

IN BOARD OF SELECTMEN
MONDAY, SEPTEMBER 16, 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.

Special Town Meeting

Present: Richard F. Brooks.

Mr. Richard F. Brooks presented to the Board a resolution for the Special Town Meeting, signed by over 140 local registered voters; which reads as follows:

Resolved, that it is the sense of this town meeting assembled that the Town of Sudbury should not acquire title to or commit Town real estate for Wood-Davison House, so called.

The Board took Agenda Item #22.b. out of order for the convenience of Mr. Brooks, and after discussion, it was on motion unanimously

VOTED: To accept the eight articles submitted under the September 16th deadline for the Special Town Meeting Warrant, with the understanding the two-part article concerning the teacher salary deferral will be excluded, subject to the concurrence of the local and regional school committees and confirmation of amended legislation placing the decision regarding deferral in the hands of the Selectmen and regional school committees, instead of Town Meeting.

Town Historian - Appointment

Present: Curtis F. Garfield.

Mr. Curtis F. Garfield was interviewed concerning his interest in the position of Town Historian. He noted the need for a document archive, and suggested engaging some students on an intern program to computerize this information.

The Board reviewed his application and noted the Historical Commission, the Historic Districts Commission, and Historical Society has recommended the appointment of Mr. Garfield.

It was on motion unanimously

VOTED: To appoint Curtis F. Garfield, 106 Woodside Road, Sudbury, to the position of Town Historian for a term of one year, said term to expire April 30, 1992.

Minutes

It was on motion unanimously

VOTED: To accept the regular minutes of the September 3, 1991, session as drafted and to accept the executive session minutes as amended.

Council on Aging - Donations

It was on motion unanimously

VOTED: To accept \$192.50 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.

DARE Program - Donation

It was on motion unanimously

VOTED: To accept \$1500 on behalf of the Police Department from the Lincoln-Sudbury Regional School District, and approve its use by the Police Department for the DARE Program.

Structure Analysis - Landham Road and Dutton Road Bridges

The Board is in receipt of a letter from I. William Place, Town Engineer, dated September 12, 1991, enclosing two proposals to perform a structure analysis of the Landham Road and Dutton Road bridges.

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

VOTED: To accept the proposal of Greenman Pederson, Inc., of Marlboro, to perform a structure analysis of the Landham Road and Dutton Road bridges, for the sum of \$1,760, payable upon completion of the project, subject to approval by the Sudbury Finance Committee of a Reserve Fund Transfer Request to fund same.

Donacesca Ristorante Italiano

It was on motion unanimously

VOTED: To approve a change in d/b/a for the restaurant owned by Joanne Frate at 385 Boston Post Road from Something Simple to Donacesca Ristorante Italiano, per communication dated September 12, 1991, from Joanne Frate.

Town Vehicles

The Board acknowledged receipt of a letter dated September 10, 1991, from Sudbury Supervisory President Ronald J. Nix, expressing the position that any change in the use of Town vehicles by its members would constitute a change in working conditions and be subject to collective bargaining.

Conservation Restriction

It was on motion unanimously

VOTED: To sign approval of receipt of a Conservation Restriction granted by Douglas R. and Adelaide A. Lewis, Trustees of The Stone Road Realty Trust, shown as Lot 1D, containing approximately 98,063.32 square feet, on a plan entitled, "Bent Pond Estates III, Definitive Subdivision Plan of land in Sudbury, Massachusetts, Owner & Developer: Stone Road Realty Trust, One Douglas Drive, Sudbury, Massachusetts 01776", dated October 30, 1990.

Fire Headquarters - Architectural Contract Amendment

It was on motion unanimously

VOTED: To authorize the Chairman to sign a contract amendment to extend the date of the architectural services contract between the Town of Sudbury and The Carell Group, Inc., in connection with the design and construction of the new fire headquarters, to a term ending February 15, 1992.

Town Hall Boiler

It was on motion unanimously

VOTED: To accept a bid to remove the existing boiler and install new boiler/burner system, complete with new condensate tank, piping, controls and required appurtenances at the Sudbury Town Hall, to George T. Wilkinson, Inc., in the amount of \$19,369, as recommended in a letter of September 16, 1991, from John B. Hepting, Inspector of Buildings.

Wood-Davison House

The Board tabled action on awarding the contract for the relocation/restoration of the Wood-Davison House, as the bid process is not yet completed.

Civil Defense - Disaster Relief

It was on motion unanimously

VOTED: To sign a resolution designating Director of Civil Defense Michael Dunne as the authorized agent for civil defense purposes, including execution of applications and documents for the purpose of obtaining Federal financial assistance under the Disaster Relief Act or the President's Disaster Relief Fund to be submitted to the Federal Emergency Management Agency and the Commonwealth of Massachusetts.

Old County Road Wetland

Selectman Cope noted concerns with the wetland on Old County Road and requested Executive Secretary Thompson to keep an eye on the situation. Selectman Cope said the Conservation Commission does not want it drained, but would like it cleaned out if funds are available.

Selectman Drobinski suggested this chore may fall under "maintenance" and separate funds may not be required. Executive Secretary Thompson said he would get in touch with Bob Noyes and report back to the Board.

Woodard & Curran, Inc.

The Board discussed concerns relative to the contract with Woodard & Curran, Inc. It was noted the contract was originally awarded to Woodard & Curran because of the anticipated presence of J. Cary Parsons II, and it had come to the attention of the Board that he was now spending very little time on the project. Executive Secretary Thompson said he would speak with Bob Leupold concerning this matter and report back to the Board.

Following discussion, it was on motion unanimously

VOTED: To confirm and sign amendments relative to the change in the Scope of Work in connection with environmental consultation by Woodard & Curran, Inc., for the Unisys land to 1) Agreement dated April 26, 1991, between Unisys Corporation and the Town for payment of Technical Services; and 2) Agreement dated June 4, 1991, between the Town and Woodard & Curran, Inc., for Technical Services, as requested in a letter from Woodard & Curran, Inc., dated August 28, 1991; subject to the understanding that the Unisys Corporation is responsible for all costs/expenses related thereto as previously agreed to in the original agreements of April 26, 1991 and June 4, 1991.

Legal Services Review Committee

The Board considered a schedule prepared by the Executive Secretary, dated September 13, 1991, to implement recommendations made by the Legal Services Review Committee.

Selectman Cope noted the Planning Board had directed a letter to all pertinent Boards and Committees and Town Officials including Town Counsel for review of existing Subdivision Rules and Regulations and proposed new ones, also a request for general procedural information pertaining to hearings. The Executive Secretary said he would review these requests with Paul Kenny.

Selectman Cope further requested the Executive Secretary to send a copy of the implementation schedule to the Legal Services Review Committee.

Public Hearing - License to Store Inflammables Underground

Present: Michael Dunne, Fire Chief.

A Public Hearing convened to consider the application of Robert A. Noyes, Town of Sudbury Highway Surveyor for a license to store inflammables underground on Town-owned land located at the High Department, 275 Old Lancaster Road.

Fire Chief Michael Dunne said the Town Meeting had appropriated the money for this project. They have received bids and awarded the contract to Evergreen Construction Company to remove the old tanks and install the new ones. Mr. Dunne further noted the double walled Fiberglas tanks will be three feet underground, with a concrete cover on top of the tank. Chief Dunne described the alarm system which should be able to sense any leak in the tanks' interstitial space. Mr. Dunne said there are no wetlands within 200 feet.

The Board is in receipt of a letter dated September 9, 1991, from the Inspector of Buildings noting there is no objection to granting this license; and a letter from Michael C. Dunne, Fire Chief, dated August 13, 1991, indicating the award of the contract for the new gasoline tanks and fuel management system.

It was on motion unanimously

VOTED: To approve the application of Robert A. Noyes, Town of Sudbury Highway Surveyor, for a license to store inflammables underground on Town owned land located at the Highway Department, 275 Old Lancaster Road, as follows:

10,000 gallons gasoline and 6,000 gallons diesel fuel, for a total storage of 16,000 gallons (the license to replace former storage of 3,000 gallons gasoline and 2,000 gallons diesel fuel, tanks for same being removed.)

At a later point in the evening, two abutters, Paul Lieberman, 17 Wildwood Lane, and Phil Ferrara, 23 Wildwood Lane, arrived and wished to inquire concerning possible leakage. The protective measures, as outlined by Fire Chief Dunne, were reiterated to Messrs. Lieberman and Ferrara by Selectman Drobinski, to reassure them of the safety of the system.

MIFA - Revenue Bond Project

The Board of Selectmen considered notice dated August 7, 1991, from the Massachusetts Industrial Finance Agency concerning its preliminary approval of a revenue bond project to be financed on behalf of Recycled Earth Technologies, Inc., to be located at Codjer Lane, Sudbury. The Board was also in receipt of letters to MIFA responding on this subject from the Building Inspector and Zoning Enforcement Agent, Town Counsel, and the Planning Board.

It was on motion unanimously

VOTED: To communicate to the Massachusetts Industrial Finance Agency that the Board of Selectmen would like to go on record that they have serious concerns relative to the project proposed by Recycled Earth Technologies, Inc., on Codjer Lane, as expressed in the official letters to MIFA from the Building Inspector and Zoning Enforcement Agent dated August 29, 1991, Sudbury Town Counsel dated August 29, 1991, and the Planning Board dated September 10, 1991.

Acceptance of Public Ways - Carriage Way, Emerson Way, Henry's Mill Lane, and Twin Pond Lane

The Board considered the question of voting its intention to lay out the streets known as Carriage Way, Emerson Way, Henry's Mill Lane, and Twin Pond Lane.

Executive Secretary Thompson recommended the Board cancel the meeting of September 30th, and reschedule to October 8th when Unisys holds its meeting regarding groundwater testing at Curtis Junior High School and recommended the Selectmen meet at 7 p.m. for the purpose of laying out the ways, prior to the Unisys forum. The Board concurred.

On motion, it was unanimously

VOTED: The Board's intent to lay out the streets known as Carriage Way, Emerson Way, Henry's Mill Lane and Twin Pond Lane at its meeting of October 8th, at 7 p.m., at Curtis Junior High School, for their acceptance as public ways at the October 21, 1991, Special Town Meeting; and to refer the same to the Planning Board for its report and recommendation.

October 8 Unisys Public Meeting - Environmental Testing

Selectman Cope noted the Unisys meeting would allow some questions to be aired. Executive Secretary pointed out that it might be an appropriate time to make some inquiry of Unisys as to the Selectmen's articles, and suggested a possible offline meeting between the Selectmen and the Unisys representatives.

Chairman Wallace inquired as to whether the Town Counsel should be present. Executive Secretary Thompson said the situation was pretty clear cut but would review the same with Paul Kenny.

Special Town Meeting

The Board continued with the discussion concerning the Special Town Meeting. Executive Secretary Thompson listed the Articles to be ordered for the October 21, 1991, Special Town Meeting:

- 1) Amend Zoning Bylaw - Rezone Portion of Unisys Research District
- 2) Purchase Portion of Unisys Property for \$1M
- 3) Amend Zoning Bylaw - Research, Professional Park and Conservation Districts
- 4) Purchase Entire Unisys Property at \$1.8M
- 5) Teacher Salary Deferral Articles (to be withdrawn)
- 6) FY92 Budget Adjustments
- 7) Street Acceptances
- 8) Wood-Davison House Resolution

The Board approved the warrant articles that are submitted under the Selectmen's names; that being Articles 3, 4, 6, and 7, and approved reports for Articles 6 and 7.

In reference to Articles 1 and 2, Executive Secretary Thompson noted they were submitted by the Board on behalf of the Trust for Public Land.

On motion, it was unanimously

VOTED: To order the warrant as drafted and listed above.

It was further on motion unanimously

VOTED: To refer all zoning articles to the Planning Board for its hearing and report, in accordance with General Laws Chapter 40A, s.5.

Wayland Board of Selectmen

EST said Mr. Thomas Landry, Executive Secretary of the Wayland Board of Selectmen called to advise the Board that they will be perambulating the Sudbury bounds October 19th, from 8:30 a.m. until Noon. The Executive Secretary requested notification of anyone wishing to join them. It was noted that Bill Place, Town Engineer, should probably accompany them.

Special Election

Executive Secretary Thompson noted that if everything goes smoothly and a Special Town Meeting is held on the 21st, and the Town Meeting articles are approved, a special election would have to be called, and that date would be November 18th.

Trailer Permit - K. Barry

Executive Secretary Thompson noted that the expiration of Kathryn Barry's permit is September 12th, which has been appropriately documented. Mr. Thompson informed that Ms. Barry had come to the office to report she had made arrangements to sell the trailer in return for supplying the needs for making the house habitable and this required use of the trailer until September 20.

The Executive Secretary further advised that Ms. Barry's brother, Jack Barry, requested and received a permit to install a bathroom.

Executive Secretary Thompson stated that if the trailer was not removed at the appropriate time, the next action would be to take it to Framingham District Court.

Marlboro - Insurance Partnership

Selectman Cope advised the Board that Marlboro may be looking for a group health insurance partnership. Executive Secretary Thompson stated that Terri Ackerman had been notified.

Wood-Davison House

The Executive Secretary noted he had met with Karen Poll, who advised she would not be attending the Long Range Planning Committee meeting and he will attend on her behalf taking a memorandum and copies of material given to Selectmen in the past.

Metrowest

Selectman Cope advised the Metrowest Growth Management Committee will be meeting on September 30th regarding "sharing" and it will be broadcast on live cable.

Donations - Intergenerational Fund

It was on motion unanimously

VOTED: To accept on behalf of the Town a grant from The Sudbury Foundation in the amount of \$5,100, to be deposited into a separate account named the Intergenerational Fund, to be used to support the establishment of four intergenerational programs in the Sudbury Schools by the Council on Aging in accordance with conditions accepted by the Council on September 13, 1991; and to authorize the Council on Aging to expend these funds for the aforesated purpose.

Concerns of the Town Treasurer

Present: Mary Ellen Normen Dunn, Town Treasurer and Collector, and Assistant Town Clerk Kathleen Middleton.

a) Bond Approval

The Board considered the question of approving the borrowing of \$3,875,000 in general obligation bonds for the following purposes:

- . \$3,100,000 authorized by the 10/17/89 Special Town Meeting (STM) for remodeling and reconstructing the Nixon and Noyes Schools.
- . \$550,000 authorized by the 10/17/89 STM for asbestos removal at the Nixon and Noyes Schools.
- . \$225,000 authorized by the 4/4/88 STM for architectural and engineering plans for renovation of school buildings.

and of signing said bonds.

The Board was in receipt of a letter dated September 13, 1991, from Ms. Dunn indicating that the Town of Sudbury General Obligation (\$3,875,000) bond sale had taken place September 11, and the winning bid belonged to the Bank of Boston, with the issue being a 10-year note, date of issue October 1, at the rate of 5.4972%. She further noted that Sudbury's AA bond rating from Moody's Investors Service was retained for this issuance.

Selectman Cope questioned whether there might be some state school building assistance aid available for these projects. Selectman Cope noted she had spoken with Hasty Evans, who indicated Wayland had applied and received some, and suggested we do likewise. The Executive Secretary said he would follow up with the local School Business Manager.

Ms. Dunn indicated she was unsure whether Sudbury was on the list prepared by the SBA. Selectman Cope indicated that Hasty Evans would be glad to resubmit a request. Ms. Dunn noted that if such reimbursement were to come to the Sudbury, the available money could be appropriated elsewhere.

It was on motion unanimously

VOTED: That the sale of the \$3,875,000 Municipal Purpose Loan of 1991 Bonds of the Town dated September 15, 1991, to the First National Bank of Boston and associates at 100.0005 and accrued interest is hereby confirmed. The bonds shall be payable on September 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
1992	\$400,000	7.70%	1997	\$400,000	5.40%
1993	400,000	4.80	1998	400,000	5.50
1994	400,000	4.90	1999	400,000	5.60
1995	400,000	5.10	2000	350,000	5.70
1996	400,000	5.25	2001	325,000	5.80

AND FURTHER VOTED: that the consent dated September 10, 1991, to the certifying bank bidding for the bonds is hereby confirmed.

b) Collection Software and Computer Platform

The Board considered the question of awarding a contract for purchase of collection software including computer platform for the Tax Office. The Board was in receipt of letters from Ms. Dunn, dated September 13 and September 16, 1991, advising the Board of the bids received and her recommendation.

Ms. Dunn noted, while she was unable to locate exactly what she wanted, she had come up with three companies that are high contenders, and she recommended the Board approve a Massachusetts based company, Arlington Data of Haverhill. She noted they had chosen to go with nonproprietary hardware as endorsed by the Town Accountant, in view of the fact that the Town Accountant and the Town Clerk may also wish to participate in using this hardware. It would allow for easily accessible information throughout the Town. Ms. Dunn explained that Arlington Data has an accounting package, as well as a package for the Town Clerk's office, but indicated she was evaluating the software, which would meet her needs at present.

Executive Secretary Thompson assured Ms. Dunn that she was welcome to take more time if she was unsure of her selection, but Ms. Dunn indicated she was comfortable with her selection. She indicated that it is being used by thirty municipalities across the State. She also noted she had visited Stow to observe the package in action; it takes the Town of Sudbury 15 minutes to print 30 statements and the Town of Stow 5 minutes to print 40 statements -- thus saving staff hours.

Executive Secretary Thompson noted the Long Range Planning Committee had looked into similar situations in the past, and the Town does not favor a lease/purchase arrangement. He stated the two-year budget plan might be the best option.

Ms. Middleton expressed concern that the overall needs of the other offices had not been taken into consideration, nor were they advised that such a study was underway. Ms. Dunn stressed she tried to take the needs of the other offices into consideration in reviewing the options of the equipment. Executive Secretary Thompson noted that Ms. Dunn had to look for a specialized package due to the severe problem in the Tax office, and the use of this package will save money for the Town. Ms. Dunn stated the platform could be the first part of a bigger system, which could grow with the needs of the Town.

At the recommendation of Chairman Wallace, it was on motion unanimously

VOTED: To accept the bid proposal of Arlington Data, Haverhill, MA, in the amount of \$43,000, subject to execution of an acceptable contract in accordance with the request for proposals.

Executive Session

At 9:05 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss an issue concerning transactions in real property related to 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 9:05 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk