

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JUNE 21, 2011

Present: Chairman Lawrence W. O'Brien, Vice-Chairman Robert C. Haarde, Selectman John C. Drobinski 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 O'Brien opened the meeting. He noted schools will be closing in the next few days, and he reminded everyone to be mindful of pedestrians and children out during the summer. Chairman O'Brien congratulated the Lincoln-Sudbury High School athletic teams which performed well during post-season championship tournaments, including the State champion men's baseball and men's volleyball teams. He also congratulated the women's 4x4 relay team who placed fourth in the national tournament.

Chairman O'Brien thanked the 31% of citizens who voted in the Special Town Election, noting the three ballot questions were all defeated. He announced the Annual Fourth of July Parade will be held on Monday the 4th. Town Manager Valente noted additional information is available on the Town and Chamber of Commerce websites. She also encouraged any group interested in participating in the parade to contact the Chamber of Commerce.

Chairman O'Brien reminded the community that Transfer Station stickers need to be renewed by June 30, 2011. He also noted the Town currently has a water restriction in place, mandated by the Sudbury Water District, in compliance with State Department of Environmental protection (DEP) regulations.

Reports from the Town Manager
Closing FY11 and Opening FY12

Town Manager Valente reported she and Town staff are busy preparing to close FY11 and open FY12. She stated FY11 should close in a financially favorable position, noting the Fire Department budget and others are in line with projections and did not experience overages, which in previous years resulted in the temporary closing of Fire Station 3.

Town Manager Valente thanked Town staff and Assistant Town Manager Maryanne Bilodeau for covering her duties while she was on vacation.

Reports from the Board of Selectmen

Selectman Drobinski reported working with Sudbury's Energy and Sustainability Green Ribbon Committee Chairman Bill Braun regarding photovoltaic opportunities for the landfill. He stated the Town is responding to certain requests from DEP, and he will keep the Board abreast as appropriate.

Vice-Chairman Haarde enjoyed attending the semi-final State championship High School baseball games, noting the School has a well-coached program. He will be meeting this week with Wayland Selectman Steven Correia to discuss shared hockey ventures.

Vice-Chairman Haarde acknowledged the voters who participated in the Special Election, stating he believes the voters sent a message of rejection across the board for investments by the Town. He believes the Town needs to work to avoid any perception of deception regarding public issues. According to

feedback he has heard from citizens, each ballot question had some element of skepticism, i.e., with some residents regarding the arguments presented that Special Education costs were the reason for the need for a High School override, others thought the request for the sidewalk plows was a permanent tax increase presented as a temporary request, and others had concerns that not enough financial information was available and not enough public input had been received for a project of the magnitude of the sewer project.

Vice-Chairman Haarde believes lessons can be learned from the Election results. Thus, in the spirit of full disclosure, he proposed the Town consider posting its entire checkbook on the Town website to allow full transparency of information. He further noted this has also been proposed in other communities.

Chairman O'Brien asked Town Manager Valente if this idea could be researched. Town Manager Valente stated the Town has already initiated discussions with its accounting software vendor (MUNIS) to determine how this could be legally and properly done. She also noted the vendors are being asked more often by customers for options to provide this information to taxpayers. Town Manager Valente will further research this request and provide the Board with an update at its July 5, 2011 meeting.

Chairman O'Brien reported meeting with Lincoln Selectman Noah Eckhouse regarding upcoming High School contract negotiations. He stated there are similar sentiments in Lincoln regarding health insurance options being strongly negotiated. Chairman O'Brien also attended two Eagle Scout ceremonies for Troops 61 and 63 respectively.

Route 20 Wastewater System Design and Permitting Phase – Discussion

Present: Director of Planning and Community Development Jody Kablack; Planning Board members Eric Poch, Joseph Sziabowski and Craig Lizotte; Sudbury Water District Chairman Bill Cossart, Sewer Technical Advisory Committee Chair Lisa Eggleston, and Sudbury resident Craig Blake

At 7:49 p.m., Chairman O'Brien welcomed Director of Planning and Community Development Jody Kablack and members of the Planning Board, Sewer Technical Advisory Committee and Sudbury Water District to the meeting to discuss next steps regarding the Route 20 Wastewater System Design and Permitting project. As a resident of the proposed project area, Chairman O'Brien recused himself from the discussion, and he asked Vice-Chairman Haarde to preside over the discussion.

The Board was in previous receipt of copies of an email from Ms. Kablack dated June 17, 2011, regarding next steps for the Route 20 Sewer project and a draft Citizens' Advisory Committee (CAC) Mission Statement and description of responsibilities, membership and compliance guidelines dated November 2010 and a later revised version dated June 2011.

Vice-Chairman Haarde asked Ms. Kablack to update the Board on the project. Ms. Kablack noted the Planning Board is not represented tonight by a voting quorum, and thus it would not be offering definitive decisions tonight. She further noted the Planning Board did discuss the Route 20 Sewer project at its June meeting.

Although the Route 20 Sewer Design and Permitting ballot question failed at the Special Town Election, Ms. Kablack and the Planning Board believes the Town should move ahead to better address concerns raised by citizens. She asked how the Town should best proceed with making the public comfortable with this project in the future. Ms. Kablack stated another Town Meeting vote and another ballot vote would be required to bring the issue before the public again next year, as suggested by the Planning Board.

Ms. Kablack stated that numerous questions remain unresolved with the public as evidenced by questions posed to Town staff and committees, letters to the editor in the local newspaper, and from verbal feedback.

She believes more data must be provided to citizens to garner their support. Ms. Kablack also believes the CAC needs to be formed. However, she asked for opinions regarding the optimum structure and composition for the CAC. Ms. Kablack asked if a smaller group than what was originally proposed in the November 2010 mission statement would be better able to “hit the ground running,” so as to accomplish as much as possible before March 2012.

Ms. Kablack emphasized there are many constituencies within Sudbury, each of whom has a unique perspective. She highlighted there needs to be long-term support for the project from large and small business owners, residents who live along Route 20 and everyone else who lives in Sudbury, which will take a lot of work to achieve.

Planning Board Vice-Chairman Eric Poch believes the formation of the CAC is a critical step which should occur soon. He stated the results of the Special Election indicate there is more work to be done to educate the public. Mr. Poch believes people did not support the project not because they were displeased with the concept, but rather because there had not been adequate public outreach on the subject prior to the Special Election, and it was for a significant amount of money. He emphasized that a potential \$15 million project, as this is anticipated to be, is the largest capital project Sudbury has undertaken which is not school-related. Thus, he believes it is reasonable for the public to expect to have numerous opportunities for substantive discussions on relevant issues.

In addition, Mr. Poch believes more work needs to be done to provide better financial information to the public regarding how costs would be allocated across businesses. He believes more short-term focus should be spent on addressing the financing of the district and structure concerns for the public.

Sewer Technical Advisory Committee (TAC) Chair Lisa Eggleston stated the feedback she received from citizens suggests there were still too many unknowns at the time the public was asked to vote on the future of the project. She emphasized most of the time during the last decade was spent on locating a potential treatment site, and there was not a focus on continuing the project dialogue with the community. Focus was also given to the need for the project and the many failed systems which exist on Route 20. However, she further noted users with concerns, who will not see significant betterments from the project, were perhaps inadvertently overlooked. Ms. Eggleston believes there can be better outreach to all users.

In a parallel process, Ms. Eggleston further suggested clarifying what a sewer system would mean for change to the district, zoning and traffic. She suggested some of this discussion could be directed by the Planning Board to address concerns. Ms. Eggleston noted some citizens question whether a sewer system would bring too much development to Sudbury. She stated the Town might need assistance with the public education aspect of moving this project forward, and that an ongoing dialogue with the public could be beneficial throughout the permitting and review process.

Sudbury Water District Chair Bill Cossart stated that, unfortunately, some prestigious business owners in Town were neglected, and thus their opposition to the project did not help at the polls. Mr. Cossart believes that, ultimately, the future of this project will be based on how it is financed. He further stated he is a bit pessimistic that consensus can ever be reached within the business community and the general public regarding the benefit of the project. Mr. Cossart further suggested that, without outside financing and/or funding from private industry, he is doubtful the project will come to fruition.

Planning Board member Joseph Sziabowski stated it is difficult in this economic climate to get anything financial done. Thus, he suggested the time be used well to develop what the vision for Route 20 in the future should be.

Planning Board associate member Craig Lizotte stated his involvement with Town government is fairly new, and thus he was not really aware of this project as a pending issue until recently. Mr. Lizotte stated it is possible other residents also did not know much about this issue before Town Meeting this year. He believes the problems need to be more fully defined in a discernable manner for the public before solutions are presented.

Vice-Chairman Haarde encouraged Mr. Lizotte to share perspectives from his engineering experience which could benefit the process.

Sudbury resident Craig Blake, 300 Old Lancaster Road, noted the three ballot questions were for three very different projects, and yet they were defeated by similar percentages. Thus, Mr. Blake cautioned the group to not “overthink” the process going forward because it is possible there was just a block of citizens who voted just not to spend any money, no matter what the project was.

Selectman Drobinski noted that the outcome of Sudbury’s Special Election was not unusual regarding the wastewater project. He emphasized there is a long history in many communities of this issue not passing the first time it is presented to voters. Mr. Blake stated he believes education on the issue and timing are key to future success.

Selectman Drobinski stated he understands the position expressed by Mr. Cossart, and he believes future discussion needs to be re-focused. He asked if there is agreement that there is a need for this project in Sudbury, or whether this basic question should be further discussed.

Ms. Eggleston stated the need is real, and she suggested it should be better defined for the public as to what areas of Route 20 have limited current functionality. She believes a lot of voters did not realize current septic systems on Route 20 are failing. Ms. Eggleston further stated that there needs to be more assistance from the business community in expressing the need to the public.

Vice-Chairman Haarde opined that while most will agree there is a need for the project, some will question whether the need justifies the estimated cost. He believes the public needs to go through the exercise of assessing the financial and technical information before it will support the project moving forward.

Selectman Drobinski stated there is definitely a need to better educate the public on the numerous reasons to pursue this project, and that this message was not delivered as well as it could have been leading into the Special Election.

Vice-Chairman Haarde stated he believes the Town will continue to support tangible and definable needs, as it did this past year for the Noyes School repairs. He believes voters were cautious at the Special Election, and they determined there was not adequate information provided to date to support the project at this time.

Vice-Chairman Haarde stated that, although he understands the suggestion to form a smaller committee to ensure progress is made on the outstanding issues, he believes a larger group, with broad participation from the community throughout the process is necessary to establish support for the project.

Although it is not the typical process followed for establishing a committee, Selectman Drobinski asked, if in this instance, it would be beneficial to ask who is interested from the general public on serving on the CAC to see how many people volunteer. He further suggested the CAC include a citizen representative from each voting precinct to encourage involvement from all of Sudbury.

Ms. Kablack believes the project will have more of a chance to succeed moving forward if residents convince others in their own constituencies of the need for the project rather than being told only by Town staff and/or board members. She also emphasized there is a lot of work to accomplish in the next ten months.

Selectman Drobinski emphasized the project is too important to the future of Sudbury to pigeon-hole it into a prescribed timeline. He believes the Town should take all the steps necessary to pursue the project well, and whatever time that takes, so be it. If enough support is garnered by next year's Town Meeting that would be ideal, but if the project is not ready to be presented at that time, Selectman Drobinski would rather the project not be rushed only to be again defeated at the polls.

Mr. Poch emphasized the need exists, and delaying progress on the project will only translate into higher costs when it is eventually pursued. He further noted the vision for Sudbury and Route 20 has been articulated in the Master Plan and to delay this project will only result in Sudbury taking longer to achieve its vision. He believes the Town needs to have a start date and timetable for the project.

Ms. Eggleston stated wastewater issues rarely are passed the first time they are presented to voters. She emphasized the Election results should not be perceived as a defeat, but rather as an opportunity to set a timetable to make progress to address public concerns and to move this project forward. She reiterated that during this interim, more Route 20 septic systems will fail and will be required by DEP to make costly upgrades (including Raytheon). She believes it is important for Sudbury to communicate its intent for the district to DEP so that businesses are given the utmost latitude possible.

Vice-Chairman Haarde stated he is inclined to support establishing a small Steering Committee to oversee progress and to help formulate a larger CAC which could later break off into subcommittees. He suggested future subcommittee work could include, but not be limited to, public outreach, vision/development/zoning, cost allocation models, sewer district design, and private/outside funding. Vice-Chairman Haarde noted there is a lot of work to be done. He believes participation should be solicited and invited from opponents to the project. He also believes options need to be developed for businesses which do not need, and will not benefit from, this project.

Selectman Drobinski summarized the next step should be to establish a small Steering Group which will then help formulate a larger CAC. He suggested Town staff begin to advertise for candidates interested in serving in these capacities.

Ms. Kablack stated she would revise the CAC mission statement based on tonight's discussion. Selectman Drobinski recommended a sunset clause be included to conclude the work of the committees by a date certain, such as June 30, 2014. Ms. Kablack also stated the Planning Board would work on a parallel path with the CAC to address zoning issues.

Town Manager Valente stated Town staff would develop a mission statement for the Steering Group for review. She emphasized the project's success will be determined by the amount of public involvement which can be generated to help educate the community. Town Manager Valente stated this process will be time consuming, and it cannot be done only by Ms. Kablack, who is already working on so many other Town responsibilities.

At 8:29 p.m., Vice-Chairman Haarde thanked everyone for their input, and he concluded the discussion.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of May 31, 2011.

Livery and Limousine Licenses – AAA Limousine, Inc.

It was on motion unanimously

VOTED: To approve the renewal of Livery and Limousine Licenses for AAA Limousine, Inc., 39 Union Avenue, and Sudbury Limousine and Taxi Service, Inc., 26 Shadow Oak Drive, and to approve rate schedules as provided, subject to approval of individual driver licenses and satisfactory vehicle inspections by the Police Department, said licenses to expire on June 30, 2012.

July 4th Road Race - Signage

It was on motion unanimously

VOTED: To approve the placement of four signs announcing the July 4th Road Race, one sign facing north, and the other facing south on Concord Road at Featherland Park, in addition to the following locations: corner of Fairbank and Hudson Road, and 50 Union Ave.(Johnston Paving), from June 20, 2011 to July 4, 2011, as requested by Graham R. Taylor, 221 Goodman's Hill Road, in a letter dated June 16, 2011.

"2011 CF Cycle for Life Tour" - Special Permit

It was on motion unanimously

VOTED: To grant a special permit to Terry Waite, Director of Special Events, Cystic Fibrosis Foundation, "2011 CF Cycle for Life Tour" on Saturday, October 1, 2011, from approximately 10:00 a.m. to noon, following a route outlined and submitted, subject to Police Department safety requirements, proof of insurance coverage, and the assurance that all litter will be removed at the end of the race.

National Multiple Sclerosis Society – Special Permit

It was on motion unanimously

VOTED: To grant a Special Permit to Liz Strawn, Sr. Development Mgr., National Multiple Sclerosis Society, Greater New England Chapter, for Bike MS: Minuteman Ride on Saturday, July 16, 2011, from 9:30 a.m. to 12 noon, following the route outlined and submitted, subject to Police Department safety requirements, proof of insurance coverage and the assurance that all litter will be removed at the end of the race.

Reinsurance Coverage – Contract Award – Stop Loss Insurance Brokers, Inc.

It was on motion unanimously

VOTED: To approve and authorize the Town Manager to contract with Stop Loss Insurance Brokers, Inc. (SLIB) for reinsurance coverage for the period of July 1, 2011, through June 30, 2012, as outlined in a memorandum dated June 13, 2011, from Maryanne Bilodeau, Assistant Town Manager/HR Director, for an estimated premium of \$414,396.

Chairman O'Brien thanked Assistant Town Manager Bilodeau for appropriately seeking out a new insurance carrier to provide comparable coverage for a reduced cost.

Board of Registrars – Resignation

Selectman Drobinski suggested, and the Board concurred, that a letter be sent to Ms. Roopenian thanking her for her service to the Town.

It was on motion unanimously

VOTED: To accept the resignation of Kirsten Roopenian, 45 Harness Lane, from the Board of Registrars, as requested in a letter dated June 12, 2011, and to send her a letter of gratitude for her service.

Parks and Recreation Month – Proclamation

It was on motion unanimously

VOTED: To proclaim July as Parks and Recreation Month in the Town of Sudbury as requested in a letter dated June 13, 2011, from Park and Recreation Director Nancy McShea, and to sign a proclamation in this regard.

Executive Session

At 8:29 p.m., Chairman O'Brien 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 Sudbury Firefighter negotiations with respect to Advanced Life Support (ALS), whereby an open meeting may have a detrimental effect on the bargaining position of the public body, Lawrence W. O'Brien, aye, Robert C. Haarde, aye, and John C. Drobinski, aye.

Chairman O'Brien announced regular session would not reconvene following Executive Session.

There being no further business, the meeting recessed at 8:29 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk