

IN BOARD OF SELECTMEN  
MONDAY, FEBRUARY 27, 1995

Present: Acting Chairman John C. Drobinski, and Maryann K. Clark.

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

Goodnow Library Renovation and Expansion Project

Present: Chairman Ivan Lubash and Hans Lopater, Goodnow Library Trustees.

At the request of the Goodnow Library Trustees, the Board executed the Certification of Application for Round 1 funding under the Board of Library Commissioners' Massachusetts Public Library Construction Program.

Papa Gino's, Inc. - Change in Manager

The Board acknowledged receipt of a petition, in accordance with G. L. c.138, from Papa Gino's, Inc., for change of manager from George Parello to Pamela McLeod.

It was on motion unanimously

VOTED: To approve a change in manager with respect to the Restaurant Wine and Malt Beverages License exercised by Papa Gino's, Inc., 104 Boston Post Road, from George Parello to Pamela McLeod.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of February 13, 1995, as drafted, subject to any comments from Selectman Blacker.

Council on Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$97.10 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.

Donation - D.A.R.E. Program

It was on motion unanimously

VOTED: To accept with thanks a donation in the amount of \$400 from the Kiwanis Club of Sudbury/Wayland to be deposited into the D.A.R.E. Program Account; and to authorize the Police Chief to expend the same for the D.A.R.E. Program.

Donation - Fire Department

It was on motion unanimously

VOTED: To accept with thanks the donation of a vending machine for Fire Station 3 from Robert Watson of Tobin Vending Services in Maynard.

Walkway Easement - Concord Rd.

It was on motion unanimously

VOTED: To accept on behalf of the Town a Walkway Easement dated December 28, 1994, granted by Norma L. McDonnell, over Lot A, 248 Concord Road, shown on plan entitled: "Plan Showing Proposed Walkway Easement Over Land of Norma L. McDonnell, Concord Road, Sudbury, MA", dated June 21, 1994, drawn by Town of Sudbury Engineering Department.

Award - Accounting Department Financial Software

On the recommendation of the Director of Finance/Town Accountant and the Computer Advisory Committee in letters dated February 22, 1995, it was on motion unanimously

VOTED: To accept the proposal of The Computer Center of Falmouth, Maine, dated December 9, 1994, to provide the Accounting Department with financial application/system software, including on-site training, conversion services, and software support at a total cost of \$50,883, in accordance with Town of Sudbury specifications, subject to funding and payment process to be set forth in a contract to be agreed upon.

Congratulatory Letter - Eagle Scout

It was on motion unanimously

VOTED: To extend the Board's congratulations by letter to Steven L. Roundy, 19 Middle Road, for attaining the rank of Eagle Scout.

Proclamation - Sudbury Grange #121

It was on motion unanimously

VOTED: To proclaim March 14, 1995 as Sudbury Grange Day in the Town of Sudbury on the occasion of the 110th Anniversary of the Sudbury Grange #121.

Selectman Clark advised that she was available to attend the celebration for the purpose of making the presentation.

Annual Town Meeting Action

Upon notification from the Planning Board, it was on motion unanimously

VOTED: To accept the Planning Board's withdrawal of Article 14, Planning Board Revolving Fund, and Article 16, Rezone Portions of BD-1, ID-4, ID-6, ID-11, ID-12, LID-5.

The Board noted the Planning Board positions set forth in communications dated February 15 and 17, particularly with regard to the revised position on Article 15, Cluster Development amendments, upon which the Selectmen will report at Town Meeting.

It was also on motion unanimously

VOTED: To accept the resubmissions, dated February 15, 1995, of Petition Articles 27 and 28 amending the Research District zoning; and further unanimously

VOTED: To refer revised Article 27 (Amend Zoning Bylaw, Research Districts, Deletions) and revised Article 28 (Amend Zoning Bylaw, Research Districts, Residential Care Facilities) as resubmitted by Petition to the Board of Selectmen February 17, 1995, to the Planning Board for its hearings and reports in accordance with General Laws Chapter 40A, s.5.

The Selectmen confirmed their positions to report at Town Meeting on Article 27 and to oppose Article 28.

Enterprise Fund Budgets - FY96

As recommended by the Finance Committee and Executive Secretary Thompson, it was on motion unanimously

VOTED: To recommend, in accordance with Chapter 306 of the Acts of 1986, the FY96 Landfill and Pool Enterprise Fund Budgets to the Annual Town Meeting as follows:

460 Landfill:	Direct Costs	\$306,400
	Indirect Costs	\$ 82,600
	Total	\$389,000
	Landfill Receipts	\$389,000
701 Pool:	Direct Costs	\$300,123
	Indirect Costs	\$ 26,583
	Total	\$326,706
	Pool Receipts	\$322,706
	Deficit	\$ 4,000 to be raised by taxation.

Town Meeting Warrant

It was unanimously

VOTED: To approve and sign the 1995 Annual Town Meeting Warrant.

Town Counsel Position - Request for Proposal

Pursuant to Article VII of the Town of Sudbury Bylaws, it was on motion unanimously

VOTED: To approve the amended General Scope of Services relative to a Request for Proposal for the position of Town Counsel, subject to concurrence by Chairman Blacker.

216th Town Forum

At 8:00 p.m. Acting Chairman Drobinski convened the 213th session of the Town Forum.

At the commencement of the Forum, the death of Warren E. Boyce, Wiring Inspector and Supervisor of Town Buildings, was announced.

Following reports by the various Boards and Departments, Selectman Drobinski recognized Gerry Nogelo of the LSRHS School Committee for her long and dedicated service to the Town, thanking her for her many contributions to Lincoln-Sudbury and to the Town. Upon adjournment, participants enjoyed refreshments and conversation. This Town Forum was televised over the local Cable network and a copy of the video tape is available during the current year by contacting the Selectmen's office.

Voting Equipment Purchase - Article 8

Present: Christopher J. DeFrank, Sales Representative, Business Records Corporation; Chairman Karen Palmer, Joseph Proud, and Charles Schwager, Finance Committee; Assistant Town Clerk Kathleen Middleton; Chairman William Katz, Long Range Planning Committee; Janet Silva, Administrative Assistant to the Board of Selectmen.

Executive Secretary Thompson summarized the amended report on Article 8 relative to the purchase of voting equipment, noting that three more machines are needed by law now to meet the required number of registered voters, and in 1996, when there are two primaries, four more machines are required to meet the balloting requirements relative to third party candidates. Mr. Thompson stated that he would like to obtain the support of the Finance Committee for Article 8 which would fund the purchase of a new optical scan voting system to replace the twenty-three archaic machines currently in place for a total cost of \$39,070. This new system would consist of 5 machines (one for each precinct and one backup machine) at a total cost of \$28,000, and 82 voting booths (@\$135) at a total cost of \$11,070. The system is portable and requires significantly less storage area. Mr. Thompson noted that there is a potential future offset to the purchase in that the existing machines could be sold and would net approximately \$10,000 at the time of sale which would go into the Town's General Fund.

Mr. Thompson advised that he had investigated use of an alternative punch card system but a check of reported problems with the Maryland Secretary of State's Office had confirmed that this system is less reliable.

At the request of Mr. Schwager, operational costs of both present and new systems were compared. The following information was noted:

- the cost to move, set up and program the current machines approximates \$2,100;
- the cost to program the new machines is a minimum of \$350 and would depend upon the particular election (number of contests, number of candidates, etc.);
- the routine maintenance of the current machines, which are not under contract, is \$3,000 every other year, with interim cost for breakdowns;
- the maintenance contract for the new system beyond the two-year warranty is \$150 per machine;
- the current printing costs average approximately \$800 per year;
- costs for two-column ballots for Town elections would be approximately \$.14/ballot per registered voter (approximately 10,000), but the number of ballots to be printed could be based upon the average number of persons normally voting to achieve a saving in printing costs.

It was generally agreed that the operating costs were about the same when all factors were considered.

Executive Secretary Thompson noted that additional election savings could be achieved with the use of Constables, as allowed by statute, rather than Police Paid Detail, and that the Selectmen would be investigating this further.

Mr. DeFrank advised that with new legislative action and the possibility of the future extension of the so-called "motor voter" registrations to an early voting system, the new machines would serve the Town well. He noted that savings could be achieved by eliminating purchase of the back up machine and by perhaps through an in-house" (vocational school) source for the voting booths.

Mr. Thompson stated that there is no timing leeway available relative to statutory compliance and that the number of machines is mandated. He further stated that he would have no hesitation to recommend that the project be funded through the stabilization fund, if no other means are available, but this would require a two-thirds vote at Town Meeting. Mr. Thompson emphasized that any purchase is subject to the bidding laws.

Selectman Clark expressed her firm opinion that, in addition to the obvious practicality of the matter, the Town must meet its legal obligations and that she did not understand the Finance Committee's reluctance to fund what is necessary. She also took the opportunity to express her dismay at the Finance Committee's position of not fully funding the FY96 MetroWest assessment, an increase of \$705.

Finance Committee Chair Karen Palmer summarized the discussion relative to funding as follows, noting that the driving business need to purchase now is the series of primaries which will stress the Town legally and operationally. Funding mechanisms to be considered are: outright purchase; multi-year lease purchase; front-end 50% payment July 1, 1995 followed by a second payment of the balance within the one year period, hopefully without incurring interest. Potential offsets are \$10,000 through resale of the current machines, the timing of which will not allow recertification for funding until FY97 and reduction of police costs.

Mr. DeFrank advised that the Secretary of State must be notified 120 days prior to the election at which a new voting system is proposed.

It was agreed that both the Selectmen and Finance Committee would look for possible funding sources; Mr. DeFrank would investigate the possibility of a no-interest two payment process; and Ms. Middleton would supply documentation relative to the implementation of the new rulings which may make a portion of the purchase eligible for a FY95 Reserve Fund transfer as an extraordinary and unforeseen expenditure.

#### Minuteman Tech Action Committee - Educational Reform

The Board noted receipt of a February 21 communication from Glenn Noland, Sudbury Member of the Minuteman Regional School Committee concerning the formation of a sixteen-town Action Committee consisting of town, Minuteman, and industry representatives, to "encourage proper state action to correct the 'bugs' in the educational reform statutes and/or processes" and to establish lines of communication with regard to the same.

Since Mr. Noland had requested that a representative be appointed from Sudbury who is a member of the Finance Committee, Executive Secretary Richard E. Thompson suggested the name of Kathleen Precourt. Finance Committee Chairman Ms. Palmer informed the group that Finance Committee member Kathleen Precourt is extremely knowledgeable and interested in this and would be a good choice. Accordingly, it was on motion unanimously

VOTED: To appoint Finance Committee member Kathleen Precourt to serve as Sudbury representative to the sixteen-town Minuteman Tech Action Committee described above, subject to her acceptance.

#### Reserve Police Officer Appointments

At the request of the Police Chief, the consideration of recommendations for appointment of four Reserve Police Officers was tabled to March 13. Mr. Thompson noted that the two-week extension of the Requisition List processing deadline has been granted by the state Department of Personnel Administration.

#### Arthritis Foundation - 4th Annual Autumn Classic Cycle Tour

Upon the recommendation of the Executive Secretary, and at the request of David D. Coleman II, Bike Ride Coordinator for the Arthritis Foundation Massachusetts Chapter, Inc., it was on motion unanimously

VOTED: To grant permission to the Arthritis Foundation for conducting its Fourth Annual Autumn Classic Cycle Tour through Sudbury on October 1, 1995, in accordance with its request dated February 24, 1995, and any requirements of the Sudbury Police Department.

#### Warren Boyce

The Board acknowledged with sadness the passing this day of Warren E. Boyce, the Town's Wiring Inspector and Supervisor of Town Buildings.

Chapter 90 Reimbursement Requests

On the recommendation of Highway Surveyor Robert A. Noyes, the Board executed the following Chapter 90 Reimbursement Requests:

- M.A. #35348 C-33B, Morse Road #0031, Wayside Inn Road #0096 for reimbursement in the amount of \$110,510.99 from the encumbered amount of \$111,543.00;
- M.A. #35348 C-33B, Hudson Road #0007, for reimbursement in the amount of \$54,999.94 from the encumbered amount of \$55,000.00; and
- M.A. #6302, Dutton Road, for reimbursement in the amount of \$37,685.20 from the encumbered amount of \$74,947.00.

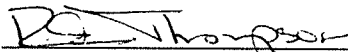
The Board noted that the remainder of funds in MA #6302 will be used for the Landham Road Bridge.

Communication from C. Vincent Quirk

The Board acknowledged receipt of a letter dated February 12, 1995, from C. Vincent Quirk who asked that any ballot questions under Prop. 2-1/2 in the future contain individual spending proposals in separate ballot questions, not combined together into one question which limits voter choice to an "all or nothing situation".

The Selectmen requested the Executive Secretary to thank Mr. Quirk for his letter of which they took note.

There being no further business, the meeting was adjourned at 11:00 p.m.

Attest:   
Richard E. Thompson  
Executive Secretary-Clerk