

IN BOARD OF SELECTMEN  
MONDAY, JULY 24, 1995

Present: Chairman John C. Drobinski, Maryann K. Clark and Lawrence L. Blacker

The statutory requirements as to notice having been met, the meeting was convened at 7:30 p.m. in the Lower Town Hall.

Town Bylaw Art. XX, Sec 3E - Waiver - Maplewood and Beechwood Aves.

Present: Michael Collins, petitioner.

The Board acknowledged receipt of a request to approve overhead utility connections as follows:

1. Request from Michael Collins, Collins Development, Inc., builder at 30 Maplewood Ave. and 30 Beechwood Ave., to install overhead electrical lines.
2. Communication dated July 21, 1995 from Arthur Richard, Wiring Inspector, recommending approval be granted to Mr. Collins for overhead utilities.

Selectman Blacker stated that he presumes that Maplewood and Beechwood Avenues are public ways. Chairman Drobinski stated his concern about how many waivers would be requested and whether the by-law should be changed to indicate that its intent was for all new construction in town and flexibility if needed in the application of the law to those parts of town which already have above-ground wiring. Approving many waivers will be a waste of the Board's time. Interim Town Manager Thompson suggested and the Board agreed, that we should see over the next six months how many waivers are requested. This particular waiver request is the fifth so far.

On recommendation of the Wiring Inspector, it was on motion unanimously

VOTED: To grant permission under Town Bylaw Art. XX, Sec. 3E, for installation of overhead utility connections on 30 Maplewood and 30 Beechwood Avenues, involving the installation of two poles on Maplewood Avenue, for the reasons that such installations are consistent with others in the neighborhood and to place the utilities underground would create an undue hardship for the developer.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of July 10, 1995, as drafted.

Council on Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$46.50 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.

Non-Acceptance of Appointments - Town Report Committee - Commission on Disability

It was on motion unanimously

VOTED: To acknowledge receipt of communication dated July 10, 1995 from Maureen Levine stating her decision not to serve on the Town Report Committee for another term.

And it was further

VOTED: To acknowledge receipt of communication dated July 18, 1995 from Ivan Lubash stating his decision not to accept reappointment to the Commission on Disability.

Contract for Workers' Compensation Claims Administration Services

The Board acknowledged receipt of a contract to provide the Town with Workers' Compensation Claims Administration Services for the period of 7/1/95-6/30/96 at a cost of \$24,179.

Selectman Clark requested an itemized breakdown for the figure of \$24,179. She also inquired as to the number of claims annually, specifically last year. Mr. Thompson said he has this information and will supply it to the Board--perhaps there were 15 to 20 claims last year, but he will supply the actual figures.

It was on motion unanimously

VOTED: To approve the award of a contract by the Interim Town Manager to Cook & Company of Marshfield, MA to provide the Town with Workers' Compensation Claims Administration Services for the period of July 1, 1995 to June 30, 1996 at a cost of \$24,179.

Ch. 90 Memorandum of Agreement (MA#36062)

It was on motion unanimously

VOTED: To sign a Memorandum of Agreement (MA#36062) with the MA Highway Department relative to entitlement under Chapter 90, Section 34, Clause 2(a) for the second apportionment of Chapter 85 funds in the amount of \$515,923 for the reimbursement of expenditures for roadway work.

Orders of Taking--Bridle Path and Trailside Circle

It was on motion unanimously

VOTED: To sign Orders of Taking concerning the layout of Bridle Path and Trailside Circle, to be recorded at the Registry of Deeds pursuant to the 1995 Annual Town Meeting vote under Article 7.

Pedestrian Walkway Easement by the Estate of Lis O. Norlund

It was on motion unanimously

VOTED: To accept and sign on behalf of the Town a pedestrian walkway easement granted by the Estate of Lis O. Norlund, dated June 19, 1995 and shown on plan submitted to the Town entitled "Norlund Estates, Definitive Subdivision Plan of Land in Sudbury, Mass.", dated January 24, 1995, by Schofield Bros. of New England, Inc.

Executive Session

At 7:40 p.m. it was on motion by roll call unanimously

VOTED: to go into Executive Session to discuss expenditures from the Discretionary Fund.  
(Chairman Drobinski, aye; Selectman Clark, aye; Selectman Blacker, aye)

Chairman Drobinski announced that public session would reconvene immediately following Executive Session.

Ft. Devens Land Use Task Force

The Board acknowledged receipt of letters: 1) from Steven J. Swanger, Chairman of the Sudbury Housing Authority, dated July 12, 1995;

- 2) from petitioners Juliet Gibbs, Dave Manjarrez and Sean Roche dated July 14, 1995; and
- 3) from the Sudbury Park and Recreation Commission dated July 20, 1995.

In the first letter, suggestions were made as to the composition of the Ft. Devens Annex Study Group as agreed to be established at the July 10, 1995 Board of Selectmen meeting. Mr. Swanger suggested representatives from the Selectmen, Planning Board, Conservation Commission, Council on Aging, the Sudbury Housing Authority, the Sudbury Housing Partnership Committee and the League of Women Voters. He also suggested involving abutters to the land, so long as they are not also included as members of the above-mentioned groups. Finally, he suggested that a Group Leader be either a Selectman or a representative of the Sudbury Housing Partnership Committee since that group was appointed to work with private developers. The second letter submitted the names of: Juliet Gibbs, Dave Manjarrez, Sean Roche, Chip Detwiller and Mike Quinn for inclusion on the Task Force. In addition to the suggestions for committee composition given in Letter One above, Letter Two suggested the Hop Brook Association, FOCUS, and someone qualified to assess the tax and service burden of any suggested uses. Letter Two also stated that it does not represent a neighborhood or abutter effort but a town-wide interest group advocating transfer of the land to Fish and Wildlife. Letter Three stated the Park and Recreation Commission's interest in having one of its members on the Task Force.

Discussion: Interim Town Manager Thompson recommended that the Board keep a tight connection with any Land Use Task Force Committee which may be appointed. Selectman Drobinski recommended that the Sudbury Valley Trustees be involved. Mr. Thompson stated that a Selectman should definitely be on the Committee to keep control of the issue. Also, he said the Board of Health should be on the Committee because they represent the Town on the Technical Review Committee. Selectman Blacker stated that not only the Board of Health should serve but also the Planning Board. Also, he said that the Finance Committee definitely would be good as they do not come to the issue with any favorite agenda. Selectman Drobinski wondered about the Board of Assessors. Selectman Blacker

noted that Park & Rec. is interested. Chairman Drobinski stated that we need an engineering expert on the Committee. Selectman Clark said that Steve Myers of the Conservation Committee would be very good with a back-up of Deborah Montemerlo. She also asked if we had any response to the newspaper ad. Interim Manager Thompson said that yes, there have been 3 or 4 names submitted; some of these have been provided to the Board.

#### MAGIC Meeting

Selectman Blacker reported that he had attended a MAGIC meeting (July 20, 1995). The issue of economic development was the big project discussed by the eleven participating towns last year. Half of the towns appeared not to care about this issue. A selectman from Lincoln agreed with Mr. Blacker that a better use of time would be to work on regional sharing issues, e.g. landfill sharing, instead of duplicating identical services by each individual town. Mr. Blacker will join this Lincoln selectman to make a list of issues feasible for sharing cost or work. Selectman Clark said that MetroWest is already addressing this issue of sharing services at least on the topic of fire fighting services. There is some merit in regionalization; if the Town can save money, the idea of regionalization will sell. Mr. Blacker will begin work on this issue in September.

#### Finances

Selectman Drobinski stated that Joseph Proud, Chairman of the Finance Committee, questioned the need for a Special Town Meeting in the Fall to appropriate additional monies received on the state's Cherry Sheet. The Finance Committee recommends that it would cost too much to hold a Special Town Meeting for only one agenda item. Interim Manager Thompson stated that according to a bulletin from the Mass. Dept. of Revenue (Division of Local Services) cities and towns may reserve the additional funds as an offset, and may appropriate the funds at the subsequent annual town meeting.

#### Road Salting - Rte. 20 Area

Selectman Drobinski brought up an EPA issue--a letter from Steven Meyer, Chairman of the Conservation Commission, about limiting road salting in the Rte. 20 area. In the past we were denied permission to use less salt in certain areas. The Interim Town Manager and Highway Surveyor will be attending a meeting to discuss this issue.

#### Septage Facility

Selectman Blacker agreed to set up a meeting with Interim Manager Thompson, himself (Blacker) and Robert Gottberg, Chairman of the Operational Review Committee of the Wayland-Sudbury Septage Disposal Facility. Interim Manager Thompson received a call from the Town Accountant of Wayland telling him that interest of \$21,000 had been credited to Sudbury.

#### Goodman's Hill Road

Chairman Drobinski brought up the issue of traffic safety on Goodman's Hill Rd. which is scheduled to be discussed at the Board's meeting of Aug. 21, 1995. He felt that because this is summer vacation time, perhaps we should postpone this discussion to a meeting in the Fall. However, Selectman Clark said that since this is an old issue, there has been plenty of time for all concerned to know about the

schedule and to plan to be at the meeting. All agreed to keep the Goodman's Hill Rd. discussion for the scheduled date of Aug. 21, 1995.

Sprinkler System - Loring Parsonage

Selectman Blacker stated that he did not understand a letter received by the Board from Clay Allen, member of the Sudbury Historical Commission, as to why the hold-up on the lawn sprinkler system for Loring Parsonage (letter of July 14, 1995). Interim Manager Thompson will follow-up and report back to the Board (should have this resolved within 1 to 2 weeks).

Dunkin' Donuts

The Board is in receipt of copies of letters written to Mr. Constantine Scrivanos of Dunkin' Donuts, 378 Boston Post Rd., from the Town of Sudbury Engineering Department (letter of July 11, 1995) and from the Town of Sudbury Planning Board (letter of July 18, 1995). Interim Manager Thompson stated that he will send a letter to the Conservation Commission inquiring about why a 21E report on hazardous materials required by the Order of Conditions was not followed up on earlier. He will also send a letter to Mr. Scrivanos relative to the issues raised by the Town Engineer.

Power Outages

Interim Manager Thompson mentioned receipt of a series of letters from resident Donald Hutchinson about his problems with electrical outages and problems with Boston Edison. He will write a letter to Mr. Hutchinson.

Police Reserve List

Concerning utilization of the Police Reserve Officers, after discussion, the consensus was to proceed in the order as candidates were first approved, by seniority, on our local list of reserves.

Extension of Interim Town Manager Appointment

It was on motion unanimously

VOTED: To extend the appointment and contract as amended on June 26, 1995 of Richard E. Thompson as Interim Town Manager for the Town of Sudbury, to serve only until a new Town Manager is appointed and such appointment becomes effective, but not later than August 31, 1995.

Search for a New Town Manager

Present: Kathleen Precourt, Town Manager Screening Committee.

Selectman Clark stated that she would like to see the Board formally move to accept R. E. Thompson's statement (according to the minutes of the Board of Selectmen's meeting of June 29, 1995) that he would not be applying for the position of Town Manager. She stated that if Mr. Thompson so stated his intentions and we could assure any possible candidates of his intentions, then that would remove any issues of incumbency. Ms. Clark would like to do this as a vote. Chairman Drobinski saw no

problem with this as long as proceeding in this manner would not be an unfair labor practice. Selectman Blacker stated that we do need this statement from Mr. Thompson in order to move on with the search process. Mr. Thompson stated, for the record, that he would not be applying because of previous actions taken by the Screening Committee and the Board of Selectmen.

Selectman Clark stated that the Board should get quotes from three firms (professional firms); some charge hourly rates, others a percentage of the first year's salary (like headhunters). Ms. Clark stated that some firms use techniques such as role-playing on actual situations which may come up in town as a way of assessing how a candidate would perform.

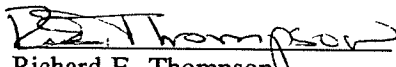
Kathleen Precourt stated that the Screening Committee has a full packet of information which they will make available so that there would be no need to start from "scratch" again in this process. Ms. Precourt stressed the need to be clear about deadlines; also, the consultant should stay on until a candidate is hired and actually begins the job, not just until the consultant submits names.

Chairman Drobinski suggested, and the Board agreed, that a Request for Proposal ad should be placed in The Middlesex News and sent to Jane Evans to get the ball rolling.

It was on motion unanimously

VOTED: To accept Interim Town Manager R. E. Thompson's statement made at the meeting of June 29, 1995 (and amended with his comments at this meeting) that he does not intend to apply for the position of Town Manager because of past actions by the Screening Committee and Board of Selectmen.

There being no further business, the meeting was adjourned at 8:35 p.m.

Attest:   
Richard E. Thompson  
Interim Town Manager-Clerk