

IN BOARD OF SELECTMEN  
MONDAY, FEBRUARY 8, 1999

Present: Chairman John C. Drobinski, Maryann K. Clark and Kirsten D. Roopenian, Selectmen.

The statutory requirement for notice having been met, the meeting convened at 7:35 p.m. at the Senior Center, 40 Fairbank Road.

**LEAP School**

Present: Paul Kenny, Town Counsel; James Halverson, 109 Dakin Road.

James Halverson briefly reviewed the events involving the Town and the LEAP School and asked the Board to consider hiring additional counsel in the LEAP School litigation.

Chairman Drobinski acknowledged the Board was in receipt of Mr. Halverson's letter making this request. Selectman Clark stated she would prefer to comment during executive session. Selectman Roopenian acknowledged Mr. Halverson's diligence in this matter and noted that while it has not been easy, it has been a learning experience for everyone.

**Proposed DTE Changes**

Selectman Roopenian asked Assistant Town Manager Ackerman to speak to Town Manager Ledoux about proposed area code changes and clarified that she had received phone calls from residents very concerned about small businesses in Sudbury. One resident had indicated these changes would put her out of business.

Selectman Clark stated that Governor Cellucci wants to have a special group of numbers, only 1,000 numbers for pagers, fax machines, cell phones, etc. instead of a 10,000 number bank. The area code is immaterial for those.

Chairman Drobinski stated that the last time area code changes were proposed, the Board sent a letter to the DTE supporting the overlay option of area code assignment.

After discussion, the Board decided to include this matter on a future agenda.

**Utility Petition 99-01 – Rice Road**

At 7:45 p.m. Chairman Drobinski convened a Public Hearing for the purpose of considering Utility Petition 99-01 of Boston Edison Co. and Bell Atlantic-New England.

The Board was in receipt of the following:

1. Request, dated January 13, 1999, from Richard M. Schifone, Boston Edison Company, requesting permission to install approximately 68 feet of conduit in Rice Road to provide underground electric service to a subdivision of eleven lots known as Fieldstone Farm.
2. Boston Edison Company Plan 99-01 entitled "Rice Road, Sudbury, Showing Proposed Conduit Location", dated January 12, 1999.

3. New England Telephone Petition 99-01, showing proposed conduit location.
4. Letter from I. William Place, Town Engineer, recommending approval, subject to the contractor obtaining the street opening permit and posting the correct bond amount.
5. Verbal report from Wiring Inspector recommending approval of Utility Petition 99-01.

It was on motion unanimously

VOTED: To approve Utility Petition 99-01 for permission to install conduit in Rice Road: northeasterly, approximately 185 feet east of Sudbury Road, a distance of about 68 feet of conduit from Pole 123/9, as shown on Boston Edison Company "Plan of: Rice RD, SUDBURY Showing PROPOSED CONDUIT LOCATION", dated January 12, 1999, and New England Telephone Plan No. 99-01, provided the street opening permit is obtained and Rice Road restored to condition before installation.

#### **Overhead Connection – 37 Allan Avenue**

Present: Ron Ham.

The Board acknowledged receipt of a request, dated February 1, 1999, from Ron Ham, requesting waiver of Sudbury Bylaw Article XX for an overhead connection of electric service to a new home at 37 Allan Avenue via a pole on the same side of the street as shown on plan entitled "Plan of Land in Sudbury, Mass.", dated January 13, 1999, drawn by Everett M. Brooks Company.

Ron Ham stated a house on this lot had been torn down and a new home was being constructed. He noted this is not a new subdivision where installation of underground service would be easy, but that this area of town has overhead utility connections.

It was on motion unanimously

VOTED: To grant permission under Bylaw Article XX, Sec. 3.E, to Ron Ham, Portside Realty Trust, to install overhead utilities, from a pole on the same side of the street, to a new home being built at 37 Allan Avenue.

#### **Council on Aging Donations**

It was on motion unanimously

VOTED: To accept \$76.04 in miscellaneous donations to be deposited into the Van Donation Account, and to authorize the Council on Aging to expend said funds for the purpose of operating and maintaining the Council on Aging vans.

#### **Minutes**

It was on motion unanimously

VOTED: To approve the regular session minutes of January 25, 1999, as amended.

**E. B. Hosmer Memorial Fund**

Selectman Roopenian stated the Town Manager should have the authorization to approve expenditures from the Hosmer Memorial Fund without coming to the Board each time. Selectman Clark suggested the word “similar” instead of “all”, in referring to future expenditures. Assistant Town Manager Terri Ackerman stated waiting for the Board to approve each expenditure takes time and this would expedite the payments.

It was on motion unanimously

VOTED: To approve the expenditure of \$600 from the Edwin Barrett Hosmer Memorial Fund to pay Yankee Gift House for Sudbury throws, and to authorize the Town Manager to approve similar future expenditures from said fund.

**Bid Selection and Review Committee – North Road Unisys Property**

Selectman Roopenian wanted to know why the Conservation Commission needs to be on this committee in anything other than an ex-officio nature. Selectman Clark stated the Conservation Commission was instrumental in getting this project to go forward. Chairman Drobinski stated their expertise might be helpful in dealing with any permitting involving conservation issues.

Chairman Drobinski noted that this committee is for this project only and will be dissolved when the contractor has been selected.

It was on motion unanimously

VOTED: To appoint Richard O. Bell, 24 Austin Road, as the Conservation Commission representative on the Bid Selection and Review Committee for the North Road Unisys Property Housing Project.

**Ambulance Rates**

Referring to Dick Saunders’ (of Comstar) memo of January 15, 1999, to the Fire Chief, Selectman Roopenian asked how the Town could set the fees “at these levels or higher” if these were the Medicare Maximum Allowable Rates. Assistant Town Manager Ackerman opined that other health insurance plans might have a different rate schedule and that she would check with the Fire Chief. Chairman Drobinski stated that perhaps Michael Dunne, Fire Chief, had suggested these rates out of concern for affordability.

Following discussion, it was on motion unanimously

VOTED: To approve new ambulance rates established as the new Medicare Maximum Allowable Rates for 1999, as suggested by the Fire Chief in a letter dated January 25, 1999.

**Conservation Restriction – Meachen-Meggs**

Assistant Town Manager Ackerman advised the Board to table this item as Town Counsel had yet to offer his opinion of the document, and the Conservation Restriction itself was not ready for signature.

It was on motion unanimously

VOTED: To postpone action on this matter until Town Counsel forwards his opinion.

**Nextel Communications – Melone Property**

The Board acknowledged receipt of an undated communication from Nextel Communications of Lexington requesting the Town of Sudbury issue a Request for Proposals (RFP) to lease a portion of the Melone property for a wireless communications facility.

Selectman Clark stated that an RFP has to be announced in the newspapers and anyone, not just Nextel, can respond. Chairman Drobinski expressed concern for “opening a Pandora’s box” for a wireless communications facility. He stated his recommendation to do nothing or write a letter politely refusing.

Selectman Clark suggested Nextel could contact the people who already operate a communications tower in that area and perhaps obtain some space on that tower instead of a second tower.

After discussion, the Board directed the Town Manager to contact Robert Parsons of Nextel Communications as to his intent and to explore other options.

**Upper Town Hall --- Sudbury Historical Society**

Present: John Hepting, Building Inspector.

The Board acknowledged receipt of a request, dated February 3, 1999, from the Sudbury Historical Society Trustees (SHS), regarding SHS use of the second floor of the Sudbury Town Hall on a permanent basis, beginning in April 1999.

Selectman Roopenian stated that use would be a good idea. Chairman Drobinski opined granting this request at this time would be premature, and suggested getting more information. He expressed concern for their request to use the space rent free with no charge for heat or utilities, and stated he did not know the cost for those items. Assistant Town Manager Ackerman opined it would be in the area of \$10,000 per year.

Selectman Clark stated Town Hall would be a good location for them, but expressed concern for handicapped access to the second floor. Selectman Roopenian stated all opportunities for this space should be considered before granting any requests, and suggested there might be interim uses unknown at this time. Ms. Clark opined the SHS may not understand the sequencing of how spaces will be opened up and changes made after the Goodnow Library opens and moves out of Town Hall. She suggested they put together a concrete list of what they need, and costs for those needs, and come back to the Board with a plan.

Selectman Clark acknowledged that Mr. Swanson would like to make use of all the items the Library will leave behind. Chairman Drobinski suggested that part of the SHS request might be worked out without making a decision for the use of the second floor.

In response to a question from Selectman Clark about installing a stair lift to make Town Hall accessible, John Hepting, Building Inspector, stated stair lifts or lifts of any kind do not qualify to meet the ADA legislation requirements. He stated it must be a standard size elevator with doors. Selectman Clark asked what the cost would be to install one on the north side of the Town Hall for access to the second floor. Mr. Hepting estimated the cost at \$125,000.

Selectman Clark asked if the SHS's non-profit status would enable them to do it for less money. Mr. Hepting stated it might, because they would not have to request bids, but could just hire someone to do it. He stated further that because there is no office for ADA, he does not enforce those rules, but instead enforces the AAB (Architectural Access Board) which is a Boston-based state organization. Under AAB, there must be at least a \$100,000 renovation to the structure before a handicapped elevator or toilet must be considered. He stated that any renovations under \$100,000 must simply comply with items such as width of doors, lower lighting switches, Braille, etc. without changing portions of the existing structure. Once the renovation reaches \$100,000, the entire structure must comply with regulations. Mr. Hepting specified that historic structures fall under a different set of regulations.

Mr. Hepting suggested the Town contact Bruce Bruno of the State Department of Disabilities. Mr. Bruno worked with the Town in developing a handicapped center at the Fire Station while waiting for the Flynn Building to become available.

After discussion, the Board decided to hold this matter until the Sudbury Historical Society provides a complete list of needs and costs assessment to the Town Manager, a meeting of the Town Manager, SHS, and Building Inspector is held, and a report and recommendation is prepared by the Town Manager.

#### **Article 34 Review**

Present: Paul Kenny, Town Counsel; John Hepting, Building Inspector; James Halverson, 109 Dakin Road.

Chairman Drobinski acknowledged receipt of a memo from Mark Bobrowski regarding zoning issues involving exempt uses listed in G.L. Chapter 40A. He stated the Board has placed a "bookmark" article on the Town Warrant to address zoning issues of the Dover Amendment. He stated Mr. Bobrowski's memo indicates an article could be avoided.

Building Inspector John Hepting stated he also received and read the memo but had not reviewed it with Mr. Bobrowski. Referring to the memo, Mr. Hepting stated that while owners of exempt uses are able to do what they wish, they must still adhere to the Building Code and submit a Site Plan with a Building Permit application. He stated this site plan review falls under his jurisdiction, for conformance to the Building Code, and he is free to solicit opinions from any committee or Town Board in making his determination. He stated further he also uses the "Tufts Test", a standard case everyone uses to evaluate non-exempt uses. If he chooses not to issue a building permit for any reason, the applicant can appeal his decision. He stated that Mr. Bobrowski's memo formalizes the procedure by defining the route via the Building Code instead of the vagueness of the bylaw.

Paul Kenny, Town Counsel, stated that, while this newly defined procedure is clearer than the bylaw, this procedure does not need to be in the form of a bylaw. Mr. Hepting asked if this procedure will be voted on to become an official procedure. Mr. Halverson opined that the Selectmen have the power to approve any procedure used within the Town. Mr. Kenny stated that statute provisions govern some Boards, and that the statute also states that no one can direct the Building Inspector. Discussion followed.

Mr. Kenny reminded the Board that everything put into the bylaw or a procedure is subject to the "reasonable cost" test, and if the expense of a particular site plan item is deemed exorbitant, it can be excluded or modified. Mr. Halverson stated that case law provides that towns have the right to tell exempt use applicants to seek an alternate site and that the exempt use cannot just "set up shop" anywhere they choose.

Mr. Hepting stated the statute allows for review of seven conditions and the reviewing agency needs to be defined. He suggested a single sentence for the bylaw to accomplish this.

Mr. Halverson stated that the case law he has read presented the possibility that the word "absurd" could be used to replace the word "reasonable".

After discussion, the Board directed Town Counsel to draft appropriate language for Article 34 of the upcoming Annual Town Meeting.

**Site Plan Applic. SP99-348 – Roche Bros., Sudbury Farms, 439 Boston Post Road**

Present: Bruce Ey, Schofield Brothers; David Stratos, Construction Division, Roche Bros.; Charles (Chuck) Bomely, Plan B Retail Design and Project Management LLC.

At 9:00 p.m. Chairman Drobinski continued a Public Hearing from January 25, 1999, for the purpose of approving a Decision prepared by Town Counsel with regard to a Site Plan Special Permit Application No. SP99-348 of Roche Bros., d/b/a Sudbury Farms, in accordance with Sudbury Zoning Bylaws Art. IX.V.A, to construct additions totaling 8,435 sq. ft. to the rear and front of the existing shopping plaza for the Sudbury Farms Store; and to reconfigure driveway, relocate and replace lighting fixtures, and improve drainage and septic system on property located at 439 Boston Post Road, owned by 1776 Plaza Limited Partnership, zoned Limited Business District.

Bruce Ey stated they had just received the written recommendation from the Planning Board with their suggestions, but have not had time to update the plans accordingly.

Chairman Drobinski stated that Roche Bros. should be aware of possible traffic-related changes when the Mass. Highway Department does the work on the intersection.

Bruce Ey suggested two changes to the Draft Decision: 1) p. 6, #8 – item a. He asked if that was needed as they are complying with Board of Health regulations. Selectman Clark stated it is standard "catch-all" language for all Decisions. Referring to item 8.c, he suggested changing the word "installation" to "operation", as there are two shallow monitor wells in the proposed leaching field. 2) p.7, #13 – item b. Mr. Ey stated the entire front of the premises will be level, making it handicapped accessible. Chairman Drobinski suggested deleting item b and relabel item c as b. The Board agreed to make the suggested changes regarding conditions 8.c and 13.b.

Based upon a determination that the foregoing evidence, together with the plans submitted, conformed to the intent and purpose of the Zoning Bylaw requirements, a motion was made and unanimously approved as follows:

VOTED: To grant a Site Plan Special Permit to Roche Bros., in accordance with Application No. SP99-348, to construct additions totaling 8,435 sq. ft. to the rear and front of the existing shopping plaza for the Sudbury Farms Store, and to reconfigure driveway, relocate and replace lighting fixtures, and improve drainage and septic system on property located at 439 Boston Post Road, owned by 1776 Plaza Limited Partnership, as shown on plans drawn by Schofield Brothers of New England entitled "PROPOSED SITE PLAN OF LAND IN SUDBURY, MASS. AT 439 BOSTON POST ROAD 'SUDBURY FARMS' "(Sheets 1 & 2), dated December 1, 1998, "POTENTIAL PARKING LAYOUT" dated December 1, 1998, "WATERSHED MAP" dated October 24, 1998, and on plans drawn by Plan B Retail Design and Project Management, LLC, entitled "CONCEPTUAL FLOOR PLANS #6" dated September 30, 1998, and

"PROPOSED EXTERIOR ELEVATIONS" dated January 12, 1999, subject to compliance with all governmental laws and regulations including, but not limited to, Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, zoning, building and health laws and regulations, and further subject to the following conditions:

1. approval of the drainage system, including traps, catch basins, periodic maintenance, and a maintenance program for the water quality inlets, in compliance with the Town of Sudbury stormwater regulations and as required by the Director of Public Works/Town Engineer;
2. no wells for drinking water to be installed on the site;
3. the grant of an earth removal permit by the Earth Removal Board, if applicable;
4. the grant of and compliance with a Water Resources Protection Special Permit by the Planning Board;
5. approval of signs or advertising devices as required under applicable provisions of the Zoning Bylaw;
6. no storage or use of chemicals on site except in conformity with guidelines and requirements of the Board of Health and the Fire Chief; the owner or operator of the site shall comply with the Massachusetts Oil and Hazardous Materials Release Prevention and Response Act, M.G.L. Chapter 21E, as amended, and all regulations issued thereunder;
7. no use of salt or chemical de-icers on site;
8. if applicable, the grant by the owner to the Town of a restrictive covenant to run with the land, governing, restricting or prohibiting the following which shall conform to requirements of the Board of Health, Town Engineer and/or Conservation Commission as appropriate:
  - (a) the disposal or removal of effluent and wastes generated on the site;
  - (b) the use of salt or chemical de-icers on the site;
  - (c) the operation by the owner of one or more monitor wells on the site, including the Town's right of access for periodic testing and monitoring thereof, or another protective device as may be required by the Board of Selectmen;
9. approval of the final landscape plan by the Board of Selectmen; said plan shall include:
  - (a) replacement of all street trees in landscaped area along Route 20 with *Gleditsia Triacanthos* 'Inermis' (Common 'Thornless' Honeylocust), planted at least one every thirty feet and having a minimum height of twelve feet;
  - (b) additional landscaped areas;
  - (c) the addition of trees scattered throughout the parking lot similar to Parking Lot Easement "A", and
  - (d) refurbishment of landscape vegetation in the existing parking lot planting islands;
10. exterior lighting, as approved by the Selectmen, shall have shields and detail shall be shown on the plan;

11. as recommended by the Director of Public Works, Town Planner and Design Review Board, the following changes shall be made to the plan:
  - (a) the painted traffic island at the westerly entrance shall be replaced with a granite curbed island;
  - (b) creation of a formalized pedestrian walkway along the entire front of the building; and
  - (c) creation of a clearly delineated walkway between Sudbury Farms and the Sudbury Crossing plaza (Cherry & Webb) protected by speed bump(s);
12. connection of the fire sprinkler system and the fire suppression system at the cooking hoods to the municipal fire alarm system via a master box connection;
13. as required by the Inspector of Buildings;
  - a) the easternmost two handicapped spaces shall be relocated three parking bays west to be more opposite the entry; and
  - b) handicapped signposts shall be placed between each pair of end-to-end handicapped spaces;
14. the above-grade utility building in the septic field area shall be shown on the plan;
15. a signature block for approval by the Board of Selectmen and a signature block for approval by the Building Inspector and Dir. of Public Works/Town Engineer shall be added to the plans and drawings;
16. the Board of Selectmen approves the following waivers:
  - a) in accordance with Zoning Bylaw Art. IX.V.A.8, 27 parking spaces of the required 298 spaces shall be designated as "reserve parking spaces"; and
  - b) submission of a topographic plan showing one-foot contour levels is not required;
17. submission of an "as built" site plan. Any change in the physical condition of the site, including changes in the location or design of structures or systems, following approval of the site plan, will require approval of the Board of Selectmen;
18. no building permit shall be issued until certain items noted above (1, 4, 9, 11 and 14) as specified by the Board, are complied with;
19. no occupancy permit shall be issued until certain items noted above (2, 3, 5, 6, 8, 10, 12, 13, and 17) as specified by the Board, are complied with;
20. this Special Permit shall lapse if construction and a substantial use thereof, have not commenced except for good cause within one (1) year from the effective date of said Permit.



### **Great Meadows Wildlife Refuge**

Present: Pam Hess, Senior Outdoor Recreation Planner, Great Meadows Wildlife Refuge; Charles Zucker, Conservation Commission.

Pam Hess from Great Meadows Wildlife Refuge, briefly outlined the Comprehensive Conservation Plan for the Refuge complex. She stated Great Meadows is one of eight wildlife centers in Massachusetts. In 1997 President Clinton signed the Refuge Improvement Act which gave them a mission. She listed the public use opportunities as wildlife observation, photography, interpretation, environmental education, hunting, and fishing. She stated there are two units within the Great Meadows Refuge, one in Sudbury and one in Concord. She stated there will also be a Sudbury annex unit, but that the transfer of ownership has not occurred. The property will not be open to the public until all the safety hazards have been dealt with, including 50 bunkers that are presently open, 20 homes to be leveled and the wells for each home capped. She stated there are about 30 people who have expressed interest in assisting them in their efforts.

Selectman Roopenian asked what is considered "passive" recreation. Ms. Hess stated that hiking would most likely be allowed as many trails already exist and do not harm the environment. Ms. Roopenian asked if "passive" would allow for soccer fields. Ms. Hess stated wildlife-dependent uses are the ones allowed and soccer would probably not fall into that category. Chairman Drobinski recalled some discussion about soccer fields when the land was made available and that if the Town pushed for soccer fields, there was some question as to whether the transaction would go through. Selectman Clark opined the hesitancy was due to traces of arsenic being found. Charles Zucker, Conservation Commission, stated that soccer fields are simply not compatible for this particular kind of land. Selectman Roopenian asked if "work-out stations" could be made available along trails. Ms. Hess stated she did not know but that it could certainly be suggested when the trails are being defined.

Ms. Hess stated the issues workbook will be printed next week and will be mailed to members as well as being available at the public meetings. The meeting for the Concord portion is set for March 3; the Sudbury part is March 4 at the Visitors Center at 7 p.m. The Sudbury Annex meeting is scheduled for March 25 at 7 p.m. at the Maynard Town Hall. She noted that paid ads and news releases will be issued to make sure the public is aware of the meetings. She added that interested parties can also access the Fish and Wildlife home page on the Internet for more information.

Ms. Hess stated they have filed the Notice of Intent to pave the driveway into the Weir Hill facility, as it is still a dirt road and added that it will be easier for the public to use it.

Chairman Drobinski commented there is a paper road called Old County Way in the area of the Sudbury Annex and noted that there is some question as to its use. Selectman Roopenian stated it needs to be declared a non-road.

The Board thanked Ms. Hess for her presentation.

### **Annual Town Meeting**

At the request of the Town Planner, it was on motion unanimously

VOTED: To reverse Articles 35 and 38 on the Warrant.

It was on motion unanimously

VOTED: To accept and order petition articles for inclusion on the Warrant, as follows:

43. Accept Statute or Create Special Act -- Community Preservation Fund (Land Bank) (Petition)
44. Amend Zoning Bylaw, Art. IX,IV.D.3.c -- Dimensional Requirements in Cluster Developments (Planning Board)
45. Nobscot Road Intersection (Selectmen)
46. Maynard Road Walkway (Petition)
47. Amend Zoning Bylaw, Art. IX,V.J. -- Lighting In Residential District (Petition)

It was on motion unanimously

VOTED: To refer the two new zoning amendments to the Planning Board for their hearing and report in accordance with G.L. c.40A,s.5.

It was on motion unanimously

VOTED: To approve the warrant reports for Selectmen's articles, as drafted.

It was on motion unanimously

VOTED: That the Selectmen (a) take NO POSITION on Warrant Article No. 1;

(b) SUPPORT Warrant Articles No. 3, 4, 6, 7, 8, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 39, 40, 41, 42, 43, and 45; and

(c) Will REPORT AT TOWN MEETING on Warrant Articles No. 2, 5, 9, 10, 13, 14, 15, 16, 17, 18, 29, 36, 37, 38, 44, 46, and 47.

Chairman Drobinski stated that **Article 1** is usually presented by a distinguished citizen and he asked the Board to consider individuals for recommendation.

Regarding **speaker assignments**, Selectman Roopenian asked that Article 44 be added to her list of assignments instead of Selectman Clark. The Board concurred and approved the draft speaker assignments with this one change.

Regarding **Strategic Planning Committee positions**, Assistant Town Manager Ackerman stated the Warrant currently lists Selectmen, Finance Committee, and sometimes Planning Board positions. Selectman Roopenian stated SPC should not be included as other committees may also wish their positions to be printed. The Board concurred.

Regarding the articles the Conservation Commission desires to submit as petitions, Ms. Ackerman stated two of them would help to clear up some accounting problems regarding wetlands fees. Chairman Drobinski noted a procedural problem as the articles missed the deadline; Ms. Ackerman stated the articles were submitted before the deadline in draft form without signatures. She stated the Conservation Commission is meeting tonight and will finalize the wording then. Selectman Clark asked why they waited so long to submit them. Chairman Drobinski stated there has been a problem with the way funds are allocated, with the situation reaching crisis level within the last few weeks. Ms. Ackerman stated there has

been confusion over the way the accounting is set up for the Wetlands Funds and fee accounts, and added that both Conservation Commission attorney and Town Counsel are in agreement that the best way to fix it is to utilize a revolving fund. Selectman Roopenian asked who controls the monies. Ms. Ackerman stated the Town Manager will still sign all vouchers for expenditures from the fund. Selectman Clark suggested an amendment allowing for the Coordinator's salary to come from General Fund, and use the revolving fund for other administrative expenses. Selectman Roopenian questioned whether the Selectmen even have the authority to get involved in accounting practices.

After lengthy discussion, it was on motion unanimously

VOTED: To extend the submission deadline only for the Conservation Commission to submit these articles until 5 p.m. on Tuesday, February 9, 1999 to allow time for the articles to be submitted with signatures and in proper format.

### **Selectmen Reports**

*Selectman Clark* stated she will attend a Transportation Meeting (TIP) tomorrow in Hopkinton. She expressed concern for the way federal funds are shuffled around, making monies unavailable when a project has already been authorized.

*Selectman Roopenian* stated she attended the Mass Highway program. She stated she has also spoken with a number of individuals about the Town Fathers Forum and suggested that the Chamber of Commerce be added. She expressed concern that these forums be viewed as available for all boards and committees, as well as the public. On Thursday, she stated she will attend a Senior Property Relief meeting.

*Assistant Town Manager Ackerman* stated that Jeff Ritter, Wayland Town Manager, is planning the tree planting in memory of Wayland Selectman Randy Hoes and has asked if Saturday, May 1, 1999 is a date the Selectmen can attend. The Board replied in the affirmative. On another matter, she stated a successful department head meeting was held today with many good suggestions offered on how the budget can be cut to meet the FinCom recommended Town budget total.

### **Hop Brook Discussions**

Selectman Roopenian asked if another meeting had been set up with Marlborough Mayor Mauro to discuss the Hop Brook-Easterly Wastewater Treatment issue. She stated she has seen him on several occasions when he has asked about another meeting. Ms. Ackerman stated she would notify Town Manager Ledoux about arranging a meeting for the Selectmen and Mayor Mauro.

### **Executive Session**

At 10:25 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss legal matters concerning the Meachen-Meggs property acquisition and LEAP School Litigation. (Chairman Drobinski, aye, Selectman Clark, aye, Selectman Roopenian, aye).

Chairman Drobinski announced that public session would not reconvene following Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 10:44 p.m.

Attest: \_\_\_\_\_  
Terri Ackerman  
Assistant Town Manager-Clerk Pro Tem