

IN BOARD OF SELECTMEN  
TUESDAY, SEPTEMBER 3, 1991

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

The statutory requirement as to notice having been fulfilled, Chairman Wallace called the meeting to order at 7:30 p.m. at the Senior Center.

Easement - Massachusetts Executive Office of Transportation and Construction property.

It was on motion unanimously

VOTED: To sign a letter endorsing the application dated June 3, 1991, of the Sudbury Housing Partnership Committee for an easement on approximately 60,000 square feet of land on the Mass. Executive Office of Transportation & Construction property, which is part of the abandoned railroad right-of-way off Hudson Road, to be used to access the proposed Parkinson Land affordable housing. It was noted that this support and endorsement is given with the proviso that said easement allow accommodation in the future of a bike trail as now proposed by the Commonwealth of Massachusetts.

Resignation of Sue W. Pettengill - Four-Town FOCUS

It was on motion unanimously

VOTED: To accept the resignation of Sue W. Pettengill, dated August 11, 1991, as the Selectmen's liaison on Four-Town FOCUS, the group of residents formed to monitor clean-up activities at Fort Devens Annex, and to send a letter of appreciation for her dedicated service.

Town Report Committee - Appointment

It was on motion unanimously

VOTED: To appoint Barbara Herman of 46 Winsor Road to the Town Report Committee for a one-year term to expire April 30, 1992, as recommended verbally by Patricia Huston, Chairman of the Town Report Committee.

Cemetery Lot Repurchase

It was on motion unanimously

VOTED: To repurchase two graves, Lot 16A, Section 11, New Town Cemetery, Deed #270, from Mr. and Mrs. Robert Cheren, 181 Dutton Road, Sudbury, for the price of \$100 (\$25 from sale of Lots; \$75 from Perpetual Care).

Minutes

It was on motion unanimously

VOTED: To approve the August 12, 1991, regular session as amended and executive session minutes as drafted.

Bid for Engineering Total Station

The Board considered the question of accepting a bid to furnish the Engineering Department with a Total Station system.

On the recommendation of William Place, Town Engineer, the Board unanimously

VOTED: To accept the bid of Carl Heinrich Company, 711 Concord Avenue, Cambridge, and to purchase the Topcon GTS 4B Total Station, DOS Computer maptec survey software and generic CADD, for a total cost of \$14,750.

Purchase of Town Fuel Oil

On the recommendation of John Hepting, Building Inspector, it was on motion unanimously

VOTED: To contract with Global Petroleum Corp. to supply the Town with #2 fuel oil for the period July 1, 1991, through June 30, 1992, at the price of + \$.0471/gallon to be added to the New York Oil Buyers Guide weekly average calculated in accordance with bid specifications and award of The Education Cooperative/Massachusetts Plan Administrators Association.

Police Details - Administrative Charge

It was on motion unanimously

VOTED: To increase the administrative charge for police details from \$1 per hour to ten per cent (10%) of the hourly rate, as recommended by the Town Accountant in his memorandum of August 16, 1991, noting that the hourly rate is currently \$22.47 and the new corresponding rate would be \$2.25 per hour.

Council on Aging - Donations

It was on motion unanimously

VOTED: To accept \$109 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 van.

FY93 Budget Schedule and 1992 ATM Warrant Schedule

The Board of Selectmen reviewed and approved the FY93 Budget Schedule and 1992 ATM Warrant Schedule and noted that no problems were anticipated in reference to this schedule.

Selectmen's Meeting Schedule

The Board of Selectmen approved a meeting schedule for the period October 1991 through April 1992 and noted there did not appear to be any conflicts with this schedule.

Bushey Property

Selectmen Cope asked if there was any current information concerning the Bushey property. Executive Secretary Thompson noted he had spoken with McNeil Associates twice within the past week and that he and Mr. Place are proceeding on the matter as much as time permits.

Emergency procedures

Selectman Cope noted her concern with the emergency procedures within the Town and questioned whether there should be some changes. She stated she had received information from someone who had been asked to find accommodations for some senior citizens, who were without electricity, and she had a general concern about procedures set up for senior citizens. She also noted the police had called Barbara Bortle, from a list they had showing she was the head of the Senior Center. Executive Secretary Thompson said the lists of such positions were updated on a regular basis and that the person making the call must have had an old list.

Executive Secretary Thompson further noted that he and Mike Dunne, Fire Chief, discussed emergency shelters the day before the storm, with a plan of using the Town Hall if necessary. He expressed his opinion that it did not make sense to move accommodations to the Senior Center since the blankets, etc., were located in the basement of the Flynn Building. Executive Secretary Thompson noted he was unaware of any requests for accommodations, and felt the emergency procedures worked very well internally.

Executive Secretary Thompson noted his concerns with external problems, stating that Boston Edison could not get any primary crews to the Town within a reasonable amount of time. He said the first crew came in from Maryland and could not do any primary work, and the first primary crew came in from Niagara, noting the major problems were in Town Centre.

Executive Secretary Thompson stated he and Mike Dunne would be attending a meeting on Tuesday, September 10th, at the Andover Civil Defense building to sign an intent notice to get financial aid.

Town Meeting Minutes - Correction

Selectman Cope inquired as to the status of the correction requested at the meeting of the Board of Selectmen on July 15, 1991, referring to the Town Meeting Proceedings of September 12, 1989. Executive Secretary Thompson replied he would check on the status of this correction and advise Selectman Cope.

Wood-Davison House

Selectman Drobinski asked if Bill Place had determined the exact location of the placement of the Wood-Davison House and whether it had been staked out. Executive Secretary Thompson said Mr. Place was aware of need for locating the House and he assumed it had been staked out. Executive Secretary Thompson also noted there was a meeting this week between the Town and the Wood-Davison House Restoration Committee to walk the route, and that Bill Place would be there.

Well No. 5

Selectman Drobinski inquired as to the status of the testing of Well No. 5. Executive Secretary Thompson said he did not believe the test occurred because it was scheduled for the week of the hurricane. Executive Secretary Thompson noted he would check on this matter and call the Selectmen.

Sudbury Automotive - Delaney Letter of August 9

The Board acknowledged receipt of a letter dated August 9, 1991, from Patrick J. Delaney, III of 206 Boston Post Road concerning the Sudbury Automotive inflammables storage permit. Town Counsel Paul L. Kenny suggested and the Board agreed that he would give an opinion on the same as soon as possible.

Old County Road Wetlands - Papa Gino's

The Selectmen discussed their concern with this area and the rats living in the wetlands. Selectman Cope further noted that drainage needs to be placed under the road in this area. Selectman Cope agreed to continue to monitor the situation.

Trailer Permit - K. Barry

Present: Gerald B. Gallagher, Esquire, Charles Barry, Charles Rice, and Jeanne Rice.

Mr. Gerald Gallagher, Ms. Barry's attorney, appeared before the Board of Selectman and stated that Ms. Barry had been unable to obtain financing to continue construction work on the house located at 63 Willis Lake Drive.

On the subject of the Kathryn Barry trailer permit for 63 Willis Lake Drive granted on the December 17, 1990, the Board of Selectmen, after further consideration, on motion unanimously

VOTED: To terminate said special permit for the use of a house trailer for dwelling purposes at 63 Willis Lake Drive, seven days after receipt by Kathryn Barry of a copy of this vote.

The Board made the foregoing decision to terminate this special trailer permit for the following reasons: 1) lack of major progress in renovating/reconstructing the building on site, and lack of justification for the slow progress; and 2) inaction on the part of permit recipient Kathryn Barry in demonstrating, as agreed, the financial means to proceed with the necessary work to make the building habitable, after she had been afforded the opportunity to do so on July 15, July 29, August 12, and September 3, 1991.

Planning Board

Executive Secretary Thompson stated he received a call from the Planning Board requesting any comments concerning their subdivision rules and regulations, noting these comments should be called in. Selectman Cope inquired as to whether changes had been suggested by Town Counsel. Executive Secretary Thompson said he would check to see if any changes had been submitted.

Earth Removal Permit Application - Cold Brook Development, Inc.

After discussion and consideration, it was on motion unanimously

VOTED: To go on record as opposing the Cold Brook Development, Inc. request for an Earth Removal Permit to remove up to 250,000 cubic yards of material from the southeast portion of the Unisys property north of Route 117 (Parcel C-11-300); and further

VOTED: To concur with the comments of the Building Inspector's letter dated May 15, 1991, addressed to Cold Brook Development, Inc. concerning this subject, especially the next-to-last paragraph contained therein which states the Building Inspector's opinion that there is a substantial distinction between a municipal mining operation to provide landfill cover and funds for a future transfer station and a private business mining operation for personal profit.

Executive Session

At 8:30 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss collective bargaining matters, litigation matters concerning the Unisys property, and expenditures from the Discretionary Fund.

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

Chairman Wallace 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 11:00 p.m.

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk