

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, SEPTEMBER 8, 2009

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

Absent: Chairman William J. Keller, Jr.

The statutory requirements as to notice having been complied with, the meeting was convened at 7:40 p.m. in the Grange Hall, 326 Concord Road, second floor.

Executive Session

At 7:40 p.m., Vice-Chairman Drobinski announced the opening of the regular meeting and it was on roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing contract negotiations and contract renewals and updates.

Vice-Chairman Drobinski announced regular session would reconvene following Executive Session.

Opening Remarks

At 7:55 p.m., Vice-Chairman Drobinski reconvened the regular meeting. He explained that tonight's meeting will not be televised, and was relocated at the last minute to Grange Hall, due to a power failure at Town Hall. He also announced that Chairman Keller is on vacation and will be absent tonight.

Reports from the Board of Selectmen

Selectman O'Brien reported that Sudbury's Finance Committee is meeting with the Lincoln-Sudbury Regional High School Committee tonight to discuss the recently approved teacher contracts.

Selectman O'Brien also reported that he is pleased to see that the Boundless Playground construction seems to be progressing well.

Vice-Chairman Drobinski stated that he has enjoyed summer's last stand through the holiday weekend, and is ready to return to the work of the Town ahead.

Reports from Town Manager
Boundless Playground - Update

Town Manager Valente offered kudos to Assistant Town Manager Wayne Walker for his dedication to the coordination of the Boundless Playground project construction throughout the summer. Some sections of the playground are finished, and work continues on signage and project completion.

New Town Health Benefit Options - Administrative Conversion Update

Town Manager Valente again offered kudos to Assistant Town Manager Wayne Walker and Benefits Coordinator Deborah Greeno for converting all Sudbury Public Schools and non-unionized Town employees to the new health insurance plans.

Mt. Pleasant Cemetery Vandalism - Update

Town Manager Valente read to the Board a letter received from Sudbury's Acting Police Chief Glavin thanking Officers Corey and Perodeau and Detectives Howe and Shurling for their exemplary work in identifying and arresting the suspect who vandalized the Mt. Pleasant Cemetery. Town Manager Valente requested that the Board join her in publicly offering the Town's gratitude for the excellent work performed by the named officers of this incident.

It was on motion unanimously

VOTED: To authorize the Town Manager to draft a letter, on behalf of the Board, congratulating the Sudbury Police personnel responsible for handling the Mt. Pleasant Cemetery vandalism incident so professionally and effectively.

September 11th Memorial Ceremony

Town Manager Valente announced that the public is invited to attend a Memorial Ceremony to be held on September 11, 2009 at 8:30 a.m., at the Memorial Garden at Heritage Park. Selectman O'Brien volunteered to represent the Board at the Memorial Ceremony.

Sudbury's CERT and MRC - Community Emergency Readiness Fair

Town Manager Valente reminded the community that Sudbury's Community Emergency Response Team and Medical Reserve Corps emergency response groups are hosting the Community Emergency Readiness Fair on September 13, 2009, at the Peter Noyes School, from 12 noon to 3:00 p.m.. Sudbury's Fire, Police and Public Health Departments will participate in the event, and the public is invited to attend.

HOPE Sudbury

Town Manager Valente informed the Board that HOPE Sudbury has requested a donation of an auction item from the Board of Selectmen and Town Manager. Selectman O'Brien encouraged the Board and Town Manager to think of a more creative auction item for this year's event.

Town of Sudbury - Budget Book

Town Manager Valente offered recognition to Finance Director Andrea Terkelsen and her staff for the production of what appears to be another award-winning caliber Town Budget Book. Ms. Valente briefly displayed the Budget Book, which was previously distributed to Board members, and highlighted that new sections have been added this year.

Selectman O'Brien asked if the maintenance fund for the Lincoln-Sudbury Regional High School Community Field was ever created and if the fund has a balance. At the time the Community Field was created, Selectman O'Brien stated that it was the suggestion of the Board that fees collected from Field rental agreements be deposited into a maintenance account. Town Manager Valente stated she will ask Town staff to inquire of Lincoln-Sudbury Regional High School whether funds are being regularly deposited to this account.

Town Forum - Sudbury Historical Commission

Present: Sudbury Historical Commission Chair Lyn MacLean and Sudbury Historical Commission members Elizabeth Radoski and Adolf Bahlkow

At 8:25 p.m., Vice-Chairman Drobinski convened Town Forum. He announced that Sudbury's Council on Aging and Commission on Disability were scheduled for Town Forum presentations tonight, but both groups have cancelled and will reschedule for a future date, due to the power outage at Town Hall. He welcomed members of the Sudbury Historical Commission to the meeting to update the community on their endeavors.

Sudbury Historical Commission Chair Lyn MacLean reported that many projects are currently underway. She stated that the appraisal has been received for the Hosmer paintings, which she has reviewed and corrected. Ms. MacLean and Commission member Liz Radoski mentioned that insurance coverage and security for the paintings may need to be increased in the future. Ms. Radoski noted that the Commission is considering requesting Community Preservation Act funds for creating a storage vault for some of the most valuable paintings. Town Manager Valente responded that Assistant Town Manager Walker has already begun to research and compare the appraisal values to the Town's Fine Arts Insurance Rider.

Selectman O'Brien later questioned whether there is adequate security and coverage for one of the appraised paintings, which is currently housed in a private residence. He also questioned whether the painting should be relocated. Ms. MacLean responded that the painting in question is extremely large and was originally designated for Goodnow Library, but the Library later informed the Commission that it did not need the painting, and thus, the private residence location was obtained. Ms. MacLean asked for the Board's assistance to have the Library reconsider its position, since the Commission prefers that the painting be housed at the Library. Selectman O'Brien offered to broach the issue with the Trustees of the Goodnow Library at their next meeting.

Ms. MacLean reported that restoration of Hosmer House continues. The kitchen will be painted, the parlor will get new paper, trim and paint, and the restored beams have been covered. Building Inspector James Kelly has been researching the feasibility of air conditioning for the House, which will aid in preservation efforts for the paintings.

Ms. MacLean reported that a bid has been received for restoration work on the tombs at Old Town Cemetery. Ironworks on Concord Road have also been completed, and Ms. MacLean is working with DPW Director Bill Place to install a gate in the upper section. Work also continues at the Mt. Pleasant Cemetery. Ms. Radoski also reported that the Revolutionary Cemetery has been surveyed in preparation for future work. Vice-Chairman Drobinski asked if the Cemetery has been released as a crime scene. Ms. MacLean responded that the Commission has communicated with the proper authorities to obtain permission to proceed with projects accordingly.

The Commission is also working on the completion of the Historic Property Survey for the Town of Sudbury Phase 3. An arbor has been erected at the Water Row Haynes Garrison site, and a high school student will make a picnic bench for the area.

Sudbury Historical Commission member Elizabeth Radoski provided the Board with a brief update on the Loring Parsonage restoration. She recognized the many hours of assistance Building Inspector James Kelly and Permanent Building Committee member Michael Melnick have given to the project, overseeing work on a daily basis. Ms. Radoski stated that everyone is pleased with the quality of the contractor's work to date. Window sashes have been removed to be restored and should be completed in the next few weeks, and some work has been done on the chimney. Doors have been ordered, and the siding has been delivered and will be the next phase of the project completed. Research also continues regarding foundation work.

Ms. Radoski announced that the Commission's second meeting of Christmas Decorators will be held tomorrow night, and plans are already well underway for the annual Hosmer House holiday celebrations. This year's event will be held December 5th and 6th, and on December 9th and 10th. At the urging of Ms. Radoski, Selectman O'Brien volunteered to fulfill the role of Santa Claus for the holiday readings.

Ms. Radoski reported that the Commission sponsored a well received exhibit of women veterans' memorabilia for Memorial Day. She thanked Rosemary and Peter Harvell for their invaluable contributions to the exhibit. Ms. Radoski also highlighted that the Commission featured an exhibit of two artists, who were Sudbury residents, as part of the Town's July 4th festivities.

Ms. Radoski announced that Hosmer House is also available for event rentals, and an upcoming baby shower and family reunion have already been booked. She thanked the local Boy and Eagle Scouts who completed patio work to better reveal the sun dial area. Ms. Radoski also thanked Sue Jackson for the outstanding job she did planting the rose garden.

Ms. MacLean announced that the Commission will also participate in the Wayside Inn Fife and Drum event on September 26th, and will likely have a throw to sell.

Selectman O'Brien urged the Commission members to contact the *Sudbury Town Crier* to provide the paper with content for several articles about its many projects. He also encouraged the Commission to advertise the rental opportunities available at Hosmer House on the cable television scroll board.

Commission members expressed their sincere appreciation for the opportunities to complete many of these projects due to the availability of Community Preservation Act funds. They emphasized how important the Community Preservation Act (CPA) funds are for Town projects.

At 8:45 p.m., Vice-Chairman Drobinski thanked the Commission members for their report, and he concluded tonight's Town Forum presentation.

Public Hearing: Paani-Pure Indian Cuisine - Wine, Malt and Cordial Beverages License

Present: Paani-Pure Indian Cuisine Co-owner Vimlesh Verma

At 8:45 p.m., Vice-Chairman Drobinski opened the Public Hearing regarding the Wine and Malt Beverages and Cordials license applications received from Paani-Pure Indian Cuisine, located at 621A Boston Post Road. He welcomed Paani-Pure Indian Cuisine Co-owner Vimlesh Verma to the meeting. Town Manager Valente noted that tonight's hearing was duly published and abutters were notified. Town Manager Valente also reported that no concerns have been expressed by Town Department Heads regarding the application requests.

In response to a few questions from Selectman O'Brien, Ms. Verma confirmed that the planned number of seats is 19, and that the restaurant is scheduled to open in the next two weeks. Ms. Verma stated that the community response in anticipation of the restaurant opening has been overwhelming.

Vice-Chairman Drobinski cautioned the applicant to be sure all applicable personnel are TIPS certified, noting that the Sudbury Police Department performs routine sting operations. Town Manager Valente informed the applicant that the Alcoholic Beverage Commission also performs impromptu inspections. The Board urged Ms. Verma to acquaint herself with the appropriate regulations regarding the sale of alcohol to ensure the restaurant will be in compliance. Selectman O'Brien reminded the applicant that liquor must be purchased through a distributor and cannot be purchased at a retail store. He also suggested that the applicants acquaint themselves with the local zoning bylaw to determine what is allowable for

advertisement for the initial restaurant opening and on an ongoing basis. Ms. Verma thanked the Board for its advice and feedback. Ms. Verma also acknowledged the tremendous assistance she has received from Mary McCormack and Patricia Golden in the Selectmen's Office throughout the application and approval processes. She also thanked Town Manager Valente and the Board for their support and assistance.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to approve a Wine, Malt and Cordial Beverages License for Green Cuisine, Inc., d/b/a Paani-Pure Indian Cuisine, Vimlesh Verma, Manager, 621A Boston Post Road, as requested in an application dated August 11, 2009, subject to final inspections by the Board of Health, Building Inspector and Fire Department, proof of Workers' Compensation and TIPS training for pourers and sellers of alcoholic beverages, said license to expire December 31, 2009.

Minutes

It was on motion unanimously

VOTED: To approve the regular minutes of August 11, 2009.

American Legion Post #191 - Renew Billiards License

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to approve a license for the American Legion Sudbury Post #191, Inc., Spencer R. Goldstein, Manager, 676 Boston Post Road, said license to expire on May 1, 2010.

Bullfinch's Restaurant - Sunday Entertainment License Renewal

Selectman O'Brien asked whether this license renewal could be submitted with other renewal applications in a combined group at another time in the year. Town Manager Valente responded that it is administratively more efficient to renew licenses as their expiration dates arise throughout the year.

It was on motion unanimously

VOTED: To renew the current Sunday Entertainment License for Bullfinch's Restaurant, 730 Boston Post Road, for a live jazz trio from 11:00 a.m. to 2:00 p.m. for the period of September 6, 2009 to September 5, 2010.

Town Clerk's Office - Bazaars and Raffles Fee Increases and Postage Wording Changes

It was on motion unanimously

VOTED: To approve increases for the Bazaar and Raffle fees from \$10 to \$25, and further to allow a wording change on the Town Clerk's fee schedule to reflect the item charge "plus mailing costs," to adequately compensate the Town for these services, as requested by the Town Clerk.

Radio Frequency Identification Library System - Bid Award

Vice -Chairman Drobinski commended the communities of Brookline, Wellesley, Cambridge and

Sudbury for working on this joint bid to select a vendor for a Radio Frequency Identification (RFID) library system. Town Manager Valente concurred, stating that many financial and personnel resources are saved when cities and towns consolidate efforts to pursue a joint bid process.

It was on motion unanimously

VOTED: To approve the award of contract by the Town Manager to acquire Radio Frequency Identification (RFID) resources and services from Bibliotheca for the Goodnow Library, utilizing capital funds appropriated for the project at the June 2009 Town Meeting.

The Sudbury Foundation - Grants

It was on motion unanimously

VOTED: To accept, on behalf of the Town, two grants from The Sudbury Foundation: \$3,000 to the Department of Public Works for a C.O.R.E. facilitation to develop strategies for improving operating efficiencies; and \$4,500 to purchase fencing and timbers to complete the handicapped-accessible playground at Haskell Field, said funds to be separately accounted for and expended under the direction of the DPW Director.

Youth Commission - Resignations

Vice-Chairman Drobinski noted that the resignations of two members of the Youth Commission provides an opportunity for the Town to re-think the constitution of this Commission and its relationship with the Parks and Recreation Department.

It was on motion unanimously

VOTED: To accept the resignations of Susan Asbedian-Ciaffi, 140 Morse Road, and Joellen Samojla, 96 Atkinson Lane, as Youth Commission members, and to send letters of appreciation for their service and dedication to the Town.

Town Board and Committee Code of Conduct

Town Manager Valente reported that Town staff updated the Code of Conduct for all Town Manager and Board of Selectmen-appointed Committee and Board members to include language to require courteous behavior to all, including the public, and to clarify requirements and procedures for appointee recusals. Ms. Valente further stated that the policy now highlights that the Board will assess an appointee's compliance with the Code of Conduct when it considers membership reappointments.

Selectman O'Brien stated that he is satisfied with the revised document, now that his previously suggested revisions have been incorporated into the policy. Vice-Chairman Drobinski stated that it is good to review policies now and then to assess their effectiveness and need for updating.

It was on motion unanimously

VOTED: As requested by the Town Manager, to accept the revised "Code of Conduct for Town of Sudbury Committees Whose Members are Appointed by the Sudbury Board of Selectmen or the Sudbury Town Manager," regarding the respect and courtesy to be afforded any member of the public, including anyone representing that public, in matters brought before the Committee, but particularly in matters related to

regulatory issues.

Budget Review Task Force - Acceptance of Final Report

Town Manager Valente reported that the Board received copies of the "Final Budget Review Task Force report dated June 30, 2009" on August 20, 2009. She also provided the Board with copies of information submitted by Town Department Heads and the Sudbury Public Schools commenting on, and responding to, information provided within the Report, which was deemed as potentially misleading. Town Manager Valente would like permission to post the Final Report on the Town website and to consolidate the Supplemental Information received from various Town sources into another document to be posted with the Final Report. She also suggested that a few printed copies of the two reports be published to be available at the Selectmen's Office, the Town Clerk's Office and the Goodnow Library. These reports will also be added to the Town Manager's tracking spreadsheet, and recommendation status reports will be updated.

Selectman O'Brien stated that it is a good idea to post the Final Report and Supplemental Information in centralized locations, and he thinks it will be important for Town Manager Valente to track what progress has been made on recommendations.

It was on motion unanimously

VOTED: To accept the Budget Review Task Force Final Report dated June 30, 2009, and the Town Manager's memorandum compiling any supplemental reports submitted by Town Department Heads and/or School superintendents, to be posted on the Town website under the Board of Selectmen, and available in hard copy at the Goodnow Library, Town Clerk and Selectmen's offices.

Memorial Bench Policy

Town Manager Valente explained that, approximately 18 months ago, the Board suggested a Town donation program be established. This suggestion was also offered by the Budget Review Task Force. Ms. Valente further noted that Selectman O'Brien has recommended that, when necessary, donations include funds which will be designated for perpetual care maintenance. Town Manager Valente asked Park and Recreation Director Nancy McShea to research and establish a policy regarding Town memorial bench donations. Ms. McShea has worked with DPW Director Bill Place to present a draft policy, which Town Manager Valente read to the Board.

Selectman O'Brien noted that previous communications regarding memorial benches included cost breakdowns and suggested materials to be used. He requested that the policy include language recommending the preference of the Board that the bench components include recyclable products when possible. Selectman O'Brien asked if the stated cost of \$1,400 includes the use of recyclable materials. If not, Selectman O'Brien requested that the figure quoted in the policy be adjusted to reflect the use of composite materials.

Vice-Chairman Drobinski concurred that the use of recyclable products is sensible for this type of project. He asked if Town locations for the benches have been specified. Town Manager Valente responded that the initial request has identified a specific location and that a list of conducive Town locations will be developed in the future.

Sudbury Historical Commission Chair Lyn MacLean asked if the Town benches made of granite, which currently exist, will need to be reconstructed to comply with the preferred recyclable materials aspect of the policy. The Board responded that existing benches would not be effected by this new policy.

It was on motion unanimously

VOTED: To approve a policy, as reviewed tonight, covering purchase, installation, engraving and perpetual care of all memorial bench donations to the Town, as requested by Town Manager Valente on behalf of Park and Recreation Director Nancy McShea and Department of Public Works Director Bill Place, subject to the condition that a final fee amount be confirmed to include the use of recyclable materials and maintenance costs for future Town benches, and to specifically note that all Town benches in existence prior to this vote are excluded from compliance with this policy.

There being no further business, the meeting adjourned at 8:55 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, SEPTEMBER 8, 2009
EXECUTIVE SESSION
(7:40 P.M - 7:55 P.M.)

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

Absent: Chairman William J. Keller, Jr.

Letter of Understanding - Town Counsel

The Board discussed and approved the same changes to base salary and health insurance options for Town Counsel Paul Kenny, as was approved for all other non-union Town employees, that is, a 3% increase in base salary and changing to a rate-saver version of current Blue Cross health insurance plans.

It was on motion unanimously

VOTED: To approve the extension of the FY05 Letter of Understanding, dated September 10, 2004, between the Town of Sudbury and Paul L. Kenny, Esq. for FY10. Further, to set compensation for his services as Town Counsel at the annual rate of \$86,316 (\$43,829 retainer and \$42,487 legal assistance expense), effective September 11, 2009, and to offer Mr. Kenny the choice of one of the newly-established rate saver versions of Blue Cross health insurance plans.

Town Manager - Contract Updates

The Board discussed and approved the same changes to base salary and health insurance options for the Town Manager as was approved for all other non-union Town employees and Town Counsel, that is, a 3% increase in base salary and changing to a rate-saver version of current Blue Cross health insurance plans.

It was on motion unanimously

VOTED: To increase the FY10 base salary portion only set forth in the Compensation Plan for the Town Manager, dated November 25, 2008, to \$138,511 effective September 11, 2009, the same time as other non-union Town employees, to amend the Compensation Plan accordingly, and to offer Ms. Valente the choice of one of the newly-established rate saver versions of Blue Cross health insurance plans. This vote supersedes the previous vote as far as the Town Manager's base salary.

Police Union - Contract Negotiations Update

Town Manager Valente announced that this update will be given at a later date, since her meeting today with the Police Union was cancelled, due to illness of Labor's Counsel.

There being no further business, the meeting adjourned at 7:55 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk