

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, OCTOBER 20, 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 7:42 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

At 7:42 p.m., Chairman Keller opened the meeting. He sadly announced the unexpected death of veteran firefighter John Balben, who served Sudbury for 23 years. On behalf of the Town, Chairman Keller offered condolences to Mr. Balben's colleagues, friends and family.

Chairman Keller reported that the opening ceremony for the Boundless Playground at Haskell Field last week was attended by hundreds of enthusiastic children and adults. He thanked the volunteers and personal and corporate contributors who made the project possible. He also encouraged residents to visit the playground. Selectman O'Brien acknowledged the work done by former and current Town staff members Dennis Mannone, Wayne Walker and Nancy McShea to oversee the project construction.

**Reports from the Board of Selectmen**

Chairman Keller and Vice-Chairman Drobinski reported attending the Men's Breakfast hosted by the Senior Center. The Breakfast events are held every three months, and both Board members encouraged future attendance by Sudbury residents.

Selectman O'Brien represented the Board at the "Ask Your Legislators" forum hosted last night by the League of Women's Voters. State Senator Fargo's Chief of Staff Don Siriani and State Representative Tom Conroy provided updates on key legislation and fielded questions. The forum was taped and can be viewed on SudburyTV.org. A variety of topics were broached, including ethics reform legislation, healthcare options for municipalities, the unfunded Quinn bill, and future casinos in Massachusetts. Legislators stated that the State's budget remains precarious, and 9C cuts are anticipated to be announced by the Governor. Those in attendance encouraged the guests to support legislation proposals which have no municipal costs attached.

Chairman Keller read a letter of response from the Board to president of the firefighters' union Michael Murphy, who had written a guest column in a recent *Sudbury Town Crier* issue. In its letter, the Board addressed the Town's current position regarding several issues including staffing of firefighters, hiring criteria and overtime expenses. The Board also emphasized its continued commitment to adequate staffing and resources for all of the Town's public safety departments.

**Reports from Town Manager**  
**Habitat for Humanity**

Town Manager Valente read a citation of gratitude received by the Town from Habitat for Humanity. Although the Board is fortunate to receive such commendations, Chairman Keller noted that the Board accepts the praise and gratitude on behalf of the community, which deserves the credit in having this project constructed in Sudbury.

### **Wayland-Sudbury Septage Facility**

Town Manager Valente reported that the Wayland-Sudbury Septage Committee is meeting tonight to continue its work towards winding down operations of the Facility. She thanked the Committee for its diligence throughout this process.

### **Minuteman Career and Technical High School**

Town Manager Valente reported that Minuteman Career and Technical High School is planning a major facility upgrade, which has been prioritized by the State for funding. Although Sudbury is responsible for only 2% of the School's operating expenses, Ms. Valente noted that it is important for Sudbury to factor this project into its long-term financial planning.

### **Capital Project Requests - Update**

Town Manager Valente reported that she has re-submitted a capital project request for a new Police Station. Town Department Heads advised Ms. Valente that, in the present economy, large projects are being completed well under bid, and interest rates are favorable for submission of this project.

Town Manager Valente further reported that, since the Town Hall qualifies by age as an historic building, and thereby is eligible for Community Preservation Act funds, she has submitted a proposal for a feasibility study. She emphasized that, by next year, all debt on Town buildings will be paid, making it an opportune time to invest in these buildings, as the Town has not been investing in maintaining its Town buildings in recent years.

### **FY11 Town Operating Budget**

Town Manager Valente reported that she has asked Town Department Heads to present budgets that reflect a 1.5% decrease from their FY10 budgets. She stated that, for small departments of only a few employees, this task is extremely difficult, since there are few non-personnel funds to cut.

### **Sudbury Finance Committee - Budget Review Task Force Report Request**

Town Manager Valente attended the Sudbury Finance Committee meeting last night. She reported the Committee voted to request the Board's approval to post the Budget Review Task Force (BRTF) Final Report under the Committee's section of the Town website. Ms. Valente noted that there has been some confusion because the BRTF is a dissolved committee.

Selectman O'Brien suggested that the report remain posted on the Board's website and that a link be created to a BRTF update on the Town Manager's Revenue Generating and Expense Reduction Progress Report tracking spreadsheets. This would enable interested parties to see how many things are being done by the Town to improve the Town's financial condition.

Chairman Keller suggested that the BRTF Final Report be available as a link on both the Board's section of the Town website and the Finance Committee's website section. He also suggested that an explanation be provided on the website when someone tries to access BRTF information explaining where the information can be found and that the Committee has completed its mission and is now dissolved. Town Manager Valente will coordinate the presentation of the BRTF listing and information on the Town website front page with Mark Thompson.

Selectman O'Brien also suggested that Mark Thompson share his technology solution for linking the report with the Sudbury Public Schools and Lincoln-Sudbury Regional High School in case they also want to provide a link to the Report on their websites.

### **Revenue Generating and Expense Reduction Progress Reports**

Town Manager Valente distributed to the Board, for review and discussion purposes, updated copies of the Revenue Generating and Expense Reduction Progress Reports tracking spreadsheets. She noted recent revisions made to the forms. Ms. Valente asked the Board to review the data, particularly the "Deliverable" and "Due Date" (Chairman Keller suggested that the word "Target" be added before each of these column headings, and the Board concurred.) column entries, and provide her with comments and/or edits as soon as possible so that a revised version can be voted on at the Board's next meeting, and then be posted on the Town website.

Selectman O'Brien asked that the "Estimated Annual Savings" noted for item E-8 on the "Expense Reduction Progress Report" be verified with Superintendent Brackett. Selectman O'Brien believes the full-day kindergarten had to charge fees in order to comply with State statutes that the program be revenue-neutral. He also requested that an item be added to the "Revenue Generating Progress Report" to indicate that the 2010 Annual Town Meeting may consider a cell tower overlay district article.

### **Town Forum - Council on Aging**

Present: Council on Aging Chairman Pat Mullen, Council on Aging Director Kris Kiesel, and Council on Aging Board members David Levington, Marilyn Goodrich, Bob May and John Beeler

At 8:00 p.m., Chairman Keller convened Town Forum and welcomed Kris Kiesel, Director, and Pat Mullen, Chair of the Council on Aging. Mr. Mullen announced that the Council has prioritized the Budget Review Task Force's recommendation of helping to attract and retain seniors as a goal for its coming year, and will continue to offer relevant programs and to advocate for senior tax relief and other benefits.

Ms. Kiesel introduced Council Board members in attendance: David Levington, Marilyn Goodrich, Bob May. She reinforced the Council's goal to provide opportunities for Sudbury residents to age in place and not feel pressured to move away.

Ms. Kiesel highlighted many outreach activities, events and services provided by the Council in her presentation. She also noted the many volunteer opportunities for residents provided by the Council, assisting with community transportation needs for the elderly and disabled and delivering home meals. Statistics collected by the Council, indicate that individuals served with helpful information regarding many issues including fuel assistance, food stamps, elder care, housing and chronic illness care has increased steadily from 2006 to 2009. Resident participation in learning programs has also increased each year. Free lunches are provided on Tuesdays, Wednesdays and Fridays at the Senior Center, and arrangements can be made every day of the week for home meal deliveries.

Ms. Kiesel stated that the Council actively collaborates with Town departments, Town social workers, regional and State offices. In addition, the Council works closely with the Metrowest Regional Transportation Authority (MWRTA), which now completely funds the Council's van services. Requests for transportation assistance has also increased in recent years.

Ms. Kiesel reported citizens age 60 and older represent 16% of Sudbury's population, and this percentage is expected to increase in coming years. Ms. Kiesel stated that economic challenges loom large for senior citizens on fixed incomes, who will not receive Social Security payment increases this year. She also noted

that Town infrastructure improvements are important to Sudbury's senior citizens because services are spread out over a large land area.

Mr. Mullen noted that many senior citizens utilize the Council's free "Fix-It Program," which provides volunteers to perform small home repairs for only the cost of materials to the homeowner. Ms. Kiesel encouraged residents to sign up on the Town website to receive the Council's online newsletter.

Council on Aging Board member David Levington noted that Sudbury has made great progress towards helping seniors stay in Town by providing alternative housing options for the elderly at developments such as Grouse Hill and Frost Farm. He further noted that the Town's work on construction of walkways and bike paths also benefits senior citizens. In response to a suggestion from Selectman O'Brien, Town Manager Valente recommended, and the Board concurred, that the minutes of tonight's meeting should be sent to Sudbury's Planning Board, since walkways and subdivisions are within its purview.

The Board thanked the Council for all its good work throughout the year. Selectman O'Brien suggested the Council promote its activities more on the cable television scroll board. Vice-Chairman Drobinski suggested feature articles also be submitted to the *Sudbury Town Crier*.

#### **Town Forum - Commission on Disability**

Present: Commission on Disability Chair Susan Stocker and Commission members Benjamin Halsband and Kris Kiesel

Chairman Keller welcomed Commission on Disability Chair Susan Stocker to the meeting. She introduced Commission members in attendance, Benjamin Halsband and Kris Kiesel. Ms. Stocker read the mission statement of the Commission, which has five to nine volunteer members, 51% of whom must have a disability. Ms. Stocker recognized the death this year of longtime Commission member Anita Simon. She noted that the Commission is actively recruiting membership candidates for three current vacancies.

Ms. Stocker reviewed highlights from the Commission's activities last year, including a request for the Town to create a transition plan which identifies all Town physical obstructions and barriers, as required by the Americans with Disabilities Act (ADA). The Commission is cognizant of Sudbury's financial constraints. However, the Commission believes it could be in the Town's best interest to hire a consultant to create the plan. Ms. Stocker stated that the Commission is willing to contribute funds for this purpose from its account totaling \$19,558, which is generated from handicap parking violation fees. Selectman O'Brien asked if there are grants available for this project. Ms. Stocker responded the Commission is researching grant opportunities.

Ms. Stocker stated that the Commission sponsored a parking enforcement program on three weekends last year and plans to repeat the program this year. The program was successful in increasing community education and awareness and as a deterrent to violations, which can carry accompanying fines of \$100 per offense. Town Manager Valente encouraged coordination with the Sudbury Police Department regarding implementation of the program.

Ms. Stocker stated the Commission has worked to help clarify accessibility issues regarding Town-owned fields. She noted the Commission's concern that Lincoln-Sudbury Regional High School commencement activities have been held at non-compliant venues, stating that grass fields are not an acceptable ADA surface. The Commission is researching compliant Town locations, and will provide this information, when available, to Town officials and staff.

Ms. Stocker introduced Commission member Benjamin Halsband, who introduced "ZoomText" (an Internet software for those with low vision) to the Goodnow Library. He is providing training of this resource to the public. Work was also done this year to develop a publicity campaign to better educate the community on the Commission's purpose. This work will continue in the coming year with the publication of monthly newspaper articles. The Commission also plans to update its website this year and to reach out to other Town departments and State offices as resources and for information-gathering. Vice-Chairman Drobinski encouraged the Commission's regionalization efforts.

Selectman O'Brien suggested that the Commission promote its activities on the cable television scroll board, and he requested Town Manager Valente to ask Sudbury's Police Department to also submit a scroll board item, noting the enforcement of handicap-parking violations and the accompanying fees.

Chairman Keller thanked the Commission for its important work, which helps Sudbury to be a better community. He stated it is important to continue to strive to achieve goals, even during challenging economic times. At 8:48 p.m., Chairman Keller announced the conclusion of Town Forum.

#### **Land Acquisition Review Committee - Interviews of Membership Candidates**

Present: Candidates Adam Miller and Laura Abrams

At 8:48 p.m., Chairman Keller welcomed two membership candidates, Adam Miller and Laura Abrams, to be interviewed for the newly-established Land Acquisition Review Committee (LARC). The Committee will assist Town staff in prioritizing parcels for purchase and preservation, with the use of Community Preservation Act funds. Chairman Keller noted that the Board previously interviewed three additional candidates at its last meeting.

Adam Miller stated he has lived in Sudbury seven years, and he has a deep interest in conservation and environmental issues. Mr. Miller is the ranger for the Knox Trail Boy Scout organization, managing that land on Nobscot Road on a daily basis. He has also worked with the Sudbury Valley Trustees.

Vice-Chairman Drobinski asked if Mr. Miller has any suggestions for how the Town can reconcile different land use purposes. Mr. Miller responded that more time will need to be spent to evaluate different parcels and to what purposes they naturally lend themselves. Vice-Chairman Drobinski also asked if Mr. Miller is aware of any funding mechanisms for land acquisition other than Community Preservation Act funds. Mr. Miller responded that there could possibly be some Agricultural Preservation Restriction (APR) State funds available.

Chairman Keller asked Mr. Miller if he or the Boy Scouts owns any properties in Sudbury which might be reviewed by LARC, and Mr. Miller answered that there are none to his knowledge.

Selectman O'Brien asked what land use issues will be most important for the Town in the future. Mr. Miller stated that land acquisition for municipal and conservation use will be important, and that the Town will need to be proactive regarding Chapter 61 parcels.

Laura Abrams stated that she is a life-long resident of Sudbury, managing a family business that has been in Town for over 100 years. She served on the Open Space and Recreation Committee, and sees this new Committee as a natural extension of that work. Ms. Abrams believes the Town can improve future planning by evaluating parcels better by their geographic location for their use. She also believes the Town should seriously consider acquiring any properties which become available adjacent to Town buildings and/or Town-owned property.

Chairman Keller asked Ms. Abrams if she owns any properties in Sudbury which might be reviewed by LARC. Ms. Abrams responded that she does own one parcel identified in the Open Space and Recreation Report.

Vice-Chairman Drobinski asked Ms. Abrams if she perceives an aversion with owners to sell their properties to the Town. Ms. Abrams believes that perception was previously held by many large landowners, who no longer reside in Sudbury, and that owner perceptions have greatly improved in recent years.

Selectman O'Brien asked what land use issues are most important for the Town to address in the near future. Ms. Abrams responded that maintaining the open space that currently exists in Sudbury and helping existing farms remain in Town should be priorities.

At 9:06 p.m., Chairman Keller thanked the two candidates for their interest and he concluded the interviews.

**Massachusetts Technology Collaborative (MTC) Clean Energy Choice Grant Program - Grant Application**

Present: Energy and Sustainability Green Ribbon Committee members Jeff Beeler, William Braun, Dean Holden, and Michael Melnick

At 9:06 p.m., Chairman Keller opened a discussion regarding the possible submission of a grant application to the Massachusetts Technology Collaborative (MTC) Clean Energy Choice Grant Program.

Energy and Sustainability Green Ribbon Committee member Jeff Beeler explained that Sudbury is eligible to receive a Clean Energy Choice grant from the Massachusetts Technology Collaborative (MTC) Renewable Energy Trust. These funds were earned by Sudbury residents paying a premium for renewable energy from certified suppliers and through donations to the New England Wind Fund project, spearheaded by the Earth Decade Committee. Mr. Beeler further stated that, if Sudbury would like to submit the grant application, signature of the Board's Chairman is required prior to October 30, 2009, allowing for funds to be received 60 days after submission. The funds would need to be expended on a project to be completed in one year, after which a report must be filed within 30 days.

Mr. Beeler reported that the Energy and Sustainability Green Ribbon Committee has reviewed a list of approved projects provided by the Trust. Energy and Sustainability Green Ribbon Committee members Dean Holden and William Braun explained that, after considering potential Town sites for a project, the Committee voted to recommend that a starter PV solar project be installed on the roof of the Noyes School because of its prominent location in Town and its ability to provide educational exposure to the technology.

Selectman O'Brien asked if there is any data available to estimate the savings which may be realized from this project. Mr. Beeler responded that, due to the limited grant funds, the savings will likely be less than \$1,000, and limited energy will be dispensed at the location. However, it was noted that the installation will allow Town staff the opportunity to become acquainted with the equipment and materials for future use. Mr. Beeler further noted that the Committee is also researching larger grants from stimulus funds between \$500,000 and \$5 million, which may be applied for at a later date. Energy and Sustainability Green Ribbon Committee member Michael Melnick stated that future funds could be used to extend the Noyes School installation network.

Selectman O'Brien opined that he hopes the technology and project can be incorporated into the Sudbury Public Schools' curriculums.

It was on motion unanimously

VOTED: To endorse the submission of a grant application to the Massachusetts Technology Collaborative (MTC) Clean Energy Choice Grant Program, and to authorize the Chairman of Sudbury's Board of Selectmen to sign the grant application.

### **Minutes**

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of October 6, 2009.

### **Sky Restaurant - One-Time Closing Hour Extension**

Selectman O'Brien suggested that the request for approval be inclusive of other licensed establishments and Sky Restaurant. Town Manager Valente reported that written notification was sent to all Town license holders regarding the extension and that only Sky Restaurant responded. She emphasized that other license holders who want to avail themselves of the extension must make application to do so, in advance, to her office.

It was on motion

VOTED: To approve the extension of the closing hour and the serving of alcoholic beverages for any licensed holders who make application, in advance, to the Town Manager's Office and at Sky Restaurant, 120 Boston Post Road, on Wednesday, November 25, 2009 until 1:00 a.m., on Thursday, November 26, 2009, (Thanksgiving Day) on the condition that the kitchen remains open and food is served.

### **Sudbury Relay for Life**

It was on motion unanimously

VOTED: To approve use of the Peter Noyes parking lot area for the May 15-16, 2010 "Sudbury Relay for Life" event as requested by Kate Howd, Relay for Life Committee member, in an email dated September 30, 2009, subject to compliance with conditions outlined by the School Department, Park and Recreation Department, local church, Police and Fire Departments.

### **Boy Scout Troop 63 - Eagle Scouts**

It was on motion unanimously

VOTED: To enter into the Town record and sign letters of congratulations to Alec Barnes, 46 Hobart Road, Martin Falk, 21 Austin Road and Stephen Hultin, 28 Crystal Lake Drive of Troop 63, on achieving the high honor of Eagle Scouts.

### **D.A.R.E. - Donation**

It was on motion unanimously

VOTED: To accept a \$250 donation from George and Donna McMillan to the D.A.R.E. donations account, to be expended under the direction of Interim Police Chief Glavin, as requested in a letter dated October 8, 2009, from D.A.R.E. Officer Ronald Conrado.

**Sudbury Cultural Council - Appointment**

It was on motion unanimously

VOTED: To appoint Helen C. Velie, 69 Pokonoket Avenue, to the Sudbury Cultural Council, for a term to expire October 20, 2012, to fill a vacancy occasioned by the term expiration of Bronislaw Dichter, as requested in an email dated October 14, 2009, from Sarah Cunningham, Chair of the Sudbury Cultural Council.

**Liberty Chevrolet - Lease-Purchase Award**

It was on motion unanimously

VOTED: Pursuant to ATM09/Art.5 FY10 Capital Budget, to approve purchase by the Town Manager of a 3/4 ton four-wheel drive GVW Pick-Up Truck, from Liberty Chevrolet, at a net purchase price of \$29,800 which includes trade-in allowances on one 2000 Astro Passenger, two 1997 Ford E250 High Top Wheelchair vans, and one 1998 Ford E250 High Top Wheelchair van; said lease purchase to be financed over a five-year period through All American Investment Group; and further, to authorize the Town Manager to execute all documents related thereto inclusive of the Lease-Purchase Agreement.

Town Manager Valente recognized the many hours of work dedicated by the Town's legal and Department of Public Works staffs to coordinate these lease-purchase awards.

**11 Butler Place - Clarification of Title**

It was on motion unanimously

VOTED: To authorize the signing of a Release Deed to David Otis for the parcel of land on Butler Place, being Lot 4 on a plan of land entitled "Camp Lots Surveyed for Ida Butler, Sudbury, Mass," dated July 26, 1926, pursuant to Article 32 of the 2009 Annual Town Meeting, said deed approved as changed by Town Counsel.

**Land Acquisition Review Committee - Appointments**

At 10:12 p.m., the Board reviewed the applications received for membership to the Land Acquisition Review Committee (LARC. The consensus of the Board was that, since the Committee is new it may be wise to start with a small membership and grow as needed.

It was on motion unanimously

VOTED: To appoint at-large members to the newly-established Land Acquisition Review Committee for staggered terms as follows: Jan Hardenbergh and Matthew Barach, for terms to expire on April 30, 2011; and John C. Cutting, for a term to expire on April 30, 2012.



**Executive Session**

At 10:16 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.

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

There being no further business, the meeting adjourned at 10:16 p.m.

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

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, OCTOBER 20, 2009  
EXECUTIVE SESSION  
( 10:17 P.M - 10:43 P.M.)

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

**Collective Bargaining - Police Union**

Town Manager Valente distributed to the Board, for discussion and informational purposes, copies of a summary of five collective bargaining discussion points between the Town and the Police Union. Ms. Valente summarized the Union's "Comprehensive Package" proposal for compensation (reflecting 0/3%/3% increases over three years and an increase to 40 hours a week worked on average), health insurance ( including co-pay caps extending to all co-pays, a premium split of 85/15 for all current and future employees, and an increased flexible benefit plan), addition of sick leave incentive/personal days, shift bids for seniority, educational incentive to be financed by Town in lieu of the Quinn Bill, drug and alcohol testing with probable cause, cell phone use on duty, and an extra week's vacation for officers who voluntarily pass a physical agility test.

Ms. Valente also provided the Board with the Town's responses to date, which emphasized that nothing can be determined regarding compensation until the Union agrees to health insurance concessions. In addition, the Town cannot commit to funding the Quinn Bill incentives without the initiation of creative options. The Town's position has been to not accept anything less than was agreed to by the Sudbury Public Schools' union. Ms. Valente further presented concession ideas that are being developed, including vacation and/or holiday day give backs (either for all Union members or possibly just those receiving Quinn incentive benefits). Ms. Valente also suggested considering making the financial pay increase a fixed dollar amount versus being a percentage of one's salary. Ms. Valente asked for the Board's guidance on whether the Town philosophically supports financing the Quinn Bill and from where the funds will come. The consensus of the Board was that the Town should continue to pursue creative solutions to funding the Quinn Bill incentives.

Ms. Valente will next meet with the Police Union on November 16, 2009 and will keep the Board apprised of future discussions.

There being no further business, the meeting adjourned at 10:43 p.m.

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