

IN BOARD OF SUDBURY SELECTMEN

TUESDAY, JANUARY 7, 2020

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia A. Brown, Selectman Janie Dretler, Selectman Jennifer Roberts, Selectman William Schineller 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 Town Hall – Lower Level.

Chairman Carty called the meeting to order.

Opening Remarks by Chairman

Chair Carty made several announcements:

- Selectmen Office Hours – January 21 at Goodnow Library, 7:30 p.m. Selectmen Roberts and Schineller will be in attendance.
- Special Town Meeting was well-attended. Article 1 – Stone Farm – failed; Article 2 – incorporating “Select Board” title – passed; Article 3 – Fairbank Community Center – indefinitely postponed.
- Town Committee/Board opening. February 6, 2020 deadline for candidate Intention Forms and Packet for 2020 Town Election on March 30, 2020.
- Town Meeting Warrant open and articles due by 11 a.m., January 31, 2020.
- 2020 Annual Town Meeting beginning on May 4th at LSRHS.
- Sudbury Public School Committee met last night and approved the school budget, kept within the 2.7% guideline.

Reports from Town Manager

Interim Town Manager Bilodeau announced Sudbury received a \$89,000 IT grant from the Community Compact. The funding would allow for Town-wide fiber optic networking.

Reports from Selectmen

Vice-Chair Brown had no comments.

Selectman Schineller commented that the Special Town Meeting held on January 2nd was worthwhile and he applauded all who attended. He noted that the Historic Districts Commission aided in guiding the public to always consider historic preservation in Town.

Selectman Roberts thanked all for attending the Special Town Meeting and expressed her appreciation for the approved “Select Board” Article as initiated by Selectman Dretler.

Selectman Dretler also thanked residents for their participation at Special Town Meeting. The Hazard Mitigation Plan – Public Workshop is scheduled for January 29, at Town Hall from 6:30 p.m. to 8:30 p.m.

Selectman Dretler requested that residents complete and mail the Sudbury Town Census form.

Chair Carty mentioned that several steps are required before the “Select Board” title is official. Interim Town Manager Bilodeau stated the state legislative process continues. Selectman Roberts asked how long the process might take. Interim Town Manager Bilodeau responded completion might take three months.

Citizen’s Comments

There were no citizen’s comments.

Discussion and possible vote on speed limits

Present: Police Chief Scott Nix

Chief Nix explained the proposed provision would allow the speed limit to decrease from 30-miles-per-hour to 25-miles-per-hour in prime residential roadways in Sudbury, excepting those roads with existing speed signs posted.

Selectman Schineller mentioned that some view the lowering of speed limits as a means of issuing more tickets and increasing Police Department revenue. Chief Nix responded that the lowering of speed limits did not correlate with increased department ticketing revenues and the Department would continue to maintain a safety educational approach.

Selectman Roberts expressed relief that existing postings would remain in force and appreciated the Police efforts to keep Sudbury a pedestrian-safe community. She added that Concord and Framingham have adopted similar speed limit changes. Chief Nix stated that additional communities will be adopting such measures.

Chair Carty motioned and Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: To establish a speed limit of 25-miles per hour in the Town of Sudbury thickly settled and business districts, as defined in M.G.L. c.90 s.17C and in accordance with Article 6 of the October 15, 2018 Special Town Meeting.

Construction options for Fire Station #2 on Route 20

Present: Fire Chief John Whalen

Chief Whalen explained that the Sudbury business district is the busiest area in Town and many ambulance calls are made in consideration of the increased number of nursing facilities. Meadow Walk calls have consistently increased over the last couple of years.

Chair Carty inquired about engine calls. Chief Whalen explained that four people are needed on an emergency call in addition to an ambulance.

Selectman Schineller asked about the required number of fire personnel required for an ambulance call. Chief Whalen responded two.

Selectman Roberts asked if the incidence of drug-related calls has increased. Chief Whalen responded not. He stressed the need for additional housing at the proposed station for an ambulance crew to maintain an ambulance at that site.

Chief Whalen detailed the benefits associated with the phased-type building plan for Station 2. He added the fire apparatus would remain in the bay while the Phase I living quarters were constructed. The bays would be replaced when Phase II was constructed.

Chief Whalen stated the current station only accommodates two people, the crew for the firetruck.

Discussion regarding equipment and proposed phasing took place.

Selectman Roberts asked about shifts. Chief Whalen responded firefighters worked a 24-hour shift, went home, worked another 24-hour shift and then were off for five days, which represented a 48-hour, 8-day work cycle.

Selectman Dretler inquired about engines running inside the station. Chief Whalen responded that there is a special filter system that eliminates all fumes in all three fire stations.

Chief Whalen stated that the probable cost for Phase I was \$4,103,000 and the probable cost for Phase II was \$6,403,000.

Selectman Dretler asked about associated demolition. Chief Whalen replied that no demolition is being done with the Phase I plan and now pre-planning for site and stormwater management can be addressed.

Chair Carty noted that the proposed plan would address the ambulance problem, and add the required housing to accommodate four firefighters which could include female housing.

Selectman Roberts queried about additional room at the proposed station. Chief Whalen replied that a fitness area, first-aid area and public bathroom were included in the proposed plan.

Selectman Dretler noted that the proposed plan still retains the “short” door aspect, which limits the height of vehicles moving into the garage.

Selectman Roberts asked how many times the engines were taken out. Chief Whalen responded that the engines are taken out daily, adding that heavy maintenance work is somewhat inconvenient so most mechanical work is done during good weather.

Selectman Dretler asked when the Fire Headquarters on Hudson Road was built. Chief Whalen replied that the Fire Headquarters was 27 years old.

Chief Whalen commented that the Quarry North project will increase fire department calls.

Vice-Chair Brown pointed out that the Fire Station Article must be finalized for May Annual Town Meeting.

Selectman Schineller recommended the Board endorse Phase I with elimination of the fitness room and watch room.

Chief Whalen added that the watch room is needed for office space. In relation to the proposed office space, Selectman Dretler asked if Fire Department records are kept on site. Chief Whalen replied that a senior worker is currently scanning all documents/records. He indicated that the fitness room was very much needed.

Vice-Chair Brown asked whether Firefighters could be provided with a fitness club membership at a local club, in effort to lower construction cost by eliminating the proposed fitness room. Chief Whalen stated that getting firefighters to an independent health club would be difficult in consideration of the heavy gear that they wear and the fact that the fire truck/s would have to park at a particular health club.

Selectman Dretler said she appreciated the phased approach but acknowledged that it was less cost overall to do the whole project at one time. Selectman Dretler stated Phase 1 for Station 2 solved a lot of the main issues for public safety needs.

Selectman Roberts stated that she favored the phased approach, especially in consideration of other major projects being presented at ATM, particularly the Fairbank Community Center.

Chair Carty asked if the Board wanted to present the Fire Station Article at May Town Meeting. Chief Whalen commented that the construction project has been considered for years.

Chair Carty noted that a phased plan would be more likely to pass at Town Meeting.

Vice-Chair Brown indicated preference of the phased approach, which provided flexibility.

Discuss and vote whether to sponsor 2020 Annual Town Meeting article to adopt legislation allowing the Town to grant one (1) additional alcoholic beverages serving license. National Development to present ownership group, BPR Sudbury LLC, in the request for the issuance of a liquor license to support the addition of a restaurant to the retail lineup at Meadow Walk.

Present: Steve Senna, National Development and Leah Harsfield, National Development.

Ms. Harsfield provided an update and stated that she has been working with Interim Town Manager Bilodeau and Town Counsel coordinating proposed language. She confirmed the secured lease with the Farmer's Daughter Restaurant. Ms. Harsfield detailed that the restaurant was a "farm to table" eatery which primarily served breakfast, lunch and events.

Ms. Harsfield maintained the Farmer's Daughter would be the anchor lease at Building #2 with 4,000 square feet.

Chair Carty stressed that the Board did not want the proposed license transferred to Whole Foods under any circumstance. Mr. Senna and Ms. Harsfield confirmed that such license would not be transferred to Whole Foods.

Selectman Dretler expressed her enthusiasm for the restaurant and emphasized that it would be necessary that the Board see a signed and dated plan which depicted buildings 2, 3, 4 and 5, as well as, the agreed upon alcohol license language. Mr. Senna confirmed that such request would be addressed.

Selectman Dretler suggested the Select Board review its policies for alcohol licenses. She stated the policies were last updated in 2013.

Interim Town Manager Bilodeau recommended that the word "only" be added to building description language. Selectman Dretler reiterated that such identifying building language and dating of plans was essential. Mr. Senna acknowledged that Town Counsel and National Development were satisfied with the current article language, but some alteration could be easily included.

Chair Carty stated that the spirit of the Board is to move forward. Vice-Chair Brown stated that the draft article must be submitted by January 31, 2020, but could even be amended on the floor of Town Meeting, if required. Chair Carty commented that the proposal will be discussed at the January 28th Board meeting.

Ms. Harsfield noted that additional outdoor seating for the restaurant would be included. Selectman Dretler commented that the sidewalk was somewhat narrow at the site.

Selectman Roberts stated that she was pleased to note that the owner of The Farmer's Daughter might consider expanding her service. Ms. Harsfield added that the restaurant would provide catering services.

Chair Carty motioned and Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: To sponsor 2020 Annual Town Meeting article to adopt legislation allowing the Town to grant one (1) additional alcoholic beverages serving license. National Development to present ownership group, BPR Sudbury LLC, in the request for the issuance of a liquor license to support the addition of a restaurant to the retail lineup at Meadow Walk, pursuant to amendments being made per request of Selectman Dretler.

Chair Carty stated that the final motion would be presented at the BOS meeting on January 28.

Selectman Schineller inquired about the possibility of solar installation on the roof of the restaurant. Mr. Senna responded that National Development had discussed the idea and concluded that such installation would not work at this site in consideration of limited life of such a system and this lease has as five-year lease option.

Discussion regarding process for Town Manager candidate interviews

Chair Carty stated that the interview process will begin at 5:45 p.m. on January 9 and the Board will present questions to candidates as quickly as possible. He added that the Town Manager Screening Committee reviewed

32 resumes, selected six finalists, with candidates Zachary Blake and Henry L. Hayes, Jr. to be interviewed by the Board. He indicated that the Board will likely announce the chosen candidate after interviewing on January 9.

Chair Carty detailed that the Board will discuss the Town Manager offer and negotiations during an Executive Session on January 15.

Interim Town Manager Bilodeau mentioned that if Board members had additional questions, they could reach out to Mr. Lynch.

Chair Carty stated that each candidate will be interviewed by the Board for approximately one hour. Interim Town Manager Bilodeau added if each interview ran over the one-hour period, it would not be a problem.

A discussion regarding interview questions took place.

Discussion and possible vote on Town Counsel 3-year Evaluation

Chair Carty explained that every three years an evaluation of Town Counsel must take place.

Interim Town Manager Bilodeau noted that submitted Board comments rated current legal counsel on a scale of 1 to 5 and three members assigned a 5 rating and two members assigned a 4 rating.

Chair Carty stated that he rated Town Counsel as 5 because they are very accessible and the last couple of years KP Law worked on several complicated matters, such as Quarry North, Sudbury Water District, and Camp Sewataro. Vice-Chair Brown maintained that she was pleased with current Town Counsel and would not recommend transition with a new Town Manager being appointed. Selectman Schineller stated that he was impressed with the services that KP Law has provided and ranked them with a 5 rating. Selectman Roberts stated that she was impressed with the performance of KP Law and assigned a 4 rating. Selectman Dretler stated that there is always room for improvement and rated KP Law with a 4 designation.

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

It was on motion unanimously

VOTED: Based upon the favorable evaluation of KP Law, PC and in accordance with Article VII of the General Bylaws, the Board has determined that it is not in the Town's best interest to issue a request for proposals for Town Counsel candidates and authorizes the Interim Town Manager to negotiate a new three-year contract commencing July 1, 2020 through June 30, 2023, for the Board's review.

Discussion on the Fairbank Community Center

Interim Town Manager Bilodeau explained that the working group met during the Christmas week and will have answers to all presented questions by mid-January. She added that Fairbank public presentations would begin in February.

Selectman Roberts mentioned various aspects regarding questions.

Interim Town Manager Bilodeau recommended that all Town Boards/committees view the project architect presentation made to the Board as provided by SudburyTV. She added the architect would be available at Town Meeting and at Fairbank public forums.

Selectman Roberts asked about the planning of public communications.

Interim Town Manager Bilodeau responded staff, particularly Facilities Director Bill Barletta, would be responsible for Fairbank communication and presentation. Selectman Roberts offered her assistance with any related communications.

Selectman Schineller stated that he is currently working with Town Counsel on a Fairbank Plan B article,

Interim Town Manager Bilodeau noted that the Fairbank Plan B article needed to be presented and discussed at the January 28th Board meeting. She explained the process, noting that the Board would vote about inclusion of a Plan B Article on the Town Meeting Warrant.

Vice-Chair Brown affirmed that such decision must be made at the January 28th Board meeting. Interim Town Manager Bilodeau suggested that an Executive Session be held before the open meeting on January 28.

Citizen's Comments (cont.)

There were no citizen's comments.

Discuss Upcoming Agenda Items

For January 9th meeting:

- Interview Town Manager candidates

For January 15th Executive Session:

- Conduct strategy session in preparation for negotiations regarding new Town Manager

For January 28th meeting:

- Meeting to begin at 6:30 p.m. to discuss all warrant-related aspects. Legal Counsel will be in attendance.
- Interim Town Manager Bilodeau indicated that an Executive Session would likely be scheduled before the Open Session meeting.

Future Meetings:

- Discuss LSRHS Regional Agreement
- Present Broadacres Report and Charrette results at February 11 meeting
- Inclusionary Bylaw to be discussed sometime in February or March
- Motorized vehicles on CSX/Bruce Freeman Rail Trail

Consent Calendar

Authorize the Interim Town Manager to submit 2020 Annual Town Meeting articles on behalf of the Board of Selectmen

It was on motion unanimously

VOTED: To authorize the Interim Town Manager to submit 2020 Annual Town Meeting articles on behalf of the Board of Selectmen.

Accept \$10K donation from LSRHS to support the Featherland Multisport Court Project Phase 2

It was on motion unanimously

VOTED: To accept \$10K donation from LSRHS to support the Featherland Multisport Court Project Phase 2 (Article #30 approved at ATM 2019).

Accept Baypath Elder Services grants for a total of \$20,929.00

It was on motion unanimously

VOTED: To accept Baypath Elder Services grants for a total of \$20,929.00, as requested by Debra Galloway, Senior Center Director.

Vote to approve the regular session minutes of 10/11/19, 11/5/19, 11/19/19 and 11/21/19

Chair Carty stated that minutes are not intended to be a transcript but rather a capture of a general theme. He indicated that inclusion of numerous edits made for difficult reading.

Vice-Chair Brown noted that if future meeting minutes were to be done in this way, an additional step would be needed.

Selectman Roberts thanked Vice-Chair Brown for her contribution with the minutes and questioned if an added step in the process would be preferred.

Chair Carty recommended that a sentence would be enough and if grammar were an issue, the originator of the report should make that correction.

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

It was on motion unanimously

VOTED: To accept the minutes of 10/11/19 as amended.

Selectman Dretler motioned and Selectman Roberts seconded the motion.

It was on motion unanimously

VOTED: To approve the minutes of 11/5/19 as amended.

Chair Carty made a correction to a statement he made; language was amended to reflect “cheap” and not “high.”

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

It was on motion unanimously

VOTED: To approve the 11/19/19 minutes as amended.

Chair Carty motioned and Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: To approve the 11/21/19 minutes as amended.

There being no further business, the meeting adjourned at 9:43 p.m.

Attest: _____

Maryanne Bilodeau
Interim Town Manager-Clerk

01/07/20 Documents & Exhibits

1. Discussion and possible vote on speed limits.

Attachments:

- 1.a TM Vote for 25 MPH Thickly Settled
- 1.b Board of Selectmen Memo fo 1-7-20

2. Fire Chief to present construction options for Fire Station #2 on Route 20.

Attachments:

- 2.a Sudbury FD - Option 1 - Complied - Handout V3
- 2.b Station 2 Building_Apperatus Plan V1

3. Discuss and vote whether to sponsor 2020 Annual Town Meeting article to adopt legislation allowing the Town to grant one (1) additional alcoholic beverages serving license.

Attachments:

- 3.a warrant_article_re__Meadow_Walk_-_alc__license_special_act__
- 3.b Alcohol Rules and Regs_nr
- 3.c Alcohol License Quotas
- 3.d Meadow Walk Presentation 12.3.19

5. Discussion and possible vote on Town Counsel 3-year Evaluation

Attachments:

- 5.a Town Counsel Evaluation - Bylaw Art VII
- 5.b 3 Year Evaluation of Town Counsel 1-7-20

8. Discuss upcoming agenda items

Attachments:

- 8.a POTENTIAL UPCOMING AGENDA ITEMS_1_7_20

9. Approve regular session minutes of 10/11/19, 11/5/19, 11/19/19, and 11/21/19.

Attachments:

- 9.a IN BOARD OF SUDBURY SELECTMEN_DC_PB_JR_JD_10.11
- 9.b IN BOARD OF SUDBURY SELECTMEN_11.5_DC_PB_JR_JD
- 9.c IN BOARD OF SUDBURY SELECTMEN_11.19_DC_PB_JR_JD
- 9.d IN BOARD OF SUDBURY SELECTMEN_11.21_PB

11. Vote to accept \$10K donation from LSRHS to support the Featherland Multisport Court Project Phase 2 (Article #30 approved at ATM 2019).

Attachments:

- 11.a ATM Article 30 Presentation May 2019 PRC
- 11.b Letter from LS - Featherland Tennis Courts 2019

12. Vote to accept Baypath Elder Services grants for a total of \$20,929

Attachments:

- 12.a memo to selectmen re baypath grants with Attmts