

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, MAY 4, 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. He thanked former Selectman William Keller for his years of service to Sudbury. Chairman Drobinski welcomed Selectman Robert Haarde to his first Board meeting.

Chairman Drobinski reminded citizens to vote in the Special Town Election, which includes a ballot question for a \$1.2 million override, on May 11, 2010. Absentee ballots are available through May 10, 2010.

Chairman Drobinski announced that a new contract with the Town Manager has been negotiated through 2015. He commended Town Manager Valente for the excellent job she has done steering Sudbury through a difficult economy and through a challenging year of difficult collective bargaining negotiations.

Chairman Drobinski expressed the Board's sadness on hearing about the carbon monoxide poisoning accident, which occurred at 23 Old County Road, resulting in one fatality. He urged all citizens to have home carbon monoxide detectors installed, and to regularly check that they are operating correctly. Town Manager Valente read a letter from Police Chief Glavin commending the work of the officers on the scene, who rescued residents.

Chairman Drobinski mentioned that the Council on Aging has recently distributed material regarding tax relief opportunities for senior citizens. He encouraged accessing the information on the Town website, and copies will also be available at the Senior Center, the Goodnow Library and at the Town Clerk's Office.

Chairman Drobinski thanked Mary McCormack and Dev Glaser from the Board of Selectman's Office, and the Department of Public Works, for organizing the Annual Sudbury Day Cleanup so well. He also acknowledged the many volunteers from Raytheon, William Raveis Realty and the Boy Scout Troops who participated in the event. The day was a success, and the Town looks better for these effort made by all the volunteers who participated.

Chairman Drobinski reminded the community to drive carefully, now that the weather has improved and more pedestrians and bikers are outdoors.

Chairman Drobinski reported the death of Mike Bowen, who had been involved for many years with Sudbury's youth. On behalf of the Town, he expressed sympathy to Mike's family and friends.

Citizen's Petitions

At 8:01 p.m., Paul Fuhrman, 14 Henry Mill's Lane, addressed the Board to request a formal censure of Vice-Chairman O'Brien for "inappropriate and, at times, rude and offensive behavior." Mr. Fuhrman stated that, leading up to the Town Election, he believes Vice-Chairman O'Brien tried to interfere with Sudbury's democratic process by openly advocating that votes be cast for a candidate who had withdrawn from the election, and that in communications, Vice-Chairman O'Brien disparaged a candidate and their

qualifications, insinuating that the person was unfit to serve. In addition, Mr. Fuhrman believes Vice-Chairman O'Brien blatantly misled the public in an op-ed piece submitted to the *Sudbury Town Crier*, regarding whether the Budget Review Task Force (BRTF) had ever reviewed its findings with school administrators. Mr. Fuhrman further stated that Vice-Chairman O'Brien directed an anti-Semitic slur towards a citizen/volunteer, when he disagreed with the person's point of view. Mr. Fuhrman believes this behavior is unbecoming of an elected official, and he asked for Vice-Chairman O'Brien to publicly apologize and to consider resigning from the Board.

Chairman Drobinski informed Mr. Fuhrman that he is not sure if the Board has such authority as suggested, and he recommended that Mr. Fuhrman share his concerns with Town Counsel.

Selectman Haarde stated that he believes it is important that citizens have the opportunity to be heard. He further stated that he served with Mr. Fuhrman on the BRTF, and he was also surprised at the perspective presented in the newspaper article, suggesting that the BRTF had never reached out to school administrators, when it had done so.

Chairman Drobinski reiterated that this concern should be discussed with Town Counsel. He further emphasized that, for Sudbury to be successful, people must collaborate together to productively work through issues, and try not to engage in divisive dialogue.

Selectman Haarde stated that he found the op-ed article divisive, in that it misrepresented the work done by the BRTF for 18 months.

Mr. Fuhrman encouraged the Board to investigate this matter further and stated he will follow-up with Town Counsel, as suggested.

Reports from the Board of Selectmen

Selectman Haarde thanked Sudbury's citizens for voting for him, and for the confidence in him to represent them. He attended a Budget Forum, and Metco and Zoning Board of Appeals (ZBA) meetings last week. Selectman Haarde noted that the ZBA meeting was a highlight because it presented a controversial issue well – a Chapter 40B development, and acknowledged the citizen feedback provided by the many residents in attendance.

Vice-Chairman O'Brien also attended the Budget Forum, which he hopes more citizens will view on cable television. He also attended the ZBA meeting with the Sudbury Housing Trust (SHT), and noted that a few citizens made inappropriate remarks. Last night, Vice-Chairman O'Brien and SHT representatives met with direct abutters of the Maynard Road project to gather input to help the process move forward. He also attended the D.A.R.E. program graduation.

Reports from Town Manager

Police Department – Kudos and Promotions

Town Manager Valente noted that the State's District Attorney's Office was impressed with the work of Sudbury Police detectives involved in the Odgren trial process. She acknowledged the exemplary work of Lts. Scott Nix and Bob Grady and Officer Wayne Shurling.

Town Manager Valente also announced that she has promoted two officers within the Department, based upon the civil service promotion process. Sgt. Bob Grady has been promoted to Lieutenant and Officer James Espinosa has been promoted to Sergeant, effective May 5, 2010. Ms. Valente emphasized how

important it is to initially hire well-qualified candidates, so as to foster future leadership opportunities within the Department.

Emergency Planning for Potential Water and/or Other Crises

Town Manager Valente referenced the recent MWRA water crisis, noting how fortunate Sudbury is to have its own wells. However, in the event of a crisis, she reviewed the Town mechanisms in place to notify citizens, including the Town website, electronic signboards, and call-messaging capabilities. Ms. Valente further stated that the Senior Center also has an organized process for reaching senior citizens, and anyone interested in being added to their communication list should contact Director Kris Kiesel. On behalf of the Fire Chief, she also urged residents to prepare a 72-hour emergency kit, including food and water.

Stormwater Permit Report

Town Manager Valente announced that the Town's Stormwater Permit Seventh Year Report will soon be due. She has forwarded a draft report to Chairman Drobinski for review.

Citizen Interest in a Graduated Income

Town Manager Valente reported that the Board has received a letter from Don Chauls, 92 Blueberry Hill Lane, suggesting that Sudbury Selectmen consider supporting a constitutional amendment to allow for a progressive, graduated income tax system to relieve the pressure on property taxes. She noted that Concord has begun pursuing a slightly different option through a Town Meeting referendum, asking for authority to levy a local option income tax, and Harvard is also researching the idea.

Chairman Drobinski suggested that a response letter be sent to Mr. Chauls thanking him for his idea for improving the Town. Selectman Haarde concurred, stating it is important to acknowledge and consider ideas being brought forth from citizens. Town Manager Valente noted that this kind of tax shift would require a change to the State's constitution.

Board of Selectmen Meeting Schedule - Review

Town Manager Valente asked the Board to review the schedule of meetings, in particular dates in August which might be better for a meeting than the proposed August 3rd date. She asked that date preferences and conflicts be brought to her attention by the end of the week.

Joint Meeting with the Board of Health

Present: Board of Health Director Robert Leupold, Board of Health members Linda Huet-Clayton and Carol Bradford

At 8:07 p.m., Chairman Drobinski welcomed Board of Health (BOH) Director Robert Leupold and members of that Board to the meeting.

Mr. Leupold reported that the BOH had a successful flu-clinic season, administering 6,111 vaccinations.

Town Manager Valente reviewed that at a previous Board meeting with the Solid Waste Management Options Committee (SWMOC), discussion ensued regarding the BOH implementing a program to register private trash haulers and to establish a fee structure.

Mr. Leupold distributed copies of the Town's "Regulations for a Refuse Hauler's Permit," adopted by the BOH in October 1999, to the Board for review. He noted that a fee structure was not established in 1999. Mr. Leupold also stated that he is unsure why the regulations have not been enforced to date.

Chairman Drobinski summarized the issues as whether the BOH should issue permits to private haulers and whether a fee structure is needed. Mr. Leupold asked for guidance for what the Board would like to accomplish, stating that some surrounding communities charge fees of \$25-\$50 per truck, and others have no fees. He also stated that currently septage haulers are charged \$50 per year.

Vice-Chairman O'Brien asked if there is currently a tracking mechanism of how many haulers are in Sudbury and how often they pick-up. The consensus was that this information is not currently available, but could be useful to collect.

Mr. Leupold referenced the SWMOC Report, wherein the Committee expressed concern that Sudbury residents were paying a higher rate to private haulers than other towns.

Vice-Chairman O'Brien reviewed the genesis of the SWMOC, which was a result of a Town Meeting petition article to implement a curbside hauling program, which he described as adding a financial burden to the Town's tax levy. He stated, that, at that time, the Board did not support this concept to put the cost of trash disposal ahead of the cost for public safety and teaching obligations. Chairman Drobinski noted that there was also a strong community sentiment to maintain the operation of the Transfer Station.

Town Manager Valente explained an RFP process for a Town trash-franchise program, which Town Counsel has opined is not available in Massachusetts.

Mr. Leupold stated that, based on the SWMOC Report, he believes the BOH should establish permit fees as of January 1, 2011.

Board of Health member Carol Bradford noted that the SWMOC Report also advocated increasing the Town's rate of recycling.

Board of Health members Linda Huet-Clayton suggested that the BOH contact former members of the SWMOC as it considers fee implementation and regulation enforcement. Town Manager Valente explained that the Committee has been disbanded. Ms. Huet-Clayton also noted that the SWMOC Report has very useful information about the Transfer Station, which she hopes can be better shared with the community. Chairman Drobinski concurred, stating that the Station is a valuable Town asset. Vice-Chairman O'Brien encouraged the BOH members to help educate new homeowners regarding the Transfer Station in person, and through advertisements on cable television.

Town Manager Valente will ask Department of Public Works (DPW) Director Bill Place to work with the BOH on establishing these processes.

Chairman Drobinski asked the Board to consider, and perhaps discuss with Town Counsel, whether it might want to report to the Town Manager as all other departments do, according to the Town Manager's Act. Town Manager Valente explained that on a day-to day basis the current arrangement works well, but that it may be more cohesive to have the same reporting structure for all departments.

Chairman Drobinski thanked the Board for its fine work, and closed the discussion at 8:33 p.m.

Legislative Discussion

Present: State Senators Susan Fargo and James Eldridge

At 8:33 p.m., Chairman Drobinski welcomed State Senators Susan Fargo and James Eldridge to provide the Board with a legislative update.

Ms. Fargo reported that the House voted its budget last week, reflecting a 4% reduction in Local Aid. She stated that the Senate should be voting its budget by late May. Ms. Fargo noted that revenue figures from April should be available to help guide whether the final Local Aid given to communities can be increased.

Mr. Eldridge stated that, if the Local Aid figures to towns cannot be increased, then the Senate has discussed possibly committing additional Special Education Circuit Breaker and Regional Transportation funds to help towns like Sudbury. Vice-Chairman O'Brien opined that he hopes additional aid would not be taken away later in the year by 9C cuts from the Governor.

Mr. Eldridge provided a brief update on the municipal relief bill, which went before the House a few weeks ago. Town Manager Valente emphasized that the inclusion of benefit reforms for part-time employees and transferring health insurance for retirees to Medicare would be very helpful. Mr. Eldridge concurred.

Selectman Haarde asked if there is a mechanism detailed in the bill to require that towns and school systems share services. Mr. Eldridge responded that the language of the bill only suggests that towns and school systems meet and discuss the sharing of services, but does not require it. Town Manager Valente noted that it is important to consider many factors when discussing regionalization and/or sharing of services, such as how collective-bargaining contract obligations are treated and met, and how employees fulfill responsibilities to more than one town on a practical basis. Mr. Eldridge agreed, noting that collective bargaining contracts should not be a "stopper" to regionalization, and he hopes more work can be done on these issues.

Ms. Fargo stated that she has worked for years on the process of regionalizing public health. However, she noted that it is very hard for municipalities to let go of their "home turf" mentality. Chairman Drobinski concurred, but feels the public will support these efforts when they can better see the practicality for doing so.

Vice-Chairman O'Brien asked if there would be legislative interest in pursuing the suggestion by resident Don Chauls, to endorse a graduated income tax through a change to the State's constitution. Selectman Haarde clarified that the Board has not discussed, or taken a vote, as to whether to endorse this idea. Mr. Eldridge responded that he supports a progressive income tax, but that the constitutional amendment and referendum process could take as long as four years.

Vice-Chairman O'Brien also asked if it is possible to move to a multi-year budget cycle. Mr. Eldridge stated that he would need to think further about the idea.

Selectman Haarde noted that any assistance the State can provide to help provide incentives for municipalities to streamline their infrastructures to save money would be greatly appreciated.

Chairman Drobinski thanked the Senators for their update, and concluded the discussion at 9:01 p.m.

MassHousing Project Eligibility Application - Landham Crossing

Present: Sudbury Housing Specialist Beth Rust and developer Benjamin Stevens

The Board was previously in receipt of a letter from MassHousing dated March 30, 2010, requesting comments and feedback prior to May 7, 2010, regarding the application, currently under review, for Site Approval for the proposed Landham Crossing development submitted by Benjamin Stevens, copies of the Project Eligibility Application, developed by Trask, Inc., and a memo from Director of Planning and Community Development Jody Kablack, dated April 30, 2010, noting her comments and recommendations and those of Town staff.

Ms. Rust briefly described the comment period for the Site Approval process and later reviewed the comments provided by Ms. Kablack.

Developer Ben Stevens, who is also the developer for a similar project on Old County Road, briefly reviewed the proposed plan for 32 newly-constructed units (eight will be affordable) on an 8.52 acre parcel located at 192 Boston Post Road. He explained that two acres are wetlands. Mr. Stevens stated that the architectural style would be similar to Old County Road, but that the proposed unit layouts are preliminary.

Ms. Rust noted that the property is currently enrolled in Chapter 61B, enabling the Town the Right of First Refusal (ROFR). However, she clarified that the ROFR decision does not have to be commented on for this process, and it will be deliberated by the Board at a future meeting.

Selectman Haarde asked if abutters have been sent notices, and how many homes would potentially be affected and notified. Mr. Stevens responded that he sent letters to the four direct abutters, offering to meet with them, and that additional notification would likely occur at the time the Comprehensive Permit Application is filed. Ms. Rust responded that the legal requirement is to notify abutters within 500 feet of the proposed development, which Mr. Stevens estimated to include ten homeowners.

Mr. Stevens noted that studies indicate that the development would only add approximately one-quarter child per unit to the Town's school systems. Vice-Chairman O'Brien confirmed that the Chapter 40B condominiums are planned to sell for \$550,000 to \$585,000, which could net the Town \$125,000 additional tax revenue after factoring the costs of potential children and costs of Town services. He believes this type of condominium development does not primarily attract families, who would rather spend that sum of money on a single-family home, and that they are financially beneficial to the Town.

Selectman Haarde opined that more years might need to pass before the determination can be made that these types of developments do not have impacts on Town services and the schools. He further stated that, although this project may not drain Town services, Selectman Haarde believes that the cumulative effect of all these types of developments in Sudbury need to be assessed.

Chairman Drobinski asked about plans for the mature trees on the front streetscape, screening and fencing. Mr. Stevens responded that he plans to provide a large frontage of elevated berm off of Route 20 and will try to retain and/or relocate specimen trees. Chairman Drobinski further asked about the access and egress to the property. Mr. Stevens responded that he plans to work closely with the ZBA and the Fire Department to design access and egress points and materials to satisfy Town's specifications.

Selectman Haarde noted that the Landham Road area is in need of a traffic light on Route 20. Town Manager Valente highlighted that the Town would be looking for assistance from the developer to improve the public safety and traffic concerns of the area. Chairman Drobinski clarified that the Town would ask for contributions towards traffic impact studies and mitigation efforts during the approval process.

It was on motion unanimously

VOTED: To instruct Town staff to draft a letter of support, on behalf of the Board, to be sent to MassHousing prior to May 7, 2010, regarding the application, currently under review, for Site Approval for the proposed Landham Crossing development submitted by Benjamin Stevens.

It was also on motion unanimously

VOTED: On behalf of the Board, to instruct Town staff to include in the draft letter of support, which will be sent to MassHousing prior to May 7, 2010, regarding the application, currently under review, for Site Approval for the proposed Landham Crossing development, the comments provided by Director of Planning and Community Development Jody Kablack, in her memorandum dated April 30, 2010, and to also note the additional recommendations from the Board that preference be given to local Sudbury residents for purchase of the affordable units, that efforts be made to incorporate Stretch Energy Code standards, and that confirmation of support from abutters be obtained, and that Chairman Drobinski review and approve the letter prior to mailing.

Fong Tan LLC, d/b/a Lavender Asian Cuisine & Bar - Change of Stockholder Interest

Present: Applicant's Attorney Stephen E. Grande III

At 9:32 p.m., Chairman Drobinski welcomed Attorney Stephen Grande III to present the request to change the ownership interest for Fong Tan-LLC, d/b/a Lavender Asian Cuisine & Bar, 519A Boston Post Road, as requested in an application dated April 22, 2010. Attorney Grande stated that the matter is a simple buyout of one shareholder's, Roderick Enterprises, interest by another shareholder.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, in accordance with MGL c 138, s.12, to approve a change of ownership interest for Fong Tan-LLC, d/b/a Lavender Asian Cuisine & Bar, 519A Boston Post Road, as requested in an application dated April 22, 2010.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of April 7, 2010 and regular session of April 12, 2010. Selectman Haarde recused himself from this vote as he was not a Board member at the time of these minutes were developed.

Election officers – Resignations

I was on motion unanimously

VOTED: As requested by the Town Clerk's Office, to accept the resignations of four Election Officers: William Hazeltine, 26 Codjer Lane, Eileen Glovsky, 53 Thompson Drive, Claire J. Schlosser, 509 Concord Road and Richard Griesel, 149 Morse Road, and to send letters of appreciation for their service.

Special Act Petition – 2010 Annual Town Meeting Article 25

It was on motion unanimously

VOTED: To approve the Special Act Petition for submission to the Great and General Court pursuant to the vote of the 2010 Annual Town Meeting under Article 25 relating to long-term leases/contracts, including power purchase agreements.

Sudbury Public Schools – Mass. Technology Collaborative Grant

Chairman Drobinski noted the Town can be proud of the receipt of this grant.

It was on motion unanimously

VOTED: As Trustees of Town Trust Funds, to accept a check payable to the Sudbury Public Schools from the Massachusetts Technology Collaborative under the Massachusetts Renewable Energy Trust's Clean Energy Choice Program in the amount of \$20,582.20 for the installation of a solar PV system.

Design Review Board – Resignation

Chairman Drobinski acknowledged the 21 years of service Mr. Riepe has provided Sudbury and thanked him for volunteering his time and talents.

It was on motion unanimously

VOTED: To send a letter of appreciation to Frank W. Riepe, Planning Board appointee to the Design Review Board, who is resigning after serving the Town for 21 years, most recently as chairman.

Boy Scout Troop 63

It was on motion unanimously

VOTED: To enter into the Town record and congratulate Ryan Kenney, 77 Fox Run, Reid Meier, 85 Carriage Way and Jackson Rimpas, 33 Pine Street, of Troop 63, on attaining the rank of Eagle Scout at a ceremony to be held Monday, May 10, at 7:30 p.m. at the Ephraim Curtis Middle School.

Metropolitan Area Planning Council - Metropolitan Planning Organization - Municipal Elections

Town Manager Valente referenced information received from the Metropolitan Area Planning Council (MAPC) regarding the upcoming municipal elections to the Boston Region Metropolitan Planning Organization (MPO) and the MAPC Annual Meeting to be held on June 2, 2010. She explained that each town must cast a ballot by the chief elected official of the community, or its designee, prior to June 2nd, for one vote each for a MPO City and Town Member seat. This year, the two cities seeking election to the seat are Beverly and Somerville, and the town is Framingham.

Although Chairman Drobinski believes both cities are well represented by their candidates, he suggested that Sudbury cast its vote for the city of Beverly, since it may have more similar priorities to Sudbury as a community than does the more urban city of Somerville. He noted, as a point of full disclosure, that he grew up in Beverly.

Vice-Chairman O'Brien stated that the vote for Framingham as the town member is logical, and concurred that Beverly's interests may be more aligned with Sudbury's.

It was on motion unanimously

VOTED: On behalf of the Town of Sudbury, to cast a vote for Framingham as the Metropolitan Planning Organization Town Member, and also to cast a vote for Beverly as the Metropolitan Planning Organization City Member.

Board Annual Appointments and Accepting Resignations

The Board briefly reviewed a listing of individuals seeking reappointments to, and resignations from, Town boards and committees.

Selectman Haarde suggested that a process be adopted to advertise committee and board openings and/or term expirations to encourage more interest and need in the community to volunteer. He later noted that he does not see many vacancies posted on the Town website. Selectman Haarde further stated that he would be willing to resign from the Energy and Sustainability Green Ribbon Committee to serve only as its Board liaison, in order to provide someone else the opportunity to participate.

Chairman Drobinski stated that the Town does reach out for new members, but in a lot of instances, volunteers have served the community well for many years and are still willing to fulfill those responsibilities. Town Manager Valente concurred, stating that the Town does advertise in the Town Warrant and other forums throughout the year for volunteers and encourages those interested to attend meetings before applying. She also noted that some committees and boards have also established mechanisms for recruiting members with requisite skills deemed necessary.

Selectman Haarde expressed reluctance to vote for appointing individuals he does not know, and for whom he has not seen resumes and/or credentials. Town Manager Valente explained that some members have served the Town for so long that such documentation may not have been initially required or now available. After a brief discussion, Selectman Haarde recused himself from the vote on annual appointments made only by the Board, and for those made by the Town Manager, with the Board's approval.

It was on motion

VOTED: To make the following annual appointments (all appointments are subject to acceptance):

Aging, Council on: To reappoint David Levington, Susan Kasle and Mary-Lee Mahoney-Emerson for terms of three years to end on April 30, 2013.

Agricultural Commission: To reappoint Karen Hodder and Pamela Lupo for terms of three years to end on April 30, 2013.

Board of Appeals: To reappoint Elizabeth Quirk for a term of five years to end on April 30, 2015 and to reappoint Jonas McCray and Benjamin Stevenson for terms of one year to end on April 30, 2011.

Civil Defense, Assistant Director of: To reappoint I. William Place for a term of one year to end on April 30, 2011.

Civil Defense, Director of: To reappoint Kenneth J. MacLean for a term of one year to end on

April 30, 2011

Civil Defense, Radio Operator: To reappoint James S. Idelson for a term of one year to end on April 30, 2011.

Community Preservation Committee: To reappoint Seamus O'Kelly for a three-year term to end on April 30, 2013.

Conservation Commission: To reappoint Richard Bell and Ethan Jessup for three-year terms to end on April 30, 2013.

Constable: To reappoint Lawrence Hartnett and William Pickett for three-year terms to end on April 30, 2013.

Earth Removal Board: To reappoint Jonas DL. McCray and Benjamin D. Stevenson, each for a term of one year to end on April 30, 2011.

Energy & Sustainability Green Ribbon Committee: To appoint Rami Alwan and Michael Melnick for three-year terms to end on April 30, 2013.

Fence Viewers: To appoint Robert Haarde for a term of one year to end on April 30, 2011 and to reappoint John C. Drobinski and Lawrence W. O'Brien, each for a term of one year to end on April 30, 2011.

Labor Relations Counsel: To appoint Sean Sweeney for a one-year term to end on April 30, 2011.

Land acquisition Review Committee: To reappoint Christopher Morely and John Sklenak, each for a term of two years to end on April 30, 2012.

Mass. Bay Transportation Authority: To reappoint Maureen G. Valente for a term of one year ending on April 30, 2011.

Permanent Building Committee: To appoint Elaine Jones and Thomas Joyner, each for a term of three years ending on April 30, 2013.

Ponds and Waterways Committee: To reappoint Paul Greenspan, Robert Hershfield and Alan Bascom for terms of three years ending on April 30, 2013.

Registrars, Board of: To reappoint Gary Bean for a three-year term to end on April 30, 2013.

Sealer of Weights and Measures: To reappoint Courtney W. Atkinson for a term of one year ending on April 30, 2011.

Senior Tax Advisor: To reappoint David Levington for a term of one year ending on April 30, 2011.

Special Constables: To reappoint James F. Kelly, Earl D. Midgley, Kenneth J. MacLean, Joseph D. Bausk and Arthur Richard, each for a one-year term to end on April 30, 2011.

Sudbury Housing Trust: To appoint Peter Crowe and Daniel Hewett, each for a term of two years ending April 30, 2011, and to reappoint Amy Lepak and Joel Guillemette each for a term of two years ending April 30, 2011.

Sudbury Water District Water Resource Protection Committee: To reappoint James F. Occhialini for a term of one year ending on April 30, 2011.

Surveyor of Lumber & Measurer of Wood: To reappoint Russell DiMauro for a term of one year ending on April 30, 2011.

Town Historian: To reappoint Curtis F. Garfield for a term of one year ending on April 30, 2011.

Town Physician: To reappoint Melvyn Kramer for a term of one year ending on April 30, 2011.

Town Report Committee: To reappoint Beth V. Farrell for a term of one year to end on April 30, 2011.

U.N. Day Chairman: To reappoint Elaine K. McGrath for a term of one year ending on April 30, 2011.

It was also on motion unanimously

VOTED: To accept the resignations of the following individuals at the close of term: Daniel Messina (Capital Improvement Planning Committee); Frank Riepe (Design Review Board); David Mortimer (Commission on Disability); Winifred Grinnell and William Duckett (Memorial Day Committee); Stephen Holland (Sept. 11th Memorial Garden Oversight Committee); and Laura Casey (Town Report Committee); and to send letters of gratitude for their service to Sudbury.

Board Of Selectman 2010-2011 Liaison Assignments

The Board briefly discussed the proposed Liaison Assignments listing for 2010-2011..

Selectman Haarde presented Town Manager Valente with a letter of resignation from the Energy and Sustainability Green Ribbon Committee, and thus the listing will be adjusted accordingly to list him not as a Member, but as the Board's liaison.

It was on motion unanimously

VOTED: To approve the draft version of the Board of Selectman 2010-2011 Liaison Assignments with the following revisions made this evening: Selectman Haarde will be the liaison for L-SRHS; Minuteman RVTH, Parks & Recreation Commission and the Rail Trail Conversion Advisory Committee instead of Chairman Drobinski and will now be listed as the liaison to the Energy and Sustainability Green Ribbon Committee instead of a member of it, and Chairman Drobinski will be the liaison to the Permanent Building Committee and the Ponds & Waterways Committee instead of Selectman Haarde, and the Board will further discuss, at a later time, the liaison assignment for the Superintendent Consolidation group and to accept the resignation of Selectman Haarde from the Energy and Sustainability Green Ribbon Committee.

Sudbury Cost Centers – Analysis of Expenditures

Selectman Haarde stated that he requested this agenda item to focus on all expenditures from the Town's cost centers in order to save money and to achieve a better economy of scale for various expenses. He

believes the Board owes it to the taxpayers to commission an analysis of exactly where and how money is spent. Selectman Haarde further suggested that a goal be set for this exercise to identify \$2 million for FY11 and in anticipation of FY12, which could be reallocated and/or saved. He also recommended that citizen volunteers be recruited for this project, so as not to overwork Town staff.

Chairman Drobinski asked if this would achieve recommendations beyond what was provided by the Budget Review Task Force (BRTF). Selectman Haarde suggested that the BRTF approached high-level budget items in a high-level brainstorming manner. However, Selectman Haarde stated that he envisions this project to take a more “surgical” detailed look at all expenses, and gave a few examples of ideas which could help to analyze the data.

Town Manager Valente suggested that the Board consider this recommendation as part of its goal-setting process. She also provided an example of how the Town must abide by State procurement rules and what mechanisms are already in place to help consolidate purchasing for the best price, noting that the bid process for purchasing is set by the State. Ms. Valente further stated that she would need to understand more about how and where the project could help to save money, noting that processes for the Town and Schools are sometimes quite different. As an example, she noted that a Town’s human resource responsibilities includes a high percentage of time working on public safety-related grievances, which may not be the expertise of similar personnel within school systems.

Vice-Chairman O’Brien asked if the project would also review personnel costs as well as materials. He later asked how this project would be different than the statutory role fulfilled by the Finance Committee. Selectman Haarde stated that he envisions this to be a more detailed look at expenditures, including personnel and materials, and is unsure as to how its results will overlap with other Town efforts.

Town Manager Valente emphasized that, if this project is deemed worthy of undertaking by the Board, she hopes that the group assembled to do the analysis will choose to work closely with Town staff to collect accurate information, which can be explained and analyzed within its proper context. She highlighted that Town staff time will be utilized at some point in the process to provide, verify and explain information, and thus she encouraged staff involvement from the inception of the project.

Chairman Drobinski stated he likes the concept, and he agreed that the Board should consider it as part of its goal-setting process. He further suggested that he reach out to the Chairs of the two School Committees. Town Manager indicated she would ask the two School Superintendents to join her in a more detailed discussion with Selectman Haarde regarding this proposal.

July 4, 2010 Parade – Selectmen Participation

Vice-Chairman O’Brien and Town Manager Valente offered to participate in the Memorial Day Parade. Town Manager Valente asked Board members to review their calendars and let her know as soon as possible whether they will be available for the July 4, 2010 Parade. Vice-Chairman O’Brien will be on vacation for the July 4th week and unable to participate.

Executive Session

At 10:19 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, land acquisition and litigation. .

Chairman Drobinski announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 10.19 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN
MONDAY, MAY 4, 2010
EXECUTIVE SESSION
(10:20 P.M – 10:51 P.M.)

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

Collective Bargaining – Public Works

Town Manager Valente distributed copies of the “Memorandum of Agreement Between the Town of Sudbury and The Massachusetts Laborers’ District Council in behalf of Public Employees Local #1156 of the Laborers’ International Union of North America AFL-CIO” to the Board for review. She briefly summarized highlights of the Agreement.

It was on motion unanimously

VOTED: To approve the “Memorandum of Agreement Between the Town of Sudbury and The Massachusetts Laborers’ District Council in behalf of Public Employees Local #1156 of the Laborers’ International Union of North America AFL-CIO” as presented and reviewed this evening.

Land Acquisition – Tax Title Properties

The Board was previously in receipt of materials regarding two parcels, which are unable to be developed, which the Town has put in tax title for unpaid taxes. Town Manager Valente briefly explained that the Town could possibly sell the parcels to the U.S. Fish and Wildlife Service as was done in Wayland.

It was on motion unanimously

VOTED: To instruct the Town Manager and Town staff to proceed with the potential sale of two tax title properties to the U.S. Fish and Wildlife Service, as presented and reviewed this evening.

Litigation - Abrams Land Court Case - Decision

Town Manager Valente reported that Town Counsel has informed her that appeals did not find in favor of the Town regarding the case brought by Laura Abrams. Town Manager Valente will request the recommendations of Town Counsel, however, she questioned whether further appeals would be fruitful

Land Acquisition – Johnson Property

The Board was previously in receipt of materials documenting the history of correspondence between the Town, representatives of the Johnson Property, and abutters, regarding purchase of the parcel by the Town and other development ideas. Town Manager Valente explained that a developer has proposed a Chapter 40B development for a 120-unit residential apartment community. The Town had previous discussions with the landowner, regarding purchasing the property with the use of Community Preservation Act funds, as it has been identified within the Open Space and Recreation Plan as a desirable parcel to be purchased. Ms. Valente asked for the Board’s guidance as to whether Town staff should re-open communication with the new property owners (sons of former owner) to determine the level of interest in selling the parcel to the Town, for an amount not to exceed its appraised value.

Chairman Drobinski stated that a 120-unit development on this property is not consistent with the scale of development encouraged by the Town, nor does it seem to be in Sudbury's best interests. The Board concurred.

It was on motion unanimously

VOTED: To instruct the Town Manager to ask Town Counsel to approach the owners of the Johnson Property, located at 189 Landham Road, to determine the level of interest in selling the property to the Town of Sudbury.

There being no further business, the meeting adjourned at 10:51 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN
MONDAY, MAY 4, 2010
EXECUTIVE SESSION
(10:20 P.M – 10:51 P.M.)

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

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It was on motion unanimously

VOTED: To approve the “Memorandum of Agreement Between the Town of Sudbury and The Massachusetts Laborers’ District Council in behalf of Public Employees Local #1156 of the Laborers’ International Union of North America AFL-CIO” as presented and reviewed this evening.

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It was on motion unanimously

VOTED: To instruct the Town Manager to ask Town Counsel to approach the owners of the Johnson Property, located at 189 Landham Road, to determine the level of interest in selling the property to the Town of Sudbury.

REMAINING PORTION REDACTED

There being no further business, the meeting adjourned at 10:51 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk