

IN BOARD OF SELECTMEN
WEDNESDAY, SEPTEMBER 4, 1985

Present: Chairman Myron J. Fox, Josiah F. Frost and Anne W. Donald.

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

Utility Petitions

Present: Robert L. Blake, Boston Edison; Joseph D. Bausk, New England Telephone and Telegraph Company; and abutters John E. and Sarita W. Beebe, Jr., 14 Bradley Place.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered the following Utility Petitions:

UP#85-19/Boston Edison Company & New England Telephone for permission to lay and maintain, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way of the Town:

Pratt's Mill Road - approximately 395 feet southeast of East Street, thence turning and running northeasterly a distance of about 48 feet - conduit.

UP#85-22/Boston Edison Company & New England Telephone for permission to erect or construct, and a location for, poles, and such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, to be used in common by them upon, along and across the following public way of the Town:

Pratt's Mill Road - northeasterly side approximately 395 feet southeast of East Street, One (1) pole, [One (1) existing JO pole to be removed];

Pratt's Mill Road - northeasterly side approximately 545 feet southeast of East Street, One (1) pole;

Also, for permission to lay and maintain underground laterals, cables and wires, on the same side of the public way as poles, for the purpose of making connections with such poles and single-residence buildings as each of said petitioners may desire for distributing purposes.

It was on motion by Selectman Frost unanimously

VOTED: To approve UP85-19 and UP85-22, as described above, and as shown on the following plans:

UP85-19: Boston Edison plan entitled, "Plan of Private Property and Pratt's Mill Road, Sudbury, Showing proposed pole location", dated July 1, 1985; and N.E.T.&T. Co. Plan No. 85-10 entitled, "Plan For

Conduit Location to Accompany Petition of New England Telephone and Telegraph Company", dated August 12, 1985; and

UP85-22: Boston Edison plan entitled, "Plan of Private Property and Pratts Mill Road, Sudbury, Showing proposed pole locations, guy wires & anchors & removal", dated June 18, 1985.

UP#85-20/Boston Edison Company & New England Telephone for permission to lay and maintain, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way of the Town:

Plympton Road - southerly approximately 895 feet east of Bowen Circle, a distance of about 13 feet - conduit.

It was on motion by Selectman Donald unanimously

VOTED: To approve UP85-20, as described above, and as shown on the following plans: Boston Edison entitled, "Plan of Plympton Rd., Sudbury, Showing proposed location of customer conduit", dated June 17, 1985; and N.E.T.&T.Co. Plan No. 85-11 entitled, "Plan for Conduit Location to Accompany Petition of New England Telephone and Telegraph Company", dated August 12, 1985.

UP#85-21/New England Telephone for permission to lay and maintain, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way of the Town:

Haynes Road - Southeasterly, approximately 650 feet north of Hadley Road, a distance of about 32 feet - Conduit.

It was on motion unanimously

VOTED: To approve UP85-21, as described above, and as shown on plan #85-9 entitled, "Plan for Conduit Location to Accompany Petition of New England Telephone and Telegraph Company", dated August 8, 1985.

Executive Secretary Richard E. Thompson noted for the record that all appropriate Town officials and abutters had been notified and joint reports had been received from the Wiring and Building Inspectors recommending approval of all the subject petitions under dates of August 20, 21 and 27.

Wine & Malt Temporary License/Sudbury Militia

Present: Joseph D. Bausk, Sudbury Companies of Militia and Minute/Sudbury Ancient Fife and Drum Companie.

In accordance with a request dated August 19, 1985, it was on motion unanimously

VOTED: To grant a one-day license to Joseph D. Bausk, Sudbury Companies of Militia and Minute and Sudbury Ancient Fife and Drum Corps to sell wine and malt beverages only, to be drunk on the premises, on September 28, 1985, from 9:00 a.m. to 5:00 p.m. (or in the alternative, a rain date of September 29,

1985) on the grounds of the Wayside Inn, subject to the provision of sanitary facilities for attendees, obtaining required building and wiring permits, and approval by the Fire and Police Chiefs.

Goodman's Hill Road/c.61A Option to Purchase

In response to notification dated August 1, 1985, from Elizabeth M. Walker and Marjorie A. Walker, of their intended conversion of agricultural land assessed under c.61A, and a communication from Town Counsel's Office dated August 8, 1985, and following a brief discussion, it was on motion by Selectman Donald unanimously

VOTED: Not to exercise the Town's option to purchase approximately 5.2 acres of land, located on Goodman's Hill Road and owned by Elizabeth M. Walker and Marjorie A. Walker of Sudbury, under General Laws Chapter 61A, s.14, in accordance with recommendations from the following Town Boards: the Conservation Commission, the Board of Assessors, and the Planning Board, dated September 3, August 9, and August 15, respectively.

Selectmen's 5-year CIP

Following discussion it was on motion by Selectman Donald unanimously

VOTED: To request Executive Secretary Richard E. Thompson to submit a communication, prepared by the Executive Secretary under date of September 5, 1985, to the Long Range Capital Expenditures Committee on the subject of the Selectmen's five-year Capital Improvement Projects (1985-91) with the further explanation that Mr. Thompson has been working with the School Department and the School Committee regarding the implementation of the long-range plan to have a centralization of Town offices at the Nixon School, and that as soon as the School Department gives the Town the go-ahead to expand its use of the school building (determines that this school space will not be needed), the anticipated moves of Town offices, which are now located at the Flynn Building, can take place.

Mr. Thompson stated that the School Committee is working on a forecast of students - that there appears to be a question of upturn, although, he stated, Superintendent Joseph LoPresti's projections have indicated that the Nixon School may not be needed in the foreseeable future. Mr. Thompson added that he had indicated to Dr. LoPresti that any space taken at Nixon School by Town departments would be replaced with space vacated at the Flynn Building, explaining to the Selectmen that it is mostly storage space which the schools need.

Fuel Oil Supply

It was on motion by Selectman Frost unanimously

VOTED: To accept a bid awarded by the Wellesley School Committee, acting as agent for The Education Cooperative, for supplying #2 and #4 fuel oil for Town buildings during the 1985-86 heating season, commencing September 1, 1985, from First Petroleum Corp., 800 South Street, Waltham, Massachusetts, at the price per gallon on the date of delivery of the lowest posting of the Daily

New York Journal of Commerce, Boston Terminal, plus \$.0277/gallon for #2 oil and minus \$3.36/barrel for #4 oil (1% sulphur content) throughout the supply period.

Note: the Building Inspector recommends acceptance.

Raytheon Laboratory, Marlboro

Executive Secretary Richard E. Thompson updated the Board on a meeting which took place on Wednesday, August 21, to discuss the proposed construction of a Raytheon Laboratory on Route 20, Marlboro, just west of Hager Pond.

Following discussion and on recommendation of the Executive Secretary, it was on motion by Selectman Donald unanimously

VOTED: To communicate to the State Executive Office of Environmental Affairs, the Selectmen's strong opposition to Raytheon's request for an exemption from the requirement that an Environmental Impact Report be prepared in conjunction with its proposed construction project in Marlboro (500,000 square foot laboratory), and to enclose a copy of the Conservation Commission's communication dated August 31 on this subject.

Site Plan 85-292/Willow Hill School, 98 Haynes Road

Present: Building Inspector Joseph E. Scammon; Director of Admissions Kathleen Farrell, Financial Administrator Edward Cooper, Board of Directors President Anthony Russell, Architect Gardner Ertman, and Bruce Ey, Engineer, A School for Special Learning, Inc.; abutters Harry R. and Eleanor T. Tappley, 43 Village Road.

In accordance with Art. IX, section V, paragraph A of the Sudbury Bylaws, the Board considered Site Plan 85-292 of Willow Hill School, for property located at 98 Haynes Road, for the construction of an arts/multipurpose building.

Executive Secretary Richard E. Thompson stated that all appropriate abutters and Town officials had been notified and noted receipt of the following communications:

- from the Planning Board, the Board of Health and the Fire Chief, dated September 4, August 21, August 14, respectively, recommending conditional approval;

- from the Conservation Commission, dated August 26, 1985, indicating that a Wetlands Protection Act hearing had been held on August 5 relative to a Notice of Intent filed for work in the buffer zone in close proximity to the wetland; pending receipt of a revised plan showing fire access required by the Fire Chief and other requirements of the Commission, it is the Commission's intent to issue an Order of Conditions;

- from the Building Inspector, dated August 28, 1985, recommending approval; and

- from the Town Engineer, dated August 28, 1985, listing several concerns relating to parking and landscaping;

- from abutter Richard R. Kurth, dated August 27, 1985, requesting evergreen screening to shield the parking area, reduce visibility from the illuminated building(s) at night, and to improve privacy; also, informing the Board that a condition of a December 22, 1975, vote of approval by a former Board of Selectmen was that evergreens be planted as a means of screening the parking lot and that was never established.

Engineer Bruce Ey stated the following with regard to concerns and requirements raised in the above-noted reports and to questions raised by the Selectmen and abutters:

1) a subsurface disposal system design plan has been approved by the Board of Health, and as noted in the Board of Health's letter, it will accommodate a hydraulic load associated with a maximum of 84 students;

2) a revised plan showing erosion control has been submitted to the Conservation Commission as requested; that plan also shows the fire access to the building, as requested to be shown on the plan by the Commission;

3) relative to parking, since, as indicated in the Town Engineer's report, Sudbury's current Off-Street Parking Bylaws do not contain specific parking standards for a school, the Town Engineer's recommendation has been followed and they have applied Framingham's Off-Street Parking Bylaw, which is one space for every four students plus one space for every two employees. Projections show ten parking spaces needed and they have twelve. They are not adding additional parking spaces or creating impervious surface as the existing parking area is gravel and will remain unchanged.

Note: Later in the evening it was noted that there is currently a staff of twelve and the present number of students is thirty with a potential of expanding to a maximum of forty with the new building. Director of Admissions Kathleen Farrell stated that there is no way for the school to become larger and still carry out the philosophy of the school which caters to children with learning style differences;

4) In conjunction with the Planning Board's request for additional screening, Mr. Ey reported that a landscaping plan had been developed to provide evergreens along the boundary of the Kurth property; this also satisfies the abutter's request. Also, in regard to the abutter's concern regarding lighting, Mr. Ey indicated the school's strong desire to fit into this residential community and will place lighting accordingly - nighttime lighting is necessary for security, but it will be directed away from abutting residences.

5) Mr. Ey agreed to comply to the Planning Board's request to revise the site plan to show an "Increased Reserve Parking" area; this will ensure that adequate parking will be available on the site should circumstances regarding staffing or student population change.

Note: There was some discussion regarding occasional overflow resulting in parking along Haynes Road. Ms. Farrell stated that it is not school policy to allow that and during those special events requiring additional parking (approximately twice a year) they have a working relationship with Haynes School (a short way down the road) to use that parking area and shuttle people to Willow Hill. Ms. Farrell indicated that they have tried to rectify that situation in the past by hiring a police officer for traffic during their fall festival. Later, responding to Mrs. Tappley, Ms. Farrell stated that there would be very limited weekend activities.

6) One remaining problem is the Town Engineer's recommendation regarding the designation of a traffic turnaround area; Selectman Fox stated that any vote of approval would be contingent on resolution of this and other concerns raised by the Town Engineer.

Selectman Frost attempted to satisfy Mr. and Mrs. Tappley's concern regarding fire control on the site in relation to their abutting property. Selectman Frost stressed, however, the importance of keeping the fire access road open in the wintertime.

Mr. Gardner Ertman showed architectural renderings, stated that the exterior of the building would be stained cedar clapboards in a horizontal design (the siding would not be vertical as shown on the plan). The Board approved the architectural rendering as presented by Mr. Ertman entitled, "Art-Multi Purpose Building, Willow Hill School", dated August 2, 1985, with siding modification.

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

VOTED: To approve Site Plan 85-292 of Willow Hill School for property located at 98 Haynes Road, as shown on a plan entitled, "Site Plan of Land in SUDBURY, MASS. prepared for Willow Hill School", dated July 19, 1985, subject to compliance with all governmental laws and regulations including, but not limited to, zoning, building and health laws and regulations, and further subject to the following conditions:

- 1) an Order of Conditions under the Wetlands Protection Act by the Conservation Commission, as applicable;
- 2) approval of the drainage system, including traps, catch basins, and periodic maintenance as required by the Town Engineer;
- 3) extension of Sudbury Water District lines to the site by the owner; no wells to be installed on the site;
- 4) the grant of an earth removal permit, as applicable;
- 5) approval of signs or advertising devices as required under the sign bylaw;
- 6) no storage or use of chemicals on site except in conformity with guidelines and requirements of the Board of Health and except with written notice of the same to the Board of Health; the owner or operator

of the site shall comply with the Massachusetts Oil and Hazardous Material Release Prevention and Response Act, G.L.c.21E, as amended, and all regulations issued thereunder;

7) exterior lighting to be directed away from adjacent residences and the lighting shall have shields'

8) submission of an "as built" site plan - any change in the physical condition of the site, including changes in the location or design of structures or systems, following initial approval of the site plan, will require approval of the Board of Selectmen;

9) as stipulated, and agreed to, in written reports, or otherwise, from the various Town department heads and agencies, specifically:

a) from the Fire Chief, dated August 14, requiring an access to the building capable of supporting the weight of a fire engine (as discussed, said access road must be kept open in the wintertime); and a fire alarm system connected to the municipal fire alarm with an annunciator panel installed acceptable to the Fire Chief.

b) from the Town Engineer, dated August 28, 1985, requiring resolution of the following: off-street parking, on-site traffic to provide for pedestrian safety and maneuverability (i.e., the gravel drives in front of both the Weeton and the Phoenix Buildings), the designation of "overflow" parking provisions, and with regard to Town Bylaws, compliance to the landscaping bylaw and the off-street parking bylaw which requires parking in the rear.

(Note: During discussion, the Selectmen concurred with the Building Inspector's statement that, although the landscape bylaw was created for business and commercial properties and does not apply to residential zones, landscaping as requested by Mr. Kurth would be a condition of approval; also noted was that parking in the rear, also not required in residential zones, would have encroached on wetlands.

c) from the Board of Health, dated August 21, restricting student enrollment to a maximum of 84, that the required fire access road between the Phoenix Building and the proposed leach trenches cannot go over any portion of the septic system unless the material specifications are upgraded to handle an H-20 loading, and specifying that Town water is supplied to the new building.

d) from the Planning Board, dated September 4, requiring a landscape plan, to be approved by the Town, showing all landscaping features, including outdoor lighting and contours of land at 2-foot intervals, suitable screening of the parking area from the adjoining premises and street, and as discussed, from abutting residences; that an "Increased Reserve Parking" area be designated on the plan suitable for accommodating future increases in parking demands but not to be constructed unless needed which shall be at least one year following the issuance of a Certificate of Occupancy, subject to Board of Selectmen approval.

(Note: As agreed during discussion this evening, instead of the landscape plan as recommended by the Planning Board's letter of September 4, the site plan will be revised to show landscaping consistent with Mr. Kurth's request - evergreen screening northward from the present driveway to the north border of the Willow Hill property, along the ridge between the parking lot and Haynes Road; trees planted will be of sufficient height and spaced to accomplish screening.)

10) no parking is allowed in the street (on Haynes Road); and

11) no building permit or occupancy permit shall be issued until all of the items noted above are complied with.

The Selectmen did not sign the plan pending revisions as noted tonight.

NOTE: At the Board's meeting of September 18, 1985, item #11 of the above vote was amended as follows:

"11) no building permit shall be issued until items 1, 2, 4, and 9b are complied with, and no occupancy permit shall be issued until items 3, 6, 7, 8, 9a, 9c and 9d are complied with, all as noted above."

The Bagel Baker, 621C Boston Post Road

Present: Applicant Richard Kommit; Building Inspector Joseph E. Scammon.

Chairman Fox convened a public hearing on the application dated August 12, 1985, of Richard Kommit, 15 Woodland Road, Sudbury, d/b/a The Bagel Baker, for a Common Victualler License to operate a bakery restaurant at 621C Boston Post Road.

Executive Secretary Richard E. Thompson stated that all appropriate abutters and Town officials had been notified and noted receipt of the following communications:

- from the Building Inspector, dated August 30, 1985, indicating no objection to the issuance of the above license provided that the owner of the property, Arnold J. Tuck, makes available the proper number of parking spaces on the site as per site plan approved on August 25, 1977.

Note: Plan approved August 25, 1977, entitled, "Site Plan in Sudbury Mass. For Arnold J. & Ethel Tuck", dated July 17, 1975, shows twenty-three parking spaces for the total 4-store retail building; nine of the spaces, located to the rear of the building, are not usable at the present time. These are the spaces which are of concern to the Building Inspector.

- from the Fire Chief, dated August 29, 1985, questioning how the baking oven will be vented and indicating that license approval should be conditioned on a satisfactory wiring inspection by the Town's Wiring Inspector.

- from the Board of Health, dated August 29, 1985, conditioning license approval on the following:

- the installation of a new subsurface disposal system which satisfies Board of Health requirements;
- on-site food preparation is restricted to that which is not considered to be a heavy water user;
- a maximum seating capacity of twelve;
- interior layout to be in accordance with the plan submitted to the Health office entitled, "Ess-A Baker", dated August 8, 1985;
- restroom to be refurbished to the satisfaction of the Board of Health; and
- a food service permit must be issued prior to opening for business.

Applicant Richard Kommit expressed enthusiasm over opening his own business in Sudbury, felt there was a real need for this type of restaurant in Town especially to accommodate morning travellers on the eastbound side of Route 20, and explained that he would like to be open during the hours of 6:00 a.m. to 4:00 p.m. and serve bagels, coffee and juice, light lunches on bagels, and freshly-baked pies.

Regarding the parking situation, Mr. Kommit stated that he has spoken to the owner of the property who felt that the gravel parking area in front of the building acts as a natural barrier to slow people down in entering and exiting Route 20. Mr. Kommit stated he has begun cleaning debris from the area behind the building accumulated from previous occupants and his renovations.

Mr. Kommit stated that he has contracted the services of a licensed installer and that work on a new subsurface disposal system will start this week; he estimated this cost to be \$2,000.

Relative to the Fire Chief's concerns, Mr. Kommit stated that he has hired a licensed electrician to put in new wiring and that his baking ovens will be adequately vented. Mr. Kommit added that he has also hired a carpenter who is completing the vent installation and that the total interior renovations will cost approximately \$20,000.

Responding to Selectman Fox, Mr. Kommit stated his understanding of the approval procedure for receiving his new sign, that he has had a logo designed which he will be submitting for approval.

Selectman Frost recommended that the hours of operation not be limited to 4:00 p.m., it being his thinking that Mr. Kommit may need more flexibility in the hours of operation in terms of succeeding at this particular location where there has been a history of fast turnover. Selectman Fox disagreed from the standpoint expressed in Mr. Kommit's opening remarks regarding servicing morning eastbound traffic so that those motorists would not need to cross traffic on Route 20 to enter Marrone's Bakery for morning coffee, etc., this situation being reversed with Mr. Kommit remaining open through the return rush hour traffic.

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

VOTED: To approve the application dated August 12, 1985, of Richard Kommit, d/b/a The Bagel Baker, for a Common Victualler License to operate a bakery restaurant at 621C Boston Post Road, during the hours of 6:00 a.m. to 6:00 p.m., subject to the following:

- the Building Inspector's August 30, 1985, report conditioning issuance of the license on twenty-three parking spaces being accessible;

- the Fire Chief's August 29, 1985, report requiring proper ventilation of the baking oven and a wiring inspection by the Wiring Inspector before the license is issued; and

- the Health Director's August 29, 1985, report requiring installation and approval of a new subsurface disposal system, a restriction limiting heavy water use in food preparation (use restricted primarily to coffee and bagel sales), a maximum seating capacity of twelve, interior layout to be as submitted - plan dated August 8, 1985, approved refurbishing of the restroom, and issuance of a food service permit prior to opening for business.

(Chairman Fox, opposed; Selectman Frost, approved; Selectman Donald, approved.)

Appointment/Board of Registrars

In accordance with a request dated August 31, 1985, from the Democratic Town Committee, in compliance with M.G.L.c.51, s.15, it was on motion unanimously

VOTED: To re-appoint Maureen G. Wiles, 662 Boston Post Road, to the Board of Registrars for a term to expire April 30, 1988.

Council on Aging Grant Application

It was on motion unanimously

VOTED: To confirm the signing by Vice-Chairman Josiah F. Frost on August 22, 1985, of a grant application in the amount of \$1,758, to the Massachusetts Executive Office of Elder Affairs, as requested by the Council on Aging, for providing activities and services to the Town's senior citizens.

Airstream Trailer Rally/Wayside Inn

It was on motion by Selectman Frost unanimously

VOTED: To grant a special permit to Francis J. Koppeis, Manager, Wayside Inn Corporation, for the parking of 20-25 trailers in the East Field of the Wayside Inn on October 23 through 27, for the purpose of a private Airstream Trailer Rally to be conducted by Rally Chairman John C. L. Shabeck, Jr., of the Wally Byam Caravan Club International, Inc., as requested by Mr. Koppeis and Mr. Shabeck in communications dated August 24 and 13, 1985, respectively, subject to Board of Health approval of the facilities on-site and issuance of

a building permit by the Building Inspector for a 20' X 30' tent, and notification to the Police and Fire Departments.

DPW Highway Construction Projects

It was on motion unanimously

VOTED: To sign a Memorandum of Agreement with the Massachusetts Department of Public Works for the reimbursement of documented expenditures under the provisions of M.G.L.c.90, s.34, for approved projects on qualified public ways, up to the amount of \$61,134.

Raymond Mausoleum Expenditure

It was on motion unanimously

VOTED: To authorize, in accordance with Article 28 of the 1962 Annual Town Meeting, an expenditure of \$576 from income of the Raymond Mausoleum Perpetual Care Fund for payment of a new lock for the Mausoleum.

Sudbury, Suffolk, England

The Board acknowledged receipt of a communication dated October 8, 1985, from Peter A. Taylor, Jubilee Bell Promotions, Sudbury, Suffolk, England, relative to establishing trade links with the "Sudbury" communities in Massachusetts and Ontario, and directed the Executive Secretary to respond by providing the writer with the information about Sudbury which he requested.

Minutes

It was on motion by Selectman Donald unanimously

VOTED: To approve the minutes of the Regular Session of August 15, 1985, as corrected, and the Executive Session minutes of that date, as drafted.

Tax Anticipation Notes

Present: Town Treasurer Chester Hamilton.

It was on motion by Selectman Fox unanimously

VOTED: To authorize the borrowing of \$2,000,000 in Tax Anticipation Notes, to be due and payable on December 4, 1985, as requested by the Town Treasurer in a communication dated August 30, 1985.

The Treasurer stressed that the above amount is totally dependent upon when the tax rate for the current fiscal year is set and tax bills being mailed on schedule (October 1, due November 1).

Resignation/Insurance Advisory Committee

The Board noted receipt of a August 21, 1985, letter of resignation from Rita C. Cobb from the Insurance Advisory Committee, effective immediately, and

directed the Executive Secretary to forward an appropriate letter of regret and appreciation. Mr. Thompson stated that he would be speaking to the Insurance Advisory Committee regarding Ms. Cobb's concerns and comments and would report back to the Board.

Sale of Highway Vehicle

It was on motion by Selectman Frost unanimously

VOTED: To concur with the Highway Surveyor's request to proceed with advertising an excess highway vehicle, a 1956 International Panel Truck, Vehicle Identification No. 589356, for public sealed bids during the week of September 9th.

MMA Warrant Article

At its July 22 meeting the Board supported the MMA's (Massachusetts Municipal Association) creation of a Task Force to work with the cities and towns and the State Department of Public Works to develop systems that permit a more timely resolution of traffic-related issues, such as, bridge repairs, road construction and reconstruction, sign approvals, and traffic light installations, in response to a request from Natick Selectman Susan G. Salamoff.

Accordingly, the Board received a subsequent communication dated August 20, 1985, from Ms. Salamoff, requesting a brief summarization of any longstanding traffic-related Mass DPW issues in Sudbury for her presentation of the proposed warrant article on September 6 and 10.

Following a brief discussion, the Board directed the Executive Secretary to respond accordingly.

CATV Prides Crossing

After discussion, Selectman Frost asked the Executive Secretary to speak to Joan Melley relative to her concerns about cable installation on Prides Crossing Road.

STM Art. 11/Accept Provisions c.188 of Acts of 1985

Selectman Frost directed the Executive Secretary to pursue his request of August 15 that Town Counsel provide the Board with further clarification of the above-captioned legislation; specifically, 1) whether or not the Town can partially accept the Provisions of Chapter 188 of the Acts of 1985 legislation, his intent being not to accept the provision which sets an \$18,000 minimum teacher salary, and 2) if such legislation was accepted totally, whether the Town would be "stuck" with an \$18,000 minimum teacher salary when the 3-year State funding terminates.

The Selectmen directed that Town Counsel update them as a first matter of business at the Selectmen's 7:00 p.m. meeting of September 9 prior to the Special Town Meeting at 8:00 p.m.

The Board noted receipt of a communication dated August 21, 1985, on this subject from the Minuteman Regional Vocational Technical School District; Mr. Thompson pointed out that, although it is too late to accommodate its request to submit a separate article for the Minuteman District, he indicated that the motion for STM, Article 11, will specify all three school districts.

Reserve Fund Transfer

Following a brief discussion, it was on motion by Selectman Frost unanimously

VOTED: To approve Request for Transfer No. 86-5, dated September 4, 1985, from the Reserve Fund to Selectmen Surveys & Studies, Account No. 501-81, in the amount of \$1,000 to pay the Municipal Census Supervisor for some additional work (prepare new precinct boundaries) required by the State to complete the State Census, as explained on the numbered transfer.

STM, Article 1 - Free Cash

Present: Finance Committee Chairman Marjorie Wallace.

Following discussion it was a consensus of the Board of Selectmen and the Chairman of the Finance Committee to concur with the Town Accountant's and the Executive Secretary's recommendation that, at the September 9, 1985, Special Town Meeting, a motion should be made to rescind the entire free cash wrap-up vote made at the 85ATM in the amount of \$267,566 as opposed to the Selectmen's report in the Warrant for the Special which recommended \$127,422 be rescinded.

This action will save \$140,144 free cash to be available next year. It was agreed that the presentation to Special Town Meeting and justification for this new position is because the Town learned in the last two weeks that new construction is now projected to be \$835,270 compared to the estimated \$450,000 that the Assessors gave to Town officials prior to the 85ATM, and that, if the Town had known this at the 85ATM, Town officials would not have recommended this large use of free case.

Mutual Aid

The Executive Secretary provided the Board with a copy of the Selectmen's vote of April 28, 1975, a vote which authorizes the policy of mutual aid and provides the same immunities and privileges to members of the Department while performing mutual aid duties as if performing those (fire-related) duties within the Town of Sudbury.

Park & Recreation/LSRHS Grounds Management Merger

The Board noted receipt of a communication from the Executive Secretary, dated August 27, 1985, submitting data showing the costs involved before and after the Park and Recreation/Lincoln-Sudbury Regional High School Grounds Management Merger.

Fort Devens Annex/GSA Communication

The Board acknowledged receipt of a communication dated August 26, 1985, from the General Services Administration concerning the Town's interest in the excess land at the Fort Devens Training Annex in Sudbury.

Self-Help/Excess Military Land

Executive Secretary Richard E. Thompson informed the Board that a self-help application on the excess military land had been filed by the Conservation Commission at his request through Gilbert A. Bliss, Director of Forest and Parks, State Department of Environmental Management.

Bills and Payroll Vouchers/Authorize Executive Secretary to Sign

It was on motion by Selectman Fox unanimously

VOTED: To authorize the Executive Secretary to sign all Selectmen's Schedules of Bills Payable and Payroll, in accordance with General Laws Chapter 41, s.23A.

Mr. Thompson explained that this vote is required for it to be official for him to sign bills payable and payroll which he has been already doing and that this authorization did not enable him to sign warrants which only the Selectmen can sign.

Patti/Orr Site Plan 83-258

The Board signed Site Plan 83-258 of John S. Patti and Charles W. Orr et al, for property located at 215 Boston Post Road, entitled, "As Built Site Plan of Land in Sudbury, Mass.", dated March 1, 1984, revised April 11, 1984, May 29, 1984, and December 12, 1984; this plan incorporates the plan entitled, - Site Plan for Bay Path Village in Sudbury, Mass.", dated May 23, 1983, revised June 15, 1983, and August 2, 1983.

Note: Site Plan 83-258 approved on July 11, 1983, and a 4-month extension to that approval granted on October 15, 1984.

Police Station Alteration Plan

Executive Secretary Richard E. Thompson showed the Board a plan dated September 4, 1985, showing proposed interior alterations at the Police Station; the Board indicated no objections to the plan.

There being no further business to come before the Board, the meeting was adjourned at 10:00 p.m.

Attest: _____
Richard E. Thompson
Executive Secretary-Clerk