

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, SEPTEMBER 17, 2013

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:34 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:34 p.m., Chairman Drobinski opened the meeting. He reminded residents to be careful driving around Town now that school is back in session. He also noted the Town's flag will fly at half-mast until sunset on September 20, 2013 to honor yesterday's victims and families in Washington, D.C. Chairman Drobinski announced the road work on Landham Road has neared completion. He also announced road construction is planned for Sudbury Road in Marlborough.

Reports from the Town Manager

Town Manager Valente stated the Permanent Building Committee (PBC) has been meeting twice a week to juggle all pending projects. She also stated the Finance Committee is scheduling a busy fall agenda, with its October 21, 2013 meeting including the Sudbury Public Schools, and its November meeting including State Representative Tom Conroy. Ms. Valente further reported the Finance Committee recently voted to change the budget hearings for the three cost centers to be held separately.

Town Manager Valente stated she and Assistant Town Manager Maryanne Bilodeau will attend the International City/County Management Association Meeting in Boston from September 20 - September 25, 2013, and both will be available for business communications, if needed. Police Chief Nix will act as a point of contact during this time.

Reports from the Board of Selectmen

Selectman Simon stated he and Selectman Woodard attended a PBC meeting on September 11, 2013. He also provided the Board with updates from the committees to which he is the liaison, i.e., the Commission on Disabilities, the Goodnow Library, Minuteman Regional High School, Park and Recreation Commission, the Ponds and Waterways Committee and the Rail Trail Conversion Advisory Committee.

Selectman Haarde stated the Fairbank Community Center Committee met last week, and the Route 20 Sewer Steering Committee will meet tomorrow.

Vice-Chairman Woodard stated he attended the Fairbank Community Center Committee meeting last week. He reported the Committee has narrowed the architect field to three candidates, and it is hoped the feasibility study could be completed by next summer.

Chairman Drobinski stated he attended a meeting with Town Manager Valente and other Town staff members to discuss the option of working with Marlborough on shared sewer activities.

Public Hearing: Site Plan Modification Request – Northern Bank and Trust Co. – 430 Boston Post Road

Present: Director of Planning and Community Development Jody Kablack, Northern Bank & Trust Co. Attorney Shaun Briere, project engineer Brian Fairbanks, Strategic Designworks project architect Mark Sereda, MDM Transportation Inc, consultant Dan Dumais and Northern Bank and Trust Co. representative James Mawn

At 7:49 p.m., Chairman Drobinski opened the Public Hearing regarding the application of Northern Bank & Trust Company, applicant, and Colonial Auto of Sudbury, Inc., owner, for Modification to an approved Site Plan and approval of a Public Way Access Permit to construct a new 2,500 sq. ft. retail bank building and associated improvements including stormwater management and wastewater facilities, utility improvements, parking areas, remote drive-through facility, landscaping and lighting on property located at 430 Boston Post Road, zoned Business District, Town Assessor Map K08, Parcel 0077. The Board was previously in receipt of copies of the Site Plan Modification, attachment request and accompanying maps dated July 26, 2013, the Public Way Access Permit Application dated July 30, 2013, Sudbury Zoning Board of Appeals (ZBA) Meeting Minutes of May 20, 2013, a memorandum from Director of Planning and Community Development Jody Kablack dated September 13, 2013, a Site Plan Decision for Northern Bank & Trust Company dated January 22, 2013, approved Site Plan dated January 2013, Site Plan for Proposed Redevelopment last dated July 22, 2013, reports from Northeast Geotechnical, Inc. respectively dated February 13, 2013, April 2, 2013, and June 21, 2013 and a Traffic Impact Assessment prepared by MDM Transportation Consultants, Inc. dated July 25, 2013. In addition, copies of preliminary exterior elevation plans and preliminary floor plan and drive-up plans prepared by Strategic Designworks and plans of a project history comparison and proposed conditions exhibit prepared by EBI Consulting were distributed tonight.

Director of Planning and Community Development Jody Kablack stated the Hearing was duly publicized and abutters were duly notified. Ms. Kablack stated the Site Plan was approved by the Board in January 2013. She read aloud an email received from Conservation Commission Coordinator Debbie Dineen, stating the Commission is pleased the building is being moved slightly to the west. Ms. Kablack stated additional permitting will be needed. She also noted the Building Inspector and Fire Chief have stated they have no objections to the application, and the Director of Public Works will have comments once the stormwater report is submitted. Ms. Kablack highlighted this request will require a majority vote of the Board, as a result of the bylaw revision approved at the 2013 Town Meeting.

Northern Bank & Trust Co. Attorney Shaun Briere introduced the project team in attendance. He summarized the project, describing it as a beautification project for a dilapidated site at a key Town location. Mr. Briere stated the team has worked with the Town for over two years to present a good proposal which decreases many of the current non-conforming aspects of the site. He summarized events since January 2013, noting a Notice of Intent was filed with the Conservation Commission, meetings were held with the Zoning Board of Appeals (ZBA) and several rounds of soil testing were completed. Testing results indicate there is only one suitable location for the septic system. Mr. Briere also stated the ZBA unanimously approved three requested variances last night.

Project engineer Brian Fairbanks described the difference in the modified plan compared to the original plan with the use of exhibits. He stated the building has moved approximately 17 feet closer to Union Avenue, the septic location has been moved to the southeast corner of the site, a minor change was made to the exit from the drive-through to the shared alley and minor changes were accordingly made to sidewalks.

MDM Transportation Inc. consultant Dan Dumais briefly described the traffic benefits of the modified plan, including closing two driveways on Route 20 and closing one full access on Union Avenue.

Strategic Designworks architect Mark Sereda displayed renderings of the original design, noting the pitch of the roof was lowered, and recommendations of the Design Review Board (DRB) were incorporated. In response to a question from Selectman O'Brien, it was noted the drive-through is proposed as a single lane.

Mr. Briere stated the applicant appreciates the cooperation of the abutter regarding easements to enable Northern Bank to utilize the abutting alley to egress the site. He also stated the abutter has requested installation at the southern end of the alley of a freestanding pylon sign, which will need to be approved by the DRB.

Selectman Simon thanked the applicant's team for their perseverance in finding a plan which will work on the site. He believes the proposal is an enormous improvement to a key Town location. In response to a few questions from Selectman Simon, it was noted the sidewalks around the proposed building would be five-foot wide and surfaced with asphalt. Mr. Briere also described the proposed signage for the site.

Selectman Simon asked if problems are anticipated from the exit onto Union Avenue's proximity to the corner of Route 20 and potential traffic back-ups. Mr. Dumais stated this has been discussed, and no significant problems are anticipated.

In response to questions from Selectman O'Brien, Mr. Fairbanks explained the elevations, noting there are no depressions on site, and sod will be placed over the septic area. It was also noted that place for a dumpster is not needed and excessive snow would be hauled off-site.

Ms. Kablack highlighted all conditions of the original approved plan remain in effect for the modification application.

Selectman Haarde asked if the colonial-style brick and copper roof details are still proposed, which was confirmed. He also asked for clarifications of the Union Avenue and Route 20 elevations, which were provided.

Vice-Chairman Woodard asked if there are contamination issues with the site, due to its current use. Mr. Briere stated there were minimal issues which were addressed from a prior dry-cleaning operation.

Sudbury resident Ursula Lyons, 157 Wayside Inn Road, asked for more information regarding the dry-cleaning business contamination and whether there is possible leaching towards the brook.

Northern Bank representative Jim Mawn explained the testing his company performed to ensure the contamination had not migrated. He stated when the auto body business lifts are removed, there may be a small amount of remediation necessary, but no other problems are anticipated.

Ms. Kablack reiterated there are pending permits to be submitted and approved, and these processes would likely further address contamination and environmental issues.

It was on motion unanimously

VOTED: To close the Public Hearing regarding the application of Northern Bank & Trust Company, applicant, and Colonial Auto of Sudbury, Inc., owner, for Modification to an approved Site Plan and approval of a Public Way Access Permit to construct a new 2,500 sq. ft. retail bank building and associated improvements, including stormwater management and wastewater facilities, utility improvements, parking

areas, remote drive-through facility, landscaping and lighting on property located at 430 Boston Post Road, zoned Business District, Town Assessor Map K08, Parcel 0077.

It was also on motion unanimously

VOTED: To approve the application of Northern Bank & Trust Company, applicant, and Colonial Auto of Sudbury, Inc., owner, for Modification to an approved Site Plan and approval of a Public Way Access Permit to construct a new 2,500 sq. ft. retail bank building and associated improvements including stormwater management and wastewater facilities, utility improvements, parking areas, remote drive-through facility, landscaping and lighting on property located at 430 Boston Post Road, zoned Business District, Town Assessor Map K08, Parcel 0077 as shown on revised plans submitted with the Site Plan Modification application, and to instruct Town staff to prepare an affirmative Decision for the Board's review.

Capital Improvement Advisory Committee – Member Interviews

Present: Candidates Bob Desaulniers and Jamie Gossels

At 8:30 p.m., Chairman Drobinski welcomed candidates Bob Desaulniers and Jamie Gossels to the meeting to be interviewed to become members of the Capital Improvement Advisory Committee (CIAC). Another candidate Jeff Barker was unable to attend tonight. He thanked the candidates for their interest in serving the community. The Board was previously in receipt of copies of resumes for the three candidates, a memorandum from Assistant Town Manager Maryanne Bilodeau dated September 4, 2013, the relevant vote approved for Article 22 of the May 7, 2013 Town Meeting, a draft "Anticipated Responsibilities of the CIAC members – August 21, 2013," and the CIPC webpage.

Candidate Jamie Gossels stated she has lived in Town 27 years, and she has served on the Town's Finance Committee. Through her work with the Finance Committee, Ms. Gossels has seen the critical need for capital improvement funding to maintain the Town's assets. She is enthusiastic to become involved with Town service again.

Candidate Bob Desaulniers stated he just moved to Town in May 2013, and he and his wife are expecting their first child. Mr. Desaulniers anticipates spending many years in Sudbury, and he would like to become involved. He stated his job is related to facilities services management and he evaluates capital planning issues daily. Mr. Desaulniers believes his experience could be helpful to the Committee.

Selectman Simon stated Ms. Gossels' experience as a member of the Finance Committee well qualifies her for the CIPC. He asked Mr. Desaulniers if he foresees problems being available for timed evening meetings and whether he has any other board/committee experience. Mr. Desaulniers answered no to both questions.

Selectman O'Brien stated he is pleased Ms. Gossels is volunteering her services again, and he believes Mr. Desaulniers' background and new perspective to the Town will benefit the Committee.

Selectman Haarde asked each candidate how they might prioritize capital expenses, and both candidates responded that the relative merits of projects would need to be evaluated in combination with the funds available and the demonstrated need.

Vice-Chairman Woodard and Chairman Drobinski both thought each of the candidates would bring new talents to the CIPC.

Selectman O'Brien updated the Board on the interview he and Vice-Chairman Woodard conducted with the third candidate Jeff Barker. He stated Mr. Barker has lived in Town 13 years, he would like to be more involved, and he has skill sets which suit the CIPC. Mr. Barker's schedule is such that it may be difficult for him to attend all meetings. Thus, he has requested to be considered as a member for a two-year term.

Town Manager Valente stated the CIPC vacancies were advertised as two members needed for two-year terms and one member needed for a three-year term.

It was on motion unanimously

VOTED: To approve the appointments of Bob Desaulniers, 238 Horse Pond Road, and Jeff Barker, 32 Moore Road, to the Capital Improvement Advisory Committee, for terms to expire May 31, 2015, and to appoint Jamie Gossels, 11 Spiller Circle, for a term to expire May 31, 2016.

Town Forum: Department of Public Works, Fire and Police Departments - Updates

Present: Department of Public Works Director Bill Place, Fire Chief Bill Miles and Police Chief Scott Nix

At 8:45 p.m., Chairman Drobinski welcomed Department of Public Works (DPW) Director Bill Place, Fire Chief Bill Miles and Police Chief Scott Nix to the meeting to update the Board on their respective Departments. The Board was previously in receipt of copies of a memorandum from Town Manager Valente dated September 12, 2013 regarding NStar plantings for road crossings, a letter from NStar to Town Counsel Paul Kenny dated August 20, 2013 and accompanying March 9, 1971 document, a letter from NStar to Town Manager Valente dated June 17, 2013 and relevant excerpts from the 1969 and 1970 Selectmen's Town Reports and 1971 Selectmen correspondence, an email from The Sudbury Foundation to Fire Chief Miles dated September 13, 2013, a memorandum from Town Manager Valente dated September 12, 2013 regarding the proposed policy for tasers, a memorandum from Police Chief Nix to Town Manager Valente dated September 12, 2013, a letter from Police Chief Nix to Town Manager Valente dated August 7, 2013 and documentation regarding the safety of conducted energy devices and electronic control weapons.

DPW Director Bill Place updated the Board on the completion of the Landham Road construction project, and a notebook of photographs was circulated. Mr. Place stated the gas and water mains will be re-connected next week, and the road shoulders will be graded and paved.

Mr. Place stated the DPW has worked on construction of walkways on Old Framingham Road and Peakham Road. Trees have also been flagged for removal for a walkway to be constructed on Dudley Road next spring. He also stated work has been ongoing for the Town Center intersection improvements. Granite curbing and paving will be installed next week.

Town Manager Valente summarized her memo regarding replanting plans at Stock Farm and Pelham Island Roads. She explained the Town has been trying to achieve an agreement with NStar to be completely responsible for the successful growing of screening trees and vegetation on road crossings at Stock Farm and Pelham Island Roads. She updated the Board on the current status and provided three options for action. Town Manager Valente stated she has informed Sudbury resident Stan Kaplan, who has exhibited interest in the outcome, of the current status of the project.

Mr. Place distributed photographs of the current conditions to the Board for review. He stated he believes proper removal of root systems is the only way to ensure the invasive plants do not return. Mr. Place has recommended red cedar trees be planted for screening, which grow to approximately 14 feet. He estimates the cost for the trees needed to be approximately \$25,200, which does not include installation costs.

Chairman Drobinski suggested the Board communicates its preferences to NStar in a letter in order to keep the pressure on NStar to take responsibility for appropriate plantings.

Selectman Simon asked when the clearing would be done and at what cost. He also questioned if these costs should be itemized in the letter. It was noted the clearing would possibly be done next spring, and the cost to remove the invasive plants is estimated to be approximately \$10,000.

Town Manager Valente encouraged the Board to finalize an agreement with staff currently in place at NStar. She urged the Board to offer the red cedar tree planting alternative in the hopes it will be accepted by NStar. However, Town Manager Valente stated that, if NStar rejects the offer, she encourages the Board to agree to the Weston Nurseries option previously provided so that at least something is done to improve the locations.

It was on motion unanimously

VOTED: To instruct Town staff, on behalf of the Board, to draft a letter to be sent to NStar requesting the current soils and invasive plants be thoroughly cleaned prior to planting red cedar trees, as recommended by Department of Public Works Director Bill Place, and to include a diagram designating the anticipated number of plants needed and locations where there are to be planted.

Fire Chief Bill Miles stated the Department hopes to be offering Advanced Life Support (ALS) services by November 1, 2013. There are currently 10 paramedics in the Department and two more are in training. Chief Miles stated a lot of relevant equipment has been purchased in the past year for the program, and the medical supply room has been re-organized. In addition, significant time has been spent in the past year on paramedic training and working with Town Counsel to draft the required agreements.

Chief Miles reported The Sudbury Foundation approved a \$13,095 grant to purchase a Lucas Chest Compression Machine to be used for the ALS program.

Chief Miles stated the Department is at its 32-member maximum. He emphasized hiring the right people for the community is a time-consuming process, and he acknowledged the assistance received from Assistant Town Manager Bilodeau. Chief Miles stated the Department has been able to avoid the closing of Station 3. He also stated the combined dispatch duties with the Police Department are working well after one year of implementation.

Chief Miles reported Department equipment is in good condition. The breathing apparatus is expected to arrive soon, which was part of a Federal FEMA grant award. However, Chief Miles also reported the 1987 Engine 1 was recently diagnosed with frame corrosion which is too costly to repair. Thus, Engine 1 has been taken out-of-service, and one spare engine remains. Chief Miles further stated he has submitted a new engine as part of the FY15 budget. He also noted the Department's buildings are in good shape, and he acknowledged Combined Facilities Director Jim Kelly's assistance with maintenance.

Chief Miles commended his staff and the work of Assistant Fire Chief Whalen.

Selectman Simon thanked Chief Miles for his comprehensive update, and he congratulated him on the Federal grant award. He stated the Town appreciates the Department being fully-staffed and available to serve residents at any time.

Selectman O'Brien noted the cost of the ALS program is covered by the ambulance billings. Chief Miles confirmed this to be accurate. Selectman O'Brien also thanked the personnel of the Fire and Police Departments for their assistance during the Landham Road construction.

Selectman Haarde asked what the consequences are when an engine is taken out-of service. Chief Miles stated the engine is stripped of all usable equipment, and it is typically traded-in for a new model. However, he noted no purchases are currently planned. Chief Miles also noted the Fire Academy has expressed interest in utilizing the 1987 engine.

Vice-Chairman Woodard asked for more explanation regarding the spare engines and the cost of the FY15 budgeted engine. Chief Miles explained the goal is to have an engine for the North Station, an engine for the South Station and an engine and ladder at the Main Station. He also emphasized all engines are needed and used during severe storms in order to respond to more calls in a timely fashion. Chief Miles stated the new engine and accompanying equipment has been estimated at \$450,000 in the FY15 budget.

Police Chief Scott Nix thanked residents, his staff and the project contractors for their support during the Landham Road construction. He also advised residents of upcoming road work which will impact traffic on Sudbury Road in Marlborough due to work on water and sewer projects.

Chief Nix stated all of his Department personnel vacancies have been filled, noting Detective Stephanie Howe has been promoted to be the Department's first female sergeant. He also emphasized his philosophy of finding the right person for the Department and Sudbury rather than just hiring to fill a position. Chief Nix stated the Department has been working with the Sudbury Public Schools and Superintendent Wilson to develop school safety programs.

Chief Nix stated there has been a kick-off meeting for construction of the new Police Station. He stated the Board's support would be appreciated in the Department's continuing efforts to inform the public about the project. Chief Nix stated training budgets for police departments have been cut State-wide. However, the requirements remain the same, and thus mandatory training has had to be funded and handled internally out of his department budget.

Chief Nix stated he has been researching alcohol rules and regulations for other towns and he was impressed with those implemented in Danvers. He is preparing a draft using the Danvers model for the Board's review prior to the end of this year. Chief Nix stated the Department conducted a liquor license compliance check sting operation last Friday. Unfortunately, one establishment had a violation as a first-time offense. A report regarding the violation will be presented to the Board at a future date.

Selectman O'Brien asked if there is similar receptiveness regarding joint programs at Lincoln-Sudbury Regional High School (L-SRHS) as the ones described with SPS. Chief Nix stated the L-SRHS Safety Committee has been receptive to working with the Department.

Chief Nix informed the Board of the Department's intent to introduce a use of force option commonly known as "tasers" to the Department. He stated the Department acquired four devices for evaluation and testing. The devices have not yet been deployed as equipment. Chief Nix explained the devices are intended to temporarily subdue the subject to enable the officers time to control the subject, and thereby reduces the possibility of injuries for all parties. Currently, officers are issued pepper spray and a baton. The addition of electronic control weapons (ECW) will help protect police officers and volatile subjects. Chief Nix stated the Executive Office of Public Safety provides strict guidelines for training, policies and deployment, and taser-use would be governed by State law and Department policies.

In response to a question from Selectman O'Brien, Chief Nix explained how the use of a taser could be directed and he explained the different cartridges. He also noted several other communities using ECWs and tasers.

Chairman Drobinski noted the Chief does not require the Board's approval for implementing ECWs, and he is only providing an informational update of the Department's decision.

In response to a question from Selectman Simon, Chief Nix explained the different modes available and that the device cannot be set to a safety position.

At 9:56 p.m., Chairman Drobinski thanked the Departments for their updates tonight and their work throughout the year.

Town Manager Valente stated a lot has been accomplished in the past year. She noted Sudbury runs a "lean" operation, but she is proud of everything the Department leaders and their staffs have been able to accomplish.

Friends of the Bruce Freeman Rail Trail – Donation Proposal

At 9:56 p.m., Chairman Drobinski opened the discussion regarding a proposal presented to the Board of Selectmen from the Friends of the Bruce Freeman Rail Trail to raise funds for construction of a portion of a rail trail in Sudbury. The Board was previously in receipt of copies of a memorandum from Town Manager Valente dated September 9, 2013. In addition, copies of a draft motion prepared by Selectman Simon, an email from Council on Aging Chairman Jack Ryan dated August 16, 2013 and an email from President of the Friends of the Bruce Freeman Rail Trail Tom Michelman dated September 17, 2013 were distributed.

Town Manager Valente summarized her memo, stating she worked with Town Counsel to provide the Board with a draft vote for consideration. She stated an alternative motion has also been suggested by Selectman Simon and a revised version has been circulated tonight.

Selectman Simon stated the Friends initially made its offer in June 2011 and revised its offer in August 2013. He summarized the intentions of the offer to raise \$58,700 to pay for the 25% design adhering to State Department of Transportation (DOT) guidelines for a half-mile stretch of the rail trail on Route 117. Selectman Simon stated he has prepared a revised motion which he believes more simply allows the Board to accept the offer, which does not include more conditions and does not obligate the Town to future actions beyond its purpose. He emphasized that, although it is preferable to abide by local bylaws, he does not believe it should be a requirement of a rail trail proposal, if it presents an obstacle to the trail coming to fruition.

Chairman Drobinski referenced the motion drafted by Town staff, noting it sends a positive message of accepting the offer. He emphasized it is important for the Town to also include protections for itself.

Selectman Haarde stated he prefers the motion prepared by Town staff because he believes it is important for the Town to comply with its own bylaws. He also stated it is important to ensure Sudbury does not yield any of its rail trail control to neighboring towns and that the ramifications for parking at Davis Field are better understood.

Selectman Simon stated his proposed motion does not yield any control to any other party. He emphasized the Town is not at the stage of entering into a full contract for anything at this time.

Selectman O'Brien stated he prefers the specificity of the motion drafted by Town staff. He believes it is important for the Town to maintain flexibility for when the Request for Proposal (RFP) process would begin so as not to coincide with other priorities.

Selectman Simon referenced his draft motion, stating he has attempted to eliminate any references of potential friction, including language regarding the initial \$5,000 gift proposed.

Vice-Chairman Woodard noted there is nothing in Selectman Simon's revised motion regarding timing for the RFP process. He also stated Mr. Michelman and the Friends have been well advised of the future process and timing. Vice-Chairman Woodard recommended, and the Board concurred, that Selectman Simon's motion be amended to add the words "100% of the cost of" after the word "funding" in the third sentence.

Selectman O'Brien suggested a straw poll be taken. Selectman Simon supported his own motion, Selectman O'Brien stated he prefers the specificity of the Town staff motion. Selectman Haarde stated he prefers the Town staff motion, and he views it as a win-win for all. Vice-Chairman Woodard stated he prefers the simplicity of Selectman Simon's motion and Chairman Drobinski concurred with Vice-Chairman Woodard.

It was on motion

VOTED: To advise the Friends of the Bruce Freeman Rail Trail that the Board of Selectmen are receptive to and will vote to accept a gift of \$58,700 from the Friends of the Bruce Freeman Rail Trail (FBFRT) for the purpose of funding 100% of the cost of a 25% design study in the Right of Way (ROW) and according to MassDOT guidelines for the extension of the Bruce Freeman Rail Trail for the approximately ½ mile segment of the BFRT from the Concord/Sudbury town line to the south side of Route 117 in Sudbury, plus a parking count for the Davis Field Recreation Field parking area.

Selectmen O'Brien and Haarde voted in opposition to this motion. However, both emphasized they support the rail trail and they have voted tonight only in opposition to the language presented in the motion.

Board of Selectmen – Goal Setting Update and Next Steps

Present: Sudbury resident Bryan Semple

At 10:29 p.m., Chairman Drobinski opened a discussion regarding the Board's goals for FY14. The Board was previously in receipt of copies of a memorandum from Town Manager Valente dated September 12, 2013, an email from Sudbury resident Bryan Semple and attached comments dated September 12, 2013. In addition, copies of an email from Vice-Chairman Woodard to Mr. Semple dated September 16, 2013 was distributed tonight.

Town Manager Valente summarized her memo. She noted Director of Planning and Community Development Jody Kablack suggested the Board reviews the Town's Housing Production Plan for applicable information regarding housing goals.

Sudbury resident Bryan Semple, 15 Revere Road, requested this time for his Citizen's Comments. Mr. Semple addressed the Board referencing notes which he stated were revised from previous copies given to the Board. He stated he believes it is critical for the Town to establish a Chapter 40B strategy. Mr. Semple does not believe the Town can achieve its affordable housing quota through home-ownership units, and he believes a plan focused on rental properties must be developed.

Mr. Semple also believes the Board should prioritize as a goal fixing the regional agreement with Lincoln regarding L-SRHS. He acknowledged receipt of feedback regarding his written comments from one Selectman, which he appreciated. Mr. Semple believes either the governance or funding formulas are flawed in the Agreement. He believes Lincoln should contribute more funds, but he realized there is no incentive for Lincoln to change the structure of the current Agreement. He urged the Board to help influence the election process to bring about changes which are more favorable for Sudbury.

Chairman Drobinski stated the Board is trying to coordinate a joint meeting with L-SRHS and the Lincoln Board of Selectmen.

Mr. Semple thanked Town Manager Valente for supplying updated budget information. He stated the Town's budget has grown from \$58 million to \$81 million in the time he has lived here. Mr. Semple believes the Town has followed a defensive spending strategy. However, he noted much of the budget is designated for compensation, and he believes there needs to be a five-year plan established to evaluate these costs.

Chairman Drobinski suggested the Board schedules a joint meeting with the Finance Committee to gain more input before finalizing its FY14 goals. Selectman O'Brien concurred, stating the Board should, subsequent to the joint meeting, have another meeting of its own to finalize its goals.

Selectman O'Brien also suggested the Board sets a separate time to further discuss the L-SRHS Inter-municipal Agreement prior to meeting with Lincoln's Selectmen.

Vice-Chairman Woodard suggested this discussion be conducted in Executive Session.

Town Manager Valente stated Town Counsel has advised the discussion does not qualify as a reason to meet in Executive Session. She explained only discussions related to contract negotiations related to collective bargaining and land interest qualify.

Selectman Haarde stated he is comfortable having this discussion in public session. He believes our objectives will be clearly transparent to Lincoln's Board.

Selectman Simon suggested Lincoln may well have a similar conversation to the one this Board is having now.

At 10:50 p.m., Chairman Drobinski stated the Board will soon meet jointly with the Finance Committee and then subsequently set an agenda time to further discuss its FY14 goals, and he closed the discussion.

Minutes

It was on motion

VOTED: To approve the special meeting minutes of August 21, 2013.

Selectman Haarde recused himself from this vote.

It was also on motion unanimously

VOTED: To approve the regular session minutes of September 3, 2013.

It was further on motion

VOTED: To approve the special meeting minutes of September 9, 2013.

Vice-Chairman Woodard recused himself from this vote.

Ride to Defeat ALS – Special Permit

Selectman Simon recused himself from this vote.

It was on motion

VOTED: To grant a Special Permit to Myke Farricker, Committee Co-Chair to hold a “Ride to Defeat ALS” bike ride on Sunday, September 29, 2013 from 9:00 a.m. through approximately 4:00 p.m., following the same route as in previous years, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Sudbury Women’s Softball League - Sudbury Celebrates 375/Sudbury Day Committee – Donation

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a gift of \$100 from the Sudbury Women’s Softball League for use by the Town of Sudbury for the purpose of the Sudbury Celebrates 375/Sudbury Day Committee celebration, and may be used for another similar purpose as authorized by the Board of Selectmen in the event that all funds are not expended at the conclusion of the aforementioned celebration.

Fairbank Community Center Master Plan – Award of Contract

It was on motion unanimously

VOTED: To approve award of contract by the Town Manager for the development of the Fairbank Community Center Complex Master Plan to Bargmann Hendrie + Archetype, Inc. upon the recommendation of the Permanent Building Committee acting as the Town’s Designer Selection Committee.

Election Officer – Re-appointment

It was on motion unanimously

VOTED: To re-appoint Fletcher Comrie, 26 Amanda Road, a student at Lincoln-Sudbury Regional High School, as an election officer for a term to expire on August 14, 2014, to work at the polls for community service hours, as requested by Rosemary Harvell, Town Clerk.

Draft Board of Selectmen’s Citizen’s Comment Procedure – Discussion

At 10:53 p.m., Chairman Drobinski opened a discussion regarding the Citizen’s Comments Procedure. He thanked everyone who provided input. The Board was in receipt of copies of a memorandum from Town Manager Valente dated September 12, 2013, a red-lined revised draft “Sudbury Board of Selectmen Citizen’s Comment Procedure,” a draft “Sudbury Board of Selectmen’s Office Hours,” an email from Sudbury resident Ralph Tyler dated September 3, 2013, an email and attachment from Sudbury resident Dan DePompei dated September 11, 2013, an email from Sudbury resident Jan Hardenbergh dated August 26,

2013, an email from Sudbury resident Bryan Semple dated August 28, 2013, an email from Sudbury resident Pat Brown dated September 2, 2013, and the relevant materials distributed at the Board's August 20, 2013 meeting. In addition, copies of an email from Mr. DePompei dated September 14, 2013 and accompanying suggested revisions were distributed tonight.

Selectman Simon stated he had sent suggested revisions to Town Manager Valente which have not been incorporated into the draft presented tonight. Town Manager Valente stated she had assumed Selectman Simon would broach his suggestions with the Board to determine consensus prior to her incorporating them into a document which had already been reviewed by the Board.

Vice-Chairman Woodard expressed his opposition to having citizens wait for hours to address the Board with their comments. He noted tonight, the comments would have occurred at 10:50 p.m. at the close of discussion of timed items.

The consensus of the Board was that the draft Sudbury Board of Selectmen Citizen's Comment Procedure should be amended to delete the words "five minutes" from the first sentence of #1, and to include language to reflect that the Chair has the discretion to schedule the comments at each meeting, no later than following the timed items.

It was on motion unanimously

VOTED: To adopt, as reviewed and amended tonight, the Sudbury Board of Selectmen Citizen's Comment Procedure.

Three New Committee Updates – Town Counsel Review Committee, Other Post-Employment Benefits (OPEB) Committee and Capital Financing Committee

The Board was previously in receipt of copies of a memorandum from Town Manager Valente dated September 12, 2013.

Town Manager Valente summarized her memo, stating the Town Counsel Review Committee will meet September 19, 2013. She stated Assistant Town Manager Bilodeau has established an aggressive schedule for the Committee.

Town Manager Valente stated the other committees need more time to determine who will serve as members. However, the Finance Committee has stated Bill Kneeland and Mark Minassian will be its representatives on the OPEB Committee, and Bob Stein and Andrew Sullivan will be its representatives on the Capital Financing Committee.

There being no further business, the meeting adjourned at 11:09 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk