

IN BOARD OF SUDBURY SELECTMEN
EXECUTIVE SESSION
TUESDAY, DECEMBER 4, 2018

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

The statutory requirement as to notice having been complied with, the meeting was convened at 6:45 p.m. in the Lower Town Hall.

Executive Session

It was on motion unanimously

VOTED: to immediately enter Executive Session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (Melone/Quarry North).

Town Manager Rodrigues stated that Planning Consultant, Judy Barrett, thinks that DHDC will not favor the 40R application for Sudbury because of continued litigation with Sudbury Station and per capital consideration.

Chairman Haarde stated that DHDC would not favor a side by side comparison of Sudbury Station and the Quarry North/Melone project. Both Chairman Haarde and Town Manager Rodrigues agreed that Judy Barrett is a very cautious person, and has much experience with DHDC.

Chairman Haarde stated that if Article 4 was voted at Town Meeting, the Quarry North plan could still go forward as a 40B plan.

Town Manager Rodrigues stated that she met with Town Counsel and the Town Moderator, and noted that if the articles fail, the Melone disposition could be brought back to Town Meeting in another month or two with the effort of keeping the negotiations going.

Selectman Dretler stated that if all fails, the Town must keep up the fight with Sudbury Station litigation. Selectman Simon mentioned that the course of action depends on the December 11 Town Meeting and the consideration is if the vote is close, then the plan would be to come back to Town Meeting soon.

Town Manager Rodrigues affirmed that if Articles 4 and 6 did not pass at Town Meeting, the Town would not be able to go forward with the Quarry North proposal. If Article 1 failed, there is no longer a deal with Quarry North.

Chairman Haarde asked the Board that if voted down, what would the Board want to do?

Vice-Chair Carty stated that the Town did not want to be left exposed, and that if only Article 4 passed, that would be a response from the voters. Town Manager Rodrigues reiterated that the passing of Articles 4 and 6 would be necessary in order to continue negotiations with Quarry North. It could proceed into an IP situation if Article 4 fails.

Vice-Chair Carty emphasized that if all fails, then Article 6 could be Indefinitely Postponed (IP), and all members agreed.

Chairman Haarde stated that the stabilization fund should have been moved out of the Melone site before this time as it has hurt the negotiation position, and the Board does not want that money to remain out there. Town Manager Rodrigues stated that the Town will be able to move the stabilization money as there are other worthy places for it, such as Broadacres, and she spoke to the Town Moderator regarding amending the Article.

Chairman Haarde stated that the priority for capital will be set, and it can be used in Town Center or Broadacres, and it may get voted down. The Board will be further discussing Article 5 later this evening in open session.

Selectman Dretler noted that this fund represented a sizable amount of money, and voters need to understand the breakdown to be able to vote on it. Chairman Haarde replied that the breakdown involves clearing and preparation of land, parking, and other implementations for the Rail Trail, so funds could go into the Rail Trail.

Selectman Dretler mentioned that the Board must be very clear about what the proposed intention is going forward. Town Manager Rodrigues responded that the article can be amended to indicate the general intention of something like "other capital needs."

Chairman Haarde stressed that the momentum cannot be lost with Melone.

It was on motion unanimously

VOTED: To close Executive Session, and immediately enter into open session.

Meeting adjourned at 7:00 p.m.