

IN BOARD OF SUDBURY SELECTMEN
WEDNESDAY, FEBRUARY 25, 2014

Present: Vice-Chairman Charles C. Woodard, Selectman Lawrence W. O'Brien, Selectman Robert C. Haarde, Selectman Leonard A. Simon and Town Manager Maureen G. Valente

Absent: Chairman John C. Drobinski

The statutory requirements as to notice having been complied with, the meeting was convened at 7:31 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:31 p.m., Vice-Chairman Woodard opened the meeting. He reminded citizens of the Town Election on March 31, 2014, noting the League of Women Voters will sponsor a debate on March 4, 2014 at 7:00 p.m. at the Goodnow Library for candidates running for elected positions. The deadline to register to vote in the Town Election is March 11, 2014. Vice-Chairman Woodard also announced the Sudbury Housing Trust is accepting applications through April 30, 2014 for its Small Grant Program. The Fairbank Building Task Force will hold a Public Forum on February 27, 2014 at 7:30 p.m. at the Senior Center, regarding future planning for the building.

Reports from the Town Manager

Town Manager Valente reported she and Town staff are busy at this time of year with many evening Town affairs and budget-related meetings and work to prepare for publication of the Town Warrant. She mentioned recent investigative work done by the Police Department, noting more details would be provided to the Board at a later date. Ms. Valente announced Leila Frank welcomed a new son to her family this week, and while she is out on maternity leave, Patty Golden will handle office responsibilities during this busy season with the assistance of some part-time help.

Reports from the Board of Selectmen

Selectman Haarde encouraged the community to attend the Fairbank Building Committee Task Force meeting on February 27, 2014, noting the Committee is interested in hearing public input and feedback.

Selectman O'Brien stated he and Vice-Chairman Woodard conducted Board Office hours recently on a stormy day, but had no participation from the public. Their time was spent with Senior Center Director Deb Galloway touring the Fairbank Building and learning more about the Center's initiatives.

Selectman Simon stated he plans to attend the Fairbank Building Committee's meeting on Thursday. He attended last night's Conservation Commission meeting and a portion of last night's Finance Committee meeting. Selectman Simon mentioned he received a letter from Senator Eldridge's Office regarding his support for legislation related to a transportation bond bill, which he will circulate to the Board.

Citizen's Comments

There were no citizen's comments requested tonight.

Energy and Sustainability Committee – Appointment

At 7:51 p.m., Vice-Chairman Woodard welcomed Sudbury resident Jim Cummings to the meeting to discuss his interest in serving on the Energy and Sustainability Committee, and he highlighted how many volunteers give their time and expertise to benefit the Town. The Board was previously in receipt of copies

of the Application for Appointment and an email from Energy and Sustainability Committee Chairman Bill Braun dated February 19, 2014, stating the Committee recommends this appointment.

Mr. Cummings stated he has lived in Sudbury 21 years, is a mechanical engineer, and has participated on other Town committees and boards. He knows present members of the Energy and Sustainability Committee, and he is interested in helping the Committee fulfill its mission.

Selectman Simon asked if Mr. Cummings has a particular area of expertise. Mr. Cummings stated he has had prior experience working to modify existing buildings with newer technologies. Selectman Simon asked if some of those building were historic structures, and Mr. Cummings responded affirmatively. Selectman Simon stated this expertise could be very useful on a volunteer-basis for the Committee and Town regarding pending and future projects.

Selectman O'Brien stated Mr. Cummings' background and skill sets are well suited for the Committee.

Selectman Haarde stated Mr. Cummings seems like a great fit for the Committee, and he noted the Committee will be a great forum for learning about current "green trends."

The Board thanked Mr. Cummings for volunteering to be on the Committee.

It was on motion unanimously

VOTED: To approve the appointment of Jim Cummings, 145 Lincoln Road, to the Energy and Sustainability Committee, for a term to expire May 31, 2016, as requested in a memo dated February 19, 2014 from Bill Braun, Committee Chairman.

Joint Meeting with the Sudbury Finance Committee – Budget Discussion

Present: Finance Committee Chairman Doug Kohen and Finance Committee members Bob Stein, Susan Berry, Mark Minassian, Andrew Sullivan, Tammie Dufault, Bob Jacobson, Bill Kneeland, Joan Carlton

At 7:58 p.m., Vice-Chairman Woodard welcomed the Finance Committee to this joint meeting with the Board of Selectmen. He stated topics for discussion include: the status of the FY15 budget deliberations, including an overview of the 2014 budget process, the Sudbury Public Schools (SPS) enrollment trends, Minuteman Regional Vocational High School's proposed change to the Regional Agreement, capital articles and plans to use Free Cash, preview of the FY16 budget and contract negotiations, and Other Post-Employment Benefits (OPEB).

Finance Committee Chairman Doug Kohen stated the Committee last met with the Board in October, and he had earlier discussions with Vice-Chairman Woodard regarding tonight's agenda. He stated the Finance Committee is in the midst of its budget deliberations and will likely vote its positions in March. Mr. Kohen summarized the budget process, noting the cost centers were given guidance regarding a proposed 2.5% budget increase. He stated each cost center has presented compliant no-override budgets. Mr. Kohen noted local receipts had been under-budgeted in recent years, but this has been modified for the FY15 budget. Vice-Chairman Woodard stated this cautious approach was taken so as to avoid the situation experienced in 2009, when actual receipts were lower than what had been budgeted, which resulted in budget cuts having to be made in the middle of that fiscal year.

Mr. Kohen stated the Sudbury Public School (SPS) engaged a consultant two years ago to study enrollment trends, and the study was reviewed this past summer. He displayed a chart tracking pre-kindergarten through eighth grade enrollment from FY94 to FY17. Mr. Kohen noted there has been a steady

decline in students of approximately 1.5% per year from FY06 through FY17. He stated the SPS FY15 budget reflects an increase from last year even though enrollment is expected to decrease, which increases the education costs per student. Mr. Kohen stated the Committee has tried to evaluate this issue, noting the Town has a challenging time of realizing economy of scale, given that there are four elementary schools. Options have been discussed, including closing a school and possible re-districting. Mr. Kohen stated the Committee has concluded that closing an elementary school at this time is not feasible. However, he emphasized this is an issue the Committee is cognizant of, and one the Town may need to address in the future.

Vice-Chairman Woodard stated questions are understandable when there is a 6% decrease in students, but a 2% increase in staff. Mr. Kohen explained how teacher staffing is based on certain ratio guidelines, and that some positions added may be for coaches and/or specialized part-time personnel. Vice-Chairman Woodard clarified he does not question that additional staff positions do not serve an intended purpose, but one would think that if the number of students decreases then the number of staff should also decrease. Mr. Kohen stated this is a complex issue to interpret, noting Lincoln-Sudbury Regional High School (L-SRHS) will begin to also experience a decline in student population in four years. Given the enrollment trends, Vice-Chairman Woodard questioned whether the SPS budget should possibly grow at a lesser rate than the other two cost centers. Mr. Kohen noted there are challenging structural issues to address in the coming years with four elementary schools and new contract negotiations, while maintaining Sudbury's high educational status.

Selectman Haarde agreed that forecasts beyond three years are difficult to predict, and he noted the issues relate to the middle school as well as the elementary schools. In response to a question from Mr. Kohen, Selectman Haarde stated the budget perspective depends on many factors on a year-by-year basis.

Selectman O'Brien thanked the Committee for its work. He encouraged the Committee to also work with the Planning Office as it continues its evaluation of these issues. Selectman O'Brien stated he appreciates the consideration of different options. He suggested consideration be given to whether space at one elementary school could be used for SPS administrative staff as enrollments decline. Selectman O'Brien stated this might alleviate other Town-wide space needs. He also stated it is important to maintain the high level of performance of the Town's school systems.

Selectman Simon thanked the Committee for its diligent work. He noted there are other costs related to maintaining buildings and providing programs and technology upgrades which do not necessarily correlate to the number of students at a school or in the system. Selectman Simon stated it is better to err on the side of providing more services than less of what is needed. He noted it is a complex issue to simultaneously balance being cost and education conscious.

Mr. Kohen next discussed Minuteman Regional Vocational High School noting that, although it is a small portion of the Town's educational budget, it is one of its most challenging topics. He summarized the inherent problems with the current member versus non-member town framework within the Regional Agreement. Mr. Kohen highlighted that a member town such as Sudbury (which currently sends approximately 24 students to the school) subsidizes students who attend the School from non-member towns. He stated Minuteman's administrative costs have increased 18% from FY12 to FY15, and there are plans to build a new school. Mr. Kohen stated non-member towns do not contribute to capital costs and they pay less for tuition than member towns. He stated it is not in Sudbury's best interest to agree to the proposed changes to the Regional Agreement or to support a larger Minuteman School be built.

Vice-Chairman Woodard stated the proposal is to build a school to accommodate 800 students when only approximately 400 students from member towns now attend the School. He does not believe the proposed amendment to the Regional Agreement should be approved.

Finance Committee member Bob Jacobson stated the changes to the Regional Agreement also proposes to change the current one vote per member town to a weighted system which would not benefit Sudbury. Mr. Jacobson asked who is prioritizing the perspective of member towns with State legislators and the Department of Education (DOE).

Vice-Chairman Woodard stated he is not pleased with several aspects of the Minuteman Regional Agreement, and he has concerns regarding the financial oversight of the School which allowed the current inequities to be created.

Mr. Kohen stated Minuteman is challenging because Sudbury has no involvement in the oversight of its budget.

Selectman O'Brien noted L-SRHS needs an outlet for those who do not want to attend L-S. He asked what would happen if Sudbury wanted to withdraw from Minuteman's Agreement. Vice-Chairman Woodard and several others stated it is not possible for one member Town to withdraw without the unanimous approval of all member towns.

Mr. Jacobson stated there is no incentive within Minuteman's Regional Agreement for a non-member town to become a member town. He suggested the DOE has to present Minuteman with a revision, such as a limit to the number of non-member town students who can attend, or nothing will change for the better.

Vice-Chairman Woodard stated it is unlikely the DOE will mandate eliminating students from non-member towns in the future, and he believes the DOE is aware of the inequitable tuition situation. He believes the proposed amendment will fail. Vice-Chairman Woodard reiterated there needs to be a discussion regarding the financial oversight of Minuteman which allowed this situation to exist. He further noted the tuitions charged are set by the State.

Selectman Haarde stated the problem is complicated by Minuteman recruiting non-member town students, which accommodates a larger school with more programming. He believes Sudbury should draft a letter to go "on record" with State legislators and the DOE requesting changes be made to the inequitable situation which exists for member towns. Selectman Haarde suggested revisions could include that member towns and non-member towns pay the same amount for student tuitions and capital costs, but non-member towns have no vote. If a non-member town wants to have a "seat at the table" then they would need to become a member town.

Town Manager Valente announced State legislators are scheduled to meet with the Board on March 11, 2014.

Sudbury School Committee member Kevin Matthews, 137 Haynes Road, stated the Agreement is the cause of most of the problems. He questioned whether it is legal for an Agreement to require a unanimous vote from all members for any one member to alter its situation.

Selectman Simon stated the circumstance is that Sudbury signed on to the terms of the Regional Agreement approximately 30 years ago. He believes nothing will change with the Agreement until legislators require revisions to be made. He suggested Sudbury and similar member towns might be more effective requesting change if they speak as "one voice."

Vice-Chairman Woodard suggested the proposed Minuteman changes be an agenda item at the Board's next meeting with the State legislators, and that the Board's liaisons (Selectmen Haarde and Simon) draft a letter, on behalf of the Board, prior to the next meeting, to be discussed and given to the legislators on March 11, 2014.

Selectman Simon stated there is a Minuteman breakfast meeting scheduled on March 7, 2014, which he, Town Manager Valente, Selectman Haarde and Finance Committee member Bill Kneeland plan to attend.

Mr. Kohen summarized some of the long-term planning issues being considered by the Finance Committee, including capital planning, the use of Free Cash, OPEB, preparing for FY16 regarding enrollment changes and contract negotiations.

Vice-Chairman Woodard summarized the Capital Funding Policy recently endorsed by the Board. He stated the objective of the policy is to fund capital needs by judiciously using debt, wisely using Free Cash and spreading spending out over time in order to have a moderate impact on taxpayers. Vice-Chairman Woodard believes these principles allow the Town to maintain its critically important AAA bond rating and its financial flexibility.

Mr. Kohen stated the Committee has had spirited discussions regarding the use of Free Cash. He reiterated the Town has been cautious about using these funds in the recent past, and thus amassed large balances. However, Mr. Kohen stated he believes the FY15 budget process has "right-sized" revenues.

Vice-Chairman Woodard presented his perspective regarding one time sources of cash, and that non-recurring cash should be used for non-recurring expenses and not for recurring expenses. He believes that when a Town has too much Free Cash the excess should be returned to taxpayers rather than asking taxpayers for additional taxes that year. Since Free Cash is a non-recurring source of revenue, it should be used for a non-recurring expense such as the purchase of a capital item.

In response to a question from Selectman O'Brien, Mr. Kohen stated the Finance Committee reached no conclusion yet regarding the use of Free Cash, and it tabled its discussion.

Mr. Kohen highlighted that the FY15 budget was fairly straightforward because the cost centers are in the third year of a three-year contract. However, he emphasized FY16 will be a negotiation year, and some have taken a point of view that it will be important to establish parameters for the budget process in advance.

Vice-Chairman Woodard stated 75% to 80% of the Town budget is labor-related. He suggested it might be beneficial to "telegraph" what will be financially workable and acceptable. Vice-Chairman Woodard opined it might be beneficial to have a Budget Working Group in place before next fall to begin to identify issues and options.

Selectman Haarde stated he believes the Town needs to be careful in not setting too many financial parameters which "telegraph" too much information. He believes it might be more beneficial to just have the negotiations play out.

Vice-Chairman Woodard noted a subgroup will begin to further study the OPEB situation later this spring. He concluded the discussion at 9:02 p.m.

Town Meeting Articles Tracking Database – Presentation

Present: Sudbury Technology Administrator Mark Thompson

At 9:20 p.m., Vice-Chairman Woodard welcomed Sudbury Technology Administrator Mark Thompson to the meeting.

Mr. Thompson demonstrated for the Board how the new tracking database for Town Meeting Articles can be accessed on the Town website. He noted audio files are available for some Town Meeting and Special Town Meeting topics. Town Meeting and Special Town Meeting proceedings have been downloaded into the database for transcripts dating back to 1959. Town Warrant information has been loaded into the database for consistent information dating back to 1997, and a few earlier documents have also been downloaded. Mr. Thompson displayed how Town Meeting articles have been organized by specific meeting dates, which have been organized by six major categories. Consent Calendar items and Article Amendments will also be designated following a Town Meeting.

In response to a question from Vice-Chairman Woodard, Mr. Thompson stated he has had committed staff working to download this information over a long period of time. He hopes the database will provide a useful interface for Town staff and Sudbury residents.

Town Manager Valente stated prior to this database there has never been a central location for storing all of this related information. She also stated the information will go “live” on the town website tomorrow.

Selectman Simon stated the information looks very useful and the database appears to be user-friendly.

Selectman O’Brien stated the creation of the database is impressive. He suggested also tracking when zoning articles have been submitted to the State for approval. Selectman O’Brien also suggested preparing a press release and that the project be highlighted by the Board at its next meeting.

At 9:42 p.m., the Board thanked Mr. Thompson and everyone who has contributed to this project.

Means-Tested Senior Exemption Program – Progress Report

Present: Senior Tax Advisor David Levington

At 9:04, Vice-Chairman Woodard welcomed Senior Tax Advisor David Levington to the meeting. The Board was previously in receipt of copies of a memorandum from Mr. Levington and Sudbury resident Ralph Tyler dated February 12, 2014. In addition, copies of the slides for tonight’s PowerPoint presentation and a handout entitled, “Implementation of Chapter 169 of the Acts of 2012 Sudbury Means tested Senior Citizen Property Tax Exemption: SMTE Program FY4 July 1, 2013-June 30, 2014” were distributed tonight.

Mr. Levington presented a progress report on Sudbury’s Means Tested Senior Tax Exemption. He provided a brief history regarding the current program adopted by Sudbury to reduce the tax burden for a targeted group of senior citizens to 10% of their income, after qualifying for the State’s Circuit Breaker credit. Mr. Levington stated the current program was approved because it addressed known costs and the estimated number of recipients. He noted the average Sudbury property tax bill is \$11,000 and the \$1,000 Circuit-Breaker Credit limit was not enough for some senior citizens. Mr. Levington explained the program proposed to raise taxpayer’s property taxes by an amount not to exceed ½% in the first year of the pilot program, and no more than 1% in subsequent years. It was proposed to help a targeted group estimated between 200-300 overburdened senior citizens. He explained the application process and requirements. Mr. Levington praised Town staff for the seamless implementation of the program.

Mr. Levington reported 240 Sudbury senior citizens qualified for the Circuit-Breaker, of which 124 applied for the Senior Tax Exemption. He stated 118 applicants were approved. It is expected participation will increase in the coming years as more people become aware of the program. The actual cost (rate shift) for the first year for taxpayers was .4%, which totaled \$289,200, resulting in 7 cents being added to the residential tax rate. For the average homeowner based on an assessed value of \$632,187, the increase was approximately \$45.

Mr. Levington stated the applications are confidential, but valuable information was compiled about the recipients by the Assessor's Office. He stated 118 senior citizens received property tax reductions ranging from under \$1,000 to over \$5,000, with the median reduction of about \$2,500. The median age of recipients was over 80, and the median time they have lived in Sudbury is over 30 years. The median qualifying income was \$37,200, and the median assessed home value was \$417,300.

Mr. Levington stated the program appears to have met its objectives. He reiterated Town staff did a great job implementing the program. Town Manager Valente referenced the new handout provided tonight from Sudbury's Director of Assessing Cynthia Gerry which summarizes the work and time devoted by so many to implement the program. Mr. Levington stated the Town can be proud of its work on this program

Vice-Chairman Woodard stated this is a great example of the excellent results which can be achieved from citizen involvement. He noted the program which helps senior citizens stay in Sudbury complements the Town's long-term goals to balance the constitution of the Town's population.

Selectman Haarde asked why six applicants were rejected from the program and how the asset test was defined. Mr. Levington stated he does not know the reasons for rejection, since applications are confidential. Town Manger Valente suggested they likely did not meet the established criteria for the program. Mr. Levington also stated the Assessors established the asset test.

Selectman O'Brien congratulated Mr. Levington on the report and the program results. He suggested Sudbury's success be shared at a State level. Mr. Levington stated he is scheduled to present the report to appropriate parties at the State House next week. Selectman O'Brien offered to accompany Mr. Levington, if needed.

Selectman Simon commended the work done by all involved in the pilot program, noting it is a trailblazing effort in the Commonwealth.

Town Manager Valente stated she maintained a list of several towns who were interested in the results of the program, and a package of information will be compiled and sent to them. Ms. Valente read aloud a letter from an undisclosed Sudbury senior citizen, which thanked the Town for implementing this program which helps her to remain in her home and the Town she loves.

At 9:20 p.m., the Board thanked Mr. Levington for their report, and the discussion was concluded.

Minutes

Town Manager Valente distributed copies of two Town Meeting Warrant articles numbered as T41 tonight. She explained the Board of Assessors submitted two articles and the two were erroneously viewed as one combined article, leading to a conclusion that one had been withdrawn, which was not correct. Thus, the February 11, 2014 minutes agenda item was postponed until the March 11, 2014 meeting to be revised and voted, since there is not a quorum available tonight of attendees from the February 11, 2014 meeting.

2014 Annual Town Election – Sign Warrant

It was on motion unanimously

VOTED: To defer this agenda item to the March 11, 2014 meeting.

EPA Phase 2 MS4 Permit – Award Engineering Services Contract

It was on motion unanimously

VOTED: To approve a \$25,000 contract with Woodard & Curran for engineering services related to compliance with the EPA Phase 2 MS4 permit and other stormwater-related tasks, as requested by Maureen Valente, Town Manager.

Sudbury Celebrates 375/Sudbury Day Celebration - Gift

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a gift of \$100 from the Villagers for use by the Town of Sudbury for the purpose of the Sudbury Celebrates 375/Sudbury Day celebration, and may be used for another similar purpose as authorized by the Board of Selectmen in the event that all funds are not expended at the conclusion of the aforementioned celebration.

Knights of Columbus – One-Day Wine & Malt License

It was on motion unanimously

VOTED: To grant a one-day Wine & Malt license to William Kneeland, to accommodate a Knights of Columbus fundraiser on Saturday, March 15, 2014 from 6:00 p.m. to 11:00 p.m. at Our Lady of Fatima Parish Hall, 160 Concord Road, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

Relay for Life – Special Permit

It was on motion unanimously

VOTED: To approve a Special Permit for the 9th annual Relay for Life, for May 17 and 18, 2014, as requested by Marisa Lutz, Relay for Life Volunteer in an email dated December 11, 2013, subject to compliance with conditions outlined by the Peter Noyes School, the Police and Fire Departments, Building Department, Park and Recreation and the Presbyterian Church, and subject to a receipt of a Certificate of Liability.

Boston Brain Tumor Bike Ride – Special Permit

It was on motion unanimously

VOTED: To approve a Special Permit for a Boston Brain Tumor Bike Ride, May 18, 2014, as requested by Jaimee Goodman, Event Operations Manager, National Brain Tumor Society, in a letter dated February 7, 2014, subject to compliance with conditions outlined by the Police and Fire Departments, Building Department, and Park and Recreation, subject to a receipt of a Certificate of Liability.

Annual Town Meeting Actions

The Board was previously in receipt of copies of a draft list and articles submitted for the 2104 Annual Town Meeting Warrant, and an accompanying memorandum from Town Manager Valente dated February 21, 2014.

Town Manager Valente distributed copies of two articles numbered as T41 tonight. She explained the Board of Assessors submitted two articles and the two were erroneously viewed as one combined article, leading to a conclusion that one had been withdrawn, which was not correct. Thus, the February 11, 2014 minutes were postponed until the March 11, 2014 meeting to be revised and voted, since there is not a quorum available tonight of attendees from the February 11, 2014 meeting.

The list was reviewed to designate articles for the Consent Calendar.

It was on motion unanimously

VOTED: To designate Articles # T09, #T10, #T11 and #T39 (later renumbered as #9, #10, #11 and #12) for the Consent Calendar.

A brief discussion ensued regarding whether to remove Article #T38 from the list. Vice-Chairman Woodard shared his apprehension that introducing too many new funds which capture money which could be returned to taxpayers in other forms might backfire. He recommended removing the article from the list.

It was further on motion unanimously

VOTED: To remove Articles # T25 and #T38 from the list.

Selectman O'Brien suggested the petitioners be invited to a future Board meeting. Town Manager Valente reviewed the available meeting times leading up to Town Meeting, and she stated she would discuss future reviews of articles with the Board with Chairman Drobinski.

It was also on motion unanimously

VOTED: To approve the numbering of articles as noted on the listing below:

- #01 - Hear Reports
- #02 - FY14 Budget Adjustments
- #03 - Stabilization Fund
- #04 - FY15 Operating Budget
- #05 - FY15 Transfer Station Enterprise Fund Budget
- #06 - FY15 Pool Enterprise Fund Budget
- #07 - FY15 Recreation Field Maintenance Enterprise Fund Budget
- #08 - Unpaid Bills
- #09 - Chapter 90 Highway Funding – **Consent Calendar**
- #10 – Real Estate Exemption – **Consent Calendar**
- #11 - Town/School Revolving Funds – **Consent Calendar**
- #12 - Rescind/Amend Borrowings – **Consent Calendar**
- #13 - FY15 Capital Budget
- #14 - Construct Police Headquarters

- #15 – Purchase of Fire Department Ambulance and Fire Engine – FY15 Capital Exclusion
- #16 - DPW Rolling Stock Replacement
- #17 – Technology Infrastructure Improvement – Lincoln-Sudbury Regional High School
- #18 - Israel Loring Elementary School – Purchase of New Phone System
- #19 – School Driveways, Parking Lot and Sidewalks Improvement
- #20 –Ephraim Curtis Middle School – Purchase of Technology Devices
- #21 - Fairbank Community Center Roof Project
- #22 - Energy Services Company Energy Improvement Program – ESCO
- #23 – Nixon School – Partial Roof, Window and Door Replacements
- #24 – DPW Rolling Stock Stabilization Fund
- #25- Energy Saving Programs Stabilization Fund
- #26 – Conduct Feasibility Study for Wastewater Disposal Options for Route 20 Business District
- #27 – Amendments to the District Agreement of the Minuteman Regional Vocational School District
- #28 – Chapter 110, Section, 110 of the Acts of 1993, Disabled Veteran’s Exemption Residency Requirements
- #29 - Community Preservation Fund – Town-Wide Walkways
- #30 - Community Preservation Fund - Sudbury Housing Trust 10% Allocation
- #31 - Community Preservation Fund – Historic Projects
- #32 - Community Preservation Fund – Bruce Freeman Rail Trail Design
- #33 - Community Preservation Fund – Melone Property Engineering
- #34 - Community Preservation Fund - Sudbury Housing Authority Bathroom Project
- #35 - Community Preservation Fund – Amend Art. 43 of the 2006 ATM – Sudbury Housing Authority Unit Buy-Down
- #36 - Community Preservation Fund – Reversion of Funds
- #37 - Community Preservation Fund - General Budget and Appropriations
- #38 - Amend Zoning Bylaw - Medical Marijuana Treatment Centers - **Refer to Planning Board**
- #39 - Amend Zoning Bylaw - Accessory Structures - **Refer to Planning Board**
- #40 – Amend Zoning Bylaw, Art. IX – sec. 4100 – Flood Plain Overlay District - **Refer to Planning Board**
- #41 - Amend Zoning Bylaw Art. IX – Section 4500 – Wastewater Facilities Bylaw – Deletion - **Refer to Planning Board**
- #42 – Petition – Lafayette Drive Land
- #43 – Petition – Sale of Land under C61A
- #44 – Petition – Divestment of PRIT funds
- #45 – Petition – Utilize a Portion of CPA Funds to Fund Conservation Fund
- #46 – Petition – Amend Wetlands Administration Bylaw: Projects Funded with CPC funds
- #47 – Petition – Amend Bylaw Art. IV Finance Committee

Selectman O’Brien requested receiving updates to articles as they are received. Town Manager Valente stated she might develop a matrix of information to assist the Board’s review.

Keno License Application – Lavender Asian Cuisine – 519a Boston Post Road

At 9:43 p.m., Vice-Chairman Woodard opened a discussion regarding the copies of the letter from the Massachusetts State Lottery Commission dated February 6, 2014 the Board previously received regarding the Keno license application submitted by Lavender Asian Cuisine, 519a Boston Post Road. An email from Police Chief Nix dated February 21, 2014 was also previously received, stating no objections to the application.

A few Board members stated they had little experience with KENO and how the game is played.

Selectman O'Brien noted the Board is not responsible for issuing the license.

Selectman Simon stated he believes the Board is being asked by the State for a notification in writing only if the Town objects to the license being issued. He further stated he sees no reason upon which to object.

Selectman Haarde stated he does see a reason to object because he believes negative social issues may be created by combining gambling and alcohol in this manner. He stated gambling is addictive, and he does not believe this should be endorsed in Sudbury. Selectman Haarde views KENO as a "trashy" option, which he would prefer is not made available in an environment which also sells alcohol.

Selectman Simon stated the State would be the entity issuing a license, and the Town does not have much say in the matter.

Selectman Haarde stated he believes the Town can have a say as to whether it supports this activity or not.

Vice-Chairman Woodard asked Board members if they had a reason to object to the application request.

Selectman O'Brien noted other locations in Town offer KENO games, and it is the right of the establishment to apply for this option.

Selectman Haarde stated that, just because something is legal, does not mean it has to be pursued. He believes it is up to the Board to state what it believes is proper for Sudbury.

Selectman Simon stated the Board does not want to encourage gambling, but the license is sponsored by the State. He does not believe approval of this license by the State will result in a significant opportunity for abuse by the applicant, nor does he believe that it will threaten the moral fabric and quality of life in Sudbury. He also assumes that, similar to the State Lottery, some proceeds may come back to communities. Selectman Simon asked how often the license would be renewed if it is approved.

Town Manager Valente stated she does not believe the Board has ever been apprised of a renewal process.

Selectman Haarde stated he views KENO as very different from the State Lottery program. He does not believe the precedent should be set to support this type of gambling activity in an environment which sells alcohol.

Selectman Simon stated that, if there is evidence of abuse of the license, it could likely be revoked at a later time.

Selectman Haarde stated we just learned of this request last Friday and the Board is now being asked to make a decision without having had adequate time to research the matter.

Vice-Chairman Woodard stated that, given the timing of the receipt of the letter and the timeframe given to respond, this was the only Board meeting at which the topic could be discussed.

Selectman O'Brien and Vice-Chairman Woodard stated that, even if the Board did object, there is no guarantee the State would not issue the license.

Selectman Haarde made a motion to send a response letter of objection to the State regarding the Keno license application submitted by Lavender Asian Cuisine. The motion was not seconded.

Town Manager Valente stated a Board member could send their own letter to the State, individually, if they wished to do so.

Addressing Selectman Simon, Selectman Haarde stated he does not like gambling in Sudbury. Vice-Chairman Woodard stated he did not appreciate Selectman Haarde's tone, and that Selectman Haarde has made his objection known. At approximately 10:01 p.m., the discussion was concluded.

At 10:02 p.m., Vice-Chairman Woodard announced Selectman Haarde had exited the meeting.

Public Hearing: Common Victualer License, CJ's Pizzeria, 29 Hudson Road

Present: Owner Christos Vozikis

At 7:42 p.m., Vice-Chairman Woodard Chairman Drobinski welcomed Owner Christos Vozikis to the meeting regarding his application request for CJ's Pizzeria, 29 Hudson Road, for a Common Victualer License. The Board was previously in receipt of copies of the application and accompanying materials, an email from Assistant Fire Chief John Whalen dated February 3, 2014, an email from Board of Health Director Bob Leupold dated February 10, 2014, an email from the Building Inspector Mark Herweck dated February 12, 2014 and a copy of the lease between 29 Hudson Road LLC and CJ's Pizza.

Town Manager Valente stated the file is complete and all required materials have been received.

Mr. Vozikis stated he has been in business for 22 years, currently owns a pizza store in Hudson, and he is looking to expand. He further stated he is excited about opening a new location in Sudbury.

Selectman Simon welcomed Mr. Vozikis to Town, and he asked when the business would open. Mr. Vozikis stated in approximately two weeks.

Selectman O'Brien referenced some recommendations made by Town staff. Mr. Vozikis stated he is aware of the comments, and he recently met with his contractor and Sudbury's Building Inspector to discuss the suggestions.

Board members all thanked Mr. Vozikis for choosing Sudbury for his new location, and wished him well with this new endeavor.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, in accordance with M.G.L. c.138, s.12, to approve a new Common Victualer License for CJ's Pizzeria, 29 Hudson Road, Suite 100, as requested in an application dated July 18, 2013, subject to conditions put forth by the Fire Department and Building Department.

Town Manager Valente mentioned she will need to schedule an Executive Session with the Board to discuss a land acquisition matter.

There being no further business, the meeting adjourned at 10:43 p.m.

Attest: 
Maureen G. Valente
Town Manager-Clerk