

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, MARCH 1, 2011

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:33p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:33 p.m., Chairman Drobinski opened the meeting. He announced two Sudbury residents are returning home this week from military duty and he encouraged the community to welcome them.

Chairman Drobinski also congratulated Sudbury's school athletic teams, noting the women's swim team won the State championship, Zack Smerlas won the State wrestling championship, and Andrea Keklak won the 1000-meter race.

Chairman Drobinski announced the Annual Town Election is March 28, 2011. Voter registration will be held March 8, 2011 from 9:00 a.m. to 8:00 p.m., which is also the last day to change party affiliations.

Reports from the Town Manager

Town Manager Valente reported she has attended many meetings in the last two weeks.

Reports from the Board of Selectmen

Selectman Haarde reported he attended the Finance Committee meeting last night.

Vice-Chairman O'Brien attended a Budget Working Meeting on Monday this week and attended Finance Committee hearings during the past few weeks.

Chairman Drobinski reported working with the Sudbury Military Family group. He announced May will be designated as Military Appreciation Month in Town and recognitions of residents serving in the military are being planned.

Joint Meeting with the Sudbury Finance Committee – Budget Discussion

Present: Finance Director Andrea Terkelsen, Finance Committee Chair James Rao and Finance Committee members Bill Kneeland, Bob Stein, Tammie Dufault, Joan Carlton, Bob Jacobson, Chuck Woodard and Jamie Gossels

At 7:53 p.m., Chairman Drobinski welcomed the Finance Committee to this joint meeting with the Board of Selectmen, and he recognized the Committee's hard work this year. Chairman James Rao presented an update from the Committee and distributed copies of three handouts related to "FY12 Budget Scenarios," a "Conditional Override Scenario for FY12," and an "LS Medical Insurance Analysis."

Mr. Rao provided an overview of the Committee's work in recent months, including formal hearings with all cost centers to review level-service and no-override budgets. He referenced the FY12 Budget Scenarios spreadsheet, stating the current revenue forecast was used as the basis for the no-override budgets. Assumptions were also incorporated in the scenarios for a 5% reduction in State Aid and for local receipts to remain flat year over year.

Mr. Rao highlighted that there is a \$1.2 million variance between Lincoln-Sudbury Regional High School's (L-SRHS) level-service and no-override budgets, and he provided several reasons for it. He stated the Committee deliberated several budget scenarios last night, noting each year is unique, and each cost center is unique. The Committee has presented a proposed \$1 million override, with \$370,000 designated for Sudbury Public School, \$80,000 for the Town to primarily fund a facilities manager position, \$50,000 for the Town capital needs, possibly for equipment purchases following the difficult winter, and \$589,013 designated for L-SRHS.

Mr. Rao further summarized a conditional override scenario for FY12 proposed by Committee member Bob Jacobson. This proposal would support the use of the L-SRHS Excess and Deficiency Fund to temporarily cover the shortfall. In addition, the proposal includes a strong recommendation for the L-SRHS teachers and School Committee to restructure their benefit program to move all employees from more generous health coverage plans to rate saver programs, which could provide the opportunity to save approximately \$400,000.

Mr. Jacobson noted that the proposal conditions the reduction of the cost for healthcare for the L-SRHS employees in exchange for a disproportionate allocation of \$500,000 from the Town. He provided some comparison information for primary care, hospital and pharmacy co-pays for the current health plan and rate saver plans. Mr. Jacobson further noted that, although employee co-pays might increase, they are still less than what would be experienced in the private sector. He also stated that the current health care reform law defines any health care plan with a premium of \$18,000 or more a year as a luxury plan and will result in a taxable fringe benefit cost to employees in the future. Mr. Jacobson emphasized that his proposal involves compromise by all parties for the best outcome. To support an override ballot question, Mr. Jacobson stated he would want the School Committee and teachers to sign an agreement reflecting their willingness to restructure the benefit program. He further opined that, with a no-override budget, the students lose the most.

Selectman Haarde asked if the Finance Committee fully supports the conditional override proposal. Mr. Jacobson stated the Committee has not taken a vote yet on the proposal. Selectman Haarde commended Mr. Jacobson on this creative approach, stating he believes it gives guidance to the stakeholders on what needs to be accomplished. He further stated that he would rather see the healthcare benefits restructured than to have teachers laid off. Selectman Haarde stated there may be other areas for savings besides healthcare costs, noting that some L-SRHS personnel are eligible for a total salary increase of over 10%, which he does not believe is appropriate in this economy. He hopes a more collaborative approach can be taken to realize savings. Selectman Haarde believes that in order to establish a sustainable system, the split of healthcare costs should move towards a 50/50 cost-sharing model. He believes this is necessary for teacher union personnel to fully understand the consequences which result from expensive healthcare costs.

Mr. Jacobson noted that employees might also reap approximately \$172,000 in savings from restructuring the health benefits which could be used to offset higher co-pays.

Selectman Haarde opined that the higher the percentage of healthcare premium cost the employee pays the more they realize they too can save money by having a lower premium cost. He referenced a few L-SRHS employees who have healthcare plans with yearly premiums of approximately \$50,000 and questioned if there is a solution to converting them to more economical plans.

Vice-Chairman O'Brien noted that L-SRHS did accomplish the 4.5% annual growth goal over a three-year period which was suggested by the Finance Committee in 2008. He also stated that the L-SRHS Business Manager has stated that only rate saver plans could be offered. Vice-Chairman O'Brien indicated

that the incentive program would need to be eliminated under this new approach. Mr. Jacobson stated that, under a new agreement, the previous incentive would be null and void as all would be moved to rate saver plans, with the overall incentive of saving jobs and minimizing layoffs.

Chairman Drobinski informed Finance Committee member Robert Stein that, according to the Open Meeting Law, the sign he displayed tonight would need to be submitted as part of the meeting record, if he continued to display it. Mr. Stein put down the sign.

Vice-Chairman O'Brien asked if Town Counsel should be consulted regarding whether it is possible to condition an override. Finance Committee member Chuck Woodard stated there is no intended Committee override condition. Mr. Woodard explained the Committee would report and vote its position at Town Meeting. Mr. Jacobson stated the Committee would provide no report in the Town Warrant and would only present a non-override scenario. He further emphasized that the override question would not be conditioned. Mr. Jacobson clarified that, personally, he would want to see a signed agreement from the teachers and its union reflecting something similar to the recommended restructuring of its healthcare benefit program before he could recommend support for an override. Vice-Chairman O'Brien asked what Mr. Jacobson's position would be if negotiations did not yield the anticipated results prior to Town Meeting. Mr. Jacobson stated he would need to assess what had been achieved and possibly pro-rate his override support accordingly.

Vice-Chairman O'Brien questioned how a new agreement reconciles that current contracts were negotiated in good faith. Mr. Woodard stated that the three-year guidance for 4.5% was issued by the Finance Committee in 2008, prior to the national economic downturn. Mr. Woodard emphasized that budget assessments and planning cannot be done in isolation from what is happening in the world. Mr. Jacobson concurred, noting that, although L-SRHS may have met the 4.5% standard, it did not do so by making structural changes to effect its long-term rate of growth. He stated this issue needs to now be addressed.

Vice-Chairman O'Brien commended the Committee for its thorough review of several budget scenarios. He believes the conditional proposal presented tonight allows for a long-term solution to be implemented which will maintain the staff and culture of the High School.

Chairman Drobinski stated he believes the Board supports the public deciding the override issue. He stated that tonight's proposal recognizes that everyone should share in the pain of increased costs. Chairman Drobinski expressed his concern that the Town not be short-sighted in its financial recommendations, so as to ensure that Sudbury's standard of educational excellence, which so many have worked so long to achieve, is not undermined in the long-run.

Mr. Jacobson stated that fairness was upper most in his mind when developing the conditional scenario so as to encourage a "we are all in this together" mentality.

L-SRHS School Committee Chair Mark Collins expressed appreciation for the Selectmen and Finance Committee grappling with these important issues. He stated he is comfortable pursuing the healthcare program recommendations with the teachers' association. However, Mr. Collins questioned if there could be legal complexities to a conditional labor agreement. He believes L-SRHS teachers and staff have worked above and beyond the call of duty to address fiscal issues. Mr. Collins emphasized he would hesitate to draft or support a plan which he believes could jeopardize the education of the students.

Mr. Collins asked for clarification regarding the proposed use of the Excess and Deficiency (E&D) Fund. Mr. Jacobson reiterated it is intended as a temporary fix.

L-SRHS Acting Superintendent Scott Carpenter acknowledged Mr. Jacobson's attempt to present a proposal which attempts to reach "middle ground." However, he emphasized that he believes no more than \$111,000 can be accessed from the E&D Fund without creating a future funding shortfall problem for FY14. In addition, Mr. Carpenter encouraged not pushing off a decision to June and risking that personnel pursue jobs elsewhere due to a lack of job commitment from Sudbury.

Chairman Drobinski noted a 35-day notice is required before a Special Election can be held. Vice-Chairman O'Brien noted that the negotiating parties could decide these issues as soon as they would like. Mr. Jacobson concurred, stating the timing for an override question being put on a ballot for the public can be determined by those negotiating the terms.

Sudbury Public School (SPS) Committee Chair Susan Iuliano stated the work of the Finance Committee in trying to find a workable solution is appreciated. However, she emphasized that the proposed \$370,000 override allocation for SPS is critically important for meeting the needs of its students. She urged all parties to collaboratively seek solutions, noting that the timeframes established affect all cost centers.

Chairman Drobinski stated that the Board appears to generally support an override, but the timing needs to be further delineated. Selectman Haarde clarified the Board has not yet voted its position on an override ballot question. Chairman Drobinski clarified that he believes the Board supports continuation of this discussion and process to present the option to the public.

Selectman Haarde expressed his desire for all parties to focus on long-term solutions and not just this year's override options. He noted unions often step forward to voluntarily restructure their contracts in order to save jobs. Selectman Haarde stated he does not want Sudbury children to suffer as a result of decisions made. He urged the teachers' union to "hear the call" for reform.

Mr. Rao stated the Finance Committee would be voting later tonight its position on warrant articles. Town Manager Valente stated that positions on articles should be determined by March 11, 2011 to facilitate the Warrant publication schedule. She explained that given the current calendar, nothing would appear in the Warrant from the Board regarding an override option.

Vice-Chairman O'Brien suggested the Finance Committee summarize its thoughts on a budget override in the Warrant and also in a Letter to the Editor in the local newspaper. Mr. Rao stated the Committee could do so, and that he believes the debate to put before the public is that a good budget requires some sacrifice from all parties. Town Manager Valente noted that the Finance Committee would need to vote on the non-override budget and other options could possibly be explained in the Committee Chairman's accompanying letter. Chairman Drobinski stated specific amounts for each cost center need to be designated for the Special Election ballot question.

At 8:57 p.m., Chairman Drobinski concluded the joint meeting with members of the Finance Committee. He announced Town Manager Valente plans to attend another brief meeting tonight and will return later in the evening.

Clerk Pro Tem

It was on motion unanimously

VOTED: To appoint Assistant Town Manager Maryanne Bilodeau as Secretary and Clerk Pro Tem, for the portion of tonight's meeting not attended by Town Manager Maureen Valente.

**Joint Meeting with the Sudbury Planning Board – Potential Articles for 2011 Annual Town Meeting –
Route 20 Sewer System, Inclusionary Zoning and Expansion of the Wireless Overlay District**

Present: Director of Planning and Community Development Jody Kablack, Planning Board Chairman Michael Fee and Planning Board Members Chris Morely, Michael Hunter, Eric Poch, Joe Sziabowski, Associate Member Craig Lizotte and Technical Advisory Committee (TAC) Chair Lisa Eggleston

At 8:58 p.m., Chairman Drobinski opened a joint meeting with Sudbury's Planning Board. The Board was previously in receipt of copies of a draft 2011 Town meeting article regarding expansion of the wireless overlay district and copies of the 1994 Town Meeting Inclusionary Zoning Bylaw article, a draft Inclusionary Zoning Bylaw modeled after Lincoln dated February 23, 2011 for the 2011 Town Meeting, notes from Ms. Kablack dated February 10, 2011 regarding Inclusionary Zoning Bylaw Parameters for review and the Capital Expense Request form for \$1million for the Route 20 Sewer System .

Route 20 Sewer System Design and Permitting

Present: Weston and Sampson engineers Blake Martin and Kent Nichols, TJ Maxx owner Hal Garnick

The Board was previously in receipt of copies of a memorandum from Sudbury's Planning Board dated February 11, 2011, expressing its unanimous and strong support for the advancement of the \$1 million Route 20 sewer design article. Director of Planning and Community Development Jody Kablack reviewed that the Selectmen discussed this potential article at its January 27, 2011 meeting and were hesitant to advance a \$1 million article at this time. Ms. Kablack reported that the Sudbury Water District (SWD) was contacted to determine if it was interested in helping to fund the project. The SWD stated it is not interested in establishing a joint water district. Ms. Kablack expressed her disappointment, given that a large benefit of the project would enhance protection of the Town water supply. She further reported contacting State Representative Conroy's office regarding legislative assistance, which is unlikely. Ms. Kablack stated Town Manager Valente suggested a temporary tax shift funding idea, which could be further explored. She also stated that it seems unrealistic in the current economy to ask businesses for contributions. Ms. Kablack noted that the Technical Advisory Committee conducted a door-to-door campaign with business in 2000 and only collected \$35,000. She further stated there do not appear to be any grants available for planning and design stages of the project.

Ms. Kablack introduced Weston and Sampson consultants Blake Martin and Kent Nichols in attendance tonight, and TJ Maxx business owner Hal Garnick. Copies of a handout entitled, "Project Approach and Timeframe" were distributed to the Board. Mr. Martin provided a brief overview of the project to date, noting the Curtis Middle School has been identified as a viable site for subsurface disposal of highly-treated effluents. He stated the Project Engineering Report is in the process of being drafted, which will be critically important for accessing State funding.

Mr. Nichols explained the strategy for drafting the original \$1 million proposal for the design and permitting phases, which would require one Town meeting appropriation, followed by another appropriation estimated at \$14 million for the construction phase in 2013. The firm has reviewed options to reduce the initial expenditure this year. Mr. Nichols emphasized the importance of pursuing State Revolving Fund (SRF) funding and conducting a public participation program to educate the residential public on the value of the project which is already known by commercial property owners. He estimated that \$350,000 could be sufficient to complete the initial steps required to advance the project to a preliminary design. Mr. Nichols further explained that a second Town Meeting appropriation for the remaining \$650,000 could be pursued next year, or it could be requested in combination with the anticipated construction-phase appropriation.

Selectman Haarde thanked everyone involved with getting the Town to this point in the process. He also commended Ms. Kablack for pursuing alternative options. He asked what percentage of the project would be

funded from SRF funds and how much would be traditionally bonded. Ms. Kablack noted State funds currently exist to allow eligibility for SRF funding for the entire \$14 million of construction costs, but one cannot be sure those funds will exist in the future. Mr. Nichols concurred that the Department of Environmental Protection does not have a history of funding the design stage.

Selectman Haarde referenced pro forma models presented by the Budget Review Task Force, and he asked if further analysis has been completed regarding whether the SRF funds could be paid back by user fees and not from residential taxpayers. Ms. Kablack stated the analysis has not been completed yet, but additional information should be available by May 2011. It was asked if access fees and usage would pay for a majority of the project. Technical Advisory Committee (TAC) Chair Lisa Eggleston stated it depends on how the project is structured. Ms. Eggleston noted that a Citizens' Advisory Group will soon be established to evaluate these and other issues.

Chairman Drobinski stated the timing of this project for Sudbury is important to consider. He reported plans for the Raytheon facility in Wayland to be converted to a wastewater treatment facility. Thus, he is concerned that Sudbury businesses will have options nearby and may choose to relocate. Chairman Drobinski stated, if Sudbury wants a vital and sustainable business community, it needs to consider how it will compete with Wayland. Ms. Eggleston stated many commercial properties in Sudbury are currently underutilized due to sewer constraints.

Selectman Haarde stated the goal in Town should be to increase the business tax base and an education campaign should be conducted to help the public see this as an investment rather than an expenditure. He asked for clarification on the business area to be covered by the proposed design. Ms. Kablack stated from Mill Village to Lafayette Drive is proposed.

Planning Board member Eric Poch stated it is important to consider different funding options to pass along the tax burden for the project. Mr. Poch opined that the Town currently has a failed infrastructure which cannot meet the needs of the community. He noted many issues, including zoning and the bylaws, which need to be concurrently explored while creating the technical plan.

Selectman Haarde asked if the \$350,000 option presented tonight costs the Town anything else and/or delays the project. Planning Board member Chris Morely and Ms. Eggleston stated the Town will lose a year in the process. Mr. Nichols clarified that possibly three or four months could be lost. It was noted that the Massachusetts Environmental Protection Agency (MEPA) review will take about a year to complete.

Vice-Chairman O'Brien asked if the timeline for this year's Town Meeting is realistic. He also noted that zoning should be concurrently determined as to whether it should be expanded, and he questioned whether a sufficiently detailed plan could be prepared for Town Meeting. Ms. Kablack stated there is an immediate need for many properties on Route 20. She emphasized that there is adequate time to resolve zoning considerations prior to 2015, and thus she does not see those issues as constraining the project at this time. Given the current status, Mr. Poch highlighted businesses have no opportunity for expansion without this project coming to fruition. Vice-Chairman O'Brien concurred. Ms. Eggleston noted, if the initial \$1 million appropriation is pursued this year, it would likely produce more information to be available and the Town would be further in the process when requesting the construction appropriation from the public. Mr. Nichols concurred that in order to determine the full construction costs, a full design plan must be completed. He also noted that more public participation could be completed with the \$1 million appropriation this year.

Selectman Haarde stated there are ecological reasons to pursue this project, along with reasons to support the need for local businesses to expand and to increase the commercial tax base. He believes there are a lot

of reasons to do something to keep this project moving forward and thinks it is important to educate the public about it.

Mr. Morely stated that the majority of Finance Committee members also thought the project should be advanced to Town Meeting. Chairman Drobinski noted a Warrant article has been bookmarked. Town Manager Valente noted the Board could choose to report its position at Town Meeting.

Inclusionary Zoning Bylaw

Chairman Michael Fee expressed the Planning Board's excitement regarding the Selectmen's consideration of an Inclusionary Zoning bylaw, which it perceives as a component of a more comprehensive housing plan for the Town. However, Mr. Fee stated the Planning Board is hesitant to endorse bylaw modifications which have not been adequately vetted with all stakeholders. He emphasized the Planning Board's willingness to consider this issue at its next meeting. Mr. Fee stated his preference to take a broader look at this issue, to garner input, and to build a constituency over the next few months which can develop a thorough bylaw for presentation at next year's Town Meeting.

Chairman Drobinski stated the Selectmen also need to determine if this is the right time to advance the issue or whether more time is needed to study the topic.

Selectman Haarde expressed his appreciation for the Planning Board feedback on this proposed article. He stated he would defer to the opinion of the Planning Board, but questioned if something could still be presented this year, which could be modified next year. Mr. Fee expressed his apprehension for doing so, noting his fear that it might have the unintended consequence of encouraging developers to choose Chapter 40B options as more profitable rather than pursuing the more flexible option of submitting a subdivision plan application. Mr. Fee referenced the recent example on Old Lancaster Road, where the Planning Board was able to work with the developer through the subdivision process to reach a mutually acceptable end, which might not have been possible had an Inclusionary Zoning Bylaw been in place. He emphasized that pushing a bylaw through which has not been adequately researched could possibly result in the exact opposite happening from what the Town desires.

Vice-Chairman O'Brien stated the Planning Board seems enthusiastic to work on this issue. He suggested the Planning Board include in its work this year the preparation of a 2012 Town-Meeting-ready proposal. Vice-Chairman O'Brien recommended postponing the article this year and formally asking the Planning Board to prepare one for the 2012 Town Meeting.

Wireless Overlay District

At 9:51 p.m., the Board briefly reviewed the draft 2011 Annual Town Meeting Article regarding amending the Bylaw to expand the Wireless Services Overlay District. Vice-Chairman O'Brien highlighted revisions he and Ms. Kablack have recommended, including adding language to allow freestanding monopoles no higher than 80 feet on all Town property and buildings, exclusive of school buildings, and deleting section 4363, regarding setbacks in its entirety. Vice-Chairman O'Brien stated he perceived this issue as an economic development article, which uses Town properties as a means to earn revenue and limits the residential options to carriers. He further stated the Planning Board would be responsible for conducting the Public Hearing prior to Town Meeting.

Mr. Fee stated the Planning Board supports the need to expand the district and will conduct the Public Hearing accordingly. Mr. Poch noted the Planning Board held several Public Hearings last year in which the topic was not well received by the public. Mr. Morely concurred, noting the forums were the most attended

Public Hearings he has seen in ten years. He emphasized that the law allows carriers tremendous leeway in how and where towers are installed. Mr. Morely stated it is important for the Town to manage the process of installations, and that the public needs to be better educated regarding this need.

In response to a question from Chairman Drobinski, Ms. Kablack stated the Planning Board will conduct a Public Hearing in April 2011. Mr. Fee stated the Planning Board is amenable to considering co-sponsoring the article with the Selectmen, since it is consistent with its philosophy. However, Mr. Fee further stated the Planning Board would determine whether to do so after the Public Hearing.

Community Housing Specialist Beth Rust announced there will be a Community Housing Workshop on March 31, 2011 to gather public input to assist the Town in the development of its Housing Production Plan to be submitted to the State. Ms. Rust stated the facilitated session will include a light supper, and it can accommodate 50 participants. She encouraged those interested in attending to pre-register.

Group Health Insurance - Plan Proposals

Present: Maryanne Bilodeau, Assistant Town Manager

At 10:04 p.m., Chairman Drobinski welcomed Assistant Town Manager Maryanne Bilodeau to make the presentation to the Board on health and dental plan rates for Town/Sudbury Public Schools (SPS) working employees. The Board was previously in receipt of a memorandum from Ms. Bilodeau dated February 25, 2011, providing the rate recommendations for Blue Cross/Blue Shield health insurance working rates and dental premiums for FY12.

Assistant Town Manager Bilodeau recommended an increase of 11% for both Network Blue and Blue Choice plans. She further explained that the rate might have been 1.5-2% lower without the mandatory national health care reform inclusions. Vice-Chairman O'Brien noted this percentage increase is more favorable than the current market, which is averaging 14% increases.

Town Manager Valente noted all Town and SPS employees have only rate-saver plan health options. Selectman Haarde asked if plan choices could be added which have premiums even lower than what is now being offered. Town Manager Valente stated there are a few ideas she and Ms. Bilodeau would like to discuss with the Board in Executive Session.

It was on motion unanimously

VOTED: To approve a contract with Blue Cross/Blue Shield of Boston, MA to serve as a third-party administrator for Network Blue Rate Saver and Blue Choice Rate Saver self-funded health plans, and further to establish health insurance monthly working rates for Fiscal Year 2012 for Town employees/retirees effective July 1, 2011, and approve a contract with Blue Cross/Blue Shield of Boston, MA to provide dental insurance for FY12 for Town employees and to approve FY12 rates for such coverage, including the proportionate amounts to be contributed by active Town employees and retirees as shown below:

	<u>Family</u>	<u>Individual</u>
BC/BS Blue Choice	\$1,916.97	\$ 752.58
BC/BS Network Blue	\$1,678.32	\$ 644.91
BC/BS Dental Premiums	\$ 85.52	\$ 33.95

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of February 15, 2011.

Bay Path Elder Services – Title III Grant

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$2,070 Title III Grant from Bay Path Elder Services to the Senior Center for the purpose of conducting a survey of residents 85 years of age and older, as outlined in a grant document dated October 1, 2010, said funds to be expended under the direction of the Council on Aging Director.

Annual Town Election Warrant – March 28, 2011

It was on motion unanimously

VOTED: To sign the Annual Town Election Warrant for March 28, 2011, as requested by Town Clerk Rosemary Harvell.

Election Officer - Appointment

It was on motion unanimously

VOTED: To appoint Steven H. Greene, 36 Elaine Road, Sudbury, as a Democratic Election Officer for a term to expire August 14, 2011, as requested by Town Clerk Rosemary Harvell.

Boy Scout Troop 63 – Eagle Scouts

It was on motion unanimously

VOTED: To enter into the Town record and sign letters of congratulations to Eli Greenspan, 123 Moore Road, and Leif Erik Skramstad, 40 French Road, of Troop 63, on achieving the high honor of Eagle Scout at a ceremony to be held on Sunday, March 20, at 3:00 p.m. at the Sudbury Grange Hall, 326 Concord Road.

One-Day Wine and Malt Beverages License – “Taste of the North End”

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to approve a one-day Wine and Malt Beverages License to Steve Tripoli, 31 Marlboro Road, representing First Parish of Sudbury, to accommodate a “Taste of the North End” Pasta Festival fundraising event at First Parish in Sudbury, Sudbury Center, on Saturday, March 5, 2011 from 4:00 to 9:00 p.m. – with a snow date of Sunday, March 6, 2011, subject to receipt of a Certificate of Liability.

One-Day Wine and Malt License – Knights of Columbus

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to approve a one-day Wine and Malt Beverages License to Bill Kneeland, 41 Pennymeadow Road, representing the Knights of Columbus Council #5188 of Sudbury, to accommodate a St. Patrick's Day dinner dance/fundraising event at St. Anselm's Church, 100 Landham Road, on Saturday, March 12, 2011 from 6:30 p.m. to 11:00 p.m., subject to receipt of a Certificate of Liability.

FY11 Second Quarter Unaudited Financial Statements

Finance Director Andrea Terkelsen responded to a few questions from Selectman Haarde regarding unrealized market gains. She also clarified that the trusts listed have expendable allocations and that the list and figures presented do not include Community Preservation Act (CPA) funds.

Chairman Drobinski and Town Manager Valente noted Ms. Terkelsen works with a financial advisory group to review fund performances.

It was on motion unanimously

VOTED: To accept, as Co-Trustees of Town Donations, the unaudited Town Trust Funds FY11 second quarter statements for the period ended December 30, 2010, as requested by the Finance Director, Andrea Terkelsen.

Selectman Haarde asked if the investment report for the CPA funds has been released, and he requested it be provided to the Board. Ms. Terkelsen stated financial information related to the Town's CPA funds was provided to the Finance Committee, and she will also forward it to the Board.

Environmental Protection Agency – MS4 Comment Letter – Board Review Appointment

It was on motion unanimously

VOTED: To appoint Chairman John Drobinski on behalf of the Board, to work with Conservation Commission Coordinator Debbie Dineen to finalize Sudbury's MS4 letter of comments to be sent to the Environmental Protection Agency prior to March 11, 2011.

Proclamation – Lt. Col. Christopher Hamilton

Vice-Chairman O'Brien read aloud a proclamation for Lt. Col. Christopher Hamilton, who is returning home to Sudbury from his tour of duty serving in Operation Iraqi Freedom.

It was on motion unanimously

VOTED: To proclaim Wednesday, March 2, 2011 as resident Lt. Col. Christopher Hamilton Day in Sudbury, in recognition of his safe return from a tour of duty serving in Operation Iraqi Freedom.

Proclamation – Capt. Brian Mahoney, USMC

Selectman Haarde read aloud a proclamation for Capt. Brian Mahoney, USMC, who is visiting his Sudbury family after completing his third tour of duty in Afghanistan, and before returning to his post in California.

It was on motion unanimously

VOTED: To proclaim Friday, March 4, 2011 as Capt. Brian Mahoney Day in Sudbury, in recognition of his safe return from his third tour of duty in Afghanistan.

Chairman Drobinski asked the community's assistance in informing the Assistant Town Manager if someone serving in the military is expected home so they can be welcomed and recognized accordingly.

Annual Town Meeting Actions

The Board was previously in receipt of a draft list of the "2011 Annual Town Meeting Warrant Articles," dated February 16, 2011. Finance Director Andrea Terkelsen provided a brief explanation regarding the maximum amount to be spent for revolving funds listed in Article 12. Chairman Drobinski stated Article 12 does not reflect any money paid by taxpayers. The Board reviewed the list to take positions as follows:

- #1 - Hear Reports – Position – Support
- #2 - FY11 Budget Adjustments – Position - RTM
- #3 - Stabilization Fund – Position - RTM
- #4 - FY12 Budget – Position - RTM
- #5 - FY12 Capital Budget – Position - Support
- #6 - FY12 Transfer Station Enterprise Fund Budget – Position - RTM
- #7 - FY12 Pool Enterprise Fund Budget – Position - Support
- #8 - FY12 Recreation Field Maintenance Enterprise Fund Budget - Position - Support
- #9 - Unpaid Bills – Position – RTM
- #10 - Chapter 90 Highway Funding – Position – Support - CC
- #11 - Real Estate Exemption - Position - Support - CC
- #12 - Town/School Revolving Funds – Position – Support - CC
- #13 – Conservation Revolving Fund – Trail Maintenance – Position – Support - CC
- #14 – Cemetery Revolving Fund – Cemetery Maintenance – Position – Support - CC
- #15 – Regional Housing Services Revolving Fund – Position – Support - CC
- #16 – Special Act – Transportation Fees – Position - RTM
- #17 – Amend Special Legislation – Senior Citizen Property Tax Exemption – Position – Chairman Drobinski suggested, and the Board concurred, the article be withdrawn.
- #18 – Street Acceptances – Position – Support
- #19 - Amend Bylaw Article 5.3 – Regulation of Dogs – Position - Support
- #20 – Route 20 Sewer System Design and Permitting – Position – Hold for further review on 3/15/11
- #21 – Amend Zoning Bylaw Article IX, Section 4300 – Wireless Services Overlay District – Position – Hold for further review on 3/15/11 - Refer to Planning Board
- #22 - Amend Zoning Bylaw Article IX – Inclusionary Zoning – Position – Selectman Haarde suggested, and the Board concurred, the article be withdrawn.
- #23 - Amend Zoning Bylaw Article IX Use Table – Retail Use in Industrial & Limited Industrial – Position – Support - Refer to Planning Board
- #24 - Amend Bylaw – Outdoor Hydronic Heater – Position - Support

- #25 – Dissolve Permanent Landscape Committee – Position – Support - **CC**
- #26 - Sale of Land – Hudson Road and Pinewood Avenue – Position - Hold for further review on 3/15/11
- #27 – Exchange of Land off Peter’s Way with Abutter – Position – Support
- #28 - Community Preservation Fund –Carding Mill Pond Harvesting – Position – Hold for further review on 3/15/11
- #29 - Community Preservation Fund – Town Clerk Historic Document Preservation – Position - Hold for further review on 3/15/11
- #30 - Community Preservation Fund – Historic Projects – Position - Hold for further review on 3/15/11
- #31 - Community Preservation Fund – Town-Wide Walkways – Position - Hold for further review on 3/15/11
- #32- Community Preservation Fund - Sudbury Housing Trust 10% Allocation - Position - Hold for further review on 3/15/11
- #33- Community Preservation Fund - Fairbank Farm Agricultural Preservation and Historic Preservation Restriction – Position - Hold for further review on 3/15/11
- #34 - Community Preservation Fund - Amend Art. 31 of the 2008 Town Meeting, Sudbury Housing Authority Unit Reconstruction – Position Hold for further review on 3/15/11 - **CC**
- #35 - Community Preservation Fund - General Budget and Appropriations - Position – Hold for further review on 3/15/11
- #36 - Reduce CPA Surcharge from 3% to 1.50% - Petition – Position – RTM
- #37 – Amend Special Act to Change from Town Manager to Town Administrator – Petition - Position – RTM
- #38 – Purchase Land off Brimstone Lane - Petition – Position – RTM
- #39 – Resolution – State of the Town Public Forum – Petition – Position – RTM

The Board asked Town Manager Valente to coordinate presentations from the Community Preservation Committee and the petitioners regarding their articles for a future meeting. In addition, the Board asked Ms. Valente to try to coordinate State Representative Conroy and State Senator Eldridge together on a future meeting agenda.

Executive Session

At 10:29 p.m., Chairman Drobinski announced the close of the regular meeting and it was on roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing employee health insurance and Firefighters and Advanced Life Support Services.

Chairman Drobinski announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 10:29 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk