

IN BOARD OF SUDBURY SELECTMEN  
TUESDAY, AUGUST 16, 2011

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

Absent: Selectman John C. Drobinski

The statutory requirements as to notice having been complied with, the meeting was convened at 7:37 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

At 7:37 p.m., Chairman O'Brien opened the meeting. He explained tonight's agenda includes presentations regarding several projects the Board hopes to prioritize for the Town as part of its goal-setting process. More presentations will be made at an additional Board meeting scheduled for September 27, 2011. Chairman O'Brien also noted the Friends of the Bruce Freeman Rail Trail presentation, which was publicized for this evening, has been rescheduled to the September 27, 2011 meeting, along with a presentation from the Park and Recreation Commission. Thus, the Board's September meeting schedule will be September 6, 2011, September 21, 2011 and September 27, 2011. In October, the Board will resume its usual meeting schedule on the first and third Tuesday of each month.

**Status of Town Facilities – Update**

Present: Police Chief Rick Glavin, Fire Chief Bill Miles, Assistant Town Manager Maryanne Bilodeau

At 7:40 p.m., Chairman O'Brien opened a discussion regarding Public Safety Dispatch and the Police Station, the status of Town buildings and the shared Town/Sudbury Public Schools (SPS) Facilities Director position. The Board was previously in receipt of a memorandum from Sudbury's Police and Fire Chiefs dated August 11, 2011 regarding Emergency Medical Dispatch, regional dispatch, the accompanying "Combined Public Safety Dispatch in FY12" report, and a "Public Safety Answering Points Current Conditions Analysis" report prepared August 2011 by consultants L.R. Kimball.

Town Manager Valente stated tonight's presentations are intended to provide the Board with information regarding major Town projects for consideration during its goal setting process. She distributed to the Board copies of its "FY11 Goals Adopted August 24, 2010," the "Board of Selectmen and Town Manager 2010 Annual Report" and a "Master Plan Implementation Schedule as of June 2011" spreadsheet which is updated by Director of Planning and Community Development Jody Kablack to reflect the status of projects identified in the Town's 2002 Master Plan. Ms. Valente stated many of the projects identified in 2002 have been completed, and those remaining could likely be completed in a two-three year timeframe. She further stated the Board might consider developing a new Master Plan. Ms. Valente stated many of tonight's presentations are related and could result in more efficient operations and energy conservation if implemented.

Fire Chief Bill Miles opened the discussion of Emergency Medical Dispatch (EMD) stating Town officials have been working to establish a combined Police and Fire Dispatch for several years to no avail. He reported the State has implemented new regulations, effective July 1, 2012, which will necessitate that Sudbury merge its two dispatch operations. Currently, Sudbury has two separate dispatch operations, one for the police, and one for fire. Chief Miles stated it has long been believed that a combined operation would be more efficient and effective for residents.

Chief Miles explained the new regulations require the Town to provide EMD, which will standardize 911 dispatch services and limit the number of times a 911 call is transferred. Additional training, certification and personnel will be required. The Public Safety Departments and the Town Manager have discussed how Sudbury could best comply with the new regulations. Chief Miles stated the Police and Fire Departments recommend combining the Town's two operations temporarily in the current Police Station to establish 24/7 service by civilian dispatchers who will be cross-trained. He described the current systems, and he presented the benefits of a combined system which will utilize more specialized personnel working side-by-side. It is estimated providing such service could require up to nine full-time equivalent employees, and equipment will also need to be updated. Chief Miles also noted the relocation of dispatch to the Police Station will present some challenges to the Fire Department for coverage of reception duties.

Police Chief Rick Glavin explained the new regulation is not completely unfunded, and some State 911-funding is available to pay for training. He noted the current Police Station is an old, constrained structure and its space limitations would be challenged with this plan. However, Chief Glavin further stated that upon consideration of all other scenarios, he believes combining the operations and housing dispatch in the Police Station is the right thing to do.

Chairman O'Brien asked if the Fire Department would relocate its equipment to the Police Station. Chief Miles stated research has indicated it might be just as cost effective to purchase a new radio and repeater and other required equipment for the Police Station as it would be to pay to relocate them from the Fire Department. He further explained that, although operations would be housed at the Police Station, the Fire Department would still need some equipment at its facility.

Town Manager Valente noted there is a modest amount of grant money available to help offset dispatcher salaries. However, she explained additional staff will likely be needed and approximately \$130,000 has been estimated for equipment expenses. She is further assessing how the Town can fund this project, noting both Public Safety budgets will be further examined, the reserve fund might be used and/or funds which are appropriated for Town building repairs may need to be accessed.

In response to a question from Chairman O'Brien, Chief Glavin explained Sudbury was awarded a State 911 Department Regional Dispatch Feasibility Grant in 2010 to study the feasibility of regionalizing emergency communications for the Town and seven nearby communities. A Request for Proposal (RFP) was drafted in January 2011 and sent to certified vendors. The contract was awarded in March 2011 to L.R. Kimball Consulting of State College, Pennsylvania. The consultants met with participating towns and submitted a report of each town's existing emergency communications conditions. The report recommended Sudbury combine its dispatch operations. The next phase of the study entails the operational feasibility of combining emergency communications within any combination of the eight towns. Chief Glavin stated a final report is expected in January 2012, which should prompt numerous decisions to be made. He also reported Sudbury is involved with another dispatch study coordinated by the Sheriff's Office which was delayed and is now entering its information-gathering phase.

Assistant Town Manager Maryanne Bilodeau stated the current police and fire dispatch operations employ the equivalent of 6.25 dispatchers, but the new regulations will require nine civilian dispatchers to provide 24/7 services. She also noted that, unlike the current situation, policemen and firefighters will no longer be able to cover dispatch duties unless they were appropriately certified.

Chairman O'Brien asked what the penalty is for non-compliance. Chief Glavin stated the Town could potentially lose all grant funding and be reported to the Attorney General's Office.

Town Manager Valente stated her belief that combining dispatch services is in the best public safety interests of Sudbury residents. She emphasized the project must be implemented in FY12 and that staffing would be a challenge and would be budgeted for FY13.

Chief Miles reported that the State is already preparing for the next generation of 911 regulations which will oversee text and email communications as well, and thus the requirements will continue to evolve.

Vice-Chairman Haarde requested clarification regarding why additional personnel would be required if each department already has dispatchers employed. Chief Miles explained there are a number of shifts that firefighters currently fill in and cover these duties. Assistant Town Manager Bilodeau stated the estimate for nine employees is modeled on using only civilian dispatchers who are specifically trained and certified, and no longer using uniformed police or firefighters so fill in those shifts where the Town does not have civilian dispatchers available.

Vice-Chairman Haarde asked what the current back-up systems are for the Police and Fire departments, which both Chiefs addressed. Chief Glavin noted the majority of 911 calls are police-related and the two-person staffing system would allow for each to be cross-trained.

Town Manager Valente stated she has mentioned this project to the Finance Committee to apprise them of the pending expenses related to implementation.

Vice-Chairman Haarde noted some towns have a single public safety building, and he asked if they also have only one dispatcher. Chief Glavin stated a few towns such as Lincoln utilize one dispatcher, but it does not handle anywhere near the volume of calls received in Sudbury. He believes if Sudbury were to operate with only one dispatcher, lives would be put at risk. Chief Miles acknowledged that, although there would be times when two dispatchers are not actively engaged, there would be other unpredictable times of crises, when there would be more work than could be readily handled by two people.

Vice-Chairman Haarde asked why the Police Station was chosen as the eventual location versus the newer, more spacious Fire Station. Chief Glavin stated secure lines would not need to be moved and the dispatcher is also needed to perform lock-up monitoring duties. He also stated the Police Station receives more walk-in traffic between 7:00 a.m. and 9:00 p.m. Chief Miles noted many models were considered, and although this proposal is not ideal, he believes it is the most economical option at the present time to provide the best services possible.

The Board thanked the Police and Fire Chiefs for the information.

Town Manager Valente reported that work related to the shared Facilities Director position for the Town and SPS was delayed during the summer due to vacation schedules, but job description discussions should resume in September.

Town Manager Valente next introduced a presentation by Building Inspector Jim Kelly regarding the structural status and use of Town Hall. She emphasized the building is underutilized and there are problems with the buildings' antiquated and failing systems. The Town has other buildings, such as the Flynn building and the Fairbank Center, which are filled to capacity and could use more space. The Council on Aging has stated it could offer more programming to generate additional revenue, as has the Recreation Department, but both are constrained by the space available at the Fairbank Center. Town Manager Valente suggested it might be a good time to begin to determine the best use and restoration of Town Hall, which could also result in energy savings and make more space available for other Town entities.

Building Inspector James Kelly exhibited to the Board a rotted pipe from the Town Hall system to illustrate the old age of the buildings' systems. He stated the building was built in 1931, and the back Town Clerk's section was added in 1955. Mr. Kelly believes the building is structurally sound. However, he noted the building has several deficiencies, i.e., there is no insulation, the boiler is 20 years old, the bathrooms are aged and there are no digital controls. He also commended Art Richards for his dedication to manually keeping the systems operating. Mr. Kelly believes the building could be restored to also include office space similar to the renovation done in Ashland's Town Hall. He highlighted there is substantial space on the second floor which is underutilized. Mr. Kelly recommended to the Board that restoration of Town Hall be prioritized as a goal this year.

Chairman O'Brien stated better use of Town Hall could allow other Town building locations to also be better utilized. He noted when SPS administrative offices were moved into the Fairbank Center it was intended to be for only a few years.

Mr. Kelly noted Town Hall has a lot of old electric and phone lines which would need to be replaced. In addition, he stated the building does not have a sprinkler system. Mr. Kelly believes Town Hall is a great building, but at some point, these items should be addressed.

Vice-Chairman Haarde asked if Town Hall is an historic building. Town Manager Valente believes it is. She stated the project would qualify for Community Preservation Act (CPA) funds for restoration. Ms. Valente stated efforts should begin to determine how the building could remain as the Town's historical center point while enhancing it with new components to make it more useful for the Town. She noted the placement of the historic windows, and the desire to retain them minimizes the design choices available.

At 8:38 p.m., Chairman O'Brien thanked the presenters for their input, and he concluded the discussion.

#### **Citizen's Comment - Bruce Freeman Rail Trail Extension**

Present: Sudbury residents Carole Wolfe, Dan DePompei and James Nigrelli

At 8:38 p.m., Chairman O'Brien welcomed Sudbury resident Carole Wolfe, 637 Concord Road, to the meeting to present a Citizen's Comment regarding the Bruce Freeman Rail Trail Extension. Ms. Wolfe introduced fellow commentators and Sudbury residents Dan DePompei, 35 Haynes Road, and James Nigrelli.

Sudbury resident Dan DePompei stated citizens funded a wildlife study a few years ago, which was completed by consultants Call of the Wild, and accepted by the Town in 2009. He believes this report, and the one presented this evening by Ms. Wolfe, clearly document the wildlife standards which are appropriate. Mr. DePompei believes it is important to focus on factual data in order to best evaluate the risks and benefits to constructing a rail trail.

Ms. Wolfe stated she and her colleagues are presenting the Board tonight with a science-based report on the ecological importance of the north/south rail bed in Sudbury and Concord, researched and written by Susan Morse. She explained the report documents wide-ranging and area-sensitive mammal species and their travel patterns on the rail bed and the surrounding habitat, which would be negatively impacted by trail development. Ms. Wolfe emphasized this rail bed is a vital, regionally significant wildlife and conservation corridor. She also highlighted not all pre-existing trail conditions are equal. Ms. Wolfe stated, while some rail trails such as the one constructed in Arlington cleans up trashed urban rail beds, the proposed Bruce Freeman trail would introduce stress factors for existing wildlife.

Ms. Wolfe stated there is a growing body of conservation biology and recreation ecology studies which demonstrate recreation of all types harms wildlife and its habitat. She further stated trails degrade and destroy habitats, resulting in the loss of biodiversity. Ms. Wolfe explained that in Concord and Sudbury, the rail bed traverses extensive riparian zones and wetlands that provide biodiversity and ecosystem diversity. She noted that Sudbury's Call of the Wild feasibility study recommended trails be realigned away from sensitive habitats, if the negative impacts to wildlife and habitat from a trail outweigh the benefits to trail users. Ms. Wolfe emphasized there are unintended consequences from rail trail activity which should be considered and made known to the public.

Ms. Wolfe stated a group of residents from Concord and Sudbury believe the report presented tonight is helpful in focusing on what local communities and environmentally-minded groups can do to protect and preserve their natural resources. These concerned citizens also believe towns, with the exception of Sudbury, have overlooked and ignored the study of the detrimental consequences which could result from trail construction and use, in their rush to create more recreational options. Ms. Wolfe stated few other towns have performed any environmental impact studies. She also stated the public needs to have a better understanding of the function of various habitats and the needs of the wildlife species surrounding the rail bed. Ms. Wolfe believes the Town did not fully embrace and/or publicize the Call of the Wild's conclusion that the proposed Bruce Freeman trail could not be mitigated in areas of high ecological importance, and thus the trail should be re-aligned. However, she also noted the Town indicated the study had information gaps. Ms. Wolfe stated she and her colleagues have concluded from the accumulated scientific evidence that a rail trail would cause environmental degradation and possibly the loss of valuable habitat and wildlife species. She reiterated the recommendations to divert trails away from ecologically-sensitive areas and to fully evaluate the short-and-long-term ramifications from trail construction and use.

Ms. Wolfe suggested the question to be answered is whether recreational satisfaction or preservation of remaining natural resources is more important. She stated the report is offered in the spirit of citizen participation to aid the Board and public in its future decisions regarding the Town's valuable resources. Ms. Wolfe requested the report be made available on the Town website, and she presented the Town Manager with a copy of the report.

Chairman O'Brien stated the Board would accept the report and pass it along to Director of Planning and Community Development Jody Kablack. He noted the Town has asked Ms. Kablack, Conservation Coordinator Debbie Dineen and Department of Public Works Director Bill Place to develop a concept plan, and thus tonight's input is timely. Chairman O'Brien reiterated the Friends of the Bruce Freeman Rail Trail will make a presentation to the Board on September 27, 2011.

Vice-Chairman Haarde thanked the group for bringing their information and commentary to the Board's attention.

Town Manager Valente stated the material would likely be posted as a link on either the rail trail or Conservation Commission sections of the Town website.

**Energy and Sustainability Green Ribbon Committee – Update on Green Initiatives**

Present: Building Inspector James Kelly, Energy and Sustainability Green Ribbon Committee Chairman William Braun, and several members of the Green Ribbon Committee and the Permanent Building Committee

At 8:55 p.m., Chairman O'Brien welcomed Energy and Sustainability Green Ribbon Committee Chairman William Braun to the meeting to present an update on green initiatives.

Mr. Braun reviewed a PowerPoint presentation with the Board. He noted the Town's goal to reduce energy costs by 10% in five years, stating the Town is well on its way to achieving this goal. To do this, the Town has chosen a Committee approach. Mr. Braun stated the Green Ribbon Committee has focused on conservation through high-impact projects. Projects have also been pursued with low implementation costs, and the use of grants and rebates has been pursued.

Mr. Braun reviewed some of the energy-reduction related projects initiated to date. He displayed a spreadsheet indicating the energy and cost savings reaped from the projects. Mr. Braun provided a brief status update of the Noyes School repairs project. He reported roof work has been completed, windows will be completed in the early fall along with the boiler work. Cost savings from this project are estimated at approximately \$100,000.

Mr. Braun stated the Committee will be collecting more data for future analysis to document the reduction in energy of 10% once relevant information is transferred to the new tracking system. He also summarized other activities the Committee has been involved with, including the purchase of a fuel-efficient vehicle, control system mapping for the High School, work with the Metropolitan Area Planning Council (MAPC), ESCO projects, evaluating the feasibility of solar and photovoltaic options at the landfill and applying for the second round of Green Communities' grant funding. The Committee has also focused on energy trend analysis. Mr. Braun stated the landfill project could potentially reap savings of \$100,000-\$150,000. He further stated a Request for Proposal (RFP) is being developed, and the Department of Environmental Protection (DEP) permitting process is being pursued.

Mr. Braun stated future efforts of the Committee include continuing to pursue grants, upgrading of controls, a pool heat recovery unit, and HVAC improvements to the Fairbanks Center and to the systems in Town Hall to realize energy and cost savings.

On behalf of the Committee, Mr. Braun thanked the Board for its support, which it hopes will continue in the future. He noted each Board member has been involved and supportive in these issues and efforts, and some have done so long before the Committee was established. In particular, he thanked Selectman Drobinski for his assistance communicating with State agencies, noting the high regard the DEP has for Mr. Drobinski's work and perspective. Mr. Braun also thanked the Town Manager and Town staff for their assistance, in particular Town Counsel Paul Kenny and Elaine Jones, for their work regarding grant funding and the complexities of procurement regulations. He also thanked Building Inspector Jim Kelly for his invaluable contributions and the staff of SPS, in particular Joe Karpeichik.

Chairman O'Brien commended the Committee for the great work achieved in its first year. He asked what the biggest priority is at this time.

Mr. Braun stated significant time is being spent on the landfill project. Mr. Kelly concurred, stating he views the landfill and future work on Town Hall as major priorities.

Vice-Chairman Haarde thanked the Committee for its work. He asked if a photovoltaic project is still under consideration for the Curtis School. Mr. Braun stated not at this time.

Vice-Chairman Haarde noted there are some technologies available which allow for wastewater treatment facilities to create energy. He asked members of the Committee to consider whether they might be also interested in serving on the Route 20 Wastewater System Citizens' Advisory Committee.

Chairman O'Brien stated the work of the Committee is exciting and the Town is moving in the right direction.

Permanent Building Committee member Michael Melnick provided the Board with another update on the Noyes School project. He stated delivery of windows was initially delayed, but it is now expected in late August. Overall, the project is on schedule.

**Reports from the Town Manager**  
**Request for Special Permit – American Travelling Morrice**

Town Manager Valente announced the Board has received a request for a Special Permit for a traveling entertainment group called the American Travelling Morrice, which was brought to the Town's attention by the Sudbury Historical Society. The group performs historical English Morris dancing and is comprised of dancers from all over the United States, Canada and the British Isles. The dancers perform only one week a year. She stated the group will perform on the steps of Town Hall on Thursday, August 25, 2011. She encouraged the community to attend the free performance, noting contributions/donations are accepted and appreciated.

**Minuteman Regional Vocational Technical High School – Capital Plans and Regional Agreement**  
**Amendments - Update**

At 9:25 p.m., Chairman O'Brien opened a discussion regarding the Minuteman Regional Vocational Technical High School (MRVTHS) capital project and suggested revisions to the member agreements. The Board was previously in receipt of a memorandum from Town Manager Valente dated August 11, 2011 and accompanying minutes from two meetings attended by the Town Managers of the member communities, and an email from the Chairman of the Carlisle Board of Selectmen dated August 9, 2011.

Town Manager Valente summarized the recent meeting held with some of the Town Managers from the member communities. She stated many Town Managers were unaware of how the proposed formula was calculated and had concerns once they learned more about its ramifications. Ms. Valente reported that the State provides no parameters or rules for capital project allocations. She is not optimistic about the 16 member towns being able to resolve their differences. Ms. Valente stated the Town of Carlisle has initiated a meeting on August 30, 2011 to further discuss the issues to which the Board and Sudbury's Finance Committee have been invited. Vice-Chairman Haarde stated he is planning to attend the meeting.

For the record, Town Manager Valente highlighted concern as the cost-per-student basis is not being equitably established. Ms. Valente has worked with the High School's business manager to propose other options. She informed the subgroup of Town Managers that Sudbury would prefer to not be the only Town to stop the project from going forward. Ms. Valente asked the Board's guidance regarding whether Sudbury should take more of a leadership role to alter the outcome of a proposal.

Town Manager Valente has asked whether any town has ever tried to leave the district. She was told Carlisle attempted to do so seven years ago, but was deterred by an opposition vote from Boxborough. She emphasized that the proposal recommended by the Minuteman School Committee results in a large cost shift for Sudbury, Weston, Wayland and Carlisle. Ms. Valente distributed copies to the Board of a spreadsheet comparing the existing agreement to Model B (voted by the School Committee) and Model D-7 (proposed by Ms. Valente). Ms. Valente has proposed using the ability to pay calculation for capital projects in the same manner as it does on an operating basis. In addition, each town would pay a certain percentage (proposed 2%) to send its students to the School. She explained her Model D-7 proposal would also increase the minimum to seven students for each town.

Chairman O'Brien noted the School Committee's proposal did not normalize wealth.

Vice-Chairman Haarde asked how the Town Managers are leaning for a future vote. Town Manager Valente stated it is difficult to determine at this time because not all member Town Managers participated in the subcommittee meetings.

Vice-Chairman Haarde questioned whether the member Town Managers could decide to present a new model as a group rather than have it proposed by only Sudbury. At the request of the Board, Town Manager Valente stated she would be willing to propose this to the other Town Managers.

Vice-Chairman Haarde stated it is important to understand that, although Sudbury may be wealthier than other communities, it has far more children to educate than other towns.

It was on motion unanimously

VOTED: To authorize Sudbury's Town Manager to reach out to the Town Managers of the Minuteman Regional Vocational Technical High School member communities to propose that, as a group, it presents Model D-7 as an alternative financing model of the proposed capital project, to the Minuteman Regional Vocational Technical High School Committee.

Chairman O'Brien stated he will apprise the Superintendent and School Committee of Lincoln-Sudbury Regional High School of the issue regarding the proposed revisions to the Minuteman Agreement and the possibility Sudbury would consider leaving the district.

Vice-Chairman Haarde suggested research be done to determine what it would cost Sudbury to send its students elsewhere.

It was also noted Sudbury's Finance Committee should be apprised of the options under consideration. The Board requested Town Manager Valente send a communication summarizing the issues to Sudbury's Finance Committee. In addition, the Board requested the Town Manager possibly send the same letter, or draft another, summarizing Sudbury's comments and recommendations to be presented by Vice-Chairman Haarde at the August 30, 2011 meeting in Carlisle.

### **Reports from the Board of Selectmen**

Vice-Chairman Haarde attended the Park and Recreation Commission meeting last night. He stated the group has identified a need for playing fields, and it would like to know how the Board will determine the best use for the Melone property. Chairman O'Brien stated a more thorough assessment must be conducted, including financial analysis, before the property is brought before a Town Meeting for a specific purpose.

Chairman O'Brien reported Lincoln-Sudbury Regional High School Committee has begun to hold Executive Session meetings regarding the new health insurance laws and their impact on collective bargaining negotiations. Further, he will attend a meeting this week at the State House with Sudbury residents Ralph Tyler and David Levington regarding the Senior Tax Relief legislation.

### **Minutes**

It was on motion unanimously

VOTED: To approve the regular session minutes of July 19, 2011.

**Commission on Disability - Appointment**

It was on motion unanimously

VOTED: To approve the Town Manager's appointment of Anna Wood to the Commission on Disability for a term to expire April 30, 2014.

**Proclamation – SPC Benjamin J. Cote**

It was on motion unanimously

VOTED: To sign a Proclamation for SPC Benjamin J. Cote, a member of the Army National Guard, who returned home safe to his Sudbury family from a tour of duty in Afghanistan and to proclaim Friday, August 19, 2011 as SPC Benjamin J. Cote Day in Sudbury.

Chairman O'Brien later read aloud the proclamation.

**Proclamation – SPC Bradford "Brad" T. Murray**

It was on motion unanimously

VOTED: To sign a Proclamation for SPC Bradford "Brad" T. Murray, an Army career soldier, who will be returning to visit his Sudbury family from a second tour of duty in Iraq and to proclaim Friday, September 9, 2011 as SPC Bradford T. Murray Day in Sudbury.

Vice-Chairman Haarde later read aloud the proclamation.

**American Travelling Morrice – Special Permit**

It was on motion unanimously

VOTED: To grant a special permit to Mitch Diamond of the American Travelling Morrice to provide free English Morris dancing entertainment on the steps of Town Hall on Thursday, August 25, 2011 at 11:30 a.m., subject to receipt of Certificate of Liability and the assurance that any litter will be removed at the conclusion of the performance.

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

Attest: \_\_\_\_\_  
Maureen G. Valente  
Town Manager-Clerk