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IN BOARD OF SELECTMEN
WEDNESDAY, JANUARY 3, 1990

Present: Chairman John C. Drobinski and David A. Wallace. Selectman Cope arrived during the Executive Session.

The requirements as to notice having been fulfilled, the meeting was called to order at 10:00 a.m. in the Flynn Building second floor Conference Room.

Traffic Management - Curb Cuts, 1776 Plaza

Present: Traffic Management Committee Chairman James McKinley; Town Engineer I. William Place; property owner Mickey Cail, Cail Realty & Investments; Ralph Tyler.

Mr. Cail introduced himself as the owner, in common with Frank Vana, of land on the Boston Post Rd. known as the 1776 Plaza, which is a retail complex housing Sudbury Farms, Thayer Drug, and various other tenants. Mr. Cail informed that neither Mr. Vana nor Mr. Garnick of CG Investment Group, Inc., the owner of Sudbury Crossing, would be in attendance.

Traffic Management Committee Chairman James McKinley prefaced the meeting by stating that its purpose is to review the proposed short-term improvements for Route 20 between Nobscot Road and Union Avenue, and to gain input from the two largest property owners in that area. He explained the traffic patterns in this area as determined in a traffic study commissioned by the Town, and touched on the long-range plans for the rerouting of traffic through Town. He informed that several short-term improvements were proposed which include the closing of the two easterly 1776 Plaza curb cuts. This would mean that traffic would enter and exit the 1776 Plaza through the Sudbury Crossing signalized intersection or directly from Route 20 via the remaining curb cut at the westerly end of the Plaza property. Mr. McKinley stated that these proposals were designed to make traffic flow better in this area and to improve traffic safety, citing the fact that there had been fourteen accidents at this location in the past year.

Mr. Place informed that the State DPW was generally in agreement with this approach; and further, he and Mr. McKinley had received favorable indications at their meeting with tenants Sudbury Farms and Thayer Drug. Mr. Place reported on the input of other owners in the area.

Mr. Cail stated his first observation is that the curb cut proposed to remain at the westerly end of the Plaza property would have to be widened and suggested that signalization might be desirable at this location.

In response, Mr. Place informed that it was planned to widen the remaining curb cut, and as to the desirability of signalization at this location, which the DPW would have to approve, Mr. McKinley stated that placement of a light at that location would, in his opinion, impact negatively on the entire stretch of roadway.

With regard to the cost of the proposed long-term projects for the area from the Goodyear Tire property to Raymond Road, Mr. Place informed that

Option A, encompassing curb cut consolidation, reconstruction of Rt. 20 inclusive of widening and resurfacing, construction of a walkway on the north side, drainage work and granite curbing, was estimated to cost \$293,000; Option B, which utilized bituminous curbing rather than granite was estimated to cost \$178,000. Not reflected in either of the estimates was the cost of upgrading the Conrail Crossing.

With regard to the railroad crossing, Selectman Wallace stated that he had attended a meeting relative to the discontinuance of the line, but no resolution has been reached to his knowledge. Executive Secretary Thompson reported that the state had asked Conrail to hold on upgrading the crossing until the Rt. 20 design plans were finalized. Meanwhile, the Board of Selectmen has been trying to get federal funding activated for the crossing upgrade, since the probability of getting any future federal/state funding to upgrade the Rt. 20 roadway is remote at best.

Mr. McKinley provided a curb-cut release form drafted by Town Counsel for Mr. Cail's consideration.

Mr. Cail stated his intention to talk with the tenants and discuss the situation with Mr. Vana. He stated that he does not want to lose access and is also concerned about exiting from the property, even though the Town will be paying for the project.

Mr. Thompson noted that there were recommendations for secondary access off Raymond and Nobscot Roads which could be considered at some future time to relieve any problems not resolved in this process.

Mr. McKinley expressed his hope that Mr. Cail would get back to him in the very near future relative to his willingness to close the curb cuts, since further discussion must be held with the state.

Mr. McKinley informed the Board that he was in the process of finalizing application for a Ford Foundation grant for the Sudbury Village Project which would require Selectmen's approval. Therefore, it was on motion unanimously

VOTED: To authorize the Chairman to sign the Ford Foundation grant application in connection with the Sudbury Village Project, subject to review of the completed document.

Chairman Drobinski informed that the Board of Selectmen would continue its meeting in the Loring Parsonage and the meeting at that location was reconvened at 10:40 a.m.

Health Insurance

Executive Secretary Thompson informed the Board that it is the recommendation of the Town's insurance consultant, John Foran, the Budget and Personnel Officer, Terri Ackerman, and himself that the Board proceed with entering into an agreement with other area towns to negotiate for group health insurance coverage. Accordingly, it was on motion unanimously

VOTED: To authorize the Executive Secretary to sign the Concord Area Joint Health Insurance Purchasing Group Agreement for Joint Negotiation and Purchase

of Health Coverage on behalf of the Board, subject to review and comment by Town Counsel on the terms of the agreement.

Sudbury Historical Commission Contract/Exemption

It was on motion unanimously

VOTED: Having been requested to approve the exemption of the interest of Peter Avery, a firefighter employed by the Town of Sudbury, from the provisions of M.G.L. Chapter 268A, Section 20 (a portion of the conflict of Interest Law) in order to permit him to contract with the Sudbury Historical Commission to perform renovations and caretaker services at the Hosmer House, we have reviewed the Commission's certification to the Town Clerk, dated December 21, 1989, as to the statutory requirements for an exemption, and Mr. Avery's disclosure of his interest to the Town Clerk, dated December 21, 1989, and hereby approve the exemption of Peter Avery's interest from said section 20.

Accordingly, upon the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To approve and sign the Agreement for Renovations and Subsequent Caretaker Arrangement between the Sudbury Historical Commission and Peter Avery to allow Mr. Avery to begin renovations.

It was noted that the Caretaker Agreement, which will be signed at the conclusion of the renovation project, establishes a tenancy at will.

Contract - Loring Boiler

Upon the recommendation of Warren Boyce, Supervisor of Town Buildings, in a communication dated December 18, 1989, it was on motion unanimously

VOTED: To accept the bid of R. J. Sanders, Inc., 264 Roger Williams Avenue, P.O. Box 4796, Rumford, RI 02916, in the amount of \$16,355, for the rebuilding of the boiler at Loring School, and to contract therefor in accordance with the Town's specifications subject to verification of funding.

Mr. Thompson stated his intent to work out the details of funding with the Building Department and the Lessee.

Unisys

Present: Ralph S. Tyler.

The Board noted receipt by FAX of a January 2 communication from Gary A. Greenberg, Vice President Planning & Development, Unisys, expressing concern that the committee formed to study land use alternatives for report and zoning recommendations by December 20, 1989 had not met its objectives nor had Unisys been kept informed of its progress. Stating its awareness that a "Bookmark" article has been placed in the Warrant for the 1990 Annual Town Meeting, which does not provide definitive zoning choices, Mr. Greenberg requests that the Board reinsert Article 6 from the October Special Town Meeting in the ATM90 Warrant to restore Residence Zone A.

Mr. Thompson informed that Mr. Tyler has submitted a number of petition articles for the ATM90 Warrant which provide the alternative requested in Mr. Greenberg's communique; therefore, it will not be necessary for the Board to consider action in this regard.

Relative to the Committee's progress, Selectman Wallace expressed his assumption that the Town Planner had been taking notes that would provide a synopsis of the meeting contents which would be available without tape transcription.

ATM90 Warrant Articles

Upon confirmation that acceptance does not constitute endorsement, except for the amendment to the Zoning Bylaw relative to Wastewater Treatment Facilities which is jointly sponsored by the Board, it was on motion of Selectman Wallace unanimously

VOTED: To accept for inclusion in the 1990 Annual Town Meeting forty-six articles set forth on a list dated January 2, 1990.

It was further on motion unanimously

VOTED: To approve the reports submitted under the Wastewater Treatment Facilities article and Wayside Inn Zone Bylaw Technical Correction as drafted.

Ralph Tyler, author of the four petition articles relative to the Research District accepted for inclusion in the 1990 ATM Warrant, stated that the articles had been drafted to give the Town notice and provide more definitive options for consideration than those of the so-called "Bookmark" article.

Mr. Thompson noted that he had received this day a communication addressed to the Chairman setting forth Mr. Tyler's summation of the articles.

Noting that the Schools had submitted an article for asbestos removal at Noyes, Curtis and Haynes Schools in the amount of \$400,000, Chairman Drobinski inquired about the possibility of prioritizing this work and completing it in increments. Mr. Thompson responded that the Board would have the opportunity to discuss this with the School Committee at a forthcoming meeting.

ATM90 - Refer Zoning Articles to Planning Board

It was on motion unanimously

VOTED: To refer the 1990 Annual Town Meeting Zoning Bylaw amendment articles to the Planning Board for its hearing and report in accordance with G.L. c.40A, §5.

Town Report - Board of Selectmen

After discussion, it was on motion unanimously

VOTED: To approve the Selectmen's submission for the Town Report as drafted by the Executive Secretary with the incorporation of changes suggested by Selectman Cope.

Reserve Fund Transfer Request

Agreeing that Police Detail was necessary to ensure the safety of motorists and pedestrians, it was on motion unanimously

VOTED: To approve Reserve Fund Transfer No. 90-8 in the amount of \$291.48 to be added to the sum approved under Article 15 of the 1989 Annual Town Meeting, for work on the Sudbury Centre traffic signals, to pay for Police Paid Detail required by the Police Department but not contracted through Traffic Systems, Inc.

Relocation of Town and School Administrative Offices

After discussion and upon the recommendation of the Executive Secretary it was unanimously

VOTED: To request that the Lincoln-Sudbury Regional School District Committee assist the Town in locating space at the Lincoln-Sudbury Regional High School, if possible, for administrative office use by the Sudbury Schools and the Town Accountant, said use to include school maintenance facilities and storage, if possible.

Coatings Site/DEP Case No. 3-0074

The Board noted receipt of a December 28 status report from Richard J. Chalpin, Regional Engineer, Department of Environmental Protection (DEP), in response to the Town and Water District's expressed concerns relative to the possible impact of groundwater contamination at the former Coatings site on the Town's wellfield. Mr. Chalpin reports that, in accordance with the Department's prioritization of projects, "the Northeast Region's Waste Site Cleanup program, in conjunction with the Water Supply program, is planning to conduct a comprehensive site discovery program in the Raymond Road/Nobscot Road/Warren Road aquifer" which will require assistance from the Town.

Chairman Drobinski opined that the Town should become proactive on what is going on, and requested that the matter be scheduled for a future agenda.

Zoning Enforcement

The Board was in receipt of a December 26 report from Inspector of Buildings Joseph Scammon relative to his inspection of the Sears & Schofield and Regional Construction Company site at 80 Union Avenue as a result of a complaint regarding a septage odor. Executive Secretary noted that Selectman Cope has questioned whether the Bylaws, in fact, permit the operations. It was agreed to request that Town Counsel confer with Mr. Scammon on his December 26 letter and report his opinion to the Board on this subject.

Rt. 20/DPW Five-Year Program

The Board noted receipt of a December 20 communication from Peter J. Donohue, District Highway Engineer, Department of Public Works (DPW), stating that the Sudbury Route 20 project has been removed from the Department's Five Year Program, but that the Department would be agreeable to reactivating the

project at a later date if a satisfactory agreement on the design can be reached between the Town and FHWA. Mr. Thompson summarized that the only way then to repave Rt. 20 is through Town funding if an accommodation on the widening can not be reached.

Health Benefit Question

It was agreed to refer the question raised by the Accounting Office concerning providing health benefits for a retiree who is incarcerated to Town Counsel.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes and the Executive Session minutes dealing with Discretionary Fund expenditures of December 19, 1989, as drafted and to hold the December 19, 1989 Executive Session minutes pertaining to litigation until Selectman Cope could be present.

Executive Session

At 11:30 a.m., it was on motion by roll call vote unanimously

VOTED: To enter into Executive Session for the purpose of discussion litigation.

(Chairman Drobinski, aye; Selectman Wallace, aye.)

Chariman Drobinski announced that the regular session would not reconvene.

There being no further business to come before the Board, the meeting was adjourned at 12:30 p.m.

Attest: _____
Richard E. Thompson
Executive Secretary-Clerk