

IN BOARD OF SELECTMEN
WEDNESDAY, APRIL 6, 1983

Present: Chairman John E. Murray, Anne W. Donald and Myron J. Fox.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. in the library of the Lincoln-Sudbury Regional High School by Chairman Murray.

Article 5 - Budget

Line Item 340-33, Building Department/Excess Buildings

The purpose of this line item was discussed and because \$15,000 of the \$35,000 line item was apportioned to the Loring School for maintenance, the line item had been held by Town Meeting last evening for consideration after Article 18, Disposition: Loring School; however, Article 18 may be indefinitely postponed as a result of the proposal submitted by Laury Hammel for the use of that School, and which will be discussed later during this meeting.

Line Item 950-94, Unclassified/Copying Service

The Board discussed the lease/purchase agreement for the Town Hall copy machine and agreed to wait for Town Meeting action on the above-captioned line item before discussing the line item with the lessor.

Article 20 - Lincoln-Sudbury Regional High School Roof Repair

The Board reviewed a March 9, 1983, communication from Marcia A. Roehr, District Secretary of the Lincoln-Sudbury Regional High School, officially notifying the Town of the Regional School Committee's vote of March 8, 1983, to incur indebtedness of \$300,000 for Lincoln-Sudbury roof repairs, and the Board discussed the fact that Town Meeting action must be taken within the thirty-day period (from the date of the School Committee vote) required under Chapter 71, s.16, paragraph (d).

The Board agreed to make a motion to take that article out-of-order, if necessary, in order that Town Meeting can act on it this evening.

Article 11 - Handicapped Parking, Art. V, s.26

Executive Secretary Richard E. Thompson informed the Board that Town Counsel's office had prepared an amendment to this article to include a section "f", a waiver provision in case of hardship, and a substitution of words clarifying "residential dwellings". Selectman Donald will make the motion on this article. The Board supported the amendments.

Proposal - Use of Loring School

Present: Vicki and Laury Hammel, Sudbury Community Art Center, Inc.; Residents Phyllis Kaufman and Betsey and Harold Cutler; and Ms. Laurie Loftus, Sudbury Artist and a director of the proposed Art Center.

Chairman Murray convened a scheduled meeting with Laury Hammel and associates concerning a proposal for the Sudbury Community Cultural Center, Inc. at Loring School. (Mr. Hammel later informed the Board that the name had been changed to Sudbury Community Art Center, Inc.)

Selectman Fox noted that Mr. Hammel's proposal specifies that the Town initially be responsible for fixing all windows, assuring that all plumbing and electrical fixtures are working properly, and that all future major repairs and snow plowing will be the Town's responsibility. The Non-profit Corporation would be responsible for the installation of a burglar alarm system and all minor maintenance and utilities.

Selectman Fox stated that the Selectmen are suggesting that, in order to make this a viable suggestion for the Town (since the Town is not charging anything for the use of the building), that the Corporation be responsible for those things which they have asked the Town for - that a "net/net" lease be negotiated.

Selectman Fox went on to say that usually a bond is required to assure that the property is maintained in its present condition but that his recommendation would be to waive such a requirement. The Board agreed.

In terms of finances, Selectman Fox expressed his opinion that perhaps Mr. Hammel is overly optimistic in terms of finding various groups who might be interested in using space at the Center and in terms of anticipated donations.

Selectman Fox stated his position was to allow the Art Center to lease the Loring School for one year to avoid, if possible, demolishing the building. The Board agreed.

Mr. Hammel commented that he felt the proposal for an Art Center would provide a service to the Town and thought he might receive some help from the Town, however, he did not want this to be a stumbling block and that the net/net lease was acceptable. He suggested that one exception might be the snow plowing, since it appeared to him that this could be easily accomplished with the Town plows when the street is being plowed.

Selectman Murray stated that the Selectmen really could not commit another Town department without discussing it; also, there was the liability issue. Selectman Fox felt the Town may no longer carry that building in its liability policy once it is turned over to the Art Center and this would preclude using Town equipment on the property.

At the request of the Executive Secretary, Town Counsel Paul L. Kenny explained the allowed uses for that building under the zoning bylaws - non-profit, educational and residential uses only.

Town Counsel expressed some concern regarding possible capital expenditures since the terms of the lease would not include such items as roof and boiler repairs; Mr. Thompson added that the Corporation would be responsible for the insurance coverage on the building.

During discussion, Mr. Hammel indicated that he is familiar with insuring buildings - coverage requirements and costs - and felt it could cost under \$3,000 to insure Loring School adequately and to the Town's specifications, and felt that the corporation could absorb this cost.

During later discussion, Mr. Thompson pointed out that the furnace had been rebuilt and was in very good working condition. Mr. Hammel stated that he had spoken to Mr. Douglas Lewis, custodian and security guard, about the condition of the roof and that there appeared to be varying opinions regarding how much it will cost to repair it. Selectman Murray commented that demolishing the building would eliminate incurring these costs to the Town and is the reason why the Town cannot be responsible for them in terms of this lease. Mr. Hammel stated he realized his biggest problem is major repairs.

Insofar as finding users for the building, Mr. Hammel stated that half of the building was already committed (that he is retaining three classrooms for the Longfellow School), and that Dr. Ralph Sherman, an internist at Framingham Union Hospital, is very committed to the Art Center at Loring School and is interested in doing something in the area of health at the Center. Additionally, they are already planning the first Sudbury Gala Arts Festival at the Center for June 11 at which they plan to make \$2,000-3,000.

There was some discussion regarding the ballfield and all agreed that it would not be included in the lease but that it would be reserved for Town programs and Town residents. Selectman Donald added that she felt the Park and Recreation Department would continue to mow all the lawns at the Loring School.

Selectman Fox expressed some concern regarding the liability issue (and stated that Town Counsel would address that when drawing the lease). Mr. Hammel stated the effective date of the one-year lease should be July 1, 1983.

Mr. Hammel felt that personal injury would be covered by his insurance and that it would not cost that much more to cover the outside area adjacent to the building (grounds).

Selectman Fox added that at the end of the one-year lease both parties would review the lease and either would have the right to not continue the situation at that time.

Mr. Thompson stated that, if this proposal is not successful at Loring School, there might be room for the Center at Fairbank School.

Selectman Murray expressed his personal feeling that the Board should seriously consider this proposal although he felt it would be difficult to go back to another Town Meeting if this fails since the article had been postponed already at the 1982STM. Selectman Donald felt the Selectmen would be remiss if they did not attempt to occupy a useful building, especially if there is no impact on the Town's budget.

At the conclusion of discussion, it was on motion by Selectman Fox unanimously

VOTED: That the Selectmen's position on Article 18 be indefinite postponement to sell or demolish Loring School for the reason that the Selectmen, on behalf of the Town, hope to enter into a one-year lease with Sudbury Community Art Center, Inc., to be effective July 1, 1983, for consideration of One Dollar, all costs to be absorbed by said Art Center; said lease to be worked out by Town Counsel and a representative of the Corporation's choosing.

Mr. Hammel stated he would call Town Counsel's office tomorrow regarding the lease.

Article 13 - Basic Requirements and Environmental Impact, Art. IX, 1

Executive Secretary Richard E. Thompson distributed information from the Planning Board relative to the above-captioned article for review and possible discussion with the Planning Board prior to said Article coming before Town Meeting. The Board agreed there was not sufficient time to try and do so since it was already 8:00 p.m.

There being no further business to come before the Board, the meeting was adjourned at 8:05 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk