

IN BOARD OF SELECTMEN
TUESDAY, SEPTEMBER 26, 1995

Present: Maryann K. Clark and Lawrence Blacker.

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

Site Plan Special Permit Application 95-323 for Middlesex Savings Bank

Present: Bruce Ey, of Schofield Brothers of New England, Inc., James Lavoie, President, Middlesex Savings Bank, William Wilkinson, Executive Vice-President, Middlesex Savings Bank, Michael and John MacKinnon of MacKinnon Family Realty Trust, Sudbury, and Kenneth Parry, Architect, for Middlesex Savings Bank.

The Board convened a public hearing to consider the application, dated August 15, 1995, and received August 16, 1995, of Middlesex Savings Bank for a Site Plan Special Permit for construction of a 262 sq. ft. addition to the front of the existing building located at 19 Concord Rd., in Business District #1, owned by MacKinnon Family Realty Trust, Sudbury.

There being only two Selectmen present, formal consideration of the site plan application could not take place. The Board, therefore, held informal discussion with those present, as follows:

Bruce Ey of Schofield Brothers of New England, Inc., Engineers, provided information on the proposed site plan as follows: The proposed site changes will make the building handicapped accessible. The 262 square foot proposed addition represents a minor change. A concrete ramp will be installed on the south side of the building and landscaping done. A walkway will be installed between the two buildings and a roof put over the drive-up window as protection from weather. As to the Conservation Commission's letter, there is already a catch basin to pick up roof runoff near MacKinnon's; there will be no alteration done that would increase the runoff.

Ms. Montemerlo spoke at this point, reiterating the Commission's desire that new construction utilize best management practices as to drainage and that up-grades be done whenever possible.

Selectman Clark asked about the parking along the median strip and Mr. Ey responded that it is parallel parking. Ms. Clark also asked if an arrangement had been made with the abutter about the walkway is to be placed on neighboring (Lefebvre) land; the MacKinnons replied they have talked to the abutter and there is no problem.

Selectman Blacker recommended approval of this site plan, subject to the typical conditions the Board regularly places on such applications. Interim Town Manager Thompson will draft the document to be discussed and approved by the full Board of Selectmen during the postponed hearing at the next meeting.

At the close of the discussion, it was on motion unanimously

VOTED: To continue the hearing on Site Plan Application 95-323 of Middlesex Savings Bank until October 10, 1995, at which time the full Board of Selectmen will discuss and review the application.

219th Town Forum

At 8:00 p.m. Acting Chairman Clark convened the 219th Session of the Town Forum. Various representatives of the Town's boards and departments updated the Town on their activities, following which Town Forum was adjourned and coffee and conversation was enjoyed by those present.

This Town Forum was televised over the local Cable network, and a copy of the videotape is available for one year by contacting the Selectmen's Office.

Fort Devens Biological Survey

Present: Chairman Stephen Meyer and Deborah Montemerlo of the Conservation Commission.

The Board acknowledged receipt of a memo from the Conservation Commission, dated September 5, 1995, requesting a short time on the agenda tonight to formally present the Selectmen with the findings of the biological survey completed for the Ft. Devens Annex Sudbury property. Accompanying the memo was the report entitled: Wildlife Species Observed on the Fort Devens Annex (South): June 24 - July 31, 1995, prepared by Stephen M. Meyer and Debbie Montemerlo.

Mr. Meyer and Ms. Montemerlo gave a slide presentation on the various wildlife species observed during their biological study this past summer. Following the presentation, they recommended that the Board support the allocation of the Sudbury portion of the Annex to U.S. Fish and Wildlife Department based on the abundance of rare species on this site and the impossibility of finding a 20-acre portion for other use that would not seriously disturb the habitats observed there.

Selectman Clark stated that while she respects the findings of the Survey, she feels that more emphasis is being placed on providing for wildlife than for human life. Mr. Meyer responded that he feels this is a false division of the issue involved: the two (wildlife and human life) are tightly intertwined. Many people move to Sudbury precisely because of the area's undisturbed land; there are dozens of other properties in Town which could be used for building. This area has been a refuge for wildlife for over one hundred years; other properties have no such wildlife value. Mr. Meyer stated that even the Army underutilized the site. Interim Town Manager concurred that the Natick Labs were not heavy users of the site, perhaps only one or two months per year, a seasonal use. Ms. Clark asked if hazardous waste is a concern. Mr. Thompson stated that there was some experimental use by the Natick Labs. Ms. Montemerlo said that PCB's left in the 1940's have been vandalized by the youth. Mr. Meyer reiterated that to have such quantities of wildlife in such a concentrated area is very unique. Ms. Montemerlo said that a Fish and Wildlife use is not incompatible with certain human use issues: both areas of education and recreation can be served. Selectman Clark inquired if passive walking would disturb the wildlife. Ms. Montemerlo responded that such activities as cross-country skiing, hiking, biking, biology laboratory research by schools--these are all fine and would not disturb wildlife.

Ursula Lyons stated that L. Mike Meixsell, Secretary/Clerk of the Hop Brook Protection Association, was present and she would like the Board to hear him read his letter on the subject of the transfer to U.S. Fish and Wildlife Service of the Fort Devens Annex, Sudbury, MA. Mr. Meixsell stood and read his letter, dated September 24, 1995, and addressed to Dan Sakura, Special Assistant to the Assistant Secretary, Department of the Interior, Washington, D.C. The letter stated the Hop Brook

Protection Association stance of supporting the transfer of the Sudbury portion of the Annex to U.S. Fish and Wildlife. Mr. Meixsell gave a copy of his letter to the Board.

Mr. Meyer noted that the Board of Park and Recreation Commissioners also supports the transfer to U.S. Fish and Wildlife Service.

Juliet Gibbs of the Fort Devens Sudbury Annex Task Force spoke of the petition effort of many townspeople to support the transfer to U.S. Fish and Wildlife; there is a petition effort in Town which asks the Board to support this transfer and it already has 800 signatures. Interim Town Manager Thompson asked Ms. Gibbs if she is the keeper of this petition and she answered in the affirmative. Mr. Thompson requested that she submit the petition to the Board at some time.

Application for Transfer of Liquor License - McPET, INC. d/b/a Sudbury Wine Co.

Present: Robert McEvoy, President, McPET, INC., Paul Pietrantonio, Manager, and Leonard A. Scott, Chairman of Licensing Commission, Somerville, MA

Acting Chairman Clark convened a public hearing, in accordance with General Laws Ch. 138, sec. 12, to consider the application dated September 11, 1995, for transfer to McPET, INC., d/b/a Sudbury Wine Co., Paul Pietrantonio, Manager, 621C Boston Post Road, of the Package Goods Store License for the Sale of Wines and Malt Beverages held by Country Variety and Deli, Inc., involving change in the description of the interior of the premises and permission to pledge the liquor license as collateral for a loan.

The public hearing was advertised in the Middlesex News on September 15, 1995. Abutters were provided written notice by certified mail/return receipt requested.

The Board acknowledged receipt of the following:

1. Memo from proprietors Robert McEvoy and Paul Pietrantonio stating their plans to open and run a wine and beer establishment, consisting of selling various types of wines, beers of all types and non-alcoholic beverages. They will also sell certain cheeses and coffees, glassware and accessories, and also cigars.
2. Transfer Application, Form 983, dated September 11, 1995, signed by Gary J. Volante, President of Country Variety & Deli, Inc., and by Robert P. McEvoy, President of McPET, INC.
3. Five-page application for Package Goods Store Wine and Malt Beverages License, completed and signed by Paul Pietrantonio and Robert McEvoy on September 11, 1995, with Forms A and C.
4. Floor plan of interior of the premises of 621C Boston Post Road.
5. Copy of Articles of Organization (General Laws, Chapter 156B) completed and signed on September 14, 1995.
6. Attested vote of McPET, INC. Board of Directors authorizing the signing and filing of this application.

7. Attested vote of McPET, INC. Board of Directors appointing Paul Pietrantonio as Manager of the Beer and Wine Retail Store being transferred from Country Variety & Deli, Inc. to McPET, INC., d/b/a Sudbury Wine Co., at 621 Boston Post Road.

8. Copy of Business Certificate dated September 13, 1995 signed by Robert McEvoy and Paul Pietrantonio and notarized on August 31, 1995, filed with the Sudbury Town Clerk.

9. Copy of Buyers, Sellers and Applicants for Licenses acknowledgment, signed by Robert McEvoy on September 11, 1995.

10. Copy of Tax Attestation, dated September 11, 1995, signed by Gary Volante, Corporate Officer of Country Variety and Deli.

11. Copy of Tax Attestation, dated September 11, 1995, signed by Robert McEvoy, Corporate Officer of McPET, INC.

12. Copy of birth records verifying U.S. citizenship for Robert Paul McEvoy, Paul Pietrantonio, and Debra (Anderson) McEvoy.

13. Copy of Purchase and Sale Agreement and Covenant, dated September 11, 1995, between Country Variety and Deli, Inc. of Sudbury Massachusetts, Seller, and Robert McEvoy and Paul Pietrantonio of Somerville, Massachusetts, Buyers, concerning sale of the business.

14. A letter dated September 21, 1995, from Leonard A. Scott, Chairman, City of Somerville Licensing Commission, supplying a favorable reference as to the reputable operation of Mr. McEvoy's package store in Somerville.

The Interim Town Manager reported that the Building Inspector, Fire Chief, and Health Director have recommended approval of the licensing, subject to final inspections and permits required by the Board of Health.

Following review with the applicants, it was on motion unanimously

VOTED: To approve the transfer of the Package Goods Store License for the Sale of Wines and Malt Beverages Only under General Laws Ch. 138, sec. 12, from Country Variety & Deli, Inc. to McPET, INC., d/b/a Sudbury Wine Company, Paul Pietrantonio, Manager, 621C Boston Post Road; to approve change in the description of the interior of the premises; and to grant permission to pledge the liquor license to Somerset Savings Bank as collateral for a loan, subject to approval by the Alcoholic Beverages Control Commission, and subject to final inspections by the Building Inspector, Fire Chief and Health Director and any permits required by the Board of Health.

Site Plan Special Permit Application 95-322 for Sudbury Lumber

Present: Frank Morgan, Manager, Sudbury Lumber Company and Town Engineer I. William Place.

The Board opened a hearing, continued from Sept. 11, 1995, on the application of Sudbury Lumber Company., Inc. for a Site Plan Special Permit for construction of an addition at the rear of the existing store containing a 37' x 40' office, a 10' x 16' hardware receiving and storage area, and a

5' x 10' open loading dock, on property located at 28 Union Avenue, Business District #5 and Limited Industrial District #6, owned by Robmar Realty Trust, Sudbury.

There being only two Selectmen present, formal consideration of the site plan application could not take place. The Board, therefore, held informal discussion with those present, as follows:

Selectman Clark asked if the drainage issue discussed at the last meeting of the Board had been adequately addressed in the interim. Interim Town Manager Thompson answered in the affirmative and recommended approval of Special Permit Application 95-322 providing that drainage recommendations made by the Conservation Commission be taken into account.

Town Engineer I. William Place reported that he is working with Mr. Morgan to address the issue of drainage as recommended by the Conservation Commission.

At the close of the discussion, it was on motion unanimously

VOTED: To continue the hearing on Site Plan Application 95-322 by Sudbury Lumber until October 10, 1995, at which time the full Board of Selectmen will be available for final review and approval of a Decision, to be drafted by the Interim Town Manager.

Dog Complaint - Anderson/Echouafni

The Board opened a hearing, continued from Sept. 11, 1995, for consideration of the complaint, dated August 18, 1995, of Pamela S.C. Anderson, 316 Goodman's Hill Road, against two Siberian Huskies owned by Mr. & Mrs. J.R. Echouafni, 47 Brewster Road.

The Board acknowledged receipt of a report from Dog Officer B. DeWallace on the dog pen built by the Echouafnis at 47 Brewster Rd. On September 12, 1995, Ms. DeWallace inspected the pen and found it to be quite adequate to contain and restrain the Husky dogs owned by the family. She said that it is a sturdy, chain link, reinforced fence edged with piping, and of sufficient height to restrain the dogs.

The Board also is in receipt of a copy of a letter from Lindsay S. Robbins, V.M.D. of Southborough, Massachusetts, dated September 5, 1995, detailing the damage done to the sheep owned by Mr. & Mrs. Anderson of Goodmans Hill Road in Sudbury. The veterinarian opined that if dogs such as the Huskies involved in the incident are successful at a first attack, they frequently, if given the opportunity, return for more.

The Board also acknowledged receipt of a letter from Mrs. Pamela Anderson, dated September 18, 1995, stating that she has reluctantly removed the sheep to a farm in Sherborn, for their own protection. Mrs. Anderson asks, however, that the dogs be removed from Brewster Road at least until the Selectmen make a decision on this issue. She stated there is a witness who can testify to the fact that the dogs have indeed been outside their property during the week of September 4, 1995.

The Board also is in receipt of a facsimile transmission from Atty. Thomas C. Grassia, of Grassia & Associates, dated September 21, 1995, saying that his office has been retained by Mr. & Mrs. Anderson and asking that the hearing on this issue be again postponed from September 26, 1995 to some future date. The Andersons have had to travel out of state due to the death of a family member and will not be able to be present on September 26, 1995. Mr. Grassia asks for materials relevant to this case to be forwarded from the Office of Selectmen to his office. He also asks that the Echouafnis be required to give bond and to further restrain their dogs for a period of twelve months. He states that the Andersons have properly brought these matters before the Selectmen pursuant to Chapter 140, Section 157 of the General Laws and asks that the Selectmen take certain prescribed actions in response, or if already taken, that confirmation of such be given. He asks that the Echouafnis be required to comply with Chapter 140, specifically Section 160, and that the Selectmen order them to pay damages pursuant to Chapter 140, Section 159.

Finally, the Board acknowledged receipt of a letter from Paul L. Kenny, Esq., Town Counsel, dated September 25, 1995, stating that he has reviewed the letter from Thomas Grassia, attorney for the Andersons. Relative to Mr. Grassia's request that the Selectmen order damages pursuant to M.G.L. c.140, s.159, Mr. Kenny states that a municipal official may not order damages payable in treble the amount of damages caused by a dog who attacks livestock; this must be done by a court of competent jurisdiction. In quoting M.G.L. c.140, s.169, Mr. Kenny says that Attorney Grassia presumably is informing the Board that they may be subject to criminal sanctions for failure to act, as this section of the General Laws imposes a fine for a municipal official who refuses to perform duties relating to dogs. However, Mr. Kenny states that the Selectmen have acted promptly in scheduling a hearing and by doing so have fulfilled duties imposed by Section 169.

After a brief discussion, Selectman Clark recommended that the hearing be continued until October 10, 1995, since the Andersons are not able to be present at this meeting.

It was on motion unanimously

VOTED: To continue the hearing until October 10, 1995, for the purposes of allowing Mr. & Mrs. Anderson to be present for the discussion and to reach a decision on the complaint, dated August 18, 1995, of Pamela S.C. Anderson, 316 Goodman's Hill Road, against two Siberian Huskies owned by Mr. & Mrs. J.R. Echouafni, 47 Brewster Road.

Utility Petition 95-30 - Maplewood Avenue (Continuation of Public Hearing of Sept. 11, 1995)

In accordance with the September 11, 1995 decision of the Board that Boston Edison amend Utility Petition 95-30, a revised Petition was submitted, approved and signed on September 18, 1995.

It was on motion unanimously

VOTED: To confirm the Board's approval of Utility Petition 95-30 of Boston Edison Company and New England Telephone and Telegraph Company for location of two poles on Maplewood Avenue, site description: "south side, approximately 115 feet east of Crystal Lake Drive", and shown on plan of Boston Edison Company "Plan of: MAPLEWOOD AVE., SUDBURY Showing Proposed: pole locations", dated July 26, 1995, revised September 14, 1995.

Town Bylaw Art. XX, Sec 3E - Waivers - Maplewood Avenue and Crystal Lake Drive

Present: Robert G. Devlin, Trustee of Lots 14 and 15, Maplewood Avenue Realty Trust.

The Board acknowledged receipt of a letter from Bruce Daniels of Hoffman & Hoffman, Attorneys for Mr. Devlin, dated September 14, 1995, requesting that the Board grant a waiver pursuant to Section 3E of Article XX and to grant a special permission to erect, construct, install, maintain, use or operate overhead electric wires and associated structures notwithstanding the provisions of Article XX of the Bylaws to provide utilities to 28 Maplewood Avenue. Accompanying this request are copies of plans detailing the location of the property and the intended placement of the electrical wires. The letter further explained the reasons for the request for waiver.

The Board is also in receipt of a letter, dated September 21, 1995, from Ronald A. Ham of Portside Realty Trust requesting approval to cross the road for installation of overhead electric service to new homes being constructed at #7 and 9 Crystal Lake Drive, and lots 39-40, 41-42 and 43-44 Maplewood Avenue. Attached to this letter is a plan of the building lot locations.

Selectman Blacker stated he had no objection with the request for waiver; Selectman Clark also stated she had no objection.

It was on motion unanimously

VOTED: To grant permission under Town Bylaw Art. XX, Sec. 3E, as amended by Article 70 of the 1994 Annual Town Meeting, for installation of overhead utility connections at 28 Maplewood Avenue (Lots 14 & 15, F04-716), to Robert G. Devlin, Trustee of Lots 14 and 15 Maplewood Avenue Realty Trust, for reasons that such installations are consistent with others in the neighborhood and to place utilities underground would create an undue hardship for the builder.

and unanimously

VOTED: To grant permission under Town Bylaw Art. XX, Sec. 3E, as amended by Article 70 of the 1994 Annual Town Meeting, for installation of overhead utility connections for five locations: at 7 Crystal Lake Drive, 9 Crystal Lake Drive, Lot 39-40 Maplewood Avenue, Lot 41-42 Maplewood Avenue, and Lot 43-44 Maplewood Avenue, to Ronald A. Ham for reasons that such installations are consistent with others in the neighborhood.

Change in Manager - Chiswick Park Theatre, Inc.

The Board acknowledged receipt of a petition, dated September 8, 1995, from Ted Pasquarello, Executive Producer of the Chiswick Park Theatre, 490 Boston Post Road, asking that the Board approve a change in manager, from Cynthia Hoch-Brettman to Ted Pasquarello. The petition was accompanied by a copy of ABCC Form A, for the appointment or change of manager in a corporation, completed and dated September 8, 1995. The petition was also accompanied by a copy of a decision of the Board of Directors of the Chiswick Park Theatre, Inc. electing Mr. Pasquarello as Managing Director, and verification of Mr. Pasquarello's citizenship.

It was on motion unanimously

VOTED: To approve a Petition for Change in Manager, dated September 8, 1995, under G.L.c.138, of Chiswick Park Theatre, Inc. for a change in Manager for said corporation, d/b/a Chiswick Park Theatre, 490 Boston Post Road, from Cynthia Hoch-Brettman to Theodore Pasquarello, 74 Fox Run, Sudbury, MA.

Final Report by Woodard & Curran on Wastewater Disposal Options

The Board acknowledged receipt of a memo from Jody Kablack, Town Planner, dated September 8, 1995 by which she submitted the final report of Woodard & Curran Inc., 990 Washington St., Dedham, MA, dated August 18, 1995, entitled "Town of Sudbury, Wastewater Disposal Options, Route 20 Business Districts." The report in its entirety accompanied this memo. Ms. Kablack asks that the Board vote to accept this final draft, an action already taken by other interested departments, boards and commissions.

It was on motion unanimously

VOTED: To accept the report prepared by Woodard & Curran entitled, "Town of Sudbury Wastewater Disposal Options Route 20 Business Districts", dated August 18, 1995, as referred by the Wastewater Options Task Force.

Decision Regarding Unexpected Surplus Amount of State Aid

Interim Town Manager Thompson informed the Board that it is only the Selectmen who may vote to reserve additional Cherry Sheet funds for future appropriation.

Upon recommendation of the Interim Town Manager, it was on motion unanimously

VOTED: To reserve additional FY96 Cherry Sheet aid received over initial estimates largely as a result of increases in Chapter 70 and Lottery Aid in the amount of \$77,219, as an offset which may be appropriated at a future town meeting;

and unanimously

VOTED: To support the recommendation of Terri Ackerman, Budget and Personnel Officer, dated July 28, 1995, that the Town decide to spend the funds in FY97 by voting \$77,219 into the Stabilization Fund during the Annual Town Meeting in April and then at that same meeting, vote to apply \$77,219 of the Stabilization Fund toward the FY97 budget.

Maillet & Sons, Inc. v Board of Appeals of the Town of Sudbury, et al; Land Court Civil Action No. 215586 Misc.

The Board acknowledged receipt of a letter from Myron J. Fox, Atty., of Rollins, Rollins & Fox dated September 15, 1995, stating that he represents Maillet & Sons, Inc. with regard to the decision of January 31, 1995 of the Board of Appeals to deny their application for a special permit to construct a single-family residence on Lot 5, 971 Concord Road, which is within a flood plain overlay district. Mr. Fox requested a special joint meeting with the Board of Selectmen, Board of Appeals, and himself to discuss the relevant legal issues involved in this matter. Accompanying Mr. Fox's letter is a copy of the

Minutes of the Tuesday, January 31, 1995 meeting of the Sudbury Board of Appeals and subsequent decision to deny the petition, a copy of the Complaint that he has filed at the Land Court, and a Memorandum of Law which provides a legal analysis of the consequences of the Board's denial of the Maillet application. Finally, also accompanying the letter is a copy of a decision, dated July 8, 1986 by which the Board of Appeals granted the application of petitioners for a special permit after having been ordered by the Superior Court to rehear the case.

Selectman Clark suggested that Interim Town Manager Thompson speak with Attorney Fox and inform the Board of a date which would be mutually agreeable to all three participating groups. Mr. Thompson mentioned either October 23, 1995 or November 6, 1995 would be open for the Selectmen and will see if the Board of Appeals will be able to meet on one of those dates.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of September 11, 1995 as amended.

Council on Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$83.44 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.

D.A.R.E. Program Donation

The Board acknowledged receipt of a letter from D.A.R.E. Officer Ronald B. Conrado, dated September 11, 1995, stating that the D.A.R.E. Program received a donation of \$200 from Berlin Auto Parts, Inc., 76 Coburn Road, Berlin, MA which will donate all proceeds from junk cars donated from Sudbury residents and notify Officer Conrado each month of any proceeds. Accompanying the letter from Officer Conrado is a copy of a public information flyer alerting residents to the possibility of donating unwanted vehicles to the D.A.R.E. program for the purposes of keeping youth off drugs, as well as a notation of one car donated in August, 1995 by a Sudbury resident, which produced the \$200 donation.

It was on motion unanimously

VOTED: To accept \$200 from Berlin Auto Parts to be deposited into the D.A.R.E. Program Account, and to authorize the Police Chief to expend same for the D.A.R.E. Program.

Bond and State Aid Anticipation Notes Approval

The Board acknowledged receipt of a memo, dated September 22, 1995, from Town Treasurer and Collector Mary Ellen Normen Dunn requesting approval of the Bond Anticipation Note and State Aid Anticipation Note Sale conducted on September 20, 1995.

It was on motion unanimously

VOTED: To approve the sale of a \$1,975,000 3.90 percent Bond Anticipation Note of the town dated September 29, 1995 and payable July 29, 1996, to BayBank Boston, N.A. at par and accrued interest, and to confirm signing of said note on September 22, 1995.

and unanimously

VOTED: To approve the sale of a \$466,000 3.89 percent State Aid Anticipation Note of the town dated September 29, 1995 and payable March 29, 1996 to BayBank Boston, N.A. at par and accrued interest, and to confirm signing of said note on September 22, 1995.

Voting Equipment Purchase Contract

The Board acknowledged receipt of a letter from Kathleen D. Middleton, Assistant Town Clerk, dated September 18, 1995, relative to the bid proposals for Optical Scan Vote Tabulators and seventy-two voting booths. Ms. Middleton stated that two companies responded to the Town's Request for Proposal on this subject: LHS Associates, Inc. with a bid totaling \$30,916 and Business Records Corporation with a bid of \$32,333. Ms. Middleton recommends a contract with LHS Associates after consideration of the technology offered and free warranty of equipment, as well as the lower price.

Following review, it was on motion unanimously

VOTED: To grant approval to the Interim Town Manager to contract with the firm of LHS Associates, Inc., Methuen, MA for the purchase of Optical Scan Vote Tabulators and Voting Booths for the Office of the Town Clerk, in accordance with its bid proposal dated August 29, 1995, received August 31, 1995, and Town of Sudbury specifications, at a base cost of \$30,300, to be paid in four installments of \$7,729 at a 2% interest rate.

New Town Cemetery - Sale of Lots Back to Town

The Board acknowledged receipt of a letter from Highway Surveyor Robert A. Noyes, dated September 20, 1995, concerning a request from Mrs. Thelma Patterson who has moved to Florida that she be allowed to sell back to the Town four graves in New Town Cemetery, Lot 30, Section 3B, Deed #327, originally purchased by Mrs. Patterson and her late husband, Norman.

It was on motion unanimously

VOTED: To grant the request of Thelma Patterson to sell back to the Town four graves in New Town Cemetery, Lot 30, Section 3B, Deed #327 (Sale of Lots \$50; Perpetual Care \$150).

Resignation of Richard S. Bryant from Long Range Planning Committee

It was on motion unanimously

VOTED: To accept the resignation of Richard S. Bryant dated September 18, 1995, from the Long Range Planning Committee and thank him for his service to the community.

Resignations of Joan Foisy, Ruth B. Howey, and Anthony A. Martinelli from Sudbury Cultural Council

It was on motion unanimously

VOTED: To accept the resignations of Joan Foisy, dated May 31, 1995, Ruth B. Howey, dated September 17, 1995, and Anthony A. Martinelli, dated June 30, 1995, from the Sudbury Cultural Council and to thank them for their service.

Appointments to Sudbury Cultural Council

The Board acknowledged receipt of a memo from Donna Kruse, Chairman of the Sudbury Cultural Council, dated September 21, 1995 recommending three names for appointment to the Council. Accompanying the memo were the applications of: Elizabeth Bernstein, dated July 22, 1995; Janice Rudolf, dated June 14, 1995; and Geraldine Apostle, dated June 10, 1995.

Upon recommendation of the Sudbury Cultural Council, it was on motion unanimously

VOTED: To appoint Elizabeth Bernstein of 14 Blueberry Hill Lane, Janice Rudolf of 37 Atkinson Lane, and Geraldine Apostle of 395 Boston Post Road to the Sudbury Cultural Council, all for a three-year term to expire September 26, 1998.

United Nations Day 1995

It was on motion unanimously

VOTED: To proclaim October 24, 1995 "United Nations Day" in Sudbury.

Walkway Easement - Run Brook Circle

It was on motion unanimously

VOTED: To accept Walkway Easement dated August 29, 1995, granted by Robert and Sharron Balaban, on the easterly side of Run Brook Circle, in accordance with "Plan Showing Walkway Easement over land of Robert Balaban and Sharron Balaban, 2 Run Brook Circle, Sudbury, MA," dated July 3, 1995, by Town of Sudbury Engineering Department.

UNICEF Collection Coordinator

The Board acknowledged receipt of a memo, dated September 19, 1995, from Marianne D'Angelo, Co-President of the League of Women Voters of Sudbury, recommending Joan Felleman as Sudbury's UNICEF liaison again this year.

It was on motion unanimously

VOTED: To appoint Joan Felleman as Sudbury's UNICEF Collection Coordinator for a term of one year, appointment signed September 26, 1995.

Speed Limits on North Road and Hudson Road

Present: I. William Place, Town Engineer.

The Board acknowledged receipt of a letter, dated September 20, 1995, from I. William Place, Town Engineer and Ronald Conrado, Safety Officer, on the subject of speed limits on North Road/Route 117, citing speed limit variations on the road which were set in response to several conditions which are no longer valid. The letter suggests that the Board request the Registry of Motor Vehicles perform the necessary studies to determine the legal speed limit along this road. Accompanying the letter is a copy of Special Speed Regulation No. 1085 for Route 117.

The Board also acknowledged receipt of a copy of a letter to Interim Town Manager Thompson, dated September 13, 1995, from I. William Place, Town Engineer, on the subject of speed limits on Hudson Road, citing the current posted speed of 35 m.p.h. as being too high for this thickly settled area. Mr. Place had evaluated this situation at the request of Safety Officer Conrado. The letter suggests that the Board request the Registry of Motor Vehicles perform an evaluation of the speed limit of Hudson Road in its entirety, as many sections fall under this category of "thickly settled." Accompanying the letter is a copy of MGL, Chapter 90, Section 18.

Selectman Blacker asked Mr. Place his opinion on what the State will ultimately do about this question and Mr. Place's response was that the speed limit on Route 117 will be set at 35 m.p.h. and on Hudson Road in the thickly-settled area in question it will be 30 m.p.h.

It was on motion unanimously

VOTED: To request that the Registry of Motor Vehicles perform the necessary studies to determine the legal speed limit along Route 117/North Road and along Hudson Road.

Voter Information Bill

Interim Town Manager Thompson informed the Board that he received a call from the office of Hasty Evans recently informing him that she is trying to set up a meeting with Lucile Hicks for October 3, 1995 at 11 a.m. Selectman Blacker agreed to attend this meeting with the Executive Director of the Office of Campaign and Political Finance regarding Sudbury's Voter Information Bill pending before the Legislature.

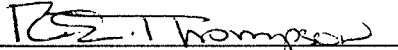
Walkway Easement/Betterment Proposal

Selectman Blacker brought up the subject of exploring whether it would be possible to consider a walkway a betterment and thus be able to assess the cost of such to the abutting owner, allowing the cost to be paid back to the Town over a period of years. Mr. Blacker felt it would be worth having Town Counsel Paul Kenny look into this idea. Selectman Clark wondered if eminent domain takings would become necessary. After a short discussion, it was decided to have Mr. Kenny advise the Board on the legality and feasibility of initiating a policy of betterments for future walkway construction on major thoroughfares in Town.

Town Revenue Forecast

Interim Town Manager Thompson noted he had sent to the Board a copy of the Town Revenue Forecast, dated September 15, 1995, completed as a result of meetings among J. Vanar, T. Ackerman, D. Loughlin, M.E. Dunn and Mr. Thompson. A more definitive forecast of revenues and expenditures will be delivered to the Board in December, along with other budget projections.

There being no further business to come before the Board, the meeting was adjourned at 10 p.m.

Attest: 

Richard E. Thompson
Interim Town Manager-Clerk