

IN BOARD OF SELECTMEN
MONDAY, OCTOBER 28, 1991

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

The statutory requirements as to notice having been complied with, Chairman Wallace called the meeting to order at 7:00 p.m. in the Library of the Lincoln-Sudbury Regional High School.

Chapter 61A First Refusal Option - Hill Trust Land, Candy Hill Lane

On the question of exercising the Town's first refusal option, in accordance with the provisions of Mass. General Laws, Chapter 61A, §14, to purchase approximately 5.32 acres of land off Candy Hill Lane owned by the Frances M. Hill Family Trust, the following communications were received, all recommending not exercising the Town's option:

- 1) from the Conservation Commission dated October 3, 1991;
- 2) from the Planning Board dated October 16, 1991; and
- 3) from the Board of Assessors dated October 17, 1991.

It was on motion unanimously

VOTED: To decline to exercise the Town's first refusal purchase option with respect to a notice, postmarked September 27, 1991, in accordance with the provisions of Mass. General Laws, Chapter 61A, §14, from owners David M. Hill, Richard M. Hill, Clark E. Hill, as individuals and Trustees of Frances M. Hill Family Trust, of intent to sell approximately 5.32 acres of land off Candy Hill Lane, shown as Lot 2 on "Plan of Land in Sudbury, Massachusetts", dated September 4, 1941, drawn by John R. Snelling Associates, Professional Land Surveyors, Lincoln, MA, being a portion of the premises formerly owned by Frances M. Hill, currently assessed on the basis of agricultural or horticultural use.

Award Bid - Air Compressor for Fire Department

With the approval of the Permanent Building Committee and the Fire Chief, it was on motion unanimously,

VOTED: To accept a bid from United Fire Service, Somerville, MA, opened October 2, 1991, to furnish a complete air compressor system for the Fire Department in the bid alternate #2 amount of \$19,835.25, as requested by the Fire Chief in a memorandum dated October 15, 1991.

Disposal of Town Property

It was on motion unanimously

VOTED: To approve the disposal of town property in accordance with Town Bylaw Art. XII, as follows:

- a) sale by advertisement of approximately fifteen (15) fire alarm boxes and ten (10) pedestals by the Fire Chief, as requested by the Fire Chief in memo dated Oct. 15, 1991;

b) sale for parts of a 1983 Chevrolet Cavalier Stationwagon assigned to the Building Department, as requested by the Inspector of Buildings in memo dated October 21, 1991.

Drainage Easement - Hudson Road

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

VOTED: To accept a drainage easement granted by Charles M. & Jane H. Bramberg, dated October 18, 1991, shown as "Proposed Drain Easement" Lot 2, on a plan entitled "Plan Showing Drain Easement Over Land of Charles M. & Jane H. Bramberg 170 Hudson Road Sudbury, MA", dated August 23, 1991, drawn by the Town of Sudbury Engineering Department.

Appointment - Board of Registrars

The Board is in receipt of a memorandum, dated October 21, 1991, from Jane C. Carroll, Chairperson for the Sudbury Democratic Town Committee, submitting the names of three nominees from the Sudbury Democratic Town Committee, to fill the vacancy on the Board of Registrars. She further states that if she is appointed to serve on the Board of Registrars, she will resign as an election officer and submits the name of Victor Neumeier, 52 Haynes Road to replace her.

It was on motion unanimously

VOTED: To appoint Jane C. Carroll, 155 Moore Road, to serve as Democratic member of the Board of Registrars, for a term to expire April 30, 1992, replacing Eva Jane Fridman.

Act Relative to Home Heating Oil Tanks

At the request of Chairman Wallace, who stated he was not ready to vote in support of this petition at this time, the Board agreed to Table any discussion of support until a future date on the Act Relative to Home Heating Oil Tanks, amending Chapter 21J of the General Laws.

Selectman Judith Cope requested from Executive Secretary Thompson a copy of the Town of Sudbury Bylaws with regard to the removal dates of underground tanks. Ms. Cope also asked Mr. Thompson to check with the Town of Lincoln and obtain a copy of their Bylaws with regard to the same.

Gift of Land - Janet R. Howe Trust (J.R.H. Trust)

The Board acknowledged receipt of a proposal dated October 22, 1991, from Peter Bowry, Trustee for the J.R.H. Trust, proposing to gift to the Town of Sudbury, lands including but not restricted to approximately 5 acres of land contiguous to the Mt. Pleasant Cemetery and approximately 20 acres of land bordering existing town conservation property, approximately shown on plan entitled, "the Janet Howe Revocable Trust Development Concept", as prepared by the New England Land Plan, Chittenden, Vermont 05737, dated July, 1991. The extent of lands gifted to the Town will depend on the degree of development potential.

The Trust's October 22nd letter states the Planning Board and Conservation Commission met jointly in executive session and upon review of the proposed sub-division responded favorably.

The Town, according to the proposal, would provide the following:

- 1) Approved road access from Concord Road across town property to the Southern most proposed sub-division.
- 2) Full perimeter survey of the lands of the J.R.H. Trust including surveying out 1.4 acres to accompany Trust property known as 377 Concord Road.
- 3) Services at no expense to the J.R.H. Trust to determine soil suitability and to obtain, research and create documents related to the proposed sub-divisions and legal counsel at no expense to the J.R.H. Trust relative to the town gift portion only.

It was on motion unanimously

VOTED: To approve the proposal dated October 22, 1991, from the trustees of the Janet R. Howe Trust, relative to the Trust gifting approximately 25 acres to the Town.

Amendment - Town of Sudbury Traffic Rules and Orders

In order to clarify that heavy vehicle exclusions do not prohibit operation of vehicles, such as school buses by a private company which service the community, it was on motion unanimously

VOTED: That the Traffic Rules and Orders of the Town of Sudbury, adopted by the Board of Selectmen on September 12, 1941, and subsequent amendments thereto, be and are hereby amended as follows:

By adding to the last sentence at the end of Article VII, Section 12, OPERATING OF HEAVY COMMERCIAL VEHICLES, Paragraph 2. EXEMPTIONS, the following:

"or to companies performing a service for Federal, State, Municipal or public service corporations."

Worker's Compensation

It was on motion unanimously

VOTED: To request the Massachusetts Municipal Association to seek legislation which will allow cities and towns to insure for Worker's Compensation with a deductible, in accordance with the recommendation of the Budget and Personnel Office dated October 15, 1991.

Council of Aging - Donations

It was on motion unanimously

VOTED: To accept \$102.25 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
Cemetery Grave Opening Fee Waiver

It was on motion unanimously

VOTED: To waive the \$300 cemetery grave opening fee for the burial of Josephine Ward.

Minutes

The Board approved as drafted, the regular and executive session minutes of the October 8, Board of Selectmen meeting, the regular session minutes of October 15, and the regular and executive session of October 21, 1991.

EOEA #8316-Massachusetts Air National Guard Communications Electronics Training Complex, Stow, MA

It was on motion unanimously

VOTED: To confirm submission of a communication dated October 24, 1991, to the Executive Office of Environmental Affairs from the Conservation Coordinator on behalf of the Board of Selectmen, providing comments on the Final Environmental Impact Report (FEIR) relative to the Mass. Air National Guard Communications Electronics Training Complex proposed for the Ft. Devens Sudbury Annex in Stow.

Unisys Agreement Signed

Present: Paul Kenny, Town Counsel, Richard J. L'Ecuyer, Unisys, Alex Parra, Esq., Attorney representing Unisys, and Dennis P. Crimmins, Attorney at Law, Peckham, Lobe, Casey, Prince & Tye

Town Counsel Paul Kenny reviewed Delegation of Authority provided by Unisys, relative to the signature of Charles S. K. Scudder, Staff Vice President and General Counsel for the Unisys Corporation, and the Settlement Agreement dated October 25, 1991, between the Unisys Corporation and the Town of Sudbury was signed by the Board of Selectmen.

Special Town Meeting

At 7:30 p.m., it was on motion unanimously

VOTED: To recess the meeting to attend the Special Town Meeting and to reconvene upon its conclusion subject to the approval of Articles 1 and 2 or 3 to call a Special Election and vote to place a Proposition 2½ Referenda Question on the ballot therefor.

Special Town Election

After the conclusion of the Special Town Meeting, the Board of Selectmen reconvened at 10:15 p.m.

It was on motion unanimously

VOTED: To call a Special Election to be held on Monday, December 9, 1991, from 7:00 a.m. to 8:00 p.m. at the Peter Noyes School for all four precincts, and further

VOTED: To place the following Proposition 2½ Referenda Question on the ballot for said December 9 Election:

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to acquire in fee simple a portion of the Unisys property consisting of approximately seventy-six (76) acres, located off Route 117, situated in Sudbury, being a portion of the site shown as Parcel 300 on Sudbury Town Property Map C11, and as shown on the sketch entitled, "Sketch Plan Showing Unisys Land/North Road", dated October 15, 1991, prepared by the Town of Sudbury Engineering Department, amending the September 24, 1991 sketch, and on file in the Town Clerk's Office?

The Selectmen signed the warrant for the Special Town Election.

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

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk