

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, NOVEMBER 3, 2009

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:32 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:32 p.m., Chairman Keller opened the meeting. He announced the State primary election will be held for the open U.S. Senate seat on December 8, 2009. Chairman Keller urged citizens to register to vote by the deadline of November 18, 2009. The Town Clerk's Office will be open until 8:00 p.m. on November 18, 2009 to accommodate late registrations.

Chairman Keller also announced the Herb Chambers BMW dealership will hold a grand opening celebration on November 5, 2009 from 5:00 p.m. to 9:00 p.m. He encouraged the community to help welcome this new business to Sudbury by attending the event.

Chairman Keller reported that a water main break occurred today in the Route 20 and Union Avenue vicinity. He noted that details are not yet available, since the situation falls within the jurisdiction of the Sudbury Water District. Chairman Keller advised residents to avoid the intersection, if possible, while repairs are underway.

Reports from the Board of Selectmen

Selectman O'Brien announced that the HOPE Sudbury telethon will be held Saturday, November 7, 2009, from 12 noon to 10:00 p.m. Chairman Keller urged the community to support this worthwhile cause and to access the organization's website to preview auction items.

Chairman Keller also announced that the Annual 2010 Town Meeting will begin on Monday, April 5, 2010. All articles for inclusion in the Town Meeting warrant must be received in the Selectmen's Office no later than Thursday, December 31, 2009, at 5:00 p.m. He encouraged residents who are contemplating Town Meeting-related issues to bring them to the attention of the Selectmen's Office as soon as possible, to ensure enough time for proper consideration.

Reports from Town Manager

Massachusetts Municipal Association Legislative Breakfast - Update

Town Manager Valente reported that she and Selectman O'Brien recently attended a legislative breakfast in Maynard. Local town officials expressed their concerns to State representatives, who foresee difficult times ahead in balancing the State budget. The consensus of the group was that more budget reductions are likely, including potential 9C cuts from the Governor. Town Manager Valente emphasized a recurring theme from local officials was, if funds are taken away from the municipalities, then the State needs to provide tools and resources to help the towns self-manage said services. Selectman O'Brien concurred that the discussion offered few solutions to the many concerns, and that the future State-budget scenario appears bleak.

Proposed Annual 2010 Town Meeting Articles - Update

Town Manager Valente reported that Town staff has begun to compile a preliminary listing of proposed articles for the Annual 2010 Town Meeting. A draft of the list of articles will be presented to the Board at a future meeting.

Local Option Meals Tax

Town Manager Valente distributed copies to the Board of a map depicting Massachusetts cities and towns which, as of November 3, 2009, have adopted, defeated, postponed, taken no action, or are considering a local meals tax option to increase revenues. To date, Sudbury has not taken any action on this issue. In response to questions from the Board, Town Manager Valente stated that the meals option increases the tax from 6.25% to 7%, and might account for an additional \$85,000 of revenue per year for Sudbury. She further clarified that the tax option would need to be voted on at Town Meeting, and revenues would begin to be realized as of July 1, 2010, if approved.

Chairman Keller opined that municipalities eventually will need to implement such options as they experience greater reductions in local aid. Vice-Chairman Drobinski requested that Town Manager Valente ascertain what positions Concord, Maynard, and Marlborough have taken on the issue. Selectman O'Brien suggested, and the Board concurred, that a bookmark be held for a 2010 Town Meeting article to be drafted by Town staff.

It was on motion unanimously

VOTED: To request that the Town Manager instruct Town staff to draft language for articles to be presented at the Annual 2010 Town Meeting regarding the local meals tax and hotel tax options.

Herb Chambers BMW Auto Dealership - Status Report of Site Plan Conditions

Town Manager Valente distributed copies of a draft letter dated November 4, 2009, to be sent, on behalf of the Board, to Herb Chambers BMW, inquiring as to the completion of the outstanding conditions of the Site Plan, as identified during the September 17, 2009 site visit. The outstanding items include: submission of an application to alter a Scenic Road, additional screening and/or fencing along the west property line, landscaping within the front yard setback, redirection of the flag spotlight to maintain illumination on the property, installation of the required monitoring well, and completion of pavement markings at the site driveways. The letter asks that a status update be submitted to the Board, noting items which are completed, and a time schedule for incomplete items.

Selectman O'Brien suggested that a date of December 1, 2009 be added to the letter as a deadline for completion of the required items, and that a reminder be included, noting that the Board will be reviewing licenses for renewal at the end of this calendar year.

It was on motion unanimously

VOTED: To approve the letter written on behalf of the Board of Selectmen, dated November 4, 2009, to be sent to Herb Chambers BMW, 68 Old County Road, as reviewed this evening, subject to the inclusion of language in the last paragraph to request that the incomplete conditions of the Site Plan be completed no later than December 1, 2009, and to also note that satisfactory completion of the outstanding items will help to ensure a successful process for all Board-approved licenses at the time of renewal, effective January 1, 2010.

Revenue Generating and Expense Reduction Progress Reports

Town Manager Valente distributed to the Board, for approval purposes, revised copies of the Revenue Generating and Expense Reduction Progress Reports tracking spreadsheets. She noted that all of the revisions requested by the Board at its last meeting have been incorporated into the spreadsheets. Town Manager Valente requested a vote from the Board approving the documents, so that they can be posted on the Town website. She further reported that the Budget Review Task Force Reports will now be listed in the Committee section of the website instead of listing the Committee as dissolved. Chairman Keller requested that the past tense be consistently used in the reports, i.e., using the word "estimated" rather than "estimates."

It was on motion unanimously

VOTED: To accept the Revenue Generating and Expense Reduction Progress Reports tracking spreadsheets as presented by the Town Manager this evening, subject to incorporating the past tense throughout the reports, and to authorize posting of the information on the Town website, and to further authorize the Town Manager to manage future updates to the Reports.

Community Preservation Act Funding - Project Submission for Town Hall Feasibility Study

Town Manager Valente reported that she has submitted a request to the Community Preservation Committee (CPC) for \$50,000 for the purpose of performing an architectural and design study for the restoration of Sudbury's Town Hall into useable Town offices. The project is eligible for CPC funding as an historic resource. The goal is to determine the preferred use for Town Hall now and in the future. Town Manager Valente requested the Board's support for pursuing this project.

Chairman Keller opined that it is important for the Town to maintain its buildings in a financially responsible manner, which he believes this project will help to accomplish, by planning a project systematically. Town Manager Valente emphasized that, while a few cosmetic features of the Town Hall have been improved in recent years, the building, built in 1931, has had no significant structural renovations addressed for several decades. Selectman O'Brien stated that such projects, throughout all phases, take many months/years to come to fruition. Chairman Keller and Town Manager Valente further stated that the difficult economy provides a favorable time to pursue construction projects.

It was on motion unanimously

VOTED: To endorse the project submission by the Town Manager to the Community Preservation Committee for \$50,000, for the purpose of performing an architectural and design study for the restoration of Sudbury's Town Hall into useable Town offices, and to inform the Committee of said support.

Group Health Insurance - Plan Proposals

Present: Wayne R. Walker, Assistant Town Manager

At 8:09 p.m., Chairman Keller welcomed Assistant Town Manager Wayne Walker to make his annual presentation to the Board on health and dental plan rates for Town/Sudbury Public Schools employees and retirees. Chairman Keller thanked Mr. Walker for the valuable services he performs for the Town, including overseeing all human resource duties.

Assistant Town Manager Wayne Walker had previously provided the Board with a report explaining that the proposed 2010 rates have been set to reflect the current situation of all four of the Sudbury Public School collective bargaining units having accepted plan and contribution level changes; three of the Town

collective bargaining units have agreed to accept whatever plan and contribution level changes are accepted by other collective bargaining groups; three remaining Town collective bargaining units (police, firefighters, and non-Department Heads supervisory), to date, have declined any changes in the Town's health insurance program.

Mr. Walker noted that significant savings have been projected for FY10 due to the percentage cost shift to employees achieved through collective bargaining processes, which may be allocated to salary increases or job preservation. In addition, two new Blue Cross/Blue Shield rate-saver health plans have been added to the Town's offerings. Cost savings have also been realized by eliminating the Harvard Pilgrim Health Care EPO plan, which had experienced dropping enrollments and negative claim histories in recent years. The elimination of the plan was recommended by the Employee Insurance Advisory Committee.

Mr. Walker further stated that the proposed costs also reflect a total 5% increase (mostly due to prescription drug increases) for the Blue Cross/Blue Shield Medex/PDP plan for retirees. The recommended retiree proposal includes only the Tufts Medicare Preferred HMO. Mr. Walker further explained that Tufts chose to discontinue a former private fee-for-service plan for retirees, due to low enrollment and dissatisfaction with the program. Although the Tufts Medicare Preferred HMO cost has increased 26.2% from last year, mostly due to the increase in prescription drug costs and that it is a community-rated plan, Mr. Walker stated it does provide an alternative choice to the Medex plan for Medicare-eligible seniors. Mr. Walker presented his four recommendations to the Board.

Selectman O'Brien noted that, as part of the Town's budget, it is important for the community to know that these healthcare costs are being worked on throughout the year. Chairman Keller concurred, and he noted the diligent work done by the Sudbury Public School unions in reaching their new health plan agreements.

Town Manager Valente reported that 35% of the Town's employees have adopted the new Blue Cross / Blue Shield Rate Saver plans, and the Town remains positive that the collective bargaining units in discussions will also move to these plans. On behalf of the Board, Chairman Keller urged Ms. Valente and Mr. Walker to continue their efforts with the remaining unions to settle on cost-saving agreements, which benefit all by helping to preserve jobs.

Vice-Chairman Drobinski thanked Mr. Walker for providing a clear and concise report on a complicated topic. He stated the primary goal is to reduce costs in order to help maintain high levels of service.

It was on motion unanimously

VOTED: To approve a contract with Blue Cross/Blue Shield of Massachusetts, Boston, MA to serve as a third-party administrator for Network Blue (HMO Blue) and Medex self-funded health plans, and for BC/BS PDP plan, and further, to establish health insurance monthly working rates as shown below, and to establish that the Town contribute 90% of Network Blue for active employees, and 50% of all plans for retirees, with the employee/retiree to pay the remainder, effective January 1, 2010.

	<u>Family</u>	<u>Individual</u>	
Network Blue - self funded	\$1,699.00	\$654.00	+ 12.0%
Medex - self funded	N/A	\$172.29	+ 0.0%
BC/BS PDP - premium	N/A	\$178.11	+ 10.7%

It was also on motion unanimously

VOTED: To approve a contract with Blue Cross/Blue Shield of Massachusetts, Boston, MA to serve as a third-party administrator for Network Blue Rate Saver and Blue Choice Rate Saver self-funded health plans, and, further to establish health insurance monthly working rates as shown below, and to establish that the Town contribute 85% of Network Blue Rate Saver and 55% of Blue Choice Rate Saver for new active employees hired after July 1, 2009, and 50% of both plans for retirees, with the employee/retiree to pay the remainder, effective October 1, 2009 through June 30, 2010.

	<u>Family</u>	<u>Individual</u>	
Network Blue Rate Saver	\$1,400.00	\$538.00	new plan
Blue Choice Rate Saver	\$1,543.00	\$605.00	new plan

It was also on motion unanimously

VOTED: To approve a contract with Blue Cross/Blue Shield of Massachusetts, Boston, MA to provide dental insurance at monthly rates as shown below, and further to establish that the Town contribute 75% of active employee dental and 0% of retiree dental, with the employee/retiree to pay the remainder, effective January 1, 2010.

	<u>Family</u>	<u>Individual</u>	
BC/BS Dental Blue - premium	\$ 76.81	\$ 30.49	+ 0.0%

It was also on motion unanimously

VOTED: To approve a contract with Tufts Health Plan, Waltham, MA to provide coverage for retirees, and to establish a monthly rate for retiree coverage as shown below, and to establish that the Town contribute 50% for retirees, with the retiree to pay the remainder, effective January 1, 2010.

	<u>Family</u>	<u>Individual</u>	
Tufts Medicare Preferred HMO - premium	N/A	\$207.00	+ 26.2%

At 8:25 p.m., Chairman Keller noted that these plans will provide excellent medical coverage for the Town's employees, and he concluded the presentation.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of October 20, 2009.

Vice-Chairman Drobinski requested that the Police Department be provided with copies of the letters granting the hour of operation extensions to license holders, as approved by the Board at its October 20, 2009 meeting, to ensure the Department is apprised of the establishments which have applied for, and been granted, closing extensions.

Lincoln-Sudbury All Sports Booster Club, Inc. - Pre-Thanksgiving Ceremonial Bonfire

It was on motion unanimously

VOTED: To approve the annual Lincoln-Sudbury Regional High School Pre-Thanksgiving Day All Sports Ceremonial Bonfire on Wednesday, November 25, 2009, from 6:00 p.m. - 9:00 p.m. in accordance with Police, Fire, Public Works, and School Department regulations to ensure a safe recreational event.

Town Trust FY10 Unaudited Statements

It was on motion unanimously

VOTED: As co-trustees of Town Donations, to accept the unaudited Town Trust Funds FY10 first quarter statements for the period ending September 30, 2009, as requested by the Finance Director, Andrea Terkelsen in a memo dated October 26, 2009.

One-Day Wine and Malt License Application - Our Lady of Fatima Church

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt License to Rev. Michael Bova Conti, representing Our Lady of Fatima Church, 160 Concord Road, for Saturday, November 14, 2009 from 7:00 p.m. to 11:00 p.m., to accommodate a Casino Night fundraiser to benefit former resident Justin Graceffa.

Sudbury Access Corporation Board of Directors - Appointment

It was on motion unanimously

VOTED: To approve the appointment of Mr. William B. Powell, 82 Maynard Road, to the Sudbury Access Corporation Board of Directors, filling a vacancy occasioned by the resignation of Theodore Fedynyshyn, for a term to expire April 30, 2011, as requested by Jeff Winston, President of SAC Board of Directors, in an email dated October 27, 2009.

McDevitt Truck Sales, Inc. - Lease-Purchase Award

It was on motion unanimously

VOTED: Pursuant to ATM09/Art.5 FY10 Capital Budget, to approve award by the Town Manager for the lease-purchase of a six-wheel Volvo dump truck with accessory equipment, from McDevitt Truck Sales, Inc., at a net purchase price of \$115,745 which includes a trade-in allowance on a six-wheel vehicle (Unit #20); said purchase to be financed over a five-year period at an interest rate acceptable to the Town; and further, to authorize Town Manager to execute all documents related thereto inclusive of the Lease-Purchase Agreement as negotiated by Town Counsel's Office.

Wayland-Sudbury Septage Facility - Appreciation

Town Manager Valente reported that the Wayland-Sudbury Septage Committee has concluded its work, as the decision has been made by Wayland and Sudbury to decommission the facility. She thanked the Committee members for their oversight of the facility through the years, on behalf of Sudbury, and for its cooperation throughout the decommission process.

Chairman Keller read a letter of gratitude from the Board, on behalf of the Town, which will be sent to the Sudbury members of the Wayland-Sudbury Septage Committee, Robert Coe, Robert Gottberg and James Occhialini, thanking them for their excellent work and years of service to the community. Chairman Keller also acknowledged and thanked the Committee's three members from Wayland.

Executive Session

At 8:31 p.m., Chairman Keller 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 and contract negotiations strategy.

Chairman Keller announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 8:31 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, NOVEMBER 3, 2009
EXECUTIVE SESSION
(8:33 P.M - 9:19 P.M.)

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

Collective Bargaining - Supervisory Union - Update

Town Manager Valente reported that she and Mr. Walker hope for a satisfactory conclusion to the collective bargaining negotiations between the Town and the Supervisory union in the coming weeks. The union has agreed to all of the Town-recommended changes to health plans and employee-contribution rates. However, the groups are still negotiating salary and cost of living contract adjustments. The Town had offered to allow a 3% cost of living adjustment (COLA) as of October 1, 2009, if an agreement was reached by November 1, 2009, but will delay the start of the COLA by 30 days for every month an agreement is not reached.

Collective Bargaining - Police - Update

Town Manager Valente reported that, based upon discussions with Interim Police Chief Glavin, Assistant Town Manager Walker hopes the Town will receive concessions from the union in consideration of continuation of payment of Quinn bill benefits.

REMAINING PORTIONS REDACTED

There being no further business, the meeting adjourned at 9:19 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk