

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, MARCH 12, 2013

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 7:31 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:31 p.m., Chairman O'Brien opened the meeting. He displayed the 2013 Official Town Warrant for the Annual Town Election on March 25, 2013, which went to the Post Office today. Residents should receive them in the mail in the coming week. He announced the deadline to submit absentee ballots for the Town Election is 5:00 p.m. on March 22, 2013. Chairman O'Brien also announced the Planning Board will hold a Public Hearing on April 10, 2013 regarding zoning-related Town Meeting articles. He further stated there will be upcoming public meetings scheduled to discuss the proposed article for a new Police Station. Chairman O'Brien stated the Board received communications from Sudbury residents Robert Stein, Bryan Semple and Ralph Tyler requesting agenda time to discuss different issues of concern, which the Board will address at later dates. He asked Town Manager Valente to research whether a remedy is available to accommodate Mr. Tyler's request.

As follow-up to an agenda item from the last meeting, Chairman O'Brien stated the Town Moderator has responded that he does not believe it is appropriate for him to host a pre-Town Meeting discussion of articles. He asked the Board for suggestions as to how Mr. Semple's request could be accommodated. Selectman Drobinski suggested the Board proceed with scheduling its usual discussions, which are open to the public with article petitioners and the Community Preservation Committee and others. Vice-Chairman Haarde cautioned it would be important for the public to have the opportunity to speak rather than the Board using all the discussion time. Chairman O'Brien suggested possibly contacting the League of Women Voters to host the discussion, and for the Board to think about other options.

Reports from the Town Manager

Town Manager Valente thanked the Department of Public Works (DPW) and the Public Safety Departments for their work during last week's storm. She also stated Town Offices were closed on Friday to ensure personnel safety. She thanked the Board of Selectmen's Office staff who worked on the weekend to prepare and distribute tonight's meeting materials.

Town Manager Valente referenced a press release regarding the Group Insurance Commission's (GIC) rate increases. For health plans in which Sudbury employees participate, the increases are closer to an average of 4%. However, using current enrollment data for active employees, the budgeted costs are estimated to be 2.5% lower than last year, while the costs for retirees are expected to increase.

Ms. Valente stated Town staff representatives have been working with Sudbury Public School (SPS) and Lincoln-Sudbury Regional High School (L-SRHS) staff on a strategic planning report to present options for consideration to the Board on April 3, 2013. Information will follow at a later date. She also stated recommendations for a State of the Town forum for next fall will be reported at the Board's next meeting on March 27, 2013.

Reports from the Board of Selectmen

Vice-Chairman Haarde stated the subcommittees established by the Route 20 Sewer Steering and Citizens Advisory Committees have been working to prepare information to likely be shared next fall, since no related articles have been submitted for the 2013 Town Meeting.

Chairman O'Brien attended the Haynes School Reading Across America Program. He also participated in a meeting regarding how to create an effective public information campaign regarding the proposed Town Meeting article for a new Police Station.

**Public Hearing: Site Plan Application – Solar Sudbury One LF LLC - a/k/a Ameresco,
20 Boston Post Road**

Present: Ameresco representative John Bamman and environmental and permitting consultant Rob Pukowski of AMEC (an environmental consulting firm), Department of Public Works Director Bill Place and Energy and Sustainability Green Ribbon Committee Chair Bill Braun

At 7:45 p.m., Chairman O'Brien opened the Public Hearing regarding the application of Solar Sudbury One LF LLC, (a/k/a Ameresco) and the Town of Sudbury, owner, for Site Plan approval to construct a 1.5 megawatt solar photo-voltaic array on approximately a six-acre parcel of leased land at the Town's Landfill, located at 20 Boston Post Road, zoned Limited Industrial district, K12, Parcel 0002, which was continued from February 26, 2013. Town Manager Valente reported the materials received to the file and previously provided to the Board since the last meeting, which included copies of a letter of support for the Site Plan application from the Planning Board dated March 7, 2013, a draft "Site Plan Decision Sudbury Board of Selectmen Solar One Sudbury LF LLC 20 Boston Post Road, dated March 12, 2013," photographs of black vinyl fencing, a letter from General Counsel for HDR Holdings LLC Michael Carroll dated March 11, 2013 and an email from Ameresco representative John Bamman to HDR Holdings LLC co-owner David Watkins dated March 7, 2013.

Selectman Drobinski stated that, in accordance with the Mullin Rule, he has viewed a videotape and read the meeting minutes of the Board's February 26, 2013 meeting.

Chairman O'Brien stated there was discussion at the last meeting regarding appropriate fencing for the site. He circulated copies of photographs of the intended black vinyl fencing to be used, which the abutter, HDR Holdings, LLC, has now deemed as acceptable.

Ameresco representative John Bamman stated the recommendations made by HDR Holdings LLC were seriously reviewed, and he responded accordingly in a communication to David Watkins at HDR.

Chairman O'Brien asked the status of the Stormwater Management Permit application, Conservation Commission issues, and with the Massachusetts Department of Environmental Protection (DEP).

AMEC environmental and permitting consultant Rob Pukowski stated the Stormwater Management Permit application Public Hearing will be held by the Planning Board on May 27, 2013. Mr. Pukowski also stated there are no outstanding conservation issues, since the project is outside of the buffer zone. He also stated a letter has been sent by the applicant to DEP in response to the original review letter from DEP, and they are awaiting feedback.

Chairman O'Brien asked if the applicant has reviewed the draft Decision.

Mr. Pukowski suggested a few revisions to the draft Decision, including changing the name of the Applicant on page 1 from Ameresco to Solar One Sudbury LF LLC, deleting condition #2 because it is not required, correcting condition #5 to state the fencing will be along approximately 380 feet instead of "480" feet, and revising condition #11 regarding vegetation and installation of screening, since no planting is allowed by DEP.

Department of Public Works Director Bill Place confirmed there can be no vegetation on the landfill cap, and no planting is allowed by DEP.

A brief discussion ensued regarding whether the screening language should be stricken from condition #11. Vice-Chairman Haarde suggested the language be clarified by adding that the screening and vegetation be in compliance with DEP regulations. Director of Planning and Community Development Jody Kablack concurred.

Selectman Drobinski suggested condition #5 be revised to include that maintenance be required of the applicant, as was suggested by the abutter HDR. Ms. Kablack concurred.

General Counsel for HDR Holdings LLC Michael Carroll thanked the Town and the applicant for addressing the company's concerns as an abutter, particularly noting the cooperative responsiveness of Ms. Kablack and Combined Facilities Director Jim Kelly. Mr. Carroll stated the company also has concerns regarding drainage and erosion, which will likely be addressed by the Planning Board as part of the Stormwater Management Permit process. However, HDR would also suggest requiring relevant conditions as part of this Decision.

Chairman O'Brien encouraged Mr. Carroll to advise his client to be involved and work through these issues with the Planning Board through the Stormwater Management Permit process. He also stated the Town of Sudbury would be responsible for areas outside of the Ameresco-leased area. Mr. Carroll thanked the Board, and he stated he would attend the Planning Board Public Hearing on March 27, 2013.

In response to a question from Selectman Drobinski, Mr. Pukowski stated DEP will require an operations and maintenance plan which should address the drainage and erosion issues.

It was on motion unanimously

VOTED: To close the Public Hearing regarding the application of Solar Sudbury One LF LLC, (a/k/a Ameresco) and the Town of Sudbury, owner, for Site Plan approval to construct a 1.5 megawatt solar photo-voltaic array on approximately a six-acre parcel of leased land at the Town's Landfill, located at 20 Boston Post Road, zoned Limited Industrial district, K12, Parcel 0002.

It was also on motion unanimously

VOTED: To approve the Decision on the application of Solar Sudbury One LF LLC, (a/k/a Ameresco) and the Town of Sudbury, owner, for Site Plan approval to construct a 1.5 megawatt solar photo-voltaic array on approximately a six-acre parcel of leased land at the Town's Landfill, located at 20 Boston Post Road, zoned Limited Industrial district, K12, Parcel 0002, as amended tonight.

Joint Meeting with the Sudbury Finance Committee – Budget Discussion

Present: Finance Committee Chairman James Rao and Finance Committee members Bob Stein, Bob Jacobson, Doug Kohen, Mark Minassian, Chuck Woodard and Jamie Gossels, Finance Director Andrea Terkelsen and Assistant Town Manager Maryanne Bilodeau

At 8:02 p.m., Chairman O'Brien welcomed the Finance Committee to this joint meeting with the Board of Selectmen, and he recognized the Committee's hard work this year.

Finance Committee Chairman James Rao presented an overview of the Committee's work since the fall of 2012, which included reviewing financial data from all cost centers, and conducting formal public hearings to review level-service and no-override budgets. The Board was previously in receipt of financial data submitted by the Finance Committee, including an Allowable Growth Projection Summary for FY13 and FY14, which Mr. Rao referenced during his presentation. He explained the Committee provided each cost center the guidance to prepare budgets with an allowable growth increase of 2.7% over last year for a no-override budget. Mr. Rao stated this is virtually where the Town budget is now, although some factors taken into consideration last fall changed along the way.

Mr. Rao stated the eventual revenue scenario was better than what was anticipated last fall by approximately \$500,000. He emphasized the Committee took a balanced approach to measure risks and opportunities to mitigate as much as possible any downsides. Thus, the Committee does not foresee estimated revenue figures changing dramatically prior to Town Meeting. Mr. Rao explained that, although revenues were \$500,000 more than expected, assessments for Minuteman Regional Vocational Technical School and for L-SRHS were higher than what was projected in the fall by \$160,000 and \$340,000 respectively for a no-override budget. He stated the Minuteman assessment has grown by 62% year over year, and the actual operating assessment for L-SRHS has increased by 4.5% for Sudbury, while Lincoln's assessment percentage has decreased from FY13 to FY14. Mr. Rao noted the L-SRHS operating budget is reviewed separately and increased by the same 2.7% allowable growth as the other cost centers.

Vice-Chairman Haarde asked if the increases in the assessments are due to changes in enrollment. Mr. Rao stated this is true somewhat for Minuteman, but it is less the case with L-SRHS. He stated it is more a reflection of how the State's formula is derived for minimum contributions, which is a very complicated system. Mr. Rao stated information about the statutory formula is available on the Department of Revenue (DOR) website.

Mr. Rao stated the L-SRHS District has had a history of reapportioning its Free Cash back to the Towns. However, it has been noted this limits the District's ability to build reserves and its Free Cash position. The District's School Committee has recommended to the Finance Committees of Sudbury and Lincoln that, for FY14, the reapportionment process should be eliminated. Mr. Rao stated that, although the Sudbury Finance Committee did not take an official vote, there was a consensus from both Finance Committees to support L-SRHS using these funds to cover the FY14 gap, as long as the other two cost centers are not negatively impacted. He explained other solutions were considered, such as requesting a tax override, but none seemed more appropriate than the recommendations made for FY14. Mr. Rao emphasized there will be real financial challenges to be faced in FY15, and that everyone should begin to prepare to address them.

A brief discussion ensued regarding projected school enrollment figures for SPS and L-SRHS. It was noted there is a short-term need to handle more students with current staffing levels until the time in a few years, when enrollments are projected to begin to decline.

Selectman Drobinski stated the arguments and options presented by Mr. Rao make sense to him. He thanked the Committee for approaching the issues in a thoughtful and reasonable way, which does not request a tax override from the citizens, and it helps to maintain the excellent education provided by L-SRHS.

Vice-Chairman Haarde summarized how he has understood the reapportionment to work in the past. He stated he has never been comfortable with this system as an ideal mechanism. Vice-Chairman Haarde asked if the Committee believes the recommendation made this year is a “cleaner” or better system, and how it fits with using Excess and Deficiency (E & D) funds. Mr. Rao stated it could be viewed as a better system, even though it is not perfect, because it allows for the District School to be able to develop its reserves. He stated there are other ways for money to find its way into the E & D fund. Mr. Rao highlighted it is always important for the Town to review budgets in the aggregate.

Vice-Chairman Haarde asked if the Committee has been able to study enrollment trends to verify the accuracy of projections. It was noted the SPS budget has increased this year, while the number of students is anticipated to decrease by 116 students, and that the L-SRHS enrollment is expected to increase next year.

Mr. Rao stated the Committee has not performed an enrollment analysis. However, he reiterated these are some of the difficult issues which will need to be broached in FY15.

L-SRHS District School Committee Chair Nancy Marshall stated the L-SRHS enrollment is projected to be level from FY14-FY18.

SPS School Committee member Lisa Gutch stated SPS enrollment is expected to decline for a few years, but then it is projected to increase.

Sudbury Finance Committee member Doug Kohen stated it is financially challenging for SPS to not grow its budget when it is funding four separate and distinct elementary schools.

Chairman O’Brien agreed that these issues need to be looked at for the long term and will need to be broached in FY15.

Town Manager Valente asked how L-SRHS will accommodate the allowable growth figure of 2.7% over last year in a no-override budget scenario. Mr. Rao stated L-SRHS is currently in the process of determining the budget it will vote. Ms. Valente asked if she is correct in assuming that it is likely a non-override budget will be recommended, and Mr. Rao responded affirmatively.

Town Manager Valente distributed copies of a handout reflecting the amount of money saved on Refunding Debt Service from FY02 –FY26 for All Town Debt, which was prepared by Sudbury’s Finance Director Andrea Terkelsen.

Following their meeting with the Board tonight, it was noted the Finance Committee is meeting to further deliberate issues.

Chairman O’Brien asked the Finance Committee to consider its position regarding Article 10 for the 2013 Town Meeting, which proposes to dedicate meals tax revenues towards funding the Town’s outstanding other post-employment benefits (OPEB) obligations. Mr. Rao stated the Committee has not yet discussed this option. However, personally, he is inclined to be cautious about using these revenues for OPEB because this revenue stream is completely unrelated to the OPEB obligation.

Chairman O’Brien thanked the Committee for its work throughout the year. He later thanked Town staff and Finance Director Andrea Terkelsen for the work they do all year to support the Finance Committee and to work with both School systems on financial and budget matters. Chairman O’Brien closed the discussion at 8:35 p.m.

Community Preservation Act – Bond Issue Refunding

Present: Finance Director Andrea Terkelsen

At 8:37 p.m., Chairman O'Brien welcomed Sudbury Finance Director Andrea Terkelsen to the meeting to present the winning bids for the Community Preservation Act (CPA) bond issue refunding sale. The Board was previously in receipt of copies of a memorandum from Ms. Terkelsen dated March 7, 2013, and copies of proposed language for required votes to be taken tonight were distributed.

Ms. Terkelsen reviewed the bidding process used for the sale of long-term debt to refund a previous balance of \$4,045,000 remaining for two Community Preservation Act (CPA) fund issues in 2004 and 2005. She explained the original issues totaled \$8.3 million and were used to purchase and preserve the Cutting, Dickson and Libby properties. Ms. Terkelsen stated the first step is to obtain a credit rating for the bond. She reported the Town has maintained a AAA credit rating for years, and it was recently awarded a AAA rating with a stable outlook again by Standard and Poor's. She stated a press release about this achievement will be posted on the Town website, and she thanked Town staff who helped with this process.

Ms. Terkelsen briefly described the bond issue process, which she described as similar to one refinancing a mortgage. She stated this process will result in savings of \$585,346 in debt service over the remaining 12 years of the issues.

Vice-Chairman Haarde offered congratulations for the work done to achieve the AAA rating and to save the Town \$585,000. Selectman Drobinski concurred.

Town Manager Valente referenced the Refunding Debt Service from FY02 –FY26 for All Town Debt handout. She highlighted \$1,823,431 has been saved through the work of Town staff completing similar refunding processes for bonds from FY02-FY26. She emphasized the bonds all have very specific call dates, and that this process can only be timed and done accordingly.

In response to a question from Chairman O'Brien, Ms. Terkelsen stated a bond issue will likely occur in August 2013 for approximately \$4 million for the CPA Pantry Brook Farm Conservation Restriction acquisition.

Town Manager Valente read aloud the following votes, which were all voted unanimously:

VOTED: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21 A of the General Laws, or pursuant to any other enabling authority, to refund the Town's (i) \$5,640,000 General Obligation Municipal Purpose Loan of 2004 Bonds dated June 15, 2004 maturing on June 15 in the years 2015 through 2024 (inclusive) in the aggregate principal amount of \$2,350,000, and (ii) \$3,315,000 General Obligation Municipal Purpose Loan of 2005 Bonds, Series A, dated June 15, 2005 maturing on June 15 in the years 2014 through 2025 (inclusive) in the aggregate principal amount of \$1,580,000 (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

FURTHER VOTED: that the sale of the \$4,045,000 General Obligation Refunding Bonds of the Town dated March 15, 2013 (the "Bonds"), to FTN Financial Capital Markets at the price of \$4,191,807.70 and accrued

interest is hereby approved and confirmed. The Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2014	\$180,000	2.00%	2020	\$370,000	2.00%
2015	410,000	2.00	2021	360,000	1.50
2016	405,000	2.00	2022	355,000	1.75
2017	405,000	2.00	2023	340,000	1.75
2018	390,000	2.00	2024	335,000	2.00
2019	380,000	2.00	2025	115,000	2.00

FURTHER VOTED: that in the connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated February 27, 2013, and a final Official Statement dated March 7, 2013 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

FURTHER VOTED: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

FURTHER VOTED: to authorize the execution and delivery of a Refunding Escrow Agreement to be dated March 19, 2013, between the Town and U.S. Bank National Association, as Refunding Escrow Agent.

FURTHER VOTED: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds, as applicable, for the benefit of the holders of the Bonds from time to time.

FURTHER VOTED: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds.

FURTHER VOTED: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Town Manager Valente stated she will appropriately certify the votes as required, and the Board proceeded to sign the required documents.

Inter-municipal Agreement with the City of Marlborough for Veterans' Agent Services – Extension

The Board was previously in receipt of a draft "Veterans' Services Intermunicipal Agreement Between the City of Marlborough and the Town of Sudbury." At 8:53 p.m., Town Manager Valente stated this agenda item needs to be postponed to the Board's March 27, 2013 meeting. She also mentioned that Marlborough's Veterans' subcommittee has already voted to support the Agreement.

Fairbank Community Center Study Task Force - Discussion of Continuation of Work

Present: Fairbank Center Study Task Force Vice-Chair Jack Ryan and Combined Facilities Director Jim Kelly

At 8:54 p.m., the Board welcomed Fairbank Center Study Task Force Vice-Chair Jack Ryan and Combined Facilities Director Jim Kelly to the meeting. The Board was previously in receipt of copies of a draft Mission Statement for the Fairbank Community Center Study Task Force, voted by the Board to establish on November 7, 2012 and amended on March 12, 2013.

Mr. Kelly announced the Police Department will hold the first of several upcoming Open Houses at the Police Station on March 24, 2013 from 2:00 to 4:00 p.m.

Mr. Kelly stated the Task Force held several meetings to discuss the future of the Fairbank building. A report was presented to the Board, and as a result two Warrant articles were submitted for the 2013 Town Meeting. Mr. Kelly explained the Task Force needs to continue its work to assist in drafting the final motions for Town meeting.

Fairbank Center Study Task Force Vice-Chair Jack Ryan explained the group needs to re-convene as soon as possible to finalize the amount to be requested in Article #18 to repair the roof along with where the funds will come from, and how much should be requested for Article #17 for the Master Plan study and how this would be funded.

Chairman O'Brien referenced the draft mission statement, which includes an expansion of membership for three citizen members. A brief discussion ensued regarding how to advertise the openings. Vice-Chairman Haarde stated he believes the Task Force voted to have certain citizens who have already participated in the process added as permanent members. Mr. Kelly could not recall if an actual vote was taken, but he stated more members would be welcomed. Mr. Ryan concurred that anyone interested is welcomed to be part of the discussions.

Town Manager Valente recommended the positions be advertised to be fair to those who expressed interest early on and were turned away.

Selectman Drobinski stated he likes the proposed structure.

It was on motion unanimously

VOTED: To re-establish the Fairbank Center Study Task Force based on the Mission Statement for the Fairbank Community Center Study Task Force, voted by the Board to establish on November 7, 2012 and amended on March 12, 2013, as reviewed and discussed tonight.

Minutes

It was on motion unanimously

VOTED: To approve the Executive Session minutes of February 19, 2013 and the Regular Session of February 26, 2013.

Selectman Drobinski abstained from the vote on the Regular Session Meeting Minutes of February 26, 2013.

Earth Week -Sudbury Cleanup Day

It was on motion unanimously

VOTED: To proclaim April 21-27, 2013 as Sudbury Earth Week and to designate Saturday, April 27 as Spring Cleanup Day for the annual roadside cleanup, with a rain date of May 4, 2013.

One-Day Wine and Malt License – First Parish in Sudbury

It was on motion unanimously

VOTED: To grant a one day Wine and Malt License to Erin Llewellyn, representing First Parish in Sudbury, 327 Concord Road, to accommodate First Parish of Sudbury's annual service auction fundraiser on Saturday, March 30, 2013, from 5:00 p.m. to 10:00 p.m., subject to receipt of a Certificate of Liability.

Laborer's Union Collective Bargaining – Ratify Agreement

Town Manager Valente stated the Agreement reached follows the same financial patterns as previously agreed to by other labor groups. She stated the Agreement will be posted on the Town website, and she thanked the Board for their leadership throughout the process.

It was on motion unanimously

VOTED: To ratify the vote taken in Executive Session between the Town of Sudbury and the Laborer's Union.

Maynard Parker Street Development – Update

The Board was previously in receipt of copies of a draft letter to be sent to the Maynard Board of Selectmen dated March 2013.

Chairman O'Brien referenced the letter, noting it expresses Sudbury's concerns regarding the proposed density of the project and the potential traffic impacts for Sudbury. The Board suggests the developer be required to complete traffic improvements at the intersection of Route 27 and Hudson Road and/or contribute to Sudbury's traffic mitigation fund.

Town Manager Valente stated information about the proposed development is available on the Town of Maynard's website.

Selectman Drobinski stated the intersection of Route 27 and Hudson Road is already problematic. He believes it is worth sending the letter so Maynard is aware of Sudbury's concerns.

Vice-Chairman Haarde asked if there are specific ideas for what Sudbury would want at this location to mitigate the problem.

Chairman O'Brien stated that it is possible whatever mitigation is received could be coordinated with the proposed Town Center improvements.

It was on motion unanimously

VOTED: To send the draft letter reviewed tonight to the Maynard Board of Selectmen dated March 12, 2013, expressing Sudbury's concerns regarding Maynard's proposed development plans for 129 Parker Street in Maynard.

Walkway and Drainage Easement – Robert and Michelle Elliot – 135 Peakham Road

The Board was previously in receipt of copies of the draft easement language and accompanying map.

It was on motion unanimously

VOTED: To accept the Walkway and Drainage Easement, granted by Robert and Michelle Elliot, of 135 Peakham Road, and shown as "Proposed 15' Walkway and Drainage Easement" on a plan prepared by the Town of Sudbury Engineering Department, dated February 13, 2013, as requested by Town Planner Jody Kablack.

Walkway and Drainage Easement – Kevin and Ashley Milton and Helen L. Milton – 95 Peakham Road

The Board was previously in receipt of copies of the draft easement language and accompanying map.

It was on motion unanimously

VOTED: To accept the Walkway and Drainage Easement granted by Kevin Ashley Milton and Helen L. Milton, of 95 Peakham Road, and shown as "Proposed 20' Walkway and Drainage Easement" on a plan prepared by the Town of Sudbury Engineering Department, dated February 12, 2013, as requested by Town Planner Jody Kablack.

Annual Town Meeting Actions

The Board was previously in receipt of a draft list of the "2013 Annual Town Meeting Warrant Articles," dated February 21, 2013 as noted below. The list was reviewed to designate articles for the Consent Calendar and to take positions as deemed appropriate as noted below:

- #1 - Hear Reports
- #2 - FY12 Budget Adjustments
- #3 - Stabilization Fund
- #4 - FY14 Budget
- #5 - FY14 Capital Budget
- #6 - FY14 Transfer Station Enterprise Fund Budget - **Support**
- #7 - FY14 Pool Enterprise Fund Budget - **Support**
- #8 - FY14 Recreation Field Maintenance Enterprise Fund Budget - **Support**
- #9 - Unpaid Bills - **Support**
- #10 - Special Act – Use of Local Meals Tax Revenue
- #11 - Chapter 90 Highway Funding – **CC - Support**

- #12 - Real Estate Exemption – **CC- Support**
- #13 - Accept CH. 59, s.55N – Veterans’ Property Tax Work-Off Abatement - **Support**
- #14 - Town/School Revolving Funds - **CC - Support**
- #15 - Fire Department Ambulance Purchase - **Support**
- #16 - Construct Police Headquarters – **Support**
- #17 - Fairbank Community Center Complex – Master Plan
- #18 - Fairbank Community Center Roof Project
- #19 - Town Center Traffic Improvements - **Support**
- #20 - PILOT Agreement – Solar Project at Landfill - **Support**
- #21 - PILOT Agreement – Solar Project at L-SRHS
- #22 – Amend Town of Sudbury Bylaws, Art. XXV Capital Planning Bylaw Amendment
- #23 – Amend Town of Sudbury Bylaws, Art. XXV, Capital Planning Bylaw Amendment to include L-S
- #24 – Energy Improvement Program – ESCO
- #25 – Amend Zoning Bylaw, Art. IX – sec. 5336 (d) and 5435 ©, to increase the maximum allowable number of one-bedroom units in Sr. Residential Developments and Incentive Senior Developments – Refer to Planning Board - **Support**
- #26 - Amend Zoning Bylaw, Art. IX, sec. 6330, Site Plan procedures to change the voting requirement from unanimous to majority – Refer to Planning Board - **Support**
- #27 - Amend Zoning Bylaw, Art. IX, Replace Board of Selectmen Site Plan authority with Planning Board – Refer to Planning Board
- #28 - Amend Zoning Bylaw, Art. IX, sec. 2326, Accessory Structures (sheds) – Refer to Planning Board - **Support**
- #29 - Amend Zoning Bylaw Art. IX – Section 4500 – Wastewater Facilities Bylaw – Deletion - Refer to Planning Board - **Support**
- #30 - Amend Zoning Bylaw – Art. IX – Temporary Moratorium on Medical Marijuana Treatment Centers - Refer to Planning Board - **Support**
- #31 - Community Preservation Fund – Amend Art. 38 of the 2006 ATM – Carding Mill Pond/Stearns Mill Pond Invasive Weed Removal - **Support**
- #32 - Community Preservation Fund – Town-Wide Walkways - **Support**
- #33 - Community Preservation Fund – Amend Art. 27 of the 2004 ATM – Revolutionary War Cemetery – **Support**
- #34 - Community Preservation Fund - Sudbury Housing Trust 10% Allocation - **Support**
- #35 - Community Preservation Fund – Historic Projects - **Support**
- #36 - Community Preservation Fund – Town Center Landscaping Restoration - **Support**
- #37 - Community Preservation Fund – L-SRHS Softball Field and Davis/Featherland Field Design - **RTM**
- #38 - Community Preservation Fund - General Budget and Appropriations - **Support**
- #39 – Amend Town Bylaws – Art. V – Public Safety – Discharge of Firearms
- #40 – Amend Town Bylaws, Art. II, The Government of Town Meeting
- #41 – Amend Town Bylaws, Art. III, Town Affairs
- #42 - Amend Town Bylaws, Art. III, s. 10 Town Affairs
- #43 - Amend Town Bylaws, Art. IV, Finance Committee

The Board also discussed speaking assignments as follows: Chairman O’Brien will be the speaker for Articles #1 through #5, #10 through #12, #19 and #20, #22 and #23, and #25; Vice-Chairman Haarde will be the speaker for Articles #7 and #8, #14, #16 through #18, and #26 through #30; and Selectman Drobinski will be the speaker for Articles #6, #9, #13, #15, #21, #24, and #31 through #38.

Selectman Drobinski and Vice-Chairman Haarde expressed mixed feelings regarding Article #27, noting they enjoy meeting applicants and reviewing and offering feedback on site plans, but they also see benefit in the Planning Board having Site Plan Authority as is done in most other communities.

Chairman O'Brien asked if it is possible to create a process where the Planning Board is the authorizing body, but the Board of Selectman has the opportunity to weigh in and provide guidance.

Vice-Chairman Haarde stated he reads the Planning Board Meeting Minutes and believes the Board provides great value and expertise to the Site Plan process. However, he also believes the Selectmen have added valuable feedback to applicants, and because the meetings are televised, the Selectmen provide a layer of visibility regarding projects for the Town. In other municipalities where the Planning Board has Site Plan authority, Vice-Chairman Haarde asked if applicants ever meet with the Board of Selectmen. The consensus was they do not. Vice-Chairman Haarde stated he has no problem shifting more of the process to the Planning Board and granting it final approval authority, but he believes the existing process with involvement from both boards is working well. He also is uncertain whether the process necessarily needs to be made easier for applicants, given the potential implications for the Town.

Chairman O'Brien stated he will share tonight's discussion with Planning Board Chairman Michael Fee and Director of Planning and Community Development Jody Kablack.

Vice-Chairman Haarde suggested that, perhaps it is possible to have joint Site Plan meetings with the Planning Board, allowing applicants to present information to both groups at the same time. He believes both Boards can work towards a workable resolution, which best benefits the Town.

Chairman O'Brien asked if Ms. Kablack could research the process used by other towns which have Site Plan Authority with the Planning Board.

There being no further business, the meeting adjourned at 9:54 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk