

IN BOARD OF SUDBURY SELECTMEN
MONDAY, FEBRUARY 8, 2010

Present: Chairman William J. Keller, Jr., (arrived 7:53 p.m.) Vice-Chairman John C. Drobinski, Selectman Lawrence W. O'Brien, and Town Finance Director Andrea Terkelsen

Absent: 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., Vice-Chairman Drobinski opened the meeting. He noted that a snowstorm is anticipated this week, and he asked that citizens check on elderly neighbors and help shovel fire-hydrant areas. Vice-Chairman Drobinski also reminded those interested in submitting nomination papers for the upcoming election to return them to the Town Clerk's Office prior to the noted deadline. He also urged residents to keep abreast of budget discussions by attending upcoming meetings and accessing information on the Town website.

It was on motion unanimously

VOTED: To appoint Andrea Terkelsen, Finance Director, as Clerk Pro-tem for tonight's meeting, in the absence of Town Manager Maureen Valente.

Vice-Chairman Drobinski reported that Chairman Keller is expected to join tonight's meeting later due to his participation in a local Boy Scout event.

Joint Meeting with the Sudbury Finance Committee – Budget Discussion

Present: Finance Committee Chair Chuck Woodard and Finance Committee members Bill Kneeland, Bob Stein, Joan Carlton, Martha Ragones, Bob Jacobson, Sheila Stewart, Jim Rao and Jamie Gossels

At 7:37 p.m., Vice-Chairman Drobinski welcomed the Finance Committee to this joint meeting with the Board of Selectmen, and asked its Chairman Chuck Woodard to present the Committee's report.

Mr. Woodard noted that, as part of its evaluation process, the Finance Committee asked Town cost centers for budget recommendations earlier this year based on a 4.5% budget increase. He stated that Finance Committee liaisons then met with each cost center and their finance directors to assess the information. Formal budget hearings were held in January 2010, and proposed budgets have been discussed at several Committee meetings.

Mr. Woodard reported that, through its evaluation, the Committee determined that an approximate \$2 million decline in Town revenues (other than property taxes) from State Aid and local receipts is expected, as is a smaller transfer of free cash from Lincoln-Sudbury Regional High School (L-SRHS). He stated that a 7.5% decrease in State Aid has been accounted for in the Committee's calculations. Mr. Woodard also noted that in recent years, the operating budgets for each cost center have only been increasing by approximately 1.5%. The Committee recognized the cooperation shown by School and Town employees by agreeing to new contracts, which will result in cost savings for the Town. Thus, the Committee felt that it was appropriate to recommend some level of an override to help minimize the negative financial impacts of lost revenue to Town services and personnel.

Mr. Woodard further reported that the Committee has voted to recommend that a \$1.753 million-dollar tax override be presented to Sudbury voters. He explained that this amount will allow for the expected revenue shortfall to be covered, a modest \$58,000 combined contribution to be made to the Stabilization Funds of the Town and L-SRHS and provide for a 2.75% growth in the operating budgets for each cost center. Mr. Woodard stated that this override amount would translate to an increase of approximately \$515 (4.92%) for the average homeowner as opposed to the anticipated increase of \$235 (2.24%) per average homeowner without an override.

Finance Committee member Bob Jacobson noted that, if the State Aid reduction is not as severe as anticipated, the Committee recommends that the excess funds be left to close out to the Town's Free Cash. Mr. Woodard reported that the Committee's recommendation was nearly unanimous, with only one member opposed to an override.

Selectman O'Brien asked if the Committee has deliberated its preference for when the ballot question for an override would be presented to the voters, i.e., pre- or post-Town Meeting. Mr. Woodard responded that he believes there are benefits to publicly discussing the override option first at Town Meeting, and then voting on the issue at a later date as designated by law. He further opined that, given the uncertainty of the State Aid figures, it might be better to wait until after Town Meeting.

Selectman O'Brien questioned whether the Committee would also recommend adding the requested \$130,000 for a shared Town and Schools' Facilities' Manager position, as proposed in another Town Meeting article, to the override amount. He stated that the creation of this position could result in savings by overseeing the preventative maintenance of the multi-million dollar buildings in which the Town has already invested. Chairman Keller noted that this position could likely extend the useful life of the buildings for the Town's best financial interests. Mr. Woodard questioned where the funds would come from to address any priorities identified by a Facilities' Manager. Mr. O'Brien and Ms. Terkelsen responded, stating that the approval to create a position would be the initial step in an evolving process between the cost centers. Vice-Chairman Drobinski opined that the project might be a year away from fruition. Ms. Terkelsen clarified that the \$130,000 covers 1.5 staff salaries, including benefits. Finance Committee member Jim Rao stated that this proposal is being broached anew, and thus was not deliberated on by the Committee as part of its override/budget discussions. Finance Committee member Jamie Gossels concurred, stating that, although she believes the creation of the position has merit, she does not believe the Committee has had the opportunity to assess relevant information regarding the matter. Mr. Woodard further stated that, given that employment layoffs are anticipated this year, it may not be the best time to create a new position. However, he suggested that the proposal be part of next year's evaluation and discussions.

Mr. Woodard stated that the Committee would prefer to know tonight what the Board's inclination is regarding the override so that it can vote on the warrant article at its meeting tomorrow evening. Mr. Jacobson stated that, in making its recommendation, the Committee attempted to be sensitive to the economic strains being felt by many, while also trying to preserve high-quality services for Sudbury.

Chairman Keller opined that the Finance Committee does an excellent job evaluating this information on behalf of the community. Thus, he believes that, if the Committee recommends a tax override, the Board should approve that recommendation to be presented to the citizens at Town Meeting. Vice-Chairman Drobinski concurred; stating that, although it is difficult to make such a recommendation in challenging financial times, he believes the override option is in the best long-term interest of Sudbury. Selectman O'Brien echoed these sentiments, stating he supports giving citizens the opportunity to vote on the issue. He also strongly supports having the vote for the override scheduled at the appropriate time after Town Meeting.

It was on motion unanimously

VOTED: To support the recommendation of Sudbury's Finance Committee to present a tax override article in the amount of \$1.753 million at the Annual 2010 Town Meeting.

Chairman Keller encouraged citizens to let the Board know their preferences as soon as possible regarding whether the ballot question should be presented in an election before or after Town meeting. Selectman O'Brien will also consult with Town Manager Valente regarding scheduling of the election ballot question.

Transfer Station – Fee Structure

Present: Department of Public Works Director Bill Place

At 8:37 p.m., Chairman Keller welcomed Department of Public Works (DPW) Director Bill Place to the meeting. The Board was previously in receipt of a draft "Transfer Station Report, dated January 27, 2010." Mr. Place explained that it is projected that the Transfer Station may experience a deficit of over \$50,000 in FY11 due to the decrease in the market for recyclables. He also stated that representatives from Sudbury have been meeting monthly with counterparts from Wayland to discuss opportunities to combine services in the effort to cut costs for both towns. Several suggestions have been made to increase revenue. However, tonight, Mr. Place stated he is only seeking the Board's approval to increase the sticker fee price by \$30 to \$155, (as recommended by the Board of Health) as of July 1, 2010, which will reduce the anticipated deficit for FY11 by \$30,000.

Chairman Keller noted that, tonight, the Board has also been asked by the Solid Waste Management Options Committee to consider approving the institution of a recycle-only fee. Chairman Keller stated he believes a \$25 minimum recycle-only fee should be instituted as soon as possible. Mr. Place responded that time is needed to implement the process and that a July 1, 2010 effective date would seem appropriate. Chairman Keller later suggested that citizens to whom this new fee will apply consider making a donation to the Town in the meantime.

Peter Harvell, 301 Hudson Road, expressed his concern to the Board regarding increasing fees, especially following tonight's budget and tax-override discussion. He questioned why Sudbury is proposing to increase the fees to match Wayland's fee structure and whether this has already been decided to occur July 1, 2010 as he recently heard stated by the Town Manager. Selectman O'Brien responded that Sudbury and Wayland have been discussing the consolidation of services to achieve cost savings. Chairman Keller clarified that Sudbury is not looking to increase the sticker fees to mirror Wayland but rather to counter the anticipated revenue losses projected in the DPW report. He also noted that the Town is pursuing ways to regionalize services regarding other entities besides the Transfer Station. Selectman O'Brien further stated that the report also recommends using current retained earnings to help defray the expected deficit.

Mr. Harvell asked if there would be forums provided for the public to offer feedback regarding the consolidation of the two town transfer stations. The Board assured him there would be opportunities for public input. Mr. Harvell stated concerns regarding how a joint venture would /should be co-managed by the two towns. He also stated that the local newspaper should provide coverage on this topic for the community.

In response to a question from Selectman O'Brien, Mr. Place stated he will consult with the supplier regarding price quotes for smaller than 15-gallon bags.

Craig Blake, 300 Old Lancaster Road, questioned whether the difficult economy will provide an impetus for more use of the Transfer Station and an increase in sticker sales. He asked what types of analyses have

been performed to determine the \$155 price and what that cost will cover. Ms. Terkelsen stated that the \$155 will only cover the projected FY11 operating costs under Sudbury's current structure. She further stated that, if a consolidation of operations occurs of Sudbury's and Wayland's Transfer Stations, then it is possible cost savings would be generated to be held as retained earnings. Mr. Blake cautioned the Town to carefully evaluate whether there will actually be cost savings if both transfer stations remain open.

It was on motion unanimously

VOTED: To approve an increase in the cost of the Transfer Station Fee from \$125 to \$155 for FY11, effective July 1, 2010.

It was also on motion unanimously

VOTED: To approve the creation of a Transfer Station Recycle-Only Fee of \$25 for FY 11, to become effective July 1, 2010.

Selectman O'Brien suggested that both new fees be appropriately publicized to the community. He also asked if the Town currently offers discounts to senior citizens for Transfer Station fees. Mr. Place responded that the Town will honor a hardship request when presented by a senior citizen.

Mr. Harvell expressed his support for a senior citizen discount/waiver. However, he emphasized the need for a formalized hardship policy to be drafted by the Town, which defines criteria for proof of hardship before it considers any waivers. Vice-Chairman Drobinski suggested that the Council on Aging be consulted regarding this issue. Selectman O'Brien concurred that the issue merits further research, including whether Wayland has a senior citizen fee policy.

It was also on motion unanimously

VOTED: To ask the Town Manager to instruct Town staff to research the need for a formalized Senior Citizen Transfer Station Fee Hardship Policy for review by the Board at a later date.

Solid Waste Management Options Committee – Preliminary Report Presentation

Present: Solid Waste Management Options Committee Chairman John Pearson and Committee members Peter Harvell, Nancy Brumback and Carolyn Lee

At 9:21 p.m., Chairman Keller welcomed Solid Waste Management Options Committee (SWMOC) members to the meeting. The Board was previously in receipt of a "Solid Waste Management Options Committee Preliminary Report, dated July 20, 2009," which was summarized by SWMOC Chairman John Pearson.

Mr. Pearson noted that the research done for the report revealed that 80% of Sudbury's households utilizing private haulers pay significantly more than in other communities. The primary conclusion reached by the Committee was that, given the current technology, the best way to increase the Town's recycling rate would be with the implementation of a single-stream system. Mr. Pearson further reported that, to achieve significant cost-savings, the Town would need to have 70% of households participate in recycling at the Transfer Station compared to its current 20% of homes.

Mr. Pearson presented the Committee's four recommendations as follows: the Board of Health to implement a program to register private haulers, including a fee structure; the Town to actively encourage the use of the Transfer Station; the Town to require a Recycle-Only sticker (already approved this evening); and

that the Town improve public education regarding hauler and recycling options and the operation of the Transfer Station.

Mr. Harvell emphasized the inherent difficulties of disposing of trash. He noted that the Transfer Station has a very good website with useful information, which should be more prominently highlighted.

Ms. Terkelsen suggested that an insert regarding Transfer Station operations and services could be included in the mailing of property taxes and could be displayed at Town office locations, which are accessed most by the public.

Vice-Chairman Drobinski commended the Committee on the comprehensive report. He agreed that there is a cost for disposing trash in a responsible manner.

Selectman O'Brien opined that, given the current budget climate, it is fortunate that trash is not also part of the Town budget. However, SWMOC member Nancy Brumback highlighted that most of the residents surveyed desire a Town-wide curb service for trash.

Selectman O'Brien suggested that Town Manager Valente ask the Board of Health Director, who does not report to her, to consider implementing these recommendations and that a joint meeting be scheduled for a future date. Chairman Keller recommended that a more formal request be made of the Board of Health. Ms. Brumback noted that the law requires the Board of Health to oversee this regulation. SWMOC member Carolyn Lee expressed concern regarding aspects of administering the Enterprise Fund for purposes other than for what it was created.

It was on motion unanimously

VOTED: To accept the "Solid Waste Management Options Committee Preliminary Report, dated July 20, 2009," and to communicate to the Board of Health the Board of Selectmen's concerns regarding the lack of a registration procedure and fee structure for trash haulers in Sudbury, and to adopt, publicize and help educate the community regarding the recommendation made as noted on pages 24 and 25 of the Report.

It was also on motion unanimously

VOTED: To schedule a joint meeting of the Board of Health and the Board of Selectmen for a future date, and to include the newly-adopted SWMOC recommendations in the Selectmen's goals next year as appropriate.

2010 Transportation Improvement Program - Priorities

Present: Department of Public Works Director Bill Place

The Board was previously in receipt of a memorandum from Director of Planning and Community Development Jody Kablack and Department of Public Works (DPW) Director Bill Place dated February 2, 2010 regarding five proposed priority projects to be submitted by Sudbury to the State Transportation Improvement Program (TIP). Mr. Place briefly described the five projects which include: the Route 20/Landham Road intersection; the Route 20/Horse Pond Road intersection; the Bruce Freeman Rail Trail, phase 2D; the Route 20/Wayside Inn Road; and the Bruce Freeman Rail Trail, phase 2E.

To improve public safety, Selectman O'Brien suggested that Wayside Inn Road be made a one-way road. Mr. Place stated that the State may need to be consulted, since the road enters and exits onto Route 20.

It was on motion unanimously

VOTED: To approve the 2010 Transportation Improvement Program priorities for submission to the Metropolitan Planning Organization, as recommended by Jody Kablack, Director of Planning and Community Development, and Bill Place, Department of Public Works Director, in a memo dated February 2, 2010.

Zoning Board of Appeals – Alternate Member Candidate Interview

Present: Candidate Jonathan F.X. O'Brien

Chairman Keller welcomed Jonathan F.X. O'Brien to the meeting to explain to the Board why he is interested in serving on the Zoning Board of Appeals (ZBA) as an Alternate Member.

Mr. O'Brien stated he moved to Sudbury a few months ago with his family and would like to become involved with the community. He is a real estate and corporate attorney in Boston. Mr. O'Brien has attended two ZBA hearings and found them interesting. Vice-Chairman Drobinski noted that, periodically, hearings can be contentious, and he asked Mr. O'Brien how he would handle those situations. Mr. O'Brien responded that it is important to focus on the legal processes and guidelines so to minimize issues becoming personal. In response to questions from Selectman O'Brien, Mr. O'Brien stated he believes affordable housing is important in communities and that he has read Sudbury's Chapter 40B guidelines. The Board also explained the Community Preservation Act (CPA) affordable housing component to Mr. O'Brien and suggested he access more information about Sudbury's CPA program and Sudbury's Master Plan on the Town website.

It was on motion unanimously

VOTED: To appoint Jonathan F. X. O'Brien, 3 Country Village Lane, as an Alternate Member of the Board of Appeals, for a term to expire April 30, 2011.

Reports from the Board of Selectmen

Selectman O'Brien reported that he has attended several budget hearings and a Budget Working Group meeting in the past few weeks. He also attended the Zoning Board of Appeals hearing where the Sudbury Housing Trust and the Neighborhood of Affordable Housing presented the proposed development of six, two-bedroom units of affordable housing at 278 Maynard Road to be known as 3 Marlboro Road.

Vice-Chairman Drobinski reported that he attended the Community Preservation Committee meeting two weeks ago, wherein the Committee reviewed the proposed warrant articles. The consensus of the Committee was that it will not support the petition article to reduce the Community Preservation Act surcharge in Sudbury.

Chairman Keller reported that he too has attended several budget hearings in recent weeks. He also attended the 100th anniversary celebration of the Boy Scouts of America tonight with Sudbury's local troops, which was attended by well over 100 local youths and family members.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of January 13 and January 20, 2010 as well as the regular minutes of January 26, 2010.

One-Day Wine and Malt Beverages License – Willow Hill School

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to approve a one-day Wine and Malt Beverages License for Deborah G. Driskell, representing the Willow Hill School, to be exercised on Saturday, March 27, 2010 from 6:00 p.m. to 10:00 p.m. at Willow Hill School, 98 Haynes Road, to accommodate a fundraising dinner event.

Articles for 2010 Annual Town Meeting– Take Positions

The Board was previously in receipt of a revised list of the “2010 Annual Town Meeting Warrant Articles,” dated January 29, 2010. The Board reviewed the list to determine if positions could be taken at this time.

It was on motion unanimously

VOTED: To take the position of supporting Articles 1 through 13, 17, 26, 28 and 29 and to hold on taking positions on all other articles at this time.

Participation in Studying the Feasibility of a Regional Public Safety Answering Point - Discussion

Chairman Keller announced that this agenda item will be rescheduled for a future meeting.

Executive Session

At 10:32 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 10.32 p.m.

Attest: _____
Andrea Terkelsen
Town Finance Director – Clerk Pro-tem

IN BOARD OF SUDBURY SELECTMEN
MONDAY, FEBRUARY 8, 2010
EXECUTIVE SESSION
(10:32 P.M – 10:43 P.M.)

Present: Chairman William J. Keller, Jr., Vice-Chairman John C. Drobinski, Selectman Lawrence W. O'Brien, and Finance Director Andrea Terkelsen

Absent: Town Manager Maureen G. Valente

Collective Bargaining – Police Union - Update

The Board expressed its satisfaction with the contract, which has been agreed to between the Town and the Police Union. Chairman Keller stated he believes the contract is fair for all parties -- the Union members and Sudbury's taxpayers. He suggested that the agreement be announced at tomorrow's Finance Committee meeting.

It was on motion unanimously

VOTED: To approve the labor contract, as agreed to and outlined in the Memorandum of Agreement of the Police Union and the Town of Sudbury, as reviewed this evening.

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

Attest: _____
Andrea Terkelsen
Town Finance Director – Clerk Pro-tem