

IN BOARD OF SELECTMEN
MONDAY, DECEMBER 7, 1992

Present: Chairman John C. Drobinski, Judith A. Cope, Lawrence L. Blacker (7:45 p.m.).

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

99 West, Inc. - Change of Manager

Present: Paul Swymer.

The Board acknowledged receipt of a Petition for Change of Manager for 99 West, Inc., d/b/a "99", 698 Boston Post Road, dated November 12, 1992, with accompanying required documentation. After a brief interview with the prospective manager, Paul Swymer, and upon recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To approve a Petition for Change of Manager from 99 West, Inc., dated November 12, 1992, for Paul Swymer to replace Cheryl A. Abrahamson.

Council on Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$56.15 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.

Voter Registration Sessions

It was on motion unanimously

VOTED: To approve the December 1, 1992 request of Town Clerk Jean MacKenzie to waive the holding of special voter registration sessions in individual precincts for the March 1993 Annual Town Election, in accordance with General Laws Ch. 51, ss. 29 & 29A, and instead hold five special registration sessions at the Town Hall during the weeks of February 14, February 21, March 1, and March 8.

Gasoline Contract - Calendar 1993

It was on motion unanimously

VOTED: To award the contract for supplying the Town of Sudbury with premium unleaded gasoline for the period January 1, 1993 through December 31, 1993, to low bidder C. K. Smith & Company, Inc., 99 Crescent Street, Worcester, MA 01605, in accordance with Town of Sudbury specifications dated November 30, 1992, and bid of C. K. Smith & Company dated December 1, 1992, at \$.0040 per gallon increment over the tank car price throughout the supply period, with the understanding that payment of

the Federal gasoline tax and filing for reimbursement for such payment shall be the responsibility of the vendor.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of November 23 and 30, 1992, as amended.

License Renewals - Calendar 1993

On the question of annual license renewals, Executive Secretary Thompson informed the Board that few of the licensees are in arrears on tax payments to the Town, and none of these owe an amount exceeding \$332.

Selectman Cope requested that the office ascertain whether or not any licensee has a significant water bill outstanding.

It was on motion unanimously

VOTED: To renew Alcoholic Beverages, Common Victualer, Entertainment, Automatic Amusement Device, and Second Hand Motor Vehicle Licenses which expire December 31, 1992, for calendar 1993, as listed on the December 7, 1992 "LICENSEE LIST - Renewals for Calendar 1993", attached and incorporated herein; and to forward the appropriate renewal forms to the Alcoholic Beverages Control Commission where applicable; said license issuance subject to there being no major outstanding water bills; said licenses shall be held until payment of the required license fees and compliance relative to any/all outstanding health, safety or zoning violations; said licenses shall also be subject to all previous restrictions.

Utility Petition #92-19, Dutton Road

Present: Christine Cosby, Boston Edison Company.

The Board convened a public hearing to consider Utility Petition 92-19 from Boston Edison Company and New England Telephone and Telegraph Company, for approximately eleven feet of conduit within Dutton Road. Boston Edison Company representative Christine Cosby informed the Board that the conduit was required to provide underground service for a new home under construction on Lot 29.

Executive Secretary Thompson noted that all abutters have been properly notified and a favorable recommendation has been received from the Inspector of Buildings and the Wiring Inspector under date of November 30, 1992.

On motion by Chairman Drobinski it was unanimously

VOTED: To approve Utility Petition 92-19 of Boston Edison Company and New England Telephone and Telegraph Company for permission to lay and maintain, and a location for, a line of conduits and manholes with the necessary wires and cables therein, indicated on Boston Edison Company "Plan of

Dutton Rd., Sudbury, Showing proposed location of Cust. Conduit", dated November 9, 1992, and New England Telephone and Telegraph Company "Plan for Conduit, No. 92-13" dated November 30, 1992, in the following public way of the Town:

Dutton Road - northeasterly approximately 2845 feet north of Wayside Inn Road.
A distance of about 11 feet - conduit.

Continued Public Hearing - G.L. Ch. 148, s. 13 and 527 CMR 9.25(2) - Cumberland Farms

Present: Frederick Lopez, Sales Representative, Cumberland Farms. (Selectman Blacker in attendance.)

The Board convened the continuation of a public hearing at 7:50 p.m. pursuant to G.L. Ch. 148, s. 13 and 517 CMR 9.25(2), to consider revocation of Inflammable Liquid Storage License for the storage of 24,000 gallons gasoline in three underground storage tanks (License Document No. 83067) and order for removal of underground storage tanks, at 470 Boston Post Road (Cumberland Farms, Inc.).

It was noted that no further response had been received from Cumberland Farms in regard to the Company's intentions toward action on the contamination shown by the test result information, although Sales Representative Frederick Lopez indicated that he believed the Company intended to take whatever action is necessary.

Noting that the station continues to operate despite the contamination, Selectman Cope expressed her frustration with the lack of response and indicated her desire to deny the use of the license because of the Town's goal in protecting its water supply. Selectman Blacker opined that there were two separate issues and questioned whether they should be tied together.

In response to Chairman Drobinski, Town Counsel Paul L. Kenny stated that the permit, which runs with the land, has been issued and is essentially automatically renewed; therefore, unless the permit was to be expanded, it probably could not be conditioned.

Executive Secretary Thompson noted that the Department of Environmental Protection (DEP) will investigate the problem which had been brought to its attention by the Town's Board of Health and when such investigation is complete, the DEP will mandate whatever action is required.

Chairman Drobinski, noting that the Selectmen have little choice in the matter to effect a resolution, indicated his desire that the corporation make it its highest priority.

It was on motion, therefore,

VOTED: Not to take action to revoke the Inflammable Liquid Storage License held by Cumberland Farms relative to underground storage of gasoline at property located at 470 Boston Post Road. (Selectman Cope abstained.)

The Board stated its intention to monitor the situation closely through the offices of the Fire Chief and Health Director.

Budget Review - Building Department

Present: Inspector of Buildings John B. Hepting; Bernice Slomski, Building Department Secretary; Finance Committee Chairman James W. Haughey, and members Joseph Proud, Steven Stolle, and Karen Palmer.

Executive Secretary Thompson informed the Board that he had reviewed the Building Department budget and his only major concern is that we proceed to Town Meeting with an article to fund those building improvements that are high priority. Mr. Hepting affirmed that he would do so.

Building Inspector Hepting proceeded to outline his budget which requests a 10% increase over the total FY93 budget and involves a five percent increase in each of the salary and expense account categories.

The five percent increase relating to salary accounts is made up of step and/or cost of living increases in accordance with the Personnel Administration Plan; restoration to the Building Department of the 5 hrs. of clerical time presently allocated to the Conservation Commission; provision for overtime/extra hire of \$1,500, and increases in the number of deputy inspection hours (Plumbing/Gas, Building, and Wiring). Mr. Hepting confirmed Selectman Cope's comment that the Plumbing/Gas Inspector receives health insurance benefits amounting to approximately \$6,000, in addition to fees and retainer, and stated that this has been so for many years.

Five percent of the increase relating to expenses is requested to: fund Mr. Hepting's attendance at a mandatory Building Inspector's conference in Amherst; allow replenishment of supplies; fully fund the contracted cleaning service, which supplanted a custodial position when first instituted; and to more realistically fund the Town Building Maintenance account which is currently severely underfunded. Mr. Hepting noted that it is impossible to do the proper Town facilities maintenance, (for example, septic tank pumping) which should be done routinely because of the lack of funds; this can only be accomplished on an emergency basis. Mr. Hepting added that items such as painting have been put on the long-range capital plan.

Mr. Hepting stated that with a three-fold increase in building permits over the last year (119 issued to date) the Building Department is unable to handle the workload to allow the Department to function in an efficient manner, to the extent that response to a legal request for plans is almost impossible to handle in a timely manner and the backlog in filing has become burdensome. Mr. Hepting added that with the inspection time required by the increased building, time to investigate sign and zoning complaints is just not available. Noting that the Building Office clerical work cannot be handled by volunteers, Executive Secretary Thompson suggested that Mr. Hepting consider applying to the Finance Committee during this fiscal year for funding to alleviate the critical need in this area.

Selectman Blacker commented on the enormous expense of the Town Hall, given that it is at present only used for the Offices of the Town Clerk, and stated his belief that it should either be renovated or closed. Mr. Thompson noted that the Town does, however, derive income from the rental of the Town Hall and suggested that the appropriate data should be provided with the budget.

There ensued a discussion concerning the renovation of Town Hall bathroom facilities and access to make it functional and legal under ADA criteria and Architectural Access Board regulations for

handicapped use. Mr. Hepting noted that the groundwork has been done and the work can be accomplished for \$25,000-\$35,000 should Town Meeting approve the article to be submitted.

Finance Committee Chairman James Haughey stated that the Building Department's problems were at the top of the Finance Committee's priority list for resolution.

The Selectmen recommended that the budget proceed to the Finance Committee as set forth.

Budget Review - Accounting Department

Present: James Vanar, Director of Finance/Town Accountant; Finance Committee Chairman James W. Haughey, and members Joseph Proud, Steven Stolle, and Karen Palmer.

Town Accountant James Vanar described the various personnel changes which will reduce the FY94 -130 line item in his budget upon the retirement of Ms. Curran, and noted that overtime will be required for training on the new computer system. The proposed budget shows a reduction in computer supplies and maintenance, but requests \$18,000 for replacement of the financial software and some support for the local area network. Mr. Vanar informed the Board that the new computer system has a full feature personnel system and includes two work stations for the School Department in addition to the three in the Accounting Office.

Relative to the \$15,000 request for an audit and noting that one will be conducted this year, Mr. Thompson expressed his belief that the Town itself does not need a yearly audit, although he believes Mr. Vanar feels otherwise. He further indicated his belief that if the Schools require an audit in order to receive Federal grant money, then the Schools should share the cost accordingly, noting that they had once paid \$3,500 toward an audit. In response to Chairman Drobinski's query, Mr. Thompson expressed his opinion that an audit does not help the bond rating but does provide some help in the bonding procurement process.

The Selectmen recommended that the budget proceed to the Finance Committee as set forth.

Budget Review - Highway

Present: Highway Surveyor Robert A. Noyes; Highway Operations Assistant James Pianka; Finance Committee Chairman James W. Haughey, and members Joseph Proud, Steven Stolle, and Karen Palmer.

Highway Surveyor Robert A. Noyes elaborated on the details of his various budget increase requests, as follows:

- Trees (410-311) Increase of \$4,000 will allow the removal of four large maples on Haynes Road and provide 20 hrs. of tree trimming including the cost of police paid detail. Mr. Noyes pointed out the possible liability issue inherent in failure to remove dead trees in the Town's right-of-way. In response to Selectman Cope's query as to the time involved, Mr. Noyes stated that this has been a contracted service for about seventeen years.
- Cemeteries (410-451) In accordance with the privatization goal, about \$10,000 will be used for a mowing and trimming contract. Mr. Noyes noted that last year, funds were made

available for cemetery work from the Mt. Pleasant Cemetery Association, but that was a one-time occurrence. The Department is working on fertilization, liming, general cleanup and signage.

- Police Detail (410-002) \$12,000 has been budgeted for required police paid detail; however, Mr. Noyes would like to have a rehire appointed as a Special Police Officer to be used for in-house details, since it costs approximately \$26/hr. base pay for a Police Officer. Executive Secretary Thompson opined that he believed the idea has merit and should be pursued.
- Street Lighting (410-700) In response to a query, Mr. Noyes stated that he would check with Boston Edison, but that he has no information as to a rate hike.
- Roadwork (410-218) Relative to the \$41,000 increase requested for roadwork, Mr. Noyes explained that \$10,000 of this sum would be used for non-reimbursable resurfacing, \$10,000 for walkway maintenance, \$15,000 for roadside mowing, and about \$6,000 for signs and markings. The Board noted receipt of a letter of support from the Planning Board, under date of December 3, 1992, for a townwide walkway maintenance program.
- Capital Items (410-901) It is proposed that a 1981 Ford van will be traded for a 1-ton 4WD dump truck with a plow & frame (net \$30,000) and a tandem dump trailer will be purchased. He stated his intention to utilize an old 1-ton vehicle to replace the current vehicle used for sign repair which is at the end of its useful life.

The Selectmen recommended that the budget proceed to the Finance Committee as set forth.

Budget Review - Landfill Enterprise Fund

Present: Highway Surveyor Robert A. Noyes; Highway Operations Assistant James Pianka; Finance Committee Chairman James W. Haughey, and members Joseph Proud, Steven Stolle, and Karen Palmer; Resource Recovery Committee Chairman Sue Pettengill, and members Frank Van der Kerkhove, Paul Ward, Mark Kablack, and Scott Lewis.

Highway Surveyor Robert A. Noyes in his role as Landfill Agent explained details of the Enterprise Fund which is budgeted at \$446,386, noting a reduction of \$10,517 in expenses. Mr. Noyes added that the responsibilities of the Resource Recovery Monitor will be more involved with market investigation in FY94 and savings will be achieved in the hauling costs by use of the Highway trailers for movement of equipment, noting that \$30,000 will be used to purchase a dump trailer and roll off trailer which would be driven by a tractor intended to be converted from a 10-wheeler. The budget for maintenance reflects the expectation that free material will be available. Mr. Noyes commented that the Department was able to obtain a lot of free cover material this year, but that one foot of loam is now required. In response to Chairman Drobinski's query, Mr. Pianka stated that the harbor tunnel material is not acceptable at this time because of organic content of the material. Relative to the leachate treatment, Mr. Noyes reported that it is now pumped and taken to Medway since it cannot be treated locally. It was also noted that the budget contains a request of \$1,000 for Sudbury's share of an engineering study

commissioned by Wayland relative to determining if the Landfill is in Zone II; it being Sudbury's belief it is not.

Mr. Noyes commented that, although solid waste has been reduced over the years, largely because of recycling efforts, the costs have increased. He suggested that the Board might want to consider implementation of a residential sticker rate increase to \$100 and a commercial cubic yard rate of \$17.50 for FY94, but that the Department is still studying the data. There has been an indication by one hauler that if the rates go too high, he would go elsewhere, in which case the Town would be in a position of saving space but losing revenue. Executive Secretary Thompson informed the Board that the budget would be adjusted after the first of the year and that after Town Meeting new rates would be recommended.

Resource Recovery Committee member Mark Kablack stated the Committee's position that the Enterprise Fund should be taking into consideration the imminent costs of closure and a new program for disposal and that planning for these extraordinary costs should be taking place. As to the probability of a revenue decrease with higher fees, Mr. Kablack indicated his belief that that would not occur since Sudbury is at the low end of commercial rates charged by the towns which the Committee has canvassed, and the residential rate is also low. Indeed, if revenue is lost what is gained is life in the Landfill which would delay the date of closure and costs to supplant.

Selectman Blacker expressed his opinion that the Town needs a definitive cost analysis in this regard.

Former Finance Committee Richard Brooks suggested strongly that the Board begin discussion with the Town of Wayland Board of Selectmen with regard to a joint effort, noting that the Planning Board had been somewhat successful with this approach in studying the use of Sand Hill, the present location of the landfills in the mid-60's, and there was mutual cooperation in the creation of the Wayland-Sudbury Septage Disposal Facility. Mr. Brooks noted that there is valley between the landfills of the two towns which he believes is an ideal site for a new landfill for both Towns' use.

To Mr. Brooks' suggestion that a common set of understandings and objectives between both sets of Selectmen would have more effect than work of subcommittees, Mr. Thompson noted that the elected Wayland Road Commission is the agency with whom the Town would have to work in the final instance.

Chairman Drobinski informed those gathered that we are very much aware of what lies ahead and are currently involved in joint exploration of the subject with Wayland. Commenting on the site mentioned by Mr. Brooks, Selectman Drobinski stated that the DEP has what may be an insurmountable problem with that land.

Executive Secretary Thompson advised that there was a meeting with the Wayland Road Commissioners in which he, Mr. Noyes, and Mr. Place attended with Craig Blake of the Resource Recovery Committee. He further noted that the delineation of Zone II, which will be complete within a year, will provide an integral key to the solution. Relative to future costs, Mr. Thompson noted that we may need to bond at the time.

Executive Secretary Thompson stated that his goal is to keep the Landfill open as long as possible, to find any possible way to utilize that valley area for an extension of the Landfill, and use our initiatives to find all viable alternatives to the \$2-3 million solutions proposed.

Mr. Kablack reiterated his feeling that although we should study all alternatives, we cannot count on the least expensive solution and should be planning accordingly.

Mr. Noyes stated that it should be noted that we are also "closing" as we go with impervious cover.

Mr. Pianka informed the Board that the Department was doing a correlation study, to be ready soon, on new fees versus drop in revenues.

In response to Finance Committee member Karen Palmer's question with regard to when a financial model for demand and cost would be available, Mr. Pianka advised the Board that there was only a four-year data base available for the Enterprise Fund with the establishment of recycling in the middle.

Chairman Drobinski expressed his opinion that with the July regulations of the DEP which are ripe for appeal, the status of the Landfill may be in flux for some time.

Resource Recovery Chairman Pettengill commented that money could be set aside for the purchase of a scale to base the charges on a tonnage basis, which could, even for residential customers, be more equitable. Selectman Drobinski noted that we now operate on a bulk density standard. Mr. Noyes emphasized that measurement of the loads is effective and precise.

The Selectmen thanked those in attendance for their comments and recommended that the Enterprise Fund budget proceed to the Finance Committee as set forth.

Budget Review - Law

Present: Town Counsel Paul L. Kenny; Finance Committee Chairman James W. Haughey, and members Joseph Proud, Steven Stolle, and Karen Palmer.

Town Counsel Paul L. Kenny informed the Board that the Law budget, although level funded, contains a 4% increase in retainer and legal assistance fees, noting that these have not been increased since FY90 and 91, and the amount budgeted for Labor Relations Counsel has been doubled largely due to the expected extent of coalition bargaining on health insurance. These increases have been offset by an 11% decrease in clerical costs and a 15% decrease in litigation fees and expenses.

Selectman Cope stated that she was disappointed in that she thought with the measures taken there would be a decrease in legal expenditures and that boosting the labor relations budget is tantamount to announcing that we expect litigation.

Mr. Kenny stated that the workload has, in fact, not decreased and expressed his opinion that the worst thing the Town could do is not take the preventative route involved in seeking legal advice prior to making decisions. Mr. Kenny noted also the stated preference for a "proactive" Town Counsel and noted that less litigation is likely, although he does expect to be heavily involved with Landfill/DEP issues.

With regard to Selectman Cope's inquiry as to his involvement with the Americans with Disabilities Act (ADA), Mr. Kenny stated that interpretation of the Act will be ongoing, noting that it is vague in some areas, particularly with regard to personnel issues. Mr. Thompson indicated that both he and the Budget & Personnel Officer, as well as Mr. Kenny, have attended various seminars on the subject.

In response to a Finance Committee suggestion concerning pooling information with other towns so as not to "reinvent" zoning and other bylaws and Ms. Cope's suggestion relative to use of other agencies such as the Conservation Law Foundation for opinions, Mr. Kenny opined that there is an inherent danger in that approach in that neither the party seeking advice nor the party giving advice are working with complete information.

Selectman Blacker expressed his opinion that other than salaries, the budget does present a reasonable guess, which is all that can be expected. Mr. Blacker emphasized that the bottom line is a level budget which is, in fact, the only one which has been presented.

The Board recommended that the Law Budget proceed to the Finance Committee as set forth.

Budget Review - Unclassified

Present: Janet Silva, Administrative Assistant to the Board of Selectmen; Finance Committee Chairman James W. Haughey, and members Joseph Proud, Steven Stolle, and Karen Palmer.

Executive Secretary Thompson explained that the Health Insurance (800) and Life Insurance (801) budgets were both level funded, although the Health Insurance amount is preliminary only and will be adjusted. Mr. Thompson noted that the process of coalition bargaining on the health insurance is expected to begin shortly and that we anticipate self-insuring on Medex.

Relative to the Retirement account (813), the information received from the Retirement Board on which this budget is based has not yet been checked for accuracy and, according to Mr. Thompson, the status of the two-year catch up process must also be checked. On this aspect, Mr. Thompson noted that he, Mary Ellen Normen Dunn, Terri Ackerman and Jim Vanar are working together.

The Board recommended that the Unclassified Budget proceed to the Finance Committee as set forth.

Budget Review - Selectmen

Present: Janet Silva, Administrative Assistant to the Board of Selectmen; Finance Committee Chairman James W. Haughey, and members Joseph Proud, Steven Stolle, and Karen Palmer.

Administrative Assistant Janet Silva detailed the projected Selectmen's Office budget for the Board noting in particular: a proposed increase in the hours of the Budget & Personnel Officer to restore the position to full-time; an increase in overtime and extra hire to allow some part-time assistance partly to compensate for the workload incurred by the Selectmen's staff in the operation of the telephone system; and the elimination of the Executive Secretary's vehicle maintenance and substitution of a travel allowance.

Ms. Silva responded to Selectman Cope's inquiry that she believes it is cost effective to have Ms. Duff work on setting up a computer data base and that she is experienced in this regard.

Noting the memorandum from Budget & Personnel Officer Terri Ackerman with regard to restoration of her hours to full-time, Selectman Cope voiced her concern with the backlog in filing and the resulting inefficiencies.

Selectman Blacker, commenting on the stated FY94 objectives in the budget narrative, expressed his opinion that he would like to have the opportunity to study the options with regard to voting machines before committing the Board to a purchase of new machines but would be willing to say we are studying the issue. The Board agreed.

With regard to the telephone system and the impact upon the Selectmen's Office to provide for telephone answering for the Noyes School as the system is configured, Selectman Blacker again brought up his displeasure with the failure of the School Department to allow the proper planning and coordination with the Town to produce a mutually beneficial system. Ms. Silva indicated that she and John Wilson, Director of Administrative Services for the Schools, will be meeting to determine the division of operational costs of the system and this will be taken into consideration.

Finance Committee member Karen Palmer stated that what is needed is a management commitment for the whole Town, and voiced her opinion that development of the telephone system represents a failure in this regard.

The Board recommended that the Selectmen's Budget proceed to the Finance Committee as set forth.

Rubbish Disposal Contract - Calendar 1993

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

VOTED: To accept the low bid, opened December 4, 1992, of R. G. Trucking, Inc. of Sudbury, dated December 2, 1992, to remove and dispose of rubbish for Town and School Departments for the period January 1, 1993 through December 31, 1993, per specifications dated November 13, 1992, at the cost per pickup bid, for a total annual cost of \$14,729.00; said charge to be reduced or increased on a pro rata basis for reduced or additional pickups respectively.

Warrant Article - Ballot Question Voter Information

The Board reviewed an article drafted for possible submission by the Board for consideration at the 1993 Annual Town Meeting relative to a Special Act to allow the Town to publish and distribute information on ballot questions, currently prohibited by law. It was noted that similar legislation, upon which this draft is based, has been enacted for other towns.

Selectman Blacker suggested that the question of broadening the legislation be referred to Town Counsel to cover instances where District or joint Town votes must be enacted, such as in regard to matters affecting the Lincoln-Sudbury School District and the Wayland-Sudbury Septage Facility, and not limit the legislation to those matters submitted solely to the voters of Sudbury. The Board was generally

in agreement that such an article would be beneficial and directed that the Executive Secretary refer it to the Town Clerk for comment.

Health Insurance Consulting Service

The Board noted its review of the four proposals for group health insurance claims monitoring and related consulting services, received by the November 30 deadline set forth in Town of Sudbury specifications, from Insurance Cost Control, Inc., EBS Foran Insurance and Advisory Services, Inc., Cook & Company, and Sterling Insurance Administrators, Inc.

On motion of Selectman Blacker, it was unanimously

VOTED: To award a contract to Sterling Insurance Administrators, Inc., Arthur L. Bomengen, President, of Sterling, Massachusetts, for health insurance advisory services for a term of one year, effective December 1, 1992, said services to be compensated at the contract price of \$4,800 per year payable in six-month increments commencing December 1, 1992.

Town Hall Holiday Schedule

It was on motion unanimously

VOTED: To close Town Offices, exclusive of Police and Fire Departments, at noon on December 24, 1992, the day before Christmas.

Space Planning Group

Selectman Cope reported that the Space Planning Group was zeroing in on the Flynn Building for the location of all Town offices and noted that the only negative comment on the initial proposal has been received from the Town Clerk. Upon inquiry of Selectman Blacker, Executive Secretary Thompson informed the Board that by statute the Board of Selectmen was in charge of all Town buildings.

Use of Town Vehicles

Selectman Cope reiterated her desire to have the Board make a written philosophical statement with regard to non-contractual use of Town vehicles for commuting. Selectman Blacker requested a copy of the current vehicle policy to review.

Tax Collection Process

Selectman Blacker reported that he will be meeting with Town Treasurer Mary Ellen Normen Dunn to review the process of tax collection, and noted that in spite of all the publicity regarding the process, the bottom line is that the money is indeed owed in the predominance of cases.

Conflict of Interest Opinion

Selectman Cope stated that she was in receipt of an opinion from the State Ethics Commission regarding a potential conflict of interest inherent in her donor status in the Sudbury Valley Trustees (SVT) and her solicitation of funds on the SVT's behalf and the fact that as a member of the Board of Selectmen she makes decisions on land options involving the SVT. She requested that Town Counsel scan the letter and contact her if there is a conflict, because she does not believe there is.

Howe Trust

The Executive Secretary informed the Board that the Town Planner will be getting an update on the Planning Board's positions with regard to development of the Howe Trust property, which impacts on the proposed Trust land gift for Town cemetery purposes, and will inform him if there are any problems.

Rt. 20 Roadway Improvements

The Board noted information from Conrail that the cost of moving the signal and rubberizing the tracks at the intersection of Rt. 20 and Nobscot Road is \$229,000. Mr. Thompson will review the plans with Town Engineer Place to determine if there is a problem with the respective finished surface grade of the roadway and rubberized tracks vis a vis snow plowing.

Selectmen's Town Report

Board members Blacker and Drobinski stated their intention to complete review of the December 7 draft of the Selectmen's Annual Town Report and forward their comments to the Selectmen's Office. Selectman Cope provided her recommendations to the Executive Secretary.

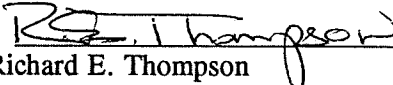
Executive Session

At 11:10 p.m., it was on motion unanimously

VOTED: To enter into Executive Session for the purpose of discussion regarding disbursements from the Town's Discretionary Fund for holiday gifts. (Selectman Drobinski, aye; Selectman Cope, aye; Selectman Blacker, aye.)

Chairman Drobinski announced that the public session would not reconvene at the close of executive session.

There being no further business, the meeting was adjourned at 11:20 p.m.

Attest: 
Richard E. Thompson
Executive Secretary - Clerk