

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, SEPTEMBER 4, 2012

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 7:33 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:33 p.m., Chairman O'Brien opened the meeting. He reminded the community to be careful while traveling now that schools are back in session. Chairman O'Brien urged citizens to vote during the September 6, 2012 Primary Election. He stated polls would be open 7:00 a.m. to 8:00 p.m., absentee ballots are available at the Town Clerk's Office and precinct-related information is available on the Town website.

Reports from the Town Manager

Town Manager Valente thanked Town staff for covering her duties while she was on vacation.

Reports from the Board of Selectmen

Selectman Drobinski stated he had just returned from the holiday weekend and is ready for the busy season ahead.

Vice-Chairman Haarde stated Sudbury Public Schools will meet tomorrow regarding its collective bargaining discussions. He also stated the Route 20 Sewer Steering Committee will meet next week.

Chairman O'Brien announced there will be a Special Town Meeting on September 24, 2012 at Lincoln-Sudbury Regional High School (L-SRHS). He stated the Board met last week to order the Town Warrant for the Meeting, and the Warrant will be further discussed later tonight.

Melone Property – Discussion with Consultant

Present: Director of Planning and Community Development Jody Kablack, and members of the Town's consulting team, Larry Koff, Roberta Cameron, Larry Bluestone, John Avery and Renee Gow

At 7:46 p.m., Chairman O'Brien opened a discussion regarding future use of the Melone property. The Board was previously in receipt of copies of the "Town of Sudbury Land Value Analysis for Former Melone Property Draft prepared by Larry Koff & Associates with Bluestone Planning Group and Avery Associates dated August 30, 2012." In addition, copies were distributed of the consultant's slide presentation for tonight and a memorandum to Town Manager Valente from Director of Planning and Community Development Jody Kablack dated September 4, 2012.

Larry Koff briefly described the site location of the Melone property off of Route 117.

Chairman O'Brien stated no timetable has been set for when and how the land should be repurposed. He stated several uses have been suggested by various groups, and eventually a consultant was hired by the Town to analyze potential commercial use of the property.

Ms. Kablack explained a Request for Quotations (RFQ) was issued by the Town, for which five proposals were submitted in response to complete a Highest and Best Use Study of the Melone property. She further stated an ad hoc committee was formed to review the proposals and Koff & Associates, Bluestone Planning Group and Avery Associates were deemed most responsive. Ms. Kablack reported a kick-off meeting was

conducted with the consultants in July 2012, which was attended by approximately 25 people. At this meeting, assumptions were re-confirmed and attendees provided feedback. As a result of the study, the consultants determined that some land-use ideas are not marketable at this time.

Mr. Koff described the purpose of the study to examine the market potential and physical feasibility of the property to accommodate a broad range of commercial and residential development options. He further stated the goal was to provide a ranking of the highest potential land value to the Town and the most marketable uses.

Larry Bluestone presented some slides of aerial photographs of the property to help familiarize everyone with the site. He explained the location and surrounding properties. Mr. Bluestone noted wetlands on the property (approximately 10 acres), steep hills and a cell tower. He also indicated on maps the areas owned by the Town of Sudbury, the Town of Concord, the Sudbury Water District and the Wagner property. Excluding the Concord land, Mr. Bluestone stated the total study area was 38 acres, of which 17.03 has been deemed as net developable property.

Ms. Roberta Cameron stated the team studied the local and regional marketability of six land use development options, including flex space, large-scale solar, commercial recreation, retail, office (commercial or medical) and residential. It was determined that there is significant commercial development within a five mile radius along Route 117 and Route 62. It was further determined that Route 117 has a rural character. Ms. Cameron summarized the findings for each land use noted above, stating the local market is well saturated for flex space and a large scale solar prospect does not seem possible, and its value is too hard to predict. In addition, she stated the local area competition is extensive for commercial recreation, and the cost to develop such facilities does not make the option marketable. Ms. Cameron further stated the site location is too isolated to generate a marketable retail environment. The consultants did think there is a long-term marketability for office space, but the current market is not strong. Ms. Cameron reported there were a range of residential housing uses for both ownership and rental options, including 250-unit multi-family rentals, garden-style and 83 townhouse condominiums, age-restricted housing, 15 one-acre lot, single-family homes and a 260,000 square foot office building, which were deemed marketable in the short and long-term.

Mr. Bluestone reviewed a few residential market alternatives, and he displayed exhibits of possible configurations for them on the 17.03 acre buildable area. He stated the Concord land was not included in these scenarios at this time, but, if it were ever acquired, projections could be adjusted at a later date.

Jonathan Avery reviewed some of the development assumptions used by the consultants. He stated they considered the marketing time needed for each of the six land-use scenarios identified, and then they ranked the alternatives. The best options regarding marketing time were considered to be multi-family rentals and single-family homes, with a one to two-year anticipated marketing time. He noted there are a number of commercial office buildings available in the nearby vicinity, many of which do not meet the needs of current office preferences. Mr. Avery also noted that financing for assisted-living facilities is currently difficult to obtain, unless the developments are equity-owned.

Mr. Avery summarized the team's findings regarding the potential land value ranking for the six-identified residential land uses for "shovel-ready" projects, based on current development activity, which is limited, due to the economy. Multifamily rentals and condominium style housing were ranked with the highest potential land value estimated between \$6.5 million to \$13.75 million. He emphasized these estimates should be reviewed in a few years because the market is uncertain and subject to change.

Mr. Koff proposed next-step recommendations for the Town to determine a short-term or long-term strategy for the property and to prepare the site and a regulatory strategy for disposition.

Selectman Drobinski stated the Board is not deciding on anything this evening, and it will need to further discuss short-term and long-term options. He also stated determining the best use of the property will require more public discussions to weigh the potential revenue and expenses for alternative uses. Selectman Drobinski thanked the consultants for their work, noting the study includes useful demographic data. He reiterated the Town will have a process to complete in order to consider numerous factors.

Vice-Chairman Haarde thanked the consultants for not calling the study a highest and best use report, but rather a "Land Planning/Valuation Report." He read aloud an excerpt from page 10 of the report. Vice-Chairman Haarde stated he attended the original meeting with the consultants, and he opined the intent of the study should have been better clarified at the beginning of this assignment. He stated this report is causing confusion and anxiety in Town regarding the potential of building 250 units of housing on this property, which some residents would not consider to be the highest and best use of the land for Sudbury.

Vice-Chairman Haarde acknowledged the report is a good land planning/valuation report, but he does not believe it presents the highest and best use for the land. He does not believe the best use of the property for Sudbury is to build more housing on it. Vice-Chairman Haarde stated people move to Town because of Sudbury's great schools. However, he noted 250 additional housing units could bring 210 more students into the school systems, at an approximate cost of \$14,000 per year to educate each student, and the schools are already crowded. He further stated this would increase Sudbury's tax burden by \$3 million per year. Vice-Chairman Haarde asked the consultants if this sounded like it was the highest and best use for this property.

Mr. Koff stated the consultants were not asked to complete a fiscal analysis, but they are aware financial impacts would be a factor to be further researched and considered.

Vice-Chairman Haarde reiterated that the opportunity was missed at the beginning of this process to clarify the purpose for the study. He perceives the study as an interpretation of how much this land could be sold for, but not an indication of its best use. Vice-Chairman Haarde stated the Town recently got approval to pay \$8 million for Pantry Brook Farm to prevent further development of the land, and for nearly a year, it opposed the building of 120 units on Johnson Farm. He opined for the Town to now take a different position on a piece of property it owns, and could do anything with, and to build 250 units of housing would create a lot of anxiety in Town. Vice-Chairman Haarde referenced the potential land values presented tonight, stating he would rather pay someone \$13 million to not develop the land rather than to pursue options to sell the property to a developer for this amount of money.

Vice-Chairman Haarde believes the Town has problems with Chapter 40B, crowded schools and crowded fields, and high taxes, and tonight's recommendations do not help any of these situations. He believes the highest and best use of the Melone property would be to use it to help solve the Town's Chapter 40B problem, without crowding the schools, by building age-restricted Chapter 40B housing, which would count towards Sudbury's affordable housing 10% quota. Vice-Chairman Haarde also believes the Town needs to build more fields, and he believes both can be done on the Melone property. He stated the work presented is valuable, and it will help the Town reach its eventual goal. However, he further stated the consultants were put in a tough position by not being able to consider the Town's goals and priorities as part of its assessment, and he hopes his feedback has been helpful in the process. Vice Chairman Haarde stated taxpayers are tired of having to vote on override questions which are a result of bad decision making.

Chairman O'Brien noted the study is a first step in a multi-step process. He stated the report notes mixed-uses could also be considered. Chairman O'Brien reinforced that market conditions would need to be re-evaluated a few years from now, and that it will take a few years to complete the work which will need to be done before any disposition of the land occurs.

Ms. Kablack thanked the team for compiling such factual and accurate data to help the Town, noting their real estate expertise is needed. Without factual information, she noted that sometimes actions are guided based on perceptions and not accurate information. She stated the study information is helpful to inform the Town which options are not as marketable as others. Ms. Kablack stated it is interesting the study's finding that housing is the most marketable use is understated by what the Town has experienced in recent years with development pressures. She stated the properties market themselves to housing alternatives, and this is the challenge Sudbury faces. Once the study is finalized, Ms. Kablack stated the information would be made available on the Town website.

Ms. Kablack referenced her memo of September 4, 2012. She stated that the Town would next need to decide to move forward with any of the ideas presented tonight, or other ideas which might come forward to be further studied. Ms. Kablack stated the property is clearly large and highly developable, and that it could be used for a number of different opportunities and/or scenarios, including a mixture of uses. As the Board considers this long-term and complex issues, she suggested the Board might want to determine if the next course of action is compatible with its goals, and it may want to prioritize goals for the property.

Ms. Kablack stated there is still a lot to do, and this study provides information for the private sector, and the Town knows it also has potential municipal uses. She stated the Park and Recreation Commission is documenting its field needs, which could also be incorporated into the final report. Ms. Kablack noted the Community Preservation Act (CPA) might provide the Town's best source for project funding. She further noted the Community Preservation Committee encourages funding for projects which entail more than one use, which is favorable for this property. Ms. Kablack highlighted several factors which would need to be further investigated, such as fiscal and traffic impacts for proposed projects. She emphasized that, if a future direction is chosen which is not eligible for CPA funding, the Town would need to discuss funding options. She also suggested additional public input be solicited and that other towns be surveyed for additional ideas. Ms. Kablack stated the Town is gathering information at this point and will collect it to eventually determine what the best use of the property will be for the Town.

Selectman Drobinski stated it would be a good idea to pursue a mixed use for the property, and it would be ideal to use CPA funding.

Vice-Chairman Haarde stated he concurs with the idea of a mixed-use strategy, and could consider the building of approximately 80 units of age-restricted or assisted living housing, all of which would count 100% towards the Town's affordable housing quota. He also would like to see four baseball fields and two multi-use rectangular fields built on the property. Vice-Chairman Haarde asked Ms. Kablack if she thought this could happen.

Ms. Kablack opined she does not think the parcel is big enough to support all that he proposed. She noted the original baseball proposal had included three baseball fields using the entire property, and another scenario had 80 condominium units using all the land.

Vice-Chairman Haarde said he does not understand why Ms. Kablack is ready to "close the door" on this idea, but seems to want to proceed with other studies on 250 units of housing.

Ms. Kablack stated she has not closed the door on anything. Vice-Chairman Haarde stated he thought it sounded as if she had. Ms. Kablack explained she does not think all the items he proposed tonight would fit on the parcel. Vice-Chairman Haarde questioned why she thought 250 units of housing could fit, and the fields could not.

Chairman O'Brien stated that, in the plan presented tonight, this number of housing units could fit as one scenario in multi-story buildings.

Vice-Chairman Haarde stated fields could be built on the Concord portion of the land, but housing could not, since it would count towards Sudbury's affordable housing quota. Chairman O'Brien stated it is possible fields could be put on the Concord land, depending on their sizes and types and what Concord would be open to discussing. Vice-Chairman Haarde suggested both softball and baseball fields could be built on the Concord land. Chairman O'Brien stated this could be further studied, but the initial reaction is that mixed-use would serve the largest segment of the Town's community, providing something for everyone, and it would help garner support for the project. He further stated the land-planning professionals could help the Town figure out the proper number of fields and housing units and their configurations. Chairman O'Brien stated he did not hear Ms. Kablack close the door on anything. He noted it will be necessary to see what designs deem as permissible, as well as what Concord's wetlands' issues might be.

Vice-Chairman Haarde stated he appreciates Chairman O'Brien's response more because it suggests there are ways to make this happen. He further stated he had a visceral reaction to the Town Planner saying there is room for 250 housing units, but not four baseball and two rectangular fields.

Ms. Kablack emphasized she did not author the study report, and that she is only here working with the consultants.

Vice-Chairman Haarde stated he had asked her about his proposal for fields, and she stated there was no room for it, but he believes there is. He also stated he would feel better if the Town Planner were not so quick to dismiss the idea about building fields, when she seems so open to building housing.

Ms. Kablack stated Vice-Chairman Haarde's comments are not true and accurate, and that he was mischaracterizing her input in the study. She further told him that she would not stay and take this from him again.

Vice Chairman Haarde stated this is a Board of Selectmen's Meeting, and he is allowed to speak. He also stated he was not sure what Ms. Kablack was talking about.

Chairman O'Brien stated the Town is at the point where more steps need to be taken to review more information regarding what development the land could support. He noted he did not hear Ms. Kablack say no to any suggested use of the land. Vice-Chairman Haarde disagreed, stating he heard differently. Chairman O'Brien stated Board members could disagree regarding what was said, heard and intended. He stated the Town has received suggestions tonight indicating different uses for the land, and it has received other proposals in the past prepared by other groups. Chairman O'Brien stated this study provides information regarding commercial viability, and he suspects the Council on Aging will suggest the parcel be used to build as much senior housing as possible.

Vice-Chairman Haarde stated he would like to see senior housing built on the land.

Chairman O'Brien stated the forthcoming information from Park and Recreation may also provide a different scenario for the Town to consider. He emphasized there is a lot more data to be gathered.

Selectman Drobinski stated any project coming to fruition is several years away, which gives the Town time to assess different scenarios. He also noted the Town needs to be sensitive to stormwater-related issues.

Vice-Chairman Haarde stated he believes Selectman Drobinski is on the record as stating the property is not suitable for high-density housing, and he asked Selectman Drobinski if he has since changed his position.

Selectman Drobinski stated he does not recall stating this, and as he stated tonight, he likes the mixed-use development concept.

Vice-Chairman Haarde reiterated that he believes Selectman Drobinski is previously on the record as stating the property is not suitable for high-density housing.

Selectman Drobinski reiterated he does not recall taking this position. He stated there are many factors to consider regarding the best use of the property, including its proximity to Town wells, and he believes the Town needs to be very careful about what is done at this location. Selectman Drobinski emphasized the importance of protecting the Town's water supply, because once it is used, it is gone forever. Vice-Chairman Haarde concurred.

Sudbury resident Robert Stein, 7 Thompson Drive, spoke as a resident and not as a member of Sudbury's Finance Committee. He stated he is shocked and appalled that housing developments are being discussed as an option, when Selectmen have asked residents in the past to pay private property owners not to build on their land. Thus, Mr. Stein believes to now develop Town-owned land for housing should not even be discussed as an option.

Chairman O'Brien disagreed, stating nothing is being developed, and it is important for the Board to consider all discussion as part of its due diligence prior to bringing issues to Town Meetings. He further stated that he believes it is inappropriate to turn tonight's agenda item into a housing discussion. Chairman O'Brien reiterated the Board is not deciding on any matters tonight, and that the presentation of the information was to be accepted by the Board for informational purposes. He thanked Mr. Stein for his remarks, and at 8:44 p.m., Chairman O'Brien closed the discussion.

Public Hearing: Site Plan Modification – Rugged Bear Plaza – 410 Boston Post Road

Present: Attorney Joshua Fox, property owner Charles Katz, and real estate consultant Gerry Connors

At 8:45 p.m., Chairman O'Brien opened the Public Hearing regarding the application of Katz Irrevocable Trust, Marshall F. Newman, Trustee for a Modification to Site Plan SP84-274, decision dated April 19, 1984, and a modification of said Site Plan on July 6, 1994 to revise condition 11 of the 1984 decision to allow restaurants as a permitted use at this location. Town Manager Valente read aloud materials received to date, including copies previously provided to the Board of the Public Hearing Notice, a letter from Rollins, Rollins & Fox dated August 6, 2012 and accompanying Request for Modification, plans and exhibits, a relevant section from the Board of Health Meeting Minutes of November 22, 2011, a memorandum from Conservation Coordinator Debbie Dineen dated August 27, 2012, an email from the owner to Ms. Dineen dated August 29, 2012, a letter from Sudbury's Planning Board dated August 29, 2012, supporting the proposed modification, a memorandum from Director of Planning and Community Development Jody Kablack dated August 29, 2012, noting comments and recommendations regarding the proposal, copies of the Notice of Decision dated July 6, 1994 and copies of relevant Board of Selectmen minutes from April 19, 1984. The property is located at 410 Boston Post Road, Town Assessor's Map K08, Parcel 0080, zoned Business District.

Attorney Joshua Fox stated the application is a request for a minor modification of an existing site plan. He explained the original Site Plan Decision from 1984 was for approval of only office and retail use. However, in the 1990s, a request for a 19-seat restaurant use was approved, but the project never came to fruition. Mr. Fox stated the current owner, Charles Katz, would now like to pursue a 50-seat restaurant as a

tenant. He further stated Mr. Katz is currently at a disadvantage to attract new tenants in relation to other property owners, because of the current restriction on restaurant use. Mr. Fox also stated the owner understands a new septic system may possibly be required by the Board of Health, depending on the new tenant. He further noted questions have been raised about adequate parking for the change in use. Mr. Fox stated the applicant's team conducted parking studies at 38 different times, and at no time were there more than 63 cars observed on site. Thus, studies indicate there is currently ample parking at the property location. Mr. Fox reiterated his client should not be at a disadvantage with attracting tenants compared to other property owners.

Selectman Drobinski wondered what the 1984 Board was thinking when it prohibited restaurants at this location. He believes approval of the modification request would send a positive message to the business community of the Board's support of a variety of businesses in Town. Selectman Drobinski stated he has no objections to the request.

Vice-Chairman Haarde stated he would love to see a restaurant at this location.

Chairman O'Brien questioned whether the Board should consider eliminating the prohibition for restaurant use rather than merely approving the modification request.

Selectman Drobinski suggested referring to the original Site Plan Decision, which he did. He suggested Town Counsel be asked whether the Board could amend the original Site Plan Special Permit Decision.

Chairman O'Brien suggested the Public Hearing be continued to explore the best option with Town Counsel, Ms. Kablack and the Board of Health to eliminate the previous Site Plan limitation of restaurant use.

Mr. Fox stated the applicant does not wish to lose time and possibly a potential tenant, and they would prefer an approval of the submitted simple modification request to expedite the process.

Selectman Drobinski stated the Board is stating its inclination to approve the request, and it would be asking Town staff to prepare an affirmative draft decision for review and a vote at its next meeting.

Mr. Fox consulted with his clients as to whether an additional two weeks would jeopardize the possibility of signing the new tenant. He reported that, although they run the risk of losing the potential tenant, the applicant's team is willing to wait two weeks until the Board's next meeting.

It was on motion unanimously

VOTED: To approve the removal of condition 11 of the 1984 decision dated April 19, 1984 for the property located at 410 Boston Post Road, Town Assessor's Map K08, Parcel 0080, zoned Business District, known as the Rugged Bear Plaza, to lift the restriction of restaurant as a permitted use.

It was also on motion unanimously

VOTED: To instruct Town staff to draft an affirmative decision regarding the application of Katz Irrevocable Trust, Marshall F. Newman, Trustee for a Modification to Site Plan SP84-274, decision dated April 19, 1984, and a modification of said Site Plan on July 6, 1994 to revise condition 11 of the 1984 decision to allow restaurants as a permitted use at this location, for the property located at 410 Boston Post Road, Town Assessor's Map K08, Parcel 0080, zoned Business District, known as the Rugged Bear Plaza,

and to include any necessary language to comply with Section 6300 of the Town of Sudbury Zoning Bylaws for review at the Board's next meeting.

It was further on motion unanimously

VOTED: To continue the Public Hearing regarding the application of Katz Irrevocable Trust, Marshall F. Newman, Trustee for a Modification to Site Plan SP84-274, decision dated April 19, 1984, and a modification of said Site Plan on July 6, 1994 to revise condition 11 of the 1984 decision to allow restaurants as a permitted use at this location, for the property located at 410 Boston Post Road, Town Assessor's Map K08, Parcel 0080, zoned Business District, known as the Rugged Bear Plaza, to September 18, 2012 at 9:00 p.m.

Minutes

It was on motion unanimously

VOTED: To approve the Regular Session minutes of August 15, 2012.

Executive Office of Housing and Economic Development MassWorks Infrastructure Program – Town Center Project Grant

Vice Chairman Haarde asked what the amount of the grant would be. Director of Planning and Community Development Jody Kablack stated the grant application is for up to \$1.1 million. Chairman O'Brien explained the other sources of funding which would also be pursued for the projected project cost of \$1.8 million.

It was on motion unanimously

VOTED: To accept, on behalf of the Town of Sudbury, a grant from the Executive Office of Housing and Economic Development MassWorks Infrastructure Program to fund construction of the Town Center intersection, said funds to be expended under the direction of the Director of Public Works, if said grant is awarded to the Town of Sudbury, and to authorize Jody Kablack, Director of Planning and Community Development, to submit said grant on behalf of the Town of Sudbury

Herb Chambers BMW of Sudbury – Release of Performance Bond

Vice-Chairman Haarde asked for confirmation, which he received, that the request is only to release the bond.

It was on motion unanimously

VOTED: To release the balance of a Cash Performance Bond in the amount of \$10,000 for Herb Chambers BMW of Sudbury as the last remaining bonded improvement (front yard planting) has been completed, as requested in a letter dated August 3, 2012, from Atty. Joshua Fox.

Boy Scout Troop 63 – Eagle Scouts

It was on motion unanimously

VOTED: To enter into the Town record and congratulate Dylan W. and Taylor J. Brown, 49 Mary Catherine Lane, of Troop 63, who will be recognized at a Court of Honor on September 23, 2012 at Our Lady of Fatima Parish for having achieved the high honor of Eagle Scout.

Bay Path Elder Services - Grant

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$2,170 one-year grant from Bay Path Elder Services to the Senior Center from October 2012 through September 30, 2013, to conduct evidence-based training to seniors for chronic disease, balance and fall prevention, as outlined in a grant document dated July 31, 2012, said funds to be expended under the direction of the Council on Aging Director.

Bullfinch's Restaurant - Sunday Entertainment License Renewal

It was on motion unanimously

VOTED: To renew the current Sunday Entertainment License for Bullfinch's Inc., d/b/a Bullfinch's Restaurant, 730 Boston Post Road, for a live jazz trio from 11:00 a.m. to 2:00 p.m., for the period of September 9, 2012 to September 1, 2013.

TD Bank – Gift

Vice-Chairman Haarde asked for what purpose the \$10,000 gift from TD Bank would be used. Ms. Kablack stated that, although nothing specific is planned at this time, similar funds have been used in the recent past to complete the Route 20 Corridor Study and the design for the Landham Road intersection. She further stated these funds could possibly be used to complete some of the smaller improvements recommended in the Corridor Study.

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a gift of \$10,000 from TD Bank towards Rt. 20 traffic improvements for vehicular and pedestrian safety, to be expended under the direction of the Director of Public Works.

Election Officers – Appointments

It was on motion unanimously

VOTED: To appoint two unenrolled Election Officers: Patricia Hayes, 259 Landham Road, and Mary-Ann Gavin, 38 Puffer Lane, for terms to expire on August 14, 2013, as recommended by the Town Clerk.

Rt. 20 Sewer Steering and Citizens' Advisory Committees – Membership Discussion

At 9:03 p.m., Chairman O'Brien introduced the discussion regarding the Mission Statements and quorum issues regarding the Route 20 Sewer Steering and Route 20 Sewer Citizens' Advisory Committees, and he recused himself from the discussion. The Board was previously in receipt of copies of the Town website descriptions of each Committee and its members and a memorandum from Town Manager Valente dated August 28, 2012 and accompanying survey responses for review.

Vice-Chairman Haarde thanked Town Manager Valente for canvassing the members of both Committees, and he briefly reviewed suggestions she made in her August 28, 2012 memo. He believes the Mission Statement for the Rt. 20 Sewer Steering Committee should be amended to eliminate its requirement to pre-approve appointments to the Route 20 Sewer Citizens' Advisory Committee.

It was on motion unanimously

VOTED: To amend the Mission Statement for the Rt. 20 Sewer Steering Committee to eliminate its requirement to pre-approve appointments to the Route 20 Sewer Citizens' Advisory Committee.

Vice-Chairman Haarde would like to also implement the suggestion to ask members of both Committees to reconfirm their commitments by signing new applications indicating they agree to notify the Chairs at least 24 hours in advance if they need to miss a meeting, and asking if they wish to change to Associate Member status if they need to miss two or more meetings in a row. He stated the Steering Committee has a meeting scheduled next week, and he would like to see how these changes go.

Town Manager Valente stated a few responses have been received this week, and a few members have stated it makes sense for them to move to an Associate Member status.

Vice-Chairman Haarde stated this is understandable because all of the members are volunteers, who sometimes have multiple Committee responsibilities. He also stated he has observed new members independently bring themselves up to speed on issues without negatively impacting the progress of the Committees. Vice-Chairman Haarde believes if new parties are interested in participating they should be given the opportunity.

Selectman Drobinski stated the issues under discussion are important and the focus should remain on moving the topics forward. He supports the revisions and seeing how the changes evolve.

Town Manager Valente stated she will provide the Board with a list of candidates waiting to be approved as members of the Route 20 Sewer Citizens' Advisory Committee, and those who wish to change their status to an Associate Member.

Boston Metropolitan Planning Organization – At-Large Town Seat Nomination

At 9:11p.m., Chairman O'Brien returned to the meeting and he opened the discussion regarding the Municipal Elections to the Metropolitan Planning Organization (MPO). Town Manager Valente explained Sudbury has been asked to support the nomination of the Town of Bedford representing the MAGIC sub-region. The Board was previously in receipt of copies of a memorandum from the MBTA Advisory Board dated July 26, 2012, and accompanying attachments.

Town Manager Valente briefly summarized the request to support the nomination of the Town of Bedford.

It was on motion unanimously

VOTED: To nominate the Town of Bedford to represent the MAGIC sub-region of the Metropolitan Planning Organization (MPO).

Special Town Meeting Actions – Discussion of Articles and Sign the Special Town Meeting Warrant

At 9:14 p.m., Chairman O'Brien opened a discussion regarding pending Special Town Meeting actions. The Board was previously in receipt of copies of a draft Special Town Meeting Official Warrant for September 24, 2012, and a listing of the six Warrant articles.

It was on motion unanimously

VOTED: To sign the Town of Sudbury Official Warrant for the Special Town Meeting on Monday, September 24, 2012, 7:30 p.m. as reviewed tonight.

Selectman Drobinski asked if Articles #5 and #6 would be handled as non-binding resolutions. Town Manager Valente stated she would consult with Town Counsel Paul Kenny and report back to the Board.

Vice-Chairman Haarde asked if the articles pass on September 24th, will they all appear on the proposed December 2012 Town Ballot. It was noted only Articles #1 and #2 regarding the Roof Replacement and Repair for Nixon Elementary School and the Fairbank Community Center Roof Project would need to be on the December Town ballot. Town Manager Valente will confirm this information and report back to the Board.

Selectman Drobinski asked if the petitioners will come before the Board. He believes they should be invited to present their petitions to the Board, and he suggested it should not take more than 10-15 minutes.

The Board asked Town Manager Valente to invite the petitioners of Articles #4, #5 and #6 regarding the Special Act to increase the number of Selectmen to five, chemical use on property and the elimination of unfunded Federal and State mandates to the Board's September 18, 2012 meeting at 8:00 p.m.

It was on motion unanimously

VOTED: To assign Vice-Chairman Haarde to speak on Article #1 at the Special Town Meeting to be held September 24, 2012, and Chairman O'Brien to speak on Article #2 and Selectman Drobinski on Article #3.

There being no further business, the meeting adjourned at 9:23 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk