

Park and Rec Commission Meeting
April 25, 2016

Paul Griffin, Bobby Beagan, Jim Marotta, Mike Ensley, Dick Williamson, Guests: Pat Brown, Mara Huston, David Spielman, Rhona Jarmulowicz, Lisa Kouchakdjian, Robin Cavanaugh, Arthur Huston, Siobhan Hullinger

Minutes from March 29th approved with edits and the attachment of the Town Manager email.

Public Comment - David Spielman, Wellesley Ma, a member of Charles River Radio Flyers spoke to the Commission regarding summer field scheduling. He stated this was the first time the Radio Flyer group has a potential conflict for one of their summer events. He stated another group is advertising they have reserved space at Davis Field on a date that the Charles Radio Flyer group had used in past years and had requested for this summer. Kayla stated she has received several summer field requests, but is not looking or confirming any dates until after May 1, 2016. No one has been issued any permits and the current field policy will be followed. Mr. Spielman stated his concern about the other group because he heard they were going to fly drones and attract a large audience, over 1,000. He suggested an earlier review date for the summer field activities. Kayla stated she had received the request from the other group but assured Mr. Spielman and the Commission that no permits have been issued. Kayla will review all summer permit requests after May 1 and then will follow the current field policy. Jim M. agreed the current policy should be followed. Mr. Spielman stated he would reach out to the other group to see if they can work together on addressing the date conflict. Paul G. mentioned it was stated on the Charles River Radio Flyer website stated they have use of Davis Field when organized fields are not using the field. Paul said he would like to see set times for the use of the field by the airplane group. Jim stated the Commission will discuss the Field Permit Policy at the next meeting.

Jim M read an email from the Town Manager stating that Commission members should use their position correctly. (attached is email from Town Manager)

Kayla updated the Commission on what she has been working on and what has been accomplished since the last Commission meeting. She stated the pool may be in a deficit since there are no retained earnings. She presented data to show that the fee increase for the Pool FY17 is needed in order to cover the increase in minimum wage, increase in utility and maintenance expenses.

Pool FY 2017 Increases - Jim Marotta addressed Mara Huston's email that he received after the last meeting when the Commission voted to increase the Atkinson Pool Fees. Mara questioned the increase in Pool fees when the Commission decided not to increase the Field fees. She also stated that she felt Sudbury swim teams should pay less than the outside swim teams. Mara stated her concern that the increase in pool fees will hurt the memberships and requested that the Commission wait for 3 months and review the numbers again to see if the increase is necessary. The Commission stated that the vote taken in the last meeting on the increase in pool user fees will stand.

Featherland Park - Kayla informed the Commission of concerns from residents about the noise, lights, and drinking on the fields. The residents have requested that the games end at 9:00p.m and have even discussed renting the fields in order to control the evening activities. Kayla stated she has not received a field permit request from the residents. The Commission suggested inviting the neighborhood representatives to the next meeting.

Special Municipal Employee Designation – Jim M. stated Mara Huston was recently elected to the Park and Recreation Commission and is now seeking to have the Park and Recreation Commission designated as Special Municipal Employees. Mara has a conflict of interest, as she runs her private business at Atkinson Pool; consisting of lane rentals on a weekly basis for the purpose of private swim lesson instruction. Mara stated that during the election she contacted the State Board of Ethics to find out how to handle this conflict and learned of the Special Municipal Employee designation; she learned this designation would need to be for the entire commission. A petition would need to be submitted to the Board of Selectmen for their vote, in order to have the designation. Mara stated she discussed this with Pat Brown, Chairman of the Board of Selectmen, and it was decided to wait until after the election to see if she was elected to move forward with the request.

Mara stated her understanding of the ethics law, that as a Special Municipal Employee if there was a pool item she would be able to speak as a resident/user of the pool and not a commission member and would not be able to vote on any pool items. She also stated that other boards in Town have this special designation and thought it would be good for the entire commission, in case anyone else had a potential conflict of interest.

Dick asked if the entire Commission would be covered by any conflict of interest. He said many of the members are involved in Field issues and that could be a conflict, so the Special Employee Designation might help with those issues. The other commission members disagreed that they had field conflicts, because they were not on the boards and are not making money from the fields. Mara pays rental fees, has a contract, and runs her business at the Atkinson Pool.

Bobby Beagan said he reviewed the State Ethics policy and he did not feel the policy was created to address the issue at hand with Mara's business. He appreciates the fact that Mara was elected by the residents, but he did not feel comfortable with the idea that the Park and Recreation Commission was changing to benefit Mara's personal business. He stated his issue with this request is the fact he feels pushed into it and does not really feel Mara's criteria meets the reason the Special Employee Designation rule was enacted.

Mara gave other examples of boards in Town that are designated as Special Municipal Employees, some are Town Moderator, Board of Assessors, Board of Selectmen, School Boards. She stated if the Special Municipal Employee status was not granted she would not be able to take her position on the Park and Recreation Commission because the risk was too high, and she did not want to stop renting lanes at the Pool. The commissioners said that was not a fair argument for making a change to the commission's status.

Pat Brown explained what was involved in being a Special Municipal Employee. She stated that special meeting packets have to be made that omit material that would involve the conflict of interest. In addition, the individual cannot comment on the subject. She stated there was much less interaction with the Commission than stated earlier.

Kayla stated this was her understanding also, in agreement with Pat Brown. Kayla discussed the Special Municipal Employee designation with the Town Manager to understand more before tonight's meeting.

Pat Brown also stated that this is a policy decision and its always easier if there is advance notice and time to review and discuss the issue rather than feeling backed into a corner. She offered that in the past the Town Moderator was granted this designation when Myron Fox took the position because of

real estate issues that may cause a conflict; the Rail Trail Advisory Group was also granted this designation so they would not appear to be trespassers.

Paul G. agreed and said he too felt it was much more complex than earlier stated. His concern was going forward, the thought of everyone on the board having to recuse themselves because they have conflicts would not be a productive commission. He is concerned about redefining the structure of the Commission at this time. He applauded Mara for her election to the commission, but stated she knew the parameters before she was elected.

Siobhan H. stated she did not think changing the status of the commission would impact the other members of the commission adversely.

Lisa K. stated she knew Mara and felt she would be an asset to the Town. She felt if the commission received the Special Municipal Employee designation it would protect all the members of the commission.

Arthur Huston stated he appreciates the commission's concern but wanted them to know she has a passion for recreation and to be on the commission.

Jim M. stated he had concerns because in the past Mara has only come to the commission to request reductions in lane rentals and commenting on the Pool's rate changes.

Bobby B. made a motion to vote on the request to designate the Park and Recreation Commission as Special Municipal Employees. Mike Ensley seconded the motion. The Commission voted 1-4 against the motion.

Fairbank Task Force Update - Dick Williamson stated the Task Force was meeting to review the presentation planned for the Town Meeting. Bobby asked if the Task Force was looking a position opinion from the Park and Recreation Commission. Jim. M stated he has very little confidence in the market analysis for the facility. Several of the Commissioners expressed confidence in the building and expense numbers for the new facility and felt that the Park and Recreation Department is at a serious risk to operate at a deficit. Kayla agreed the numbers presented are a concern. Discussion continued on the market analysis and if the estimates from Ballard and King are reliable. The Commission did not think they could support the project if they didn't have confidence in the numbers and in that case they would not be able to support the article at Town Meeting.

Bobby suggested the Commission meet before the Town Meeting. Jim stated he could present the Featherland Tennis Capital request articles on Monday and Wednesday, but not on Tuesday since he will be traveling on business. Bobby will present on Tuesday if that is when the article comes up.

Meeting adjourned at 8:45pm