

IN BOARD OF SUDBURY SELECTMEN
WEDNESDAY, FEBRUARY 17, 2010

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 7:35 p.m. in the Flynn Building, Silva Conference Room, 278 Old Sudbury Road.

Opening Remarks

At 7:35 p.m., Chairman Keller opened the meeting. He complimented the Town's DPW on the great road work they did in the recent storm. He further reminded residents about the importance of clearing snow from their area fire hydrants.

Chairman Keller also reminded residents about the upcoming Annual Town Election on Monday, March 29 and the start of the Annual Town Meeting on Monday, April 5. If you have not yet registered to vote, you need to do so by March 9, when the Town Clerk's Office will remain open until 8:00 p.m.

Mr. Keller reminded everyone that Passover begins on Monday, March 29. However, the Town Bylaw requires that the Town Election be held on the last Monday in March. Therefore, anyone celebrating Passover should plan to vote earlier in the day.

Selectman O'Brien announced that SudburyTV.org has many new selections to view. Further, he reported that he will be attending a Zoning Board of Appeals meeting concerning a 16 unit, Hudson Road project. The property was acquired two years ago.

Reports from the Board of Selectmen

Selectman Lawrence O'Brien that he will be attending a Zoning Board of Appeals meeting concerning the 16-unit Hudson Road project on property acquired two years ago.

Mr. O'Brien also brought up an issue concerning hair salons, and he raised a question about the need for "tight tanks." He opined that it is a State law that salons be required to have these "tight tanks" to capture chemicals in the water used. He asked Town Manager to inquire from the Board of Health Director which facilities have them and which do not as the Town's main aquifer is located on Rt. 20.

Vice Chairman John Drobinski stated it is indeed a requirement that "tight tanks" be utilized by the hair salon industry.

Town Manager Valente stated that an "In Board" notification will convey the message to the Board of Health and ask if they would be kind enough to inform the Board regarding the adherence to the "tight tank" requirements by the Town's hair salon industry.

Reports from the Town Manager

Sudbury Access Corporation

Town Manager Valente reported that, within the last few days, payments from Verizon and Comcast (under their respective contracts with the Town) totaling approximately \$150,000 have been received. In the past, 5% of these funds have been retained in the Cable Revolving Fund and the balance forwarded to the Sudbury Access Corporation. Through a recent analysis of these accounts, there is now about \$17,500 in this Revolving Fund as a result of these retained monies. Originally, the intention for the reserved funds was in case something came up related to cable needs or issues. Ms. Valente recommends that these funds all be forwarded to the Sudbury Access Corporation.

Chairman Keller opined that he believes the funds and payments should be reviewed annually. Vice Chairman Drobinski asked if there might be a use for these retained funds, such as wiring or cable upgrading in other Town buildings. Ms. Valente suggested possibly using some of the funds to make live taping available in the Silva Conference Room in the Flynn Building.

It was on motion unanimously

VOTED: To forward all fees received from Verizon and Comcast in FY10 to Sudbury Access Corporation and to retain \$17,500 which will be held in reserve for possible future cable-related projects or issues.

Energy Efficiency and Conservation Block Grant

Ms. Valente reported that Sudbury has been awarded an Energy Efficiency and Block Grant in the amount of \$141,864 for Solar PV and Solar Thermal. The Green Ribbon Committee did a great deal of work submitting this application on behalf of the Town. The funds were made available by the American Recovery and Reinvestment Act of 2009. The grant will be used for solar panels on the Fairbank Center. Ms. Valente further commented that a smaller grant was awarded earlier, for smaller panels for the Noyes School. Basically, these will be used for training/learning purposes. She credited Jim Kelly, the Building Inspector, along with Bill Braun and other members of the Green Ribbon Committee for acquiring the grants. She stated that there is always a lot of grant writing going on, but the Town is not always awarded the funds.

Selectman O'Brien suggested that it might be advantageous to have the Green Ribbon Committee come in to meet with the Board and to relay what's behind the recent grant.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of February 8, 2010.

Resignation – Commission on Disability

It was on motion unanimously

VOTED: To accept the resignation of Carol M. Stoner, 45 Maplewood Avenue, as a member of the Commission on Disability, and to send a letter of appreciation for her service to the Town.

Resignation – Historic Districts Commission

It was on motion unanimously

VOTED: To accept the resignation of William C. Schirmer, 850 Boston Post Road, as a member of the Historic Districts Commission effective April 1, 2010, and to send a letter of appreciation for his many years of service to the Town.

2010 Annual Town Meeting – Petitioner Report

At 8:00 p.m., Chairman Keller introduced Thaddeus “Todj” Gozdeck, the proponent behind Article 44 – Increase Board of Selectmen from 3 to 5. Mr. Gozdeck stated he basically has three reasons behind his proposed increase in the Board’s size: 1) it would allow for more divergence of opinion whereas the dynamics of a three-member Board has the potential to limit full discussion; 2) he believes that it’s likely to see more diversity reflected with a five-member Board; and 3) the Town is larger now and many communities have moved to five-member Board. There are many that have five-member Boards: Acton, Concord, Carlisle, Boxborough, Framingham, Hudson, Lexington, Maynard, Northborough, Stow, Wellesley and Wayland, among others.

Vice Chairman Drobinski asked Mr. Gozdeck if he has researched why the several attempts to increase the Board’s size have failed in the past. He responded that he has not. Mr. Drobinski further questioned if any of the listed Towns have Town Administrators and Town Managers as today much of the Town’s work is now done by the Town Manager. He further opined that the Board of Selectmen’s role is more policy as opposed to hands on, which is the role of the Town Manager.

Chairman Keller asked Mr. Gozdeck if he had researched towns changing from three to five members. Mr. Gozdeck stated that they all started years back with three members and over the years have gone to five.

Selectman O’Brien pointed out that Mr. Gozdeck’s report mentions that the Town’s “93 committee and departments.” Mr. O’Brien stated there are 47 Committees and 45 Departments. However, when you break it down, the Board of Health stands alone; and there is L-SRHS and the Sudbury Public School Committees which are stand-alone Committees that work with Superintendents. Many others committees are under the jurisdiction of department heads, and Board members each serve as liaisons to several of the committees.

Mr. Drobinski asked Mr. Gozdeck if there is something he sees that the Board could be doing better. He replied that there is nothing wrong as such, but he is looking for more diversity.

At 8:25 p.m., Chairman Keller thanked Mr. Gozdeck for coming before the Board. Mr. Gozdeck responded that he will send a new report through tomorrow, reflecting a change to his last sentence.

Advanced Life Support Discussion

At 8:55, Chairman Keller recognized Fire Chief Kenneth MacLean who read a report into the record (attached herewith) concerning the merits of the Sudbury Fire Department becoming the regional provider of Advanced Life Support (ALS). This service has been provided by Emerson Hospital for the past 25 years to 13 area towns. Emerson had not been charging for the ALS service to its surrounding communities as it was bringing business to the hospital. However, Emerson Hospital has pulled out of this service sooner (February 14th) rather than expected (originally set for as September 2010) as many of their employees were

leaving in large numbers knowing that Emerson would be closing down the ALS service, which necessitated Emerson going to contracted services – which will end on October 1.

Recognizing the need for continuing this much-needed service, Town Manager Valente and Chief MacLean have attended several meetings with area communities, and there are now eight towns committed to the concept of this new ALS provision.

Chairman Keller opined that it would seem that a better response time would be achieved with Sudbury providing/maintaining the service, but regardless of the deadline which looms we are essentially well covered between now and Emerson pulling out of the ALS provision.

Selectman O'Brien reviewed that Emerson was providing ALS service up until February and now they are using contract providers thru Emerson. This service is now fee-based to the local communities, but they are looking for regionally and collaboratively-based service.

Chief MacLean offered that the Executive Board meetings have stressed that providing ALS service is an asset to the area communities, and he strongly supports having a fire-based ALS service in Sudbury. It will provide the best level of care as well as response time, and he's looking at a roll-out date of October as Emerson Hospital has out-sourced this service to private contractors. He stated that other towns will have the opportunity to either stay with the private contractors or join Sudbury as he has been very clear that Sudbury intends to move in the ALS format.

Chairman Keller asked if the Town was adequately covered between now and then, and Chief MacLean answered affirmatively.

Mr. O'Brien summarized that basically Emerson made a business decision to get out of the ALS service because of the changing market place in providing the service to bring patients to area hospitals. The suggested solution seems to be to replace that service with a different/regionalized service. Sudbury hopes to replace the sub-contractors which provide the current service. The Town was pretty much forced to accelerate updated service/solution on a timetable that will be in place by October.

Selectman O'Brien thanked Chief MacLean for his excellent presentation and report.

Vice Chairman Drobinski stated that he supports the plan and opined that despite the tradeoff between revenue neutral and slightly less so it remains a good option for the community.

Town Manager Valente stated that the FinCom liaisons to the Town (Joan Carlton and Marty Ragonas) were a little hesitant at first, but she has been working with them on this proposed plan.

It was on motion unanimously

VOTE: To support the Town's effort towards moving to a goal of a fire-based Advanced Life Support (ALS) service in the fall of this year; and the Fire Chief to pursue certification with the State.

Articles for 2010 Annual Town Meeting – Take Position

The Board was previously in receipt of an updated list of the “2010 Annual Town Meeting Warrant Articles” dated February 9, 2010 as well as reports supporting their articles.

Town Manager Valente highlighted and presented several reports that were done in support of the Board’s articles. She read excerpts from reports for Art. 6 (Amend Bylaws – Town Meeting Commencement & Budget Submission), Art. 14 (Local Meals Excise), Art. 15 (Local Room Occupancy Excise), Art. 16 (Consolidate School & Town Facility Maintenance Functions), Art. 18 (Wayland/Sudbury Septage Facility), Art. 22 (Long-Term Cell Tower Leasing), Art. 24 (Establish Stretch Energy Code) – report submitted with the Energy and Sustainability Green Ribbon Committee, and Art. 25 (Renewal Energy Development Facilities). The Board commented on the merits of these reports and accepted them in support of the articles submitted on its behalf.

Regarding Article 14, Town Manager Valente highlighted the fact that this increase could return \$88,000 to the Town. Chairman Keller opined that he doesn’t think a .75% meals tax increase will make any difference in people going out to eat. Selectman O’Brien agreed and recommends that the Board support the article as an opportunity to garner more revenue.

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 14, 15, 16, 18, 19, 20, 22, 23, 24, 25 (as revised), 30 through 39, to Report at Town Meeting on #21, and to hold on taking position on all other articles at this time.

Executive Session

At 10:54 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 was adjourned 10:54 p.m.

Attest: _____
Maureen G. Valente
Town Manager - Clerk

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, FEBRUARY 17, 2010
EXECUTIVE SESSION
10:55 p.m. – 11:25 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

Town Manager Valente advised the Board that she has reached a tentative agreement with the Firefighters Union, and she believes it meets all the requirements the Selectmen had previously established for these negotiations. She reported the health insurance changes will be the same as all other Town and SPS unions had already agreed to. The increases in compensation over the three years also match other groups, except the police officers, whose contract was somewhat different due to the Quinn Bill complication.

Ms. Valente described the Call Firefighter provisions that were agreed to, which will enable the Fire Chief to move forward with developing the Call Firefighter Program that has been stalled given the firefighters opposition to it without some protection for their positions. She reported she would bring the Memorandum of Understanding (MOU) to them at their next meeting, assuming the membership of the Firefighters Union ratified this MOU on March 1.

The Selectmen indicated they were pleased that this last collective bargaining group had agreed to the new health insurance plans and contribution rates, and thanked the staff which has worked so long and hard on collective bargaining this year. They indicated that they looked forward to being able to take an approval vote at their next meeting.

There being no further business, the meeting adjourned at 11:25 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk