

IN BOARD OF SUDBURY SELECTMEN
MONDAY, SEPTEMBER 24, 2012

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:02 p.m. in Conference Room B, of the Lincoln-Sudbury Regional High School, 390 Lincoln Road.

At 7:02 p.m., Chairman O'Brien opened the meeting for the purpose of discussing articles and possible positions to be taken on them at the Special Town Meeting tonight at 7:30 p.m.

Special Town Meeting –Articles Discussion

Chairman O'Brien stated it would be a brief meeting to give a final review of the six articles up for discussion at the Special Town Meeting tonight and to perhaps take position where none had previously been done. He listed the following:

- 1) Roof Replacement and Repair – Nixon Elementary School
- 2) Fairbank Community Center Roof Project
- 3) Community Preservation Fund – Additional Funds for Purchase of 15 Hudson Road
- 4) Petition article to increase the Board of Selectmen membership from 3 to 5
- 5) Petition article to restrict the use of chemicals on anyone's property
- 6) Petition article to eliminate unfunded federal and state mandates

He noted that the last two articles were signed by Sudbury residents but submitted by an outside petitioner.

Roof Replacement and Repair – Nixon Elementary School Article

Chairman O'Brien stated that the Board had previously supported this article, but in the interim, the amount being requested has increased from that printed in the warrant (\$750,000 plus the cost of borrowing) and is presently at \$808,000, including borrowing costs.

Town Manager Valente filled in the information on the difference in money, stating it results from the Massachusetts School Building Authority (MSBA) calculations of the project. This figure is still eligible for an MSBA grant in the approximate amount of \$250,000 upon the requirement that it be approved at a Town Meeting and a Town Election.

It was on motion unanimously

VOTED: To support the article for Roof Replacement for the Nixon Elementary School as submitted by the School Committee for the Sudbury Public Schools.

Fairbank Community Center Roof Project Article

A brief discussion ensued on the pros and cons of a new roof at an estimated \$588,000 and the value of building something new similar to what Concord did several years ago. He and Selectman John Drobinski consider the facility a building worth repairing and maintaining. Vice Chairman Haarde is a proponent of the latter process. The Board was split with two Selectmen in favor of a new roof and one in favor of starting a new facility.

Vice Chairman Bob Haarde stated that he is hesitant to put \$588,000 into a new roof when a new recreational facility could be considered which could have so many uses. Chairman O'Brien does not see putting this kind of money into that building.

It was on motion

VOTED: to support Article 2; Vice Chairman Haarde opposed the vote.

Community Preservation Fund – Additional Funds for Purchase of 15 Hudson Road Article

Town Manager Valente stated that \$15,000 will come from Community Preservation funding, if necessary, if the Department of Revenue does not allow the back taxes to be abated..

It was on motion unanimously

Voted: to support Article 3 - Community Preservation Fund - Additional funds for purchase of 15 Hudson Road

Petition Article – Special Act - Revise c.131 of the Acts of 1994 to Increase Selectmen Membership to 5

Chairman O'Brien outlined that this is a petition article submitted by resident Michael Troiano. He stated that Myron Fox, the Town Moderator, gave an option for each Selectman to speak to the article. The Moderator will ask if there are any positions to be taken and then each may speak for a five-minute allocated time limit.

Selectman Drobinski stated that he does not have a problem with the Board expanding from 3 to 5 members and asked if this decision could be put off and taken up at the regular Annual Town Meeting so that it's done the right way and not at a Special Town Meeting. He feels the process should be proper and that it should be done with proper deliberation.

Vice Chairman Haarde wants it done now to provide more transparency. He doesn't think smaller groups are the answer, and wants it to go before the people now.

Chairman O'Brien feels it should be brought to the Annual Town Meeting and not as part of a Special Town Meeting, and recommended that it be IP'd (Indefinitely Postponed) so that it can receive more exposure and not just to a smaller group of residents.

Vice Chairman Haarde said he respects Larry's opinion, but feels this is the way to do it. He feels we are jeopardizing our credibility and that it has been brought up five times since 1961. He asked Selectman Drobinski to explain his position. John stated again that he feels very strongly that it should be addressed at an Annual Town Meeting

It was on motion

VOTED: To report at Town Meeting on the Petition Article 4 to revise c. 131 of the Special Acts of 1994 to increase Selectmen membership to five, and it was further.

VOTED: To reflect that the majority two members are opposed to the article being placed on the Special Town Meeting agenda and Mr. Haarde is in favor of doing so and each member will give comments from the floor.

**Petition Articles - Chemical Use on Property and
Elimination of Unfunded Federal and State Mandates**

Chairman O'Brien stated that both these articles were signed by Sudbury residents but submitted by Steven Hakar, a Framingham resident.

Selectman Drobinski stated that fundamentally he is against this article as it is very broad and extremely restrictive. He said he needs to have a better description of where Mr. Hakar means to send a good message. Mr. Drobinski further stated that there are Federal guidelines already in place for these purposes.

Chairman O'Brien stated there is still a question of Mr. Hakar's final intent. However, he realizes that we should hear what the petitioner has to report.

Vice-Chairman Haarde stated that he is substantially in favor of both petitions. With regard to the chemical use, he vehemently opposes a utility such as NStar spraying or adding anything to do with his property or anyone's just because they have an easement.

It was on motion unanimously

VOTED: to take no position on this article right now.

Chairman O'Brien stated that regarding the Article on the Elimination of Unfunded Federal and State Mandates the intent is fine but the article will not get any traction. Mr. Haarde opined that unfunded State and Federal mandates are budget killers for everyone and he is against them, and he believes we should send a symbolic message.

It was on motion unanimously

VOTED: To support the intent of the article at Town Meeting

Call of Special Town Meeting

Chairman O'Brien stated that the next item to be addressed is to call a Special Town Election which must be held within 90 days of the Special Town Meeting.

It was on motion unanimously

VOTED: To call a Special Town Election for Tuesday, December 4, 2012 to comply with State law which mandates that such occur within 90 days of the Special Town Meeting on Monday, September 24, 2012, at Lincoln-Sudbury Regional High School.

At 7:24 p.m., Chairman O'Brien announced the suspension of the regular session meeting to allow the Board to attend the Special Town Meeting.

There being no further business following Special Town Meeting, the meeting adjourned at 11:07 p.m.

Attest: _____
Maureen G. Valente
Town Manager – Clerk