards, and with the Sudbury bylaws.

### **Discussion and vote whether to sign Inter-Municipal Agreement (IMA) for Regional Housing Service Office**

Present: Elizabeth Rust, Director of RHSO (Regional Housing Services Office)

At 7:15 p.m., Elizabeth Rust said that RHSO is composed of eight connected communities (Acton, Concord, Bedford, Burlington, Lexington, Sudbury, Wayland and Weston) who share the costs and services of the operation and function of RHSO, through an IMA (Inter-Municipal Agreement), which is a three-year term, and is amended annually to give towns the opportunity to proactively continue to participate. Ms. Rust stated that seven of the member communities have retiring Town Managers, which leaves Town Manager Rodrigues as the remaining Town Manager, at this time. She presented the FY18 year in review and FY19 plans.

She added that Concord is the lead RHSO community doing all the procurement, and that the RHSO office consists of four part-time staff at approximately 60 hours per week, and contracts with the Town of Concord. The office assumes the responsibilities of monitoring a database of affordable housing developments and residents, ownership of units, monitoring of rental developments, and reconciling municipal inventory records with the subsidized housing inventory, which is overseen by the Department of Housing and Community Development. Another function of RHSO includes local support with meeting staff and housing entities, consulting on projects, preparation and review of necessary project documents, assisting with the Annual Action Plan, consulting on HOME funded projects, maintaining the RHSO website, providing programs to residents, and administering the Program on behalf of all communities. The RHSO also assists the planning offices and their staff.

Town Manager Rodrigues commented that at a related meeting last week comments were made stating that Ms. Rust is very helpful. Ms. Rust said that RHSO is currently working with Avalon in Sudbury, and is assisting the local applicants. She added that Coolidge Phase 2 is applying for additional funding at this time to the HOME program, and Sudbury is exceeding the 10% affordable housing ratio, and that RHSO provides much support to

the Sudbury Housing Trust. Ms. Rust stated that RHSO assists the planning office at Grouse Hill, where applicants have comparatively higher incomes with resale restrictions as well as special eligibility requirements.

Ms. Rust addressed FY19 plans and stated that monitoring of owners, properties, and local service will continue, the office will remain in Concord, with the possibility of adding a ninth community to the group (which must be an adjoining community). The projected FY19 budget for Sudbury's RHSO projects will be 780 hours, and 375 of those hours are specifically for the Sudbury Housing Trust. This is a reduction from Sudbury's 880 hours this year, due primarily to winding down the Maynard Road project. She stressed that the FY19 budget is mostly staffing – correlating to hours – with some program and administration at a billable rate of \$76.75 per hour.

Selectman Brown asked how the RHSO payments work. Ms. Rust answered that both the Town of Sudbury and the Sudbury Housing Trust pay into the RHSO revolving fund in Concord. Selectman Brown inquired about other similar organizations. Ms. Rust responded that another community group exists for the Town of Hudson as the lead town with four other adjoining towns. MAPC has helped these other groups as well. There are several separate non-profit organizations which are similar in function to RHSO but slightly different.

Vice-Chairman Carty asked if other community set-ups require that participating towns be contiguous, and asked why that must be. Ms. Rust responded that she was not sure if the other groups have the adjoining town requirement. In the RHSO configuration, the founding town managers wanted to be sure that the other communities had similar common issues and characteristics which could change with the placement of new town managers. Vice-Chairman Carty commented that the Sudbury Housing Trust could be its own line item. Ms. Rust said that the housing lottery system is a considerable expense. The Sudbury Housing Trust is a certified lottery agent, able to identify eligible buyers and renters for affordable units. Developers pay the Trust to find qualified occupants for their affordable units. After repaying the RHSO, the Sudbury Housing Trust funds the Small Grants Program—which is not eligible for CPA affordable housing funding—from the net proceeds. Vice-Chairmen Carty summarized that Sudbury contracts for a higher number of hours from the RHSO to cover services used by both the Town and the Sudbury Housing Trust.

Selectman Brown asked about the status of Coolidge Phase 2. Ms. Rust responded that Coolidge is in its second round for securing state funding, and awards will be announced in July or August. She added that Coolidge has been getting 50% construction estimates from Keith Construction. Construction estimates have been higher than expected, and the Coolidge may be seeking further funding from the Town. She added that Town Meeting voted that the Sudbury Housing Trust would fund \$250,000 on behalf of the Town. Some of that could be made up through the HOME Consortium funding. A competitive pool of funding from the HOME Consortium was to be announced in September. Selectman Brown restated that sometime in July the state funding for this project would be arriving, and sometime in September it will be seen if the HOME Consortium funding comes through. She mentioned that, in any event, Coolidge wants more money. Ms. Rust said that Coolidge is seeking an additional \$150,000, or \$400,000 in total.

It was on motion unanimously

VOTED: To approve and sign the Inter-Municipal Agreement (IMA) for Regional Housing Service Office.

#### **Discuss potential fundraising and partnership options for the Fairbank Community Center**

Town Manager Rodrigues spoke about two potential fundraising proposals: one being naming rights, (within the building) which could be repeated at a later time; and the other being the leasing of space at the Fairbank Center specifically for health-related/rehab organizations. She thought it was important to get the project further along in the design phase before getting too far ahead with these proposals, but it is important to have related discussions at this time.

Selectman Dretler suggested the idea of play-space type leasing. Town Manager Rodrigues responded that could be looked into, though she had not seen that type of specific set-up. She had seen care for babies attached to a health program set-up.

Selectman Brown asked about how to proceed. Town Manager Rodrigues said that she would issue an RFP to centers that might have interest such as Emerson Hospital, though it is in the rough stage at this time. She added that she felt that doing this now would be beneficial, but that naming rights should not be addressed yet.

Vice-Chairman Carty stated that the approach made sense.

Chairman Haarde inquired about hiring a fundraising company. Town Manager Rodrigues said that the budget is tight now and suggested presenting this idea at Town Meeting though there are related ethical questions to address. Chairman Haarde asked if towns actually employ such companies. Town Manager Rodrigues stated that she had no experience with such companies, but did have experience in the area of naming rights fundraising.

Vice-Chairman Carty said that he thought these were good ideas expressed for fundraising, but said that leasing has to be identified sooner.

Selectman Brown asked Town Manager Rodrigues what she needed from the Board. Town Manager Rodrigues replied that getting a bid together before Fall Town Meeting would be helpful, and subject to a Town Meeting vote. Chairman Haarde asked if estimates on naming rights could be set, as was done in Concord, with an anchor benefactor. Town Manager Rodrigues said that she could do that, and recommended further discussion at the July 10 meeting.

#### **Discussion on possible purchase of 34 Barton Drive property**

Present: Mike Ensley, chair, Park & Recreation Commission

Mr. Ensley said that the parcel is in tough shape, condemned, and housing raccoons. He added that the Park and Recreation Commission has a parcel near this one, and maybe this parcel could be used as a possible boat/kayak launch to Stearns Mill Pond. He wondered if the Town wanted to pursue researching with the neighborhood regarding possible usage.

Town Manager Rodrigues stated that the parcel is rather unusual. Mr. Ensley said that the current owner would rather sell the parcel to the Town, and had previously presented to the Conservation Commission, but they had no interest.

Vice-Chairman Carty mentioned that the parcel is not a contiguous lot, in relation to the other Town parcel on Barton Drive.

Town Manager Rodrigues said that Debbie Dineen, Conservation Coordinator, mentioned that this lot did not provide direct access to the Town-owned lot. Town Manager Rodrigues said that she would speak with the Board of Health regarding the safety aspect of possible swimming there. Selectman Brown inquired about the depth of the water at Stearns Mill Pond. Mr. Ensley said that right by the dam the depth is a couple of feet.

Vice-Chairman Carty does not see this parcel as attractive. Town Manager Rodrigues commented that it might increase liability for the Town, as there is a cost to demolish the existing structure. The assessed value of the property is \$367,600 for the land, and \$33,000 for the structure, and demolition cost would be \$10,000 to \$20,000.

Vice-Chairman Carty asked for the opinion of Park and Rec. Mr. Ensley said that the parcel might be of interest, but is not a contiguous lot, but he would like to continue discussion for perhaps a launch and swimming. Town Manager Rodrigues added that the town-owned parcel can access the pond via Dutton Road.

Chairman Haarde was open to continue this discussion, and would like to consult with the Board of Health.

Selectman Brown asked if there was a time limit regarding the sale of the parcel. Mr. Ensley said that the owner did not appear to be in a rush, and did not specify a deadline.

It was on motion unanimously

VOTED: To continue discussion on possible purchase of 34 Barton Drive property, and check with the Sudbury Health Department.

**Discussion and vote to assign members to the Transportation Committee**

Selectman Brown said that she requested formation of this committee, and the Board approved the mission statement, but currently members must be assigned in order to make decisions regarding transportation options. She added that Vice-Chairman Carty is one of the people listed on the core committee.

Town Manager Rodrigues stated that she received an email today from Council on Aging (COA) requesting that Representative Gentile be on this committee as well. She said that something about membership and standing would be included on the Town website. Selectman Brown added that a description about the Transportation Committee and its mission statement would be helpful to include on the website.

Vice-Chairman Carty said that he would be pleased to serve on this committee.

It was on motion unanimously

VOTED: To assign Dan Carty, Alice Sapienza, Bethany Hadvab, Beth Suedmeyer, Dan Nason, Police Chief Scott Nix, Representative Carmine Gentile, Charlie Dunn, and Debra Galloway as members to the Transportation Committee, which was established on 4/10/18.

**Approve the conflict of interest designations for both regular and special municipal employees as presented, dissolve some committees, and submit an article at the next Special or Annual Town Meeting to dissolve the Committee for Preservation and Management of Town Documents**

Selectman Brown stated that Maryanne Bilodeau and Elaine Jones spent about six months to a year reviewing the status of older Town committees determining what committees actually are active and which are defunct. Selectman Brown also spoke of additions proposed to include Special Employees – Appointed Officials and Name Changes Proposed for Special Employees – Appointed Officials, and the full listing of Special Employees. She thanked both Ms. Bilodeau and Ms. Jones for their work in completing this challenging project.

Vice-Chairman Carty stated that the level of detail involved with this was considerable, and was amazed at some of the old committee names, such as Surveyor of Lumber and Measurer of Wood, which is an elected position in Weston. He asked about dissolving the Committee of Preservation and Management of Town Documents having to be officially dissolved at Town Meeting because it was originally voted at Town Meeting. Selectman Brown answered that was correct. Chairman Haarde added that the documents are protected. Town Manager Rodrigues affirmed that state law must be followed regarding all documents.

Selectman Brown distributed to the Board hardcopies of a memo she received from Deb Kruskal, member of the Sudbury Center Improvement Advisory Committee (SCIAC). This memo made recommendations on how to finish up the Town Center project. This was only their recommendation prior to being dissolved. The Board did not discuss or vote on this recommendation.

It was on motion unanimously

VOTED: (1) To move, pursuant to M.G.L. c.268A, to approve the June 19, 2018, Conflict of Interest designations for both Regular and Special Municipal Employees as presented.

It was on motion unanimously

VOTED: (2) To move to dissolve the following Committees: Sewer Assessment Study Citizens Advisory Committee, the Sudbury Center Improvement Advisory Committee, and to thank the members for their services.

It was on motion unanimously

VOTED: (3) To move to submit an article at the next Special or Annual Town Meeting to dissolve the Committee for Preservation and Management of Town Documents.

**Citizen's Comments (cont.)**

There were no citizen's comments.

**Discuss upcoming agenda items**

Town Manager Rodrigues suggested that topics for the Selectmen's summer newsletter, policies, and liaison assignments/memberships for 2018-2019 be on the next agenda. Selectman Brown suggested that debt exclusion of \$1.9 million for the Fairbank Center design proposal be put on the ballot for the November 6 election, so there would not have to be a special election, saving money; and would get improved voter turnout. She added that the wording for the ballot question exclusion must be given to the Town Clerk no later than August 1, so this must be completed at the July 10 meeting. Town Manager Rodrigues said that this issue could be piggy-backed on the State Election ballot along with the Broadacres project.

The Board agreed that both Fairbank and Broadacres language would be reviewed and discussed at the July 10 meeting.

Town Manager Rodrigues stated that Broadacres, the cell phone tower at the DPW building, and Collective Bargaining would all be discussed in Executive Session on July 10.

Vice-Chairman Carty requested that the project review topic be discussed at the August 14<sup>th</sup> meeting.

**Vote to approve the regular session minutes of 5/7/18 and 5/15/18**

It was on motion unanimously

VOTED: To approve the regular session minutes of 5/7/18 and 5/15/18.

**Vote to authorize Town Manager to sign Memorandum of Understanding (MOU) with the Town of Lincoln to provide bus transportation for Lincoln and Sudbury students enrolled in Minuteman High School**

It was on motion unanimously

VOTED: To authorize Town Manager to sign Memorandum of Understanding (MOU) with the Town of Lincoln to provide bus transportation for Lincoln and Sudbury students enrolled in Minuteman High School. This commences August 28, 2018 and ends June 18, 2019. Total contract to exceed \$70,000.

**Vote to approve award of contract for Horsley-Witten to complete Master Plan**

It was on motion unanimously

VOTED: To approve award of contract for Horsley-Witten to complete Master Plan for an amount not to exceed \$160,000.

**Vote to approve award of contract by the Town Manager to Jacobs of Boston, MA for structural engineering for the Bruce Freeman Rail Trail project**

It was on motion unanimously

VOTED: To approve award of contract by the Town Manager to Jacobs of Boston, MA for structural engineering for the Bruce Freeman Rail Trail project as outlined in their engineering services proposal dated June 7, 2018, in the amount of \$146,700, as requested by the Town Manager.

**Vote to approve the FY19 amendment extending the contract between the MetroWest Regional Transit Authority (RTA) and the Town of Sudbury to provide transportation services**

It was on motion unanimously

VOTED: To approve the FY19 amendment extending the contract between the MetroWest Regional Transit Authority (RTA) and the Town of Sudbury to provide transportation services for elderly and disabled persons through the Council on Aging effective July 1, 2018, as requested by Debra Galloway, Council on Aging Director, said Agreement to be executed by the Town Manager.

**Vote to Grant a Special Permit to hold the “Sudbury July 4th Road Race” on Wednesday July 4, 2018 from 7:00 A.M. through approximately 12:00 P.M. Also, vote to approve the placement of signs announcing the July 4th Road Race**

It was on motion unanimously

VOTED: to Grant a Special Permit to the Sudbury July 4th Road Race, to hold the “Sudbury July 4th Road Race” on Wednesday July 4, 2018 from 7:00 A.M. through approximately 12:00 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. Also, vote to approve the placement of signs announcing the July 4th Road Race at the following locations: 221 Goodman’s Hill Road, NE corner of Morse and Ridge Hill Roads, SE corner of Peakham and Old Lancaster Roads, NW corner of Hudson and Fairbank Roads, Precourt Stone Co. on Union Ave. (with their permission), Featherland Park, west side of Concord Road, from June 22nd to July 5th, 2018, as requested by Graham R. Taylor, 221 Goodman’s Hill Road.

**Vote to approve award of contracts by the Town Manager commencing 6/19/18 through 9/4/18, including, but not limited to, DPW, COA, Park & Rec, Facilities, and Planning contracts**

It was on motion unanimously

VOTED: Approve award of contracts by the Town Manager commencing 6/19/18 through 9/4/18, including, but not limited to, DPW, COA, Park & Rec, Facilities, and Planning contracts, provided a listing is prepared and submitted to the Board of Selectmen for all contracts requiring Board advance approval which are executed by the Town Manager during said period.

Chairman Haarde said that he hoped everyone would enjoy Sudbury’s 4<sup>th</sup> of July celebrations including the Road Race and the Parade.

There being no further business, the meeting adjourned at 8:20 p.m.

Attest:\_\_\_\_\_

Melissa Murphy-Rodrigues  
Town Manager-Clerk