

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JANUARY 6, 2009

Present: Chairman Lawrence W. O'Brien, Vice-Chairman William J. Keller, Jr., Selectman John C. Drobinski, and Town Manager Maureen G. Valente

The statutory requirements as to notice having been complied with, the meeting was convened at 7:40 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:40 p.m., Chairman O'Brien opened the Board's first meeting of 2009, and he wished the citizens of Sudbury a happy New Year. He announced that upcoming budget hearings for the Lincoln-Sudbury Regional High School and Sudbury Public Schools will be held on January 12, 2009 and for the Town budget on January 15, 2009, all at Town Hall. Budget hearings will be taped for broadcast on both Verizon and Comcast. Chairman O'Brien noted that Sudbury's award-winning FY10 Preliminary Budget and Financial Plan is now available and will be posted on the Town website tomorrow, along with the reports generated by the Budget Review Task Force regarding revenue-enhancement and cost-reduction ideas. Selectman Drobinski asked Town Manager Valente to extend the Board's gratitude to Town staff on the excellent budget materials compiled, which include interesting information about the Town of Sudbury as well as its financial condition. Town Manager Valente particularly noted the extensive work done by Finance Director Treasurer Andrea Terkelsen to prepare these materials.

Chairman O'Brien announced that he has decided to run this year for re-election to the Board, and he hopes to continue to serve the citizens of Sudbury.

Legislative Discussion with State Officials

Present: State Representative Thomas Conroy, State Senator-Elect Jamie Eldridge and State Senator Susan Fargo

At 7:45 p.m., Chairman O'Brien welcomed State Representative Thomas Conroy, State Senator-Elect Jamie Eldridge and State Senator Susan Fargo to tonight's meeting. He stated that it is the Board's hope to meet regularly with State officials to discuss the status of State efforts to help Sudbury and local communities.

State Senator-Elect Jamie Eldridge thanked the Board for tonight's invitation. Mr. Eldridge stated he hopes to continue to work on behalf of Sudbury's best interests regarding issues including local aid, a fair formula for Chapter 70 funding, and options for municipalities to save money. He acknowledged the important work done by his predecessor Senator Pamela Resor, and Mr. Eldridge committed to continue her efforts on behalf of environmental and fair housing programs and concerns.

State Representative Thomas Conroy commended the Board on its efforts to create opportunities for collaborative dialogue regarding these important issues, and said he would welcome participation in future discussions. Mr. Conroy also complimented Sudbury on its excellent budget plan, and he encouraged citizens to access the information to better learn how Town dollars are spent. Mr. Conroy believes that the more financial information is made available to the public, the more citizens trust their local governments.

State Senator Susan Fargo has represented Sudbury for 12 years. She noted that the Commonwealth and local cities and towns are facing acute financial circumstances as is being experienced nationally and globally. However, Ms. Fargo hopes that these challenging financial times will also provide more opportunities to provide municipalities the tools and options to help raise revenues.

Chairman O'Brien noted that Sudbury Public School Superintendent John Brackett and Sudbury Public School Committee members Susan Iuliano and Jeffrey Beeler are in attendance tonight. He further stated that the Board hopes to include school representatives in future discussions with State officials.

Town Manager Valente highlighted for the legislators the importance to Sudbury of maintaining the additional assistance funding from the State. She noted that these funds total approximately \$640,000 for FY09, accounting for 10% of Sudbury's State aid. Ms. Valente is concerned that such programs will be eliminated, which would disproportionately penalize the Town of Sudbury. She urged the legislators to do all in their powers to preserve and sustain such funding for Sudbury.

Ms. Fargo stated she has observed that legislators have a greater chance for success when local school committees are involved and voice concerns, which help the messages to be heard on Beacon Hill. She encouraged input from the communities to help elected officials better serve their constituencies.

Chairman O'Brien referenced a document of recommendations from the Massachusetts Municipal Management Association (MMMA), which was distributed tonight. He asked that, if funds are taken away from communities, that State officials also consider providing towns with opportunities to regain revenue through local management options.

Mr. Conroy stated that he met with the House Speaker last week regarding the pending renewed Municipal Partnership Act and other recommendations, including the MMMA suggestions which have been put forth. He believes that helpful legislation for local municipalities will pass in the next legislative session.

Ms. Fargo stated that Governor Patrick may need to cut an additional \$750 million to \$1 billion dollars from the State's budget. She further stated that the Legislature will need to decide whether the Governor will be granted the authority to implement cuts as he wishes or whether he will be prohibited from including cuts in local aid or other areas.

Vice-Chairman Keller opined that the Board is cognizant that, unfortunately, financial cuts will be forthcoming. However, he urged State officials to implement fair reductions along a broad basis, so that certain industries do not bear more of a burden than others. For example, Vice-Chairman Keller noted that restaurants are struggling during these difficult economic times, and the institution of a meal tax could further hinder their chances for profitable operations. In addition, Vice-Chairman Keller noted that he hopes barriers will be lifted in the next legislative session which have restricted the ability of municipalities to raise revenues in the past.

Town Manager Valente highlighted the need for timely State decisions, since the Town has been holding funds in reserve to offset pending funding cuts which could be utilized prior to the 2009 Town Meeting. Chairman O'Brien urged quick decision-making on the State level to free up these funds prior to the first week of April.

Chairman O'Brien asked if changes will be made to the GIC program, allowing cities and towns to decide on participation without a lengthy negotiation process. He emphasized that health insurance increases effect the Town budget more than any other single line item and completely consumes the allowed Proposition 2 1/2 budget increase.

Chairman Keller stated that a negative public opinion exists regarding the insurance benefits provided to Town employees because those employed in the private sector bear a much higher cost for similar coverage. Ms. Fargo responded saying that, given the economic reality, everything will be considered a viable option

for revision. Ms. Fargo further stated that she would support cities and towns being given the authority to adopt GIC programs if they so choose, even though she agreed with Chairman O'Brien that such support may garner dissent from the unions.

Town Manager Valente emphasized that it is important that cities and towns be granted the same flexibility as the State to change plans without enduring an arduous year-long process to do so. Mr. Conroy stated that he supports the position of the municipalities as expressed by Ms. Valente. He believes the Legislature is interested in this discussion so that such changes can be pursued outside of the collective bargaining process. Mr. Eldridge stated that the Legislature will also be working with the insurance companies directly to develop ways to reduce the exorbitant costs of healthcare.

Selectman Drobinski asked if President-Elect Obama's planned stimulus package will benefit all towns in Massachusetts versus having the majority of the money allocated to large urban areas such as Boston and Brockton. Ms. Fargo responded that cities and towns have been asked to submit to the State a listing of "shovel-ready projects" for funding consideration. Selectman Drobinski asked the invited guests to urge for equitable funding for infrastructure projects that are also sustainable. Mr. Conroy agreed that including renewable energy and infrastructure projects as part of the stimulus program is good public policy, and that supplemental funding for education should also be included. The Board reiterated its hope that funding cuts will be implemented fairly throughout the Commonwealth.

Sudbury Public School Superintendent John Brackett stated that the schools understand there will be difficult economic decisions made in the near future, which could have disastrous consequences for education. However, Dr. Brackett asked that the Legislature consider countering cost reductions by either providing funds in other areas or eliminating unfunded education mandates, which will save money on the local level. He further noted that some decisions to come may be unpopular, but necessary.

Sudbury Public School Committee members Susan Iuliano and Jeffrey Beeler both thanked the State officials for coming to Sudbury to learn more about how these important matters directly effect the Town. Ms. Iuliano highlighted that Sudbury has one of the highest children-per-household ratios in the State, which is a factor not considered for Chapter 70 funding. Ms. Iuliano and Mr. Beeler urged the legislators to support efforts which will provide local educators with the tools to perform their jobs and satisfy the mandates or eliminate the mandates entirely. Mr. Eldridge asked that specific recommendations be provided in writing to help elucidate key issues needing attention. Ms. Fargo also stated that it is helpful to the legislators if documentation can be provided from several cities and towns referencing similar concerns.

Chairman O'Brien reiterated that the "Supplemental Report and Testimony of the Massachusetts Municipal Management Association (MMMA)" highlights many specific recommendations. He referenced the recommendation on page five of that report, asking to increase options for municipal decision-making, financing and organization, including authorizing Joint Powers Authorities. MMMA current President Town Manager Valente explained that, although there is much interest and need for regionalization efforts, there are no mechanisms in place to allow these ideas to come to fruition and to remove the usual turf barriers to implementation. She noted that interlocal agreements are inadequate for most regionalization projects. Ms. Valente stated that she has worked with other MMMA members to develop specific language to help towns and legislators identify areas for improvement leading to draft legislation. MMMA members will be contacting their respective legislators to request that attention be focused on these issues.

Town Manager Valente assured the officials that she and her staff will provide as much information to them as possible in the coming weeks prior to the State's January 15, 2009 deadline for submission of new legislation.

At 8:47 p.m., Chairman O'Brien thanked the guests for their time and input, and he concluded the discussion.

Reports from Town Manager
Massachusetts Municipal Association

Town Manager Valente announced that the Massachusetts Municipal Association's (MMA) annual conference meeting will be held on January 24, 2009. She noted that, if no Selectman is planning to attend, the Board must authorize her to represent Sudbury for voting purposes.

It was on motion unanimously

VOTED: To authorize the Town Manager to vote, on behalf of the Town of Sudbury, affirmatively for the Massachusetts Municipal Association (MMA) proposals and issues, as reviewed this evening, at the MMA Annual Business Meeting on January 24, 2009.

Use of Stabilization Fund

Town Manager Valente noted that State funding cuts in local aid of 5-10% are anticipated for the FY09 budget. She noted that the Board will need to decide what the parameters will be for repayment of funds to the Stabilization Fund, for monies transferred out to cover the expected budget deficit. Two Annual 2009 Town Meeting articles would be needed to address this scenario, i.e., the FY09 Budget Adjustment and Stabilization Fund articles. She further stated that, upon the Board's request, Town staff could provide the Board with draft suggestions for consideration.

Selectman Drobinski asked if an article is approved, is it only for that one year, or does it become part of the Town's Bylaws. Ms. Valente responded that the articles are voted only for one year at a time and do not become part of the Bylaws. Ms. Valente further noted that use of the Stabilization Fund will be discussed at a Finance Committee Meeting on January 29, 2009.

Chairman O'Brien suggested, and the Board concurred, that Town staff develop suggestions for the Board's review at its January 20, 2009 meeting, at which time the Board's position can be determined and communicated to the Finance Committee prior to its meeting on January 29th.

Sudbury FY10 Budget Hearings Schedule

Town Manager Valente announced that the schedule for the various Town budget hearings is posted on the Town website. Ms. Valente noted that Sudbury Finance Committee Chair Chuck Woodard and she will tape a discussion on January 8, 2009 regarding the budget process and revenue projections. Ms. Valente also announced that she will present the Town's budget to the Finance Committee on January 15, 2009, and she invited the Board and all Town Department Heads to attend that meeting.

State Task Force -Municipal Projects

Town Manager Valente announced that she is a member of the State Task Force helping to develop a listing of "shovel-ready projects" from Massachusetts' cities and towns to be submitted by January 8, 2009. She distributed to the Board, for review and discussion purposes, copies of the draft listing of Sudbury-related projects compiled by Sudbury's Department Heads. Ms. Valente noted that a listing of a project does not commit the Town to project completion. She thanked Town staff for developing the draft list so quickly.

Selectman Drobinski stated that he will obtain financial information for Ms. Valente as soon as possible regarding a possible photovoltaic project at the transfer station. Chairman O'Brien suggested, and the Board concurred, that the Lincoln Road Bridge be added to the list. Ms. Valente stated that the Lincoln Road Bridge is a wooden structure, requiring considerable maintenance. Selectman Drobinski cautioned that, historically, there has been heated debate regarding the structure remaining wooden.

It was on motion unanimously

VOTED: To authorize the Town Manager to submit the draft listing proposed by Town staff of "shovel-ready" Sudbury projects as amended this evening, prior to the State's deadline of January 8, 2009.

Town Expenditures - Updates

Town Manager Valente announced that the decision to regionally purchase energy saved Sudbury approximately \$7,300 per month. A similar purchasing option was also implemented for natural gas, however, those reported savings are not yet available. Ms. Valente also reported that Fire Chief MacLean has regionally re-bid the ambulance billing, thereby continuing a reduction in the cost of such billing.

Town Manager Valente updated the Board that, as of last week, the Town has spent over half of the funds budgeted for snow and ice conditions. She thanked the Department of Public Works Director William Place and his staff for the excellent job they have done to provide safe roads and walkways for Sudbury's citizens.

Town Hall Matters

Town Manager Valente has asked David Baier from the Massachusetts Municipal Association to visit with the Selectmen for a taping of *Town Hall Matters* on either January 13 or January 16, 2009 between 3:30 and 4:00 p.m. Board members are available on both dates. Ms. Valente will coordinate the date for the taping with Mr. Baier and appropriately notify the Board, once the details have been finalized.

Raytheon - Pending Site Plan Application

Town Manager Valente announced that a site plan discussion with Raytheon will be scheduled for a future Board meeting. The Board suggested that the discussion be held, if possible, at 8:30 p.m. on February 10, 2009. Selectman Drobinski questioned whether a site plan review is necessary. He also asked Ms. Valente to consult with Town Counsel whether he should recuse himself from future Raytheon votes.

Budget Review Task Force - Future Tasks and Discussions

Chairman O'Brien has asked Town Manager Valente to provide the Board time on the January 20, 2009 meeting agenda to review the reports of the Budget Review Task Force subcommittees for revenue enhancement and cost reduction ideas. He suggested that, on January 20th, the Board prioritize key items for each subcommittee to be further researched and developed, which could then be shared with the Task Force at the Board's February 10, 2009 meeting at 8:00 p.m.

Sudbury Citizens' Academy

Town Manager Valente distributed to the Board, for informational purposes, copies of the invitation to participate in the Citizens' Academy and the intended Class Structure and Content index. She briefly reviewed the purpose of the Academy, which was made possible by a grant from The Sudbury Foundation. Vice-Chairman Keller suggested that the classes be taped for later viewing. Ms. Valente encouraged anyone

interested in participating in the program to contact the Board of Selectmen's Office, who will pass along any inquiries to the Academy's Steering Committee.

Reports from the Board of Selectmen

Selectman Drobinski and Vice-Chairman Keller reported that they enjoyed their respective holidays and are ready to get back to the Town's hard work ahead. They also commended the Department of Public Works for the terrific job it has done in managing the recent winter storm conditions throughout the Town.

Vice-Chairman Keller reported that the Board recently had a dinner meeting with the Board of Selectmen from Wayland. Topics of mutual interest, including regionalization of resources, were discussed. Chairman O'Brien noted that, given the current economic scene, many topics related to joint efforts are being more urgently considered.

Chairman O'Brien reported that there is a dangerous pothole near the stop sign at the intersection of Peakham and Old Lancaster Roads. Ms. Valente will notify the Department of Public Works. She also encouraged citizens to report similar situations, so that public safety can be ensured.

Chairman O'Brien suggested that a follow-up meeting be set in February with the two school systems to further discuss consolidation of the superintendencies. He opined that the community needs to hear about money-saving ideas that do not include layoffs.

During the past month, Chairman O'Brien attended ceremonies for four new Eagle Scouts. He commended both local troops for the fine work done to nurture and challenge the Town's youth.

Wayside Inn - Change of Manager

Present: John J. Cowden, Jr.

At 8:49 p.m., the Board considered an application dated December 1, 2008, for a Change of Manager for the Wayside Inn, 72 Wayside Inn Road, from Robert Purrington to John J. Cowden, Jr. Chairman O'Brien welcomed Mr. Cowden to the meeting, who answered a few questions from the Board.

Mr. Cowden stated that he is pleased to have been chosen by the Inn's Board of Trustees to be the eighth Innkeeper in the illustrious history of Longfellow's Wayside Inn since 1716, to care for all aspects of food, lodging and grounds operations. He noted that he has been in the hospitality industry for 29 years, working in many other notable inns in New England.

In a response to a question from Selectman Drobinski, Mr. Cowden stated that he will be reviewing the Inn's menu and, although favorites will be maintained, he does anticipate menu changes to be incorporated in early spring. He noted that the Inn employs 120 people, who seamlessly and professionally often serve 1000 people a day. Mr. Cowden further stated that function business at the facility has grown steadily. Due to the inability to service groups of 200 or more attendees, the Inn is working with architects towards designing a new facility to allow for future growth.

Vice-Chairman Keller asked if there are plans to provide regular entertainment at the Inn. Mr. Cowden responded that he is interested in offering small entertainment groups of guitar or vocals in the pub area, where eight food items will be offered for \$8.00 on Thursdays through Saturdays. The Inn hopes to attract more families to enjoy the facilities on the property's 130 acres.

Chairman O'Brien stated that the Board has had a good working relationship with the Inn and its Trustees through the years and values the special resources the Inn provides for the citizens of Sudbury. Town Manager Valente reported that all Town Department Heads recommended support of the application request without reservations.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, in accordance with M.G.L. Ch. 138, to approve a Change of Manager for the Wayside Inn Corp., d/b/a Longfellow's Wayside Inn, 72 Wayside Inn Road, from Robert H. Purrington to John J. Cowden, Jr., as requested in an application dated December 1.

Selectman Drobinski forewarned Mr. Cowden that staff members need to be properly TIPS trained and certified, since the Sudbury Police Department routinely performs sting operations.

On behalf of the Town, Chairman O'Brien wished Mr. Cowden many successful years to come in his new position.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of December 9, 2008.

Sudbury United Methodist Church - The Rebecca Circle Donation

It was on motion unanimously

VOTED: To accept, on behalf of the Town of Sudbury, an \$823 donation from the Rebecca Circle of the Sudbury United Methodist Church, to the Cheri-Anne Cavanaugh Trust Fund, to be expended under the direction of the Town Social Worker, as requested by Lyn MacLean, Chair of The Rebecca Circle, in a letter dated December 27, 2008, and to send a letter of appreciation to the Rebecca Circle.

Memorial Congregational Church - Women's Afternoon Fellowship Donation

It was on motion unanimously

VOTED: To accept, on behalf of the Town of Sudbury, a \$100 donation from the Women's Afternoon Fellowship of the Memorial Congregational Church of Sudbury Inc. into the Discretionary Fund, to be expended under the direction of the Town Social Worker, as requested by Jean Martin, Treasurer of the Women's Afternoon Fellowship, and to send a letter of appreciation to the Women's Afternoon Fellowship.

Student Awareness of Fire Education (S.A.F.E.) - Grant

It was on motion unanimously

VOTED: To accept, on behalf of the Town of Sudbury, an annual S.A.F.E. grant of \$4,464.62 from the Commonwealth of Massachusetts, awarded to the Sudbury Fire Department to be used for Student Awareness of Fire Education (S.A.F.E.) training, to be expended under the direction of Fire Chief MacLean.

The Sudbury Foundation - Grant

It was on motion unanimously

VOTED: To accept, on behalf of the Town of Sudbury, a \$15,000 grant from The Sudbury Foundation, as outlined in an email dated December 24, 2008, from Marilyn Martino, Executive Director, for continued support of the Senior Volunteer Coordinator position at the Fairbank Senior Center, to be expended under the direction of the Council on Aging Director.

Governor's Highway Safety Bureau - Grant

It was on motion unanimously

VOTED: To accept, on behalf of the Town of Sudbury, a \$3,000 reimbursement grant from the Governor's Highway Safety Bureau, which funds were used to purchase radar, tint meter, and accident reconstruction software, said funds to be expended under the direction of the Police Chief.

Reinsurance Coverage for Calendar Year 2009

It was on motion unanimously

VOTED: To approve and authorize the Town Manager to contract with QBE Insurance Corporation for reinsurance coverage for the calendar year 2009, as outlined in a memorandum dated December 31, 2008, from Wayne Walker, Assistant Town Manager, for an estimated annual premium of \$321,439.

Annual 2009 Town Meeting Warrant Articles and Reports

Town Manager Valente briefly reviewed three additional bookmark articles.

It was on motion unanimously

VOTED: To approve submission of three additional Board of Selectmen articles for the Annual 2009 Town Meeting: 1) Septage Facility Financials, 2) FY10 Recreation Field Maintenance Enterprise Fund & Budget, and 3) Amend Bylaw, Article V, Public Safety, Section 3 - Regulation of Dogs - increase license fees.

Executive Session

At 9:55 p.m., Chairman O'Brien announced the close of the regular meeting and it was on roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing collective bargaining.

Chairman O'Brien announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 9:55 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk