

IN BOARD OF SUDBURY SELECTMEN
WEDNESDAY, JANUARY 25, 2012

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

Present: Wayland Board of Selectmen Chairman Thomas J. Fay, Wayland Vice-Chair Susan Pope, Wayland Selectman Steven J. Correia, Wayland Selectman Joseph Nolan, and Wayland Town Administrator Frederic E. Turkington, Jr.

The statutory requirements as to notice having been complied with, the meeting was convened at 6:00 p.m. in Sudbury Grange Hall, 326 Concord Road, Sudbury.

Chairman O'Brien stated the intent of these annual meetings is to discuss opportunities for collaboration between two towns with a shared history, and he introduced those at the head table. Chairman Fay concurred that Wayland and Sudbury have a good history of working together to try to control costs through shared communication, efforts and projects.

Storm Response from NStar Electric Company – Discussion

Present: NStar Community Relations representative Annemarie Walsh, NStar Director of Electric Field Operations for the Metrowest area Vera Admore-Sakyi and State Representative Tom Conroy

Chairman O'Brien welcomed the NStar representatives to the meeting to discuss how NStar plans to improve restoration of power to, and communications with, Wayland and Sudbury in future times of crisis.

NStar Community Relations representative Annemarie Walsh stated NStar is forming new communication groups, composed of three persons for each town – a community liaison, a support person, and a team manager, to improve communications. The new liaison will meet with town officials and will be a consistent point of contact.

Both Boards posed numerous questions to NStar, which were responded to as follows:

1. Can NStar use GPS to track their vehicles, and can this information be made public? Yes, they have GPS on trucks, but have never made this information available to public.
2. Can NStar make real time information on power restoration available on their website? Yes, there will be a new community portal set up on the web site to provide this information.
3. Can NStar do a better job sharing information on live wire situations? Yes, they are working to match up our town street addresses with their circuit numbers to improve that communication. NStar knows this is an area in need of improvement.
4. What offseason work is planned? Tree trimming will be done, and NStar will provide the list of locations by Friday January 27, 2012. The company will trim to a 10-10-15 standard, which results in fewer outages (10 feet to the side, 10 below and 15 above clearance).
5. Can NStar notify Town officials other than the tree warden when trimming is planned? The towns would prefer if Town Managers and Fire Chiefs are also notified. Yes, they can do that.
6. What are NStar's capital plans for line replacement? It appears that 4 or 5 towns which are at the end of the line have the highest outages, including Medfield, Walpole, and Sherborn as well as Sudbury/Wayland. No response noted to this question.
7. What towns are in the group with Wayland and Sudbury? Acton and Maynard.

8. How is this different from current communications? Towns will be given personal phone numbers, not just an office one.
9. What is NStar's response to these comments? It hears loud and clear that the company must do a better job and it intends to do so.

Representative Tom Conroy stated trust for NStar has been lost. He further stated the State legislature is considering a number of responses to citizen complaints, including fines for the company and allowing municipalities to form their own municipal light plants. Mr. Conroy has spoken with top executives at NSTAR, conveying the urgency of believable change needing to occur at the company.

Feedback provided by the two Boards of Selectmen follows:

1. Vice-Chairperson Pope stated the NStar general number for residents was useless during storm periods. She further stated NStar used to ask landscapers for help during difficult times, but the company no longer does this.
2. Selectman Nolan stated the NStar website was also of no help. Families need to know if they should expect restoration in 24 hours or six days. He opined that there must be ways to provide better information.
3. Vice-Chairman Haarde stated NStar should use technology which builds better communication with customers through their web site, rather than relying on liaisons. Additionally, he stated Sudbury should consider putting utility lines underground if the Town moves forward with the Route 20 Sewer and Wastewater project. Finally, Vice-Chairman Haarde urged residents to remember to call to report outages even if they believe their neighbors have already done so.
4. Chairman Fay stated residents were inconvenienced, public safety was jeopardized and businesses were hit hard. He also stated NStar's failure to restore power promptly and to communicate effectively caused irreparable harm to our communities.
5. Chairman O'Brien stated the harm has been even greater to certain neighborhoods and occupations, and NStar must improve its services. He suggested NStar consider implementing reverse 911 systems and technology to periodically update residents with information.
6. Selectman Correia recommended NStar talk to municipal light plants to learn how they can restore power so quickly.
7. Selectman Drobinski noted this feels like the movie "Groundhog Day" as relates to concerns with NStar.
8. Town Manager Valente noted residents should be aware that those on life support or medical equipment needing electricity are not put on a priority list for restoration. Thus, these residents might want to undertake actions to provide for their own safety, such as installing a generator.

NStar Director of Electric Field Operations for the Metrowest area Vera Admore-Sakyi stated NStar has heard the complaints loud and clear from communities, and it is working to make improvements. Chairmen O'Brien and Fay thanked NStar for coming, and noted they look forward to hearing that NStar has invested in our communities to fix these problems.

Minuteman Regional Vocational Technical High School – Capital Project and Allocation of Costs to Member Towns – Discussion

At 7:17 p.m., Chairman O'Brien opened a discussion regarding Minuteman Regional Vocational Technical High School's proposed capital project. Town Manager Valente distributed copies of a letter sent by Sudbury's Board to the Superintendent and Chairman of the Minuteman District School Committee dated December 8, 2011, which included a proposed resolution to oppose the capital project going forward unless acceptable protections are put in place to prevent Sudbury taxpayers from being obligated to subsidize the educational and capital costs of students from non-member towns or cities and/or that the School Committee reduce the size of the project to only accommodate current and projected enrollments from member towns. The letter also included an invitation to Minuteman representatives to meet with the Board to discuss these matters further.

Chairman O'Brien stated Minuteman is an excellent school which provides an excellent service. However, he further stated the School's physical plant needs to be updated. Chairman O'Brien explained the proposed funding mechanism for a capital project would put a significant financial burden on certain towns, including Sudbury, Wayland, Weston, and Carlisle, which all send very few students to the School. He stated these towns believe the financial model originally voted is unacceptable. Chairman O'Brien also explained that there is a large percentage of students who attend the School from non-member towns, which are not required to contribute to capital costs. He referenced the letter sent by Sudbury expressing its displeasure with the proposal. Chairman O'Brien urged Wayland's Board to consider sending a letter expressing its position to the Superintendent and Chairman of the Minuteman District School Committee and/or to support Sudbury's position. Because any change to the Regional Agreement requires a unanimous vote from all 16 member towns, Chairman O'Brien believes it will have more impact if several towns present a unified position of opposition to the current proposal, and if they request a different funding format be offered which more equitably shares costs.

Town Manager Valente summarized the work of a subcommittee of Town Managers from the member towns which she chaired. She explained the current system where member towns pay on a per student basis, with a five student minimum. The proposed funding Model B by the School Committee would substantially increase costs for towns like Sudbury and Wayland. Thus, the subcommittee developed and offered a Model E which it believed to be more equitable than Model B. However, Ms. Valente noted Sudbury's financial preference would be to maintain the current Agreement. She stated the School decided to suspend the funding allocation discussions at this time. However, Ms. Valente cautioned the Boards to remain vigilant for the issue to be broached again. She emphasized that how costs are allocated in Regional Agreements is an important consideration.

Town Administrator Turkington commended Ms. Valente for the role she played in raising the issues of inequities in the proposal to the member towns and with representatives of the Department of Education. He also chaired a subcommittee of peers from the member towns to focus on the allocation of capital costs for member and non-member towns. Mr. Turkington stated approximately 425-450 students attend Minuteman from the 16 member towns. He noted Wayland has consistently sent approximately the same number of students to the School for years, even though the School assumes its percentage of the student population will increase. Mr. Turkington stated there currently is no incentive for a non-member town to join the Regional Agreement, and that there needs to be an emphasis put on ways to urge participation from non-member towns.

Mr. Turkington stated the subcommittee suggested the Massachusetts School Building Authority increase its formula for reimbursement of 40% to 60% for these types of schools, but this would require a legislative

change. The subcommittee also suggested a weighted formula to include non-member towns and/or providing increased regionalization benefits for adding towns. Additionally, the subcommittee suggested the State fund the costs for non-member towns. Mr. Turkington noted the State's interest in community colleges, and that Minuteman has developed excellent workforce contacts for job-training programs.

State Representative Tom Conroy stated the format and formulas eventually decided for Minuteman could become models for the State and the other regional vocational technical schools which will all face these same issues in the future. He commended Sudbury and Wayland for their involvement in trying to equitably revise the proposal.

Chairman Fay stated representatives of the Minuteman School District will attend a Wayland Board meeting on February 13, 2012. He further stated the Wayland Town Meeting has a warrant article related to a stabilization fund for Minuteman, which will also be discussed. Chairman Fay stated it is important to discuss if Minuteman serves the current needs of Wayland's students better than other options. Mr. Turkington invited Sudbury's Board to attend the February 13, 2012 meeting. Chairman O'Brien stated Sudbury has a similar agenda item scheduled for its March 7, 2012 Board meeting, and he invited Wayland's Board to also attend.

Chairman O'Brien explained to Mr. Conroy that unless changes are made to the current system, Sudbury might determine it is more financially advantageous to try to withdraw from the Regional Agreement and become a "free agent." In this scenario, Sudbury would just pay the assessment, but it would not have to contribute to capital costs. Chairman O'Brien emphasized Minuteman has an excellent reputation and a high rate of college entrance success for its graduates in specialized fields of study. Ms. Valente stated Sudbury sends an average of 10-12 students to the School per year. Mr. Turkington stated Wayland sends an average of five to six students per year.

Vice-Chairman Haarde stated the loopholes which exist for non-member towns, which send large numbers of students to the school, is the primary problem needing to be resolved. He stated approximately 43% of Minuteman's current student population comes from out-of-district towns. Vice-Chairman Haarde stated that, if Sudbury is being asked to help build a school for 900 students, and to help pay for its capital costs, then revisions need to be made to the funding model to "level the playing field" for all parties.

Mr. Conroy acknowledged that towns like Sudbury and Wayland help to subsidize other towns in the State so that the entire Commonwealth can experience a better and broader scale of education. He supports the regional vocational school systems because their curriculums help educate students in fields in which they can compete on a global basis. Mr. Conroy stated he understands the problem of an improper financial balance for towns like Sudbury and Wayland, especially because they have so few students attending the School. He believes it is appropriate for the State to "weigh in" on this discussion, but he is not sure how the issues could be regulated or legislated. Mr. Conroy stated he would support the position that the system be revised to be more equitable for all towns who send students to these types of schools. He reiterated his strong support for vocational programs, noting the future work force will demand trade skills.

Chairman O'Brien asked if the State could consider allowing Regional Districts to charge out-of-district students an assessment and to require non-member towns to contribute to capital costs. He believes this type of legislation compliments the Governor's focus on community colleges.

Mr. Conroy opined that the Federal government should be involved in the educational infrastructure to help supplement the MSBA at the State level, and to help towns at the local level partner with the business community.

Vice-Chairman Haarde stated he has toured Minuteman, and he found the curriculum to be impressive. He believes the Regional District deserves a new school, but the inequities of the proposed funding mechanism is standing in the way of the project coming to fruition. Vice-Chairman Haarde urged for a legislative solution to mandate that non-member towns pay a certain amount.

Selectman Nolan stated Wayland is not inclined to want to withdraw from the Regional Agreement, and that it needs to find a way to support the needs of the school, while addressing the financial concerns regarding capital costs. Unless revisions are made, Mr. Turkington suggested the current proposal is driving members to make an inferior decision to support a smaller school of only 450 students. He further stated the public will want to know why the school needs to be doubled in size.

Mr. Conroy stated he would reach out to appropriate State education officials to learn more on this issue. He suggested the two Boards reach out to representatives from the Assabet Valley and Blackstone Regional School Districts to expand the base of interest in these issues across the State. Ms. Valente noted Minuteman has a unique profile when compared to other similar programs.

Selectman Nolan emphasized any changes to the Regional Agreement requires a unanimous vote, and thus no substantive changes are likely to happen quickly.

At 7:52 p.m., the Chairmen closed the discussion and announced a half-hour dinner recess.

Former Septage Facility Parcel - Potential Housing Project - Discussion

The Boards resumed their meeting at 8:25 p.m. Chairman Fay opened a discussion regarding a draft Town Meeting article by Wayland proposing use of the former Septage Facility land for a housing project. He explained Wayland created an Economic Development Committee a few years ago, which has reviewed the former Facility for alternative uses. Since the two Boards voted to close the Facility two years ago, the Committee now recommends the site be used to develop rental housing for people over 55 years of age. Chairman Fay stated the recommended use is intended to generate property tax income, and to help Wayland meet its affordable housing inventory quota. He further stated a Town Meeting article will be presented to Wayland citizens to fund initial, market and traffic studies.

Mr. Turkington emphasized Wayland's Board is sensitive to the fact that the project is in close proximity to Sudbury, and thus it would like the project to be perceived as a regional asset, and that it not be adverse to Sudbury in any way.

Chairman O'Brien stated Sudbury appreciates the outreach it has received regarding the project. He stated a small portion of land is in Sudbury, and he asked if consideration could be given to building some units on this land to help Sudbury attain its 10% affordable housing inventory quota. Chairman O'Brien also suggested consideration be given to negotiation of traffic/public safety mitigation funds to be put towards the Route 20 and Landham Road intersection for traffic lights. He noted this intersection will be impacted greatly by this project and several others planned for the immediate area.

Chairman Fay noted Route 20 is a State road, and thus he asked Mr. Conroy to also consider State funding options.

Selectman Nolan noted Mass. Highway prefers fewer lights on Route 20 to keep traffic flowing. He suggested the two towns join forces in requesting a traffic light be considered for safety reasons. Chairman

O'Brien concurred, stating the circumstances are bound to get worse with the anticipated developments in the area.

In response to a question from Chairman O'Brien, Chairman Fay stated it is Wayland's intent to develop plans for the septage facility site and then send out a Request for Proposal (RFP).

Wayland Economic Development Committee member Sam Potter answered questions regarding the proposed project. He stated the number of senior rental units is anticipated to be 125-175, and that this number might be limited by the topography of the site. He also stated 25% of the units are planned as affordable.

Mr. Turkington stated an article would be presented at Wayland's Town Meeting to appropriate funds for this preliminary planning. Mr. Potter explained this would include permitting of the site through site plan approval and preparing for sending out the RFP. He emphasized Wayland will retain nearly 100% control of this process through the use of an overlay district and deed restriction.

Selectman Nolan stated the market analysis will indicate what the market opportunities are. He further stated it is possible local preference options for the affordable units could also extend to Sudbury-related citizens in some manner.

Chairman O'Brien noted some residents may have difficulty meeting the income and asset net worth requirements for the affordable units. Mr. Potter concurred that some individuals may be eliminated from consideration due to their asset class.

Mr. Potter stated Wayland will be asking for a substantial sum at Town Meeting for the project. Thus, Wayland would like to enter into its Meeting with an understanding and agreement from Sudbury to ensure the project can proceed as planned. Mr. Potter suggested a working group be formed, consisting of members from both towns and both Town Counsels, to agree on an interpretation of the termination terms as they currently exist, and to reach consensus on an agreement to terminate prior to 2017.

Selectman Nolan stated, in the past, Wayland residents have questioned recommendations to buy out Sudbury's interest in the property without a specific purpose. Now, this project presents a definitive reason to proceed.

Mr. Potter opined that he believes there is an opportunity for both towns to realize savings through this proposal because the cost of demolition would be passed on to the developer.

Vice-Chairman Haarde asked if a vote would have to be taken at a Sudbury Town Meeting to approve early termination of the agreement. Ms. Valente stated this vote already occurred, which authorizes her to negotiate with Wayland as needed.

The consensus of both Boards was that a working group should be formed. Chairman Fay suggested an ideal schedule would include three meetings over the next eight weeks to resolve issues prior to Wayland's Town Meeting in April.

Vice-Chairman Haarde asked if there are any concerns regarding marketability of the project, given its proximity to two landfills and its former use. Chairman Fay stated Wayland does not anticipate any obstacles as a result of the location. Mr. Potter stated his Committee considered this issue, and found the capped landfills to not present too much of a concern. However, he also stated the market and traffic impact

studies as well as the study of methane gas will help to determine if this is a problem. Chairman O'Brien urged the traffic impact study to include the area from Wayland Center to Landham Road. Selectman Nolan emphasized the Town would not proceed with spending money on the project if significant problems in the ground were identified.

Ms. Valente suggested she and Mr. Turkington develop a mission statement and recommend members for the working group. The consensus of both Boards was that working together to help the project proceed is worthwhile, and that Ms. Valente and Mr. Turkington should begin discussions to establish the working group.

Major Strategic/Infrastructure Projects and Plans – Discussion **Wayland Town Center - Update**

Chairman Fay provided a brief update of Wayland's Town Center project. He stated the goal is to have a portion of the site open for Labor Day and *Stop and Shop* open for Thanksgiving. Chairman Fay stated demolition is complete and a modification has been made to Wayland's Historic District. In response to a question, he stated access in and out of the site is planned off of both Routes 27 and 20.

Selectman Correia stated the Wayland Board meets weekly with the developer, and he encouraged Sudbury's Board to provide input for these meetings and/or to attend. Chairman O'Brien suggested trucks accessing the site do so from Route 20 and not from neighboring streets in the area. Mr. Turkington will research that only Routes 27 and 20 have been designated for such travel.

Sudbury Wastewater Project – Update

Vice-Chairman Haarde provided a brief update of Sudbury's Route 20 Wastewater project. He explained the proposed two mile stretch of Route 20 for implementation, and that three committees have been formed to study the relevant issues. Vice-Chairman Haarde stated the estimated cost of the project is \$15 million, and the committees are researching funding model options and contacting other communities for suggestions and information. He noted every community seems to approach the project differently. Sudbury plans to continue to accumulate information, develop viable options, and then reach out to residents and business stakeholders to solicit feedback on the financial viability of the project. Vice-Chairman Haarde stated that, at last year's Town Meeting, an article was defeated because citizens thought there were too many unanswered questions. Thus, the committees are accumulating more information. He also reiterated his belief that it would be ideal if utilities could be rerouted underground when, and if, the wastewater system comes to fruition. Locations of the pump and treatment stations were also discussed.

Solar Panels at Landfills – Update

Chairman O'Brien stated Sudbury established an Energy and Sustainability Green Ribbon Committee two years ago. The Committee has been very effective securing grants for energy efficiency upgrades, including recent work completed on the Noyes Elementary School. Chairman O'Brien stated the Committee is also researching a long-range project for solar panels on the Sudbury landfill. He encouraged Wayland to consider if it would want to join efforts for its landfill to help reduce costs. Selectman Drobinski stated the feasibility of the project according to Department of Environmental Protection (DEP) regulations is being assessed. He asked if the State is providing any incentives for these types of projects, and he stated it would be beneficial if the DEP issued a manual to help municipalities. Mr. Conroy stated some incentives may still exist.

Selectman Nolan cautioned that the caps not be compromised while implementing this process. However, he stated he would support such an endeavor if it could be implemented. Selectman Nolan also asked about the possibility of recouping available methane from the site. Selectman Drobinski stated it has been determined that there is not enough methane available to be of use. Ms. Valente stated wind energy has also been determined to be insufficient.

Replacement of Sherman's Bridge

Ms. Valente stated the Department of Public Works Directors from Wayland and Sudbury have recommended that both towns work to seek funds to replace/repair Sherman's Bridge. Wayland has estimated this cost at \$4.3 million for a concrete replacement, and thus the towns would need to work with the State to obtain funding assistance.

Selectman Drobinski stated maintenance of the current wooden bridge has been a contentious issue in both towns for decades.

In response to a question regarding State funds available, Mr. Conroy stated there has not been any money available for these types of projects since 2008. He further stated that, since the bridge is not located on a State road, it is not eligible for funds from the Transportation Improvement Program (TIP). Mr. Conroy stated he would further research funding options, and he would help support the need for the project. However, he explained the State would want to know how much each town is willing to contribute to the project.

Ms. Valente suggested the project might have a better chance for funding in the future if both towns earmarked the project as their highest transportation priority.

It was noted the Pelham Island Bridge will be repaired before Thanksgiving 2012. Ms. Valente stated Sudbury is pleased to provide mutual public safety assistance for approximately 65 Wayland homes while the repairs are completed. Selectman Nolan stated the mutual aid offered by each town to the other is greatly appreciated.

In response to a comment by Selectman Drobinski, Chairman Fay suggested a joint committee be formed to research funding possibilities and whether Federal options exist. Mr. Turkington stated it is possible the U.S. Fish and Wildlife division might also have interest in this issue. Chairman O'Brien asked Mr. Conroy to also research if there are tourism funds available, since the bridge is close to so many historic locations. Selectman Correia asked if the project could qualify for Community Preservation Act (CPA) funds. Ms. Valente stated it is possible it could be eligible for some CPA funds if the bridge were replaced with another wooden bridge, but this may not be in the best long-term interests of both towns.

Wayland Major Capital Projects - Update

Town Administrator Turkington summarized Wayland's major capital projects for the next decade as construction of a municipal facility which would house a library and teen center, a new public works facility, and evaluation of recreation needs based on a multi-year field plan to be developed.

Sudbury Major Capital Projects - Update

Town Manager Valente stated there are major capital projects under consideration for the next five to six years in Sudbury estimated to cost approximately \$52 million. The projects include: renovation of Town

Hall, a Route 20 wastewater treatment system, construction of a new police station, two potential rail trails, assessment of recreation field needs and traffic intersection upgrades. Ms. Valente noted the schools are beginning to show signs of repairs needed, as do the Community Center and Senior Center. She also reported Sudbury has now created a Facilities Department to oversee the Town and Sudbury Public School (SPS) buildings.

Chairman O'Brien noted Sudbury's Permanent Building Committee recently presented a study of all Town and SPS building roofs and presented a schedule for repairs.

Collaboration Efforts and Ideas

Shared Parks and Recreation Staff and Programs

Mr. Turkington stated the two towns have extended the agreement to share Parks and Recreation staff to the assistant director level and to expand services and programming. Ms. Valente stated the collaboration has been very successful due in great measure to the proactive initiatives taken by Director Nancy McShea on behalf of both towns.

Regional Telecommunications Dispatch and Lock-Up Grant and Emergency Medical Dispatch – Update

Town Manager Valente stated both towns participated in regional telecommunications discussions with six other towns and a \$150,000 grant was obtained to further study this issue and prepare a report. Subcommittees were formed, and a consultant was chosen. The draft final report was received, which concluded that, although it is feasible to regionalize dispatch services with eight towns, it is recommended to regionalize in groups of no more than four towns.

Ms. Valente stated further research is needed, since preliminary budget recommendations for a staff of 27 is estimated to cost \$2.1 million. She stated the four town group of Sudbury, Wayland, Lincoln and Weston currently spend a total of \$1.8 million for these services. Thus, more information is needed regarding how costs would be allocated for regionalized services and whether a higher level of service would be available. Ms. Valente provided an estimate that Wayland might experience a modest increase of \$16,000 for regionalized services, but Sudbury would experience a significant increase of approximately \$300,000. She stated the Board of Selectmen from all eight towns will be invited to a meeting with the consultant in the coming months to further assess the report and its recommendations.

Ms. Valente also noted that municipalities will be responsible for emergency medical dispatch obligations as of July 1, 2012. She and Mr. Turkington met, together with their respective public safety chiefs, to determine if the towns could share these services. Although both towns perform this operation differently, they will continue to work on any shared options that are possible.

Shared Electronic Voting Equipment or Services

Mr. Turkington stated a demonstration of electronic voting devices was held at last year's Town Meeting, and Wayland is obtaining bids for a vendor to supply the devices. Wayland Board members reported the devices accelerated the time needed to record votes, but they did not facilitate discussion. Mr. Turkington stated a resolution would likely be presented at this year's Town Meeting to proceed with a three-year plan to assess the efficacy of the devices. He stated Wayland would be willing to coordinate use of the devices with Sudbury to help defray costs that are approximated at \$25,000-30,000.

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Chairmen O'Brien and Fay reiterated how useful these meetings are, and noted how well the towns communicate and work together.

There being no further business, the meeting adjourned at 9:44 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk