

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, MAY 26, 2009

Present: Chairman Lawrence W. O'Brien, Vice-Chairman William J. Keller, Jr. (arrived at 7:43 p.m.), 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 7:39 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

At 7:39 p.m., Chairman O'Brien opened the meeting. He thanked the Memorial Day Committee for organizing the local remembrances for the veterans who have served our country. Chairman O'Brien also thanked the Sudbury Police Department and the Department of Public Works for the excellent jobs done to prepare the Parade route and the Town cemeteries.

Town Manager Valente noted that the *Boston Globe* featured a recent article on Sudbury resident Winifred (Winnie) Grinnell, the "Flag Lady", who has personally put the flags on veterans' graves on Memorial Day for several decades. This year, Winnie passed the baton to the local Girl Scouts to place the flags on the graves.

Chairman O'Brien reminded the community to be mindful when driving, due to prom season and end-of-school activities. He also announced that opening ceremonies for Riverfest will be on June 12, 2009, followed by a weekend of fun activities celebrating the Assabet and Concord Rivers. He encouraged attendance, and noted that program details are available on the Riverfest website.

Vice-Chairman Keller joined the meeting at 7:43 p.m., after attending a meeting of the Lincoln-Sudbury Regional High School Committee regarding contract negotiations. He reported that the group continues to work diligently towards a mutual agreement acceptable to all parties.

**Reports from Town Manager**

**Metropolitan Area Planning Council - Metropolitan Planning Organization - Municipal Elections**

Town Manager Valente referenced information she received from the Metropolitan Area Planning Council (MAPC) regarding the upcoming municipal elections to the Boston Region Metropolitan Planning Organization (MPO) and the MAPC Annual Meeting to be held on June 9, 2009 at the Colonnade Hotel in Boston. She explained that each town must cast a ballot by the chief elected official of the community, or its designee, prior to June 9th, for one vote each for a MPO City and Town Member seat. This year, the two towns seeking election to the seat are Bedford and Westwood. Selectman Drobinski suggested that Sudbury cast its vote for the town of Bedford, since Bedford and Sudbury are both members of MAGIC, and thus will have similar priorities. Town Manager Valente concurred, noting that Bedford, if selected, will appoint its Town Manager as its designee, who will work on behalf of the region's best interests. In response to a question from Chairman O'Brien, Ms. Valente stated that there is a benefit for our regional concerns to be well represented within these organizations.

It was on motion unanimously

VOTED: On behalf of the Town of Sudbury, to cast a vote for Bedford as the Metropolitan Planning Organization Town Member, and also to cast a vote for Braintree as the Metropolitan Planning Organization City Member.

**Wayland-Sudbury Septage Treatment Facility**

Town Manager Valente distributed to the Board, for informational purposes, copies of the letter sent by Sudbury and Wayland to the Massachusetts Department of Environmental Protection (DEP), which accompanied the towns' Facility Decommissioning Plan and Schedule. She noted that a recent op-ed article in the *Sudbury Town Crier* included statements which should be clarified. She highlighted that the Wayland-Sudbury Septage Committee members voted 4-2 for a decision similar to that reached by the Boards of Selectmen from both Sudbury and Wayland. Ms. Valente stated that there has not been enough evidence provided to conclude that the decision to decommission the facility will result in an increase of cost for residents.

Selectman Drobinski opined that the Facility's business model changed through the years, as it was made available to more users than those from Wayland and Sudbury. He stated that DEP reports indicated that the Facility was not in compliance, and that the decision to decommission was made so as to not incur severe DEP-stipulated penalties. Selectman Drobinski emphasized that no decision has been made to demolish the Facility by either Sudbury or Wayland.

Chairman O'Brien noted that the joint meeting held by this Board on May 5, 2009 with the Wayland Board of Selectmen and the Wayland-Sudbury Septage Committee was taped and can be viewed on-line at SudburyTV.org. He stated that the 90-minute meeting included input from various sources, as the group deliberated options for the Facility. Ms. Valente concurred that the deliberation leading to the decision to decommission the Facility was more thorough than the op-ed article suggested.

Selectman Drobinski further stated that the Wayland-Sudbury Septage Committee members are appointed by different boards, as well as by Wayland or Sudbury Boards of Selectmen, and that the Committee reached an independent conclusion by a majority of its members supporting the eventual decision.

Vice-Chairman Keller stated that the DEP report described the fines which would be imposed if the Facility could not improve its environmental outcomes. He further stated there was no certainty that, if additional upgrades were made to the Facility, full compliance would be attained. Vice-Chairman Keller stated that the Wayland-Sudbury Septage Committee members are dedicated volunteers, who have struggled with these issues for years on behalf of the community at large, prior to reaching their majority recommendation to decommission the Facility. He emphasized that he is comfortable with the decision made by both Boards of Selectmen.

**State Aid - Update**

Town Manager Valente announced that the State Senate reduced the State budget by \$449 million, which translates to a drop in State Aid levels not experienced since the 1980s. However, Ms. Valente stressed that Sudbury will likely experience at least a \$520,000 reduction in anticipated State Aid. Thus, she opined that it was wise for Sudbury to delay its Town Meeting budget discussions to present a more accurate and realistic budget plan to the voters.

Town Manager Valente also reported that Sudbury's Finance Committee Chairman Chuck Woodard has written a letter to State Senators Fargo and Eldridge expressing how devastating the proposed municipal health insurance revisions would be to communities. Chairman O'Brien emphasized that the State's proposed changes to the municipal health insurance is a significant issue which will impact all citizens. He urged residents to contact State Senators Fargo and Eldridge by phone and/or email to let them know that the proposed revisions are unacceptable. Chairman O'Brien further reported that he and Town Manager Valente, and many other Town officials from surrounding communities, voiced their dissatisfaction with the health

insurance proposal at a recent forum in Hudson. Selectman Drobinski explained that the State's proposed revisions would force towns to reach agreements through binding arbitration, which could only be funded by either increases to property taxes, or layoffs/reduction of staff. He also urged citizens to contact State officials to express opposition to the proposal. Town Manager Valente noted that, although it is possible the cost of health insurance could decrease as a result of the proposed arbitration process, it is important to note that costs will likely increase in another area to compensate for that decrease. Chairman O'Brien suggested that the letter the Board sent to State Senators Fargo and Eldridge regarding the proposed changes should be updated and submitted as a "Letter to the Editor" to the *Boston Globe* and the *Sudbury Town Crier*.

It was on motion unanimously

VOTED: To authorize the Chairman and Town Manager, on behalf of the Board of Selectmen, to revise a "Letter to the Editor" to be submitted to local newspapers, highlighting the importance of citizens and communities opposing the proposed State changes to the Group Insurance Commission.

### **Transfer Station - Recycling-Only Sticker Proposal**

Town Manager Valente suggested that the Board consider at a future meeting a proposal to issue recycling-only stickers for the Transfer Station for a nominal annual fee. Selectman Drobinski asked if there will be a discounted fee for senior citizens. He also questioned whether the fee would be abolished if the recyclable market were to improve in the future. Town Manager Valente responded that an analysis of costs and proposed stipulations could be developed and presented to the Board for future review. The Board stated it would consider the option, when a proposal is presented.

### **Reports From the Board of Selectmen**

Selectman Drobinski encouraged residents to participate in the Riverfest activities. He also is pleased to see many homeowners displaying the Ponds and Waterways Committee eco-friendly signs on their lawns.

Vice-Chairman Keller stated that the Memorial Day Parade and activities went well.

Chairman O'Brien reported that the Consolidation Working Group regarding school administration continued its work in recent meetings with area superintendents. Discussions indicate that towns realize educational benefits when there is one superintendent overseeing all schools.

Chairman O'Brien also reminded the community that the Annual 2009 Town Meeting will resume on June 15, 2009.

### **Nobscot Phase I - Bond Issue Bid**

Present: Town Finance Director/Treasurer Andrea Terkelsen

Chairman O'Brien congratulated Town Manager Valente, Town Finance Director/Treasurer Andrea Terkelsen, Director of Planning and Community Development Jody Kablack and staff members Barbara Chisholm and Peter Anderson for their work with the S & P credit rating agency to reaffirm Sudbury's AAA bond-rating status. He commended Town Manager Valente and Town staff, whose hard work all year long helps to make this result possible. Chairman O'Brien further stated that this rating enables Sudbury to obtain favorable interest rates, such as the one before the Board tonight for purchase of the Nobscot land. In response to a question from the Board, Town Manager Valente briefly explained why the S & P credit rating agency was selected by Sudbury. She highlighted that approximately 15 communities in Massachusetts are awarded AAA status by either S& P or Moody's. Ms. Valente also noted that other communities which are

not AAA-rated, often buy bond insurance to attain the AAA status. However, she further stated that obtaining bond insurance has become more difficult due to a slowing in the market of insurers. Ms. Valente also the Town Finance staff for all their efforts and hard work.

Finance Director/Treasurer Andrea Terkelsen reported that bids were taken on May 20, 2009 for \$5,045,000 in long-term debt, to fund the recent Conservation Restriction purchase of Nobscot Phase 1 land. Five bids were received, with the lowest bid from Roosevelt & Cross, Inc. Ms. Terkelsen further reported that the true interest cost will be an average of 3.21% for 20 years. She suggested that the Board complete its official acceptance of the winning bid by moving in the words specifically prepared by bond counsel, copies of which she distributed to the Board.

Selectman Drobinski congratulated Town Manager Valente and Jody Kablack on this project, noting that the purchase of the Nobscot land was a complex and historic process of Town staff working with the Sudbury Valley Trustees to save a parcel from development. Vice-Chairman Keller concurred, noting that the Knox Trail Council collaborated with the Town and the Sudbury Valley Trustees to bring the deal to fruition. He also stated the Town is very fortunate to have obtained such a favorable bond rate.

Town Manager Valente stated that the bond expenses will be repaid from the Community Preservation Act surcharge fund. She also noted that the bonds have been issued in increments of at least \$250,000, which will be signed by the Board tonight, and delivered personally by Ms. Terkelsen to a secure location this evening.

It was on motion unanimously

VOTED: That the sale of the \$5,045,000 General Obligation Community Preservation Land Acquisition Bonds of the Town dated June 1, 2009 (the "Bonds"), to Roosevelt & Cross, Inc. at the price of \$5,054,248 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on October 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

| <u>Year</u> | <u>Amount</u> | <u>Interest Rate</u> | <u>Year</u> | <u>Amount</u> | <u>Interest Rate</u> |
|-------------|---------------|----------------------|-------------|---------------|----------------------|
| 2009        | \$255,000     | 4.00%                | 2019        | \$250,000     | 3.00%                |
| 2010        | 255,000       | 3.00                 | 2020        | 250,000       | 3.00                 |
| 2011        | 255,000       | 2.00                 | 2022        | 500,000       | 3.25                 |
| 2012        | 255,000       | 2.00                 | 2023        | 250,000       | 3.375                |
| 2013        | 255,000       | 2.00                 | 2024        | 250,000       | 3.50                 |
| 2014        | 255,000       | 2.25                 | 2025        | 250,000       | 3.625                |
| 2015        | 255,000       | 2.375                | 2026        | 250,000       | 3.75                 |
| 2016        | 255,000       | 2.50                 | 2027        | 250,000       | 3.875                |
| 2017        | 255,000       | 2.75                 | 2028        | 250,000       | 4.00                 |
| 2018        | 250,000       | 3.00                 |             |               |                      |

It was also on motion unanimously

Further Voted: That the Bonds maturing on October 15, 2022 (a "Term Bond") shall be subject to mandatory redemption or mature as follows:

| <u>Bond due October 15, 2022</u> |           |
|----------------------------------|-----------|
| 2021                             | \$250,000 |
| 2022*                            | 250,000   |

\*Final Maturity

It was also on motion unanimously

Further Voted: That in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 6, 2009, and a final Official Statement dated May 20, 2009 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

It was also on motion unanimously

Further Voted: That the Bonds shall be subject to redemption at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

It was also on motion unanimously

Further Voted: That the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

It was also on motion unanimously

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

**Grouse Hill - Temporary Construction Access and Egress**

Present: Director of Planning and Community Development Jody Kablack and Michael Cremin, Rosewood Construction Project Manager

Director of Planning and Community Development Jody Kablack described the request from Capital Group Properties to approve temporary access and egress to Grouse Hill from Old Framingham Road through Town-owned land located across from 63 Old Framingham Road, for a three week period, beginning May 26, 2009, as requested by the Rosewood Construction Project Manager. The access and egress is required to complete construction of a landscape berm as part of the Grouse Hill development.

Ms. Kablack referenced a site map, copies of which had previously been provided to the Board, primarily depicting the Town-owned land which would need to be accessed. She noted that the setback between the buildings and property lines is too narrow to allow access for large trucks, and is in too close of a proximity to the occupants of Grouse Hill units 12-19. Ms. Kablack and Department of Public Works (DPW) Director William Place have reviewed the request and foresee no problems as long as the area is restored upon completion.

Ms. Kablack stated that abutters were notified of the request. Ray Bachand did contact her today with questions concerning the level of truck activity occurring each day.

Chairman O'Brien requested what kind of equipment will need to cross the Town-owned land. Rosewood Construction Project Manager Michael Cremin responded that tractor trailers will be delivering berm

material. Vice-Chairman Keller later asked what type of material will be transported. Mr. Cremin responded primarily loam, and some gravel.

Chairman O'Brien asked if three weeks is a realistic timeframe to complete the work. Mr. Cremin responded that three weeks will be sufficient time, weather permitting.

Vice-Chairman Keller asked approximately how many truck trips are anticipated each day. Mr. Cremin responded approximately four to five truck trips per day, for the three-week duration. Selectman Drobinski asked approximately how much material will need to be moved across the area to the construction site. Mr. Cremin estimated approximately 30 tractor-trailer loads of material will be required, which Selectman Drobinski estimated to be approximately 600 yards.

Selectman Drobinski asked what the hours of operation will be for the truck deliveries. Mr. Cremin responded there will be no activity before 7:00 a.m., and deliveries should conclude around 3:30 p.m. Ms. Kablack clarified that the draft Temporary Construction Access License states the hours of 7:00 a.m. to 5:00 p.m.

Selectman Drobinski suggested that #4 of the Temporary Construction Access License be revised to include language to ensure that the Town roadways are well maintained and cleared of any construction debris on a daily basis, and that proper dust-control measures are utilized daily.

Chairman O'Brien questioned if there are any catch basins of concern in the area. Ms. Kablack responded no, since there is no drainage presently on Old Framingham Road. However, Ms. Kablack noted that drainage will be installed by the applicant upon construction completion.

Abutter Ray Bachand, 60 Nobscot Road, arrived late to the meeting, and requested a brief recap of the discussion thus far, which was provided by Chairman O'Brien. Mr. Bachand questioned whether the same number of truck trips is anticipated as has occurred in the past several weeks. Mr. Cremin responded that he does not anticipate exceeding, in the future, the number of trips that have occurred lately.

Mr. Bachand opined that it appears the berm has already been created in recent weeks, and he asked what the material will be used for that will be transported into the development. Mr. Cremin explained that screening of loam is currently underway. Mr. Bachand stated that the screening process is extremely noisy, and he would not want that process to move onto the Town-owned land and closer to his property. Selectman Drobinski responded that tonight's request is only for permission to traverse the property and for no other activities. Although the piled material may appear to be a berm, Mr. Cremin further stated it is not, and that some of the piled material will be relocated to other landscaping areas around the development.

Mr. Bachand stated there have been several truck trips, some transporting loam, already made across the Town land, sometimes as often as ten times a day, in recent weeks. Mr. Cremin responded that he had become aware that contrary to instructions, subcontractors were taking this shortcut, which is why he pursued the process tonight to obtain formal permission from the Town. Mr. Bachand further stated that truck activity and work has occurred after 5:00 p.m., and as late as 9:00 p.m. In addition, Mr. Bachand later stated that he should not have to "police" the situation, and he believes the Town does not monitor closely enough whether the conditions of approval are being upheld. Selectman Drobinski suggested that Mr. Bachand contact the Building Inspector in the future to relay his observations. Ms. Kablack responded that the area is an active construction site. However, Ms. Kablack further stated that DPW Director Bill Place does inspect the area weekly, and the area is visited regularly by the Conservation Commission. She emphasized that when any infractions have been noted, the Town has notified the developer, who has always been amenable to resolving any concerns.

Chairman O'Brien acknowledged that Mr. Bachand is an abutter who is significantly, and most closely impacted by the construction activity. He suggested that Mr. Bachand continue to communicate his concerns to Ms. Kablack if he observes activity which exceeds what has been authorized in the Temporary Construction Access License. Vice-Chairman Keller later stated that citizens need to help the Town do its job better by communicating their observations to Town offices.

Mr. Bachand noted that the trucks are traveling in and out across the land from the construction site. He suggested that language be included in the Temporary Construction Access License to acknowledge truck movement in both directions. Ms. Kablack noted that a four-week time period has been designated in the Temporary Construction Access License to allow for time to also remove material from the site. Mr. Cremin stated that material can be removed from the site on roads within the development, and between buildings, by smaller trucks. Mr. Bachand reiterated that material is also leaving the premises across the Town-owned land, and he believes such activity should be noted in the Temporary Construction Access License. All parties agreed that it is best to get the construction completed as soon as possible.

Selectman Drobinski suggested, and the Board concurred, that the title be revised to read "Temporary Construction Access and Egress License." Vice-Chairman Keller noted that the title also will need to be revised in the first paragraph. Chairman O'Brien further recommended that the request be approved tonight, subject to the amendments suggested this evening being incorporated and submitted to the Board for final review. Chairman O'Brien also suggested that the final minutes of tonight's meeting be attached to the Temporary Construction Access and Egress License.

Mr. Bachand questioned what is included in the definition of "working on the berm," and he wondered if the three-week request includes planting time. Selectman Drobinski responded that the planting on the berm will occur on development land, and thus is unrelated to tonight's request pertaining to Town-owned land access. Mr. Cremin responded that the planting will occur in the next five weeks, weather permitting. Mr. Bachand further questioned how the area will be accessed to perform the planting. Mr. Cremin responded that the area will be able to be accessed from within the development.

It was on motion unanimously

VOTED: To approve temporary access and egress to and from Grouse Hill from Old Framingham Road through Town-owned land located across from the house at 63 Old Framingham Road, for a four week period, from the date of execution of a Temporary Construction Access and Egress License, as requested by the Rosewood Construction Project Manager, subject to provisions being instituted which will ensure that the Town does not incur additional maintenance responsibilities for the land and Town roadways as a result of this approval, and that the area will be appropriately restored upon completion.

**Public Hearing: WestMetro Consolidated Housing Plan - Needs Assessment**

Present: Sudbury Housing Specialist Beth Rust and Director of Planning and Community Development Jody Kablack

At 9:02 p.m., Chairman O'Brien opened the Public Hearing for the Needs Assessment portion of the WestMetro Consolidated Five-Year Housing Plan. Sudbury Housing Specialist Beth Rust explained that this is required by the Housing and Urban Development (HUD) Department. She distributed to the Board copies of a draft "Sudbury Housing Needs Assessment Citizen Participation Plan" for review. Ms. Rust explained the housing plan covers the FY11 to FY15 period and will be submitted to HUD in May 2010. She reported that the Data Collection phase of the report was completed in February, which is followed by this Needs

Assessment phase. A third phase regarding Objectives, Strategies and Projects definitions will be completed in fall of 2009.

Ms. Rust would like to gather as much input from the community regarding unmet housing needs in Sudbury. She presented sample questions for which feedback will be solicited from many sources, including affordable housing providers, human service providers, the local Housing Authority, Town boards and committees and the public. Ms. Rust mentioned that the Public Hearing was duly advertised, and that she hopes to gather input over the next few months to incorporate in a final report to be presented to the Board for endorsement at the end of the summer.

Ms. Rust provided a brief overview of Sudbury's discounted housing options. She stated there are 356 market discount-housing options in Sudbury, categorized as 13 family home-ownership units (including Chapter 40B projects and the Habitat for Humanity duplex), 91 family rental units (generally known as public housing scattered throughout Town or offered to Section 8 families), 10 senior assisted-living units, 114 senior rental units (managed by the Sudbury Housing Authority), 96 senior home-ownership units via the Incentive Senior Development bylaw (Frost Farm and Grouse Hill), and 32 family home-ownership units permitted but not constructed (private Chapter 40B developments on hold due to the current economy, market and financial conditions).

Additionally, Ms. Rust reported there has been nearly a 1% increase in Sudbury's Subsidized Housing Inventory in the past three years. However, Ms. Rust further highlighted a few of Sudbury's housing deficiencies, such as few moderate or market income family rental housing opportunities, which could benefit starter families, little housing reserved for persons with mental disabilities requiring on-site services, and none in a group-home setting. She also noted that there are 15 accessible units in Sudbury for mobility impairment.

Ms. Rust announced that the Sudbury Housing Trust recently received a CHAPA grant to develop information and a report on housing persons with disabilities. This project will help further the Trust's work to support the efforts of the Woods Walk Sanctuary in developing a group-home project in Town. Sudbury was one of seven communities to receive this grant.

Ms. Rust provided the Board with a brief project update on Longfellow Glen, which has a 30-year affordability restriction, which expires on January 9, 2014. The property was sold in November 2008 as part of a larger real estate deal to Providence Realty Investment LLC, which intends to maintain the rental subsidy, and is working towards that end with appropriate agencies. An informal offer has been suggested offering the Town the opportunity to purchase an extension to the standard financing terms for 30 years into perpetuity. The affordability term for Longfellow Glen could also be extended by the buyer into perpetuity with the community assistance of \$2,000 per unit, i.e., \$240,000 for the 120 units.

Ms. Rust also reviewed the status of permitted Chapter 40B projects. She also shared with the Board goals and input already received from Sudbury's Community Housing Office, Council on Aging Director, Senior Tax Advisor, and the Sudbury Housing Authority.

Chairman O'Brien opined that the approach to collecting the information seems logical. However, Chairman O'Brien noted that he would prefer to review the information completely and provide feedback at a later time.

Sudbury resident Judith Rhome, representing the Woods Walk Sanctuary, addressed the Board to express the need for a group home in Sudbury to provide adequate supports. She reported that the Sanctuary has hired a consultant and begun fundraising efforts. However, Ms. Rhome stated that the current economic



climate has hindered her efforts, in particular, accessing Federal Home Loan Program funds at this time, even though qualifications seem to have been met. She encouraged the Board and community to continue to pursue creative housing solutions to enable the disabled population to remain in Sudbury.

Sudbury's Senior Tax Advisor David Levington addressed the Board to reinforce his belief that the best long-range housing goal for Sudbury is to establish a stable senior population, which can afford to continue to live in Sudbury, pay taxes, while not requiring many costly Town services.

Selectman Drobinski referenced comments received from Sudbury's Council on Aging Director, noting that the Town does not provide affordable enough solutions for most senior citizens. He believes these comments should be addressed in the future.

Director of Planning and Community Development Jody Kablack noted that the information collected will not only be used to meet the HUD requirement, but will also be helpful when developing FY10 goals for the Board of Selectmen and the Community Preservation Committee report for the next five years.

At 9:23 p.m., the Board thanked Ms. Rust and Ms. Kablack for their presentation. Chairman O'Brien asked Board members to review the report and provide Ms. Rust with input at their earliest convenience. Town Manager Valente asked Ms. Rust for an additional copy of tonight's report, which Ms. Rust agreed to provide.

#### **Lincoln Meadows Conservation Land - Community Garden Storage Shed**

Present: Architect Daniel Hewitt and Sudbury Conservation Commission Coordinator Debbie Dineen

At 9:25 p.m., Chairman O'Brien welcomed Sudbury resident Daniel Hewitt to the meeting, and stated that in the spirit of full disclosure, he knows Mr. Hewitt personally through their daughters. Mr. Hewitt explained the architectural workshops he plans to conduct this summer for 14-18 year olds at Lincoln-Sudbury Regional High School to build a sustainable community garden storage shed. He hopes the programs will provide exposure for the students to architecture and design concepts in two to three-week sessions. Mr. Hewitt emphasized that the shed will be prefabricated at the High School and brought in large sections to the conservation land. He provided the Board with photographs of the existing structure. Mr. Hewitt explained that the root cellar is in good shape, and it will be maintained as the foundation for the new structure. Although the new shed has not yet been designed by the students, Mr. Hewitt provided plausible dimensions for the new structure, which would be acceptable for the site.

Mr. Hewitt noted that he has received approval from the High School for the workshops, He has also met with the Conservation Commission, which noted a few concerns regarding maintenance, lighting and utility. Conservation Commission Coordinator Debbie Dineen stated that the Commission prefers a shed which will require little to no future maintenance, and will not be prone to vandalism. The Commission believes its concerns can be worked through, and is enthusiastic for the project. Ms. Dineen noted that the shed will provide much needed storage for large community gardening equipment, and will alleviate the Department of Public Works by not having to periodically move the equipment. Ms. Dineen further noted that only invasive species plants will be removed from the site location.

Chairman O'Brien asked who will be responsible for the demolition of the existing structure. Ms. Dineen explained that, due to the dangerous condition of the present tin roof, which has experienced severe damage from storms, the decision was made to have the Department of Public Works demolish the present structure instead of the workshop participants.

Mr. Hewitt suggested that, once the students have designed the shed, perhaps a presentation of the plans could be scheduled to the Conservation Commission and the Board of Selectmen. The Board responded enthusiastically to this suggestion. Selectman Drobinski opined that the project is a great idea. Vice-Chairman Keller concurred. He commended Mr. Hewitt for volunteering his time to conduct these workshops for Sudbury's youth, and said the project is laudable.

Ms. Dineen further stated that Town Counsel Paul Kenny has approved this use of the current site, and appropriate insurance liability and bonding will be issued. Town Manager Valente reported that she has approved the Department of Public Works to assist with the demolition portion of the project.

It was on motion unanimously

VOTED: To approve construction of a community garden storage shed on an existing small root cellar foundation at the Lincoln Meadows Conservation Land, under the direction of Daniel Hewitt, subject to liability insurance guidelines and restrictions of Town Counsel.

### **Minutes**

Selectman Drobinski requested, and the Board agreed, that the May 5, 2009 minutes be corrected on Page 7 to list him as Selectman Drobinski rather than as Vice-Chairman. He also requested that the May 13, 2009 regular minutes be revised on Page 3 to reflect that Budget Review Task Force (BRTF) members Richard Robison, John Tyan (meant to be Ryan), Jr., and Karen Massey were not present for the discussion, and that BRTF member Sabino Merri was present.

It was on motion unanimously

VOTED: To approve the regular minutes of the Joint Sudbury/Wayland meeting on May 5, 2009, and the regular and executive session minutes of May 13, 2009, as amended this evening, incorporating the revisions requested by Selectman Drobinski.

### **Mass. Dept. of Public Health's Region 4A - Funding Award**

It was on motion unanimously

VOTED: To accept, on behalf of the Town, \$5,240 from the Massachusetts Department of Public Health's Region 4A Emergency Preparedness FY09 funding to be used primarily for the purchase of a storage trailer and accessories by the Region 4A fiscal agent, and expended under the direction of the Health Director.

### **Energy and Sustainability Green Ribbon Committee - Mission Statement**

Town Manager Valente requested that the Board consider appointing two initial members, Robert Morrison and Mark Sevier, tonight to the Energy and Sustainability Green Ribbon Committee. These gentlemen have already begun work with Building Inspector James Kelly, pursuing grant information and submitting grant proposals. She commended their initiative in volunteering their time and suggested that they be acknowledged with an official appointment at this time. Selectman Drobinski stated that he is inclined to support their appointments, so long as they both meet one of the preference criteria established for member candidates. Ms. Valente assured the Board that both men meet an established preference criterion, and bring significant expertise to these efforts. Ms. Valente further stated, that if the Committee's Mission Statement is approved tonight, advertising for candidates for the remaining membership will commence as soon as possible.

It was on motion unanimously

VOTED: To approve a Mission Statement for the Energy and Sustainability Green Ribbon Committee as drafted by Town Manager Valente.

It was also on motion unanimously

VOTED: To appoint Robert Morrison, 16 October Road, and Mark E. Sevier, 17 Arborwood Road, as members to the Energy and Sustainability Green Ribbon Committee, each with a term expiring April 30, 2012, as recommended by Town Manager Valente.

**Executive Session**

At 9:43 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 that Sudbury Public Schools Superintendent John Brackett and Sudbury Public School Committee members Richard Robison and Susan Iuliano will be joining the Board for tonight's Executive Session discussion.

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

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

Attest: \_\_\_\_\_  
Maureen G. Valente  
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, MAY 26, 2009  
EXECUTIVE SESSION  
(9:45 PM – 11:55 PM)

Present: Chairman Lawrence W. O'Brien, Vice-Chairman William J. Keller, Jr., Selectman John C. Drobinski, Maureen G. Valente, Town Manager, John R. Brackett, Sudbury School Superintendent, Susan N. Iuliano, Sudbury School Committee Chair, Richard J. Robison, Sudbury School Committee

**Collective Bargaining – Benefit Package**

Chairman O'Brien convened Executive Session at 9:45 p.m., with guests John R. Brackett, Susan N. Iuliano, and Richard J. Robison. Sudbury Public Schools is looking for where the Selectmen might see some room for changes in their voted benefit package, and where there are firm lines the Board would not budge from. Lengthy discussions ensued along with multiple proposals and scenarios developed by participants. Eventually, the Board of Selectmen indicated the following:

1. All parties will continue to negotiate the implementation of the benefits package as voted by the Board of Selectmen and presented to the Insurance Advisory Committee (aka the IAC package), with the ability to use any savings from this as the cost center sees appropriate (as long as such use does not create extraordinary complications for the other cost center, such as through granting a very large COLA in any of the three years, etc.)
2. Both the Sudbury School Committee and the Town Manager now have the authority of the Board of Selectmen to tentatively agree to a deal with a union that does not have all elements of the IAC package voted by the Selectmen IF they believe such change could help get a deal done sooner and is overall beneficial to the cost center and again does not create undue complications or pressure on the other cost center or with other unions AND is within the following parameters:
  - a. The effective date of the plan design can be as late as January 1, 2010, but must include all components of the plan design of the IAC package.
  - b. The contribution rate for existing employees on HMO Blue must still move to 75/25, but this can be accomplished in stages over 3 years.
  - c. The contribution rate for existing employees on Blue Choice must still move to 60/40 but this can be accomplished in stages over 3 years.
  - d. The contribution rate for new hires must move to the desired IAC rates beginning July 1, 2009 (70/30 HMO and 55/45 POS)
  - e. The Harvard Plan is ended beginning January 1 or whenever the effective date for the new plan design is before January 1. No new members allowed to join between now and Jan. 1.
  - f. The HRA offer is only for the next two calendar years if the effective date of plan design changes is January 1, instead of the three years planned under the IAC package which assumed a July 1 effective date. The HRA cannot go beyond the 3 years of the proposed contract period, hence the need to make it only 2 years of the 3 year contract.

There being no further business, the meeting adjourned at 11:55 p.m.

Attest: \_\_\_\_\_  
Maureen G. Valente  
Town Manager-Clerk