

IN BOARD OF SELECTMEN
WEDNESDAY, MARCH 30, 1994

Present: Chairman Judith A. Cope, Lawrence L. Blacker, and John C. Drobinski.

The statutory requirements as to notice having been met, the meeting was convened by Chairman Cope at 7:30 p.m. in the Fairbank Senior Center.

Utility Petition #94-3

Present: Chris Cosby, Boston Edison Company.

The Board of Selectmen convened a public hearing to consider Utility Petition 94-3 from Boston Edison Company and New England Telephone and Telegraph Company for joint or identical locations for the erection or construction of pole(s), to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, upon, along and across the following public way or ways of said Town:

Powder Mill Road - easterly side
northerly from a point approximately 77 feet
north of Virginia Ridge Road
two (2) poles
two (2) existing JO poles to be removed

It was on motion unanimously

VOTED: To approve Utility Petition #94-3 of Boston Edison and New England Telephone Co. for relocation of utility poles 65/17 and 65/18 on the easterly side of Powder Mill Road to allow for the construction of a walkway, as shown Boston Edison Company Plan of Powder Mill Road, Sudbury, showing proposed pole location, dated December 15, 1993, and described above.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of March 14, 1994, as drafted.

Council On Aging Van Donations

It was on motion unanimously

VOTED: To accept \$176.65 in miscellaneous donations for deposit into the Council on Aging Van Donation Account and to authorize the Council on Aging to expend the same for purposes of operating and maintaining the Council on Aging vans.

Appointment - Special Police Officer

It was on motion unanimously

VOTED: To accept the recommendation of Police Chief Lembo and appoint Richard Scott Nix as a Special Police Officer for a term to expire April 30, 1995.

Goodnow Library Donations

It was on motion unanimously

VOTED: To accept \$840.00 in donations to the Goodnow Library made in memory of Gertrude Farrell, and to authorize the Goodnow Library Trustees to expend same for benefit of the Library.

Bonding

It was on motion unanimously

VOTED: To sign certification relative to fixing the sum of the following bonds:

Town Clerk	\$ 15,000
Treasurer	150,000
Collector	150,000
Assistant Treasurer	37,500
Assistant Collector	37,500
Tax Clerk	37,500

Walkway Easement

It was on motion unanimously

VOTED: To accept a Walkway Easement dated March 6, 1994 from James C. and Carol H. McKelvey, shown on a "Plan Showing Proposed Walkway Easement Over Land of James C. & Carol H. McKelvey, 353 Old Lancaster Road, Sudbury, MA", dated February 14, 1994, and drawn by the Town of Sudbury Engineering Department.

Red Cross Month

It was on motion unanimously

VOTED: To declare the month of March as Red Cross Month in Sudbury.

Town Traffic Rules

As discussed by the Board on March 14 and recommended by the Town Engineer, it was on motion unanimously

VOTED: That the Traffic Rules and Orders of the Town of Sudbury, adopted by the Board of Selectmen on September 12, 1941, and subsequent amendments thereto, be and are hereby amended as follows:

By adding at the end of Section 2. PARKING PROHIBITED ON CERTAIN STREETS, in Article V. PARKING, the following locations:

"Robbins Road - both sides, from Howell Road to Wilshire Street."

"Howell Road - both sides, from Stone Road to Robbins Road."

Reserve Fund Transfer Requests

Selectman Blacker asked for an explanation of the transfer of funds from the Property/Liability Insurance Account to the Tuition Account. Mr. Thompson explained that when a student wants to take a course not available at their regional school, they have a right to go to a technical school elsewhere and the Selectmen must see to the appropriation of funds.

Selectmen Cope asked if a comparison of salaries in neighboring towns had been done for the Plumbing Inspector. Mr. Thompson stated that in the recent past none had been done, but in actual fact this was not a salary but rather a fee, and there has been a lot of activity in this area.

It was on motion unanimously

VOTED: To approve Reserve Fund Transfer No. 94-13 for \$4,000 to the Plumbing Inspector Salary Account (Building Department).

VOTED: To approve Line Item Transfer No. 94-15 for \$2,215 from Property/Liability Insurance Account to the Tuition Account (Unclassified Accounts). (Note: Transfer amended at Finance Committee Meeting to come from Copying Account instead of Property/Liability Insurance Account.)

VOTED: To approve Reserve Fund Transfer No. 94-16 for \$18,020 to the Police Maintenance Account.

VOTED: To approve Reserve Fund Transfer No. 94-18 for \$3,714.44 to the Police General Expense Account.

Interviews

Mr. Thompson explained that Andrew Fay, candidate for appointment to the Board of Appeals was unable to attend tonight's meeting and requested that his interview be rescheduled. In addition, Gilbert Wright was not in attendance and although he is known to the Board, Selectman Blacker wished to interview him as well. Therefore, it was agreed that these interviews would be rescheduled.

Meeting with Personnel Board - Veterans' Agent Position

Present: Acting Chairman Bradford J. Brown, Wilfred J. Benoit, William A. Clarke and Jane A. Evans, Personnel Board.

The Board met in joint session with members of the Personnel Board to discuss the Veterans' Agent situation. The Personnel Board expressed its displeasure in the Selectmen's overruling its recommendation concerning the Veterans' Agent classification and salary, and it was their hope in the future that better communication between the boards would exist so these problems might be avoided. The Selectmen responded that regardless of past action or inaction the Board may have taken they support the Personnel Board in its current position on the Veterans' Agent and that in the future they would meet with the Personnel Board periodically, hopefully on a quarterly basis, to review items of mutual concern.

Veterans Agents' Bill

A discussion ensued relative to H.2041, An Act Relative to Veterans Agents, filed by the MMA. The bill essentially would remove the requirement that communities with populations of 12,000 or more, have a full-time veteran's agent, and would allow them to appoint or re-appoint part-time agents. Mr. Thompson stated that the Board should authorize him to lobby for this bill as Sudbury has never needed a full-time veteran's agent and the lifting of the population constraints to over 12,000 would allow the Town to have the part-time agent required. The Board concurred.

Town Meeting Matters

State of the Town Address: The Selectmen requested that the results of Question 1 (Yes 420/No 499) be entered into the speech. Selectman Cope would look after this item and will make a few changes of her own to the speech.

Article Reports:

Article 6. Selectman Blacker explained that the school committee estimates possibly three candidates might take the early retirement and although the savings are small over a long period of time, they are real, and he recommended supporting this article. The Board agreed to support Article 6.

Loring School Articles: Upon confirmation that the Selectmen were supporting Article 17 only, a discussion followed between Selectman Blacker and the Moderator relative to the position of Article 67. The Moderator explained that should the Selectmen wish to bring forward Article 67 (Renovate and Open Loring School) for discussion with the other Loring School Articles, a 4/5 vote would be required.

Article 17. Based on the Town Engineer's report as to the 3.17 acre parcel at the Loring School (a two-lot subdivision) with property value ranges of \$125,000 to \$185,000, in total, it was agreed that the minimum value for the sale of the school shall be set at \$100,000.

Articles 31 and 32: The Selectmen asked Conservation members present what the status of these articles were and the response was that they understood the Petitioner would be withdrawing same.

Article 46: Selectman Blacker advised that he had a problem with the question of eliminating from lot calculations natural ponds which are used for the purpose of storage. After speaking with Stephen Myers of Conservation, it was determined that only "unnatural ponds", i.e. those which are put into the project to make detention basin etc., could not be counted when computing minimum lot area.

Article 49. Selectmen Blacker said he understood this article may be changed, and he might be able to change from his negative support position.

Article 50. Later in the evening, a discussion followed as to the position the Selectmen would take on this article and Selectmen Drobinski stated that it was the responsibility of the Board to present this article to the Town Meeting whether it had support or not. Chairman Cope agreed to present the same to Town Meeting, to decide its fate.

Article 52: Selectman Blacker stated he spoke to Ted Pasquarello, who told Mr. Blacker the cost of his 500-seat theater and would be willing to speak to someone at the LSRHS about possibly bring their cost down.

Annual Town Meeting Warrant Review

Present: Town Moderator Thomas G. Dignan, Jr.

At 8:00 p.m. Chairman Cope turned the meeting over to Town Moderator Thomas G. Dignan, Jr., who conducted the Warrant Review for the 1994 Annual Town Meeting which will commence April 4, 1994. Those persons who will present each article and those who desired advanced recognition to speak on certain articles identified themselves for the Moderator in order to expedite the town meeting.

Cutler Trust - C.61A Right of First Refusal

Present: Kenneth & Joseph Cutler, Trustees of the Cutler Trust, Robert & Janet Cutler, Douglas Resnick, Attorney for Harold & Betsy Cutler, Shirley Sheridan, Attorney for Barberry Homes, Inc.

Upon Selectman Cope's request for the different boards' interest in this property, Mr. Thompson stated that the Conservation Commission, Planning Board, Board of Assessors and Sudbury Water District had all responded in the negative. Mr. Drobinski asked for a written refusal from the Water District, as only a verbal response had been given. He was surprised in view of the surrounding wells. Mr. Doug Resnick, attorney for the Cutler Trust, and Roger and Janet Cutler, stated that the Water District has been kept abreast of every step of the conversion to residential, and at no time did they ever express an interest in the property. However, Mr. Drobinski again request a written refusal from the Water District.

Subject to receiving confirmation of non-written interest from the Sudbury Water District, it was on motion unanimously

VOTED: To refuse to purchase the following properties: (a) Approximately 38.34 acres of land owned by The Cutler Trust of Sudbury, located behind Cutler's Garden Center at 155 Landham Road and the Loring School, shown as lots or portions of lots 1, 2, 8, 9, 10 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22 and 23 on plan entitled, "EXHIBIT A, CUTLER TRUST OF SUDBURY, Plan to Accompany 'Notice of Intent' regarding conversion out of 61A to residential", dated March 3, 1994, pursuant to M.G.L. C.61A, §14, and Notice of Intent postmarked March 4, 1994, and (b) Approximately 5.72 acres of land owned by Janet H. Cutler and Roger E. Cutler, located behind Cutler's Garden Center at 155 Landham Road, and shown as lots or portions of lots 5, 6, 7, 17, 18 and 19 on plan entitled, "Exhibit A, Prepared for Roger & Janet Cutler", dated July 17, 1993, pursuant to M.G.L. C.61A, §14, and Notice of Intent postmarked March 3, 1994.

Note: The following day the Selectmen's Office received a letter dated March 31, 1994, from the Water District stating it had no interest in the above described property.

Ashley - C.61B Right of First Refusal

It was on motion unanimously

VOTED: To table the question of the Town's right of first refusal option relative to land owned by Austin S. and Harriet H. Ashley to a later date.

D.A.R.E. Program - Donation

IN BOARD OF SELECTMEN
WEDNESDAY, MARCH 30, 1994

In response to a communication dated March 28, 1994 from D.A.R.E. Officer Ronald B. Conrado, it was on motion unanimously

VOTED: To accept on behalf of the Town a donation in the amount of \$1,000 from the Sudbury Rotary Club for the D.A.R.E. Program.

Loring School Motion

Based on the Town Engineer's report as to the Loring School 3.17 acre parcel (a two-lot subdivision) with property value, after deductions, of \$125,000 to \$185,000, in total, it was agreed that the minimum value for the sale of the school shall be set at \$100,000.

There being no further business to come before the Board, the meeting was adjourned at 10:00 p.m.

Attest: _____
Richard E. Thompson
Executive Secretary-Clerk