

IN BOARD OF SELECTMEN  
DECEMBER 16, 1991

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

The statutory requirements as to notice having been met, the meeting was convened at 7:30 p.m. by Chairman Wallace at the Fairbank Senior Center.

Minuteman Advisory Group on Interlocal Coordination (MAGIC) - Meeting

Present: David C. Soule, Director, MAPC; Harold S. Sauer, Chairman, MAGIC.

Mr. Sauer stated the purpose of the MAGIC meeting is to promote the DRI process which is a new initiative for design and implementation of a voluntary process for reviewing developments of regional impact. There are ten towns currently included in the MAGIC organization which includes the Town of Sudbury and MAGIC is one of eight sub-regional groups included in the Metropolitan Area Planning Council (MAPC). Mr. Sauer stated he would like the Town of Sudbury to continue as a member of MAGIC and send a representative to the new DRI group.

Mr. Sauer gave an overview of some of the projects MAGIC has been involved with this year which include (1) Setting up a corridor advisory committee along with Massachusetts Department of Public Works to monitor reconstruction activity along Rt. 2; (2) Monitoring activity for the possible new airport at Fort Devens; (3) Working with State Legislature with regard to passing a land banking bill for a real estate transfer tax for income to the towns for purchase and support of open space and income for moderate income housing; (4) Taking action relative to household waste recycling.

The DRI process is one that MetroWest has been involved with for some time. The DRI committee consists of members of Boards of Selectmen and/or Planning Board members. The DRI process can occur whenever a development going into a town exceeds certain thresholds that may have regional impact. Mr. Sauer explained that MAGIC Towns would like to have the ability to review that development and offer suggestions to the Planning Board and Board of Selectmen relative to regional impacts with the idea of trying to suggest things which may mitigate any problems in the Region.

Mr. Sauer outlined DRI thresholds which might include (1) MEPA regulations, (2) Residential projects over 50 or more units, (3) Non-residential projects over 50,000 sq. ft. or more, (4) Projects nominated by the MAGIC communities, (5) Projects crossing a Town boundary and (6) Zoning changes of significance near a town boundary.

Review criteria, as outlined by Mr. Sauer would be (1) Effects on open space, (2) Traffic impacts on adjacent communities - traffic patterns, (3) Impacts of sewerage facilities, (4) Waste violations, (5) Water supplies, (6) Land use compatible with land use of adjacent communities, and (7) Affordable housing component.

Mr. Sauer also presented a copy of a form that would be completed by a prospective developer and sent to appropriate committees for review and decision as to whether or not to have it looked at more closely.

Selectmen Cope responded that time and money are the biggest considerations in a decision to belong to MAGIC. Since the Town of Sudbury is already involved with the MetroWest Growth Management Committee, a similar organization to MAGIC, the budget will not allow nor can the Board justify double payment for belonging to both organizations. Ms. Cope commented that sharing the expense could be one solution. She further stated that appointing someone to serve on the committee might be difficult as manpower is at a premium. Ms. Cope mentioned that she would contact John O. Rhome, Planning Board member who attends the MetroWest meetings with her, to see if Mr. Rhome may be interested in attending MAGIC meetings. Ms. Cope is currently chairman of the MetroWest committee and must concentrate her efforts there.

Chairman Wallace reiterated Ms. Cope's comments with regard to money and manpower and stated the Board made a decision to join MetroWest mostly because it grew quickly and became very involved with regional issues. He further expressed the Board's desire to try to participate in both organizations.

Selectman Drobinski commented that the broader issue is how the Board balances its limited resources both in terms of time and money.

Mr. Sauer responded that he understood but encouraged the Board to at least send a representative to realize the benefits that will come from the membership and involvement; and do what the Board can with regard to financial obligation in the future.

Chairman Wallace acknowledged that that was a fair request and they would try to send a representative to their next meeting on January 9, 1992 in Carlisle. Mr. Wallace thanked Mr. Soule and Mr. Sauer for coming to the Selectmen's meeting and for their informative presentation.

#### Hop Brook Ponds Study Committee

Present: Health Director Robert C. Leupold, Ursula Lyons, Marilyn Novak, Hop Brook Ponds Study Committee, and Patricia Huston.

Health Director Robert Leupold informed the Board he had received the resignation of Frank Strouse, member of the Committee, on December 16, 1991. The Board acknowledged receiving the minutes of Hop Brook Ponds Study Committee, dated November 13, 1991 and the Committee's request to update the Board of Selectmen.

Mr. Leupold reported as follows: There has been much controversy over the decisions made or the conflict of decisions made by both the EPA and DEP with regard to removal of phosphorus over the winter months. Originally, the DEP stated it was all right not to remove phosphorus, then the EPA stated the DEP did not have the authority to make that decision. The last decision from the EPA is to have year-round removal of phosphorus.

Mr. Leupold continued that the Committee is at a standstill as far as communication progress with Marlboro with regard to resolving the phosphorus

issue and other issues involved in keeping the downstream area free from pollution. It was noted that Marlboro pays \$40,000 to remove phosphorus over the winter months, and in an effort to save this amount of money the City of Marlboro is appealing the EPA decision for phosphorus removal year round.

Marilyn Novak, Committee member, stated that there has been no citizen representation from Marlboro to help solve these issues. It was suggested that the Committee revisit with Mayor Hogan.

Executive Secretary Thompson reminded the Committee that Marlboro never intended citizen representation for this study. Originally, the Committee's intent was to first establish a relationship with Marlboro to discuss the issues and secondly to set up a meeting with Mayor Hogan of Marlboro. These two things did occur.

Selectman Cope noted that Sudbury has a different set of concerns than Marlboro relative to water supply protection and lack of an infrastructure like Marlboro. Ms. Cope encouraged the Committee to work toward solving the problem once and for all and suggested meeting with Mayor Hogan in a neighborly fashion.

Ursula Lyons, Committee member, suggested the possibility of taking legal action in an effort to force Marlboro into action.

According to Robert Leupold, Director, Board of Health, the debate over phosphorus removal should not be the key issue. The decision will be made by the EPA, based on factual data. Mr. Leupold expressed his desire that the Committee work toward ensuring general upkeep and improvements of the area and to re-establish a working relationship with the Town of Marlboro as a joint effort to accomplish their goals.

Selectman Drobinski suggested the EPA Project Manager meet with Mayor Hogan to discuss the issues.

Chairman Wallace stated the Board is not anxious to use legal action and thought it best be considered as a last resort and suggested Executive Secretary Thompson set up another meeting with Mayor Hogan.

Executive Secretary Thompson concurred with Mr. Wallace and suggested that it might be productive if a small group met with the Mayor early next year. Mr. Leupold replied that he would also like to meet with Mayor Hogan at that time.

Selectman Drobinski suggested the format of the meeting be philosophical at first and then technical.

Mr. Thompson was directed to arrange a small group meeting with Mayor Hogan on behalf of the Hop Brook Ponds Study Committee and the Board of Selectmen.

Appointment - Historic Districts Commission

Present: Lorenzo Majno, candidate for appointment.

Mr. Majno resides in the middle of the Historic District at 10 Hudson Road (J. Moore House, Edgar Goodnow's old house), and therefore qualifies as a candidate for this appointment. He has been a Sudbury resident for seven years and expressed his interest in historical sites and their preservation.

On the recommendation of the Historic Districts Commission, it was on motion unanimously

VOTED: To appoint Lorenzo Majno to the Historic Districts Commission for a five-year term to expire January 1, 1997, replacing William Rudolph whose term was to expire January 1, 1992.

Tax Classification Hearing - FY 1992 Tax Rate

Present: Chairman David E. Tucker, Fred N. Haberstroh and Thomas H. Hillery, Board of Assessors; Assistant Assessor, Daniel Loughlin; Town Treasurer and Collector, Mary Ellen Dunn; and approximately 50 residents and business property owners.

At 8:30 p.m. Chairman Wallace convened a public hearing jointly with the Board of Assessors, in accordance with General Laws Chapter 40, s.56, to determine what percentage of the local tax levy will be borne by each class of real and personal property in setting the Fiscal Year 1992 tax rate. Notice of the hearing was published in the Sudbury Town Crier on December 12, 1991 and in The Middlesex News on December 6, 1991.

Assistant Assessor Loughlin distributed an informational handout entitled "Fiscal 1992 Sudbury Classification Hearing", dated December 16, 1991, setting forth the considerations for setting the tax rate, which he explained in detail. Mr. Loughlin informed that Sudbury needs to raise approximately \$21,792,108.00 in order to cover Fiscal 1992 expenses. He stated there are three issues to take into consideration (1) Residential factor, (2) Open space classification, and (3) The residential exemption.

Mr. Loughlin explained that residential property values have decreased by 7.6% and commercial properties decreased by 24.6%. These figures are a result of this year's reassessment according to Mr. Loughlin.

The total amount to be raised from taxes is \$21,792,108.00 which will come from real estate and personal property tax. The overlay amount of \$400,000.00 is the amount set aside to cover any abatements and exemptions to property owners as detailed and explained by Mr. Loughlin.

The Residential Factor, as stated by Mr. Loughlin is a mathematical expression of the main amount of the tax burden that the residential class can share, and residential properties make up 90% of the total value of the Town. The important issue is the impact on the tax bills. Because the residential properties have not declined in value as much as land or commercial-owned properties, the residential properties will be paying increased taxes. The result as stated by Mr. Loughlin will be a shift in the tax burden.

Mr. Loughlin explained the Shift Impact Schedule and the impact on residential and commercial properties with regard to the commercial shift percentage, with 175% being the highest allowed by law. He explained that

100% would be a flat tax rate paid by all classifications. Mr. Loughlin pointed out as the schedule shows, a very small change in the residential tax shift can have a big effect in what the commercial taxpayer pays.

The Open Space Classification as stated by Mr. Loughlin, is where the Law allows cities and towns to tax at a lower tax rate for open space which is all residentially owned land that is vacant and is open and in a natural condition. Mr. Loughlin stated that the Open Space Classification is not an option in 1992 because the Town has not physically done the work to classify any open space and would do so only under the direction of the Board of Selectmen. Mr. Loughlin further stated that the homeowner pays for the 25% discount and shift in the tax rate for open space.

The Residential Exemption, as stated by Mr. Loughlin, is designed for big cities and towns that have a lot of apartments and is not applicable to the Town of Sudbury.

Mr. Ronald Stephan, Sudbury Chamber of Commerce President, spoke on behalf of the business community reiterating some points that he stated were brought up at a previous League of Women Voters' meeting. One of his points was that Sudbury has the highest commercial tax rate of the 15 surrounding towns.

Mr. Stephan stated he has received letters from half of the businesses in Town with reports of pending foreclosures, inability to pay back taxes, Chapter 11 intentions, and inability to maintain properties. He further stated that appraisals have dropped to the possibility where mortgages cannot be renewed. He believes 175% is way off base and states that no other surrounding Town charges that rate. Mr. Stephan expressed his concerns for the business community particularly during these difficult economic times and asked on behalf of the business community that the tax rate be turned back to the 100% level (flat rate for all classifications).

Mr. Frank Vana, on behalf of the business community, stated he has been involved with the 1776 Plaza, Sudbury Crossing and Chiswick Place and has taken a look at comparable shopping centers in other Towns with regard to tax rates. He further stated that if the tax rate is set as projected, the 1776 Plaza would be taxed at \$2.25 per sq. ft. He noted other shopping centers such as in Franklin at \$.80 sq. ft., Natick at \$.75 sq. ft., new mall in Natick at \$1.05 sq. ft., with tax rates much lower than in Sudbury. He expressed concern that if the commercial tax levy is unchanged, one-third of the cost of asking rent will go for taxes.

Mr. Vana expressed further concern over the fact that for nine years there was no vacancy in Sudbury Crossing and now there is one and no one is waiting in line to fill it. He feels business is the driving force in the community and that the business community supports sport teams, and hires our youth and others in the community, and he would like to see the tax rate moved back to a 150% level at least temporarily.

Mr. Larry Blacker, who spoke on behalf of the business community as well as the residential community, commented that he feels the Town should be changing the commercial tax levy over the next few years to around the 150, 160, 162%. He stated this should continue in good times as well as bad. He

sympathizes with the residential community having to carry the economic burden, but feels some compromise needs to be reached. Mr. Blacker is an attorney and deals with both the business community as well as personal dealings in real estate, and he expressed concerns that business people cannot get loans, cannot find tenants and in the long run we will see boarded up buildings.

Chairman Wallace asked that Mr. Loughlin clarify the legislation with regard to the split classification for residential and commercial. Mr. Wallace concurred with Mr. Blacker's comments relative to obtaining commercial mortgages because the banks are looking for so much collateral and equity and even personal assets.

Mr. Wallace stated that most years have been good financial years and the people could accept paying more, but now we are in a crisis situation for both the homeowner and the commercial land owner. He expressed concern that everyone is hurting and something has to be done and suggested something along the lines of a 10% reduction.

Selectman Drobinski stated that many of the people involved in business in the town of Sudbury also live in the Town. He believes some sort of gesture to the business community is very vital to the Town.

Selectman Cope expressed her concerns as well and expressed sympathy for both sides - the business as well as the residential community. Ms. Cope also expressed the importance of the school system and how valuable it is to the Town.

Mr. Joseph DeFranco, an accountant in Sudbury, stated he would like to see the commercial tax rate reduced over a period of years so that any connection with refinancing of business owners and the banks will be easier if the banks know the burden of real estate taxes will be reduced.

Mr. DeFranco further stated a policy decision needs to be made which says that relief cannot come all at once, but a little every year. He feels the goal should be to get back to below 150%. He feels the business community needs to show more income on their property to be able to borrow from lenders. He states on a policy level the Town should be looking for solvency. His concern was shared by other comments made with regard to seeing boarded up buildings being a problem for not only our youth but attracting certain undesirables.

Selectman Drobinski commented that the reconstituted Board will look very carefully at the same concerns next year to keep the security going, and will try to respond to everyone.

Selectmen Cope stated she encourages everyone to spend their dollars in the Town of Sudbury.

It was, on recommendation of the Executive Secretary, on motion unanimously

VOTED: To assess no Residential Exemption and to assess no Open Space Exemption, and it was further

VOTED: To compute the Fiscal Year 1992 tax rate based on the minimum residential factor, .927874, which will result in a tax rate of approximately \$13.68 for residential (+10.6%) and a tax rate of approximately \$24.33 for commercial, industrial and personal property (-11.9%). (Note: Actual rates set as approved by the Department of Revenue were \$13.72 for residential and \$24.41 for commercial, industrial, and personal property.)

The Board signed the Bureau of Accounts form certifying the classification which will be forwarded by the Board of Assessors with the recap sheet to the Department of Revenue. After thanking the Assessors and Mr. Loughlin for his presentation, the hearing was adjourned at 9:30 p.m.

#### Fire Department Budget

Present: Fire Chief Michael C. Dunne and Marjorie R. Wallace, Finance Committee.

Chief Dunne explained that to level fund the Fire Department's budget would require a financial cut of \$116,092 in the area of personal services. The salary line of the budget is decreased and the result is the elimination of four firefighter positions or any other combination depending on what may be negotiated with the unions. The budget for the Fire Department consists of approximately \$1,281,000 for personal services and \$96,000 for everything else.

Chief Dunne stated he has had to lay off two full-time firefighters and one part-time firefighter over the last two years and would like not to have to eliminate further firefighter positions.

Marjorie Wallace expressed concerns with regard to the public safety issue relative to firefighter layoffs stating that people's lives are at stake. She further expressed concern over having the funds for upkeep and replacement of the equipment particularly the ambulance replacement fund. Ms. Wallace stated the Department has had to take funds from this account and is concerned that the funds will be available when the time comes to purchase a new ambulance, which is budgeted for FY1994.

Executive Secretary Thompson responded that Chief Dunne had done an analysis of this fund and it showed that at no time has the fund been in any danger and sufficient funds will be available when needed. Mr. Thompson further stated that the fund can be used without creating any legitimate hardship in the future or to public safety.

The Board approved the Fire Department budget as presented for submission to the Town Accountant, subject to further review in conjunction with other budgets.

#### Hosmer House

With regard to the annual production and sale of cup plates for the Edwin Barrett Hosmer Memorial Fund, and for the refurbishing of the front door of the Hosmer House, it was on motion unanimously

VOTED: To authorize an expenditure of \$3,926.50 from the Edwin Barrett Hosmer Memorial Fund to pay invoices #5769 and #5777 from Pairpoint to purchase cup

plates (\$3,726.50) and to reimburse the Thursday Garden Club a portion of the cost of refurbishing the Hosmer House front door in the amount of \$200.

Wood-Davison House Restoration Expense

With regard to communication dated, November 1, 1991, from TBA Architects, to Karen Poll, Chairperson for the Wood-Davison House Restoration Task Force, and upon the review and approval of Paul Kenny, Town Counsel, it was on motion unanimously

VOTED: To authorize an expenditure of \$2,114.41 from the Wood-Davison House Restoration Fund to pay TBA Architects Invoice No. 230-10 dated November 1, 1991.

Council On Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$100 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.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of November 25, 1991 and the executive session minutes of December 2, 1991 as drafted, and to approve the corrected regular session minutes of December 2, 1991, as amended.

Gifts to Town

In response to a communication dated December 12, 1991, from Janet Silva, Administrative Assistant to the Board of Selectmen, relative to gifts to the Town, it was on motion unanimously

VOTED: To accept and send a note of appreciation for the following gifts received by the Selectmen's Office:

- 1) A 17 cu. ft. refrigerator to replace the unusable refrigerator in the Selectmen's Office, received from Mr. and Mrs. Michael Padovano, 98 Powers Road; and
- 2) A large wooden planter from Mr. and Mrs. Winthrop Staples, 33 Old Forge Lane.

Fire Alarm Boxes and Pedestals

At the request of Fire Chief Michael C. Dunne in a communication dated December 11, 1991, relative to the sale of fire alarm boxes and pedestals and one bid received from the Stow Fire Department, dated December 5, 1991, it was on motion unanimously



VOTED: To approve the sale of fire alarm boxes and pedestals at the bid price of \$110 each.

Sudbury Housing Authority - Appointment

The Board acknowledged a request, dated December 11, 1991, from the Sudbury Housing Authority to hold a joint meeting on January 6, 1992 to fill the vacancy on the Authority occasioned by the resignation of Richard Paris dated December 6, 1991.

It was on motion unanimously

VOTED: To agree to meet with the Sudbury Housing Authority on January 6, 1992 for the purpose of appointing a new member to serve on the Authority until the effective date of the Town Election in March 1992.

A letter of appreciation will be sent to Mr. Paris for his service to the community.

Drainage Easement - Harness Lane

On the recommendation of the Town Engineer, it was on motion unanimously

VOTED: To accept a drainage easement granted by Kathleen Precourt, dated December 9, 1991, relative to Lot 1, off Harness Lane (Lady Slipper Subdivision), and shown on a plan entitled "Definitive Subdivision of Lady Slipper, Sudbury, Mass." dated July 1, 1991, revised November 26, 1991, by Colburn Engineering, Inc.

Melone and Unisys Properties - Bond Anticipation Notes

At the request of Mary Ellen Dunn, Treasurer/Collector, relative to the Melone and Unisys Bond Anticipation Notes in a communication dated December 10, 1991, it was on motion unanimously

VOTED: To authorize Mary Ellen Dunn, Treasurer/Collector to borrow \$2,050,000 in Bond Anticipation Notes for the Melone (\$1,000,000) and Unisys (\$1,050,000) land acquisitions.

Board of Selectmen Meeting

With regard to scheduling a Board of Selectmen meeting on Monday, December 30, 1991, at the Loring Parsonage for the purpose of voting on year-end items including bids and town meeting articles, it was decided not to meet at this time because Selectman Drobinski would be unable to attend the meeting on Monday, December 30, 1991. Executive Secretary Thompson stated he would have Ms. Silva, Administrative Assistant, call the Board to reschedule a time that would be convenient for all the Board members to meet, if necessary.

Special Voter Registration

In response to a communication from Jean M. MacKenzie, Town Clerk, dated December 3, 1991, with regard to waiving special voter registration sessions for the Annual Town Election on March 30, 1992, it was on motion unanimously

VOTED: To waive the requirement to hold special voter registration sessions for the March 30, 1992 Annual Town Election, in accordance with the provisions of G.L.c.51, s.30.

1992 Annual Town Election and Annual Town Meeting - Vote Action Required

It was on motion unanimously

VOTED: Relative to action required for 1992 Annual Town Election and Annual Town Meeting as outlined in a communication, dated December 3, 1991 from Jean M. MacKenzie, Town Clerk,

- 1 To set the 1992 Annual Town Election for the four precincts in Sudbury for Monday, March 30, 1992 from 7:00 AM to 8:00 PM at the Peter Noyes School;
- 2 To establish that the Annual Regional School District Election shall be combined with and held as part of the Annual Town Election of Sudbury, and that the ballot for the Annual Regional School District 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 sessions of the 1992 Annual Town Meeting on Monday, April 6, 1992 at 7:30 PM in the auditorium of the Lincoln-Sudbury Regional High School.
- 5 To approve allowing the Board of Registrars to hold special voter registration sessions prior to the Annual Town Election and Town Meeting in the Town Hall, in accordance with Chapter 51§30 of the General Laws.

Wayside Inn Agreement - Payment in Lieu of Real Estate Taxes

With regard to a communication dated November 30, 1991, from Richard H. Davison, President of the Wayside Inn Corporation, relative to an Agreement for Payment in Lieu of Real Estate Taxes to the Town of Sudbury, it was on motion unanimously

VOTED: To approve and sign an Agreement for Payment in Lieu of Real Estate Taxes with the Wayside Inn, a Massachusetts non-profit corporation, in the amount of \$25,000 annually commencing with the FY1992.

Park and Recreation Commission - Land Management Annual Report

It was on motion unanimously

VOTED: To accept the Park and Recreation Commission's annual report for 1991 dated November 29, 1991, on the use and land management of Feeley Park, Heritage Park and Haskell Recreation Area.

Unisys Land - "Retirement Village"

In response to communication dated December 6, 1991, from Helen Neelon and other inquiries relative to the use of the Unisys property as a "Retirement Village", Executive Secretary Thompson recommended the Board acknowledge receipt of communications and ask that all requests and comments be put in writing to the Board of Selectmen.

Secretary Thompson stated that he and Paul Kenny, Town Counsel, have met with the Town of Concord's Town Counsel and Town Manager to discuss the easement for the pond on the Unisys property and that there may be a joint interest with Concord with regard to the development of this property.

Town Finances and Collection of Receivables - John T. Hannan Communication

In response to a communication to the Board of Selectmen, dated December 10, 1991, from John T. Hannan, with regard to Town finances and collection of receivables, Executive Secretary Thompson requested Mary Ellen Normen Dunn, Treasurer/Collector, in a communication dated December 17, 1991 to submit a list of delinquent property taxpayers showing Name, Address, Taxes Owed, current Interest Owed, and Assessed Valuation to the Board of Selectmen as soon as possible.

Telephone Service Contract - Town and School

With regard to a communication dated December 12, 1991, from Ms. Janet Silva, Administrative Assistant to the Board, recommending acceptance of the lowest offer received for telephone maintenance service, following her review of quotes from three firms with John Wilson of the School Department, and Assistant Town Counsel, and Executive Secretary, clarification with Metropolitan Telephone Co. of its quote, and favorable reference checks, it was on motion unanimously

VOTED: To contract with the firm of Metropolitan Telephone Co., Inc., of Walpole, MA, to provide telephone equipment maintenance service for Town and School systems in accordance with the Town of Sudbury's specifications related to the December 2, 1991 quote submission deadline, for the price of \$2364 for the six-month period of January 1, 1992 through June 30, 1992 with option to renew up to an additional six months, subject to review and approval by Town Counsel; and further, to authorize the Executive Secretary to execute said contract when finalized.

Metropolitan Area Planning Council - E-9-1-1 Seminar

Executive Secretary Thompson reported he attended the Metropolitan Area Planning Council's E-9-1-1 Seminar on December 4, 1991 to discuss implementation requirements and standards for Enhanced 9-1-1 as being proposed by the Massachusetts Statewide Emergency Telecommunications Board under the Executive Office of Public Safety in a Draft document of Standards, Version 4.3.2. He noted that the Northeast is behind the rest of the country with regard to technical communications systems. He further reported the meeting was well attended and representatives from 14 area towns were present.

Secretary Thompson stated the Enhanced 9-1-1 System is still three to five years from being implemented in this area.

Annual Town Election Ballot Request

The Board acknowledged receipt of a petition to have a non-binding question relative to federal spending placed on the 1992 Annual Town Election Ballot.

Executive Secretary Thompson asked the Board for its comments and recommended the petition be placed on the ballot as a non-binding public opinion advisory question.

In response to the citizen petition signed by twelve residents received December 12, 1991, and in accordance with GLC 53, s.18A, it was on motion unanimously

VOTED: To place the following non-binding public opinion advisory question on the 1992 Annual Town Election Ballot:

"Shall our Representative, Chester G. Atkins, and our Senators, Edward M. Kennedy and John F. Kerry, be instructed to take all suitable measures:

1. To enact reductions in military expenditures of at least fifty percent (50%) by the 1996 budget year;
2. To provide assistance to communities and employers to convert from military to peace-time production; and
3. To reallocate funds from military uses to meet domestic needs such as health care, education and environmental protection and to reduce the federal deficit?"

Selectmen's Report - 1991 Annual Town Report

Executive Secretary Thompson asked if the Board had any changes it wanted made to the draft Annual Report of the Selectmen for the Town Report which it had received. Selectman Cope supplied a few amendments and commented that she wished the Board could do more for the people of the Town. Selectman Drobinski stated he would give his comments at a later date. Subject to Selectman Drobinski's changes, if any, the report was approved by the Board.

Lafayette Drive and Boston Post Road Intersection - Reconstruction

With regard to a communication dated December 13, 1991, from Jack L. Scholbe, Want Ad consultant, and a communication dated December 13, 1991, from I. William Place, Town Engineer, pursuing the reconstruction of the intersection of Lafayette Drive and Boston Post Road, Selectman Cope stated the Board had promised not to take action on the reconstruction without meeting with all parties involved or affected by such action.

On the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To schedule further discussion and action on the above subject in the near future and, in the meantime, send copies of the plans to the parties involved including Washington Drive residents to let them know what is being

proposed and tell them the Board will contact them when a public meeting can be set up to discuss the same.

1992 Annual Town Meeting - Selectmen Articles

On the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To approve the ten articles as presented in a communication dated December 16, 1991 for submission by the Selectmen for the 1992 Annual Town Meeting, as follows:

1. Hear Reports
2. Stabilization Fund Addition
3. FY92 Budget Adjustments
4. Street Acceptances
5. Amend Zoning Bylaw, Art. IX.III.E.4(f) - Flood Plain Permitted Uses
6. Accept MGL CH. 40, Sec. 22F - Fees
7. Amend Bylaws - Establish Municipal Finance Department (text to be finalized)
8. Transfer Portion of New Town Cemetery to Selectmen for Sale
9. Authorize Selectmen to Sell Portion of New Town Cemetery to Howe Trust.
10. Underground Storage Tank Removal Bylaw (text to be finalized)

Landfill Report

Selectman Cope asked that the Selectmen acknowledge receipt of the Landfill report and asked the Executive Secretary to express their concerns about it to the Town Engineer.

Budget - Board of Selectmen

In response to a communication dated December 12, 1991, from Roy Sanford, Chairman, Finance Committee, Executive Secretary Thompson reported he had discussion with Mr. Sanford with regard to the Selectmen's budget and told him that he was going to schedule a special meeting with the Board to discuss budgets and would respond accordingly.

Flynn Building Smoking Lounge

The Board received a memo, dated December 9, 1991, with regard to providing a smoking lounge in the Flynn Building, it was Town Counsel Paul Kenny's opinion, after review of Town Bylaws and General Laws, that a smoking area does not need to be provided for employees in any town building.

Melone Property - 21E Process

Executive Secretary Thompson reported he met with Daniel Garson and

George Wiegele of Woodard & Curran, Inc., I. William Place, and Robert Leupold on December 11, 1991 to discuss the parameters of the scope of work being done relative to the 21E Process for the Melone Property.

With regard to a communication to Health Director, Robert Leupold, dated December 13, 1991, from Woodard & Curran Inc., Consulting Engineers, Secretary Thompson explained the intent is to come back with a figure to put on the next agenda in order that funds be transferred by the Finance Committee, and hopefully we will be able to do the bulk of the 21E work in house and the consultant will add to it their review and search of DEP files and sign off on this project.

Executive Secretary stated he would report back to the Board with the final resolution.

Executive Session

At 10:30 p.m. it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss holiday gifts from the Discretionary Fund.

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

Chairman Wallace announced that open session would not be reconvened.

The meeting was adjourned at 10:30 p.m.

Attest: \_\_\_\_\_

Richard E. Thompson  
Executive Secretary-Clerk