

IN BOARD OF SELECTMEN  
MONDAY, APRIL 22, 1996

Present: Selectmen John C. Drobinski, Maryann K. Clark and Lawrence L. Blacker.

The statutory requirements as to notice having been met, Chairman Drobinski convened the meeting at 7:10 p.m. in the library of the Lincoln-Sudbury Regional High School.

Minutes

It was on motion unanimously

VOTED: To approve minutes of the regular and executive sessions of March 11, 1996, and the regular sessions of April 8 and April 9, 1996, subject to changes submitted by Selectman Clark.

Council on Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$103.56 in miscellaneous donations for deposit into the Council on Aging Van Donation Account and to authorize the Council to expend same for purposes of operating and maintaining the Council on Aging vans.

Resignations

The Board, acknowledged receipt of resignations from Marylyn Benson of the Permanent Landscape Committee and Richard E. Thompson, MBTA Advisory Board designee.

It was on motion unanimously

VOTED: To accept the resignations of Marylyn Benson dated April 10, 1996, from the Permanent Landscape Committee and of Richard E. Thompson dated April 16, 1996, as Sudbury's MBTA Advisory Board designee and to extend the Board's appreciation for their service.

Appointments

The Board, acknowledged receipt of requests for appointments of Curtis P. Donelan, Jerrald M. Vengrow, Theodore Milgroom and James D. Conboy as constables for a three-year term to expire April 30, 1999.

It was on motion unanimously

VOTED: To appoint the following as Constables, each for a three-year term to expire April 30, 1999, as follows:

Curtis P. Donelan, Jerrald M. Vengrow, Theodore Milgroom and James D. Conboy. Thursday Garden Club Antique Show

The Board acknowledged receipt of a letter Joan Hewins, 1996 Antique Show Chairman, of The Thursday Garden Club applying for a special license under M.G.L. c.101, §12A to exempt its antique show and transient exhibitors from fees.

It was on motion unanimously

VOTED: To grant a special license, pursuant to M.G.L. c.101, §12A, to the Thursday Garden Club of Sudbury to conduct an antique show to be held on October 3, 1996, at the Methodist Church, exempting participating transient vendors from the provisions of M.G.L. c.101, §3-12; said event for the purpose of raising funds for a scholarship for LSRHS seniors who pursue studies in horticulture, conservation or related environmental sciences.

#### Easements

It was on motion unanimously

VOTED: To accept the Walkway Easement granted by Nan M. Sabel, dated August 7, 1995, as shown on "Plan Showing Walkway Easement over land of Nan M. Sabel, 5 Run Brook Circle, Sudbury, MA", dated June 29, 1995, drawn by Town of Sudbury Engineering Dept.; and further

VOTED: To accept the Walkway Easement granted by Janet E. Mayer, dated March 10, 1996, as shown on "Plan Showing Walkway Easement over land of Janet E. Mayer, 61 Fairbank Road, Sudbury, MA", dated October 3, 1995, drawn by Town of Sudbury Engineering Dept.; and further

VOTED: To accept the Walkway Easement granted by George W. and Maureen S. Smith, dated March 27, 1996, shown on "Plan Showing Walkway Easement over land of George W. Smith & Maureen S. Smith, 137 Fairbank Road, Sudbury. MA", dated June 27, 1995, drawn by Town of Sudbury Engineering Dept.; and further

VOTED: To accept the Walkway Easement granted by Stanton T. Healy & Sarah M. Healy, dated October 7, 1995, shown on "Plan Showing Walkway Easement over land of Stanton T. Healy & Sarah M. Healy, 163 Fairbank Road, Sudbury, MA", dated September 19, 1995, drawn by Town of Sudbury Engineering Dept.; and further

VOTED: To accept the Drain and Access Easement granted by Janet E. Mayer, dated March 10, 1996, as shown on "Plan Showing Drain Easement over land of Janet E. Mayer, 61 Fairbank Road, Sudbury, MA", dated December 7, 1995, drawn by Town of Sudbury Engineering Dept.; and further VOTED: To accept the Drain and Access Easement granted by Robert Balaban & Sharron Balaban, dated April 17, 1996, shown on "Plan Showing Drain Easement over land of Balaban & Grinham, Fairbank Road, Sudbury, MA", dated November 8, 1995, drawn by Town of Sudbury Engineering Dept.

#### Special Election Warrant

It was on motion unanimously

VOTED: To approve by signature the May 20, 1996, Special Election Warrant.

#### New Town Cemetery - Sale of Lots Back to Town

The Board acknowledged receipt of a letter from Highway Surveyor, Robert A. Noyes, dated April 8, 1996, concerning a request from Mrs. Phyllis Kaufman that she be allowed to sell back to the Town two graves in New Town Cemetery, Lot 18A, Section 9, Deed #925.

It was on motion unanimously

VOTED: To grant the request of Mrs. Phyllis Kaufman to sell back to the Town two graves in New Town Cemetery, Lot 18A, Section 9, Deed #925 (Sale of Lots \$150; Perpetual Care \$450).

#### Co-Trustees of Town Donations

The Board acknowledged receipt of correspondence dated April 16, 1996, from the Highway Surveyor requesting authorization of a further expenditure of \$11,328 from the Town Cemeteries Trust Fund Income Account for FY96 to refurbish grass destroyed by grubs. Correspondence April 18, 1996, from the Town Treasurer to the Trustees of Town Donations which states the balance of funds available for FY96 is \$5,101 was also acknowledged.

Town Manager, Steven Ledoux imparted that in order to provide the full amount requested, the Board would basically have to take the funds from the FY97 budget, which would leave less money to fund the necessary requirements for looking after the cemeteries next year. He further added that Mr. Noyes will use approximately \$10,000 from existing appropriations and requires a total of approximately \$21,000 in order to have the cemeteries ready for Memorial Day. The Board was in basic agreement that it was not in favor of using funds allocated for FY97. Selectman Blacker queried as to the figure appropriated for FY97 - \$10,750. Town Treasurer, Mary Ellen Normen Dunn, explained that the two funding mechanisms for maintenance of the cemeteries is the investment income stream and the income from the perpetual care. She suggested that Mr. Noyes might wish to review the pricing of perpetual care, and whether same should be raised, via comparative analysis with other towns. Town Manager Ledoux pointed out that if the Board decided to use the \$6,000 from projected investment income for

FY97, they would also have to vote to change the investment policy. He suggested that the Board may wish to consider authorizing the \$5,101 at this time and that he would meet with Mr. Noyes to see if there is some other way of coming up with the needed monies. The Board agreed to this strategy, adding that if there is no other way of finding the \$6,000, Mr. Noyes would appear before the Board on May 6 for further consideration.

It was on motion unanimously

VOTED: To authorize the use of \$5,101 from Town Cemeteries Trust Fund Income Account for FY96 to refurbish lawns in the various Town cemeteries and to take up this matter further with Mr. Noyes and/or Town Manager Ledoux at the May 6 meeting, if required.

#### Town Meeting Articles

The Board reviewed remaining articles and took positions as follows:

Article 52 - Create Bylaw - Traffic Control - Reiterated it did not support.

Article 53 - Computer Network - To be indefinitely postponed.

Article 55 - Term Limits for Selectmen - No position.

#### Echouafni - Dog Complaint

Town Manager Ledoux brought to the attention of the Board the matter of the Echouafnis' dogs allegedly running loose in the neighborhood on the evening of April 21, in violation of a permanent restraining order issued by the Board and effective October 10, 1995. He explained that Town Counsel had advised that it would be necessary to have a hearing on this matter and he suggested a date of May 6, 1995 at 9:00 p.m. The Board instructed him to so place this item on the agenda.

#### Utility Connections - Willis Hill

Town Manager Ledoux advised the Board of two houses being built on Marlboro Road, in Willis Hill Subdivision, by Oakwood Construction across the road from their associated utility poles. The Highway Dept. has surfaced the road and policy does not allow for the road to be cut for three years. In addition, if the contractor were to bore under the road, he would infringe on Conservation Wetlands. The solution requested by Oakwood Construction is to use overhead wires and place a utility pole on the same side of the road as the houses in order to service same.

It was on motion unanimously

VOTED: To grant special permission for the installation of one pole on the northerly side of Marlboro Road to service Lots 40A and 41A, in accordance with request dated April 19, 1996, from Paul M. Zarella, Oakwood Construction, Inc., and as authorized by Town of Sudbury Bylaws Article XX, Section 3.E, as amended by Article 70 of the 1994 Annual Town Meeting.

There being no further business, the Board adjourned to the High School Auditorium to attend and participate in Town Meeting until its close.

Attest: \_\_\_\_\_  
Steven L. Ledoux  
Town Manager - Clerk