

IN BOARD OF SELECTMEN
MONDAY, JANUARY 22, 1990

Present: Chairman John C. Drobinski, Judith A. Cope, and David A. Wallace.

The statutory requirements as to time and place having been fulfilled, the meeting was called to order by Chairman Drobinski at 7:35 p.m. at lower Town Hall.

Street Layouts - 1990 Annual Town Meeting

Present: Town Engineer I. William Place; Highway Surveyor Robert E. Noyes; private developer Walter R. Beckett.

The Board reviewed communication dated January 19, 1990, from Town Engineer I. William Place concerning 1990 Town Meeting Article 12, Street Acceptances. The Board also noted a communication from the Conservation Coordinator to the Town Engineer dated January 5, providing a list of streets with outstanding Wetlands Protection Act Orders, and memorandum to the Town Engineer dated December 18, 1989 stating Planning Board approval of all listed streets with the exception of Kato Drive and Kato Summit on which there are no homes constructed.

Town Engineer Place stated that he sees no problem with the Selectmen voting their intention to lay out the thirteen streets, but recommended that the Board condition their vote to lay out the streets on receiving Certificates of Compliance under the Wetlands Protection Act prior to Town Meeting for Run Brook Circle, Webster Circle, Phillips Road, and Mary Catherine Lane.

Mr. Place stated that with regard to Kato Drive and Kato Summit, he believes it is unclear as to when the Town is obligated to accept these streets, since there are no houses yet built at those locations. Highway Surveyor Robert A. Noyes concurred with Mr. Place's opinion but stated that, unlike Mr. Place, he has a problem with some of the bonding procedures. However, Mr. Noyes stated that he believes if any problems were to arise, it would be the developer and not the Town who would suffer. Mr. Noyes reminded those present that it is the Highway Department's policy not to plow any way until at least two full-time residents are on the street.

At the invitation of the Chairman, Walter R. Beckett, who is the developer of Kato Drive and Kato Summit, spoke concerning the status of those ways. Mr. Beckett explained that the streets were completed a year ago last November; however, the bonding policy changed during the course of the history of the approval of the subdivisions. Thus, he explained, it became prohibitive to bond the whole street before completion. Mr. Beckett informed that he submitted a street bond last August 8th and he contends that because of the dilatory tactics of the Planning Board, he still has not received the street maintenance bond on the streets. After further comments, Mr. Beckett concluded by stating that it is his opinion that the Town is protected.

Executive Secretary Thompson reminded those present that the purpose of this evening's vote is merely to state the Selectmen's intention to lay out those streets and that the time for comments, pro and con, will be at the public hearing on March 12, at which time all interested parties will have been notified.

It was on motion of Selectman Wallace unanimously

VOTED: To state the Board's intention to lay out Suffolk Road, Belcher Drive, Run Brook Circle, Webster Circle, Phillips Road, Mary Catherine Lane, White Oak Lane, Laurel Circle, Kato Drive, Kato Summit, Candlewood circle, Walker Farm Road, and Old Meadow Road (Portion), as described in Article 12 for the 1990 Annual Town Meeting, at its meeting of March 12, 1990; and that proper notice of the Board's intention to lay out those ways be given to the owners of the properties inquestion not less than seven days before such date; and that the proposed layouts be referred to the Planning Board for its report on or before March 9, 1990.

Minutes

It was on motion of Chairman Drobinski unanimously

VOTED: To accept the minutes of the regular and executive session of January 16, 1990, as presented.

Long Range Planning Committee - "Demographic Projection Update"

The Board acknowledged receipt of the Long Range Planning Committee's Demographic Projection Update dated December 29, 1989.

Executive Secretary Thompson stated that he believes it is important for the Selectmen to keep reviewing the facts and figures; and that if the trend as shown on this most recent report continues, the Selectmen should question whether or not it is feasible to proceed with what plans the Town has in place. Mr. Thompson opined that although the Selectmen should not mandate what the School Committee should do, it might be wise for the Selectmen and the Committee to sit down and discuss the situation.

It was on motion unanimously

VOTED: To request the Executive Secretary to forward copies of the Demographic Projection Update dated December 29, 1989, prepared by the Long Range Planning Committee, to the School Committee for their information and review; and to further request the Executive Secretary to communicate to the School Committee that the Board of Selectmen would like to informally meet with them in order to discuss the possibility of reconsideration of the approved expenditure and plans for the various schools.

Drainage Easement - Acceptance

Upon recommendation of the Executive Secretary, who advised that Town Counsel has reviewed the Drainage Easement and has stated that everything is in order, it was on motion of Selectman Wallace unanimously

VOTED: To accept Drainage Easement granted by Pride's Crossing Realty Trust, Creighton Hamill, Trustee, for property known as Lot 13, Red Oak Drive, and shown on "Easement Plan of Land in Sudbury, Mass. Prepared for Pride's Crossing Realty Trust", dated December 29, 1989, drawn by Schofield Bros., Inc.

Board of Assessors - Conservation Deed Restrictions

The Board acknowledged receipt of copy of vote taken January 9, 1990, by the Board of Assessors, requesting that the Selectmen and Conservation Commission take a formal vote as to whether or not they feel the Sudbury Valley Trustees and other organizations holding conservation land should have a Conservation Deed Restriction affixed to their holdings which cannot be released without a vote of the appropriate Town Boards and Commonwealth agencies.

Executive Secretary Thompson informed that Town Counsel was currently engaged in a trial and Danvers Town Meeting, and thus has not had an opportunity to review this matter and render an opinion to the Board.

It was on motion on Selectman Cope unanimously

VOTED: To table discussion or action relative to a communication from the Board of Assessors requesting a vote by the Selectmen relative to conservation deed restrictions on conservation land held by organizations to January 29, 1990; and to request the Executive Secretary to forward copies of such communication to Conservation Coordinator Deborah Montemerlo and the Sudbury Valley Trustees for their comment and input.

Clark v. Drobinski

Executive Secretary Thompson reported that Town Counsel received a telephone call this date from the Court, informing that the Clark v. Drobinski trial will be continuing this Wednesday, January 24, 1990, and that this is representative of a typical short-order notice from the court.

1990 Annual Town Meeting - Petition Article

Present: Town Treasurer/Tax Collector Chester Hamilton.

The Board considered the question of supporting a petition article to accept a provision of the General Laws to enable quarterly billing of property taxes, and other possible petition articles relative to bidding limits and borrowing pursuant to recently enacted legislation if Town Meeting acceptance is required.

Town Treasurer/Tax Collector Chester Hamilton informed that although he has not had the opportunity to fully investigate the pros and cons of such a change in billing of property taxes, at least on its face it appears to be a good thing for the Town. Mr. Hamilton will report his findings as soon as he is able to study the matter, but stated it was important to place the article on the Warrant so that it may be considered at Town Meeting, if necessary.

The Executive Secretary concurred with the opinion of Mr. Hamilton, and added that he believes legislation involving bidding, contracting and borrowing may also allow for different procedures and should be considered as the new laws are promulgated.

It was on motion of Selectman Wallace unanimously

VOTED: To support a petition article for the Warrant of the 1990 Annual Town Meeting requesting acceptance of the provisions of Section 41 of Chapter 653 of the Acts of 1989 which would enable quarterly billing of property taxes.

The Board signed as individual petitioners.

All-Brite Cleaning Service

Upon review of Memorandum of Agreement, and the recommendation of the Executive Secretary, it was on motion of Selectman Wallace unanimously

VOTED: To authorize the Chairman to sign a Memorandum of Agreement with All-Brite Cleaning Service, 45 Beulah Street, Framingham, Massachusetts, to provide cleaning services for the Loring Parsonage, Flynn Building and Town Hall on a two-month trial basis.

Snow and Ice Removal

Present: Highway Surveyor Robert A. Noyes.

The Board reviewed memorandum dated January 22, 1990, from Highway Surveyor Robert A. Noyes, wherein he set forth the Snow and Ice Overtime and Snow and Ice Material expenditures for the year to date, informing that only 18% of the Snow and Ice Overtime Account and 21% of the Snow and Ice Material appropriation remains for 40% of the year.

Executive Secretary Thompson explained that under State law, the Board of Selectmen and Finance Committee are empowered to vote deficit expenditures for snow and ice removal which are included in the next annual tax rate. Selectman Cope stated that she believes it is important for the Townspeople to know that there are some years when the Highway Department turns money back to the Town; and Mr. Thompson stated that to the best of his recollection, last year the amount turned over to the Town by the Highway Department was around \$30,000.00.

It was on motion of Chairman Drobinski, seconded by Selectman Cope, with Selectman Wallace abstaining

VOTED: To approve expenditures for Highway accounts 410-121, Snow and Ice Overtime, and 410-301, Snow and Ice Materials, in excess of available appropriations for snow and ice removal, pursuant to memorandum dated January 22, 1990, from Highway Surveyor Robert A. Noyes, in estimated amounts as follows:

Snow & Ice Overtime \$15,000.00

Snow & Ice Material \$20,000.00;

and to request the Executive Secretary to forward said request to the Finance Committee for its approval, as required under the provisions of Massachusetts General Laws Chapter 44, section 31D.

Transfer Request - Unclassified/Telephone

Upon review of Reserve Fund transfer request, it was on motion of Selectman Wallace unanimously

VOTED: To approve for submission to the Finance Committee, Reserve Fund Transfer Request No. 90-10 dated January 19, 1990, in the amount of \$1,100.00,

to install and maintain a dedicated telephone line to serve the FAX machine donated to the Town and to upgrade telephonic service to the Engineering Department, said sum to be added to Unclassified Telephone Account 950-816.

Town Forum - 189th Session

At 8:00 p.m. Chairman Drobinski convened the 189th Session of the Town Forum. The following reports were given:

Board of Selectmen	given by	John Drobinski
Town Report Committee		Executive Secretary Thompson
Historic Districts Commission		Executive Secretary Thompson
Police Department		Chief Peter B. Lembo
Town Accountant		James Vanar
Council On Aging		Dr. Donald B. Oasis
Town Treasurer/Collector		Chester Hamilton
Conservation Commission		Gordon Henley
Personnel Board		David Mandell
L-S School Committee		Geraldine Nogello
League of Women Voters		Virginia Howard
Historical Commission		Marilyn MacLean
Long Range Planning Committee		Robert Weiskoff
Finance Committee		John J. Ryan
School Committee		Stephen Bober
Highway Department		Robert A. Noyes
Town Engineer		I. William Place

In addition to the usual reports, Executive Secretary Richard E. Thompson made available copies of a comparison prepared by Town Management Intern Mary Ellen Normen of three options the Town may employ in the presentation of a Proposition 2½ Override Ballot Question. The Boards and Committees were urged to review same and provide input to the Selectmen as to their thoughts and preferences.

The Executive Secretary also presented an update on the Five-year Financial Plan.

This Town Forum was videotaped for Cable television and a copy of said videotape is available for review.

Chairman Drobinski adjourned Town Forum at 9:05 p.m. and invited those present to stay for coffee and conversation; after which time the meeting of the Board of Selectmen reconvened.

State Surplus Property - Former Lowell Secondary Track Off Peakham Road

The Board acknowledged receipt of letter dated January 16, 1990, from John F. Bradshaw, Associate Deputy Commissioner, Division of Capital Planning and Operations for the Commonwealth of Massachusetts, notifying of the availability of EOTC temporarily surplus property, off Peakham Road, 25,000 square feet of the former Lowell Secondary Track, available for lease; and advising of the steps that need to be taken by the Town if the Town believes the property may be suitable for a direct public use.

At the request of the Selectmen, Executive Secretary Thompson will discuss this matter with the Town Engineer and obtain a copy of the Plot Plan of the area for the Board's information. Mr. Thompson will report back to the Board at next week's meeting, if possible.

Worker's Compensation

The Board acknowledged receipt of report prepared by Budget and Personnel Officer Terri Ackerman, dated January 18, 1990, outlining a five-year history of Worker's Compensation premiums and claims, and the January 9 memorandum from Massachusetts Interlocal Insurance Association (MIIA) Vice President, Stanley J. Corcoran, relative to rate increases.

Executive Secretary Thompson expressed his concern over the escalating costs of this coverage over the past few years, and noted in particular the projected increase from \$125,000 for FY90 to \$165,000 for FY91. Mr. Thompson stated that notwithstanding the opinion from some experts that the Town should stay with the program because of the possibility of catastrophic events, he believes the Town should seriously consider self-insurance, or some other option.

After further discussion, the Board requested the Executive Secretary to discuss this matter further with Town Counsel and the Finance Committee, and report back to the Board all findings and recommendations.

Park and Recreation Commission - Use of Fairbank Facility

The Board acknowledged letter dated January 15, 1990, from Park and Recreation Commission Chairman Gerald B. Berenson, wherein he advised that if no other suitable site can be found for location of the School Administration offices, should L-S West vacate the Fairbank facility, the Commission requests that no more than four of the six available classrooms be utilized for that purpose.

Executive Secretary Thompson expressed his opinion that he believes the occupancy of space in the Fairbank Building by the School Administration would be beneficial to the Town for two major reasons: (1) the financial assistance from the Schools' budget would enable the building and its surroundings to be upgraded and made more attractive; which in turn could generate greater Atkinson Pool membership; and (2) the arrangement would be a temporary one, which would not upset the Town's long range plans for creation of central offices.

After discussion, it was on motion unanimously

VOTED: To request the Executive Secretary to proceed to work with an "allocation of space plan" at the Fairbank Building, which would accommodate present user requests while giving priority to school administration.

Fort Devens Property

Executive Secretary Thompson updated the Board on the GSA property and stated that on Tuesday, January 23, 1990, he would be having a conference telephone discussion with the National Park Service representative to further promote the Town's interest in the property and to possibly arrive at a

compromise for total resolution concerning the property. Mr. Thompson advised that Conservation Coordinator Deborah Montemerlo would be present for the conference call. Mr. Thompson stated that whatever occurs as a result of this conference will be relayed to other interested Town officials and abutters' representative.

Mr. Thompson further informed the Board that he has been in contact with David Soule of the Massachusetts Area Planning Council, and that as a follow-up, Mr. Soule stated he will be in Washington, D.C. on January 29, 1990, and intends to pursue the Town's efforts by meeting with Washington National Park Service representatives and GSA officials.

Junior League of Boston

Executive Secretary Thompson reported that he has been contacted by a representative of the Junior League of Boston, which intends to host its Decorators Showhouse this Spring on Plympton Road.

The Board acknowledged receipt of packet of information materials on the organization and its yearly Showhouse project, including the dates and scheduling planned for this year.

At the request of the Selectmen, Executive Secretary Thompson will contact the Junior League's representative, Marty Newkirk, and inform her that the Selectmen believe a neighborhood meeting should be convened, which would involve not only those residents living on Plympton Road, but other adjacent property owners who may wish to express concerns and have questions answered concerning this event.

The Selectmen further requested that the Executive Secretary relay the Board's strong position that the Junior League of Boston work out all details and address all concerns raised relating to this event, especially in the area of transportation and crowd control; and that no expense will be incurred by the Town with regard to this project.

Wayside Inn - Book Promotion

The Board reviewed bill from the Wayside Inn in the amount of \$164.00, which represents the Town's share of a reception held November 19, 1989, in order to promote Town Historian Laura Scott's book "A Pictorial History of Sudbury". Executive Secretary Thompson pointed out that this was the only expense incurred by the Town relative to this book, since The Sudbury Foundation contributed to the "up front" costs of publishing, in the amount of \$3,000+.

It was on motion unanimously

VOTED: To approve payment to the Wayside Inn in the amount of \$164.00, which represents one-third of the charges for a reception promoting Town Historian's book entitled "A Pictorial History of Sudbury", under the Selectmen's General Expense Account.

There being no further business to come before the Board, the meeting was adjourned at 10:00 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk