

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, MARCH 24, 2015

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:31 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

At 7:31 p.m., Chairman Woodard opened the meeting. He announced there is a survey on the Town website for citizens to share their ideas for what should be done with the current Police Station. He also announced the Sudbury Housing Authority has a handicap waiting list, and he shared some of the income guidelines. Chairman Woodard stated the Planning Board is hosting a discussion with The Cecil Group, which will present its findings on the Route 20 Zoning Project, on March 25, 2015 at 7:30 p.m. at Town Hall. He also announced there will be a Public Forum at Grange Hall on March 26, 2015 at 7:30 p.m., regarding design concepts for the Fairbank Community Center. Chairman Woodard announced the Town Election is March 30, 2015, noting there are three contested seats, and he encouraged residents to vote. Absentee ballots will be available until 5:00 p.m. on March 27, 2015. He stated a Request for Proposal (RFP) was issued for an Executive Recruiter to assist the Town with hiring a Town Manager. Chairman Woodard also stated a Town Hall Blue Ribbon Committee has been established, and he encouraged anyone interested in being an ad hoc member to access an application from the Town website.

Chairman Woodard referenced a Sudbury Housing Authority (SHA) topic brought to the Board's attention by Selectman Haarde at the last meeting. He explained the SHA is a separate legal entity created by the State and the issue of concern is of a personnel nature, and thereby private. Chairman Woodard stated any discussion on the matter would need to occur in an Executive Session Meeting.

**Reports from the Interim Town Manager**

Interim Town Manager Bilodeau announced Finance Director Andrea Terkelsen's last day is tomorrow. She further announced an Interim Finance Director, Suzanne Marchand, was hired and began work last week to work with Andrea through the transition.

**Reports from the Board of Selectmen**

On March 11, 2015, Selectman Simon attended a Sudbury Public School (SPS) contract negotiation meeting. He also attended a Conservation Commission Meeting on March 23, 2015. Selectman Simon stated he also attended a discussion on March 21, 2015 with Congresswoman Clark, where he advocated for all types of transportation funding. He also stated he has learned the State approved future funding for Sudbury's section of the Bruce Freeman Rail Trail (BFRT), which could help the project come to fruition sometime between 2020 and 2022.

Selectman O'Brien stated the Town Center Committee is working to coordinate a public forum in April regarding the proposed Town Center Landscape Plan.

Selectman Haarde stated he attended a Lincoln-Sudbury Regional High School Executive Session Meeting regarding negotiations for its new contracts.

Vice-Chairman Brown attended a Suburban Coalition Meeting and a State Foundation Budget Review Committee Meeting. She also attended a Massachusetts Municipal Association (MMA) Breakfast Meeting

on March 20, 2015. Vice-Chairman Brown also attended a Citizens' Planner Training Collaborative Seminar in Worcester last week, where Sudbury's Town Counsel Barbara Saint Andre was a guest speaker regarding zoning. She also stated the Minuteman Vocational Regional High School Building Committee will present its plans in Sudbury on March 31, 2015 at 7:30 p.m., at the Fairbank Community Center.

### **Citizen's Comments**

At 7:44 p.m., Chairman Woodard announced no citizens have requested Citizen's Comment time tonight.

### **Buddy Dog – Town Counsel Opinion Discussion**

At 7:52 p.m., Chairman Woodard opened a discussion regarding whether to release to the public the opinion of Town Counsel regarding Buddy Dog and the Dover Amendment. The Board was previously in receipt of copies of a memorandum from Town Counsel Barbara Saint Andre dated March 17, 2015.

It was on motion unanimously

VOTED: To release the opinion from Town Counsel with regard to Buddy Dog and the Dover Amendment to the public.

Chairman Woodard read aloud a majority of the last paragraph of Town Counsel's opinion, noting that, on the information available, she does not believe enough information has been provided to prove that the primary use of the property would be educational.

Selectman O'Brien stated that Town Counsel also states that, when, and if, a formal application is submitted by Buddy Dog, a decision will be made based on the information provided at that time.

Selectman Haarde stated he believes this opinion clarifies the question posed better than that of the opinion of former Town Counsel Kenny.

Vice-Chairman Brown noted that, now that Town Counsel Saint Andre's opinion has been released to the public, it will also be available to Sudbury's Building Inspector for reference.

Selectman Simon referenced the case law noted in Town Counsel's opinion, noting the 2013 Regis College case, has set a recent standard for eligibility for Dover Amendment protection. He stated he is pleased the Town has this new opinion to rely on going forward.

Sudbury resident Linda Mills, 188 Wayside Inn Road, asked if the Building Inspector, whom she assumes is not a lawyer, will need to consult with anyone prior to deciding whether or not to issue a Building Permit.

Selectman O'Brien stated the Building Inspector is a trained engineer, who is well-versed in current codes.

Interim Town Manager Bilodeau stated that, for this situation, it would be anticipated the Building Inspector would consult with Town Counsel before issuing his decision. Selectman Haarde concurred, stating it is likely the Building Inspector would seek assistance as part of his due diligence.

Sudbury citizen Frank Lyons, 157 Wayside Inn Road, stated he believes the Board acted appropriately to request an opinion from Town Counsel and to release it to the public. Mr. Lyons asked if Town Counsel would represent the Town, if Buddy Dog chooses to oppose any decisions made.

Chairman Woodard stated there is a process Buddy Dog would need to follow to oppose/appeal a decision.

Sudbury resident Ralph Tyler, 1 Deacon Lane, stated Buddy Dog would need to go before the Zoning Board of Appeals (ZBA) to appeal any decision. The ZBA would then make a ruling before any court actions would be potentially taken.

Sudbury resident Mary Heckman, 28 Prides Crossing Road, asked how long this situation will hang over the heads of abutters, noting she believes it could have an impact on the marketing of her home for sale.

Selectman Haarde stated he believes this issue could have been prevented by the Town. He further believes the Town needs to work proactively with Buddy Dog to remedy the situation in the best interests of all parties.

Selectman O'Brien stated that, as the land owner, Buddy Dog can seek any type of development it wishes, and the Town cannot force it to do otherwise.

Chairman Woodard stated Buddy Dog has taken the opposition expressed seriously, and it recently announced it is putting on hold for six to twelve months any actions for the Wayside Inn location.

Mr. Lyons stated he is planning to go to the ZBA to ask if it can be considered that the approximate 9.5 acre-site on Wayside Inn Road could be broken into two equal 4.75 acre lots, which he believes Buddy Dog could potentially sell at a profit.

**Annual Town Meeting – Discussion and Take Position on Articles #1-8 and #12-52**

Present: Department of Public Works (DPW) Director Bill Place, Facilities Director Jim Kelly, Permanent Building Committee Co-Chairman Mike Melnick, Finance Director Andrea Terkelsen, Park and Recreation Director Nancy McShea, Park and Recreation Commission Chairman James Marotta, Energy and Sustainability Chairman Bill Braun, Energy and Sustainability Committee member Rami Alwan, Community Preservation Committee Chairman Chris Morely

At 8:12 p.m., Chairman Woodard opened a discussion regarding the Board taking positions of the Annual 2015 Town Meeting articles, which dominated the majority of tonight's four-hour meeting. The Board was previously in receipt of copies of a memorandum from Chairman Woodard dated March 20, 2015, a draft list of the articles submitted for the 2015 Annual Town Meeting Warrant, a draft list of a "Suggested Order of Article Discussion and Vote" and accompanying information on Budget Articles, Article 13, Article 29, Article 36 and an accompanying email from Town Clerk Rosemary Harvell dated March 18, 2015, Article 42 and slides for an accompanying PowerPoint presentation and newspaper articles regarding electricity aggregation in other communities, copies of selected articles sponsored by Facilities Director Jim Kelly, and an email from petitioner Andrew Sullivan regarding petition articles # 54 and #55 and accompanying conceptual cost estimates for greenway-style rail trails in both the Mass Central Rail Trail (MCRT) and Bruce Freeman rail Trail (BFRT) right-of-ways and a cost analysis of greenway-style stone dust rail trails versus a Massachusetts Department of Transportation (DOT) bike path. In addition, copies of a spreadsheet entitled "Capital Improvement Advisory Committee's (CIAC) Recommendations," a "FY16 Consolidated Budget Summary" and "LS Budget Summary," "Suggested Revisions to Selectmen's Article for the Warrant" submitted by Sudbury citizen Ralph Tyler for Article #35, an email from Sudbury citizen Robert Lee dated March 24, 2015 and accompanying letter from the Presidents of LS Youth Baseball, LS Youth Boys Lacrosse, Sudbury Girls Lacrosse and Sudbury Youth Soccer regarding Article #50, and a handout

regarding the Town website survey regarding what should be done with the current Police Station (Article 37) were distributed tonight.

Chairman Woodard described his suggested process for reviewing the articles. The Board proceeded to discuss its position for all the applicable articles, noting tonight is the last night for the Board to vote positions if they are to be printed in the Town Warrant. Department of Public Works (DPW) Director Bill Place, Facilities Director Jim Kelly, Permanent Building Committee Co-Chairman Mike Melnick, Finance Director Andrea Terkelsen, Park and Recreation Director Nancy McShea, Park and Recreation Commission Chairman James Marotta, Energy and Sustainability Chairman Bill Braun, Energy and Sustainability Committee member Rami Alwan, and Community Preservation Committee Chairman Chris Morely were in attendance to discuss articles they have been involved with.

It was confirmed articles #9, #10, and #11 have been already voted for the Consent Calendar.

It was on motion unanimously

VOTED: To place on the Consent Calendar for the Annual 2015 Town Meeting Warrant Article #12 as listed below.

Discussions regarding some articles are summarized herein, and the positions eventually voted are noted on the list of articles which follows.

Discussion ensued regarding capital-budget related Articles #18-31. Chairman Woodard referenced the new "Capital Improvement Advisory Committee's (CIAC) Recommendations" spreadsheet distributed tonight.

Selectman Haarde stated he is prepared to vote tonight on whether he supports the article projects, but not on whether they should be funded as a capital exclusion or from Free Cash.

Selectman Simon stated the Board heard the presentation from the CIAC of its project review and recommendations, and he is comfortable with their recommendations for projects and suggested funding sources.

Vice-Chairman Brown stated tonight's task is to vote on what positions will appear in the Warrant and she does not think the Board also needs to approve the funding sources at this time.

Selectman O'Brien stated he is inclined to make his decision on his position based upon all the information available, including how the project will be funded.

Interim Town Manager Bilodeau noted the Board has only had the situation of deciding whether to use Free Cash or not in the past few years, when there has been sufficient Free Cash to warrant the discussion. She stated the current Free Cash balance is \$3,322,355.

At 8:29 p.m., Interim Town Manager asked the Board to consider Free Cash be used to cover this fiscal year's \$492,845.73 snow and ice budget deficit in **Article #2** – FY15 Budget Adjustments, so as not to begin FY16 in a deficit position. Ms. Bilodeau further noted the Town's Reserve Fund is down to \$62,000, and the Department of Public Works (DPW) needed to request approximately \$100,000 to repair vehicles and equipment.

Selectman Haarde asked if the Town anticipates receiving any reimbursement funds from FEMA.

Finance Director Andrea Terkelsen stated FEMA reimbursements are unknown at this time, and if the Town were to receive any it would likely arrive in FY16, and it would be deposited to Free Cash.

Selectman O'Brien stated he believes the use of Free Cash is the most appropriate way to cover the snow and ice deficit.

Selectman Simon stated the Town is fortunate we have the Free Cash to apply to such extenuating circumstances, noting these are the type of situations for which the money is put aside.

Selectman Haarde stated the Town could also choose to use the Stabilization Fund to cover the deficit. Selectman O'Brien stated he would not advise doing so when Free Cash is available.

Ms. Terkelsen urged the Board to vote the budget adjustment to be printed in the Warrant to help voters have an idea as to what to expect the Town Meeting motion will be.

Selectman Haarde asked if there are any details and back-up documentation available regarding the \$492,845.73 snow and ice budget deficit. Interim Town Manager Bilodeau read aloud a category breakdown of the expenses, and she stated details could be provided to the Board.

Chairman Woodard suggested, and the Board concurred, that a separate discussion would be scheduled for a future Board Meeting regarding how much Free Cash might be proposed for allocation and for which projects.

Selectman Simon suggested the Board is unnecessarily delaying the vote, and he recommended also voting the funding source tonight.

It was also on motion

VOTED: For Article 2, to request Town staff to prepare a Board of Selectmen Report to be printed in the Warrant, noting that, at this time, the Town is facing an approximate \$500,000 snow and ice budget deficit, and that the Board will report at Town Meeting the recommended funding mechanism.

Selectman Simon abstained from the vote.

Regarding **Article #3**- Stabilization Fund, Interim Town Manager Bilodeau stated the balance is \$4,108,450.64. Ms. Bilodeau stated it is being recommended that \$351,600 be added to the Fund for FY16. She emphasized it is important for the Town to continue to fund this and to keep a close eye on its reserve balances, which auditors monitor and might impact the Town's bond rating.

In response to a question from Selectman O'Brien, Ms. Terkelsen stated General Fund Reserves are recommended to be at a minimum of 5%.

It was further on motion unanimously

VOTED: To support Article 3 and the funding of \$351,600 for FY16 to the account.

Regarding **Article 4** – FY16 Budget, the Board discussed that the Finance Committee recently voted to add \$45,000 to its recommendation for the L-SRHS budget to help avoid layoffs. Chairman Woodard stated a total of \$200,000 of Free Cash is being recommended to go to the operating budget to help avoid layoffs.

Selectman O'Brien noted that, although the budget gap would be covered for FY16, the gap would still exist in FY17.

Selectman Haarde stated Free Cash should be used to stabilize the abnormal spike experienced in out-of-district costs for the Schools. He is not concerned that the Board is setting a dangerous precedent by supporting the article as proposed.

It was also on motion

VOTED: To support Article 4 and support the FY16 Budget as recommended by the Finance Committee.

Selectman O'Brien opposed the vote.

A brief discussion ensued regarding **Articles 5, 6 and 7**, for the Town's three Enterprise Funds.

Vice-Chairman Brown asked if there is retained earnings information available for all three funds.

Ms. Terkelsen stated this information is available and would be provided to the Board.

Selectman O'Brien asked if **Article 17** – Establish Stabilization Fund – Town Owned Synthetic Turf Fields is needed if there is a Recreation Field Maintenance Enterprise Fund.

Ms. Terkelsen explained the Enterprise Fund does not generate enough fees/receipts to cover the anticipated cost of Article 17.

Park and Recreation Director Nancy McShea explained the Enterprise Fund is for day-to-day operations, and the Stabilization Fund is intended to pay for expensive items, such as replacing a turf field, which is estimated at \$300,000 to \$400,000.

It was also on motion unanimously

VOTED: To support Article 5- FY16 Transfer Station Enterprise Fund Budget, Article 6 – FY16 Pool Enterprise Fund Budget and Article 7 – FY16 Recreation Field Maintenance Enterprise Fund Budget.

Chairman Woodard provided a brief history of the Melone property mining fund regarding **Article 13**. The balance from previous mining-operation revenue is \$1,151,051.30, which was put aside to help prepare the property for re-use. He explained this balance was transferred in recent years to Free Cash.

DPW Director Bill Place stated the Town bought 40 acres of the property, of which 23 acres were mined. He explained the property will need to be re-graded and Gale Associates estimated the cost at \$1.4 million to restore the property (includes \$400,000 to purchase a home located on the site). Mr. Place stated he estimates \$1 million will be needed to restore the property. He also noted a committee will be formed to help determine the best use of the property for the Town.

Selectman O'Brien stated he supports the creation of a Stabilization Fund to hold this money to be used to make the land a useful resource for the Town.

Selectman Haarde asked what the process is to access the funds. Interim Town Manager Bilodeau stated it would require a two-thirds vote at a Town Meeting.

It was also on motion unanimously

VOTED: To support Article 13- Establish Special Stabilization Fund – Former Melone Property.

At 9:45 p.m., Park and Recreation Director Nancy McShea explained Article 17 is being proposed to establish a Special Stabilization Fund which would collect funds to be used to replace the artificial turf at Cutting Field and the Community L-SRHS Field. Ms. McShea explained the fund would be started with a transfer of \$100 from the Recreation Field Maintenance Fund.

Selectman O'Brien highlighted L-SRHS is a separate legal entity. He suggested Town Counsel be asked to review and approve the article language to ensure the funds could be used for the L-SRHS Field. He further stated it had originally been intended that field rental fees received by L-SRHS were to be put into a fund to be used for future maintenance, but he does not believe this ever occurred.

Community Preservation Committee (CPC) Chairman Chris Morely stated the CPC worked extensively on the Community L-SRHS Field arrangements. He urged the Board to adjust the article language to appear in the Warrant to reflect that it is intended for Town and L-SRHS-owned fields.

Vice-Chairman Brown stated it would be better to attend to this ahead of time so the article is not stalled on the floor of Town Meeting.

It was further on motion unanimously

VOTED: To support Article 17.

Regarding **Article 28** - Cutting Athletic Field Lighting, Selectman O'Brien asked who the late-hour users would be, and whether there have been discussions with abutters. Ms. McShea explained it gets dark by 5:00 p.m. in the fall. She also noted the Town is short on multi-purpose recreational fields.

Park and Recreation Commission Chairman Jim Marotta stated there was a meeting with abutters and restricting hours of use was discussed.

Selectman Simon asked what the funding source is for the article. It was noted the Capital Improvement Advisory Committee (CIAC) recommended it be a capital exclusion, but Free Cash would also be an option.

Sudbury resident Bob Lee, 38 Candy Hill Road, stated Sudbury's soccer, lacrosse and softball programs have increased in participation and popularity. He further stated lighting is needed in the late fall weeks.

It was further on motion unanimously

VOTED: To support Article 28.

Regarding **Article 27** – DPR Rolling Stock Replacement, DPW Director Bill Place stated the CIAC recommended two-large dump trucks be replaced. He explained the extent of repairs which would be needed on the current trucks, noting it does not make sense to throw good money at a bad situation.

Selectman O'Brien noted these trucks are used daily by the Department to service the Town's needs. He believes this would be an important use of Free Cash.

It was also on motion unanimously

VOTED: To support Article 27.

Permanent Building Committee (PBC) Chairman Mike Melnick described the PBC-sponsored **Article 29** – Capital Account. Mr. Melnick stated there are situations when money is needed up front to contract schematic design work for repair projects for the Town's Schools, which is later partially reimbursed by the Massachusetts School Building Authority.

Finance Director Andrea Terkelsen stated it is not possible to establish a Revolving Fund for this purpose. She further stated she is not sure Town Counsel would confirm the re-purposing of funds, which have no stated specific use.

It was also on motion unanimously

VOTED: To request an opinion from Town Counsel regarding Article 29, and to report at Town Meeting the Board's position.

Regarding **Articles 30 and 31**, Ms. Terkelsen stated there are old project balances which should be re-purposed for former capital articles and non-CPA capital articles. She urged article sponsors to consider if any of this year's proposed capital articles could be funded with these re-purposed funds.

It was also on motion unanimously

VOTED: To report at Town Meeting the Board's positions on Articles 30 and 31.

At 10:17 p.m., Energy and Sustainability Chairman Bill Braun and Facilities Director Jim Kelly stated **Articles 15 and 16** are similar to articles submitted at last year's Town Meeting. They explained Article 15 proposes to further fund \$100,000 to the Stabilization Fund from the energy savings produced by the solar array at the former landfill to be used for energy-related capital projects.

Vice-Chairman Brown asked for clarification regarding how the Town receives the funds and utility credits, which Mr. Braun explained.

It was further on motion unanimously

VOTED: To support Article 15.

Mr. Braun explained Article 16 is intended to use up to \$75,000 for an energy program.

It was also on motion unanimously

VOTED: To report at Town Meeting the Board's position on Article 16.

Energy and Sustainability Committee member Rami Alwan stated **Article 42**- Town Wide Electric Aggregation was presented at a recent Finance Committee Meeting. Mr. Alwan explained it is hoped the program would offer residents an option for decreasing the supply portion of electricity bills, noting rates spiked greatly in recent months. He also noted the program might also allow choices for the types of energy (green options) available. Mr. Alwan stated a Request for Proposal (RFP) would be issued to hire an energy consultant who would help the Town purchase a one, two or three-year contract. If approved, it was noted

all residents would be part of the program until they chose to opt-out. Mr. Alwan and Mr. Braun also stated the expected average savings for households is estimated to be small (\$50-\$300 a year), but they believe it is their responsibility to offer the option for collective purchasing to the Town.

It was further on motion unanimously

VOTED: To support Article 42.

Interim Town Manager Bilodeau asked if there would be an anticipated cost for the energy consultant, and the answer was no.

Regarding **Article 37** – Disposition of Existing Police Station, Facilities Director Jim Kelly stated it is intended to have Town Meeting vote an article which would allow the Board of Selectmen to be able to dispose of the property quickly, if needed.

Chairman Woodard stated he is not sure he would be able to support this without knowing the stated price and proposed future use/project. The consensus of the Board was that it should wait to review the results of the relevant survey recently posted on the Town website and to review Town Counsel's comments.

Regarding **Article 21**, Facilities Director Jim Kelly suggested the Board postpones voting its position until he can provide additional information.

In response to a question from Selectman O'Brien regarding **Article 45**, CPC Chairman Chris Morely stated the Weed Removal Harvesting efforts have been successful, and this article proposes work on the Stearns Mill, Cutting Mill and Grist Mill Ponds. He further stated the volunteers do an excellent job and they typically do not use all the funds appropriated, and thus money is returned to the Community Preservation Act account.

It was further on motion unanimously

VOTED: To support Articles 45, 46, 47, 48 and 50.

It was also on motion unanimously

VOTED: To support Articles 51 and 52.

Selectman O'Brien briefly explained the proposed funding for **Article 33** – Post Employment Health Insurance Trust Funding.

Interim Town Manager Bilodeau stated the current Health Trust balance is approximately \$4.5 million to be transferred to support the Town's Other Post-Employment Benefits (OPEB) obligation. She also stated it is recommended that approximately \$181,000 of this amount be held back for potential future claims.

It was further on motion unanimously

VOTED: To support Article 33.

Regarding **Article 34**, Selectman O'Brien stated the Strategic Financial Committee on OPEB recommended submitting a Special Act to the State Legislature to dedicate the local meals tax revenue to the Town's OPEB Trust. It is estimated this would be approximately \$200,000 a year.

Interim Town Manager Bilodeau stated that, if the Board wishes, it is possible to add language to the Special Act allowing it to be rescinded in the future.

Chairman Woodard asked what L-SRHS's plans are. Selectman Haarde stated L-SRHS would need to address similar issues itself. Selectman O'Brien stated L-SRHS has researched some options.

It was also on motion unanimously

VOTED: To support Article 34.

At 11:29 p.m., Chairman Woodard summarized Articles 38, 39, 40 and 41, which all relate to Minuteman Regional Vocational Technical High School.

It was noted the proposed amended Regional Agreement will not be voted as required by all Member towns in 2015 because Wayland did not put the necessary article in its warrant.

Selectman O'Brien asked if any new information is forthcoming, which would result in the Board not submitting the article in Sudbury's Warrant.

Selectman Haarde stated the Minuteman situation is a mess, which he does not believe is going to improve. He believes Sudbury's costs will increase with the proposed amended agreement, while its representation is diminishing, and the Regional District cannot get the amended agreement passed. Selectman Haarde suggested the Board votes to withdraw from the Minuteman District.

Selectman Simon stated the Board could vote to withdraw, but it still needs a unanimous vote from Member towns to withdraw. He asked if it is possible for Sudbury to work with other Member towns which want to withdraw to push Minuteman to revise its amended agreement to guarantee current Members they can withdraw.

Selectman Haarde stated he does not see the Minuteman situation getting better in the future, and he believes Sudbury should actively begin to pursue becoming a member of Assabet Valley Regional High School.

Vice-Chairman Brown suggested, and the Board concurred, that the Board should report at Town Meeting its position on all four (Articles 38, 39, 40 and 41) Minuteman-related articles.

Interim Town Manager Bilodeau noted Articles 38 and 39 are virtually the same, with the exception of a few words. She asked if the Board wished to pull one of them.

It was further on motion unanimously

VOTED: To withdraw Article 39.

- #1 - Hear Reports - **Support**
- #2 - FY15 Budget Adjustments - **Support**
- #3 - Stabilization Fund - **Support**
- #4 - FY16 Operating Budget - **Support**
- #5 - FY16 Transfer Station Enterprise Fund Budget - **Support**

- #6 - FY16 Pool Enterprise Fund Budget - **Support**
- #7 - FY16 Recreation Field Maintenance Enterprise Fund Budget - **Support**
- #8 - Unpaid Bills
- #9 - Chapter 90 Highway Funding - **CC**
- #10 – Real Estate Exemption - **CC**
- #11 - Town/School Revolving Funds - **CC**
- #12 – Establish Public Health Vaccinations Revolving Fund - **CC**
- #13 – Establish Special Stabilization Fund – Former Melone Property - **Support**
- #14 – Rolling Stock Stabilization Fund - **IP**
- #15 - Funding of the Energy Savings Program Stabilization Fund - **Support**
- #16 – Use of Energy Savings Programs Stabilization Fund – **Report at Town Meeting**
- #17 – Establish Special Revolving Fund – Town-owned Synthetic Turf Fields - **Support**
- #18 – FY16 Capital Budget - **Support**
- #19 – Cardiac Monitor Replacements - **Support**
- #20 – Carpet Replacement – School and Library - **Support**
- #21 – Natatorium Roofing
- #22 – Fire Alarm System Upgrade – LSRHS - **Support**
- #23 – Town and Schools Parking Lots, and Sidewalks Improvements - **Support**
- #24 – School Security and Access Controls - **Support**
- #25 – School Classroom Flooring Replacement - **Support**
- #26 – School Rooftop HVAC Unit Replacement - **Support**
- #27 – DPW Rolling Stock Replacement - **Support**
- #28 – Cutting Athletic Field Lighting - **Support**
- #29 – Capital Account – **Town Counsel Opinion and Report at Town Meeting**
- #30 – Re-purpose School Capital Articles – **Report at Town Meeting**
- #31 – Re-purpose Non CPA Capital Articles - **Report at Town Meeting**
- #32 – Adopt M.G.L. 32B, Section 20 Other Post-Employment Benefits (OPEB) Liability Trust Fund - **WITHDRAWN**
- #33 – Post-Employment Health Insurance Trust Fund - **Support**
- #34 – Special Act –Dedication of Local Meals Tax Revenue to other Post-Employment Benefits (OPEB) – **Support**
- #35 – Special Act – Extension of Means Tested Senior Tax Exemption Program - **Support**
- #36 – Town of Sudbury Bylaws – Art. V.3, Regulation of Dogs - **Support**
- #37 – Disposition of Existing Police Station, 415 Boston Post Road
- #38 – Amendments to the Regional School District Agreement of the Minuteman Regional Vocational School District - **Report at Town Meeting**
- #39 – Minuteman Regional Vocational Technical High School – Accept Amendments - **WITHDRAWN**
- #40 – MMRVTHS - **Report at Town Meeting**
- #41 – MMRVTHS – Withdrawal - **Report at Town Meeting**
- #42 – Town-Wide Electric Aggregation - **Support**
- #43 – Amend Zoning Bylaw, Article IX – Site Plan Authority Change from Selectmen to Planning Board – **REFERRED TO PLANNING BOARD – Support**
- #44 – Grant of Perpetual Restrictions – CPA Land Purchases - **Support**
- #45 - Community Preservation Fund – Weed Removal - **Support**
- #46 - Community Preservation Fund - Sudbury Housing Trust 10% Allocation - **Support**
- #47 - Community Preservation Fund – Town-wide Walkways - **Support**
- #48 - Community Preservation Fund – Historic Projects - **Support**
- #49 - Community Preservation Fund – Davis Field Improvements - **Support**
- #50 - Community Preservation Fund – Town Center Landscaping - **Support**
- #51 - Community Preservation Fund - Amend Article 26 ATM 12 – Historic Projects - **Support**

- #52 - Community Preservation Fund – FY16 CPC Budget - **Support**
- #53 - Petition Articles – Walkways
- #54 - Greenway Rail Trails
- #55 - Greenway Rail Trails
- #56 - Refinements to Senior Property Tax Reliefs - **IP**

**Annual Town Meeting – Discussion on Article # 35 and Petition Article #56 Regarding the Senior Property Tax Relief Program**

Present: Sudbury resident and petitioner for article #56 Ralph Tyler and Finance Director Andrea Terkelsen

At 9:22 p.m., Chairman Woodard welcomed Sudbury resident Ralph Tyler, 1 Deacon Lane, to discuss his proposed revisions regarding **Article 35** – Special Act – Extension of Means Tested Senior Tax Exemption Program. It was noted Town Counsel and the Town Moderator have reviewed the proposed revisions. Chairman Woodard stated the question for the Board is whether to request from the State Legislature a permanent extension or an extension just for a certain amount of additional time. He stated he supports a permanent extension, which would help to make it financially attractive for senior citizens to remain in Sudbury.

Mr. Tyler stated his comments tonight are primarily focused on Article 35. He described how well the of Means Tested Senior Tax Exemption Program has worked, and he recommended the program be extended permanently.

Vice-Chairman Brown referenced the comments made in the Assessor’s Office Report on the program, and she asked how they would be addressed.

Finance Director Andrea Terkelsen clarified the comments were from the Board of Assessors and not the Assessor’s Office. She stated she attended a meeting last week regarding the program, and did not sense any apprehension from anyone about requesting a permanent extension. Ms. Terkelsen further stated it is believed that the Board of Assessors’ suggestion should not be part of the language of the Special Act.

Mr. Tyler explained the Board of Assessor’s expressed it was uncomfortable making decisions regarding who could be financially excluded from the program. He recommended the Town requests a permanent extension of the program, noting it could always be revoked by the Town, if it so wished, in the future.

Selectman Simon asked whether there would be flexibility for adjusting the eligibility criteria if the program were extended indefinitely. Mr. Tyler stated parameters could be added to relax the criteria.

It was also on motion unanimously

VOTED: To support Article 35- Special Act – Extension of Means Tested Senior Tax Exemption Program, which will incorporate Mr. Tyler’s revisions as reviewed and discussed tonight, requesting a permanent extension of the Program.

Mr. Tyler announced he wished to withdraw his petition **Article 56**. Interim Town Manager Bilodeau stated she believes petition articles cannot be withdrawn, but it could be indefinitely postponed. Thus, Mr. Tyler stated he wished to indefinitely postpone Article 56.

**Fairbank Roof Leak – Discussion**

Present: Facilities Director Jim Kelly

At 11:00 p.m., Chairman Woodard opened a discussion regarding roof leaks at the Fairbank Community Center. The Board was previously in receipt of copies of an email from Park and Recreation Commission Chairman James Marotta dated March 3, 2015.

Facilities Director Jim Kelly listed several Town and School Buildings which experienced leaks during the recent historically-challenging-winter weather events. He explained how the Fairbank roof has been patched to-date for an approximate cost of \$140,000. Mr. Kelly stated the Town is doing what it can, while hoping the roof will last until the building's future is better determined. He emphasized how brutal the winter conditions were for the Fairbank building and several other buildings in Town. In response to a question from Chairman Woodard, Mr. Kelly stated collecting more information on the building is ongoing and he is comfortable, at this time, with the remedial action plans taken at Fairbank.

**Annual Town Meeting – Discuss Calling a Special Town Meeting Within the Annual Town Meeting**

Chairman Woodard explained a Special Town Meeting needs to be called as a result of the recent \$19.6 million bond sale conducted to raise cash for three Town projects, including a Johnson Farm-related issue, which needs to be concluded by June 30, 2015.

It was on motion unanimously

VOTED: To call a Special Town Meeting within the Annual Town Meeting for Tuesday, May 5, 2015, at 7:30 p.m. in the Lincoln-Sudbury Regional High School Auditorium, for the purpose of voting on amending Article XVIII, Section 2 of the General By-laws, and voting on adjustments to recent bond sales, and to open the Warrant commencing March 25, 2015, and to close the Warrant for Special Town Meeting at 5:00 p.m., Friday, April 3, 2015.

**Special Town Meeting – Discussion Regarding Adding Warrant Articles to Amend Article XVIII, Section 2 of the General Bylaws and Voting on Recent Bond Sales**

At 11:25 p.m., Chairman Woodard opened a discussion regarding adding Warrant articles for Special Town Meeting to amend Article XVIII, Section 2 of the General Bylaws regarding alcohol licensees and payment of taxes and voting on four articles related to recent bond sales. The Board was previously in receipt of copies of a revised draft Warrant article and the "Town of Sudbury Suggested Forms of Article and Motion to Apply Premium to Project Costs" regarding the recent bond sales.

Interim Town Manager Bilodeau stated Town Counsel reviewed Selectman Simon's edits suggested at the Board's last meeting. However, Town Counsel has advised the article language must remain as it has been presented tonight to the Board.

It was on motion unanimously

VOTED: To add warrant articles for Special Town Meeting to amend Article XVIII, Section 2 of the General By-laws regarding alcohol licensees and payment of taxes; and voting on four articles related to adjustments to recent bond sales.

**Opt-Out Incentive Program for Health Plans**

It was on motion unanimously

VOTED: To approve to continue offering the Opt-Out Incentive Program through June 30, 2017 for those Active Employees who currently participate in the Program and for those Active Employees who are enrolled in the Town's Health Plans and who opt out of being covered by the Town of Sudbury health plans, as described in the attached document "Opt-Out Incentive Program, with updates for July 1, 2015."

### **Military Appreciation Month**

It was on motion unanimously

VOTED: To acknowledge that the month of May is Military Appreciation Month in Sudbury and to sign a proclamation acknowledging this event, which document will be recorded in the military album on display at the Goodnow Public Library.

### **Minutes**

Vice Chairman Brown distributed copies to the Board of suggested typographical corrections to be made to the January 28, 2015 and February 18, 2015 Meeting Minutes.

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of October 29, 2013, January 28, 2015( as amended tonight), February 18, 2015 (as amended tonight) and February 24, 2015 and the Executive Session Meeting Minutes of February 18, 2015.

Vice-Chairman Brown recused herself from the vote on the October 29, 2013 Minutes.

### **First Parish of Sudbury – One-Day Wine & Malt License**

It was on motion unanimously

VOTED: To grant a one-day Wine & Malt license to First Parish of Sudbury, to accommodate a Service Auction fundraiser on Saturday, May 9, 2015 from 6:00 p.m. to 10:00 p.m. at First Parish of Sudbury, 327 Concord Road, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

### **Special Permit – National Brain Tumor Society - "Boston Brain Tumor Ride"**

It was on motion unanimously

VOTED: To grant a Special Permit to the National Brain Tumor Society, to hold the "Boston Brain Tumor Ride" on Sunday, May 17, 2015, from 8:00 a.m. through approximately 12:00 p.m., subject to compliance with conditions outlined by the Police and Fire Departments, DPW and Park and Recreation, and subject to receipt of a certificate of liability.

### **Special Permit – American Cancer Society - "Relay for Life of Lincoln/Sudbury"**

It was on motion unanimously

VOTED: To approve a Special Permit to the American Cancer Society, to hold the "Relay for Life of Lincoln/Sudbury" on Saturday, May 30 at 4:00 p.m. through Sunday, May 31, 2015 at 7:00 a.m., subject to

compliance with conditions outlined by the Peter Noyes School, the Police and Fire Departments, as well as Park and Recreation and the Presbyterian Church.

**Special Permit – Sudbury Companies of Minute and Militia – Annual Parade**

It was on motion unanimously

VOTED: To grant a Special Permit to the Sudbury Companies of Minute and Militia, to hold the Annual Parade to Commemorate Patriot's Day on Sunday, April 19, 2015, from 5:30 a.m. through approximately 12:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the parade's conclusion.

**Framingham Union Aid Association, Inc. – Grant**

It was on motion unanimously

VOTED: To accept the Framingham Union Aid Association, Inc. Grant in the amount of \$1,360 as requested by William Miles, Fire Chief, said funds to be used to purchase a gas generator for medical assistance.

**Rail Trail Conversion Advisory Committee – Resignation**

It was on motion unanimously

VOTED: To accept the resignation of Nancy Powers, 201 Union Avenue, from the Rail Trail Conversion Advisory Committee, and to thank her for her service to the Town.

There being no further business, the meeting adjourned at 11:42 p.m.

Attest: \_\_\_\_\_  
Maryanne Bilodeau  
Interim Town Manager-Clerk