

IN BOARD OF SUDBURY SELECTMEN

TUESDAY OCTOBER 29, 2019

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia A. Brown, Selectman Janie Dretler, Selectman Jennifer Roberts, Selectman William Schineller (arrived 7:10 p.m.), Town Counsel Lee Smith and Interim Town Manager Maryanne Bilodeau.

The statutory requirements as to notice having been complied with, the meeting was convened at 7:00 p.m. at the Flynn Building – Silva Room.

Chairman Carty called the meeting to order.

Opening Remarks by Chairman

Chairman Carty made several announcements:

- Real Estate and personal property taxes are due by November 4, 2019.
- Animal Control staff will be inspecting Town shelters from November 4-8.
- Veterans' Appreciation Luncheon scheduled for November 6 at 12 noon at the Fairbank Senior Center.
- Water spigots at Town cemeteries will be turned off on November 8.
- DPW drain work during the night will take place on Goodman's Hill Road, October 27-30.
- Selectmen Office Hours will be Saturday, 11:00 a.m. at Peet's Coffee.

Reports from Town Manager

Interim Town Manager Bilodeau had no reports.

Reports from Selectmen

Vice-Chairman Brown stated that the Sudbury Dementia-Friendly Kick-off Celebration is scheduled for November 12, 8:30 a.m. at the Fairbank Senior Center.

Selectman Dretler had no reports.

Selectman Roberts attended two MPSC (Master Plan Steering Committee) Community Conversations and commented that associated feedback is welcomed.

Selectman Schineller commented that he had red-lined Financial Policies and Route 20 shuttle questions and documentation.

Citizen's Comments

There were no citizen's comments.

Consent Calendar

Vote to ratify and sign the MOA between the Town of Sudbury and the Sudbury Public Employee Committee (PEC) to provide health insurance

Vice-Chair Brown motioned and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To ratify and sign the Memorandum of Agreement between the Town of Sudbury and the Sudbury Public Employee Committee (PEC) to provide health insurance through the Group Insurance Commission for another three-year period from July 1, 2020 to June 30, 2023.

Vote to accept a Grant of Temporary Easement on property located at 275 Morse Road

Vice-Chairman Brown motioned and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To accept a Grant of Temporary Easement from Owner Natalie E. Haight on property located at 275 Morse Road, Sudbury, said easement described as “Proposed Temporary Access and Construction Easement” on the plan entitled “Sketch Plan Showing Proposed Temporary Access and Construction Easement,” dated October 1, 2019, prepared by the Town of Sudbury Engineering Department and attached to said Temporary Easement as Exhibit “A.”

Vote to approve award of contract by the Interim Town Manager to WorldTech Engineering, LLC, Trade Center, for engineering services relative to required traffic sign compliance review

Vice-Chairman Brown motioned and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To approve award of contract by the Interim Town Manager to WorldTech Engineering, LLC, Trade Center, suite 5580, Woburn, MA 01801; for engineering services relative to required traffic sign compliance review and local ordinance review; and further, to approve the execution of any documents related thereto by the Interim Town Manager or Town Manager as applicable.

Update Transportation Committee membership and mission statement

Chairman Carty confirmed that he made edits regarding membership in the mission statement.

Chairman Carty noted that the primary Transportation Committee membership includes: (1) core members Deb Galloway of MWRTA and director of the Senior Center, Adam Duchesneau of Planning and Community Development, Sandy Lasky of COA, Alice Sapienza as a citizen member, and himself (Chairman Carty); (2) advisory members Beth Suedmeyer of Planning and Community Development/CrossTown Connect, Representative Carmine Gentile, and Town Social Worker Bethany Hadvab. Chairman Carty detailed that the Transportation Committee has been working diligently, meeting bi-weekly and hoping to soon present information regarding an Uber pilot program.

Selectman Dretler provided several additional edits.

Selectman Roberts asked about a proposed timeline of the Transportation plan and if the Committee would continue. Chairman Carty responded that spring of 2020 was the target date for transportation plan completion. He added that the Transportation Committee could continue after that point, or designate further transportation business to the Planning Board.

Selectman Schineller motioned and Selectman Roberts seconded the motion.

It was on motion unanimously

VOTED: To update the Transportation Committee membership and mission statement.

Election of Officers and Directors for Camp Sewataro, Inc.

At 7:15 p.m. Attorney Smith recommended that the Board vote on two matters: first, to elect the Board of Selectmen as officers of the Sewataro corporation, and second, to dissolve this corporation. He detailed these two aspects related not to the acquisition of the real property of Camp Sewataro by the Town yesterday, but rather to the associated corporate shares of Sewataro, Inc., whose former members have resigned. Once the corporate shares have been transferred to the new Board the new corporation can be dissolved, leaving those assets to the Town.

Selectman Dretler asked if shares are valued. Attorney Smith indicated that he believed not because Sewataro, Inc. had liquidated assets other than the personal property and the goodwill the Town has acquired.

Selectman Schineller questioned if BOS members would be appointed as officers of Camp Sewataro, Inc. Attorney Smith affirmed adding that filing would be done through the secretary of state and IRS and would take several weeks.

Selectman Roberts asked about the liquidation aspect. Attorney Smith detailed that books and associated records were liquidated, but the value of the property, equipment, intellectual assets, and goods will remain the same. Selectman asked if there was precedent for these steps and if it had been legally vetted. Town Counsel said they are not aware of a precedent but that they were comfortable that it had been legally vetted.

Chairman Carty summarized that the votes were to appoint officers of the existing corporation, and then to take the steps necessary to dissolve the corporation once the filings are complete.

Selectman Dretler asked if there was a downside to this waiting period in the next several weeks. Attorney Smith reiterated that the sooner this action is initiated the better, before any other requirements could be imposed.

Selectman Dretler inquired about related taxation. Attorney Smith responded the final tax filing is the responsibility of the owner, which is the Town, but that the agreement requires the former owners to supply the tax information up until the closing and no additional information is required at this time. Selectman Dretler queried if the Town would be responsible for employee-related taxes. Attorney Smith replied that the Town does not have tax liability because there are no employees in the said corporation.

Selectman Schineller asked about the Articles of Incorporation. Attorney Smith detailed that the five Board of Selectmen members would likely serve as temporary officers of Camp Sewataro, Inc.

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

It was on motion unanimously

VOTED: To elect the Board of Selectmen members: Chairman Daniel E. Carty, Vice-Chairman Patricia A. Brown, member Janie W. Dretler, member William J. Schineller and member Jennifer S. Roberts to be appointed officers of Camp Sewataro, Inc.: Daniel E. Carty – Chairman/Director, Patricia A. Brown – Vice-Chairman/Director, Janie W. Dretler – Director, William J. Schineller – Director, Jennifer S. Roberts – Director.

Dissolution of Camp Sewataro, Inc.

Vice-Chairman Brown motioned and Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: That the Board of Selectmen acting as shareholders, in capacity as Board of Directors of the corporation known as Camp Sewataro, Inc., acquired by donation in connection with Camp Sewataro property acquisition, authorize dissolution of the corporation and authorize the Chairman of the Board of

Selectmen to execute such documents and make such filings with the Secretary of the Commonwealth and the Internal Revenue Service as may be necessary or appropriate in order to consummate the dissolution of the corporation and wind up the affairs of the corporation.

Discussion/vote on Town Manager Advertisement and update

Present: Bernard Lynch, Principal; Sharon Flaherty, Associate; John Pepin, Associate; all of Community Paradigm Associates, LLC.

Mr. Lynch provided an update to the Town Manager search process, adding that he had distributed the profile documentation to the Board last week. The documentation could be advertised as soon as the Board votes to approve it.

The Board discussed edits made and the proposed Town Manager salary.

Ms. Flaherty stated that Paradigm Associates, LLC was waiting the Board of Selectmen 2020 Goals report.

Selectman Schineller commented that the ideal Town Manager candidate should possess considerable legal and negotiation skills. Vice-Chairman Brown affirmed that the proposed candidate should have as many professional skills as possible, and felt it would be acceptable to itemize said skills within the profile document.

Selectman Roberts motioned and Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: To accept the Town Manager Profile document/advertising, as amended

Chairman Carty asked about the selection timeline. Interim Town Manager Bilodeau stated that all Town Manager Search Committee appointment letters were sent today with one exception.

Mr. Lynch commented that the Profile will be advertised tomorrow and hoped to meet with the Town Manager Screening Committee by the first week in December, with interviews commencing the beginning of January. Interim Town Manager Bilodeau stated that a Town webpage with postings of related meetings is being created.

Mr. Lynch mentioned there was community interest and several individuals might be referring prospective candidates.

Selectman Dretler asking if the firm was looking outside Massachusetts, and Mr. Lynch affirmed that the firm was looking outside the state.

Vice-Chairman Brown stressed it was most important to maintain confidentiality regarding applicant information. Mr. Lynch was in complete agreement, adding Community Paradigm always works in the Town's best interest.

Discussion on letter of support to The Sudbury Foundation regarding Sudbury Housing Authority's undertaking of preliminary assessments of Town-owned parcels for potential future development of affordable rental housing

Present: Steven Swanger of the Sudbury Housing Authority (SHA)

Chairman Carty referred to the affordable housing letter of support addressed to The Sudbury Foundation composed by Sudbury Housing Authority (SHA). The letter proposed Board of Selectmen support and outlined three properties of interest: some three acres on Old Lancaster Road, some two acres at Frost Farm and some four acres at Broadacres Farm.

Chairman Carty affirmed that Mr. Swanger met with each member of the Board regarding requested support of such housing. Chairman Carty maintained that the Town has worked diligently to achieve the 10% safe harbor as

defined by 40B state zoning, and he has no desire to go above that 10% until every other MA community does so. He did recognize the need to stay above the 10% and conceptually thought the idea was a good one, but wanted to hear more about inclusionary zoning. He expressed reservations about the development of affordable housing at Broadacres Farm.

Selectman Schineller thanked Mr. Swanger for reaching out to the Board and spoke about the possibility of a low-density historic structure at Broadacres Farm.

Selectman Roberts stressed that lead time for this type of project is considerable, and indicated that SHI is on solid ground, but cannot be assumed given Town growth. She expressed concerns about housing at Broadacres Farm in consideration of the historical aspect and maintaining the character of the Farm. More information was needed and seeing the results of the Broadacres Farm Forum was important before she could make an endorsement.

Selectman Dretler agreed with Selectman Roberts, and noted the assessment would be another tool to help the Town to evaluate the future of Sudbury. She stated that inclusionary zoning needed to be understood and she appreciated Selectman Schineller's idea of historic reuse of buildings.

Vice-Chairman Brown indicated that she wanted to review community input at the upcoming Broadacres Farm Forum before endorsing such letter. Chairman Carty asked if the Board could ask CPC for a project deadline extension and request 50% (\$25,000) for the proposed assessment project, with The Sudbury Foundation funding the other 50% (\$25,000).

Vice-Chairman Brown agreed that the Selectmen could ask. She wanted any CPC request to come from the Board as a whole.

Selectman Dretler commented that when Broadacres was presented at Town Meeting that one of the parcels was indicated for municipal use, including housing.

Selectman Roberts stated that this proposal is not an "all or nothing" concept, but she was not comfortable making an endorsement of housing at Broad Acres without the SHA assessment.

Mr. Swanger suggested that "low-density housing" language could be included in the letter of support and noted that affordable housing at Broadacres Farm could mimic the farmhouse.

Chairman Carty stated that more conversations had to take place with the Planning Board and CPC, and hoped that CPC might extend the project submission deadline. If CPC did not extend the deadline at this time, the Board could apply during the next quarter.

Selectman Dretler asked if the Board would be overstepping their authority by asking CPC to consider extension and associated funding. Vice-Chairman Brown indicated that such a request would not be overstepping BOS authority.

Chairman Carty asked Mr. Swanger what the urgency of the support letter was. Mr. Swanger responded that hundreds of people are awaiting affordable housing, and the safe harbor requirements continue to move forward.

Chairman Carty commented that he understood the importance of affordable housing and indicated that waiting a couple of weeks after assessing the Forum would not change the disposition. The Board would discuss such results at their December 3rd meeting. Chairman Carty will reach out to Mr. Duchesneau in Planning and Community Development about inclusionary zoning.

Selectman Roberts commented that she attended a homelessness symposium recently, and acknowledged that there are some Sudbury residents that desperately need housing. She said it would be helpful for the broad affordable housing conversation if the Planning Board and SHA had goals for volume. Mr. Swanger stated it is

difficult to set goals for SHA growth given all the variables, and Selectman Roberts agreed it might be more reason for the Planning Board.

Selectman Dretler said we should be mindful of proposed legislative changes at the state level regarding zoning (moving from 2/3 to majority vote for aspects of housing) as well as a letter from Needham BOS and Planning Board proposing changes. She said that doing research such as the SHA assessment could help us stay ahead of changes.

Selectman Brown stated she would like to wait for the Broad Acres Town Forum to occur – and hear from the community - before determining next steps.

Selectman Roberts stated it would be helpful to have more information from the SHA assessment so that the results could be used when considering different options for Broad Acres. She requested that BOS review the letter again in early December after the Town Forum so that the assessment could start if approved.

Chairman Carty suggested that he and Mr. Swanger meet with The Sudbury Foundation and CPC.

Goals discussion and vote liaison assignments to goals

Chairman Carty mentioned that the Board will cover deliverables and vote on liaison assignments. The Board discussed several deliverables reflective of 2020 goals:

- Town Manager search completion
- Fairbank Community Center
- LSRHS Regional agreement/budgeting
- Develop project management review, control and reporting process
- Upgrade Fire Station 2
- Bruce Freeman Rail Trail (BFRT)
- CSX Rail Acquisition
- SPS administration space needs
- Capital funding capacity
- Housekeeping
- Transportation/traffic
- Revenue diversification
- Membership in vocational education
- Improved community communication

Selectman Dretler motioned to accept goals/deliverables subject to amendment. Selectman Roberts seconded the motion.

It was on motion unanimously

VOTED: To accept goals/deliverables subject to amendment.

Liaison assignments were assigned to Selectmen.

- Chairman Carty: Town Manager search, transportation and traffic, vocational education
- Vice-Chairman Brown: LSRHS Regional agreement, Fire station 2, BOS housekeeping
- Selectman Schineller: Project management control, Capital Funding capacity, COA space needs, SPS space needs
- Selectman Roberts: Fairbank Community Center, CSX, Revenue diversification
- Selectman Dretler: BFRT and community communication.

Review of policy and suggested policy changes related to contract approval by the Town Manager

Interim Town Manager Bilodeau summarized that currently the Town Manager is authorized to execute contracts up to \$25,000 without approval by the Board of Selectmen and to provide a list of all contracts approved annually to the Board of Selectmen. She is requesting Board approval to award and execute contracts up to \$200,000 for goods and services, public works projects, building projects, and any contract resulting from Town Meeting approval in any amount for a specific article, per recommendation of department heads, and to provide a list of contracts semi-annually. She added that Finance Director Dennis Keohane confirmed that necessary safeguards are in place.

Interim Town Manager Bilodeau stated that such an increase would expedite the approval process and the efficiency of contracting by various Town departments and help ensure timely interactions with vendors and contractors.

Interim Town Manager Bilodeau detailed that Town Counsel reviews all contracts.

Selectman Dretler commented that contract policy was updated in 2016 and distributed the updated policy to the Board. She wanted to see what other communities are doing. Selectman Dretler requested a three-year contract listing for Board review. Selectman Dretler expressed concern about making policy changes before a new Town Manager has been hired. Interim Town Manager Bilodeau agreed to provide such a listing.

Selectman Roberts agreed that the increase in contract approval reflected a big leap, and wanted to review the three-year contract listings with amounts.

Chairman Carty was interested in seeing proposed upcoming contracts as well. Vice-Chairman Brown recommended viewing of procurement documentation.

Selectman Roberts recommended that Interim Town Manager Bilodeau communicate to department heads that the Board has concerns about this policy change.

Discussion and update on Fairbank Community Center

Interim Town Manager Bilodeau stated the architect has come with their first proposal of what it might look like and that Facilities Director Bill Barletta will be leading a related public meeting with the three user groups to see the architect's proposal on November 7th at 6:30 p.m. at Town Hall.

Chairman Carty stated that cost estimates will be presented at the joint meeting of the Board of Selectmen with the Fairbank user groups on November 19.

Citizen's Comments (cont.)

There were no citizen's comments

Discuss upcoming agenda items

Agenda items for November 5 meeting:

- Joint Meeting with Finance Committee
- Joint Meeting with Park & Rec Commission to interview candidate
- Sudbury Foundation letter of support for affordable housing follow-up
- Alcohol serving extension
- Paani Cuisine – pledge of alcohol license
- Fall Town Forum discussion
- Interview candidate for COA appointment
- Possible joint meeting with Permanent Building Committee (PBC)

Agenda items for November 19 meeting:

- Tax Classification Hearing
- Update with architect regarding Fairbank Center cost estimate

Thursday, November 21:

- Broadacres Town Forum at Town Hall

There being no further business, the meeting adjourned at 10:50 p.m.

Attest: _____

Maryanne Bilodeau
Interim Town Manager-Clerk