

IN BOARD OF SUDBURY SELECTMEN
WEDNESDAY, DECEMBER 3, 2014

Lincoln-Sudbury Regional High School, Conference Room A, 6:30 p.m.

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

The statutory requirements as to notice having been complied with, the meeting was convened at 6:30 p.m. in the Regional High School, 390 Lincoln Road, Conference Room A.

Opening Remarks

Chairman Woodard opened the meeting at 6:30 p.m.

GIC Letter

Vote to authorize the chairman to execute a letter requesting data from GIC to use in processing employees' W-2 Forms. Town Manager Valente stated that this is done annually, and this step is needed in order to complete and process W2 Forms.

It was on motion unanimously

VOTED: To authorize the chairman to execute a letter requesting data from GIC to use in processing employees' W-2 Forms.

Snowplowing Services – Kevin Cutler and Dana J. Foster

Town Manager Valente handed out a memo from Town Counsel, explaining that two firefighters, Town employees, will be contracting with the town as independent contractors with the purpose of plowing snow. Chairman Woodard asked if this will be extra work for the firefighters. Town Manager Valente stated that this will be an independent contract, done outside of their regular hours. Selectman Haarde commented that this was done before, and that the snow needs to be plowed.

It was on motion unanimously

VOTED: Pursuant to receipt of disclosures required under M.G.L. 268A, section 20(b) from Fire Department employees Kevin Cutler and Dana J. Foster who seek to contract with the Town through the Department of Public Works for the purpose of providing snowplowing services during snowfall occasions, the exemption under section 20(b) is approved.

Special Town Meeting – Discussion and Vote

Article 3 Request of \$15,000

Chairman Woodard stated that a request of \$15,000 from Free Cash to pay for work on the East-West Rail Trail funding was approved by the Finance Committee out of the Reserved Fund, and the BOS would like to IP Article 3. Selectmen Simon asked when was that approved. Town Manager Valente stated that it was passed on the November 17th meeting. Selectmen Simon asked if the Board of Selectmen was going to have a discussion on this Article. Selectmen Haarde replied that yes they should have a discussion.

It was on motion unanimously.

VOTED: To indefinitely postpone Article 3

Article 1 – Nixon School

Chairman Woodard stated that the question before the Board is if they will support the Article as written or if they will support the same project using Free Cash. He asked would the BOS vote for the project if it is funded with a debt exclusion? That is the initial motion that will be made. Someone from the public may make request to amend this motion to use Free Cash to fund for the project.

It was on motion unanimously

VOTED: In the event of an amendment to use Free Cash to fund Nixon School Project, the position of the Board of Selectmen will be to oppose that.

Article 2

Selectman Haarde asked if the Board will discuss Article 2. Chairman Woodard stated that the Board already took a position on Article 2. Selectman Simon replied that on Article 2, the BOS voted to support. Selectmen Woodard and O'Brien stated that it would not hurt to take a position again. Selectman Haarde stated the he would like to have a friendly conversation without offending anyone, that now is the time to use Free Cash for Johnson Farm. In the event that there is a motion to amend the Article, Selectmen O'Brien asked if the Board of Selectmen will take a position now or wait until then, if it comes. The decision was not to take a vote at this time and if necessary to "huddle" at Town Meeting to take a position.

Tax Classification Hearing – Continued

The Tax Classification Public Hearing: vote to determine what percentage of the local tax levy will be borne by each class of real and personal property relative to setting the FY2015 tax rate needs to be ratified by the Board. Additionally, the Board is asked to vote to grant authority to Cynthia Gerry, Director of Assessing, as their designee to electronically sign the LA-5 Options and Certification Form in the Division of Local Services Gateway System, as needed for on behalf of the Board of Selectmen specifically in accordance with the votes taken at this Tax Classification Hearing held on November 18, 2014 and continued to December 3, 2014.

It was on motion unanimously

VOTED: To ratify the prior vote taken at the Tax Classification Public Hearing which determined the percentage of the local tax levy will be borne by each class of real and personal property relative to setting the FY2015 tax rate. Additionally, vote to grant authority to Cynthia Gerry, Director of Assessing, as their designee to electronically sign the LA-5 Options and Certification Form in the Division of Local Services Gateway System, as needed for on behalf of the Board of Selectmen specifically in accordance with the votes taken at this Tax Classification Hearing held on November 18, 2014 and continued to December 3, 2014.

Discussion with Article 4 Petitioner, Dick Williamson

Petitioner Dick Williamson was asked to be present at this meeting. Chairman Woodard asked if this Article in any way interferes with actions that the Board of Selectmen has already voted on. Mr. Williamson replied that this two-step approach is absolutely compatible. Chairman Woodard asked if this Petition asks for a

second step? Selectman Haarde stated that we should go by the words of the article, unless you intent to amend the article. Selectman Simon agreed that to go by the words of the article. Selectman Brown stated that the supporting argument to this article states that the State Transportation Bond Bill has already authorized \$36 Million for the Mass Central Rail Trail, but words to that effect do not appear in the Bond Bill document. Selectman O'Brien stated that he is not ready to take a position on this matter without knowing what kind of "strings or attachments" it will come with if State money is used for funding. Chairman Woodard stated that this article is not clear in its wording. Selectman Simon indicated that if there is confusion with this Article, the Board of Selectmen should not take a position. Chairman Woodard stated that Board of Selectmen has voted on this issue to favor a stone-dust path first and when state money is available to paved, to do it then. Selectman Haarde sees this resolution in conflict with that goal. Selectman O'Brien shared his position to abstain from vote when the Board of Selectmen will be ready to vote. Selectman Woodard stated that it appears that there is no position by the Board of Selectmen as several motions regarding the Board's position did not receive a majority vote.

The Board recessed their meeting and moved to continue to Town Meeting in the auditorium of Lincoln-Sudbury Regional High School @7:26 pm, and later adjourns upon the adjournment of the Special Town Meeting.

Attest: _____
Maureen G. Valente
Town Manager-Clerk