

IN BOARD OF SELECTMEN
MONDAY, DECEMBER 9, 1996

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

The statutory requirements as to notice having been complied with, the meeting was convened by Chairman Blacker at 7:34 p.m. in the Sudbury Town Hall.

Opening Statements

Chairman Blacker informed the community that the Strategic Planning Committee had conducted its first meeting. He related that the meeting was well-attended and that a speaker from Lincoln addressed the Committee regarding Lincoln's experience with the strategic planning process. He reported that the Committee is scheduled to meet again in January at which time the facilitator will attend.

Chairman Blacker commended the Town Manager, Steven Ledoux, and Cable Television Committee member, Jeffrey Winston, for having facilitated a resolution with McNeil Associates and Cablevision so that Longfellow Glen residents will be able to access cable service.

Selectman Clark informed that she had attended the Environmental Protection Agency hearing on the Marlborough Wastewater Facility Discharge Permit and that the meeting had been well attended. She related that she was impressed with the scientific information and hoped that the proposal reducing the level of phosphorous emitted by the Marlborough Facility would be finalized. She noted that the comment period has been extended to January 3, 1997.

Selectman Clark also informed the community that the reception for Leo A. Amendola had been well attended.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of November 25, 1996, as amended.

Donations - Council on Aging Vans

It was on motion unanimously

VOTED: To accept \$36.75 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.

Donations - D.A.R.E. Account

It was on motion unanimously

VOTED: To accept \$500 from the L.P.M. Holding Company, Inc., of Maynard, for deposit into the D.A.R.E. special account and to authorize the Police Chief to expend same in accord with the D.A.R.E. program.

Approval of Conservation Restriction - Robert Frost Road

The Board was presented for approval a conservation restriction, dated October 7, 1996, and accepted November 14, 1996, by the Conservation Commission, from Jeffrey A. and Lauren B. Harrison, 27 Robert Frost Road.

Selectman Clark inquired of Stephen M. Meyer if any set-back is required when developing next to a conservation restriction. She was informed that there is no set-back and that a building envelope can be created immediately adjacent to a conservation restriction. Selectman Clark further inquired as to the enforcement of conservation restrictions. She was informed by Mr. Meyer that there is no regular enforcement effort and that generally neighbors inform on improper use of conservation land.

It was on motion unanimously

VOTED: To approve the conservation restriction, dated October 7, 1996 and accepted November 14, 1996, by the Conservation Commission from Jeffrey A. and Lauren B. Harrison, 27 Robert Frost Road, Sudbury, shown as Lot 83 on a plan entitled, "Definitive Plan of Lands' End in Sudbury: dated July 21, 1969, Ewald & Maschi, Inc., Engineering Consultants", and containing 40,010 square feet of land.

EXECUTION: The Board executed its approval of said conservation restriction.

Appointment - Cable Television Committee

It was on motion unanimously

VOTED: To appoint M. Jacob Kuykendall, 25 Hampshire Street, to the Cable Television Committee for a term to expire April 30, 1997.

Acceptance of Resignation - Conservation Commission

It was on motion unanimously

VOTED: To accept the resignation of Edward W. Pickering from the Conservation Commission, effective November 15, 1996, and to direct the Town Manager to issue a letter of appreciation to Mr. Pickering for his service to the Town.

Alcoholic Beverage Licenses - Extension of Hours on New Year's Eve

It was on motion unanimously

VOTED: To permit all restaurant and club alcoholic beverage license holders to extend serving hours on New Year's Eve, December 31, 1996, to 2:00 a.m. on January 1, 1997.

Confirmation of Appointment - Conservation Commission

Present: Michael S. Stiller, 102 Dutton Road, appointee to the Conservation Commission, and others.

Town Manager Ledoux explained that the Town Manager is vested with the authority to make appointments to the Conservation Commission and that the Board must confirm any such appointments.

Town Manager Ledoux offered the Board the appointment of Michael S. Stiller to the Conservation Commission for a term to expire on April 30, 1999.

The Board was in receipt of a communication, dated December 2, 1996, from Debbie Dineen, Conservation Coordinator. She noted that Mr. Stiller is a tenant at the Town's Carding Mill building and that he understands, if appointed, that he would have to abstain from voting on issues regarding his lease or maintenance funding on said building. Ms. Dineen related that the Conservation Commission, assuming no conflict of interest exists, voted unanimously in favor of recommending Mr. Stiller to fill the vacancy on the Commission created by the resignation of Edward Pickering. She noted that Mr. Stiller's background in engineering, soil science and hazardous waste issues will bring expertise to the Commission. She also noted that Mr. Stiller has been active in the Hop Brook Protection Association's efforts to reduce algae growth in the Hop Brook Pond system. Ms. Dineen also included Mr. Stiller's application which noted that he is a registered professional engineer and has lived in Sudbury for two years.

Mr. Stiller explained that he wished to serve on the Commission in order to learn about wetlands and wildlife issues. He said that he believed his civil engineering experience and construction background would be of assistance to the Commission.

Town Manager Ledoux reported that Town Counsel had reviewed the conflict issue and that Mr. Stiller will have to file a disclosure statement with the Town Clerk.

It was on motion unanimously

VOTED: To ratify the Town Manager's appointment of Michael S. Stiller, 102 Dutton Road, to the Conservation Commission for a term to expire on April 30, 1999.

Furthermore, Chairman Blacker, a notary public in and for the State of Massachusetts, administered the oath of office to Mr. Stiller.

Re-appointment - Conservation Commission

Present: Stephen M. Meyer, of Bolton, Massachusetts, appointee to the Conservation Commission, and others.

Town Manager Ledoux offered the re-appointment of Stephen M. Meyer to the Conservation Commission. The Town Manager explained that Mr. Meyer's recent move to Bolton constitutes Mr. Meyer's *de facto* resignation from the Conservation Commission. However, the fact that Mr. Meyer is no longer a resident of Sudbury does not preclude the Board from re-appointing Mr. Meyer to the Commission. The Town Manager reported that Mr. Meyer desires to continue in his position on the Conservation Commission. Town Manager Ledoux stated that he believed, given Mr. Meyer's expertise and commitment and the Commission's immediate need for a quorum, it is in the best interests of the Town for Mr. Meyer to be re-appointed to the Commission.

The Board was in receipt of a communication, dated November 19, 1996, from Stephen S. Meyer, informing that he desired to continue to serve the Town on the Conservation Commission. Mr. Meyer noted that as a result of his 12 years residency in Sudbury he has very strong ties to the Town and is especially devoted to the task of preserving its open spaces and heritage. He also noted that many of the projects that he has been involved in - such as the Summerfields development, Weisblatt land and Boy Scout land - require further work and he would like to see these matters to their conclusion. He also noted the Commission's need for continuity and experience.

Selectman Drobinski noted that it was an unusual situation but, that he favored maintaining Commission's level of expertise by re-appointing Mr. Meyer.

Chairman Blacker inquired if the Board might make the appointment for only a one-year period.

Mr. Meyer responded that he would like to see some projects through the course of the next couple of years. He said that there are a number of projects, including Summerfields, which are not likely to be completed for two or three years.

Selectman Clark stated that Mr. Meyer's efforts and commitment to the community were to be applauded but she believed that members of Town boards and commissions should be residents, just as elected officials are required to maintain Town residency. She gave the following reasons in support of her position: 1) residency denotes an allegiance to the community and provides for both accountability and accessibility; 2) residency provides for a speedy order of process in the event of litigation; 3) unless a person is a resident, he/she is unable to speak at the annual Town Meeting without permission; and 4) potential conflicts of interest may exist and cited as an example possible contests between Sudbury and Bolton for open space bond money. She noted that she was unaware of the Board ever having appointed a non-resident to a Town board or commission in the past. She further noted that a resident who seeks re-appointment after becoming a non-resident, is not in keeping with the spirit and intent of the original appointment, which should be left for residents.

Chairman Blacker agreed that such a request had never come before the Board previously. He noted however that it is to Mr. Meyer's credit that he desires to continue to serve the community. Chairman Blacker stated that he had no problem supporting Mr. Meyer's re-appointment as allowed under state statute which does not require residency within the Town in order to serve on a board or commission.

Selectman Drobinski noted that Mr. Meyer's request presented a very unique case. He noted that Mr. Meyer in the past had spent considerable time and effort in educating the Board on various conservation issues. He opined that Mr. Meyer had been very skillful in balancing protection of the Town's natural resources with the increasing demands for development, and largely because of

Mr. Meyer's efforts the Town had been able to avoid costly litigation. He stated that he wanted Mr. Meyer to be able to continue to work on behalf of the Town.

Selectman Clark inquired if Mr. Meyer might be able to work as a consultant for the Commission.

Mr. Meyer responded that he remained very committed to the Town. He related that his son attends school here. Despite his relocation, he stated that he bicycles and runs in Sudbury on a daily basis. He said that the next several years will see the resolution of many important conservation issues for the Town and that he wished to participate in those decisions as a voting member of the Commission.

On the Town Manager's request for the re-appointment of Stephen M. Meyer, of Bolton, to the Conservation Commission, to serve the remainder of his term, the Board, by a majority,

VOTED: To approve the re-appointment of Stephen M. Meyer to the Conservation Commission for the remainder of his term, to expire April 30, 1999.

(Chairman Blacker, aye; Selectman Drobinski, aye; Selectman Clark, nay.)

Chairman Blacker, a notary public in and for the State of Massachusetts, administered the oath of office to Mr. Meyer.

Civil Defense Report on Town Conditions After Recent Nor'easter

Michael C. Dunne, Director of Civil Defense, reported that recent heavy wet snow conditions had knocked down numerous trees and limbs throughout the community causing major electrical power outages. He said that it was slow work to remove the many obstructions causing the power outages. He stated that 10% of the Town's households were still without power. He said that crews planned to work until midnight tonight to restore power to the Curtis Middle School so that school could open tomorrow. He said that other areas would not be restored to power until sometime on Tuesday. He reported that Boston Edison had underestimated the extent of the storm and that he would be meeting with their representatives to discuss ways to improve services to the Town during future storm events.

Tax Classification Hearing - FY96-97 Tax Rates

Present: Daniel A. Loughlin, Director of Assessing; Joseph H. Nugent, Jr., and David G. Berry, Members of the Board of Assessors; and others.

At 8:00 p.m., the Board convened a public hearing to consider what percentage of the local tax levy shall be borne by each class of real and personal property relative to the establishment of the FY96-97 tax rate and to consider whether to allow a residential property exemption, small commercial exemption and open space exemption.

Notice of this public hearing was duly provided in accord with state law by the Town Manager.

The Board was in receipt of the following:

1. Communication, undated, from Daniel A. Loughlin, Director of Assessing, setting out the four items to be considered by the Board during the Classification Hearing. Those items are the commercial shift, open space classification, residential exemption and the small commercial exemption. Regarding the Commercial Shift, a graph delineating the effects of various shift rates on both residential and commercial property was

presented, along with a six-year history of the Town's tax shift and comparative tax shifts in other neighboring communities. Separate discussions, including the effects thereof, were provided for each of the following: (1) an open space classification allowing for a discount on the residential tax; (2) a residential exemption permitting a reduction in property value for owner-occupied residences; and (3) the small commercial exemption providing for an exemption of up to 10% of certain commercial property.

2. Communication, undated, from David G. Berry, 50 Blacksmith Lane, opposing any further shift of taxes to the residential property owner.

3. Communication, undated, from Ralph S. Tyler, 1 Deacon Lane, suggesting increasing the commercial shift to the maximum of 175%.

Daniel A. Loughlin, Director of Assessing, informed the Board that regardless of what commercial shift the Board establishes, residential property taxes will increase.

Regarding the various tax exemptions, he noted that if the Board were to establish an open space classification, whereby vacant parcels are given a break by as much as 25%, some other class would in essence have to pay for it. He also noted that an open space classification would provide a tax break to the developer as well as an individual land owner. He informed the Board that the residential exemption, allowing a reduction of up to 20%, for owner-occupied residences, results in shifting a greater tax burden on the higher valued properties and benefits only the lower assessed properties. (The average residential property in the Town is assessed at \$304,000.) He noted that this exemption was designed for large towns that have considerable rental property. Finally, he noted that the small commercial exemption, which provides tax relief of up to 10%, shifts the tax burden from small parcels to larger ones. He noted that a survey of Town commercial properties indicates that about half of them would be entitled to the exemption if enacted. In conclusion, he informed the Board that, if the Board were to enact any of the three possible exemptions, implementation by the Board of Assessors would take one year and thus the exemption(s) would not become effective until FY98.

Selectman Clark inquired if the open space exemption is effective to encourage large landowners to hold onto their parcels.

Mr. Loughlin responded that it did not appear to discourage development.

Selectman Clark agreed, commenting that the relief is not enough to provide an incentive.

A number of local businesspersons, including Alan Marrone, 418 Boston Post Road, spoke in favor of reducing the commercial shift.

Steven Wishner, 92 Fox Run Road, suggested that the current commercial shift rate of 140% continue. He noted that the rate had been lowered during four of the past six years. He stated that residential rates have increased considerably. He opined that the shift rate does not make a significant difference to the success of the business community in the Town. He said that demographics is what really counts. He noted that the Town is facing very real and significant needs and that the shift should remain the same.

Selectman Clark noted that the Board had not forgotten the small business and inquired if abatement might provide some relief.

Mr. Loughlin responded that for abatement relief the small business would have to prove that it was over-assessed. He said that that was not likely since assessments are very conservative.

Chairman Blacker said that he has always been one of the strongest supporters of reducing the commercial shift, but that he believed that this year it should remain at the current rate.

Ralph S. Tyler, 1 Deacon Lane, suggested that the commercial shift should be increased to the maximum of 175%. He stated that 55% of the businesses in the Town are large business, including Star Market, Raytheon, and NYNEX. He suggested that those businesses should not be subsidized by the residents and that the Town should get as much as possible from them.

Chairman Blacker responded that much of that property is personal property and that there should be some degree of fairness in establishing the tax rates.

On motion, duly seconded, it was unanimously

VOTED: To maintain the commercial shift at 140% in setting the FY1996-97 tax rate.

On motion, duly seconded, it was unanimously

VOTED: To not establish an open space exemption.

On motion, duly seconded, it was unanimously

VOTED: To not adopt a residential tax exemption.

On motion, duly seconded, it was unanimously

VOTED: To not adopt a small commercial exemption.

Site Plan Special Permit Application SP96-330 - Cellco Partnership, d/b/a Bell Atlantic NYNEX Mobile - Maynard Road

Present: Sheila Becker, Bell Atlantic NYNEX Mobile, Manager of Real Estate and Zoning; Andrew Park, Senior Engineer, Bell Atlantic NYNEX Mobile; Michael S. Giaimo, Attorney for Cellco Partnership; William Irwin, Health Physicist, MIT; and others.

At 9:10 p.m., the Board reconvened a public hearing on Site Plan Special Permit Application SP96-330 of Cellco Partnership to construct a facility for wireless communications to include antennae placed on top of existing water tank and an approximate 12-foot by 32-foot one-story equipment shelter, on the southwestern corner of property located off Maynard Road, Town Property Map E07-003, Residential A-1 District, owned by the Sudbury Water District.

Selectman Drobinski noted that the purpose of this hearing was to allow the community to have some input and to obtain information about the proposed project, but he cautioned that the Board's intentions regarding this project should be clear from the prior hearing.

Chairman Blacker, quoting from the Telephone Communication Act of 1996, reiterated: "No state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning emissions." *See*, Section 704, part 7B.iv.

William Irwin, Health Physicist, explained that the effects of radio frequencies have been studied since the 1940's. He said that 900 different studies exist. He said that health risks occur when there are thermal increases of 1% or more. He said that at 4 watts per kilogram there are no noted thermal effects. For that reason, federal regulations set a limit of 1/10 of that for workers in the field and 1/5 of that for the general public. Thus, he said that the federal regulations provide for .08 watts or 587 microwatts per square centimeter for the general public. He said that the value he has measured for the project at hand is considerably less. He conservatively estimates that value to be 4.6 microwatts or .78% of the established federal standard for the general public.

Jim Winschel, 11 Cudworth Lane, asked if Mr. Irwin was being paid by NYNEX.

Mr. Irwin responded in the affirmative, but stated that he is often hired by towns.

One resident on Marlboro Road expressed concerns about the use of the propane fired generator.

Mr. Irwin responded that he normally does not deal with propane gas since it is such a commonly used material.

Chairman Blacker explained that it was the decision of the Planning Board to require the applicants to use propane gas.

One resident inquired about the possibility of using natural gas.

Ms. Becker responded that she did not believe that natural gas was available at the site.

Chuck Banfield, Maynard Road, stated that he is an environmental consultant, and has concerns regarding the health issues. He cited various health risks noted in an industry report on the effects of radio frequencies. He also noted that no in-depth studies have considered sensitive segments of the population, such as pregnant women.

Mr. Irwin responded that the radio emissions put out by cordless phones and baby monitors are higher than those projected at the proposed site. He also responded that there have been at least ten studies of the effects of radio frequencies on pregnant women and at least 20-40 studies on children under the age of 18 years.

Richard Reeves, 25 Cudworth Lane, asked what would happen if say, five years from now, "good science" suggests that the emissions are indeed harmful.

David Guilett, 41 Wyman Drive, asked why the facility had to be placed in the middle of a residential neighborhood.

Selectman Drobinski stated that although he is very sensitive to environmental health issues, he could not find that the proposed project posed much of a risk. He said that there are mechanisms in place to continue to protect the public in the future.

Mr. Winshel inquired if it were possible for the Town to hire an independent consultant to monitor the facility with NYNEX paying the consultant fees.

Selectman Clark stated that she felt uneasy about the situation. She noted that the federal law strips local governments from denying such facilities so long as they meet the federal standards. She asked who monitors such facilities.

Mr. Irwin responded that field measurements could be taken, but the FCC rarely monitors small facilities such as the proposed one.

Chairman Blacker asked Ms. Becker if NYNEX would be willing to monitor the facility once a year and provide the results to the Board of Health.

Attorney Michael S. Giaimo responded that the applicants would prefer the Town to hire its own consultant, but that NYNEX would pay his/her fees.

The Board agreed to continue the matter until its next regularly scheduled meeting and to refer the following draft decision to Town Counsel for a formal vote of the Board at the next scheduled hearing. Selectman Drobinski explained to those present that the continuance was only to refer the following proposed vote to Town Counsel and that no substantive matters would be considered.

Debra Guilett, 41 Wyman Drive, asked if the applicants were willing to agree that the site would not be used as a co-location for other wireless operations and the applicants agreed.

It was on motion unanimously

VOTED: To approve Site Plan Special Permit Application SP96-330 of Cellco Partnership, d/b/a Bell Atlantic, NYNEX Mobile, to construct a facility for wireless communications to include antennae, consisting of twelve, three and one-half foot panels on a triangular structure, placed on top of existing water tank and an approximate 12-foot by 32-foot one-story equipment shelter, on the southwestern corner of property located off Maynard Road, Town Property Map E07-003, Residential A-1 District, owned by the Sudbury Water District, subject to standard conditions and those recommended by Town departments, and subject to the applicant agreeing to pay the fees for a consultant hired by the Town to monitor emissions from the facility on an annual basis and the applicant' agreeing that the site would not be used as a co-location for other wireless operations.

1997 Annual Town Election and Town Meeting

Pursuant to a request by Kathleen D. Middleton, Town Clerk, it was on motion unanimously

VOTED: (1) To set the 1997 Annual Town Election for the four precincts in the Town for Monday, March 31, 1997 from 7:00 a.m. to 8:00 p.m. Furthermore, precincts 1 and 2 shall vote at the Fairbank Facility and precincts 3 and 4 shall vote at Town Hall.

(2) To establish that the Annual Lincoln-Sudbury Regional School District Committee Election shall be combined with and held as part of the Annual Town Election of Sudbury, and that the ballot for the Annual Lincoln-Sudbury Regional School District Committee Election shall be included with and prepared as part of the ballot for the Annual Town Election.

(3) To establish that the listing of the offices shall be the same as set forth in the warrant for the Lincoln-Sudbury Regional School District Committee Election and shall be printed as the last office on the ballot.

(4) To set the opening session of the 1997 Annual Town Meeting for Monday, April 7, 1997, at 7:30 p.m. in the auditorium of the Lincoln-Sudbury Regional High School.

(5) To approve allowing the Board of Registrars to hold a special voter registration session prior to the Annual Town Election and Town Meeting in the Town Hall, on Tuesday, March 11, 1997 until 8:00 p.m. according to Chapter 475 of the Acts of 1994.

Renewal of License for Lamijo Corporation, d/b/a Jezebel's, on Hudson Road, to Operate Two Pool Tables

It was on motion unanimously

VOTED: To renew an annual license for Lamijo Corporation, d/b/a Jezebel's, 8 Village Green, Hudson Road, to operate two pool tables (weekdays, Monday to Saturday only), for a period to expire May 1, 1997.

Approval of 1996 Annual License Renewals

The Board was in receipt of the following:

1. "Licensee List Renewals for Calendar 1997", for Business and Used Car Class 2 and Class 3 Licenses.
2. A communication, dated December 5, 1996, from Michael C. Dunne, Fire Chief, noting that the Fire Department has inspected all of the properties subject to license renewals and that the Fire Department has no objections to the licenses being renewed. Chief Dunne did note that on November 27, 1996, there appears to have been an overcrowding situation at Jezebel's Restaurant. More specifically he noted that the parking lot was overcrowded with vehicles in fire lanes and on neighboring streets and driveways. Furthermore, the building appeared to be above the permitted personal capacity. He suggested that future requests by Jezebel's for extension of hours should be conditioned upon adequate safeguards to prevent overcrowding.
3. Notation, undated, from the Health Director, indicating that he has no outstanding concerns with the listed license renewals.
4. Notation, undated, indicating that the Building Department expected to have its inspections of the listed renewal applicants completed by the end of business on Monday, December 9, 1996.
5. Report, undated, from Mary Ellen Normen Dunn, Town Treasurer and Collector, noting all tax arrearages owed by the renewal applicants.

It was on motion unanimously

VOTED: To renew Alcoholic Beverages, Common Victualler, Entertainment, Automatic Amusement Device, and Second Hand Motor Vehicle Licenses, which expire December 31, 1996 for calendar 1997, as listed on the December 9, 1996 "License List Renewals for Calendar 1997", attached and incorporated herein; and to forward the appropriate renewal forms to the Alcoholic Beverages Control Commission where applicable; said licenses to be held until payment of the required license fees, compliance to any/all outstanding health, safety or zoning violations, receipt of verification of Workers' Compensation Insurance for the licensing period, and payment of all outstanding personal property taxes and real estate taxes; said licenses shall also be subject to all previous restrictions; and

VOTED: To renew Sunday Entertainment License of Papa Gino's Acquisition Corporation, d/b/a Papa Gino's, 104 Boston Post Road, for operation of a juke box during calendar 1997, for the hours of 11:00 a.m. to 10:00 p.m.

Approval of Articles and Warrant Reports for the Annual Town Meeting

It was on motion unanimously

VOTED: To approve the following entitled articles and warrant reports to be submitted by the Board at the 1997 Annual Town Meeting: Hear Reports; FY97 Budget Adjustments; Stabilization Fund; Street Acceptances; Amend Bylaws, Art. XXI - Highway Surveyor; Amend Bylaws, Delete Art. XI - Personnel Bylaw; Amend Bylaws, Art. XII, Town Property - Technical Name Change; Minuteman Tech - Contribution Formula and Minuteman Tech - Withdrawal of Carlisle.

1996 Land Management Reports from the Conservation Commission and Park and Recreation Commission

The Board was in receipt of the 1996 Land Management Report, dated December 2, 1996, from Debbie Dineen, Conservation Coordinator, on behalf of the Conservation Commission. Said report included information regarding the status and conditions of four parcels - Surrey Lane, Raymond Land East and West, and Parkinson - which pursuant to a vote of the Board had been transferred to the Conservation Commission for management.

It was on motion unanimously

VOTED: To accept and approve the 1996 Land Management Report from the Conservation Commission.

Chairman Blacker inquired if it were possible to assign the management of these parcels to the Conservation Commission for a longer period than the current one year.

Town Manager Ledoux responded that such could be done.

Thus, it was on motion unanimously

VOTED: To extend assignment of the Surrey Lane parcel and the Raymond Land East and West parcels (72a & 38a respectively) to the Conservation Commission for management for a period of three years.

The Board was in receipt of the 1996 Land Use Report, dated November 27, 1996, from the Park and Recreation Commission denoting the status and conditions of the Feeley Park, Haskell Field and Heritage Park.

It was on motion unanimously

VOTED: To accept and approve the 1996 Land Use Report from the Park and Recreation Commission; and it was further

VOTED: To extend assignment of management of the Raymond Land parcels (18a and 8.9a) to the Park and Recreation Commission for a period of three years.

Personnel Administration Plan

The Board was in receipt of the Personnel Administration Plan developed by Town Manager Ledoux pursuant to Chapter 131 of the Acts of 1994.

Selectman Drobinski suggested that the plan include provisions regarding the use of internet services and for the confidentiality of E-mail communications.

Town Manager Ledoux concurred in the inclusion of such provisions, when the time is appropriate.

Selectmen's Annual Town Report

The Board was in receipt of a final version of the Selectmen's Annual Town Report for 1996.

Chairman Blacker complimented Administrative Assistant Jan Silva's edit of the draft version previously considered by the Board and he moved for the approval of said report.

It was unanimously

VOTED: To approve and adopt the Selectmen's Annual Town Report for 1996.

Town Accountant

Town Manager Ledoux reported to the Board that he had received 16 applications for the Town Accountant position. He stated that he had formed a screening committee with certain other Town staff (Treasurer - Collector; Director of Assessing; Assistant Town Accountant, Budget and Personnel Officer; and School Director of Administration and Finance) and inquired of the Board how many applicants it wished to consider.

The Board indicated that it would like to interview two - three candidates.

Snow Insurance

Town Manager Ledoux informed the Board that he had been considering obtaining snow insurance for the Town. He said that generally such insurance has a deductible of 50 - 60 inches and a 40-inch cap for payment. He said that the Town might save as much as \$20,000 annually.

Chairman Blacker commented that it seemed like quite a gamble to him. He noted that the premiums might go up each year and therefore the savings, if any, to the Town would be difficult to project.

Selectman Clark stated that the Board needed figures so it could compare past Town expenditures for removal to the costs of premiums.

Town Manager Ledoux responded that he would continue to research the matter.

Emergency Access and Drainage Easements- Landham Road

Town Manager Ledoux reported that emergency access and drainage easements were needed for construction purposes for "Anselm Way" off Landham Road. He presented the Board with a blue print designating the location of the easements.

On motion, duly seconded, it was unanimously

VOTED: To approve an emergency access easement and a drainage easement for construction purposes for "Anselm Way" off Landham Road, both granted by Peter Gallipeau, Trustee of Anselm Way Realty Trust and dated December 6, 1996, and shown on plan entitled, "Definitive Subdivision Plan of 'Anselm Way' in Sudbury, Massachusetts", dated November 8, 1996.

Executive Session

On motion by Chairman Blacker, by roll call vote, unanimously

VOTED: To enter into Executive Session for the purpose of considering expenditures from the Discretionary Fund for holiday gifts.

(Chairman Blacker, aye; Selectman Clark, aye; Selectman Drobinski, aye.)

Chairman Blacker stated that the Board would not return to open session.

There being no further business, the meeting was adjourned at 10:56 p.m.

Attest: _____
Steven Ledoux
Town Manager-Clerk