

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, SEPTEMBER 22, 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 7:36 p.m., in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:36 p.m., Chairman Keller opened the meeting. He reported that he just returned from an enjoyable vacation to Australia, and was happy to be home in Sudbury.

Vice-Chairman Drobinski noted that the Board's last meeting was not televised due to a local power outage. He also reminded the community to be mindful when driving now that schools are back in session. Vice-Chairman Drobinski announced that he became a grandfather over the weekend, and he was congratulated by his colleagues.

Selectman O'Brien announced that his daughter started attending Lincoln-Sudbury Regional High School this year. He also reported that "Back to School" nights will be held on September 23 and September 24, 2009, which may result in more traffic on those evenings.

Reports from the Board of Selectmen

Selectman O'Brien reported that the Habitat for Humanity project, at the corner of Pratt's Mill and Dutton Roads, will conduct house tours on Sunday, September 27, 2009 at 1:00 p.m., followed by a formal dedication ceremony at 2:00 p.m., when the house will be presented to its new owners. The public is invited to attend.

Selectman O'Brien also reported that the Community Emergency Readiness Fair on September 13, 2009, was a very valuable information-gathering opportunity for the community. He congratulated Sudbury's Community Emergency Response Team (CERT) and Medical Reserve Corps emergency response groups for coordinating the event, and he hopes the information will be shared again in other forums. He also thanked the Board of Health and other Town entities for their participation in the event.

Reports from Town Manager

"KENO To Go" Lottery Program - Coffee Hut

Town Manager Valente reported that the Coffee Hut, located at 425 Boston Post Road, has been identified by the Massachusetts State Lottery Commission as an existing non-pouring agent qualified to apply for permission to offer the KENO To Go lottery product. She further reported that Town Counsel and Town Department Heads expressed no concerns with the possibility of the Coffee Hut offering the game. It was noted that the American Legion Post is a pouring agent also offering the KENO To Go product.

Chairman Keller asked if Sudbury receives lottery funds back, which are based upon Sudbury's lottery sales. Town Manager Valente responded that lottery sales are pooled and distributed to cities and towns based upon a pre-determined formula.

It was on motion unanimously

VOTED: To authorize Town staff to draft and send a letter, on behalf of the Board, to the Massachusetts State Lottery Commission, stating that the Board has no objection to the KENO To Go products being provided by Coffee Hut, located at 425 Boston Post Road.

Raytheon - Letter of Congratulations

Town Manager Valente reported that Raytheon was recently awarded the prestigious VPP Star award for its exceptional OSHA compliance record. Assistant Town Manager Wayne Walker represented Town officials at the ceremony. Ms. Valente requested that the Board join her in sending a letter of congratulations for this achievement to Raytheon, and distributed a draft letter for the Board's review.

Chairman Keller stated that Raytheon is a deserving recipient and has been a long-standing good corporate citizen. For the record, Vice-Chairman Drobinski stated that he has served as a consultant to Raytheon, and concurred that the award is well-deserved.

It was on motion unanimously

VOTED: To send a letter of congratulations as reviewed this evening, on behalf of the Board, to Raytheon for receiving OSHA's prestigious VPP Star award.

Anonymous Donor - Letter of Gratitude

Town Manager Valente reported that an anonymous resident recently gifted the Town with many Chrysanthemum plants, which were purchased at the First Parish Mum Sale to benefit the Habitat for Humanity project, to be used to brighten Town buildings. Ms. Valente suggested that the Board send a Letter to the Editor of the *Sudbury Town Crier* to express its gratitude for this generous gesture, and she distributed a draft letter for review. Selectman O'Brien stated that the plants were stunningly beautiful and much appreciated.

Chairman Keller noted that the letter should be corrected to state that the purchase of the plants benefited the Habitat for Humanity (rather than Housing) project.

It was on motion unanimously

VOTED: To send a Letter to the Editor of the *Sudbury Town Crier* as amended this evening, on behalf of the Board, to express its gratitude to the anonymous donor who gifted many beautiful Chrysanthemum plants, which were purchased at the First Parish Mum Sale to benefit the Habitat for Humanity project, to be used to brighten Town buildings.

Proposed Budget Process Calendar Revisions

Town Manager Valente reported that Sudbury's Finance Committee met to discuss proposed changes to the calendar used for the Town's budget process, as suggested by the Sudbury Public Schools, the Town Manager and the Board of Selectmen. She noted that it has been questioned whether the date of the Town Meeting should be permanently changed, since many relevant pieces of financial information are not available until late January. However, since a permanent date change would also necessitate Lincoln changing its Town Meeting date, it was determined that this option could not be executed quickly. Thus, it has been suggested that the calendar be revised in ways that will enable time to focus on non-override budget information.

Town Manager Valente further explained that an option might be to go forward with presenting a 4.5% maximum growth budget first, which would comply with last year's recommendation from Sudbury's Finance Committee, and then later, in early February, present a revenue-oriented budget. She emphasized that these revisions should improve the efficiency of the process, and it will reduce the many speculative budget versions normally produced each year. However, Town Manager Valente highlighted that a potential outcome of this revision is that the many budget details will not be available in time to be published in the Town Warrant. She suggested that the Warrant could include summary-level financial information, with additional detail posted at a later date on the Town website.

Selectman O'Brien stated that discussions have been held with the Town Moderator regarding the possible need to communicate to the public that budget articles will be passed over if there is not enough viable information available in the weeks immediately preceding the annual Town Meeting.

Town Manager Valente emphasized that all parties have worked collaboratively in the best interests of the Town regarding budget issues. She distributed copies of a proposed calendar for the budget process to the Board for review.

Board of Health - Update on Current Issues

Present: Board of Health Director Robert Leupold, Board of Health Chair Brian McNamara and Board of Health member Linda Huet-Clayton

At 8:00 p.m., Chairman Keller welcomed Board of Health Director Robert Leupold and members of that Board to the meeting to update the community regarding current health issues.

Mr. Leupold stated that the most frequently asked question he receives is when the H1N1 vaccine will be available. Unfortunately, Mr. Leupold further stated that this information is not yet available from the State. Board of Health member Linda Huet-Clayton clarified that the seasonal flu vaccine will be available approximately a month prior to the release of the H1N1 vaccine.

Mr. Leupold stated that he has been working with Sudbury's school systems to coordinate the most effective programs for information and vaccination dissemination. He thanked Superintendent John Brackett for his commitment to the issue and for instituting proper preparation and precaution procedures. Selectman O'Brien stated that the schools have done an excellent job providing updates and forms to students and parents.

Vice-Chairman Drobinski asked what precautions have been planned for Town employees. Town Manager Valente responded that the seasonal flu vaccine will be made available to Town employees for a cost of \$15. However, she further stated that she has asked Assistant Town Manager Walker to explore whether the health insurance allocation can be used to pay the employees' fees, since their work requires exposure to the public.

Mr. Leupold noted that vaccines will only be provided for approximately 50% of the national population. Chairman Keller asked which segment of the population is at the most risk, and who should receive the seasonal flu vaccine. Mr. Leupold responded that individuals age 65 and older are most at risk. He noted that the annual clinic to dispense the seasonal flu vaccine will be publicized to the community, and it will likely be held in late October. In response to a question from Selectman O'Brien, Mr. Leupold explained the many ways information is circulated to senior citizens through the Senior Center, the newspaper, the Town website, and with nursing visits to homes. Selectman O'Brien suggested that information also be posted on the cable television scroll board.

Board of Health Chair Brian McNamara stated that vaccines will also be available at the offices of private physicians and at local pharmacies.

Town Manager Valente asked what the process will be for dissemination of the H1N1 vaccine. Mr. Leupold responded that the school-aged population will be targeted first. In December, the Board of Health will assess how much grant money is left to then make vaccines available to the rest of the community through a Town Clinic.

Chairman Keller asked how individuals can make the decision as to whether they should be vaccinated. Mr. McNamara stated that everyone can benefit from the vaccines, and that the 50% availability should be adequate to cover all those who pursue treatment. It was noted that those with certain medical conditions should not receive the vaccines. Additional information is available on the Board of Health website, and individuals were encouraged to discuss treatment with their personal physicians.

Mr. Leupold highlighted that the pneumococcal vaccine is also important to discuss with one's physician. With a physician's prescription, residents can receive the pneumococcal vaccine for free. Mr. Leupold emphasized that one can survive the flu, but deadly complications can arise from contracting pneumonia.

Town Manager Valente noted that the information provided by the Board of Health is directly received and supported by information provided to towns by the Massachusetts Department of Health, which receives constant updates from the Center for Disease Control. Mr. Leupold confirmed that he has spent on the average of 15 hours each week in telephone conference calls and email communications. Ms. Valente also noted that the Fire Department, Town officials and staff also devote many hours to preparation activities for these public health concerns.

Chairman Keller encouraged everyone to practice "respiratory etiquette" by sneezing and coughing into one's elbow to minimize the spread of germs. Mr. Leupold cautioned that one should not go to work until one is fever-free for at least 24 hours. Selectman O'Brien noted that parents need to be cognizant of this when determining if students should attend school.

Town Manager Valente reported that the Board will vote later this evening to accept grant funds received to help defray implementation of the vaccines and clinic costs. Residents were directed to the Board of Health website, the Mass.gov.flu website, and/or the Center for Disease Control website for up-to-date information.

Selectman O'Brien suggested that the Town Manager and Board co-author a letter to all Town employees encouraging them to take advantage of the vaccines, and noting the recommended "stay-at-home" time if one has a fever. Ms. Valente will ask Town staff to prepare a draft letter. Mr. Leupold stated he has provided Assistant Town Manager Walker and the Human Resource Department information from the State providing guidance on these issues.

In response to a question from Selectman O'Brien, Mr. Leupold reported that Sudbury submitted two samples from mosquito traps for testing, but no positive results were reported.

Mr. Leupold highlighted that the Board of Health website has a lot of information on Lyme disease, of which there have been several area cases in recent years. Ms. Huet-Clayton stated that it is important to perform a full-body scan on yourself and children after spending time outdoors. Selectman O'Brien encouraged the Board of Health to note this useful information on the cable television scroll board.

Mr. Leupold reported that, as a cost-savings measure, the Town has not offered a Hazardous Waste Removal Day for the past two years. It is hoped that this can be reinstated if finances become available. Vice-Chairman Drobinski suggested contacting State Representative Tom Conroy to see if there are stimulus funds available to be used for this purpose. It was noted that a regional hazardous material facility is located in Lexington, which one day each month offers access for non-Lexington residents. Town Manager Valente stated that it has been suggested that a Hazardous Waste Removal Day could possibly be offered in combination with a local fundraiser.

In response to a question from Chairman Keller, Mr. Leupold stated that all oil-based paints, herbicides and pesticides are examples of items considered to be hazardous waste.

Chairman Keller thanked the Board for its fine work, and closed the discussion at 8:36 p.m. Chairman Keller announced a brief recess.

Regional Advanced Life Support (ALS) Services - Membership

Present: Fire Chief Kenneth MacLean

At 8:43 p.m., Chairman Keller resumed the meeting. Town Manager Valente briefly summarized a Status Report previously circulated to the Board regarding membership options for Advanced Life Support (ALS) services with other communities. Ms. Valente explained that she and her counterparts from Lincoln, Wayland and Concord, along with each town's respective Fire Chief have suggested two options for membership and are developing a financial model for a regional entity that will replace regional services currently provided by Emerson Hospital. In addition, a working group of 13 cities and towns have been studying options for replacement of services for nearly a year, with support provided by Emerson Hospital.

Fire Chief Ken MacLean delivered a PowerPoint presentation to review what constitutes Basic Life Support (BLS) and Advanced Life Support (ALS), and how these services have been provided in the past and can be offered in the future. He noted that, at one time, there were 23 hospital-based services in the State. Now, only Emerson Hospital and a facility in Lowell continue to provide services. In addition, Chief MacLean presented the proposal for replacement of services, once Emerson Hospital no longer provides coverage, effective September 2010.

Chief MacLean reported that in 2008, there were 988 BLS calls at a cost of \$576.07 per run. Of these 988 calls, 385 of them were for ALS services, which adds \$108.03 of further expenses. Total revenue for Sudbury for FY09 was \$354,367.52. Chief MacLean explained that Emerson Hospital was losing approximately \$100,000 a year on its ALS services, and thus has decided to no longer provide coverage. However, Emerson Hospital did offer to assist cities and towns to establish a regional system. The Hospital has also stated that it will consider extending its fall 2010 deadline, if towns are exhibiting good progress towards establishing services, but have not yet fully implemented a new system.

Chief MacLean summarized the genesis of the working group. The Central Middlesex Emergency Medical Services Collaborative (CMEMSC) was established in September 2008. CMEMSC consisted of 13 communities serviced by Emerson Hospital, working with the Hospital to design a replacement system. The group is now known as the Central Middlesex Emergency Rescue Authority (CMERA) which has focused its attention on developing a financial model for billing and establishing parameters for a governing body and centralized dispatch system.

CMERA has proposed that a government body of regional ALS service be established, which will set rates, establish regional rules and select vendors. The service will include centralized dispatch, which will identify the closest response vehicles, perform data collection and data analysis. Chief MacLean stated that

the vendor-provided ALS service will be responsible for training and quality assurance. In addition, he stated a centralized billing system would establish a common rate. Chief MacLean noted that the Board had previously voted to allow billing of assessments for Sudbury at a Medicare + 200% rate, which is likely to be the common rate initially established. CMERA also will work to develop local, fire department-based ALS service for towns, which could also be available for regional dispatch.

Chief MacLean briefly reviewed the service participant agreement options. The "All -In" Core communities would agree to abide by the recommendations of the CMERA governing board, would pay \$450 to the CMERA system per ALS service, would bill through CMERA using the Medicare + 200% rate, would direct all requests for ALS through CMERA's dispatch system, and would install GPS devices.

Chief MacLean stated that, tonight, he is requesting the Board's endorsement of immediately increasing Sudbury's ALS billing rate to Medicare +200%, which will increase revenues, provide funding for development of a Sudbury Fire Department ALS, and offset expected Medicare rate decreases which will become effective January 2010. Chief MacLean further stated he recommends that the Board also votes to become a CMERA Core member.

Town Manager Valente stated that, based upon geographic proximity, she would expect that Sudbury, Concord, Lincoln, Wayland and Maynard will choose to be CORE members, giving all of their ALS business to the new vendor. Carlisle and Boxborough may also consider this option. A second group of towns, including Bedford, Westford, Littleton, Stow and Weston may choose to be partial members, since they do not currently use the Emerson services as much. She emphasized that the proposed financial model would call for all Core members to commit 100% to the service, to be sure it works. Later, a determination for additional members can be made based upon what services are requested, and what the revenue/service ability is. It was also noted that towns which do not elect to join the regional entity will be charged at a higher rate per ALS run, and they may need to supplement the higher fees with increased taxes.

Chief MacLean clarified it is unrealistic to assume that each Town could develop its own service system, since there is not sufficient call volume to justify staffing. However, he is confident that there is enough business for several regional systems to service.

In response to questions from the Board, Chief MacLean reviewed the current emergency process for ambulance services. Selectman O'Brien opined that the Town does not have many options, since Emerson Hospital clearly intends to stop service. However, Selectman O'Brien noted it is important that a new system provides citizens with similar, if not better response times. Chief MacLean reported that the national response time standard for BLS is four minutes, and eight minutes for ALS. He further reported that although Sudbury currently receives BLS service within the standard timeframe, the Town does not currently meet the ALS standard. Chief MacLean opined that he believes each community will achieve better response times from a new regional system.

Selectman O'Brien asked if any capital upgrades or re-training costs will be associated with Sudbury's membership. Chief MacLean responded that the Town's two ambulances can rather easily be upgraded for ALS. He also stated that he has recently hired a firefighter who is qualified as a paramedic. Chief MacLean further reported that, along with three other communities, Sudbury has applied for a \$450,000 grant to be used for paramedic training. Chief MacLean emphasized the need for Sudbury to be proactive in replacing these essential services, since 54% of the Fire Department's responses are for medical calls.

Town Manager Valente explained that CMERA is requesting responses prior to October 10, 2009, of the intention of towns to remain part of the group, and in what capacity, to enable a vendor contract for these services to be completed within the necessary timeframe. A three-year commitment has been suggested from

each town to be part of the new regionally-based ALS. Town Manager Valente recommended that the Board vote Sudbury as an "all-in" Core member. She noted that Chief MacLean's presentation will be posted on the Town website. Selectman O'Brien later requested that the standard response times also be posted on the website, noting that Sudbury's two ambulances are housed in the Town Center Fire Station, and that a new system hopes to improve current response times.

Selectman O'Brien noted that the Board has been apprised of proposals throughout the past year. He stated that he views the plan presented tonight as well conceived. Vice-Chairman Drobinski stated that it is essential to offer ALS services to Sudbury's residents.

It was on motion unanimously

VOTED: To approve an initial three-year commitment to provide Advanced Life Support services as a Central Middlesex Emergency Rescue Authority "Core" member.

It was also on motion unanimously

VOTED: To endorse that billing for current Sudbury ALS services be increased immediately to a Medicare +200% rate.

Minutes

It was on motion unanimously

VOTED: To approve the executive session minutes of August 11, 2009, and the regular and executive session minutes of September 8, 2009.

Sudbury Access Corporation - Board of Directors Resignation

It was on motion unanimously

VOTED: To accept the resignation of Theodore H. (Ted) Fedynyshyn, 32 Atkinson Lane, as a member of the Sudbury Access Corporation Board of Directors, and to send a letter of appreciation for his service to the Town.

Sudbury Cultural Council - Appointment

Chairman Keller announced that this item has been removed from tonight's agenda.

Wayside Inn - Colonial Fair and Muster of Fifes and Drums

It was on motion unanimously

VOTED: To grant a Special Permit to Harold Cutler for the Colonial Fair and Muster of Fifes and Drums to be held on the Wayside Inn grounds from 10:00 a.m. to 5:00 p.m. on Saturday, September 26, 2009, subject to conditions and permits required by the Fire and Police Departments and the Board of Health.

Goodnow Library - Cleaning Services Bid Award

It was on motion unanimously

VOTED: To approve the award of contract by the Town Manager for cleaning and light maintenance services for the Goodnow Library for FY10 (10/1/09 through 6/30/10) to the lowest eligible bidder as approved by Town Counsel (bid opening September 25, 2009).

Historic Records Conservation - Contract Award

It was on motion unanimously

VOTED: To approve award of a three-year contract by the Town Manager to the eligible conservator under the criteria set forth in the RFP for Historic Records Conservation and Preservation, dated August 31, 2009, who offers the most advantageous base price for the services offered, subject to the concurrence of Town Counsel.

Discretionary Fund - Donation

It was on motion unanimously

VOTED: On behalf of the Town, to accept \$50 in memory of Sidney Kinzie to the Discretionary Fund, to be expended under the direction of the Town Social Worker, Martha Lynn.

Herb Chambers BMW - Performance Bond

It was on motion unanimously

VOTED: As requested by Jody Kablack, Planning Director, in a memo dated September 16, 2009, to set a Site Plan performance bond for Herb Chambers BMW of Sudbury, 130 Boston Post Road, at \$28,732.84, and to accept a cash bond in that amount.

Land Acquisition Review Committee - Amendment to Mission Statement and Appointments

It was on motion unanimously

VOTED: To amend the Land Acquisition Review Committee mission statement regarding membership to indicate "up to seven members," and to appoint Christopher Morely, 321 Old Lancaster Road, as the Planning Board representative; and John Sklenak, 93 Robbins Road, as the Conservation Commission representative, to initial one-year terms to expire April 30, 2010, as requested by Jody Kablack, Planning Director.

Boy Scout Troop 60 - Eagle Scouts

It was on motion unanimously

VOTED: To enter into the Town record and sign letters of congratulations to Benjamin Keaton Ryan, 6 Canterbury Drive, Matthew Allan Johnson, 10 October Road, and Kevin Ross Ravesi, 122 Morse Road, of Troop 60, on achieving the high honor of Eagle Scouts.

Public Health Emergency Preparedness and Emergency Response I & II - Grants

It was on motion unanimously

VOTED: As requested in a memo dated September 18, 2009, from Bob Leupold, Director of Health, to accept, on behalf of the Town, \$13,804.78 from the Public Health Emergency Preparedness (PHEP) and Public Health Emergency Response I and II (PHER) H1-N1 grant funds allocated to Sudbury, said funds to be expended under the direction of Bob Leupold, Director of Health.

Executive Session

At 9:39 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 9:39 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN
WEDNESDAY, SEPTEMBER 22, 2009
EXECUTIVE SESSION
(9:39 P.M - 9:57 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 - Contract Negotiations Updates

Town Manager Valente reported she will be moving forward with budget discussions while in ongoing contract discussions with unions. She will be meeting with the Firefighter's Union tomorrow. Ms. Valente noted she has been asked what the Town's perspective is regarding the Cost of Living Adjustment (COLA) aspect of the recently approved Sudbury Public School (SPS) contract. She has responded that the Town views the SPS contract as a template for future negotiations. Town Manager Valente proposes that, for union and non-union collective bargaining discussions, allocations for COLA should mirror what was accepted in the SPS document. The proposal would provide for a 3% COLA in the first year, effective as of the date that health insurance changes are accepted. Ms. Valente noted that the 3% COLA for the Town's non-unionized employees will be effective in the September 24, 2009 paycheck.

Although SPS did not offer COLA in its contract's second year, it did re-institute steps. For the second contract year of FY11, Town Manager Valente proposes a similar scenario, with those already at the top step receiving a half step. She further proposed that a 1% COLA be made to the salary schedule in FY12, i.e., the third year of the contract.

Selectman O'Brien asked what the proposal will be for health insurance. Town Manager Valente responded 5% in the first year, followed by 2 1/2% for each of the second and third years. Ms. Valente emphasized that the goal would be the same as was achieved by SPS, which is to get to an 80%/20% allocation split for current employees, and a 70%/30% split for new employees.

The Board expressed its support of Town Manager Valente's proposals and perspectives, as presented this evening, for upcoming collective bargaining negotiations.

There being no further business, the meeting adjourned at 9:57 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk