

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JANUARY 17, 2012

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

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

Opening Remarks

At 7:33 p.m., Chairman O'Brien opened the meeting. On behalf of the Town Clerk, he reminded residents to return census forms which were mailed earlier this month, and to please contact the Town Clerk's Office if forms have not been received. He also reminded the community the Town Election will be held on March 26, 2012, nomination papers for the 13 official open positions must be picked up in-person at the Town Clerk's Office and intentions must be filed by February 3, 2012 and papers filed by February 7, 2012 (nomination papers for open Lincoln-Sudbury Regional High School-related positions are available at the School), and dog owners must register their dogs prior to April 2, 2012 to avoid a late fee. Chairman O'Brien stated the Presidential Primary Election is scheduled for March 6, 2012, and the last day to register to vote is February 15, 2012. The Town Clerk's Office will remain open until 8:00 p.m. on February 15th to accommodate registrations. He also announced his intention to run for re-election as Selectman.

Reports from the Town Manager
TD Bank – Site Plans

The Board was previously in receipt of copies of a letter from Bohler Engineering dated January 11, 2012, and accompanying mylar site plans dated May 19, 2011, and revised through January 10, 2012. Town Manager Valente reported the site plans have been reviewed by Town staff and vetted for compliance with the Decision issued, and that they are ready for signature by the Board later this evening.

Massachusetts Municipal Association – Conference Update

Town Manager Valente, Assistant Town Manager Maryanne Bilodeau, Director of Planning and Community Development Jody Kablack and Sudbury Housing Specialist Beth Rust will attend the Massachusetts Municipal Association Conference Award ceremony on Saturday, January 21, 2012, where Sudbury will receive the Innovation Award for its creation of a Regional Housing Office. She noted Board members are also welcomed to attend.

NStar – Storm Services – Neighborhood Discussion

Town Manager Valente, Fire Chief Miles and Chairman O'Brien met with Sudbury residents to discuss ideas for communicating to NStar the community's displeasure with the services provided during the 2011 storms which resulted in power outages.

Chairman O'Brien stated NStar representatives will attend a joint meeting of the Boards of Selectmen from Wayland and Sudbury on January 25, 2012 to discuss these issues. State legislative officials have also been invited to attend.

Council on Aging - Update

Town Manager Valente and Assistant Town Manager Maryanne Bilodeau met with the members of the Council on Aging to review their draft bylaws and to discuss ways the Town can help support the Council's

efforts on behalf of the Town's growing senior population. She thanked the Council and its members for their work and dedication.

Feasibility Study for Regional Dispatch Project - Update

At the close of tonight's meeting, Town Manager Valente noted that a regional meeting has been proposed to be held sometime in the next few months for the Boards of Selectmen from the eight towns interested in pursuing regional dispatch services. She recommended Sudbury coordinate and host the meeting. The Board requested Ms. Valente proceed with offering to host and coordinate the meeting.

FY13 Budget - Update

At 9:59 p.m., Town Manager Valente provided the Board with a preliminary report of work to date on the FY13 budget. Ms. Valente reported the Finance Committee asked for a non-override budget and a level services budget. She stated the difference between the two budgets currently is approximately \$289,000, but that this is before factoring in collective bargaining agreements or changes in health insurance. Ms. Valente is addressing the variance in non-staff areas, and is not reducing or eliminating positions.

Town Manager Valente reviewed budget areas of concern which will need to be further addressed. She stated the Town will likely be responsible for three major stormwater obligations, which may require hiring consultants and ongoing engineering staff work to achieve compliance. Ms. Valente noted that a full-time Engineering Department position and a part-time Conservation Commission position have not been filled for some time for budgetary reasons, and she will be looking at changing these job descriptions for these positions to meet stormwater requirements. Selectman Drobinski stated some communities establish Stormwater Districts to help address these issues. Ms. Valente stated this option may not be available for Sudbury.

Town Manager Valente stated she is also looking at ways to cover in the budget a combined dispatch to be located in the Police Station as of July 1, 2012, without increasing staff and while also addressing ongoing collective-bargaining issues. She further stated the Town is mandated to cover Veterans' Benefits costs, which has increased \$12,000 over last year, and is not typically reimbursed by 75% until the following year. Ms. Valente also highlighted that the Board of Assessors required three-year revaluation will require assistance from consultants next year for an estimated cost of \$30,000. She also is inclined to add more funds to the Town's legal services account, as this has been underfunded in recent years.

Town Manager Valente noted accommodating these budget adjustments has been easier for the Town because of previous cost-saving actions taken. She will continue to re-work the numbers to submit the budget to the Finance Committee by January 31, 2012.

Reports from the Board of Selectmen

Selectman Drobinski stated his schedule has been quiet the past two weeks. He wished Chairman O'Brien well in his re-election as a Selectman campaign.

Vice-Chairman Haarde stated he does not believe it is a good idea to use Board meetings for political purposes as was done tonight. He believes the meetings should be used to only conduct Town business. Selectman Drobinski stated that, for many years, announcements of one's candidacy have been made at these meetings. He is sorry Vice-Chairman views it politically, but Selectman Drobinski disagrees, and he views these announcements only as informational for the public.

Chairman O'Brien attended a Lincoln-Sudbury Regional High School Committee Executive Session meeting regarding health insurance negotiations. He and Vice-Chairman Haarde also attended an emergency Board meeting to facilitate a Sudbury Public School funding request with the Massachusetts School Building Authority for the Nixon School roof. Chairman O'Brien also reported meeting with the Goodnow Library Foundation Board regarding a proposal to be voted later tonight.

Friends of the Bruce Freeman Rail Trail – Donation Proposal

Present: Friends of the Bruce Freeman Rail Trail representative Tom Michelman and several "Friends" and several members of the Rail Trail Conversion Advisory Committee and its Chair Pat Brown

At 7:48 p.m., Chairman O'Brien opened the discussion regarding a proposal presented to the Board of Selectmen from the Friends of the Bruce Freeman Rail Trail to raise funds for the 25% design phase of construction for the northernmost portion of a rail trail in Sudbury. He stated the discussion would begin, but would need to be interrupted for a 8:00 p.m. scheduled Public Hearing, which is anticipated to be brief, and then the rail trail discussion would resume.

The Board was previously in receipt of copies of a memorandum from Town Manager Valente dated January 13, 2012, noting comments regarding the proposal, an email from Conservation Commission Coordinator Debbie Dineen dated December 15, 2011, stating several reasons why the Commission unanimously believes the Friends of the Bruce Freeman Rail Trail (FBFRT) offer is premature, and that the Board of Selectmen, while thanking the FBFRT for their offer, should reject it based on the reasons stated within the email, a letter from the Planning Board and its Vice-Chairman Eric Poch dated January 13, 2012, expressing the need for a decision to be made regarding the importance of a rail trail in Town, copies of the relevant section of the Board's September 27, 2011 Meeting Minutes, a memorandum from Director of Planning and Community Development Jody Kablack dated December 8, 2011, noting comments and recommendations regarding the proposal and a letter from the Friends of the Bruce Freeman Rail Trail President Tom Michelman dated January 12, 2012, summarizing its proposal and addressing concerns and an accompanying online petition signed by 257 Sudbury residents.

Selectman Drobinski believes the offer is intriguing, but he believes the topic merits a more thorough process through Town Committees to gather and vet information. He emphasized the offer should "remain on the table" while more study is done to determine the impacts of the project for the Town and whether the project is doable. Selectman Drobinski noted the Park and Recreation Commission has not completed its master field analysis, and that this information is important to consider when deciding whether Davis Field is used as a trail terminus. He suggested a committee be convened after Town Meeting and that input from the Finance Committee, Planning Board, Conservation and Park and Recreation Commissions be solicited to determine how this project should be prioritized in relation to other Town projects.

Vice-Chairman Haarde asked whether input was received from the Park and Recreation Commission. Town Manager Valente stated the Commission is scheduled to meet tomorrow.

Vice-Chairman Haarde stated he found interesting the recommendation of the Planning Board to present the issue as a non-binding referendum to the community. He opined the offer is generous, and he disclosed that he is a bike enthusiast. However, Vice-Chairman Haarde noted the Town has not yet made a decision of whether it wants a rail trail and whether a terminus should be at Davis Field. He stated a parking study might be needed to determine if the area could accommodate field and trail parking needs at peak times. Vice-Chairman Haarde stated many issues need to be resolved, including whether the Town wants a trail, what it should look like, are abutters effected, does the Town follow Department of Transportation (DOT) guidelines in hope of receiving State funds or does the Town design its own project, and thereby assume financial responsibility for it. He opined it is difficult to not accept this generous offer, but he does not believe the

Town is ready to accept the money until these important issues are worked through. Vice-Chairman Haarde stated it is important to not let any special interest group give the Town money which could possibly influence a direction the Town has not yet chosen. He asked if the topic could be put in the Town Warrant for discussion at Town Meeting. Town Manager Valente stated she would further research this option.

Chairman O'Brien asked if the topic could be put on the Town Election ballot, and he asked Ms. Valente to also research this option.

Vice-Chairman Haarde opined bike paths can be great, but he emphasized it will be important to consider the perspective of abutters and significant landowners whose properties might be impacted by a trail. He believes the project needs to be done in a way that does not cause long-term issues which would need to be addressed by the Town.

Selectman Drobinski asked if there is enough time for both sides of the issue to be presented to the community before the Town Election. Vice-Chairman Haarde suggested the issue be put on the Town Election ballot and also be discussed at Town Meeting. Selectman Drobinski stated rail trail issues have always been well supported at Town Meetings. A few people opined on this matter, and Vice Chairman Haarde stated he recalled a few close votes. The consensus was that, most often, support has been overwhelmingly so.

Chairman O'Brien stated he believes more information is needed, including what is happening with other regional trail projects and the position of the Cummings property. He noted the Town would not want to create a parking and safety issue at Davis Field on weekends, when the fields are frequently used. Chairman O'Brien also highlighted that if the Town chooses to design the project according to Sudbury's preferences and not those of the DOT, then this would result in a funding burden for the taxpayers which needs to be fully vetted.

At 8:02 p.m., Chairman O'Brien terminated the discussion temporarily to conduct a scheduled Public Hearing regarding a utility petition.

At 8:07 p.m., Chairman O'Brien resumed the discussion.

Sudbury resident Jim Fitzpatrick, 17 Run Brook Circle, asked for the Friends of the Bruce Freeman Rail Trail offer to be explained in more detail. Chairman O'Brien explained the offer to fundraise for the 25% design for construction of a half-mile portion of the rail trail from the Concord line to Davis Field, with the hope that doing this might move the project up on the State's Transportation Improvement Program (TIP) list for possible future funding of 80% in 12 to 15 years. Conceptually, he stated there is a lot of support in Town for this project, but there are other issues to consider, such as the Town might receive no future funding if it deviates from the suggested DOT guidelines.

Chairman O'Brien stated it is important to note the entire rail trail in Sudbury would be five miles long, and tonight's offer is for only a half-mile section. Selectman Drobinski highlighted that the 25% design phase is just the first of many steps in the engineering process. Chairman O'Brien reiterated that it has not yet been determined that this is something to which the Town is ready to commit.

Vice-Chairman Haarde opined it will be hard work to fundraise for \$50,000. He does not wish to have citizens give money and then have the project not come to fruition. Vice-Chairman Haarde would rather wait until the Town knows how it will responsibly spend the money before it accepts donations.

Friends of the Bruce Freeman Rail Trail President Tom Michelman clarified the offer is for only a half-mile section, and that there is no onus on the Town to go forward with anything following the 25% design, if it chooses not to. The "Friends" understand and are willing to take this risk. However, Mr. Michelman stated the group hopes to get from the Board some sense of the timeframe for a decision to be made on the rail trail issue. He also mentioned options for construction funding by the State as pursued by Acton and Concord for the 25%, 75% and 100% design phases, noting the Mass Highway guidelines provide for some flexibility.

Sudbury resident and Rail Trail Conversion Advisory Committee (RTCAC) member Dick Williamson, 21 Pendleton Road, opined that the Town's only obligation to proceed is to allow the 25% design to go ahead. He stated Massachusetts is one of the worst states regarding transportation enhancements and it has realized this in recent years. Thus, Mr. Williamson stated there have been changes in how the State funds rail trails, which he believes will accelerate the future funding timeframe. He also stated the RTCAC discussed these issues and researched them extensively for publication in a report it provided to the Board a few years ago.

Chairman O'Brien recognized the report and work done by the RTCAC.

Curtis Middle School Coach Catherine Dill, 7 Birchwood Avenue, is a cyclist who supports this project as a means for families and children to be outdoors getting exercise. She thanked the Board for its support of the concept, and she urged the Board to proceed with the project. Ms. Dill stated families do not currently feel safe cycling on the streets and a bike path/trail would alleviate these fears.

Sudbury resident Dan DePompei, 35 Haynes Road, announced he is running for Selectman. He stated there is tremendous support in Town for rail trails, but he does not believe Sudbury has formulated yet what its trail concept is. Mr. DePompei believes the Town needs to follow-through on developing its concept so the public can provide feedback and discuss it with the "Friends." He further stated money was previously voted at a Town Meeting for Town staff to develop a concept plan.

Sudbury resident Fran Bennett, 6 Partridge Lane, stated that she believes this project would be beneficial for all generations and families and not just cyclists on weekends. Ms. Bennett believes the Town should expand its recreational opportunities for all its citizens.

Sudbury resident, "Friends" and RTCAC member Nancy Powers, 201 Union Avenue, expressed her disappointment with the lack of progress by the Town on this project. She stated the RTCAC began work seven years ago accumulating a tremendous amount of information, but the Committee was relieved of its duties two years ago, in order to have Town staff develop a concept plan. Ms. Powers is disappointed that a concept plan has not been produced and that the Town seems unwilling to commit to this project.

Sudbury resident Ron Riggert, 133 Moore Road, stated tonight's discussion seems to be focused on consideration of the entire five-mile trail. Mr. Riggert believes the "Friends'" offer for a small section of the trail should be considered independently as a logical extension of what is already underway in Concord.

Sudbury resident and RTCAC member Bob Hall, 30 Possum Lane, favors a Town-wide referendum being presented to the public. Mr. Hall believes the half-mile trail would be an asset for Sudbury, and it should be considered as a separate project from the entire trail.

Sudbury resident Steve Lanzendorf, 43 Hawes Road, supports a rail trail, but he does not think it will be easy to construct. Mr. Lanzendorf noted the Conservation Commission has flagged much of the area as

wetlands which is part of the "Friends'" offer. Given the environmental constraints, he is doubtful that a trail could be constructed. Mr. Lanzendorf believes further input from the Conservation Commission is needed.

Sudbury resident Mara Huston, 578 Peakham Road, expressed her disappointment with the tone of tonight's meeting from the Board. Ms. Huston believes the Board should not try to design through discussion, but rather it should allow the 25% design to proceed, and that it would answer the traffic and conservation issues. Ms. Huston stated, if at the end of the 25% design process it is determined the project cannot proceed, so be it, because this is a risk the "Friends" are willing to take. She believes the trail benefits the Town and real estate values, and she urged the Board to accept the fundraising offer to do the 25% design.

Sudbury resident and RTCAC Chair Pat Brown, 34 Whispering Pine Road, clarified how the State categorizes the segments of the rail trail. She emphasized the half-mile section proposed in the offer is not a recognized segment by the Massachusetts Planning Organization for TIP funding, and that the Town has no control over how the State defines the segments.

Sudbury resident Chris Menge, 9 Fern Trail, asked the Board to consider, as it makes its decision, the greater good for improving the community's health, recreational opportunities and safety by providing its citizens with a trail.

Sudbury resident James Nigrelli, 51 Pennymeadow Road, agrees with Selectman Drobinski that the public overwhelmingly voted at Town Meetings to support that studies be done regarding rail trails, but it has not voted yet on whether to have a rail trail. He asked what would happen if a 25% design was developed by the "Friends" which differed from a concept plan developed by Town staff. Chairman O'Brien stated he is uncertain how this would be handled.

Chairman O'Brien stated he is inclined to believe the Board is not ready to accept a gift of this magnitude without better understanding how a Request for Proposal (RFP) would even be drafted for the design on a small section. He emphasized the Board is not trying to design through discussion, but it is trying to decide what is best for the greater good of the Town at this time. Chairman O'Brien stated the Board wants to be sure it understands all the implications of doing even a small section of the trail and how this might impact future efforts and funding sources.

Town Manager Valente stated ongoing budget issues have impacted staffing, which has resulted in projects like this not progressing. Ms. Valente noted three positions, i.e., an Assistant Town Planner, a full-time engineer in the Engineering Department and a part-time Conservation Commission position, have not been filled for budgetary reasons. She emphasized the intent has always been for Town staff to work on a concept plan, but they are continually pulled upon to handle other priorities which are extremely time consuming such as the Johnson Farm permitting process. Ms. Valente further stated that many of the Town's departments are staffed by only one person. She is interested by the idea of some staffing assistance being available from the "Friends" to work with Town staff.

Selectman Drobinski reiterated he finds the offer intriguing. He suggested Town Counsel opine on the proposed section being recognized by the State for construction funding, given Ms. Brown's information regarding the State's segmentation definitions. Selectman Drobinski also believes the proposal should be further discussed with the Park and Recreation and Conservation Commissions, and that a committee should be convened after Town Meeting. He highlighted that even with the help of a design team, a time commitment is still needed from Town staff to work with the engineers and provide the requisite information.

Vice-Chairman Haarde primarily agreed with these suggestions. He requested input be solicited from the Park and Recreation Commission, and that the issue be put on the Town Election ballot and that it be discussed at Town Meeting so the issue can find a way to move forward.

Mr. Michelman stated the Town can do whatever it wants if a concept plan is proposed which varies from the 25% design. He confirmed Ms. Brown's information that the proposed half-mile segment is not part of the TIP process, but he emphasized the need for the Town to do something, which it can reference in future discussions with the State.

Mr. Williamson stated the RTCAC wrote a RFP in 2004 and coordinated the work with the consultants. He believes the talent exists on this Committee to coordinate the entire 25% design to help the Town again and to alleviate Town staff. Mr. Williamson opined that he believes the State's segmentation definitions are not rigid. He also believes this project does not present a monetary conflict with other Town projects because the money for rail trails would come from Community Preservation Act funds. Mr. Williamson does not believe a rail trail should be considered as a "luxury" project as referred to earlier by Chairman O'Brien, but rather it should be considered just as important as acquiring any other open space in Town.

Sudbury resident and RTCAC member Madeleine Gelsinon, 520 Concord Road, stated the Committee produced a lot of research. She suggested the Town ask a few RTCAC members to work with Town staff to develop a concept plan.

Chairman O'Brien summarized the Board is requesting Town Manager Valente research the process for placing a referendum on the Town Election ballot, that a warrant article be bookmarked for this topic to be discussed at Town meeting, that Town Counsel opine on the segmentation funding issue broached tonight, and that feedback from the Park and Recreation Commission be solicited. Selectman Drobinski requested information regarding Davis Field also be solicited from the Conservation Commission.

Vice-Chairman Haarde suggested referendums be prepared for the ballot and Town warrant to present to the public for both a small portion of a trail and for the entire rail trail. The Board agreed to further consider these options.

At 9:00 p.m., Chairman O'Brien thanked attendees for their input, and he closed the discussion.

Public Hearing: NStar Electric Company Petition – Goodman's Hill Road

Present: NStar representative Renee Banks-Clark

At 8:07 p.m., Chairman O'Brien opened the Public Hearing regarding an NStar Electric Company petition and plan to obtain a grant of location for one stub pole and anchor guy wire at pole 24/39 on Goodman's Hill Road, as requested in a letter dated December 14, 2011, from Richard M. Schifone, Supervisor, Rights and Permits and accompanying petition. The Board was also in receipt of an email from Department of Public Works Director Bill Place dated December 22, 2011, stating no objections and noting any and all easements necessary should be conditioned by the Board.

NStar representative Renee Banks-Clark addressed a few questions from the Board regarding existing guy wires and poles and the proposed design plan for replacement.

Chairman O'Brien asked if work is planned on private property which would necessitate obtaining an easement, as noted by Mr. Place. Ms. Banks-Clark stated she believes the scheduled work falls within the public way. Selectman Drobinski recommended conditioning easements, as recommended by Mr. Place.

Vice-Chairman Haarde asked if abutters have expressed any concerns. Town Manager Valente stated approximately 15 abutters were notified and no feedback or objections have been received.

It was on motion unanimously

VOTED: To close the Public Hearing regarding a grant of location for Utility Petition UP #12-01 from NStar Electric for the purpose of installing one stub pole and anchor guy wire to provide additional support to pole 24/39 on Goodman's Hill Road on private property, subject to the condition that NStar obtains any and all easements.

It was on motion unanimously

VOTED: To approve a grant of location for Utility Petition UP #12-01 from NStar Electric for the purpose of installing one stub pole and anchor guy wire to provide additional support to pole 24/39 on Goodman's Hill Road on private property, subject to the condition that NStar obtains any and all easements.

Minutes

It was on motion unanimously

VOTED: To approve the Regular Session minutes of January 3, 2012.

The Sudbury Foundation – Fairbank Senior Center – Grant

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$15,000 grant from The Sudbury Foundation, as outlined in a letter dated January 4, 2012, from Marilyn Martino, Executive Director, for continued support of the Senior Volunteer Coordinator position at the Fairbank Senior Center, to be expended under the direction of the Council on Aging Director.

Executive Office of Elder Affairs – Council on Aging – Formula Grant

It was on motion unanimously

VOTED: To accept, on behalf of the Town, \$9,787.50, from the Executive Office of Elder Affairs, representing the first half Formula Grant payment to the Council on Aging, said funds to be expended under the direction of the Council on Aging Director.

Special Permit – Kate Maul, Race Director

It was on motion unanimously

VOTED: To grant a special permit to Kate Maul, Race Director, to hold a half marathon and 5K road race which will briefly enter Sudbury on Sunday, November 4, 2012, following an outlined route which has been submitted to the Police Department and Park and Recreation Department, as requested in an email dated December 16, 2011.

Election Officers - Appointments

Vice-Chairman Haarde asked if it is customary to appoint Election Officers who do not reside in Sudbury. Town Manager Valente and Chairman O'Brien stated the Town Clerk is thorough in the recommendation process, and that it has been difficult in recent years to fill the positions in a timely manner for elections to be held.

It was on motion unanimously

VOTED: To appoint Marie B. Cahill, 23 Alta Road, Sudbury and Maryann Connelly, 30 Lettery Circle, Sudbury, as unenrolled election officers, Siobhan Condo Hullinger, 55 Washington Drive, Sudbury, as a republican election officer and Karen Demerjian, 15 King's Way #45, Waltham, as a democratic election officer, each for terms to expire on August 14, 2012.

Relay for Life – Date Change

Town Manager Valente stated she was informed today that this item needs to be pulled from the agenda.

Currier and Chives Caterers - Request for a One-Day Wine and Malt Beverages License

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 Currier & Chives Caterers, 24 Main Street, Maynard, MA, to be exercised on Saturday, February 18, 2012, from 7:00 p.m. – 9:00 p.m., at First Parish of Sudbury, 327 Concord Road, to accommodate a wedding reception, subject to use of a TIPS-certified bartender and any requirements of the Police and Fire Departments.

National Grid – Efficiency Incentive Funds

It was on motion unanimously

VOTED: To accept the National Grid efficiency incentive funds in the amount of \$48,860 for various energy saving measures including boiler and control work performed during the Noyes Green Repair Project; said funds to be divided proportionately with the MSBA, under terms of the Agreement with the Town, and to the Town to offset the funds appropriated under Art.1 of the January 18, 2011 STM or for other School capital facilities projects.

Town Center Design - Discussion for 2012 Annual Town Meeting Potential Warrant Article

At 9:10 p.m., Chairman O'Brien opened a discussion regarding a potential Warrant article for the Sudbury Town Center Design project. The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated January 6, 2012, the relevant Capital Improvement Budget Requests Form A for Fiscal Year 2013 and the relevant Community Preservation Committee Project Submission Form.

Town Manager Valente stated the major concern for the Town is the intersection lights are quite old, and if they failed or were broken in an accident, the Town would need to immediately access approximately \$200,000 for new lights to be installed. Thus, there is a safety component to this project proposal.

Selectman Drobinski asked if a debt exclusion article is being proposed. Town Manager Valente stated she has looked at raising an estimated \$1,000,000 all in one year through a capital exclusion, which would

translate into a property tax increase of \$158 for the average homeowner. If the \$1,000,000 were bonded over 10 years, the tax impact on the average homeowner would be approximately \$19.65 per year.

Chairman O'Brien stated the Board should consider that the Town's debt is declining as school projects are paid off. Thus, he suggested this might be a good time, with interest rates as low as they are, for the Town to put forth an infrastructure program, which presents an annual debt exclusion for consideration as is done in Wayland.

Town Manager Valente suggested a bookmark article could be submitted as more information is reviewed. She distributed a copy to the Board for review of a spreadsheet prepared by Sudbury Finance Director Andrea Terkelsen depicting the Town's anticipated debt scenario for the coming years. Ms. Valente noted it would appear to be a good time to develop a strategic plan for the Town's infrastructure.

Selectman Drobinski stated the project is worth bookmarking, and that he is inclined to favor a debt exclusion since it spreads out the costs over several groups of taxpayers. He asked what the anticipated bond interest rate would be and whether the traffic lights would last another year. Town Manager Valente stated Ms. Terkelsen has approximated her figures based on 2% over ten years. She further stated there are advantages to bonding longer-term projects, which do not depreciate quickly. Ms. Valente also stated DPW Director Bill Place has no way of knowing when the lights could fail or be damaged.

Chairman O'Brien questioned whether the topic should be tabled until a Facilities Director is hired to evaluate this project in a greater context with other Town projects.

Vice-Chairman Haarde questioned whether this is the design with which the Town wants to proceed for \$1,800,000. He further questioned whether turning lanes should be added to improve traffic flow. Chairman O'Brien stated this is the plan which works best with the easements as voted by First Parish. Town Manager Valente stated the Committee and Town staff believe they have taken the plan as far as possible given the resources available.

Selectman Drobinski stated nothing is lost by bookmarking an article. Vice-Chairman Haarde concurred.

It was on motion unanimously

VOTED: To bookmark a Town Warrant article regarding the Sudbury Town Center Design project.

Sudbury Public Schools – Confirmation of Vote for a Statement of Interest to the Massachusetts School Building Authority – Nixon Elementary School

The Board was previously in receipt of copies of a letter dated January 11, 2012 from Town Manager Valente to the Massachusetts School Building Authority stating the vote taken that day by the Board of Selectmen and the Statement of Interest paperwork submitted by the Sudbury Public Schools (SPS) to the Massachusetts School Building Authority (MSBA), dated January 11, 2012 for roof work at the Nixon Elementary School.

Chairman O'Brien summarized the SPS submission and the vote taken by Vice-Chairman Haarde and himself last week in an emergency meeting. He acknowledged Permanent Building Committee member Mike Melnick's resourcefulness in learning about the new round of funding available.

Town Manager Valente stated the preliminary budget for the project is \$700,000, of which 33% could be reimbursed by the MSBA. She also stated a Warrant article has been submitted to avoid the need for a Special Town Meeting.

It was on motion unanimously

VOTED: To confirm the vote taken by the Board of Selectmen at the Emergency Special Meeting on January 11, 2012 for the purpose of authorizing the Superintendent of the Sudbury Public Schools to submit a Statement of Interest dated January 11, 2012 to the Massachusetts School Building Authority for the Nixon Elementary School, located at 472 Concord Road, Sudbury, for roof replacement and repair as recommended by the Town's Permanent Building Committee (PBC) and consultants hired by the PBC; and to authorize the Chair to sign any certifications related thereto, to wit:

VOTED: To authorize the Superintendent of the Sudbury Public Schools to submit to the Massachusetts School Building Authority the Statement of Interest, dated January 11, 2012, for the General John Nixon Elementary School, located at 472 Concord Road, Sudbury, MA, which describes and explains the following deficiencies and the priority category (s) for which the Sudbury Public Schools may be invited to apply to the Massachusetts School Building Authority in the future:

Replacement of a portion of the roof on the original building last replaced in 1991 and repair of portions of the 1994 addition roof at the General John Nixon Elementary School as recommended by the Town's Permanent Building Committee (PBC) and consultants retained by the PBC;

and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Sudbury Public Schools to filing an application for funding with the Massachusetts School Building Authority.

Town of Wayland – Proposal to Reuse Septage Facility Land

The Board was previously in receipt of copies of a draft Town Meeting article by Wayland, proposing use of the former Septage Facility land for a housing project and accompanying map. Town Manager Valente distributed copies of an enlarged photo of the site to the Board for review. She noted the land is covered by an agreement between Sudbury and Wayland which extends through August 2017.

Chairman O'Brien stated Wayland is proposing a Chapter 40B housing complex to help reach its affordable housing quota, and to generate property tax revenue. He stated the project would have some impacts on Sudbury, and thus the Town should consider proposing mitigation recommendations to Wayland. Chairman O'Brien stated these could include crediting some units to Sudbury's affordable housing inventory, mitigation funds for the Route 20 and Landham road intersection traffic lights, consideration of Sudbury residents and/or employees as preferred tenants. He also stated Wayland would need to buy out Sudbury's position if it wanted to develop the land prior to when the existing agreement terms lapse in 2017.

Vice-Chairman Haarde asked if the project is intended as rental or home ownership for senior citizens. He also asked if there is enough land owned by Sudbury at the site with which to do something or whether a joint housing project could be considered. Town Manager Valente stated the project is proposed as senior rental housing. Selectman Drobinski stated there is only approximately 80 feet of Sudbury land. A brief discussion ensued regarding land delineation and soil quality.

Vice-Chairman Haarde stated that, although he would rather see the site used for a hockey rink, he cannot begrudge Wayland from building senior rental housing.

Town Manager Valente noted Sudbury has its own senior rental housing inventory, and thus the project does not offer the Town much. She encouraged the Board to think of other recommendations for Wayland to consider, including cash payments which could continue to be made to Sudbury by Wayland, and to share recommendations with her prior to the upcoming joint meeting of the two Boards on January 25, 2012.

At 9:44 p.m., Chairman O'Brien stated this Board is also open to considering recommendations presented by Wayland, and he closed the discussion.

Joint Town and Sudbury Public Schools – Memorandum of Agreement for a Joint Facilities Department

The Board was previously in receipt of copies of a draft Facilities Department Memorandum of Agreement between the Sudbury Board of Selectmen and the School Committee of the Sudbury Public Schools (SPS) to establish a joint Town and SPS Facilities Department. At 9:45 p.m., Chairman O'Brien opened a discussion regarding the proposed Agreement, and he summarized the intended responsibilities for the position.

Town Manager Valente stated implementing this concept has taken time. She noted a new Department formation has been proposed, which is neither a Town or School department. Ms. Valente emphasized how much this position is needed to alleviate the burdens now carried by Department Heads, Police and Fire Chiefs not trained as facilities managers, but who have been forced to function as such, while also performing their other duties. She respectfully asked for the Board's approval of the Agreement, noting SPS will vote on it tomorrow evening. Upon approval, Town Manager Valente and Superintendent Wilson will proceed with the hiring process.

Selectman Drobinski stated this has been a long time coming, and he believes the position will help focus the maintenance of all Town/School assets.

Vice-Chairman Haarde stated he hopes the position increases the Town's efficiencies.

It was on motion unanimously

VOTED: To approve and sign the Memorandum of Agreement between the Sudbury Board of Selectmen and the School Committee of the Sudbury Public Schools (SPS) to establish a joint municipal and school facilities department to be known as the Facilities Department as accepted by ATM 2010, art. 16.

Boston Region Metropolitan Planning Organization - Transportation Improvement Planning (TIP) Project Prioritization

The Board was previously in receipt of copies of the Sudbury project descriptions currently listed on the Transportation Improvement Program (TIP) list to be considered for funding by the Boston Region of the Metropolitan Planning Organization (MPO), an overview of the TIP Process from the Boston MPO website and an invitation to an open house TIP-building workshop on Wednesday January 25, 2012, at the State Transportation Building in Boston.

Town Manager Valente explained projects funded by TIP tend to be multi-town sponsored and challenging projects, which carry a lot of political clout. She stated Sudbury has not had any projects funded through the process. She listed the Town's current TIP projects as follows: 1) Route 20 and Landham Road, 2) Route 20 and Horse Pond Road, 3) the Town Center traffic signal upgrade project, 4) Route 20 and Wayside Inn Road, and 5) and 6) the Bruce Freeman Rail Trail Phases 2D and 2E.

Town Manager Valente asked the Board if it wished to re-prioritize the list for the MPO. A brief discussion ensued. The consensus of the Board was that the Town Center project is more important for Sudbury than the Route 20 and Horse Pond Road project.

It was on motion unanimously

VOTED: To re-prioritize and submit the Transportation Improvement Program (TIP) list from Sudbury to be considered for funding by the Boston Region of the Metropolitan Planning Organization (MPO), as follows: 1) Route 20 and Landham Road, 2) the Town Center traffic signal upgrade project, 3) Route 20 and Horse Pond Road, 4) Route 20 and Wayside Inn Road, and 5) and 6) the Bruce Freeman Rail Trail Phases 2D and 2E.

Goodnow Library Foundation Trustees – Civil War Statue Agreement

Present: Goodnow Library Trustees and Goodnow Foundation Board members Barbara Pryor and Jill Browne

The Board was previously in receipt of copies of a letter dated January 13, 2012, from Goodnow Library Foundation President Jill Browne to the Board, seeking formal approval to assume maintenance of the Civil War Statue as proposed by a donor.

Goodnow Library Trustee and Goodnow Foundation Board member Barbara Pryor explained that a non-profit foundation was formed to fund capital projects for the Library, which is not possible to do within its budget. Ms. Pryor stated a donor came forward offering a contribution to the Foundation predicated on its maintenance of the Civil War Statue. She further stated income generated from the donation will be used for this purpose and other Library needs. The proposal has been discussed with Town Manager Valente and Town Counsel to be sure to address all pertinent and relevant matters.

Chairman O'Brien asked if the statue currently needs repair. Goodnow Library Trustees and Goodnow Foundation Board President Jill Browne stated the statue is in the process of being assessed, and it would likely need regular cleaning, but that no significant repair work is anticipated.

Selectman Drobinski stated it is great to have people like this donor living in Sudbury and willing to offer this kind of assistance to help protect a Town asset. He recommended the Foundation put in place the necessary insurance protection. Town Manager Valente stated Town Counsel would work with the Foundation to be sure all parties are appropriately protected.

Ms. Browne stated only a letter from the Board transferring maintenance of the statue to the Foundation is required for the donor.

Vice-Chairman Haarde thanked the Foundation representatives, and he asked them to also thank the donor for this proposal.

It was on motion unanimously

VOTED: To approve the Town Manager signing an agreement with the Goodnow Library Foundation Trustees, authorizing the Foundation to assume responsibility for funding maintenance costs of the Civil War Statue on the grounds of the Goodnow Library, subject to assurance of the necessary insurance protection as requested by the Board.

Executive Session

At 10:08 p.m., Chairman O'Brien 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 land acquisition wherein an open meeting may have a detrimental effect on the negotiating position of the public body and collective bargaining, wherein strategy discussion with respect to collective bargaining in an open meeting may have a detrimental effect on the bargaining position of the public body, Chairman Lawrence W. O'Brien, aye, Vice-Chairman Robert C. Haarde, aye and Selectman John C. Drobinski, aye.

Chairman O'Brien announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 10:08 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk