

SUDBURY BOARD OF SELECTMEN
AGENDA
TUESDAY, OCTOBER 16, 2012
7:00 p.m., Town Hall, 322 Concord Road

1. 7:00 Open meeting in Town Clerk's Office and immediately vote to go into **Executive Session** to discuss collective bargaining with the Sudbury Police Union and Land Negotiation, wherein discussion in an open meeting may have a detrimental effect on the position of the Board. If necessary, the Executive Session will be suspended to the close of the regular meeting, which will begin in Lower Town Hall at 7:30.
2. 7:30 Opening remarks by Chairman
3. 7:35 Reports from Town Manager
4. 7:40 Reports from Selectmen
5. 7:45 Discussion and update on Northwood at Sudbury
(Atty. Mark Kablack will attend.)
6. 8:00 PUBLIC HEARING (Continued to Nov. 7 at 8:30): Site Plan application for Northern Bank & Trust Company, applicant, and Colonial Auto of Sudbury, Inc., owner, for approval to construct a new 2,500 sq. ft. retail bank building at 430 Boston Post Road, zoned Business District, Town Assessor Map K08, Parcel 0077.
(James J. Mawn, Northern Bank & Trust Co., and Atty. Steve Weitz will attend.)
7. 8:05 Discussion of next steps for Fairbank Community Center roof.
(Jim Kelly, Combined Facilities Dir., Mike Melnick, PBC member, SPS Committee and COA members will attend.)

Consent Calendar:

8. **Vote** Vote to approve the Regular and Executive Session minutes of October 2, 2012.
9. **Vote** Vote to accept, on behalf of the Town, a \$2,000 grant to streamline the marketing expense reimbursement process to assist with the Solarize Massachusetts program as requested by the Combined Facilities Manager, Jim Kelly.
10. **Vote** To place the following Ballot Questions on the Warrant for the Special Town Election of December 4, 2012, as summarized: 1) Debt exemption pursuant to Proposition 2 ½ for the cost of the Nixon Elementary School roof repair/ replacement; and 2) Acceptance of Chapter 169 of the Acts of 2012, An Act Authorizing the Town of Sudbury to Establish a Means Tested Senior Citizen Property Tax.
11. **Vote** Vote to approve an increase in the limit of the FY13 Youth Revolving Fund, established under M.G.L. Chapter 44, Section 53 E½, from \$50,000 to \$70,000, due to the increased enrollment in the summer Sudbury Adventure, Wild Wednesdays and other programs run by the Youth Coordinator, as requested in a letter dated September 25, 2012 from Nancy McShea, Park and Recreation Director.
12. **Vote** Vote to approve the award of contract by the Town Manager for cleaning and light maintenance services for the Goodnow Library for FY13 (10/1/13 through 6/30/14) to Total Services Corp. of Framingham, MA, as approved by Town Counsel.

13. ***Vote*** Vote to approve the Purchase and Sale Agreement pursuant to Article 30 of the 2012 Annual Town Meeting between the Town of Sudbury, the Sudbury Valley Trustees, West Pantry Brook Farm Limited Partnership (West Pantry Brook Farm, Inc., General Partner) and Pantry Brook Farm Realty Trust, Carole R. Wolfe, Trustee, for the purchase of two Conservation Restrictions: easterly parcel located at 652 Concord Rd. (Assessors Map E10, Parcel 0201) consisting of approximately 53.36 acres and westerly parcel located at 667 Concord Rd. (Assessors Map E10, Parcel 0200) consisting of approximately 48 acres; said Purchase and Sale Agreement to be executed by the Town Manager and as approved by Town Counsel.

Miscellaneous (untimed items):

14. ***Vote*** Review and vote to release Executive Session minutes as no longer requiring Executive Session status.
15. ***Vote*** Question of notifying the Building Inspector regarding site plan conditions for TD Bank
16. ***Vote/Sign*** Discussion of the Municipal Election to the Boston Regional Metropolitan Planning Organization with absentee ballots due on October 23, 2012.
17. ***Vote/Sign*** Vote to ratify the Memorandum of Agreement between the Town of Sudbury and the Sudbury Police Union – MCOP Local #370.

AGENDA REQUEST - Item #10

BOARD OF SELECTMEN

Requestor's Section:

Date of request: 10-1-12

Requestor: Mary McCormack, Exec. Assistant to Town Manager

Action requested (Who, what, when, where and why):

CONSENT CALENDAR See vote.

Financial impact expected: N/A

Background information (if applicable, please attach if necessary):

Date of the Special Town Election was set on August 29th by the Board of Selectmen for December 4, 2012.

Recommendations/Suggested Motion/Vote:

To place the following Ballot Questions on the Warrant for the Special Town Election of December 4, 2012, as summarized: 1) Debt exemption pursuant to Proposition 2 ½ for the cost of the Nixon Elementary School roof repair/replacement; and 2) Acceptance of Chapter 169 of the Acts of 2012, An Act Authorizing the Town of Sudbury to Establish a Means Tested Senior Citizen Property Tax.

Person(s) expected to represent Requestor at Selectmen's Meeting: None

Selectmen's Office Section:

Date of Selectmen's Meeting: 10/16/12

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed? Yes () No (X)

BALLOT QUESTION NO. 1

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to remodel, reconstruct, or make extraordinary repairs consisting of partial roof repair/replacement at the General John Nixon Elementary School at 472 Concord Road, including the payment of all costs incidental or related thereto.

YES ___

NO ___

BALLOT QUESTION NO. 2

Shall the Town of Sudbury accept Chapter 169 of the Acts of 2012, An Act Authorizing the Town of Sudbury to Establish a Means Tested Senior Citizen Property Tax Exemption, enacted by the Senate and House of Representatives in General Court and approved by the Governor on July 27, 2012, as follows:

SECTION 1. With respect to each qualifying parcel or real property classified as Class one, residential in the town of Sudbury there shall be an exemption from the property tax equal to the total amount of tax that would otherwise be assessed without this exemption less the sum of (i) 10 per cent of the total annual qualifying income for purposes of the state's "circuit breaker" income tax credit, and (ii) the amount of the state's "circuit breaker" credit the applicant was eligible to receive in the year prior to the application being filed. The percentage of total annual qualifying income may be raised by section 3. In no event shall property taxes be reduced by more than 50 per cent by this exemption. The exemption shall be applied to the domicile of the taxpayer only. For the purposes of this act, "parcel" shall be a unit of real property as defined by the assessors under the deed for the property and shall include a condominium unit.

SECTION 2. The board of assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption under section 1 if all of the following criteria are met:

(a) the qualifying real property is owned and occupied by a person whose prior year's income would make the person eligible for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws;

(b) the qualifying real property is owned by a single applicant age 65 or older at the close of the previous year or jointly by persons either of whom is age 65 or above at the close of the previous year and if the joint applicant is 60 years of age or older;

(c) the qualifying real property is owned and occupied by the applicant or joint applicants as their domicile;

(d) the applicant or at least 1 of the joint applicants has been domiciled in the town of Sudbury for at least 10 consecutive years before filing an application for the exemption;

(e) the maximum assessed value of the domicile is no greater than the prior year's average assessed value of a Sudbury single family residence plus 10 per cent; and

(f) the board of Assessors has approved the application.

SECTION 3. The exemption under section 1 shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap on all the exemptions granted by this act equal to .5 per cent of the fiscal year's total residential property tax levy for the town of Sudbury, including the levy for the regional high school if not included in the town of Sudbury's tax levy at some subsequent date with the total exemption amount granted by this act allocated proportionally within the tax levy on all residential taxpayers. After the first year of such exemption, the total cap on the exemptions granted by this act shall be set annually by the board of selectmen within a range of .5 to 1 per cent of the residential property tax levy for the town of Sudbury, including the levy for the regional high school. In the event that benefits to the applicants may be limited because the percentage established annually by the selectmen would otherwise be exceeded, the benefits shall be allocated by raising the total annual qualifying income percentage as required in section 1 as necessary to not exceed the cap. In the event the cap exceeds the need for the exemption, the total cap on the exemptions granted by this act shall be reduced to meet the need.

SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. Acceptance of this act by the town of Sudbury shall be by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance is placed on the ballot. Sections 1 to 4, inclusive, and sections 7 and 8 shall take effect 30 days after an affirmative vote by the town.

SECTION 6. This act may be revoked by an affirmative vote of a majority of the voters at any regular or special town election at which the question of revocation is placed on the ballot. Revocation of sections 1 to 4, inclusive, and sections 7 and 8 shall take effect 30 days after an affirmative vote by the town.

SECTION 7. No exemption shall be granted under this act until the Department of Revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

SECTION 8. This act shall expire after 3 years of implementation of the exemption.

YES ___

NO ___

AGENDA REQUEST – Item # 9 //

BOARD OF SELECTMEN

Requestor's Section

Date of request: *September 25, 2012*

Requestor: *Nancy McShea, Park and Recreation Director*

Action requested: CONSENT CALENDAR:
Approve an increase for the Youth Revolving Fund for FY13 from \$50,000 to \$70,000

Financial impact expected: *Improved funding in the Youth Revolving Fund*

Background information (if applicable, please attach if necessary): *See below*

Recommendations/Suggested Motion/Vote: *Vote to approve an increase in the limit of the FY13 Youth Revolving Fund, established under M.G.L. Chapter 44, Section 53 E½, from \$50,000 to \$70,000, due to the increased enrollment in the summer Sudbury Adventure, Wild Wednesdays and other programs run by the Youth Coordinator, as requested in a letter dated September 25, 2012 from Nancy McShea, Park and Recreation Director.*

Person(s) expected to represent Requestor at Selectmen's Meeting: *None*

Selectmen's Office Section

Date of Selectmen's Meeting: *October 16, 2012*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed? Yes () No (X)



Town of Sudbury

Park & Recreation Department

mcshean@sudbury.ma.us

Park and Recreation Department
40 Fairbank Road
Sudbury, MA 01776
978-443-1092

*Agenda
10/16*

TO: Maureen Valente, Town Manager
CC: Maryanne Bilodeau, Asst. Town Manager
FROM: Nancy McShea, Director, Park and Recreation
DATE: September 25, 2012
RE: Youth Revolving Account Increase

The Youth Revolving Account is utilized to hold funds that participants pay to participate in programs such as the Sudbury Adventure summer program, Wild Wednesdays and other youth programs run by the Youth Coordinator. During FY 2013, the account limit was reached in September. The Park and Recreation would like to request an increase to the Youth Revolving Account spending limit from \$50,000 per year to \$70,000 per year for the current fiscal year (FY2013).

The reason the expenditures exceeded the limit for FY 2013 is because we decided to double the enrollment for the summer Sudbury Adventure program due to the demand generated by the residents of Sudbury. The request for \$70,000 is based on the expenditures to date and expected estimated expenditures for the rest of the fiscal year. Please see the attached chart for information on the Youth Revolving Account expenditures.

Park and Recreation will be requesting a formal change to the Youth Revolving Account from Town Meeting in the spring.

Thank you for your consideration of this temporary increase.

AGENDA REQUEST- Item #12

BOARD OF SELECTMEN

Requestor's Section:

Date of request: 10-11-12

Requestor: Esme Green, Library Director

Action requested (Who, what, when, where and why):

CONSENT CALENDAR See vote.

Financial impact expected: Budgeted

Background information (if applicable, please attach if necessary):

The Library's most recent cleaning contract has expired and new bid documents have been issued for FY13 as approved by Town Counsel's Office. The bid documents provide for a renewal process at the Town's option for FY14 and FY15 (full years) based upon bid prices submitted for those years.

Recommendations/Suggested Motion/Vote:

Vote: To approve the award of contract by the Town Manager for cleaning and light maintenance services for the Goodnow Library for FY13 (10/1/13 through 6/30/14) to Total Services Corp. of Framingham, MA, as approved by Town Counsel.

Person(s) expected to represent Requestor at Selectmen's Meeting: None

Selectmen's Office Section:

Date of Selectmen's Meeting: 10/16/12

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Town Counsel approval needed? Yes () No ()

FISCAL 2013 CLEANING & LIGHT MAINTENANCE AGREEMENT – GOODNOW LIBRARY

This Agreement is entered into this 1 day of October, 2012, by and between the Town of Sudbury hereinafter "Town" and Total Services Corp with an address of 2 WATSON PLACE, Framingham, ma, hereinafter "Contractor".

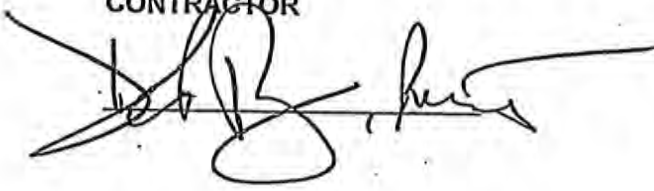
WHEREAS the Town has advertised for bids for cleaning and light maintenance of the Goodnow Library and Total Services Corp was the lowest eligible and responsible bidder on specifications published by the Town for the period of October 1, 2012 through June 30, 2013 (Fiscal 2013).

NOW THEREFORE the parties agree as follows:

1. This agreement is for the period October 1, 2012 through June 30, 2013, with an option to renew, at the sole discretion of the Town, for Fiscal 2014 (commencing July 1, 2013), at the prices set forth in the bid for that contract period.
2. Incorporated by reference herein are the Invitation to Bid, Information for Bidders and General Conditions and Specifications/Scope of Work, and all other Contract Documents together with the FY13 Bid dated 9/25/2012.
3. The Contractor has provided evidence of insurance as required prior to commencing work under this contract and shall maintain such insurance throughout the contract period.
4. The Contractor shall provide all labor, supplies, and equipment in accordance with the Scope of Work and schedule contained in the Contract Documents.
5. The Town shall pay the Contractor at the rates set forth in the bid for FY13 and in accordance with section 11 of the Information for Bidders and General Conditions.
6. The Contractor acknowledges that he understands all of the terms and conditions stated in the Contract Documents and has inspected the work sites.
7. Total Services Corporation, will indemnify and hold the Town harmless for all injuries, damages, actions or causes of action caused by, its agents, servants, employees or subcontractors.

WITNESS our hands and seals this 1 day of Oct, 2012.

CONTRACTOR



TOWN OF SUDBURY

Maureen G. Valente, Town Manager

BID F O R M

October 1, 2012 through June 30, 2013 (FY13)

Bid Of:

Total Services Corporation
2 Watson Place
Building 3A
Framingham, MA 01701
Office: 508-788-1500 Fax: 508-788-0500

For the Contract:

To Provide Cleaning Services and Light Maintenance
for the Goodnow Library
21 Concord Road
Sudbury, MA 01776

Date: 9/25/12

The undersigned proposes to furnish cleaning and light maintenance services at the Goodnow Library, 21 Concord Road, Sudbury, Massachusetts, in accordance with the accompanying specifications/scope of work for the contract price stated below.

The undersigned, having examined carefully the instructions to bidders, price form, general conditions, specifications and/or scope of work, including all related bulletins and/or addenda promulgated, together with any and all other documents and/or material bound herewith, (all of the foregoing collectively referred to in this proposal as the "Contract Documents") and having become familiar by investigation with the various conditions which may affect the performance of the work, agrees to furnish all services and otherwise do all things necessary to complete, in a competent and workmanlike manner, the contract work, in strict accordance with the contract documents, to the complete satisfaction and acceptance of the library, for work covered, for the sums as follows:

1. Monday through Saturday
 - a. Total cost per hour \$ 15.50
2. Sunday Schedule (not to be used to determine lowest bid)
 - a. Total cost per hour \$ 18.50
 - b. Minimum hours for Sunday schedule 5.0
3. Emergency and Special Cleaning Rate (not to be used to determine lowest bid)
 - a. Total cost per hour \$ 39.00
 - b. Minimum hours for emergency call 4.0

Executed this 25 day of September, 2012

Signature of Individual, or
Corporation Name

By: [Signature]
Corporate Officer & Title (if applicable)

AFFIX CORPORATE SEAL (if applicable)

TAX I.D. NO.

21 CONCORD ROAD
SUDBURY, MA 01776

GOODNOW LIBRARY

September 10, 2012

**TOWN OF SUDBURY
GOODNOW LIBRARY**

INVITATION TO BID

The Goodnow Library, through its Library Director, is seeking bids from experienced cleaning services to provide daily cleaning and light maintenance of the library from October 1, 2012 through June 30, 2013, with the option to renew for each of the succeeding two years beginning on July 1 of each year. Cleaners must be direct employees.

Specifications, information for bidders, including criteria are available from the Goodnow Library, 21 Concord Road, Sudbury, MA 01776, Monday through Friday, 9:00 a.m. - 4:30 p.m. Sealed bids will be accepted up until 3:00 p.m., Friday, September 28, 2012, at which time all bids will be publicly opened.

It is expected that a decision will be made promptly, and a contract, if awarded, will be executed by the successful bidder and the Town Manager as soon as possible thereafter.

All bids must be submitted in a sealed envelope, addressed to the Library Director, Goodnow Library, 21 Concord Road, Sudbury, Massachusetts 01776, and marked "Cleaning Services Bid - September 28, 2012". Failure to submit bids for the optional renewal periods shall result in disqualification of the bid. No responsibility will be attached to the Library Director, or her staff, for the premature opening of any proposal that is not properly identified. After the terminal time, proposals become the property of the Town of Sudbury.

A pre-bid conference and building tour will be scheduled, to acquaint Contractors with the actual work conditions. Contractors are strongly encouraged to arrange for a conference and to tour the facility to confirm information and conditions. The conference and walkthrough will be scheduled for Thursday, September 20, 2012, at 10 a.m. Requests for other arrangements for a conference and tour can be made by contacting Esme Green, Library Director, Goodnow Library, 21 Concord Road, Sudbury, MA 01776, (978) 443-1035 x5.

A contract will be awarded to the lowest responsible & eligible bidder.

The Town reserves the right to reject any and all bids, wholly or in part, and to accept any bid or part thereof deemed to be in the best interest of the Library.

**LIBRARY DIRECTOR,
GOODNOW LIBRARY**

AGENDA REQUEST – Item #14

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *October 11, 2012*

Requestor: *Mary McCormack for Town Manager*

Action requested (Who, what, when, where and why):

Question of releasing two sets of 2010 and one set 2011 Executive Session minutes, as recommended by staff as no longer requiring Executive Session status.

Financial impact expected: *N/A*

Background information (if applicable, please attach if necessary):

See attached materials which have been reviewed by Town Counsel, Town Manager and Assistant Town Manager as ready for release

Recommendations/Suggested Motion/Vote: (Suggested vote) –

As reviewed by Town Counsel and other staff, vote to release the following Executive Session minutes which have been deemed as no longer requiring Executive Session Status: July 6 and August 24, 2010 and April 26, 2011.

Person(s) expected to represent Requestor at Selectmen's Meeting:

Maureen Valente

Selectmen's Office Section:

Date of Selectmen's Meeting: *October 16, 2012*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Town Counsel approval needed?

Yes (X)

No ()

EXECUTIVE SESSIONS
To Be Released
2010

JULY 6 **Collective Bargaining – Civilian Dispatchers – Update**

AUGUST 24 **Land Acquisition – Fairbank Farm – Offer to Purchase Development Rights**

2011

April 26 **Fairbank Farm Agricultural Preservation Restriction - Update**

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, APRIL 26, 2011
EXECUTIVE SESSION
(10:45 P.M - 10:58 P.M.)

Present: Chairman John C. Drobinski, Vice-Chairman Lawrence W. O'Brien, Selectman Robert C. Haarde, Town Manager Maureen Valente and Director of Planning and Community Development Jody Kablack

Fairbank Farm Agricultural Preservation Restriction – Update

The Board was previously in receipt of a memorandum from Director of Planning and Community Development Jody Kablack dated April 8, 2011, providing an update on the Fairbank Farm offer for the Town to purchase Development Rights.

Ms. Kablack briefly reviewed her updates, noting the Town appraisal for the Agricultural Preservation Restriction (APR) has been received for \$750,000 and that the figure is consistent with the owner's appraisal. Ms. Kablack noted that items still under discussion include: public access (coordination of a trail with the Sudbury Valley Trustees), reservation of a building lot for possible future sale and its location, farm buildings (including farm worker /farmer housing) and their location (the existing buildings and/or barn have been encouraged and the APR requires approval of permanent structures by the Selectmen). The APR addresses farm stand expansion and the Town will obtain a Right of First Refusal on the property.

Ms. Kablack's report stated Mr. Fairbank was not interested in pursuing an Historical Preservation Restriction. The owner is also not pursuing an adjacent six-acre parcel for farming, but instead, has requested use of Mahoney Farm Town-owned property for hay and/or crops.

Ms. Kablack stated the Community Preservation Committee (CPC) has recommended financing the project with cash. She also stated a title search needs to be completed, and the CPC has approved use of Administrative Funds for this purpose.

Progress is being made on finalizing details and reaching closure on a deal prior to Town Meeting. Ms. Kablack and Conservation Coordinator Debbie Dineen have worked on drafting the presentation for this Warrant article at Town Meeting, which they will distribute to the Board for review. She asked if the Board wishes them to also make the presentation, and the Board stated it did.

Vice-Chairman O'Brien requested a site visit be coordinated for the Board sometime after Town Meeting.

Ms. Kablack noted this property could be developed into at least 15 lots, if it is not purchased by the Town. She also stated the property owner is eager to close the deal.

Ms. Kablack also asked for guidance regarding who should present the Route 20 Wastewater and Sewer Design and Permitting article. The Board agreed that the Route 20 Technical Advisory Committee Chair Lisa Eggleston should begin the presentation at Town Meeting. Ms. Kablack also reported positive feedback for the project has been received from the business community, including Raytheon.

There being no further business, the meeting adjourned at 10:58 p.m.

Attest: _____

Maureen G. Valente
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JULY 6, 2010
EXECUTIVE SESSION
(9:36 P.M – 9:40 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 – Civilian Dispatchers - Update

Town Manager Valente distributed to the Board copies of the “Memorandum of Agreement between the Town of Sudbury and Teamsters Local Union No. 25 On Behalf of Town of Sudbury Civilian Dispatchers” for review. She reported that a mediation meeting had occurred on June 30, 2010 to finalize the Memorandum of Agreement, and the Dispatchers ratified the three-year, collective-bargaining Agreement this afternoon. Ms. Valente briefly summarized highlights of the Agreement, including concessions received. She emphasized that the Parties have agreed to produce a fully-integrated, collective-bargaining agreement which would incorporate all agreed upon changes, terms and conditions.

It was on motion unanimously

VOTED: To ratify the “Memorandum of Agreement between the Town of Sudbury and Teamsters Local Union No. 25 On Behalf of Town of Sudbury Civilian Dispatchers,” as presented this evening.

There being no further business, the meeting adjourned at 9:40 p.m.

Attest: _____

Maureen G. Valente
Town Manager-Clerk

IN BOARD OF SUDBURY SELECTMEN
MONDAY, AUGUST 24, 2010
EXECUTIVE SESSION
(10:34 P.M – 10:43 P.M.)

Present: Chairman John C. Drobinski, Vice-Chairman Lawrence W. O'Brien, Selectman Robert C. Haarde, Town Manager Maureen G. Valente, and Director of Planning and Community Development Jody Kablack

Land Acquisition – Fairbank Farm – Offer to Purchase Development Rights

The Board was previously in receipt of materials regarding the opportunity to purchase development rights on approximately 33 acres of land located on Old Sudbury Road known as the Fairbank Farm, for \$750,000, including a letter from owner William Fairbank received August 9, 2010, an appraisal prepared by the Keystone Consulting Group dated July 12, 2010, and a memorandum to the Board from Director of Planning and Community Development Jody Kablack dated August 12, 2010.

Ms. Kablack reported that conversations between Town staff and the property owners have occurred over several years, since the property has been held by the Fairbank family for approximately 100 years. She stated that the parcel is actively farmed, but not pristine. Ms. Kablack further stated that Sudbury has a commitment to its farming heritage. In addition, she highlighted that the property has been identified in many Town documents as desirable for acquisition; and the offering price is reasonable.

Ms. Kablack explained that the Town has been offered the opportunity to purchase development rights on approximately 33 acres of land located on Old Sudbury Road known as the Fairbank Farm, with the allowance for one home, for \$750,000. It is anticipated that an Agricultural Preservation Restriction (APR) would restrict the future development of residential homes, but allow the property to be farmed and used as it currently is (large and small barns, several small accessory agricultural structures and a farm stand), similar to what was done with the Cutting property. Ms. Kablack opined that a thorough and full appraisal has been submitted on the remaining land rights, including the single-family dwelling. She further explained that a current restriction on the parcel expires in 2014, which could significantly increase the value of the land, but the owner does not want to wait. It is believed that the single family dwelling would be lived in by the current owner.

Ms. Kablack stated that she wanted to bring the opportunity before the Board as soon as possible, since no Town actions can move forward without the consent of the Selectmen.

Vice-Chairman O'Brien believes the Town should pursue acquiring the property because the price is attractive and it could remain as a farm. Chairman Drobinski concurred.

Ms. Kablack proposed sharing the information and appraisal with the newly- developed Land Acquisition Review Committee to better ascertain if there is broad public support for purchasing the property. She further proposed convening a meeting of the Committee and submitting a placeholder for the project with the Community Preservation Committee (CPC) for consideration in its upcoming funding- recommendation process. Ms. Kablack further stated that work could commence on negotiating the terms of the APR. In response to a question from the Board, she stated that the parcel would be preserved with a deed restriction into perpetuity.

Selectman Haarde supported the Town proceeding with efforts to purchase the property.

The consensus of the Board was that Ms. Kablack should proceed as proposed by convening a meeting of the Land Acquisition Review Committee to evaluate the potential purchase of development rights on approximately 33 acres of land located on Old Sudbury Road known as the Fairbank Farm, with the

allowance for one home, for \$750,000, to submit the proposal to the CPC for funding consideration and to commence work on the negotiation of terms for an Agricultural Preservation Restriction

There being no further business, the meeting adjourned at 10:43 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

AGENDA REQUEST - Item #15

BOARD OF SELECTMEN

Requestor's Section

Item Name: *TD Bank, Request for sign off on Occupancy Permit*

Date of request: *October 11, 2012*

Requestor: *Jody Kablack, Dir. of Planning and Community Development*

Action requested (Who, what, when, where and why):

Vote to notify the Building Inspector that site plan conditions required prior to release of the occupancy permit for TD Bank, 407 Boston Post Road, have been fulfilled, subject to recommendations.

Financial impact expected:

Background information (if applicable, please attach if necessary):

Attached memo from Jody Kablack

Recommendations/Suggested Motion/Vote:

Vote to notify the Building Inspector that site plan conditions required prior to release of the occupancy permit for TD Bank, 407 Boston Post Road, have been fulfilled, subject to recommendations made in a memo to the Board from Jody Kablack, Director of Planning and Community Development dated October 11, 2012, with any additional comments discussed by the Selectmen at the meeting of October 16, 2012.

Person(s) expected to represent Requestor at Selectmen's Meeting: *None*

Selectmen's Office Section

Date of Selectmen's Meeting: *October 11, 2012*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed? Yes () No (X)



Town of Sudbury

Planning and Community Development Department

Jody A. Kablack, Director

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387
Fax: 978-443-0756

<http://www.sudbury.ma.us/services/planning>
kablackj@sudbury.ma.us

TO: Board of Selectmen
FROM: *JAK* Jody Kablack, Director of Planning and Community Development
RE: TD Bank Site Plan, Request for Occupancy Permit
DATE: October 11, 2012

Pursuant to condition #24 of the November 1, 2011 Site Plan decision issued by the Selectmen, "prior to the granting of an Occupancy Permit a site review will be conducted by Town officials, and a performance bond shall be required from the Applicant to secure any conditions noted above which have not been completed."

On October 10, 2012 a site visit with the Selectmen was scheduled and attended by Chairman O'Brien. The following observations were made, with recommendations for action:

1. The inside of the bank is brightly illuminated after hours. The site plan decision states that "Lighting, except for security lighting, canopy lighting and lighting in the interior ATM vestibule, shall be turned off when the building is not in use." The applicant should be directed to turn off all other lights when the bank is closed – both in the front and the rear. There are 2 internal illuminated TD Bank signs that this would apply to as well.
2. The canopy lighting seems acceptable. No direct lighting from the canopy can be seen at the property lines.
3. The parking lot lighting consists of 8 pole mounted lights (not including the front 2 ornamental light poles), and seems excessive for after-hours illumination. It is recommended dimming or turning off at least 3 of the pole lights in the rear of the site when the bank building is not in use – 1 at the Raymond Road egress, and 2 at the rear curb behind the building. Even without these lights on at night, customers will be able to easily navigate the drive thru.
4. Screening is necessary at the southwest corner of the property, at the edge of the leaching field. It is recommended to plant a mixture of medium sized deciduous and evergreen trees or shrubs 10 feet on center in the bare patch to screen the adjacent parking lot.
5. It is recommended to require the applicant to post a performance bond prior to signing off on the Occupancy Permit to secure the health of the new plantings and all deciduous trees planted on the site for a full growing season. I will ask Bill Place to estimate the bond amount.
6. All other conditions for occupancy have been fulfilled, with the exception of receipt of the Mass. DOT permit. The applicant should forward a copy to my office to complete the submission.

Please forward your comments to the applicant, as they are eager to obtain an Occupancy Permit in the next few weeks.

cc: Rick Curtin, owner
Bill Najjar, project manager
Mark Herweck, Interim Building Inspector
Bill Place, DPW Director

AGENDA REQUEST - Item #16

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *October 11, 2012*

Requestor: *Mary McCormack*

Action requested (Who, what, when, where and why):

Discussion regarding a vote to elect candidates to seats on the Boston Region Metropolitan Plan Organization (MPO) and signing by the Chairman

Financial impact expected: *None*

Background information (if applicable, please attach if necessary): *See attached*

Recommendations/Suggested Motion/Vote: *Vote to authorize the Chairman to sign an absentee ballot and vote the 2012 MPO Ballot for the South Shore Coalition and the Minuteman Advisory Group on Interlocal Coordination (MAGIC), which ballot must be delivered by mail or in person no later than 5:00 p.m. on October 23, 2012.*

Person(s) expected to represent Requestor at Selectmen's Meeting: *N/A*

Selectmen's Office Section:

Date of Selectmen's Meeting: *October 16, 2012*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed? Yes () No (X)



MBTA Advisory Board

177 Tremont Street, Boston, MA 02111

Tel: (617) 426-6054 Fax: (617) 451-2054

*Agenda
10/16*

October 9, 2012

TO: Chief Elected Officials

FR: Paul Regan, Executive Director, MBTA Advisory Board
Marc Draisen, Executive Director, Metropolitan Area Planning Council

RE: Municipal Elections to the Boston Region Metropolitan Planning Organization

We are pleased to forward the 2012 MPO Ballot, the candidates' statements of candidacy, and the election procedures for the elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO).

This year there are two (2) municipal open seats on the MPO. One seat from the Minuteman Advisory Group on Interlocal Coordination (MAGIC) and one seat from the South Shore Coalition.

The Town of Bedford is running unopposed for the MAGIC seat and the City of Braintree is running unopposed for the South Shore seat.

Key Dates and Locations:

- | | |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 23, 2012 | Absentee Ballots Due
5:00 PM delivered by mail or in person (<u>No Fax or Email</u>) to:
BOSTON REGION MPO ELECTIONS
Metropolitan Area Planning Council
<i>60 Temple Place, 6th Floor</i>
<i>Boston, MA 02111</i> |
| October 24, 2012 | MPO Municipal Election
At MAPC Fall Council Meeting, 8:30 – 11:30 AM.
Omni Parker House, 60 School St, Boston MA, 02108
Accessible via MBTA Park Street and Government Center stations
Designee letters due 9:00 AM. |

Voting Rules:

One vote may be cast by each of the Chief Elected Officials of the 101 municipalities in the Boston region, for each open seat (there are 2 open seats). Ballots may be cast by one of the following ways:

1. By the CEO, in-person, on October 24, 2012 at MAPC Fall Council Meeting.
2. By Absentee Ballot, delivered by mail or in-person to MAPC by 5:00 PM the day before the election, October 23, 2012.
3. By a designee, in-person, on October 24, 2012 at MAPC Fall Council Meeting.

Each Chief Elected Official or their designee, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the two open MPO seats (for a total of 2 votes cast).

Appointing Designees:

Designees shall present a signed letter or signed MPO Ballot by the CEO of the municipality they are representing, to MAPC staff prior to the election or by 9:00 AM on the day of the election. Designees may represent only one municipality in the election.

Certification of Results:

The results of the election shall be certified by the Chairman of the MPO by 12 noon on Friday October 26, 2012.

First MPO Meeting:

The Boston Region MPO regularly meets at 10:00 AM on the first and third Thursdays of every month. Candidates that are elected to the MPO are asked to plan to attend their first MPO meeting on November 1, 2012 at 10:00 AM. The meeting is estimated to last two hours but may last longer. It will be held in conference rooms 2 and 3 in the State Transportation Building, 10 Park Plaza, Boston. If you have questions about the meeting, please contact Pam Wolfe, Manager, Certification Activities, 617-973-7141 or pwolfe@bostonmpo.org.

We appreciate the interest shown by the candidates in choosing to serve in these seats on the MPO and for your interest in this important matter. We look forward to your participation. Please contact Eric Bourassa at MAPC (617-451-2770 x 2043) or Paul Regan, Executive Director of the MBTA Advisory Board (617-426-6054), if you have any questions concerning this election.

2012 MPO Absentee Ballot

The MPO Election will be held on Wednesday, October 24, 2012
MAPC Fall Council Meeting, 8:30 AM – 11:30 AM.
Omni Parker House, 60 School Street, Boston, MA 02108.

**Absentee ballots must be delivered by October 23, 2012
via mail or in person (No Fax or Email) by 5 PM to:
BOSTON REGION MPO ELECTIONS
Metropolitan Area Planning Council
60 Temple Place, 6th Floor
Boston, MA 02111**

Each Chief Elected Official, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the two open MPO seats.

Chief Elected Official may:

Vote for only one from the South Shore Coalition

Braintree Joseph C. Sullivan, Mayor

Vote for only one from the Minuteman Advisory Group on Interlocal Coordination

Bedford Catherine B. Cordes, Chair Board of Selectmen

Municipality _____ Chief Elected Official _____
(Signature)

(Print or type name)

Fill this box out only if you (Mayor or Chair Board of Selectman) are appointing someone to vote in your place in person on October 24th.

Designation of alternate (by Mayor or Chair Board of Selectman):

I hereby authorize _____ to cast the ballot for _____
(name) (municipality)

Chief Elected Official (signature)

Date