

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, APRIL 24, 2012
EXECUTIVE SESSION (11:06 P.M – 11:35 P.M.)

Present: Chairman Lawrence W. O'Brien, Vice-Chairman Robert C. Haarde, Selectman John C. Drobinski, Town Manager Maureen Valente , Assistant Town Manager Maryanne Bilodeau and Director of Planning Community Development Jody Kablack

Miscellaneous

Town Manager Valente asked if the Board is available for a joint Executive Session with the Sudbury Public School (SPS) Committee on May 2, 2012 at 8:30 a.m. The Board stated it is, and asked her to coordinate the meeting.

Annual 2012 Town Meeting Article 1 Speaker

Town Manager Valente asked if the Board is in agreement with the choice of Peg Whittemore to present Article 1 at the Annual 2012 Town meeting. The Board stated it supports this decision.

Collective Bargaining - Updates

REDACTIONS MADE IN COMPLIANCE WITH OPEN MEETING LAW EXEMPTION D.

Land Acquisition: Pantry Brook Farm Preservation Project - Update

The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated April 19, 2012, a memorandum from Stefan Nagel, Esq. Of the Law Office of Stephen J. Small dated December 12, 2011, regarding a revised summary of possible conservation restrictions for 667 and 652 Concord Road, Sudbury and an "Open Space Purchases Financial Comparison 4/2012."

Ms. Kablack reported the appraiser was given directions to prepare an addendum to the appraisal using the assumption that there was an approved subdivision plan on the farm, and that the owners would be the developers. This assignment has increased the appraised value of the property from \$7,340,000 to \$9,710,000 and the value for the Conservation Restriction (CR) from \$5,390,000 to \$7,760,000. Ms. Kablack discussed the figures with the property owners, and a price has been agreed to for \$7,910,000, which includes their costs of \$150,000 to date for legal, appraisal and engineering fees. She explained the Town would be responsible for up to \$7,760,000, and the balance would be raised by the Sudbury Valley Trustees (SVT)/Sudbury Foundation. Ms. Kablack has discussed fundraising with these entities. She also stated the SVT would have costs of approximately \$25,000 for stewardship. Ms. Kablack stated that, if fundraising exceeds \$195,000, the Town's expense share would decrease. In addition, she stated a LAND grant of up to \$400,000 will be pursued, which would further reduce the Town's cost.

Ms. Kablack stated the Wolfe's attorney will draft a Letter of Intent and the draft CR. She explained the Letter of Intent would be executed prior to Town Meeting, but the CR would be executed afterwards. Ms. Kablack referenced the basis for the CR as contained in Mr. Nagel's December 12, 2011 memo. In addition, she noted a façade restriction has been granted on the farmhouse and attached barn. Ms. Kablack stated the project is subject to a Town Meeting vote for the fundraising authorization, a mutually acceptable CR and a closing date in December 2012 is anticipated. She further stated there is one outstanding issue to resolve the granting of a walkway easement along the frontage of the property.

Vice-Chairman Haarde asked why the SVT funds are so limited, since they seem to be an equal partner in the CR. Ms. Kablack explained SVT's value is in their expertise in negotiating, writing restrictions and working with landowners and the monitoring and stewardship of the property after preservation. She further explained this project is very localized, and thus has limited regional fundraising capability. Vice-Chairman Haarde also asked what SVT's responsibilities are regarding monitoring the restriction. Ms. Kablack explained SVT would regularly visit the property, and it would be the entity to enforce the provisions of the restriction should any violations occur.

It was on motion unanimously

VOTED: To proceed with the acquisition of the Pantry Brook Farm preservation project by the Town of Sudbury at the price of \$7.76 million, and to recommend this amount to the Community Preservation Committee for a vote at Town Meeting, Chairman Lawrence W. O'Brien, aye, Vice-Chairman Robert C. Haarde, aye and Selectman John C. Drobinski, aye.

There being no further business, the meeting adjourned at 11:35 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk