

IN BOARD OF SELECTMEN  
MONDAY, NOVEMBER 7, 1994

Present: Chairman Lawrence L. Blacker, and Selectman Maryann K. Clark.

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

American Legion Post 191 Presentation - American and State Flags

Present: American Legion Post 191 members, Floyd L. Stiles, Commander; Edward P. Rawson, and Ronald J. Griffin.

On behalf of the American Legion Post 191, the occasion of Veterans week, and the 75th Anniversary of the founding of the American Legion, Commander Stiles and Post 191 members presented an American and a State Flag with standards to the Town for display in the Senior Center meeting room.

Chairman Blacker expressed the Board's and the Town's gratitude for this gift and thanked American Legion Post 191 for being present tonight.

Utility Petition #94-19a and #94-19b - Morse Road

The Board convened a public hearing to consider Utility Petitions 94-19a and 94-19b of Boston Edison Company and New England Telephone and Telegraph Company for location to install a hip guy and anchor and approximately 22 feet of conduit on Morse Road, Sudbury, to provide electric service to a new development (Whitehall Estates).

Secretary Thompson reported that all abutters had been properly notified and a letter recommending approval, dated October 26, 1994, has been received from the Building and Wiring Inspectors.

On motion by Chairman Blacker, it was unanimously

VOTED: To approve Utility Petition 94-19a of Boston Edison Company and New England Telephone and Telegraph Company for Grant of Location to install a hip guy and anchor at Pole 126/57 Morse Road, Sudbury, as shown on Boston Edison Company Plan of Morse Rd - Sudbury, dated October 11, 1994, as follows:

Morse Road - northwesterly side approximately 650 feet  
northwest of Concord Road  
One (1) Hip Guy and Anchor

And it was further unanimously

VOTED: To approve Utility Petition 94-19b of Boston Edison Company and New England Telephone and Telegraph Company for Grant of Location to install approximately twenty-two feet of conduit, as shown on New England Telephone and Telegraph Company Plan for Conduit, No. 94-12, dated October 3, 1994, and Boston Edison Co. Plan of Morse Rd - Sudbury, dated October 11, 1994, under the following public way of the Town:

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Morse Road - on the northerly side, beginning approximately 650 feet west of the intersection of Concord Road, from existing Pole No. 126/57, running southerly approximately 22 feet, place conduit.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of October 24, 1994 as amended by Selectman Clark.

Council on Aging Donation

It was on motion unanimously

VOTED: To accept \$114.59 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.

Sale of Alcoholic Beverages - Serving Hours Extended

It was on motion unanimously

VOTED: To grant permission to Alcoholic Beverages Restaurant and Club License Holders to extend serving hours on December 31, 1994, New Year's Eve, to 2:00 a.m. on January 1, 1995.

Memorial Day Committee - Appointment

At the request of the Memorial Day Committee in a communication dated October 27, 1994, and in receipt of an application from Robert A. Maier, dated October 31, 1994, it was on motion unanimously

VOTED: To appoint Dr. Robert A. Maier, 265 Peakham Road, to the Memorial Day Committee to replace Pat Nelles, who has moved from Sudbury, for a term to expire April 30, 1996.

Town Report Committee - Appointment

Upon receipt of an application from Maureen Levine, dated November 2, 1994, and on the recommendation of the Town Report Committee, it was on motion unanimously

VOTED: To appoint Maureen O. Levine, 22 Mill Pond Road, to the Town Report Committee, for a term to expire April 30, 1995.

Annual Town Report - Bids to Print

The Board reviewed the two bids received for the printing of the Annual Town Report, which showed a 32% increase for the cost of printing over last year. Secretary Thompson recommended that the

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Board reject these bids and again solicit proposals via a more informal quotation method, with the hope of obtaining a lower price. He added that this is appropriate since the budget is less than \$10,000. The Board agreed.

It was on motion unanimously

VOTED: To reject all bids received under the November 3, 1994 bid opening date for printing the 1994 Town Report, because of insufficiency in the number of bids received and unsatisfactory prices offered.

Treasurer/Collector's Office Fidelity Bonds

It was on motion unanimously

VOTED: To authorize the Chairman to sign approval of amended bond amounts and amounts of bonds for new employees in the Treasurer and Collector's Office as follows:

Treasurer and Collector	\$200,000 Each
Accounting Clerk B. Bitter	\$ 50,000
Assistant Treasurer L. Schofield	\$ 50,000
Assistant Collector L. Schofield	\$ 50,000
Accounting Clerk D. Jones	\$ 50,000
Accounting Clerk S. Styles	\$ 50,000

EOCD Grant #SP-019-95A - Wastewater Disposal Option for the Rt. 20 Business Area

Present: Town Planner Jody A. Kablack; Planning Board Members John O. Rhome, Ursula Lyons, and Carmine L. Gentile, Chairman.

With regard to the scope of services and additional terms and conditions of this grant, Selectman Clark informed that she has reviewed the changes and is in agreement, with the exception of inserting the word **from** in the Project Objective to read.....Route 20 Business Area defined as extending **from** the Easterly end.....

With the consensus of the Board of Selectmen and the Planning Board, it was on motion unanimously

VOTED: To sign a contract relative to Executive Office of Communities and Development Grant #SP-019-95A to study Wastewater Disposal Options for the Route 20 business area.

Secretary Thompson asked that the Planning Board also record an official vote in agreement of the final draft of the contract that the Board of Selectmen signed tonight.

The Board reviewed a communication from Ms. Kablack dated November 1, 1994, concerning the formulation of a Task Force for the Wastewater Disposal Strategies Grant. As a result of meeting with Secretary Thompson, Ms. Kablack had compiled a list of potential candidates.

Following a brief discussion of the candidates, the addition of Frank R. Sherman to the list, and the appointment of Ursula Lyons to represent the Planning Board, it was on motion unanimously

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VOTED: To appoint the following to serve on a Task Force to oversee the activities detailed in the Scope of Services for the Executive Office of Communities and Development Grant #SP-019-95A to study Wastewater Disposal Options for the Route 20 business area, subject to their acceptance:

George Gustafson, 17 Pondview Road  
Bill Firth, 41 New Bridge Road  
Frank Vana, 239 Raymond Road  
Maryann Clark, 118 Nobscot Road (Selectman)  
Stephen M. Meyer, 19 Axdell Road (Conservation Commission)  
Marianne D'Angelo, 102 Belcher Drive (League of Women Voters)  
Thomas Phelps, 58 Concord Road (Board of Appeals)  
Robert Sheldon, 60 Saxony Drive (Water District)  
\* Ronald A. Stephan, 86 Thunder Road (Chamber of Commerce)  
Frank R. Sherman, 255 Peakham Road  
Ursula Lyons, 157 Wayside Inn Road (Planning Board)

\* Note: The Board requests Mr. Stephan appoint a substitute to represent the Chamber of Commerce if he is unable to serve on the Task Force.

Massachusetts Emergency Management Agency - Memorandum of Understanding

The Board reviewed a request dated October 25, 1994, from Civil Defense Director Michael C. Dunne regarding the Northstar Program which is a federal government program that makes available excess military equipment to communities with the stipulation that the equipment and other resources of the community would be available for counterdrug operations by police agencies.

Upon review, it was on motion unanimously

VOTED: To sign a Memorandum of Understanding with the Massachusetts Emergency Management Agency relative to participation in a federal Northstar Program which will make excess military equipment available in exchange for assistance in counterdrug operations.

Disposal of Solid Wastes at Landfill - Amend Rules and Regulations

On the recommendation of Town Engineer I. William Place, in a communication dated October 26, 1994, it was on motion unanimously

VOTED: To amend the Town of Sudbury Rules and Regulations for the Recycling and Disposal of Solid Wastes at the Sanitary Landfill, in accordance with Department of Environmental Protection regulations, by adding to Section VI Prohibited Materials: "S. Single Polymer Plastics and Recyclable Paper", effective December 31, 1994.

1995 Annual Town Meeting - Discussion of Articles

The Board reviewed a list of Selectmen's Articles for the 1995 ATM, and accompanying communications. The following comments were made:

**Voting Equipment** - Secretary Thompson stated the Board had expressed its support of appropriating funds for new voting equipment. He added that placing it in the Unclassified section of the

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budget under a line item entitled Town Meeting and Elections, because it relates to election costs, might be a good direction to take. It will require the support of the Finance Committee, if it were to be part of the budget rather than a separate article. At the present time he recommended including an article, as well as placing it in the budget. The Board agreed.

**New DPW Building** - Mr. Thompson stated that this would be a Bookmark article, and he referenced his memorandum of October 20, 1994 concerning a new DPW administrative office and facility, which would lessen the pressure on the Flynn Building for all departments. He stated that the Long Range Planning Committee has given its support to reviewing this option.

**Concord Road Drainage - Barberry Homes, Inc. request** - Secretary Thompson stated that this would be a Bookmark article and that further information will be supplied by Town Engineer I. William Place. Selectman Clark commented that this area had previously come before the Zoning Board of Appeals and a request was made for a special permit in the wetlands area. The Zoning Board required as part of the language that it states the property is subject to flooding because of the contour of the road. Mr. Thompson said that there was some conversation that the homeowners help with the expense, but that this option would also require Town Meeting appropriation.

The Board agreed that the following nine articles be prepared for its approval for submission for the 1995 ATM:

1. Hear Reports
2. FY95 Budget Adjustments
3. Stabilization Fund
4. Street Acceptances
5. Wild and Scenic Rivers Designation
6. Voting Equipment - \$50,000?
7. New DPW Building
8. Accept Ch. 481 of the Acts of 1993 - Allow Sale of Liqueurs and Cordials under Restaurant Wine & Malt Beverage Licenses
9. Concord Road Drainage - Barberry Homes, Inc. request

Joint Meeting - School Committees - Capital Projects

Present: John Wilson, School Administrator; Stephenie Cook, Sudbury School Committee; David P. Wilson and Frederick M. Pryor, Lincoln-Sudbury School Committee; Karen Palmer, Finance Committee Chairman, and Long Range Planning Committee members Robert B. Graham and Julieann E. Haugen.

Chairman Blacker referenced Secretary Thompson's communication dated October 26, 1994, and explained the purpose of the joint meeting tonight with representatives of the school committees is to discuss ahead of Town Meeting the capital projects identified by the committees in an effort to prioritize these needs and address Town Meeting unified. He stated that there is only so much capital money available and that it is important to eliminate competing interests and rather, be unified in determining what the Town's priorities are in a given year.

Mr. Thompson remarked that the Town has been reacting to crises the past five to ten years, and while there is no real crisis at present, there are infrastructure problems that need to be addressed. He said

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the Finance Committee has requested a capital expenditure plan. Mr. Thompson mentioned the meeting held last week at the Library with the Long Range Planning Committee concerning Town facilities. He said the Library Trustees expressed that they intended to follow through with their plans for the library regardless, and Mr. Thompson said he had asked them to work within the system.

A priority item for the Town this year, noted Mr. Thompson, is the Highway Department and their need for a new facility, and the possibility of moving other departments to the Highway location from the Flynn Building. He reviewed the options currently being discussed for the Flynn and Highway buildings. Mr. Thompson added that the Highway project, in his opinion, would not require an override, but could be accomplished within the operating budget debt service; monies for borrowing coming from new revenues.

Mr. Pryor asked about procedure and who should the committees approach first concerning their projects. He explained that there are three committees currently handling projects--the LRPC, the Finance Committee, and a so-called unofficial Investment Priorities group.

Mr. Thompson responded that the LRPC is the only official authority regarding long range planning. Mrs. Palmer explained the reasons behind the formation of the Investment Priorities group that met to determine priorities. She informed the group the Committee has suspended its meetings to allow the LRPC time to talk with others in Town who had capital requests and has agreed to meet again in December. The purpose is to go to Town Meeting as a unified group added Mrs. Palmer.

Mr. David Wilson asked if there is a list of priorities and Mrs. Palmer responded that there is no list, but the Finance Committee would like to see a capital planning budget line item within the budget, and to begin strategizing it early.

Mr. John Wilson reported that in terms of process, he has been developing a plan for school maintenance to present to the LRPC, which will be presented in the form of Articles at Town Meeting. He said that many of the items are deferred maintenance totaling over \$2.8 million. The items have not been presented to the School Committee as yet. According to Mr. Wilson, the school's top priorities include: 1) Structural repairs at Curtis, 2) Oil tank removal mandated by the Fire Department by the end of FY 1996, 3) Mandated changes for the American for Disabilities Act, and 4) Repair of restrooms in the schools, plus other safety related items. These alone total over \$400,000, noted Mr. Wilson, without knowing the cost of Curtis School repairs.

With regard to high school capital items, Mr. Pryor stated that the repair of Rogers Auditorium is the only remaining item at present.

Chairman Blacker suggested that both the Town and schools put their capital projects together and together prioritize and support each other in the order in which things must be accomplished. Mr. Pryor stated that the one problem is that the players (volunteers and personnel) change and ideas regarding priorities change also. Mr. Pryor pointed out that there are at present four competing priorities between the schools and Town. Mrs. Palmer cautioned that there is still pressure on the operating budget, because of the growth that has occurred in the Town. She said more people demand more services and the operating needs of the Town continue to grow.

Secretary Thompson reminded that the Town has been fortunate in that it has not needed an operating budget override, but it may need to consider one in a couple of years.

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Stephenie Cook remarked that the schools are feeling the impact of growth. She believes there is not a lot of input as to how growth occurs in Sudbury and the kinds of growth need to be examined. She added that the kind of growth Sudbury is experiencing--large, single family homes--is the kind of growth that demands expensive services.

A brief discussion ensued regarding debt service--what is the maximum for the Town--and how it relates to bond interest rates, and how the Town's bond rating might be affected through borrowing.

Mr. Pryor stated he has no problem coordinating capital projects. He suggested that the LRPC look at what is being proposed and know how the Town stands financially in order to come up with a year by year plan. He added that everyone should receive a fair chance to express their needs. He stated he fully supports the K-8 projects to be placed on the Town floor, but he also believes that the Rogers Auditorium repairs should be placed on the Town floor.

Mr. Graham expressed that having the committees come together to discuss their needs has been most useful. Mr. Pryor commented that at the end of the process when projects have been chosen, it would be helpful if all parties were invited to participate in an explanation of how projects were prioritized and why....the idea is to "keep talking".

U.S.Fish and Wildlife Service - Land Adjacent to Great Meadows

With regard to a communication dated October 28, 1994, from the United States Department of the Interior to Conservation Coordinator Ms. Deborah Montemerlo concerning a 34-acre parcel of land located adjacent to the Great Meadows Wildlife Refuge being offered for sale to the U.S. Fish and Wildlife Service by Mercury Associates, Chairman Blacker noted for the record that he is the Attorney representing Mercury Associates in this offer; and wishes to publicly disclose the same.

Sudbury Supervisory Association - Request

The Board acknowledged a communication dated October 20, 1994, from Sudbury Supervisory Association President Mary Ellen Normen Dunn requesting that the FY95 - FY97 contract be re-opened for changes only to Article XXI--clothing allowances. Chairman Blacker said he will review this request with the Finance Committee and the Negotiating Advisory Committee and report back to the Board.

Workers' Compensation Claims Administration Contract

Upon receipt and review of a revised original contract for Workers' Compensation Claims Administration services between Cook & Company and the Town of Sudbury, it was on motion unanimously

VOTED: To authorize the Chairman to sign on behalf of the Town, a contract for Workers' Compensation Claims Administration services between Cook & Company and the Town of Sudbury for the period commencing 12:01 A.M., July 1, 1994 and ending 12:01 A.M. July 1, 1995.

Frost House - Agreement for Lease and Caretaker

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The Board reviewed the Frost House agreement for lease and caretaker, and noted the changes highlighted by Town Counsel.

It was on motion unanimously

VOTED: To sign the Frost House Agreement for Lease and Caretaker dated November 7, 1994, leasing the so-called Frost House at 142 North Road to Richard Carroll for the ten-year period of November 15, 1994 through November 14, 2004; in lieu of payment of rent, Mr. Carroll shall make repairs to return the house to habitable condition and provide maintenance and caretaker services, all as provided therein.

1994/95 Holiday Schedule

It was on motion unanimously

VOTED: To approve a 1994/95 holiday schedule, as follows:

December 23, 1994      Town Offices Closed at Noon  
December 26, 1994      Town Offices Closed for Christmas Holiday  
January 2, 1995 Town Offices Closed for New Year's Day Holiday

Parkinson Land Tree Stock - Nixon School

In response to a communication dated November 3, 1994 from Permanent Building Committee member Elaine Jones, requesting permission to utilize the trees remaining on the Parkinson Land from the Sudbury Nurseries lease for use at the Nixon School site as a buffer for Concord and New Bridge Road, it was on motion unanimously

VOTED: To approve the use of the trees remaining from the Sudbury Nurseries lease located on the Parkinson Land, as a buffer on Nixon School property for Concord and New Bridge Road residents, and to incorporate same in the Town's Agreement with Mr. Earl Meader for use of the Parkinson Land.

There being no further business, the meeting was adjourned at 9:30 p.m.

Attest: \_\_\_\_\_  
Richard E. Thompson  
Executive Secretary-Clerk