

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JULY 6, 2010

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:31 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:31 p.m., Chairman Drobinski opened the meeting, and noted the new Open Meeting Rules and regulations, which became effective July 1, 2010. He reminded citizens that comment time on a Board agenda must be requested by contacting himself or the Board of Selectmen's Office with the intended topic (s) by the Wednesday prior to the requested meeting time.

Chairman Drobinski thanked the Chamber of Commerce, the Department of Public Works and the Public Safety Departments for helping to make the July 4th Parade safe and successful.

Chairman Drobinski noted the current heat wave. He encouraged senior citizens experiencing heat-related discomfort to contact the Public Safety Departments and/or the Council on Aging. The Council on Aging can possibly provide air conditioners. He also noted the Goodnow Library is air-conditioned and open until 9:00 p.m.

Chairman Drobinski announced that State Budget information was released last week and Finance Director Andrea Terkelsen will provide a brief update later tonight.

Reports from the Board of Selectmen

Selectman Haarde reported the July 4th Parade was well attended. He noted the excellent job done by volunteers, and particularly Mike and Libby Hamill, to organize the event and floats. Selectman Haarde also noted that the community's support for its veterans was inspirational.

Selectman Haarde asked if his suggestion to perform a "bottoms-up" financial accounting analysis for the Town will occur. Chairman Drobinski stated that the School Committee Chairs for both the Sudbury Public School and the Lincoln-Sudbury Regional High School are discussing it with their constituencies and that a Town-wide financial discussion is being planned.

Selectman Haarde stated that, although a Town/Board-wide financial summit might be useful, it is different from what he suggested be undertaken. He believes a financial analysis of all the cost centers should be done by financially-trained outsiders. Selectman Haarde opined that, although the project can be done by citizens on their own, he believes the community looks to the Board to address these issues in new and creative ways. He suggested that, without this type of analysis, the budget season and process would likely proceed this year much the same as it did last year, and he believes the public expects more from this Board regarding this matter.

Chairman Drobinski stated that the project is worthy, but it is important to get input from staff who know their budgets and cost centers best. He believes that by working with the appropriate cost center individuals ideas may be generated as to how Sudbury can maintain an effective government and possibly streamline its activities.

Selectman Haarde stated that the time to start this project is now in the summer, before school is back in session and the fall budget season begins anew. He believes the recent tax override was defeated not because the public does not support teachers, but rather because residents did not believe enough is being done to address the Town's financial problems, and thus chose not to throw more money at the problems. Chairman Drobinski noted that the project is worthwhile to pursue, but that the Town cannot dictate how both school systems establish their budgets.

Selectman Haarde stated that when he initially suggested establishing an Economic Development Committee his motion was not seconded. He noted that the two primary concerns at that time were that such a committee already existed and that additional efforts were not needed until sewer capability is established on Route 20. Selectman Haarde stated that he does not believe an Economic Development Committee already exists and nor should further analysis be delayed because there is no sewer on Route 20. He believes parcels of land should be evaluated for conversion to commercial enterprises.

Vice-Chairman O'Brien suggested that such endeavors include discussions regarding Route 20 zoning reform, since re-zoning recommendations and specifics would require Town Meeting action. Vice-Chairman O'Brien reported that he attended an excellent presentation by the Technical Advisory Committee and its consultants, Weston and Sampson, last week regarding the viability of the Curtis Middle School property for a leeching field. He stated that preliminary testing is promising, and the site could satisfy Department of Environmental Protection reserve space requirements. The Sudbury Public Schools has approved work in August to create a test-pit area.

Vice-Chairman O'Brien further reported that the Sudbury Housing Trust (SHT) met last week and is now supportive of a three-unit project for Maynard Road. The SHT will request an extension on the Maynard Road project from the Zoning Board of Appeals next week, and is pursuing cost estimates for revised plans.

Vice-Chairman O'Brien also noted that the Board recently held a goals and objectives session for the coming year. Town Manager Valente later noted that a summary of the session for the Board's review is being prepared by Town staff, noting priorities and timetables.

Reports from Town Manager

Town Manager Valente reported she attended a Capital Improvement Planning Committee and a Finance Committee meeting last week. She also reported being busy with Town staff closing out one fiscal year and opening another. Town Manager Valente also reported that a farewell reception was held in honor of Assistant Town Manager Wayne Walker's retirement.

Serving of Alcoholic Beverages – Revised Law

Town Manager Valente reported that the law has recently changed to now allow restaurants to serve alcoholic beverages beginning at 10:00 a.m. on Sundays. Town staff has contacted the Alcoholic Beverages Control Commission (ABCC) to clarify the process for approval. ABCC has stated that approval does not require a public hearing, but public discussion, with an informal notice to abutters, was recommended. To date, only the Wayside Inn has asked for permission to implement the new law.

Chairman Drobinski clarified that establishments must independently ask for permission, noting that serving alcoholic beverages is considered a privilege and not a right. Vice-Chairman O'Brien and Selectman Haarde asked if the Board could deny permission. Town Manager Valente will further research this concern.

Historic Districts Commission – Candidate for Membership Interview

Present: Candidate William S. Andreas

At 7:49 p.m., Chairman Drobinski welcomed candidate William S. Andreas, 29 King Philip Road, to the meeting to explain why he is interested in serving on the Historic Districts Commission.

Mr. Andreas stated he lives in an historic district and is aware that it takes a lot of work to maintain them. He summarized his work experience as a practicing archeologist, which takes him oversees one month a year. He noted that the Sudbury area is interesting to him and has material dating back 12,000 years.

Selectman Haarde thanked Mr. Andreas for his willingness to serve the community and asked his motivation for volunteering. Mr. Andreas responded that, although he has been involved in projects on a Federal level, he has not had the opportunity until recently to be more active on a local level, which he would like to do.

Vice-Chairman O'Brien asked the applicant if there were areas for improvement that he could identify. Mr. Andreas responded that he believes the Commission could do more to educate the community about historic districts and their criteria and could coordinate better with other Town boards and committees, in particular, the Planning Board.

Chairman Drobinski stated that Mr. Andreas' credentials would appear to make him a welcomed addition to the Commission. He also noted that Director of Planning and Community Development Jody Kablack and the Historic Districts Commission Chair Linda Hawes have recommended the applicant for appointment.

It was on motion unanimously

VOTED: To approve the appointment of William S. Andreas, 29 King Philip Road, as a member of the Historic Districts Commission, for a term to expire January 1, 2012.

Town Manager Valante informed Mr. Andreas that he would receive a letter regarding his appointment, which will direct him to be sworn-in by the Town Clerk.

Tax Deferral Annual Interest Rate for FY11

Present: Town Finance Director/Treasurer Andrea Terkelsen, Senior-Tax Advisor David Levington and Council on Aging Chair Pat Mullen

At 8:01 p.m., Town Finance Director/Treasurer Andrea Terkelsen provided the Board with a brief update of the impact on Sudbury from the final State budget released by the Governor last week. She noted that the information is in line with what was presented at Town Meeting, with the exception of a moderate reduction of \$12,000 for Lincoln-Sudbury Regional High School (L-SRHS) regional transportation funds. The overall net reduction for Sudbury Public School appears to be approximately \$14,000 in State Aid from what was presented at Town Meeting, and a similar reduction of \$15,000 for L-SRHS is expected.

Selectman Haarde asked if these figures include Recovery Act stimulus funds. Ms. Terkelsen stated they do not, since those funds are treated as offsets when received. The total combined State Aid net reduction for Sudbury from what was presented at Town Meeting is \$50,639, which Ms. Terkelsen believes can be covered by new revenues which will be generated from the increases to meals and lodging taxes.

Selectman Haarde asked what the year-to-year actual reduction in State Aid funds was. Ms. Terkelsen did not have those figures available tonight, but said she would forward a new Cherry Sheet to the Board at a later date.

Ms. Terkelsen next addressed the Board to discuss recommendations for setting the tax deferral annual interest rate for FY11. Chairman Drobinski thanked her for the comprehensive information packet provided to the Board in advance of this meeting.

Ms. Terkelsen stated that the tax deferral program is a popular and successful program in Sudbury. However, she also noted that as the program has grown, so has its long-term receivables. She recommended keeping the rate between a range of 2.06% to 2.5%, which allows for consistent record-keeping, lower administrative costs and offers senior citizens predictability by keeping the rate consistent with recent years. Ms. Terkelsen noted that the one-year Constant Maturity Rate (CMT) used as a guide for setting the rate, and most other short-term vehicles have fallen slightly in the last year. The evaluation process also reviewed local and national economic factors and a variety of interest rates.

Ms. Terkelsen noted that some communities have lowered the rate to 0%, however, she noted that it does not appear as if financial impacts have been adequately studied. She further noted that dropping the interest rate significantly below 2.5% does not significantly extend the life of the deferral beyond 19 years. Ms. Terkelsen opined that she does not believe it would be in the Town's best long-term interest to follow suit by lowering the deferral rate as done by some communities, based upon short-term markets, especially when the rate set remains in effect for the life of the deferral. She also noted that a simple, per diem interest calculation is used.

Ms. Terkelsen referenced information from her packet regarding "Deferral and Market Rate History," noting that the deferral rate has been reduced from 8% in 2002 to 2.5% in 2005 to the present. She further noted that this rate is attractively below fixed market rates.

Selectman Haarde noted there are currently 77 participants, and he asked how many senior citizens could possible qualify in Sudbury. Ms. Terkelsen stated that Senior Tax Advisor David Levington and a group of volunteers produced a report in 2007 estimating that the program could possibly grow to 100-200 participants. Selectman Haarde calculated that the \$1.74 million receivable being deferred at 2.5% would accrue approximately \$43,500 in interest each year.

Senior Tax Advisor David Levington, 155 Nobscot Road, commended Ms. Terkelsen for compiling a useful package of information that serves as an historic report of the Town's senior tax deferral issues. Although Mr. Levington acknowledged the Town has loaned its senior citizens \$1.74 million, he believes it is in the Town's best short and long-term interest to do so. He recommended that the deferral rate be reduced to 0% this year, as he also suggested last year. Mr. Levington stated that the Town's senior citizens pay average taxes of \$10,000 per year (70% of which funds the Schools), but utilize no School services, and thus are a bargain for the Town as residents. He emphasized that every taxpayer in Town who does not have children in the School systems is a financial benefit to the Town. Mr. Levington also recommended that the Town embark on a comprehensive study of how much could be saved within the Schools' budgets if more families had no children attending them. He believes more analysis needs to be done to obtain better information and to possibly justify the need by the Town to even borrow money to cover the program, if it will help keep senior citizens in Sudbury.

Mr. Levington emphasized that Sudbury is a great community, a great place to retire, and should be a place seniors can afford to stay in rather than to move from Town to pursue lower property taxes. In response to questions from Selectman Haarde, Mr. Levington believes approximately 400 senior residents

could qualify with income under the Circuit Breaker legal guidelines. However, he noted some seniors do not avail themselves of the program because by doing so, they cannot benefit from the State's program and/or because they do not want to take on a "mortgage" at a late stage in their lives. Mr. Levington opined that more can be done to educate citizens that getting a loan at 2.5% is a great deal in this economy. He also opined that Sudbury has the best deferral program in the State, and he commended the Board for its support. Chairman Drobinski noted that the success and effectiveness of the Town tax deferral program also has much to do with the work and assistance provided by Mr. Levington through the years.

Ms. Terkelsen noted that lowering the rate in recent years has seemed to help increase the number of program participants. However, she believes some interest should be charged, at least until further analysis is done to determine the impacts from carrying such a large, and perhaps growing, long-term receivable.

Council on Aging Chair Pat Mullen thanked the Board for its support of the Senior Tax Deferral Program.

Vice-Chairman O'Brien noted that Sudbury revised the requirements from those suggested by the State by offering the program to individuals age 60 and over (versus 65), by increasing the income limits to \$60,000 (versus \$45,000), and by waiving the time required to live in Sudbury for qualification. Mr. Levington noted that he believes Sudbury has another advantage in that the Board can set the rate rather than doing it through a Town Meeting process.

Vice-Chairman O'Brien further noted that communities which have lowered the interest rate to 0% have larger cash reserves and larger commercial bases than Sudbury. Vice-Chairman O'Brien questioned whether the number of applications should be limited while the Town analyzes the cost of not collecting approximately \$433,000 in taxes each year and carrying such a large receivable. Mr. Levington responded that limiting applications would be the last thing the Town should want to do, since this program favors the Town's best interests. He also suggested that the State Department of Revenue (DOR) be contacted to determine if a Special Law could be pursued to allow for bonding to borrow the money to cover this type of program. Ms. Terkelsen concurred that is one of a few options which could be studied for a future financial strategy. Town Manager Valente concurred that further study is prudent to determine the impacts from borrowing funds to cover the program and to ascertain how best to balance this type of program within the Town's cash position. Mr. Levington recommended before any revisions are considered that the Town ascertain the financial benefit of maintaining a diverse tax base, determine what level of deferral balance the Town can comfortably carry, and determine financial compensating strategies. He stated that maximizing senior tax relief local options is the right thing to do for seniors, the community and the long-term financial stability of the Town. Mr. Levington opined that the tax deferral program is economically beneficial for the Town and thus should not be a "prisoner" of cash flow. Instead, he believes the program should be supported and then find ways to finance it.

In response to a question from Vice-Chairman O'Brien, Ms. Terkelsen explained that the Town will not receive payments on the deferrals for several more years.

Chairman Drobinski noted that feedback has been that senior residents appreciate consistency when planning their budgets.

Vice-Chairman O'Brien suggested that the Town contact its State Senators and Representative to investigate further with DOR the question of future bonding. He also suggested that more cost-benefit analysis be done to determine how many more seniors might qualify for the program and for how long they might defer their taxes.

Based on tonight's discussion, Chairman Drobinski made a motion to set the Senior Deferral Interest Rate for FY11 at 2.06%. There was no second to the motion.

Vice-Chairman O'Brien made a motion to keep the Senior Deferral Interest Rate for FY11 at 2.50%, until more analysis can be completed to see if a lower rate is justified.

Selectman Haarde stated he believes this program to be a "gift" to the Town in helping to address Sudbury's structural deficit, which is the Town's number one problem. Thus, Selectman Haarde recommended that the interest rate be lowered to 0%. He believes the loss of approximately \$43,000 of accrued interest each year, which he equated to the approximate cost of educating three children, is worth it, if it helps to keep Sudbury's most precious taxpayers living here.

Vice-Chairman O'Brien noted concern, however, that each year the Town is continuing to not receive more and more tax revenue and would not even be charging any interest to cover carrying costs. He believes a 2.5% interest rate is still a great deal.

Selectman Haarde responded that this is a great program, and he is comfortable forsaking this kind of revenue if it helps keep seniors living in Sudbury. He noted that Sudbury has the highest percentage of school-aged children in the State, and thereby should be one of the communities with a 0% interest rate.

It was on motion

VOTED: To accept a tax deferral interest rate for taxes levied for FY11 to be 2.5%, as recommended by the Finance Director/Treasurer Collector Andrea Terkelsen.

Selectman Haarde opposed the motion.

MassHousing - Pine Grove Development – Discussion

Present: Director of Planning and Community Development Jody Kablack

Chairman Drobinski opened the continuation of the discussion regarding the application by Peter Karassik, President of The Eligius Homes Company, for a comprehensive permit pursuant to M.G.L. c 40B to construct 12 units (three of which will be affordable housing) of detached housing on approximately 7.1 acres of land located at 293/301 Old Lancaster Road.

Director of Planning and Community Development Jody Kablack reviewed materials received to the file since the last discussion, including a draft letter dated July 7, 2010 to be sent to the Massachusetts Housing Finance Agency, noting the Town's comments and recommendations and suggesting that alternative designs be considered, and a letter from Sudbury's Planning Board concurring with those comments and suggestions.

Ms. Kablack provided the Board with a summary of the applicant's meeting with the Planning Board on June 9, 2010, which included a thorough discussion and a straw-poll vote regarding a possible waiver of a subdivision regulation. There was not a strong indication by the Board that a waiver would be considered, nor was there an inclination to set a precedent for future developers. The applicant has since submitted a five-lot subdivision plan, which will be discussed at the next Planning Board meeting on July 14, 2010.

Vice-Chairman O'Brien believes the draft letter to the Massachusetts Housing Finance Agency covers the Town's concerns. He noted that, during the State's site visit, the impression was presented that the Chapter 40B application would likely be approved. Thus, Vice-Chairman O'Brien believes it is important to articulate the Town's concerns for the record. He suggested that the Planning Board's letter be adjusted to

ask the Massachusetts Housing Finance Agency rather than the Selectmen to request alternative designs be submitted with the plan.

Selectman Haarde concurred that the letter strongly expresses the concerns of the Town and the deficiencies of the proposal.

It was on motion unanimously

VOTED: To approve the letter dated July 7, 2010 to be sent to the Massachusetts Housing Finance Agency, noting the Town's comments and recommendations regarding the application for a comprehensive permit pursuant to M.G.L. c 40B to construct 12 units of detached housing on approximately 7.1 acres of land located at 293/301 Old Lancaster Road, as reviewed and amended tonight.

Sudbury Housing Authority – Building Fees – Discussion

Present: Sudbury Housing Authority Chair Steve Swanger and Vice-Chair Kaffee Kang, Director of Planning and Community Development Jody Kablack.

Chairman Drobinski welcomed Sudbury Housing Authority (SHA) Chair Steve Swanger and Vice-Chair Kaffee Kang to the meeting.

Mr. Swanger presented the request of the Sudbury Housing Authority (SHA) to waive the plumbing, building, electrical and septic permit fees for its ten-unit re-development project. He noted that the SHA believes buildings it constructs are, in spirit, owned by the Town, whose buildings can receive a waiver of fees. He reported that the Sudbury Water District has already voted to waive \$25,000 of applicable fees for the project. Mr. Swanger acknowledged that the SHA is cognizant of how difficult it is during difficult economic times for the Town to waive fees. However, he emphasized that the project is 100% affordable, that applicants with Sudbury connections would be given preference, and that the housing is permanently affordable into perpetuity. SHA is also appreciative of previous funding support by the Town, and it is leveraging the \$600,000 of Community Preservation Act (CPA) funds received to raise over \$2.6 million in other funds. The estimated construction cost is \$2,579,811 and the anticipated fees are \$32,598.

In response to a question from Selectman Haarde, Mr. Swanger and Vice-Chairman O'Brien briefly explained the location of the project homes and their construction history.

Referencing a suggestion made by Building Inspector Jim Kelly, Selectman Haarde asked if CPA funds could be used to cover the costs of the fees. Director of Planning and Community Development Jody Kablack stated that the project would likely qualify for Administrative Funds, but that the Community Preservation Committee (CPC) might be reluctant to use those funds for such a large amount on one project. However, she also noted that the CPC has not received or discussed such a request, and the CPC is not scheduled to meet again until the fall.

Chairman Drobinski suggested that he and/or Ms. Kablack contact the CPC Chairman to determine if some funds could be approved to help defray the costs of the fees. Vice-Chairman O'Brien concurred that this avenue should be pursued prior to waiving the fees.

Ms. Kang stated that the SHA can wait until fall to learn if the project qualifies for CPA funding.

It was on motion unanimously

VOTED: To postpone the vote regarding a waiver of the building, plumbing, electrical and septic permit fees for a ten-unit re-development project, as requested in a memo from Jo-Ann Howe, Executive Director of the Sudbury Housing Authority, until it is determined if Community Preservation Act funds can be approved on the recommendation of the Community Preservation Committee.

Public Hearing: Bell Atlantic Mobile of Massachusetts Corp., Ltd., d/b/a/Verizon Wireless Site Plan – 199 Raymond Road

Present: Director of Planning and Community Development Jody Kablack and the applicant's attorney Daniel D. Klasnick, Duval, Klasnick & Pastel, LLC

At 9:17 p.m., Chairman Drobinski opened the Public Hearing regarding the application of Bell Atlantic Mobile of Massachusetts Corp., Ltd., d/b/a Verizon Wireless for Site Plan Review under section 6300 of the Sudbury Zoning Bylaws and a Stormwater Management Permit under Article V (F) of the Sudbury General Bylaws, for property located at 199 Raymond Road, Assessors Map L08, Lot 0001, owned by the Sudbury Water District, zoned Single Residential A, which was continued from June 15, 2010. The proposal is to construct a 90-foot high stealth monopole cell tower, and a 70-foot equipment compound area to accommodate four wireless service providers.

Selectman Haarde recused himself from the discussion and associated votes, since the issue could be in conflict with the interests of his employer.

Director of Planning and Community Development Jody Kablack summarized the materials received to the file since the last meeting, including a Draft Site Plan Decision for Bell Atlantic Mobile of Massachusetts Corp., Ltd., d/b/a Verizon Wireless, 199 Raymond Road, SP #10-002 dated July 6, 2010, a Draft Stormwater Management Permit Decision dated July 6, 2010, an email from Police Chief Glavin encouraging the Board to request mitigation funds to be used for public safety communication needs, and revised plans as of July 1, 2010. She noted a needed correction on the bottom of Page 1 of the Draft Site Plan Decision to note that the plans were last revised on July 1, 2010, not June 24, 2010. Ms. Kablack further stated that she and the applicant's attorney Daniel Klasnick have reviewed the Draft Decisions.

Mr. Klasnick stated that the applicant has requested a revision to the wording of the beginning of condition #12 of the Draft Site Plan Decision on Page 3 to read, "The Applicant accepts as a condition of approval a \$2,500.00, per carrier, payment..." The consensus was that the revision is acceptable. The email from Police Chief Glavin was referenced, and it was noted that the funds would be deposited in the communications mitigation fund.

Vice-Chairman O'Brien noted that the last sentence of the recommended vote should be revised to reflect accommodation for four, not three, wireless service providers.

It was on motion

VOTED: To close the Public Hearing regarding the application of Bell Atlantic Mobile of Massachusetts Corp., Ltd., d/b/a Verizon Wireless for Site Plan Review under section 6300 of the Sudbury Zoning Bylaws and a Stormwater Management Permit under Article V (F) of the Sudbury General Bylaws, for property located at 199 Raymond Road, Assessors Map L08, Lot 0001, owned by the Sudbury Water District, zoned Single Residential A,

It was also on motion

VOTED: To approve the Site Plan Decision regarding the application of Bell Atlantic Mobile of Massachusetts Corp., Ltd., d/b/a Verizon Wireless for Site Plan Review under section 6300 of the Sudbury Zoning Bylaws and a Stormwater Management Permit under Article V (F) of the Sudbury General Bylaws, for property located at 199 Raymond Road, Assessors Map L08, Lot 0001, owned by the Sudbury Water District, zoned Single Residential A, as reviewed and amended this evening. The proposal is to construct a 90-foot high stealth monopole cell tower and a 70' x 70' equipment compound area to accommodate four wireless service providers.

Right of First Refusal Discussion – Vincent C. Mercuri Removal of Property - 189 Boston Post Road

Present: Director of Planning and Community Development Jody Kablack

At 9:25 p.m., Chairman Drobinski opened the discussion regarding whether the Town should exercise its Right of First Refusal under Chapter 61B for the Vincent C. Mercuri Removal of Property, located at 189 Boston Post Road.

Director of Planning and Community Development Jody Kablack brought to the Board's attention a Notice of Intent under M.G.L. Chapter 61B, Section 9 to sell approximately 5.953 acres of land at 189 Boston Post Road and providing the Town a 120-day period to exercise its Right of First Refusal to purchase the property under the same terms as indicated in the Purchase and Sale Agreement for \$2 million.

Ms. Kablack further reported that B'Nai Brith Housing of New England, Inc. has expressed interest in applying for a Comprehensive Permit to construct multi-family housing of at least 56 units. She noted that nothing has been submitted to date. Ms. Kablack stated that a major agricultural operation was located on the site, which is also adjacent to a MBTA railroad corridor. She noted the property is not deep, has wetland constraints and consists of four lots along Route 20.

Ms. Kablack recommended that a Public Hearing be scheduled and duly noticed. She has circulated preliminary information to several Town entities asking for comments and feedback. The U.S. Fish and Wildlife organization has indicated interest in discussing the project further with the Town. Ms. Kablack opined that the property is a disturbed parcel.

Chairman Drobinski asked Ms. Kablack to request copies of related environmental reports for the Board's review, to schedule and notice a Public Hearing for September 7, 2010, and to circulate to the Board prior to that date, any comments/feedback received. Vice-Chairman O'Brien asked Ms. Kablack to also provide the Board with an assessed value of the property and an estimate of the amount of revenue this project might generate for the Town prior to September 7, 2010. In response to a question, Ms. Kablack stated that B'Nai Brith has indicated the project would not be treated as tax-exempt, and it would be taxed at the Town's residential rate.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of June 15, 2010 and June 18, 2010 and the executive session minutes of June 24, 2010.

Selectman Haarde requested that the regular session minutes of June 24, 2010 be amended as follows: to delete the words "both and a Special Election" from the last sentence of the first paragraph under the heading "Right of First Refusal Discussion – 192 Boston Post Road," to revise the first sentence of the fourth paragraph under the heading "Right of First Refusal Discussion – 192 Boston Post Road" to read as

“Selectman Haarde stated that landowners may have the right to develop their properties, but the Town has the right to possibly protect its land, with which it should proceed,” and to add a last paragraph to this discussion noting that, “Selectman Haarde recommended that Sudbury create a landbank trust similar to the one in Lincoln and other towns so that properties like these can be purchased by the Town and prevented from being developed.”

Vice-Chairman O’Brien noted that a Special Election would be required if the Town were to pay for the parcel as part of a tax override or if the property were landbanked. However, Selectman Haarde stated that discussion regarding a Special Election did not occur, and he asked if meeting minutes should reflect the conversation as it occurred. Chairman Drobinski opined that meeting minutes should reflect what was said during a meeting.

It was on motion unanimously

VOTED: To approve the regular session minutes of June 24, 2010 as amended this evening.

Reinsurance Coverage – Contract Award - Papajohn Insurance

It was on motion unanimously

VOTED: To approve and authorize the Town Manager to contract with Papajohn Insurance agency, Inc. for reinsurance coverage for the period July 1, 2010 through June 30, 2011, as outlined in a memorandum dated June 28, 2010 from Wayne Walker, Assistant Town Manager, for an estimated premium of \$368,316.

Ponds and Waterways Committee – Mission Statement - Revision

It was on motion unanimously

VOTED: To amend the Ponds and Waterways Committee Mission Statement “membership and officers” section as originally voted and to approve a minor change to add the words “or co-chairs,” allowing the sentence to read: “Each year a chair or co-chairs and a clerk will be elected by the regular members from among their number.”, as requested by Ponds and Waterways Chair, Susan J. Crane in an email dated June 8, 2010.

Division of Energy Resources – Energy Efficiency and Conservation Block Grant

It was on motion unanimously

VOTED: To accept a check in the amount of \$70,932 from the Division of Energy Resources, pursuant to award of an Energy Efficiency and Conservation Block Grant toward a Solar PV and Solar Thermal Project.

The Sudbury Foundation – Grant

It was on motion unanimously

VOTED: To accept a grant in the amount of \$37,000 from The Sudbury Foundation to enable the Department of Public Works to create an automated data tracking system for DPW activities that will tie to the Town’s current GIS system, as outlined in a letter dated June 25, 2010 from Marilyn Martino, Executive Director of the Foundation.

Florence Hosmer's Works – Approval for Reproduction

It was on motion unanimously

VOTED: To approve the use of several Town-owned reproductions of Florence Hosmer's works in a biography by Helen Marie Casey entitled "*My Dear Girl: The Art of Florence Hosmer.*"

Hosmer House – Bid Award – Air Conditioning System

It was on motion unanimously

VOTED: To approve a bid award by the Town Manager for the furnishing and installing of an air conditioning system at the Hosmer House to the lowest qualified and eligible bidder, subject to recommendation from the Sudbury Historical Commission.

Dog Control Services - Award Contract

It was on motion unanimously

VOTED: To approve signing by the Town Manager of a three-year contract, expiring June 30, 2013, for Dog Control Services to the lowest eligible bidder.

Professional Services Contract – Award – Fairbank Community Center

It was on motion unanimously

VOTED: To approve signing by the Town Manager of a Professional Services contract with a qualified engineering firm, as evaluated and recommended by the Permanent Building Committee acting as the Designer Selection Board, to implement independent solar electric and solar thermal systems at the Fairbank Community Center, pursuant to award of an Energy Efficiency and Conservation Block Grant.

Professional Services Contract – Award – Roof Study of Town Buildings

It was on motion unanimously

VOTED: To approve signing by the Town Manager of a Professional Services contract with a qualified engineering firm, as evaluated and recommended by the Permanent Building Committee acting as the Designer Selection Board, for the purpose of performing a Roof Study of Town Buildings, exclusive of the Schools.

Executive Session

At 9:33 p.m., Chairman Drobinski 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 Drobinski announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 9:33 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk