

IN BOARD OF SELECTMEN  
MONDAY, NOVEMBER 9, 1981

Present: Chairman Anne W. Donald, William J. Cossart and John E. Murray.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Chairman Donald.

Joint Meeting - Town Facilities Committee

Present: Albert S. Feinberg, Myron J. Fox, Edward L. Glazer, Jonathan J. Sirota, and Michael J. Cronin, Town Facilities Committee; and approximately twenty residents.

Town Facilities Committee member Myron J. Fox referenced the Committee's preliminary draft report to the Board of Selectmen, dated November 2, 1981, which listed the priorities for the disposition of the excessed school facilities and the following recommendations:

South Annex: sell to the highest bidder by sealed bids. Assistant Town Counsel recommends time closer to 1982 Annual Town Meeting; however, the Committee feels it should be done immediately thinking that a Special Town Meeting could deal with it prior to the 1982 Annual Town Meeting.

Horse Pond:

- 1) sell to Fire Academy (time limits: February 26, 1982.)
- 2) net lease to Academy (same time limit.)
- 3) sell in its present physical condition by sealed bids to the highest bidder. If not successful by June 30, 1982, give to private broker.
- 4) long-term net lease to other than Fire Academy.
- 5) demolition - sell land for residential development.

Fairbank:

- 1) sell in its present physical condition by sealed bids to highest bidder; if not successful by June 30, 1982, give to private broker.
- 2) long-term net lease.
- 3) demolition - sell land for residential development. (At present time, this building is under lease until June, 1982.)

Loring:

- 1) sell in its present physical condition by sealed bids to the highest bidder; if not successful by June 30, 1982, give to private broker.
- 2) long-term net lease.
- 3) demolition - sell land for residential development. In the interim, rent out for multi-use on a tenant "at will" basis (civic, educational, storage use only).

Recommendations:

- that any zoning changes will be the responsibility of the purchaser;
- that playgrounds of the excessed school properties will remain in Town ownership with the exception of the Fairbank School because of the playground across the street; and
- that further recommendations on future use or disposition of other Town/school facilities will be contingent upon resolution of the current excessed school facilities.

Mr. Fox stated that the Town Facilities Committee (TFC) will meet one more time and issue its final report.

Mr. William N. Johnson of 6 Phillips Road asked about the bidding process for the lease or sale of these properties. Town Counsel Paul L. Kenny stated that the process involves soliciting sealed bids by advertising in a local paper for lease or sale of these properties, perhaps indicating the zoning requirements/restrictions. The Town, in reviewing these bids, would not only look at the amount of the offer, but also the use proposed. Selectman Murray added that the property could only be sold with Town Meeting approval; also, many of the proposed uses would be prohibited by zoning regulations.

Responding to Joseph R. Cautela of 10 Phillips Road, Selectman Cossart stated that using an excessed school building for multiple uses would require special variances for those uses.

Mrs. Phyllis L. Kaufman of 178 Woodside Road asked if any further consideration had been given to the suggestions discussed for the Loring School at a recent area meeting. Mr. Albert S. Feinberg responded that all proposals received will be addressed, and that if the abutters make their wishes known, every attempt will be made not to go against their wishes. Chairman Donald stated that some requests have been received and are on file in the Selectmen's office.

Relative to low income housing, Mr. Feinberg stated that the Sudbury Housing Authority (of which he is a member) has no intention of submitting a bid for the same because there is no money available to do so.

Mrs. Mary M. Wolfman of 20 Phillips Road asked about the status of the Fairbank School and the Fire Academy (Horse Pond School). Selectman Murray stated that there are options available to the Town in these areas, and noted that the Fairbank School will be used by the Lincoln-Sudbury West program until June of 1982 when the lease expires and the Fire Academy had talked about buying the Horse Pond School building. Selectman Cossart added that there are no definitive proposals from the Fire Academy at this time to purchase or net lease.

Mr. Gerald Hertweck of 73 Woodside Road expressed concern regarding any interim uses for the Loring School and if there were restrictions for potential renters/tenants.

Selectman Murray stated that mostly educational-type uses have been proposed and discussed. Also, Selectman Murray stated that the Selectmen are submitting bookmark articles for the 1982 Annual Town Meeting dealing with the disposition of the excessed buildings. Also responding to Mr. Hertweck, Selectman Murray stated that the use of the Fairbank School for the Teen Center will continue at least through this school year. Chairman Donald added that it is in the best interest of the Town to have the building(s) occupied, adding that the Town does not have the money to allow the excessed buildings to remain as such for very long.

Mr. Raymond M. Middleton of 21 Woodside Road reminded the Board that the Loring School land had been donated to the Town for the common good of the townspeople, and expressed his opinion that, to sell the land, would be a rather "crass thing to do". Chairman Donald stated that it is the intention/recommendation of the TFC to keep the playground. Mr. Middleton stated that the major portion of the land was donated for the school, further stating that the Town should consider this donation as being its responsibility and in its trust.

Selectman Murray stated that abandoned buildings become an eyesore and a hazard; there are also vandalism problems associated with this type of situation. Mr. Murray further stated that, if the buildings are going to remain there, the Town had to do something with them; otherwise, the buildings should be demolished and something should be done with the land; i.e. sold for residential development, as recommended by the TFC as the lowest priority in their report of November 2, 1981. Selectman Murray added that this will benefit the Town, not only by the money received from the sale of the land, but in the future tax money that will come back to the Town.

Chairman Donald added that the common good of the Town may not be the same today as it was at the time the land was donated to the Town. This may have to be a decision for Town Meeting.

Mrs. Marguerite M. Urgotis of 79 Woodside Road stressed the urgency of the Town establishing a home for the elderly as other surrounding towns are doing, stating that this is the opinion of many Sudbury residents. Mrs. Urgotis stated that she had visited many surrounding homes for the elderly, some of which had been vacated school buildings, adding that she had spoken to several State officials who indicated that there is money available to towns for this purpose.

Selectman Murray responded that he had spoken to several developers/appropriate people, and that all indications are that there is no money available. Executive Secretary Richard E. Thompson added that those same people suggested that Sudbury would be better off to tear down the existing building(s) and build a new building for the elderly housing, since none of the existing buildings are conducive to the same. Mr. Feinberg added that it would cost two-five million dollars for such a project, and there is no money available.

Responding to Janet H. Cutler of 24 Woodside Road, Mr. Fox stated that demolishing the building(s) and keeping the land was not one of the TFC's foremost recommendations, but that that could be done if Town Meeting so decides.

Mr. Johnson questioned the meaning of a residential zone and what the expectations were on the part of the Town for use of the property. Town Counsel Paul L. Kenny stated that certain uses, such as a dancing school, with a special variance, could be allowed in a residential zone, but other commercial enterprises would not be allowed. Also, there is a possibility of municipal exemption on the part of the Town.

Mrs. Kaufman suggested that the sale of the land for residential development would thereby increase the number of school children! Mr. Jonathan Sirota stated that there is approximately  $\frac{1}{2}$  child per household; therefore, he did not see a future need for schools reopening, adding that the Nixon School is still available.

Responding to Mr. Douglas R. Lewis, Jr., of 43 Stone Road, Mr. Edward L. Glazer stated that past projections as to the number of children for the following year have been right on line. Mr. Sirota added that next year already showed a decrease of approximately 150 children.

Responding to Mrs. Josephine Hertweck of 73 Woodside Road, Mr. Thompson stated that a developer of condominiums was interested in purchasing the Loring School property.

Mr. Middleton commented that school population projections in the late 60's were that in the 80's we would have to build more, or add onto, schools, suggesting that current projections that there will be no future need for additional schools in Sudbury could also be incorrect. Mr. Middleton added that once the school building, (referring to Loring School) or land, is no longer the Town's property, there is no hope for schools in the future.

Selectman Cossart expressed his opinion that the excessed buildings and the an asset to the Town, especially the Fairbank School, and agreed that none of the excessed school buildings would be appropriate for elderly housing. These excessed school buildings are a liability to the Town, Selectman Cossart stated, which must be addressed rather quickly.

Selectman Cossart stated that two of the buildings - Fairbank and Horse Pond - should be addressed immediately and Loring School at a later date.

Mrs. Dorothy M. Wright of 155 Woodside Road stated that she favors elderly housing as a use for one of these excessed buildings, but if this is not possible, she would not like the Town to feel pressured into doing anything immediately, indicating that perhaps another open meeting would be desirable for further discussion.

Mr. Feinberg stated that the cost to demolish a school building would not be \$200,000 as stated by an abutter at one of the recent area meetings, adding that he did not have an accurate figure at this time.

Responding to Mr. Armstrong of the Long Range Capital Expenditures Committee Selectman Murray stated that the Selectmen will make a recommendation as to the disposition of the Flynn Building sometime in the future.

At the conclusion of discussion, Chairman Donald thanked the members of the Town Facilities Committee and citizens for their attendance.

Joint Meeting with the Historical Commission

Present: Chairman John C. Powers, Emmalou Eaton, Royce C. Kahler and Winifred C. Fitzgerald, Historical Commission; and Frederick P. Armstrong, III, Long Range Capital Expenditures Committee.

Chairman of the Historical Commission, John C. Powers, referenced his communication, dated November 2, 1981, to the Long Range Capital Expenditures Committee advising that the Historical Commission voted to defer its planned capital expenditure for Hosmer House for a period of one year in order to continue with the fund-raising aspects of this program which are necessary for matching funds.

Mr. Powers stated that, in the Town of Acton, there is also a "Hosmer House" under the control of the Historical Commission, and briefly described the parallels of the two projects.

Mrs. Emmalou Eaton explained that to become a patron of the Sudbury Hosmer House one could purchase a cup plate (one of only 500) for \$25. The cost for each additional one is \$10. Mrs. Eaton continued to say that these monies will be used to restore valuable paintings in the Hosmer House for a traveling art exhibition, which will hopefully bring in money which can be also applied toward matching funds. Mr. Powers stated that they are currently in the process of having an 1801 painting restored, following which several of Miss Hosmer's paintings will be restored for the exhibition.

Mr. Powers stated that Mrs. White, one of the caretakers, has been slowly going through the house and it is in good order. Mr. Powers went on to say that they will have to think about establishing an apartment in the Hosmer House that would be better suited to caretaking than the present situation.

Selectman Cossart made several comments challenging the slow progress of fund raising and the value (historical) of the Hosmer House, concluding that he needed reassurance regarding the financial involvement of the Town at this point.

Mr. Powers stated that the Historical Commission, knowing that there is not much chance for getting an appropriation from Town Meeting (this is not the year), will continue to solicit private funding through their current program and any other public subscription. Mr. Powers stated that this is a slower approach and the Historical Commission's target is \$30,000. That matched, would give the Historical Commission enough money for the first phase of restoration, which is making the house usable by Town organizations for meetings, etc. Mr. Powers confirmed that the value of the property and the contents was substantial. Mr. Powers asked what the worth would be to have the Town's only museum! Mr. Powers went on to say that the Hosmer House project is in a good situation- the Fourth of July festivities netted approximately \$2,000, and the Historical Commission hopes to repeat this fund raiser next year, and hopes to do better. Additionally, Mr. Powers reminded the Board that the glassware sale will also make money for the Hosmer House. Mrs. Eaton added that she had sketched a design, and that following submittal to the glassware company, they hoped to have the glassware for sale by next summer.

At the conclusion of discussion, Chairman Donald thanked the members of the Historical Commission for their attendance.

Mrs. Eaton stated that contributions to the Hosmer Fund could be sent to the Hosmer House, Box 404, Sudbury.

#### Evaluation Sheets

The Board reviewed composite evaluation sheets for FY81-82 for the following department heads: Building Inspector Joseph E. Scammon, Executive Secretary Richard E. Thompson, Town Engineer James V. Merloni, Police Chief Nicholas Lombardi, and Fire Chief Josiah F. Frost.

Following a brief discussion, the Board approved all of the above with one amendment to the Executive Secretary's, to add under general evaluation, any merit increase during FY81-82.

#### Board's Submission - 1982-87 Capital Improvement Program

Following discussion, the Board agreed that the letter to the Long Range Capital Expenditures Committee, prepared under date of November 9, 1981, relative to the Board's submission of projects for the 1982-87 Capital Improvement Program (CIP), should be amended to include the Fire Department ladder truck in the last paragraph of said letter - projects to be continued in the narrative part of the CIP, but not the financial schedules.

Relative to the inclusion of the Hosmer House project in the narrative Part of the CIP, the Selectmen considered referring it to the Historical Commission for submittal by them on the basis that: 1) it is questionable whether we can raise the matching funds for this project; 2) it is costing the Town approximately \$5,000 yearly in expenses (utilities) plus loss of tax dollars; and 3) it may become necessary for the Hosmer House to be boarded up until some future time when there is money available to make any progress in restoring the House.

The final consensus was to direct the Executive Secretary to redraft for inclusion by the Selectmen that section pertaining to the Hosmer House for the CIP narrative portion, expressing the Selectmen's position that this project should be delayed a year based on the unavailability of matching funds, further expressing their hope that fund-raising projects will move in the right direction to provide immediate money to cover at least the utility and maintenance costs, adding that future total renovation and associated cost need more evaluation before proceeding.

#### Memorandum of Agreement - Force Account Work

It was on motion by Selectman Murray unanimously

VOTED: To sign a Memorandum of Agreement between the Town and the Department of Public Works relative to funds assigned under Chapter 351, Acts of 1981, for reimbursement under G. L. Ch. 90, s. 34, Clause 2(a), in the amount of \$70,115 for Force Account work.

Amend Selectmen's Policies and Procedures

During review of a proposed amendment to the Selectmen's Policies and Procedures, section G, Performance Review Policy, prepared under date of November 9, 1981, the Selectmen concurred to eliminate, in the first paragraph, the words, "by June 15 of each year", and section 2, and to re-number sections 3-8.

Auctioneer's License

It was on motion by Selectman Murray unanimously

VOTED: To approve the issuance of a one-day Auctioneer's License to Roger Bump, 9 Wilson Road, Sudbury, to conduct the Sudbury Co-operative Pre-school annual auction on November 20, 1981, at Ames Hall, Memorial Congregational Church, Concord Road, as requested by Heidi E. Goebel, Fundraising Chairperson, Sudbury Co-operative Pre-school, Inc.

Town Report Contest Award

The Board noted receipt of a communication, dated November 2, 1981, from the Massachusetts Municipal Association informing the Town that it will be the recipient of a Town Report Contest award, to be announced at the Massachusetts Municipal Association's Annual Meeting.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular and Executive Sessions of November 9, 1981, as drafted.

Current Items of Interest

Middlesex County Extension Service

Chairman Donald referenced a communication dated October 30, 1981, from the Town of Littleton, which the Selectmen received in their packages, requesting joint support of full funding of the Middlesex County Extension Service. A seventy percent cut was recently recommended by the Committee on Counties. The Selectmen agreed not to act on this at the present time.

Communication from John C. Powers

Selectman Cossart referenced a communication, dated November 2, 1981, from Atty. John C. Powers, and, it being the second on the subject from him, Selectman Cossart directed the Executive Secretary to draft a response for review to Mr. Powers stating that the Board made a conscious decision not to support Article 11 in the Warrant of the Massachusetts Selectmen's Association relative to application for funding for a gypsy moth program based on indications that there will be a substantial reduction of gypsy moths next season; with additional comments as stated by Mr. Cossart ... i.e. additional spraying may interfere and disrupt their cycle and personal viewing of wooded areas in the Town shows much less egg masses than previous years.

Colonial Auto - Used Car Sales License

Selectman Cossart called to the Board's attention the fact that Colonial Auto Body has several used cars advertised on their property and questioned whether they were licensed for used-car sales. Executive Secretary Richard E. Thompson stated that he would report back to the Board with a copy of this license.

Sudbury Center Lights

Selectman Cossart asked about the blinking lights situation in the Town Center. Mr. Thompson responded that the lights are broken and that they are usually set on blinking until such time as they can be repaired by the contractor.

Additionally, Mr. Thompson responded to the Selectmen that Town Counsel's office is working on the possibility of recouping the cost of the traffic pole in the Town Center, and that Mr. Scammon is working on the re-installation of the three lamps which will require a concrete base.

Mr. Thompson responded to Chairman Donald that the school traffic signals will be installed hopefully by November 30, the date of the contract completion.

One-day Licenses

At its request, the Board acknowledged receipt of a November 5, 1981, communication from Assistant Town Counsel Thomas M. French, informing the Board that the Executive Secretary cannot approve one-day license applications (which are regularly filed each year) for the Selectmen who are the licensing authority for the Town, he may only perform the ministerial function of those licenses, after approval by the Board.

Human Relations Meeting

The Board acknowledged receipt of a communication, dated November 3, 1981, from the Human Relations Coordinator of the Lincoln-Sudbury Regional School District, noting that the first meeting of the Human Relations Council will be held Wednesday, November 18, 1981, at 7:30 p.m. in the High School Library.

Colburn Engineering, Inc. - Scale Requirement

It was on motion by Chairman Donald unanimously

VOTED: To waive requirement I,1,c of the Selectmen's Site Plan Submission Rules and Regulations to allow submission of a site plan with a scale of 1"=40' for property located on Codjer Lane, owned by Melgrove Realty Trust, 31 Melville Avenue, Newtonville, (applicant: Gold Star Nurseries), as requested by Colburn Engineering, Inc., dated November 9, 1981.



Town Meeting Participation by Telephone

Present: George W. Gibson, 34 Wagonwheel Road

Mr. Gibson was present and addressed the Board relative to an idea he had whereby citizens over the age of 60 (Mr. Gibson stated that Col. Leahy informed him that there are 1,000 people in Town over the age of 60) and shut-ins could participate in Town Meetings from their homes by means of an F.M. Broadcast and a telephone system to the Moderator and/or operators at Town Meeting. These residents would register and receive an absentee code number and participate in discussions and vote by telephone using their code number. During voting, the coded numbers would be recorded by telephone operators. The outcome of the vote may have to wait until the end of that session - any articles for reconsideration would be taken up the following night.

Mr. Gibson stated that there is currently no legislation prohibiting this procedure - neither is there any allowing it. According to the Secretary of State's office, Mr. Gibson stated, in order to pursue the idea, legislation to allow the same would be required and approved by Town Meeting.

Mr. Thompson reminded Mr. Gibson that there is a deadline of December 31 for monied articles for the 1982 Annual Town Meeting.

Mr. Gibson stated that Representative Hicks favored the idea and stated she would give her assistance if it is a desirable procedure; the Moderator is also in favor of the procedure.

The Selectmen agreed tentatively that it was a good idea. Mr. Gibson stated that he would pursue the matter with the telephone company, which is his only obstacle as far as obtaining information at the present time, and that he would keep the Board informed regarding the mechanics of such a procedure including the cost for the telephone system, if any.

Selectman Murray questioned the situation whereby it becomes necessary to recall votes - count the hall. Mr. Thompson suggested there might be a problem regarding the credibility of such a vote. Mr. Thompson also suggested that Mr. Gibson speak to the Town Clerk, who would be a very knowledgeable and constructive person on this subject.

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

Attest: \_\_\_\_\_

Richard E. Thompson  
Executive Secretary-Clerk