

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, MARCH 2, 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 7:34 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:34 p.m., Chairman Keller opened the meeting. He reminded citizens that payments for the third quarter property tax bills were due on March 1, 2010 (a month later than usual due to previous State-certification delays). He also reminded the community that dog licenses should be renewed by March 31, 2010.

On behalf of the Council on Aging, Chairman Keller announced that a four-week, free program entitled, "My Life, My Health" begins on March 4, 2010. The program is geared to those afflicted with chronic medical conditions, and the public is welcomed to participate in the program. Program information is also available on the Council's website.

Chairman Keller also announced that the Town Election will be held on March 29, 2010, and he encouraged everyone to vote. He noted that this year's Election date poses timing challenges for Sudbury's Jewish community, since it coincides with the first night of Passover. Chairman Keller reported that the date of the Annual Town Election is established as the last Monday in March in the bylaws and, according to the Secretary of State's Office, cannot be changed. For those concerned about evening scheduling conflicts, he encouraged making arrangements to vote earlier in the day or to complete and submit an absentee ballot in advance of the Election date. On behalf of the Board, he apologized for the Election overlap with a religious holiday, but noted that the coincidence happens very rarely.

Reports from the Board of Selectmen

Selectman O'Brien reported that the Board taped a new episode of *Town Hall Matters* last week. He also attended the Zoning Board of Appeals hearing on behalf of the Sudbury Housing Trust's affordable housing application for the 3 Marlboro Road project.

Vice-Chairman Drobinski also participated in the *Town Hall Matters* discussion with Director of Planning and Community Development Jody Kablack regarding revenue enhancement endeavors. He also attended a River Stewardship Committee meeting and is hopeful that funds will be set aside again this year for small project grants.

Chairman Keller noted that the Board also discussed changes to the Town's health insurance plans and payment structure during the *Town Hall Matters* episode. He stated that most unions have agreed to these changes in their collective bargaining negotiations with the Town.

Reports from Town Manager
Town Staff - Kudos

Town Manager Valente thanked Board of Selectmen's Office Manager Patricia Golden for collating and preparing the information for the Annual Town Report. In recent years, the budget for this purpose has been greatly reduced, and continued production of the document has been possible largely due to Patty's efforts.

The Town Report will be posted on the Town website and limited paper copies will be available in key Town locations.

Town Manager Valente also thanked Finance Director Andrea Terkelsen, Executive Assistant to the Town Manager Mary McCormack, and Legal Secretary for Town Counsel's Office Elaine Jones for their diligence in coordinating the information for the Annual Town Warrant. She noted, that, if the Warrant is approved and signed by the Board tonight, the information will be posted on the Town website within the next few days and will be mailed to households in the next few weeks.

Legislative Discussion

Present: State Representative Tom Conroy

At 8:04 p.m., Chairman Keller announced a five-minute recess to contact State Senator Eldridge, who was expected to attend tonight's meeting with State Representative Tom Conroy.

At 8:08 p.m., Chairman Keller resumed the meeting and announced that State Senator Eldridge was running late from a previous commitment, and thus will be rescheduled to meet with the Board at a later date. Chairman Keller then welcomed State Representative Thomas Conroy to provide the Board with a legislative update.

Mr. Conroy reported that a concerted appeal has been made to obtain a commitment to resolve State Aid funding issues early enough to benefit local communities in their budget and Town Meeting processes. The intention is to have a joint legislative resolution announced in March, which will commit to State Aid figures, around which the State budget can continue to be determined.

Mr. Conroy further reported that, although the eventual State Aid funding may decrease by approximately 5% from last year's allocation, it may commit additional Chapter 70 and unrestricted government funds than last year to local municipalities. He stated that the State has heard ongoing concerns regarding the rise in special education costs, and thus may increase the Special Education Circuit Breaker and the Regional Transportation budget line items by 5-10%. Selectman O'Brien noted that any assistance to the local communities is appreciated.

In response to a question from Chairman Keller, Mr. Conroy stated that he will continue to advocate for PILOT funding, which would require payment in lieu of taxes from certain entities on state-owned land, which are now tax-exempt. In addition, Mr. Conroy will continue to advocate for a budget amendment to give healthcare design authority to cities and towns. He noted that such an amendment would acknowledge local contracts currently in place, and would incorporate changes in authority when those contracts expire. Chairman Keller concurred and encouraged Mr. Conroy to continue to support the need for reform, stating that the public is displeased with the inequity of municipal health insurance plans compared to those found in the private sector.

In response to a question from Vice-Chairman Drobinski, Mr. Conroy reported that Governor Patrick is considering changes to the Quinn Bill and that police unions have been lobbying to restore \$40 million of last year's funds. Town Manager Valente noted that a potential consequence of current related lawsuits could be to require that towns cover this expense, if it is denied by the State. Mr. Conroy agreed that more clarity is needed as to what the State and local parameters will be.

Selectman O'Brien referenced recent *Boston Globe* articles, which addressed the municipal healthcare issues. He stated that the State's Group Insurance Commission (GIC) program needs to expand its plan design options, for example, to include Blue Cross Blue Shield programs. Selectman O'Brien further noted

that, alone, Sudbury was able to craft a better, more cost-efficient healthcare plan program for its employees than it could have achieved through the GIC program.

In response to a question from Selectman O'Brien, Mr. Conroy stated that the increase in the State's sales tax is on track to generate additional revenue of approximately \$650 million. Selectman O'Brien also asked if it is possible to move to a multi-year budget cycle. Mr. Conroy responded that State revenues are too volatile to predict that far in advance, and that the State would likely want to maintain shorter-term flexibility.

Town Manager Valente noted that other topics needing reform are part-time municipal health insurance coverage and the geographic allocation of eventual lifetime benefits based upon an employee's location of service at time of retirement. She encouraged more inclusion by the State of cities and towns in its decision-making process.

Mr. Conroy asked for feedback regarding the idea of developing a State system to manage for cities and towns the funds to be set aside for post-employment benefits, similar to what is presently done for the pension system. Town Manager Valente opined that it is worth investigating further. She noted that more should be done to consolidate the scale of services, i.e., centralizing a State-wide motor vehicle excise service. Chairman Keller noted that matching funds from the State might help encourage participation by cities and towns.

Mr. Conroy stated that he is aware of the financial challenges being faced by Sudbury and other towns, and he reiterated his commitment to work to alleviate that burden as much as possible. At 8:46 p.m., Chairman Keller concluded the discussion.

Public Hearing: Clear Wireless Site Plan – 36 Hudson Road

Present: Applicant Attorney Scott Lacy, Prince Lobel Glovsky & Tye, LLP and Director of Planning and Community Development Jody Kablack

At 8:47 p.m., Chairman Keller opened the Public Hearing regarding the letter and accompanying plan received from Attorney Anne K. Grant, Prince Lobel Glovsky & Tye, LLP, dated January 7, 2010, explaining the application of Clear Wireless, LLC for Site Plan approval to install a wireless communications facility on the existing monopole by extending the height of the tower from 100 feet to 110 feet and installing three WiMax antennas and two dish antennas within the proposed extension to the tower located at 36 Hudson Road, and two memos from Ms. Kablack dated February 11, 2010 and February 26, 2010 respectively, noting the materials received to date and her comments and recommendations regarding the plan proposal.

Director of Planning and Community Development Jody Kablack briefly reviewed the proposal to extend the existing tower by ten feet. She reported that the Zoning Board of Appeals (ZBA) conducted a hearing last night regarding the requested Special Permit and height variance, both of which were approved. She noted that conditions established by the ZBA and the Selectmen will need to be coordinated in a final decision.

Prince Lobel Glovsky & Tye, LLP Attorney Scott Lacy, representing the applicant, also briefly described the ground equipment and circulated new photo simulations to the Board for review. Mr. Lacy also explained how locations are designated, noting that higher-population areas are targeted. In addition, he summarized the four ZBA conditions. Vice-Chairman Drobinski asked that the affidavit referenced in #8 of the engineering report be clarified. In response to a question from Selectman O'Brien, Mr. Lacy stated that he will provide Ms. Kablack with information regarding potential additional sites.

Mr. Lacy announced that the applicant is amenable to a \$2,500 donation to the Town to be used for wireless purposes. The Board appreciated for this gesture and noted that Sudbury has been diligent in its efforts to approve such commercial applications while being sensitive to the community.

Ms. Kablack explained that the hearing will need to be continued, since a draft decision has not been prepared. She also announced that the Town-wide coverage study has been completed and can also be reviewed. Ms. Kablack also announced that a Public Hearing is scheduled on March 10, 2010, regarding the proposed Wireless Overlay District Annual 2010 Town meeting article, which was briefly explained by Selectman O'Brien.

Sudbury resident Dan DePompei, 35 Haynes Road, asked if competitors will also need to be approved for additional antennas. Chairman Keller responded that providers are encouraged to co-locate services on towers.

It was on motion unanimously

VOTED: To continue the Public Hearing regarding Clear Wireless LLC Site Plan Application (SP10-001) to install a wireless communication facility on an existing monopole by extending the height of the tower from 100' to 110' and install three WiMax antennas and two dish antennas within the proposed extension to the tower, located at 36 Hudson Road, Assessors Map G09, Lot 002, owned by Ti-Sales, Inc., zoned Business District to March 16, 2010 at 8:30 p.m., and to instruct Town staff to prepare an affirmative draft decision for review.

2010 Annual Town Meeting – Petition Articles

Present: Patricia Brown

At 8:31 p.m., Chairman Keller welcomed Sudbury resident Patricia Brown to the meeting to explain her submission of a non-binding Resolution for the Annual 2010 Town Meeting regarding Executive Session Meeting minutes.

Ms. Brown read the proposed resolution. She noted that the current practice for distributing Executive Session Meeting minutes is not clearly understood in the community and that there is not a formal policy to publicize the Sessions. Ms. Brown stated that, presently stand-alone Executive Sessions are only posted on paper at the Town Clerk's Office, as required by law, and not on the Town website. However, Ms. Brown opined that it is difficult at times to access the information at the Town Clerk's Office during business hours. Ms. Brown recommended that the meetings be posted on the Town website and that a schedule for the release of minutes be established.

Vice-Chairman Drobinski stated that he has no objection to establishing a policy, and he noted that the issue has never been previously brought to the Board's attention. Chairman Keller concurred, and he and Selectman O'Brien reviewed the typical topics of discussion in Executive Sessions as related to collective bargaining, litigation, contract negotiations and/or land acquisitions.

Town Manager Valente referenced new legislation effective July 1, 2010, which will require that meeting notices are posted in locations that are open 24 hours, seven days per week. She also highlighted that some topics of discussion take months and/or years to resolve, which is why establishing a schedule for release of minutes is difficult.

Robert Stein, 7 Thompson Drive, speaking as a Sudbury resident and not in his capacity as a member of Sudbury's Finance Committee, asked if the recording secretary's recording tapes can be released to the public. The Recording Secretary uses handwritten notes to produce draft minutes and reuses recording tapes used only in the regular sessions. Ms. Brown opined that Executive Session meetings are not to be tape recorded. Sudbury resident Tammie Dufault, 84 Silver Hill Road, suggested that ongoing Executive Session agenda items be "blacked out" of the minutes, allowing the remainder of the minutes to be published. Town Manager Valente noted that is a current practice to redact minutes of ongoing issues.

It was on motion unanimously

VOTED: To instruct Town staff to draft a policy for public notification of Executive Session meetings and release of minutes similar to what is currently in place for regular session meetings and minutes, and incorporating the required criteria established in the relevant legislation to become effective July 1, 2010.

2010 Annual Town Meeting – Petition Articles

Present: Dan DePompei

Chairman Keller welcomed Sudbury resident Dan DePompei to the meeting to explain his submission of petition article #42 regarding a Commitment of Funding for Future Rail Trail Studies.

Mr. DePompei referenced the 2007 and 2009 Town Meeting articles, which appropriated funds for a Bruce Freeman Rail Trail (BFRT) Wildlife Study. He stated that the Town-funded Call of the Wild Evaluation, with addendums, was received by the Town in March 2009, but not publicly released until November 23, 2009. Upon its release, Mr. DePompei read the report, noting that it suggested alternate routes/bypasses be pursued for Sections 1 and Sections 3 of the rail trail as studied, since those portions of the BFRT were identified as having no meaningful mitigation alternatives. However, Mr. DePompei opined that the cover letter issued by the Town with the report in November 2009, deemed the recommendations made by the consultant as being out of the scope of services requested.

Mr. DePompei proposes that the 2009 Town Meeting article be amended to re-purpose the already appropriated \$25,000 for a concept study of a rail trail to also pursue alternate options regarding Sections 1 and 3 of the BRFT.

Chairman Keller noted that the Town's opposition to the consultant's report was based on certain recommendations being beyond the person's scope of expertise. Vice-Chairman Drobinski noted that Mr. DePompei also discussed his proposed article with the Community Preservation Committee, which supports researching alternative options in a proper manner.

Town Manager Valente confirmed that the direction for Town staff would be to consider all route options and information, including feedback received from the Conservation Commission. However, she further noted that Town staff has not devoted time to this project yet, since other priorities have been more time-sensitive. Ms. Kablack reported that work by Town staff cannot commence until the Right of Way survey has been completed and accepted.

Mr. DePompei opined that dismissing the recommendations of the consultant delivers the wrong message to the community. He reiterated his belief that alternative routes should be studied early in the process. Vice-Chairman Drobinski noted that mitigation research includes different engineering solutions. In addition, he stated that no preconceived notions have been formed regarding the possible realignment of a rail trail in certain locations. The Board concurred that realignment of the trail is a mitigation option, which could be considered, if proved necessary from an engineering and/or financial perspective.

Mr. DePompei suggested that the Town better inform the community on an intermittent basis as to the progress of the project evaluation process. He further stated that he believes there is support for a rail trail within the Town, and within its agricultural community, as long as realignment options exist for the trail route. Mr. DePompei asked if the Board could provide a statement at Town Meeting, noting that the Town is willing to study alternative options within the evaluation process to be completed by Town staff. Selectman O'Brien suggested that the article could be indefinitely postponed at Town Meeting, followed by an update and explanation of tonight's discussion. At 10:13 p.m., Mr. DePompei agreed that the suggestion as to how to proceed at Town Meeting seems appropriate at this time, and the discussion was concluded.

2010 Annual Town Meeting – Petition Articles

Present: Petitioner Tammie Dufault

At 10:13 p.m., Tammie Dufault, 84 Silver Hill Road, was welcomed to the meeting to explain her submission of three petition articles for the Annual 2010 Town Meeting.

Ms. Dufault stated she has researched information regarding Community Preservation Act funding and Sudbury's participation in the program. Ms. Dufault stated that she had made a recent presentation, which included information derived from public documents, to the Finance Committee. She reported that the Committee asked for confirmation of her data. Thus, Finance Committee member Jim Rao is reviewing her information and will meet with Ms. Dufault and Town staff later this week to verify financial figures, which will then be forwarded to the Board for review. Ms. Dufault also stated she would send the Board tonight's PowerPoint presentation tomorrow to review. **NOTE:** The proponent (Ms. Dufault) has declined to provide to the Board a copy of the presentation she made at the Selectmen's meeting.

Ms. Dufault briefly summarized the petition article which was filed requesting that the Town approve an amendment reducing the amount of the surcharge imposed on real property pursuant to M.G.L. Chapter 44B (the Community Preservation Act (CPA)) from 3% to 1.25%, to become effective FY11. She stated that she has performed extensive analysis, which supports the 1.25% figure as viable to provide for debt service and support the continuation of an affordable-housing program. She opined that a key incentive for initially adopting the CPA was that the Town would receive 100% of matching funds. However, now that Sudbury receives a smaller match, and given the current financial crisis, the petitioner believes it would be in the Town's best interests to save money as opposed to funding new projects. She noted that after five years the CPA allows for towns to modify or eliminate its participation in the program. Ms. Dufault further noted that, if the economy were to improve, the Town could increase its surcharge at a later date. Ms. Dufault acknowledged the many positive investments made in Sudbury due to CPA projects, including the protection of open space, the creation of affordable housing, recreational opportunities and the completion of historic preservation. However, Ms. Dufault later stated that, if the current 3% surcharge were to remain in effect, she predicts that the CPA balance in 2029 would near \$53 million.

Ms. Dufault briefly explained another petition article she filed requesting that the Town approve using a portion of current CPA reserve funds to fully pay the bonds issued for the Cutting Farm and Libby land purchases. She noted that the Community Preservation Committee (CPC) has a debt policy to bond large parcels. However, Ms. Dufault suggested that the total cost, including bonding interest, is not always presented to the voters for consideration. According to her research, Ms. Dufault stated that, since the adoption of the CPA program, Sudbury taxpayers have paid more than \$8,500,000 in CPA surcharges, State matches have totaled approximately \$6.8 million and other interest has provided an additional \$1.1 million, for a grand total of \$16.4 million. However, she further stated that, since its adoption of the CPA program, the Town has spent \$26 million, or approximately \$9,600,000 more than the revenues raised. Ms. Dufault believes the public should be provided total costs, and then people can make informed decisions. She also

stated that she consulted the State's Department of Revenue as to whether the surcharge could be modified and whether cash reserves could be used to pay off some debt. Ms. Dufault reported that the interpretation of the law on this matter is still being deliberated. She further stated that there also remains a question as to whether or not a resident has the right to bring a funding article to Town meeting without the approval of the CPC, which she referred to as an advisory committee to the Town of Sudbury and its citizens.

Ms. Dufault stated that the CPC pursued an opinion from Town Counsel, who suggested that a binding vote would require support from the CPC. Ms. Dufault recommended that an opinion also be requested from the Department of Revenue regarding legislative interpretation. She briefly shared some assumptions made for her data collection, including investment income of 5% and no more of a 25% match received from the State.

Chairman Keller stated that the Board cannot render an opinion this evening, and that he looks forward to receiving Ms. Dufault's information for review. Selectman O'Brien asked if the mandatory 10% for historic preservation and affordable housing has been accounted for in Ms. Dufault's calculations. Ms. Dufault responded that she modeled \$250,000 for affordable housing in addition to the required 10% allocations. She stated that she understands these topics are debatable, but that she views the discussion from a philosophical and strategic viewpoint.

Vice-Chairman Drobinski stated that he believes the primary reason for Sudbury adopting the CPA program was to protect open space and to provide affordable housing and historic preservation for the Town and not for the Town's financial gain from the State match. He emphasized the Town's interest in protecting the environment and deterring future subdivisions from being built. Ms. Dufault stated she has lived in Sudbury since 2004, and she agreed with the need for the Town to control population growth.

Selectman O'Brien stated that reducing the CPA surcharge would require a two-step approval process, including a vote at the polls. He also asked what Ms. Dufault used as the Town's maximum bonding capacity. Ms. Dufault responded that additional information could be made available to the Board at a later time.

When asked about the third petition article she submitted regarding establishing a committee to evaluate the necessity, or alternative public safety utilization of Firehouse #3, Ms. Dufault stated that, after speaking with Fire Chief MacLean, she has decided to postpone this article for further review until next year.

Sudbury resident Kristen Roopenian asked if she could be given a copy of Ms. Dufault's presentation to the Finance Committee and if she could be given the sources for Ms. Dufault's financial information. Chairman Keller stated that all information received on these matters will be available to the public. Ms. Roopenian expressed her opposition to both petition articles. She encouraged the petitioner to speak with long-time residents of Sudbury who remember the development of the Town's original Land Bank, which preceded the State's CPA program. She cautioned Ms. Dufault to not underestimate the community's interest in preserving open space, noting that, even during challenging financial times, she does not believe that passion has diminished. Ms. Roopenian urged the Board to not endorse these articles, and she encouraged the Board to remember all that the CPA program has accomplished in Town.

Robert Stein, 7 Thompson Drive, speaking as a resident and not in his capacity as a member of the Finance Committee, asked if the Town were to lower the CPA surcharge to 1.25%, could the Town still pursue a large land parcel to purchase and bond for such purpose. Vice-Chairman Drobinski noted that it would require asking the Town to vote a general debt exemption rather than a CPA-funded bond. Mr. Stein stated that the incentive for his personal support of the initial adoption of the CPA program was based on the State's 100% matching funds. He stated that, as the economy has changed and the State's matching funds

have diminished, so too has his opinion on the level to which Sudbury should participate in the program. Mr. Stein suggested that a lower CPA surcharge could help offset by approximately \$200 the anticipated increase to property tax bills, if the upcoming tax override vote passes.

Minutes

It was on motion unanimously

VOTED: To approve the regular minutes of February 16, 2010.

Joyce Endee Productions Special Permit

It was on motion unanimously

VOTED: To grant a special permit to Joyce Endee Productions to hold an Arts & Crafts Shows on Sunday, September 12, 2010, in the West Field of the Wayside Inn, subject to conditions and permits required by the Fire, Police, Health and Building Departments.

One-Day Wine and Malt License - Knight of Columbus

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt License to Bill Kneeland, 41 Pennymeadow Road, representing the Knights of Columbus Council #5188 of Sudbury, to accommodate a St. Patrick's Day dinner dance/fundraising event at Our Lady of Fatima Church, 160 Concord Road, on Saturday, March 13, 2010 from 6:30 p.m. to 11:00 p.m.

One-Day Wine and Malt License – First Parish

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt License to Steve Tripoli, 31 Marlboro Road, to accommodate a "Taste of the North End Pasta Festival" fundraising event at First Parish in Sudbury, Sudbury Center, on Saturday, March 6, 2010 from 4:00 p.m. to 8:00 p.m.

Annual Sudbury Spring Sprint Triathlon

It was on motion unanimously

VOTED: To grant permission for the Annual Sudbury Spring Sprint Triathlon event on Sunday, May 9, 2010 from 7:00 a.m. to 10:00 a.m. which will begin and end at the Fairbank Center, **and** a new Annual TriSprouts Children's Triathlon on Saturday, May 8, 2010 at 9:00 a.m., as requested in a letter dated February 9, 2010, from Race Director, William Fiske, subject to conditions and permits required by the Park and Recreation Department and conditioned on a meeting with the Sudbury Police Department at least 24 hours in advance of the first event, regarding safety concerns, and the applicant providing for cleanup of any litter created by race participants and staff..

Town Trust Funds - Unaudited Financial Statements

It was on motion unanimously

VOTED: As Co-Trustees of Town Donations, to accept the unaudited Town Trust Funds for FY10 second quarter statements for the period ending December 31, 2009, as requested by the Finance Director, Andrea Terkelsen, in a memo dated February 23, 2010.

Sudbury Earth Week and Spring Cleanup Day Proclamation

Town Manager Valente explained that Town staff, residents and corporate citizens work together every year to make this event a success. She thanked everyone for their participation, especially Dev Glaser from the Board of Selectmen's Office, who, along with Mary McCormack, do a fantastic job every year coordinating the activities. Citizens can sign up as volunteers on the Town website or by completing the form included in the Town Warrant

It was on motion unanimously

VOTED: To sign a proclamation designating April 18 - April 24, 2010 as Sudbury Earth Week and designating Saturday, April 24, 2010 as Spring Cleanup Day for the Annual Roadside Cleanup, with a rain date of May 1.

Articles for 2010 Annual Town Meeting & Ballot Questions – Take Speaking Positions

The Board was previously in receipt of a revised list of the "2010 Annual Town Meeting Warrant Articles," dated February 18, 2010. The Board reviewed the list to determine if speaking positions could be taken at this time.

It was on motion unanimously

VOTED: To assign speaking positions for the 2010 Annual Town Meeting Warrant Articles as follows: In Memoriam Resolution, Articles 2 through 10, Article 16, and Articles 24 and 25 to be presented by Selectman O'Brien; Articles 26 through 42 to be presented by Vice-Chairman Drobinski; and Articles 11 through 15 and Articles 17 through 23 to be presented by Chairman Keller.

Later in the meeting, it was also on motion unanimously

VOTED: To sign the Annual Town Meeting Warrant for delivery to the contracted printer.

Conservation Restriction – Joseph and Maureen Fico

Town Manager Valente noted that Director of Planning and Community Development Jody Kablack has reviewed the request and expressed no concerns. Chairman Keller noted that the request has also been fully reviewed by Sudbury's Conservation Commission.

It was on motion unanimously

VOTED: To accept the Conservation Restriction granted by Joseph and Maureen Fico (Lot 2 portion) and Eligius Homes Company, Inc. (Lot 3 portion), dated October 9 and 17, 2009, respectively, on a total of .42 a. +/- off Concord Rd., shown as "Restrictive Easement" on the "Definitive Subdivision Plan for 'Cail Farm' a Cluster Subdivision in Sudbury, MA," revised through August 14, 2006, prepared by Stamski and McNary, Inc. and recorded as Plan 1543 of 2006.

Executive Session

At 11:05 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 11:05 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, MARCH 2, 2010
EXECUTIVE SESSION
(11:05 P.M - 11:57 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 – Firefighter’s Union - Update

Town Manager Valente distributed copies of the “Memorandum of Agreement between the Town of Sudbury and the Permanent Firefighters’ Association Local 2023 International Association of Firefighters AFLCIO” for review. She briefly summarized highlights of the Agreement, including acceptance of the Town-recommended health care insurance plan modifications, use of call firefighters (a side letter was developed for the current, single call firefighter), vacation and holiday revisions and cleaning and clothing allowance guidelines. Ms. Valente recommended that the Board ratify the Agreement, which she believes is fair and will result in future cost savings and avoid future grievances.

It was on motion unanimously

VOTED: To ratify the “Memorandum of Agreement between the Town of Sudbury and the Permanent Firefighters’ Association Local 2023 International Association of Firefighters AFLCIO” as presented this evening.

There being no further business, the meeting adjourned at 11:24 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk