

IN BOARD OF SUDBURY SELECTMEN
WEDNESDAY, MAY 13, 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 7:34 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:34 p.m., Chairman O'Brien opened the meeting. He noted that the Board is meeting on Wednesday night this week, due to the continuation of Town Meeting being held on May 11, 2009. He announced that Town Meeting voted to continue the meeting to June 15, 2009, for deliberation of budget-related articles, to allow for more accurate budget information to be available based upon pending State budget decisions.

Chairman O'Brien reminded the community to be mindful when driving now that better weather brings more pedestrians and bikers outdoors.

Reports from Town Manager
State Senate Budget - Update

Town Manager Valente announced that the State Senate disclosed its budget today, and as expected, significant cuts were made to local aid. She also distributed to the Board copies of a Massachusetts Municipal Association budget alert dated May 13, 2009, regarding the reductions to municipal aid. Ms. Valente has not had time to thoroughly study the figures reported with Town staff, but upon an initial review, she stated that the budget adjustments could translate into a \$520,000 reduction of State aid to Sudbury. Ms. Valente noted that further cuts are possible related to higher assessments and regional transportation costs. She further stated that the State Senate is discussing options to raise taxes to help restore some of the funding cuts. Although Massachusetts is expected to receive some Federal stimulus money for schools, Ms. Valente opined that the Governor will likely need to allocate those dollars to FY09, and thus, those funds will be of no financial benefit to the FY10 budgets. Ms. Valente emphasized that local aid numbers are still several weeks away from being finalized.

Town Manager Valente reported that Governor Patrick and State officials have scheduled a series of forums in the coming weeks, throughout Massachusetts, to discuss the program funding reductions. She noted that location and schedule information for these forums has been posted on the Town website.

State Municipal Relief Package - Update

Town Manager Valente reported that details of the State's Municipal Relief Package were released this week. She noted that the proposal suggested joining the Group Insurance Commission (GIC) could be more costly than under the current guidelines and could have more constraining regulations. Ms. Valente plans to attend a meeting in Hudson on May 15, 2009, with Chairman O'Brien, to express Sudbury's concerns with the GIC program revisions as proposed.

Sudbury Passport Services - Update

Town Manager Valente distributed to the Board, for informational purposes, an email from Sudbury's Finance Director/Treasurer/Collector Andrea Terkelsen dated May 13, 2009. In her communication, Ms. Terkelsen reports that over \$9,000 in revenue has been generated in the first year of the Town issuing

passports, and she believes revenues will increase as residents become more aware that the Town provides the service. Ms. Valente commended Ms. Terkelsen and staff members Melinda Connor and Marilyn Reiman for their work on such a successful revenue-generating operation. The passport service is available to all residents of Sudbury and other communities.

Vice-Chairman Keller encouraged residents to use this service and help keep the revenues generated for local use. Chairman O'Brien stated that he and his family recently used the service to obtain passports, and he was impressed with the efficiency of the process.

Special Act to Defer Property Taxes for Senior Citizens - Update

Town Manager Valente reported that the Special Act voted upon by Sudbury last year, to help qualify those who defer real estate tax payments for exemptions, received a State House docket number today. Senior Tax Advisor David Levington reported that he will meet soon with State Representative Tom Conroy to discuss how to publicize this initiative to gain support for passage. Mr. Levington asked the Board and Ms. Valente to assist him in contacting appropriate State-wide conferences to present materials and a slide show to educate voters on the proposed legislation. Town Manager Valente stated she will provide him with contact information. Chairman O'Brien responded that the Board will notify Mr. Levington the next time it meets with State Senators.

U.S. Flag - Protocol Update

Town Manager Valente reported that Town flags were lowered in memory of EOD/PO 2nd Class Tyler Trahan, from E. Freetown, MA, in compliance with a national request that communities recognize fallen military personnel from their states. She noted that the Town flags will also be lowered on May 15, 2009, as ordered by Governor Patrick, in recognition of the risks taken each day by police officers on behalf of public safety.

Department of Environmental Protection

Town Manager Valente reported that Director of Planning and Community Development Jody Kablack has been working with the Charles River Watershed Association to submit a grant proposal to the Department of Environmental Protection to fund further analysis of parcels for wastewater disposal. She emphasized that this is one of many efforts pursued by Town staff on an ongoing basis to obtain additional funding.

It was on motion unanimously

VOTED: To authorize the Chairman, on behalf of the Board of Selectmen, to sign the grant application to be submitted to the Department of Environmental Protection prior to May 15, 2009, for funding to further analyze Sudbury land parcels for wastewater disposal.

Credit Rating Presentation - Update

Town Manager Valente reported that she is awaiting the outcome from the Town's recent credit presentation meeting regarding the Town's bond rating. Town staff emphasized in the meeting the success of the Town's deferred property tax program as an example of a "good" receivable. Director of Planning and Community Development Jody Kablack attended the meeting this year and provided the Town's rationale and perspective regarding land purchases. Ms. Valente emphasized that it will be imperative to consider cash reserves as a new Town cost center to build these funds for future years.

Reports From the Board of Selectmen

Selectman Drobinski and Vice-Chairman Keller noted it's been a busy week with the continuation of Town Meeting on Monday.

Chairman O'Brien reported that the Sudbury Housing Trust is working on Requests for Proposals for property on Maynard Road.

Chairman O'Brien also reported that the Consolidation Working Group regarding school administration will meet twice next week with superintendents from area regional schools, including Dover-Sherborn, Acton-Boxborough, and Concord-Carlisle, to learn more about joint-town structures. He mentioned that building maintenance and information technology services are areas that have been highlighted for potential savings by Lincoln-Sudbury Regional High School Superintendent John Ritchie and administrator Scott Carpenter. Town Manager Valente noted that consolidation of job functions has also been reviewed by the CORE group, and may be best suited for analysis by CORE.

In addition, Chairman O'Brien reported that the Board met last week with the Wayland Board of Selectmen and the Wayland-Sudbury Septage Committee to determine whether investment should be made in facility upgrades mandated by the Department of Environmental Protection (DEP) to meet compliance requirements. Both Boards voted unanimously to not invest in further upgrades, and authorized the respective Town Manager and Town Administrator to submit notification to DEP prior to June 1, 2009, of the plan to decommission the facility by the close of 2009.

Budget Review Task Force - Status Review

Present: Budget Review Task Force (BRTF) Co-Chair Robert Jacobson, Co-Chair Martha Ragonas and BRTF members Jeff Beeler, Robert Haarde, Tammie Dufault, Paul Pakos, and former BRTF member Paul Fuhrman

At 8:00 p.m., Chairman O'Brien welcomed the Budget Review Task Force (BRTF) members to the meeting. He stated that the Board has reviewed the BRTF Preliminary Report and prioritized recommendations from the Report. Additionally, the Board requested that the Town Manager prepare a summary of the expense-saving and revenue generating recommendations made by the BRTF in order to track progress on those initiatives and educate the public on efforts made to address Sudbury's structural deficit by posting the summary on the Town website. He stated that similar recommendations made by other Town entities have also been included in the summary.

Chairman O'Brien stated the BRTF will have accomplished what the Board intended for this year when a final report is published with summary comments, and since the term is expiring, the BRTF may be dissolved this evening. He further stated that the Board hopes some BRTF members will be willing to continue to work in small sub-groups to further develop the expense-reduction and revenue-generation recommendations which have been prioritized by the Board. Town Manager Valente stated that the establishment of the smaller working groups would begin the implementation phase of these recommendations.

Chairman O'Brien noted that a Consolidation Working Group has already been created by volunteers to further assess the possible consolidation of school administrations in Sudbury. In response to a question from BRTF Co-Chair Martha Ragonas, Chairman O'Brien provided an update of the Group's work to date. This working group has met four times, and will meet on May 19 and May 21 to discuss superintendency union governance issues. The Group is in the process of developing a mission statement, with a goal of presenting an article to a future Town Meeting. Chairman O'Brien emphasized that the process may be

lengthier than all would like in order to reach consensus on the best arrangement for both Sudbury and Lincoln.

Former BRTF member Paul Fuhrman questioned what new ground will be explored by working groups that was not covered in the BRTF Report. Mr. Fuhrman opined that it seems as if time is being wasted researching the same topics already identified by the BRTF in its work over the last 18 months. Chairman O'Brien responded that, unfortunately, Mr. Fuhrman is correct to a certain point. However, in the public arena, redundancy is needed to help educate the public. He further explained that, as more people become involved in the discussions for changes to the present systems from the Town of Lincoln and Lincoln Public Schools and Lincoln-Sudbury Regional High School District, there is a need to bring new parties up-to-date on facts gathered and previous discussions. Chairman O'Brien also stated that he believes repetition of issues helps citizens eventually accept changes more easily. Mr. Fuhrman stated that, although he is aware of the political need for repetition of tasks, it does not alter his opinion that Town resources are being repeatedly used on the same issues, with no progress made. In addition, Mr. Fuhrman questioned whether the redundancy of discussions was more for the benefit of convincing school committee members that change is needed versus the public at large.

Vice-Chairman Keller stated that, although the Board recognizes the full merit of the recommendations made in the BRTF Report, it is not within the Board's jurisdiction to solely enact them. He emphasized that, in the public sector, changes take more work and longer to accomplish, and for this issue, it will require parties in both Lincoln and Sudbury reaching an agreement which is mutually satisfactory. Selectman Drobinski concurred. He acknowledged Mr. Fuhrman's frustration with the process not moving more rapidly, but said that establishing the working groups is an essential part of the consensus-building process. Mr. Fuhrman responded that the Town's inability to solve problems and save money through consolidation efforts more quickly because of politics will be of no comfort to anyone who may lose a job in the interim. Selectman Drobinski responded that the Town's priority is to protect as many jobs as possible as it works simultaneously towards that end through collective bargaining and other efforts. Chairman O'Brien highlighted that the two recommendations for cost savings which have generated the most interest are consolidation of the school administrations and changes to healthcare plans by joining the GIC, neither of which are within the sole scope of the Board to institute.

BRTF member Robert Haarde stated that the BRTF has submitted its report, and he asked Town Manager Valente and the Board to clarify what type of final report they are referencing. Town Manager Valente responded that she would like Town staff, Sudbury Public Schools (SPS) and Lincoln-Sudbury Regional High School to have an opportunity to formally respond to the BRTF report and include those comments in a final BRTF report to be posted on the Town website. Ms. Valente later highlighted a criterion used in the BRTF Report with which she was unfamiliar, and she is concerned how communities are chosen to which Sudbury is compared. She described the Town's system for identifying peer communities, which is based on eight criteria. BRTF member Tammie Dufault responded that the BRTF used a similar analysis to the one described by Ms. Valente in identifying other cities and towns for comparison.

Ms. Dufault opined that, from an audit perspective, there would typically be a period of time wherein parties would communicate to the BRTF about opposing viewpoints to its report. However, Ms. Dufault stated that the BRTF has not been contacted by anyone to discuss information within its Draft Report, since it was submitted several months ago. She further questioned how the BRTF could further review its Report if the BRTF is dissolved tonight by the Board. Mr. Haarde concurred, stating that, if the BRTF is dissolved tonight, perhaps a statement should be added to its Report that final reports will be issued by individual working group subcommittees. Selectman Drobinski responded that no conclusion has yet been reached by the Board, and it may decide to extend the term of the BRTF.

BRTF member Paul Pakos questioned how productive the efforts will be to further finalize the BRTF Report and to establish additional working groups, since SPS has already issued a report in response to the BRTF's recommendations. Town Manager Valente reiterated her preference for the Town and other entities to have the opportunity to respond to a few items noted in the BRTF Report, which could be added as appendices, if the BRTF does not wish to include them within its Report. Mr. Fuhrman opined that much time would be needed to research the SPS comments for possible inclusion. Chairman O'Brien suggested that the BRTF consider its position regarding options for finalizing a report over the next week.

Sabino Merra asked his fellow BRTF members to withhold further questions to allow Town Manager Valente to present the information they were assembled to hear this evening. He emphasized that he has not personally heard any feedback from the Board about the BRTF Report revenue recommendations, and he is anxious to hear the Town's perspective.

At 8:43 p.m., Town Manager Valente summarized a presentation of two spreadsheets she has developed of expense-reduction and revenue-generation recommendations made by the BRTF and other Town entities. She stated that the spreadsheets could be posted on the Selectmen's website and provide the community with status updates. Ms. Valente briefly reviewed the posted updates for many of the project recommendations listed.

Town Manager Valente announced that a recommendation to establish an Energy and Sustainability Green Ribbon Committee has been made to the Board to address many of the BRTF's energy-related recommendations. She noted that the Town of Wayland is also interested in working on such initiatives. Ms. Valente acknowledged Sudbury resident Robert Morrison, who has provided a draft mission statement she relied on in developing one for this Committee. She urged the BRTF members and anyone who has an interest in volunteering to further any of the recommended initiatives into action contact her office and/or complete an application on the Town website.

Chairman O'Brien reviewed the BRTF recommendations made to help generate revenue, and he provided a brief status update. He noted that the Town will be submitting the grant application approved tonight to work on the economic development/sewer issue. Chairman O'Brien further suggested that working groups be assembled to address these topics. He also highlighted that the Green Ribbon Committee will be approved tonight to address many of the energy-related recommendations, including a focus on solar, methane and landfill options. Chairman O'Brien will attend with Ms. Valente a public hearing in Hudson to learn more about the State's proposed changes to joining the Group Insurance Commission, which could impact the Town's ability to save on healthcare costs in future years.

Mr. Merra questioned whether the Green Ribbon Committee will have the mechanisms to obtain grants and get proposals, or will its objective be to merely generate another report. Chairman O'Brien stated that he sees these focused working groups/committees as taking identified issues and moving them significantly forward. Town Manager Valente concurred, stating she believes the Green Ribbon Committee will be an action committee, pursuing bids that comply with all Town protocols, noting all grants and bids shall need to be signed by her. She mentioned that Building Inspector James Kelly will be a member of the Green Ribbon Committee. Selectman Drobinski believes that it is time to move to the implementation phase. However, Selectman Drobinski cautioned that sewer issues can divide a community, and ensuring that zoning complies with discharge capacities may be a more lengthy process.

Ms. Ragonis suggested that the term of the BRTF be extended to June 30, 2009, to allow members time to process information from tonight's meeting, tie up loose ends, contemplate production of a final report, and decide if they wish to volunteer as members of future working groups. She also requested that Town

Manager Valente forward her presentation spreadsheets to the BRTF tomorrow. Town Manager Valente agreed to do so.

Chairman O'Brien and Town Manager Valente reiterated that those interested in volunteering for any of the working groups mentioned tonight can access applications on the Town website.

Mr. Haarde opined that he believes solving the sewer issue is of utmost importance for the economic development of Sudbury. He also believes that the Town cannot wait until it finds the right parcel before doing anything. Mr. Haarde believes an active group should be focused on this issue on an ongoing basis. Town Manager Valente and Selectman Drobinski noted that there is a Town Sewer Assessment Technical Advisory Committee (SATAC), comprised of engineering and technically-oriented members, which has directed attention to these issues in past years. It was suggested that the SATAC be expanded to act as the working group for sewer-related topics, and that a citizens' group be assembled to help publicize the need for any requisite zoning changes. Town Manager Valente suggested that SATAC be contacted to collaborate with the BRTF.

Chairman O'Brien summarized that there has been the most interest in developing initial working groups to further study recommendation for consolidation of school administrations, an Energy and Sustainability Green Ribbon Committee, sewers, legislative issues, and a charitable giving group.

Mr. Levington stated that he hopes further study of sewer-related topics will include consideration of areas for senior housing because sewers are important to senior citizens as a way of reducing monthly living expenses. He emphasized that senior citizens provide much needed property tax revenue to the Town, without requiring additional services. Mr. Levington further stated he has provided the Board and Town Manager Valente other recommendations in a memorandum dated May 12, 2009. Selectman Drobinski requested that Town Manager Valente forward Mr. Levington's memo to the BRTF for informational purposes, and she agreed to do so.

Robert Morrison, 16 October Road, mentioned that there could be some imminent grant deadlines to pursue by the Green Ribbon Committee. Mr. Morrison hopes to learn more during a webinar on May 15, 2009. Town Manager Valente has apprised him that the webinar information has been posted on the Town website. He suggested that if the Committee cannot be officially formed and approved quickly enough to pursue these funding possibilities, an ad hoc group could assemble to begin grant work since timeframes are short. He has volunteered to work in this capacity, as has Rami Alwan

BRTF member Jeffrey Beeler stated that he is pleased to hear that working groups will be formed to address the BRTF's recommendations to generate revenue, especially for energy and sewer-related issues.

Rami Alwan, 119 Pantry Road, mentioned that the Lincoln-Sudbury Regional High School (L-SRHS) when first constructed had considered geothermal technology, and he questioned if the Green Ribbon Committee could study whether the building could be retrofitted now to save money. Selectman Drobinski responded that the Committee would be able to study this as well as anything else within the "green" realm as it wishes. Town Manager Valente stated it is her hope that the Committee could direct attention to L-SRHS, Sudbury Public Schools and Town buildings in its work. Mr. Merra stated that he believes previous studies proved to be cost prohibitive to retrofit L-SRHS, due to lead issues.

Mr. Merra asked if Town Manager Valente has included in her spreadsheets payments received by the Town in lieu of property taxes. Ms. Valente responded that she has Town staff working on compiling that information.

A BRTF member asked if a working group will be established to address regionalization recommendations. Town Manager Valente stated that many efforts are already underway to regionalize such things as public health, ambulance advanced-life-support services, libraries, Councils on Aging, and transfer stations. Ms. Valente highlighted that as communities face more budget issues in future years, and new hires bring a fresher mentality towards options, opportunities for regionalization should increase.

It was on motion unanimously

VOTED: To approve the establishment of a Energy and Sustainability Green Ribbon Committee to further study energy savings, fundraising and grant opportunities, and commercial development/sewers.

The Board thanked the BRTF members for their dedication and hard work.

Ponds and Waterways Committee

On behalf of the Ponds and Waterways Committee, Tammie Dufault asked the Board to approve the placement of its eco-friendly signs on Town property. The Board expressed no concerns. Town Manager Valente stated that, since this is within her jurisdiction and the Board has no objections, she approves placement of the eco-friendly signs on appropriate Town properties, subject to agreement by applicable Town Department Heads.

In response to a question from Chairman O'Brien, Ms. Dufault stated that anyone interested in posting a sign on their property can contact the Ponds and Waterways Committee by email, as noted on the Town website.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of April 28, 2009.

Raytheon Corporation - Grant

Selectman Drobinski recused himself from this vote, since he occasionally acts as a consultant for Raytheon.

It was on motion

VOTED: To accept on behalf of the Town, a \$750 grant from Raytheon to be used for production of the 2008 Annual Report, an unfunded line item in the FY09 budget and to send a letter of appreciation to Raytheon.

Boy Scout Troop 61

It was on motion unanimously

VOTED: To enter into the Town record and sign a letter of acknowledgment and congratulations to Jacob Samuel Lifschultz, 50 Austin Road, of Troop 61, on achieving the high honor of Eagle Scout at an Eagle Court of Honor ceremony to be held at Sudbury United Methodist Church on June 7, 2009, at 1:00 p.m.

National Society Daughters of Founders and Patriots of America - Donation

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$2,000 donation from the National Society Daughters of Founders and Patriots of America to be used for the preservation of the original vital Town Meeting records of Sudbury's Colonial Period, said funds to be expended under the direction of the Town Clerk, and a letter of appreciation sent to the donor.

Positive Spin for ALS Ride - Special Permit

It was on motion unanimously

VOTED: To grant a special permit to Myke Farricker, Coordinator, for the Positive Spin for ALS Bike Ride on Sunday, June 14, 2009, from 7:00 a.m. through approximately 4:00 p.m., following the same route as in previous years, beginning and ending in Wayland, and subject to Police Department safety requirements, proof of insurance liability coverage, the assurance that any litter will be removed at the end of the race, and a meeting within 24-48 hours of the event between organizers and the Sudbury Police Department to discuss last-minute safety concerns.

NStar Electric and Verizon New England - Joint Ownership of Utility Poles - Pondview Road

It was on motion unanimously

VOTED: To approve Utility Petition #09-01 for joint ownership by NStar Electric Co. and Verizon New England, Inc. of NStar's solely-owned poles on Pondview Road through purchase by Verizon, as requested in a letter received on April 21, 2009, from William D. Lemos, NStar Supervisor of Rights and Permits.

Budget Review Task Force - Dissolution

This item was withdrawn from tonight's agenda.

Executive Session

At 9:45 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 9:45 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN
WEDNESDAY, MAY 13, 2009
EXECUTIVE SESSION
(9:45 P.M - 10:05 P.M.)

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

Collective Bargaining - Contract Negotiations Updates

Town Manager Valente reported that she and Assistant Town Manager Wayne Walker met with the Town's health insurance consultant, Group Benefits Strategies, who will be meeting with Carol Chandler to discuss the other options for health coverage. Ms. Valente noted that the Town's current system has allowed savings, which otherwise would have gone to Blue Cross Blue Shield, to be deposited into the Town's healthcare trust fund which has been used to defray yearly premium increases. She emphasized the need to consider this option from a long-term perspective.

Town Manager Valente has also asked Assistant Town Manager Walker to further study how the anticipated \$1,000,000 in savings, which the Sudbury Public Schools anticipates receiving from eventual plan-design and contribution-level revisions can be best returned to them over a two-year period.

Town Manager Valente further reported that the Town's Supervisory Association has submitted a formal counteroffer proposal. The proposal recommends that members would receive no Cost of Living Adjustment (COLA), if they can receive an average increase to their step ranking. The proposal also suggests that, if any other Town union successfully negotiates a COLA increase with the Town, that they too would receive a COLA adjustment.

Additionally, Town Manager Valente reported that Assistant Town Manager Walker has reached a tentative one-year FY09 agreement with the Dispatchers Union, awarding a COLA adjustment. However, Ms. Valente highlighted that the tentative agreement includes favorable language for the Town stating that, if the Town moves to a new health plan design, this union will accept the terms of the new plan.

There being no further business, the meeting adjourned at 10:05 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk