IN BOARD OF SUDBURY SELECTMEN

TUESDAY, OCTOBER 8, 2019

POLICE STATION - CONFERENCE ROOM, 75 HUDSON ROAD

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia Brown, Selectman Janie Dretler, Selectman Jennifer Roberts, Selectman William Schineller, Interim Town Manager Maryanne Bilodeau. Senior Staff present: Police Chief Scott Nix, Fire Chief John Whalen, DPW Director Dan Nason, Facilities Director Bill Barletta, Finance Director Dennis Keohane, Planning Director Adam Duchesneau, Environmental Planner Beth Suedmeyer. Moderator Bob Halpin.

The statutory requirements as to notice having been complied with, the meeting was convened at 8:40 a.m. at the Police Station – Conference Room.

Chairman Carty called the meeting to order.

Opening Remarks by Chairman

There were no opening remarks by the Chairman

Reports from Town Manager

There were no opening remarks by the Interim Town Manager

Reports from Selectmen

There were no reports from the Selectmen

Citizen's comments on items not on agenda

There were no citizen's comments

Vote to accept winning bid for acquisition of Camp Sewataro short-term notes (BANS)

Present: Dennis Keohane, Finance Director and David M. Eisenthal, Vice President UniBank Fiscal Advisory Services, Inc., to join via conference call.

Mr. Keohane provided a summary regarding the winning bid from Piper Jaffray for the Acquisition of Camp Sewataro in the amount of \$11,250,000 with an interest rate of 3%, a premium of \$77,518 and noted that the BANs would mature on July 3, 2020. He asked the Board if they had questions regarding the short-term notes and related Town taxation, emphasizing that this description reflected the first-year financing with a likelihood of extending that plan for six months, and secure permanent financing in January of 2021.

Selectman Roberts questioned the premium. Mr. Eisenthal responded that this reflects notes that are purchased and re-offered to the public and the ultimate amount that the Town would be receiving is \$11.327,175.00 on Tuesday. The Town was able to reduce the amount from \$11,350,000 because of receipt of \$77,000 from the premium which will be used in part for the purchase price of Camp Sewataro and the rest for issuance cost.

Selectman Dretler asked if other Town projects would be rolled into the financing proposal. Mr. Keohane responded all of the currently authorized projects (Stearns Mill Dam and Dutton Road bridge project, DPW fuel island, Broadacres and Camp Sewataro) would be included in the financing proposal for a total of approximately \$18,000,000.

Selectman Schineller commented the interest rates appeared more favorable and queried if those rates would remain favorable up to January, 2021. Mr. Eisenthal responded that rates would likely remain favorable until mid-2020. Camp Sewataro reflected a taxable financing situation in consideration of the contract between the Town

and the Camp Sewataro camp operator, but he suggested after that time the Town might be able to benefit from a tax-exempt status. Selectman Dretler asked for clarification regarding the taxable nature of the bond for Sewataro. Mr. Eisenthal responded that Bond Counsel stated the taxable bond was due to the nature of the contract between the operator and the town. He stated there could be measures taken by the town which would allow the town to issue the debt on a tax-exempt basis. Selectman Dretler requested further clarification from Bond Counsel. Mr. Eisenthal stated that the town could evaluate if the type of financing made sense after a season or two with the camp operator. Mr. Eisenthal also stated the interest is higher, about 0.5%, because the bond is taxable and given the nature of the negotiation it made sense to go forward with taxable financing. Mr. Keohane responded the bonds are taxable. Mr. Keohane stated it was the private purpose of the agreement that caused the bonds to be taxable. It was possible to amend the agreement that may give the town safe harbor for permanent issuance of tax-exempt debt. Mr. Eisenthal stated the nature of the compensation was the reason for the Bond Counsel determination.

Selectman Dretler asked if the Stearns Mill Dam, DPW and Broadacres projects would be extended for the short-term, and Mr. Keohane replied in the affirmative.

Mr. Eisenthal explained the interest rate process for the Town. Discussion continued regarding the inability to use tax-exempt status under the current Camp Sewataro agreement. Mr. Keohane suggested that amendments to the agreement might be implemented in the future to change that tax status. Selectman Roberts asked to confirm if the current tax status determination was implemented because the operator of Camp Sewataro is a private entity. Mr. Keohane responded affirmatively. Mr. Eisenthal stated it may be related to nature of compensation and other details – and that it was a bond counsel determination. Mr. Eisenthal reiterated that amendments might be considered in the future to change that status.

Selectman Schineller noted that because of the tax status, it costs the Town some \$45,000 more the first year of the BANS. Mr. Eisenthal confirmed.

Chair Carty motioned and Vice-Chair Brown seconded the motion.

Selectman Schineller commented that he would have preferred to finance the whole project at one time.

It was on motion unanimously.

VOTED: To approve the Camp Sewataro sale of the \$11,250,000 3.00 percent General Obligation Bond Anticipation Notes (Subject to Federal and Massachusetts Income Taxation) (the "Notes") of the Town dated October 15, 2019, and payable July 2, 2020, to Piper Jaffray & Co. at par and accrued interest, if any, plus a premium of \$77,175, further; that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 24, 2019, and a final Official Statement dated October 1, 2019, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Vote to endorse EEE letter to state

Selectman Roberts made an addition to the letter to copy Senators Michael Barrett, James Eldridge and Representative Carmine Gentile.

Interim Town Manager Bilodeau commented on the language change voted on by the Board at the last meeting. The letter would be signed by the Board of Health Chair.

Selectman Dretler motioned and Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: To endorse the EEE letter to the state

Discussion and possible vote on Selectmen's goals

Chair Carty stated that the establishment of Selectmen's Goals will be similar to the previous year's sessions with process improvements as voted by the Board at previous meeting. He noted that the Goal Setting meeting is taking place earlier in the year and the voting method continues to be the multi-voting approach with modification.

Chair Carty explained the goal setting process utilizing stickers and detailed that Board members would have five prioritized votes (5, 4, 3, 2 and 1). He noted that the higher the number, the increased priority it will have. He detailed that six distinct categories would dictate goal placement. Chair Carty explained, that in efforts not to be influenced by another Board members vote, the meeting would be recessed for several minutes to allow for the ballot-type voting to be followed by sharing the results/priorities.

Interim Town Manager Bilodeau commented that the short break out of open session will allow members to assess their priorities and consider how they want to vote. The rankings will be submitted to the Moderator Bob Halpin and he will display those voting priorities on the white board for all to see.

Chair Carty stated the Board agreed it was important for the public to know how each member voted and, therefore, the color sticker approach will be used. He listed the six categories as itemized by Selectman Roberts, which will aid in considering associated goals to share with Town staff.

Selectman Roberts listed the goal setting categories which she compiled:

- Effective Governance and Communication (i.e. Town Manager Search, BOS policies).
- Financial Management and Economic Resiliency (i.e. Capital Planning)
- Town Services and Infrastructure (i.e. Fairbank and Fire Stations)
- Transportation, Mobility and Housing (i.e. Fairbank and Fire Stations)
- Open Space, Recreation and Historic Assets (i.e. Sewataro, Loring Parsonage)
- Environment, Health and Wellness (i.e. Senior Needs Assessment, ADA Transition Plan).

Selectman Roberts stated that in previous years the goals reflected more of a laundry list approach, and during the summer she compared goal processes of other communities and discovered that goal documents that include related categories make for a more professional and efficient approach. She detailed that the goal setting categories were derived from considering the goals of other towns, moderator input, and categories examined by the Master Plan Steering Committee.

Chair Carty commented there were 28 goals with 6 high priority items at last year's goal setting meeting, and that some of the same trend would likely occur at this meeting. This year was particularly busy for the Town.

Interim Town Manager Bilodeau provided a listing of the high priority items from last year:

- Capital Planning/Division of Local Services report ongoing
- Fairbank Community Center ongoing
- *Fire Station 2 & 3* ongoing
- Bruce Freeman Rail Trail ongoing
- Camp Sewataro purchase to complete next week
- Town Center town center realignment– completed

Selectman Dretler asked if the Town Center property was legally resolved. Interim Town Manager Bilodeau stated she thought it was resolved as indicated by former Town Manager Rodrigues and department heads. Mr. Nason indicated the only issue was the 180 feet of unfinished stone wall. Selectman Schineller questioned the capital planning aspect and a vote to permanently add capital spending to the Town levy. Mr. Keohane confirmed that \$800,000 was in the levy for FY20, which was an increase of some \$400,000 from the FY19 levy. Chair Carty commented that DLS would be discussing this aspect at the next Board meeting.

Selectman Dretler clarified that the Town Center goal was separate from the Sudbury Station land.

Interim Town Manager Bilodeau continued with the ongoing priority items from last year:

- Acquisition and Use of Land
- ADA Transition Plan RFP out yesterday and application grant submitted today
- Board of Selectmen Policies
- Broadacre Farm purchase complete, upcoming Town Forum
- Communication
- Eversource
- Zoning
- Landham Road
- LSRHS Agreement
- *Melone* purchase complete
- Open Space Planning
- *Playgrounds* two remain for completion
- Project Management Tool
- Recreational Planning
- Rte. 20 Sewer Plan Comprehensive Wastewater Treatment Plan
- Senior Needs Assessment completed with full report
- Special Municipal Employees completed, reflects periodic updates/dissolutions
- Three-Year Calendar ongoing
- Town Hall
- Town Master Plan
- Traffic and Transportation

Selectman Roberts considered the Communications goal to be ongoing. Interim Town Manager Bilodeau noted that the Selectmen's Newsletter, Town Manager Newsletter, Facebook and Town website are continually being updated.

Selectman Roberts inquired about the three-year plan. Interim Town Manager Bilodeau responded that the plan reflects everything moving forward. Last year the Board itemized major goals as well as three to five-year long-

range goals. Vice-Chair Brown commented that certain items come up every three to five years such as the senior tax exemption.

Vice-Chair Brown commented that the Special Municipal Employees goal strives to keep Town committee status current and is ongoing. She strongly advocated that the active status of committees be reviewed every three years and kept up-to-date. If the Board of Selectmen creates a special ad-hoc committee for any reason, those are considered Special Municipal Employees. Interim Town Manager Bilodeau detailed that a Special Municipal Employee may have two roles such as an individual being a senior tax worker as well as being a member of the Council on Aging. Senior tax workers are also recognized as Special Municipal Employees. There is a designated Special Municipal Employee listing and, unlike volunteers, Special Municipal Employees must have initial approval by the Board of Selectmen.

Chair Carty introduced Moderator Bob Halpin. Mr. Halpin was the moderator at last year's Selectmen Goal Setting Meeting. He is a senior associate at the Edward J. Collins Center for Public Management at UMass Boston specializing in organizational problem solving and economic development. He has some forty years of related experience and was the former Framingham Town Manager and other towns.

Discuss 2020 Priority Goals/Projects – Staff Input

Rte. 20 Sewer and Sidewalks/Crosswalks

Interim Town Manager Bilodeau stated that the Town Manager search and the Fairbank Community Center were high on her list of goals.

Dan Nason, DPW Director stated that the Town sidewalks/crosswalks and the Comprehensive Waste Management Plan (CWMP) – Rte. 20 Sewer plan are priorities for him.

Selectman Schineller asked if it was possible to obtain Complete Streets Funding for some sidewalks this year. Mr. Nason responded in the affirmative, adding that ADA ramps for mobility should be included in that funding.

Chief Nix noted that he is on the Traffic Safety Committee and reported that the residents are always asking him about the installation of sidewalks and easements. Handicapped provision must be considered as well.

Mr. Nason commented that consideration must also be given to maintenance of such sidewalks when they are constructed.

Environmental Planner Beth Suedmeyer stated that implementation of Complete Streets, Comprehensive Wastewater Management Plan (CWMP), Municipal Vulnerability Preparedness Plan (MVPP), Hazard Mitigation Plan (HMP) and the Master Plan goals are in the works. She stated that the Open Space and Recreation Plan is advancing with the Master Plan process and anticipates great progress to allow for Open Space Acquisition funding. She detailed the 10-year old Sudbury Open Space Acquisition report has been most helpful with prioritizing open space acquisition opportunities.

Ms. Suedmeyer provided update on the Bruce Freeman Rail Trails (BFRT) goal and stated that acquisition of the CSX portion is being pursued in consideration of abutting water resources and considerable conservation lands between Framingham and Sudbury town line. She stressed that this acquisition would influence several areas of goal importance; Town services and infrastructure, open land and recreation, environmental health in consideration of protecting the water resources and conservation lands.

Master Plan, Inclusionary Zoning and Solar Bylaw

Planning and Community Development Director Adam Duchesneau stated that the Master Plan process will be ongoing into 2020 and will need Board of Selectmen action with the implementation likely in 2021. He stated that

inclusionary zoning and other bylaws is worked on by the Planning Board and suggested the Board bring forth any related comments/questions should they have them.

Chair Carty asked if the Planning Board was moving forward with the inclusionary zoning aspect this year. Mr. Duchesneau responded that the Planning Board was working to get that zoning warrant ready for Spring Town Meeting.

Selectman Dretler inquired about the solar bylaw. Mr. Duchesneau explained that currently, the Town does not have a solar bylaw and want to include specifics on that aspect.

Capital Planning

Facilities Director Bill Barletta indicated that from a facilities prospective Capital Planning is important when considering such goals as the Fairbank Community Center and the Fire Station. He emphasized that the Town Manager search is critical to everything the Town does.

Fire Stations

Fire Chief John Whalen stated that he and Mr. Barletta received information from an architect regarding the fire station.

Selectman Schineller asked which station the plans were for. Chief Whalen responded the plans reflected a combination of the two stations and voters at May Town Meeting would determine approval of Fire Station 2. During the design process for Station 2, Chief Whalen added that a module plan was drawn for Station 3 thus saving on architectural fees in the future. The Chief recommended building a new station for Station 2 and then have the plans for Station 3 in the future. Selectman Roberts queried if Station 2 was the Rte. 20 station. Chief Whalen responded in the affirmative. He added it was most important to have an ambulance station on Rte. 20 (near health care centers, senior living centers and increased housing) and provide services at the ALS (advanced life support) level. Chief Nix agreed that area was a busy corridor.

Selectman Schineller asked if there was an ambulance station on Rte. 117. Chief Whalen responded not, and Chief Whalen detailed the proposed staffing of the new stations.

Chair Carty asked if funding for Station 3 would be requested at the 2020 Annual Town Meeting. Chief Whalen responded not. Vice-Chair Brown asked if design and construction would be requested at May Town Meeting. Chief Whalen stated that design and construction of Station 2 would be requested. Chief Whalen also stated the Fairbank Community Center is a priority and the emergency shelter is lacking.

Vice-Chair Brown stated the Board had to examine the LSRHS regional agreement and the high school budgeting process in general and determine how such a budget affects the Town budget. She affirmed the Town should not be presented with such budgeting surprises as last year. Housekeeping items including approval of open session minutes and executive session minutes are necessary and the responsibility of the Board.

Vice-Chair Brown stressed the importance of updating Selectmen's Policies and committee dispositions and ensure that once a committee has achieved its objective, it should be dissolved.

Selectman Schineller asked if a periodic calendar (one-year, three-year, etc.) might help to keep track and take action on such committees. Vice-Chair Brown noted that updating of policies was equally important.

Board members initiated a tax discussion. Interim Town Manager Bilodeau reminded the Board that the related tax rate setting process discussion would formally take place at the October 22nd meeting.

Selectman Dretler mentioned that the goal of transparency in government encompasses shared communications, public records, open meetings, the budget, conflict of interest training, and audit reports.

Selectman Schineller included the goal of transportation and traffic, specifically regarding plans to reduce travel time and congestion across town. He also included a Key Performance Indicator (KPI) dashboard could be included under the broader communication goal/effective governance. Selectman Schineller detailed that the dashboard would indicate not only what the Town spends, but what is received for monies spent. His emphasis was reporting what Sudbury residents are getting for funds in more detail than what Cleargov offers.

Selectman Roberts presented the goal of addressing the abandoned property at the intersection of Nobscot Road and Rte. 20. Interim Town Manager Bilodeau recognized that Selectmen Roberts and Schineller spoke of implementation of a nuisance bylaw at a previous Board of Selectmen meeting. Selectman Roberts would like to see the Board explore this further and understood the language/approach might be somewhat "tricky."

Chief Nix commented that the properties neglected statement could include standing waters and thus be EEE-related and a concern of all Town safety departments. A preferred approach might be to implement a new bylaw in "totality" rather than just referring to one property. Selectman Roberts agreed and added that residents have spoken to her about various properties presenting hazards such as fallen trees due to owner neglect, etc.

Selectman Dretler suggested that such a bylaw in "totality" could be included within the Environment and Wellness category. Selectman Roberts stated that she wanted the nuisance bylaw entered as two goals, one particular to the mentioned property and the other being the "totality" approach.

Selectman Dretler spoke of the Town Hall goal with focus on renovation/execution of a design plan.

Selectman Schineller queried about the soundness of the Town Hall building. Mr. Barletta stated the building was very sound. Selectman Dretler commented the Town Hall roof needed repair and the building was very much underutilized.

Selectman Roberts added a Historic Preservation Plan goal. Vice-Chair Brown agreed and noted it would be prudent to hear what goals the Historic Commission has for their properties, and the Historic District Commission may have other considerations to report.

Mr. Duchesneau asked whether the Preservation goal should be an active BOS goal. Selectman Roberts agreed that the BOS would not actively work on the properties. Vice-Chair Brown commented that the Master Plan goal falls under the domain of the Planning Board, and Mr. Duchesneau confirmed.

Selectman Roberts advocated a strategy for Rte. 20 be a goal in consideration of walkability, beautification, vitality, traffic and economic development. Many of these considerations would be included in the Master Plan. Selectman Roberts affirmed this aspect would likely be a multi-year goal.

Vice-Chair Brown stated that in consideration of infrastructure, Rte. 20 ownership falls with MassDOT and not the Town of Sudbury. Selectman Dretler commented that the Complete Streets project does go through Rte. 20.

Interim Town Manager Bilodeau requested the funding for the ADA Transition Plan be kept as a goal as it opens possible planning for other grants. She affirmed the Landham Road project goal was essential, and Mr. Nason agreed.

Selectmen Dretler mentioned that Sudbury Station and Quarry North goals were not completed.

Chair Carty included changing the name from "Selectmen" to "Select Board" under the Effective Governance category. This would be voted on at spring Town Meeting.

Chair Carty stated the Vocational Education goal could be included within Town Services. He recommended Project Management Review Control and Reporting Process be a goal title and stated that anytime residents are asked for funding for a project, there should be a review process, which is related to the KPI Performance Indicator mentioned earlier. Vice-Chair Brown noted that this aspect is related to transparency.

Selectman Dretler inquired about a social media policy. Vice-Chair Brown answered media policy would be included under Selectmen Housekeeping/Selectmen's Policies goal. Selectman Dretler suggested that the language to update and approve new policies be included in the goal. Vice-Chair Brown indicated that the issue is not the phrasing but the actual "doing."

Mr. Halpin presented all goals on the white board:

Effective Governance and Communication

- Town Manager Recruitment and Selection
- Master Plan
- Inclusionary Zoning
- Solar Bylaw
- LSRHS Agreement and Budgeting
- Public Record Housekeeping
- Oversight Review and Management of Committees
- Update Policies of BOS
- Government Transparency
 - Records
 - Conflict of Interest
 - Open Minutes
 - o Three-year Calendar
- Key Performance Indication (KPI) plus outcomes

Financial Management and Economic Resilience

- Capital Planning
 - o Strategy and Planning
 - o Revenue Diversity
- Property at Intersection of Nobscot Road and Rte. 20
 - o Nuisance Bylaw
 - o Rte. 20 Corridor Plan comes from Master Plan

Town Services and Infrastructure

- Sidewalk Prioritization Process
- Comprehensive Waste Management Plan (CWMP)
- Fairbank Community Center
 - o Satisfy COA space needs
 - o Satisfy SPS space needs
 - o Community Shelter needs
 - o Satisfy Park & Recreation needs
- Fire Stations
 - o Ambulance and Advanced Life Support on Rte. 20
- Town Hall Renovation Execute Design
- ADA Transition Plan leading to new grants
- Vocational Education

Transportation, Mobility and Housing

- Complete Streets
- Plan to reduce travel time across town
- Landham Rd./Rte. 20 intersection

Open Space, Recreation and Historic Assets

- Open Space (recreation) Plan
- BFRT Phase 2D
- BFRT Acquisition CSX
- Historical Preservation Plan
- Melone, Quarry North, Sudbury Station
- Playgrounds

Environment, Health and Wellness

- Municipal Vulnerability
- Solar Bylaw
- Property at Rte. 20/Nobscot Road
- Nuisance Bylaw
- Eversource

At 10:56 a.m. Chair Carty motioned and Vice-Chair Brown seconded the motion.

It was on motion unanimously

VOTED: For a short recess to allow time for Board members to prioritize five goals.

At 11:07 a.m., Chair Carty motioned and Vice-Chair Brown seconded the motion.

It was on motion unanimously

VOTED: To resume open meeting and end recess.

Selectman Schineller Priorities:

- #5 Project Management Control
- #4 Fairbank Community Center/SPS Administrative Space
- #3 Fairbank Community Center/COA Space
- #2 Traffic Plan
- #1 Revenue Diversification Plan

Selectman Roberts Priorities:

- #5 Town Manager Recruitment and Selection
- #4 Fairbank Community Center
- #3 Bruce Freeman Rail Trail Phase 2D
- #2 Capital Planning/Funding
- #1 Improving Communication

Chair Carty Priorities:

- #5 Town Manager Search
- #4 LSRHS Regional Agreement/Budget
- #3 Fairbank Community Center
- #2 Project Management Review and Reporting Process
- #1 Vocational Education

Vice-Chair Brown Priorities

• #5 – Town Manager Recruitment and Selection

- #4 LSRHS Regional Agreement and Budgeting
- #3 Fire Stations
- #2 Fairbank Community Center
- #1 Government Transparency Through Housekeeping

Selectmen Dretler Priorities

- #5 Fairbank Community Center
- #4 CSX Right-of-Way Acquisition
- #3 Fire Stations
- #2 Bruce Freeman Rail Trail 2D
- #1 Capital Planning Process

Results of Combined Selectmen priorities as read by Mr. Keohane:

- 15 Town Manager Search
- 14 Fairbank Community Center
- 8 LSRHS Agreement
- 7 Project Management and Review Process
- 6 Upgraded Fire Stations
- 5 Bruce Freeman Rail Trail
- 4 CSX Rail Trail Portion Phase 2D
- 4 SPS Space and Needs
- 3 COA Space and Needs
- 2 Transportation and Traffic
- 1 Housekeeping
- 1 Revenue Diversification
- 1 Vocational Education
- 1 Improving Communication Effectiveness

Chair Carty stated that the breakpoint reflected the top goals took position up to CSX Rail Trail – Phase 2D and voting would be ratified at a future BOS meeting. Interim Town Manager Bilodeau stated that suggested liaison assignments will also be discussed at a future meeting.

In closing, Mr. Halpin suggested that the Board might consider mission statements for each priority goal at next years' goal-setting meeting in consideration of community involvement.

Selectmen Schineller motioned and Vice-Chair Brown seconded the motion.

It was on motion unanimously

VOTED: To adjourn the meeting

There being no further business, the meeting adjourned at 11:15 a.m.

Attest: Maryanne Bilodeau
Interim Town Manager-Clerk