

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, APRIL 14, 2015
8:00 AM – 10:00 AM

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

Absent: Selectman Lawrence W. O'Brien

The statutory requirements as to notice having been complied with, the meeting was convened at 8:00 a.m. in the Flynn Building, 278 Old Sudbury Road.

Opening Remarks

At 8:00 a.m., Chairman Woodard opened the meeting. He announced that he'll excuse himself from the meeting for Item 1 of the agenda which is discussion and vote authorizing Special Counsel for the Annual Town Election recount.

Authorization for Special Counsel for Annual Town election recount

Vice-Chairman Brown presides the meeting at this point with a quorum of 3 Selectmen. Town Clerk Rosemary Harvell explains the process of recount that will take place this evening at 5 p.m. She stated that because Town Counsel reports to the Board of Selectmen, it's important to have an independent Counsel to preside the recount. This Counsel will be Lauren F. Goldberg from Kopelman and Paige.

Selectman Simon noted that Kopelman and Paige were part of a list of candidates at a previous Town Counsel search and this firm is expert on recounts, and thinks that will be very helpful.

Vice-Chairman Brown asked if all have had the chance to review this item.

A motion was made by Vice-Chairman Brown and seconded by Selectman Simon to authorize for Special Counsel as requested by Town Clerk Rosemary Harvell, for Annual Town Election recount for members of the Board of Selectmen.

Vote: All in favor.

Vote to sign Special Town Election Warrant

For this item Chairman Woodard rejoins the meeting. Interim Town Manager Bilodeau highlighted the latest changes on Ballot question number 4. Oppositions to questions 4 and 5 were submitted by Selectman Simon and Dick Williamson. Selectman Simon has a concern on ballot question number 4 and 5. The argument for passage and for opposition were written by groups. Selectman Simon thinks the Town has ownership on both of those writings, and is concerned that these questions are not clear. These ballot questions have terms that are not commonly used.

Selectman Simon states that voters will not have the benefit to attend Town Meeting to see the pros and cons and they might just be voting in a vacuum, specifically the words of ballot questions 4 and 5. "Completed unpaved green way," "Green way style." The phrases contain words that are multiuse. He also said that there is an internal inconsistency with both questions and summaries. The idea of recreation is not subject for easy definition and voters go to the polls with different understandings. These terms only served to confuse voters. "Construction of unpaved rail trail" should be the language so the voters know what they are voting on. Chairman Woodard asked Selectman Simon what language would he suggest.

Selectman Simon replied: "Completed unpaved green way style" to be redacted. The text will be for the purpose of engineering and construction of an unpaved rail trail.

Selectman Haarde stated that this is not an issue due to this being a non-binding resolution. If Selectman Simon would like to make an argument, he can do that. He added that these are citizen's petition articles, even if the term "completed" is not accurate because this is a conceptual argument. The language is misleading and ambiguous and we will have a problem.

Vice Chairman Brown clarifies that this language came from the Board of Selectmen, so if the language is convoluted, the Board can vote on this language again and change it. The Board voted not only on arguments but on resolutions.

Chairman Woodard suggested that "Completed" and "Green way style" should be in quotation marks. He agrees to take out "Greenway style" because the terms sound more marketing style.

Selectman Haarde responded that "Greenway style" is essential for people that submitted this petition and it seems very clear to understand. Mr. Haarde said he's uncomfortable with having morning meetings, when residents are not here to witness. This is not a Tuesday night, we are trying to come in on a Tuesday morning to change things that we decided on a Tuesday night.

Chairman Woodard replied that the only reason the Board is here on a Tuesday morning is because they need to sign this document.

Vice Chairman Brown reminded Selectman Simon that the language is convoluted in part because of his suggestions.

A motion was made by Chairman Woodard and second by Selectman Haarde to sign the Special Town Election Warrant, which must be posted and in the hands of residents no later than Tuesday, May 5, 2015.

Selectman Simon would like discuss further, but he supports the language contained on the other items. He cannot support the language on numbers 4 and 5.

Voted:

Chairman Woodard, Vice Chairman Brown and Selectman Haarde in favor.

Selectman Simon in favor of items 1, 2 and 3 and against 4 and 5

Vote to appoint the following individuals to the Town Hall Blue Ribbon Committee

This vote is necessary to appoint the following individuals to the Town Hall Blue Ribbon Committee for a term ending 6/31/16, as recommended by their respective Boards and Committees: Permanent Building Committee (2 members), Michael Melnick and Joseph Sziabowski; Capital Improvement Planning Committee, Susan Ciaffi; Historic Districts Commission, Frank Riepe; Sudbury Historical Commission, Bill Johnson; Sudbury Public Schools Committee, Christine Hogan; and Sudbury Historical Society, Sally Hild.

A motion was made by Chairman Woodard and second by Vice Chairman Brown to appoint these individuals to the Town Hall Blue Ribbon Committee for a term ending on 6/31/16.

VOTED: All in favor.

Vote to approve the submission of a grant application to the Federal Lands Access Permit Program

Jim Kupfer, Assistant Planner requested the Board to approve and sign this application since the deadline is at the end of this week. This application will be for funding to construct a left turn lane on Hudson Road (eastbound) entering the Assabet River National Wildlife Refuge.

Mr. Kupfer explained that the reason for submitting this application this year is because this fund is done every 4 years.

The Town is the facility owner. The transportation corridors were study and this portion was added to improve safety.

If this grant is approved, the Town is not bound to do the project. If approval is obtained further studies will be done and our role will also include the bidding process. No out of pocket funds will be needed.

Vice Chairman Brown states that maybe acquiring land from the Fire Fighting Academy would be an option in the future.

The motion was made by Chairman Woodard and second by Vice Chairman Brown to approve the submission of this grant application to the Federal Lands Access Permit Program.

Voted: All in favor.

Discuss and possibly vote on date for Town Manager search consultant interviews and which firms to interview

Chairman Woodard asked the Board if there are any firms that they would like to interview or any firms that they would not considered interviewing. Also how many firms are they plan to interview in one evening. Perhaps up to 4, and interview each one for about 30 minutes.

Vice Chairman Brown agreed that ideally it would be a good to interview all in one evening.

A motion was made by Chairman Woodard and second by Vice Chairman Brown to interview all 4 firms on the same evening starting at 7:30 p.m.

Voted: All in favor.

Vote to enter into Executive Session to discuss the Wayland-Sudbury Septage Facility

A motion was made by Chairman Woodard and second by Selectman Simon to enter into Executive Session to discuss the purchase, exchange, lease or value of real property, specifically the Wayland-Sudbury Septage Facility.

Voted: All in favor.

Board of Selectmen at this point entered into Executive Session.

Resumed meeting at 9:58 a.m. after Executive Session and immediately adjourning.

There being no further business, the meeting adjourned at 10:00 a.m.

Attest: _____
Maryanne Bilodeau
Interim Town Manager-Clerk