

IN BOARD OF SELECTMEN  
MONDAY, JANUARY 13, 1986

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

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

Girl Scout Cookie Sale Kickoff

Present: Michael W. Guernsey, local Girl Scout Cookie co-Chairman; second-grade Girl Scouts, Meaghan Wilson and Dana Katter.

Girl Scout Cookie Co-Chairman for Sudbury, Michael W. Guernsey, stated that this year's cookie sale will begin Friday, January 17, and continue through February 2; the theme this year is "Cookie Safari". Mr. Guernsey further stated that the Girl Scout cookie sale is the single largest source of revenue, that last year's cookie sale raised \$30,000 for the Metropolitan area and netted \$4,033.80 for local troops.

Mr. Guernsey introduced second-graders, Meaghan Wilson and Dana Katter, who each presented the Selectmen with a box of cookies and expressed appreciation, on behalf of the Girl Scout troops in Sudbury, for allowing them to sell Girl Scout cookies in Town. Mr. Guernsey then presented Selectman Donald with a Girl Scout sales promotion pin for her long years of devoted service to Girl Scouts in Sudbury.

Karash Conservation Land

It was on motion by Selectman Frost unanimously

VOTED: To concur with the Conservation Commission's recommendation (voted December 9, 1985) to accept approximately 5.23 acres of land fronting Coolidge Lane and Landham Road, Assessor's Parcel #L10-015, as a gift from Mr. and Mrs. Karl Karash.

Reserve Fund Transfer/Surveys and Studies

It was on motion by Selectman Frost unanimously

VOTED: To approve Reserve Fund Transfer Request 86-12, dated January 13, 1986, in the amount of \$193.42, to Account 473-501-811, Surveys and Studies, to pay outstanding data processing expenses related to the State Census, and as further explained on the numbered transfer.

Council on Aging Van Donation

It was on motion by Selectman Donald unanimously

VOTED: To accept miscellaneous donations in the amount of \$118.75, to be placed in 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 van.

MetroWest Article/Warrant Report

It was on motion by Chairman Fox unanimously

VOTED: To approve a warrant report for the Selectmen's MetroWest article, as revised and written by Selectman Donald.

Street Layout Schedule

It was on motion by Selectman Donald unanimously

VOTED: To concur with a schedule, dated January 9, 1986, of Selectmen's action required relative to the laying out of streets to be accepted by the 1986 Annual Town Meeting.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Sessions of December 30, 1985, and January 6, 1986, both as corrected, and the minutes of the Town Fathers Forum of November 25, 1985, and the Executive Session of December 30, 1985, both as drafted.

Proclamation

Chairman Fox read a proclamation which the Selectmen will present to the Junior Midget Pop Warner B Division football team at a banquet being held in its honor on January 31, 1986. The Board later signed all the proclamations which will be presented individually to each team member, the coaches, and the cheerleaders.

Communication/Western Union

The Board acknowledged receipt of a communication dated January 9, 1986, from J. D. Spautz, Right-of-way Specialist, Western Union, making a commitment to the Town of \$20,000, to be used for its proportionate share to relocate cables underground on approximately nine-tenths of a mile along Route 20 in conjunction with the Route 20 State widening project.

Note: Western Union and Raytheon Company have requested the use of utility poles for the installation of fiber optic cables, a portion of that installation to be along the nine-tenths of a mile on Route 20 which is to be widened by the State.

The Board directed Mr. Thompson to continue to work with the utility companies, Adams-Russell cable company, Raytheon Company, the State, and the business community, in order to reach a consensus on the actual cost of the undergrounding of cables on that portion of Route 20 and toward the goal of receiving monetary commitments from each of the above.

Meeting with Representatives of Congressman Atkins' Office

Present: Stan Rosenberg, Rob Warner and Virginia Allan, Representatives of Congressman Atkins' office.

Chairman Fox convened a meeting with Stan Rosenberg, Aide to Congressman Chester Atkins, and other members of the Congressman's staff, Rob Warner and Virginia Allan, for general discussion.

Chairman Fox stated that one issue Sudbury is concerned about is the elimination of the Federal Revenue Sharing program which may result in an annual loss to Sudbury of approximately \$166,000. Chairman Fox stated concern that the State and Federal Government keep passing legislation which costs cities and towns money to implement, i.e., the effect of the Supreme Court decision making cities and towns subject to the Fair Labor Standards Act, the proposed elimination of the tax-exempt status for an estimated 80% of municipal bonds, and proposals to include local employees under Medicare; while, at the same time, reducing State and Federal aid. Chairman Fox stated that cities and towns need help and asked that this message be conveyed back to Congressman Atkins. Selectman Fox went on to say that cities and towns should not have to rely on over-rides; that is not what Proposition 2½ was designed to do. Cities and towns should be able to live within the confines of Proposition 2½, using over-rides only for emergencies.

Mr. Rosenberg stated that there is no easy answer to this problem, that there has been a steady move to decrease revenues while not decreasing regulations, and that government and politicians have to work together and come to an agreement on what they want to see for their government. Later, he recommended attendance at the upcoming Fair Labor Standards Act briefing session. Also, with regard to Federal Revenue Sharing, Mr. Rosenberg stated this is the last year and now changes are going to be effected. Mr. Thompson stated that Federal Revenue Sharing will be reduced by approximately 8% in this entitlement period; Mr. Rosenberg stated that it will be reduced by 50% the fourth quarter.

Mr. Thompson stated two issues the Selectmen are working closely on with the State, in order of priority, are: #1 acquiring the excess military land, which will protect a portion of the Town's western Greenbelt, and #2 the widening of Route 20.

Chairman Fox stated that other items which are problems to all cities and towns in Congressman Atkins' district are:

1) The rising cost of health insurance - a statewide and nationwide problem. Mr. Rosenberg stated he would check in Congress and get a briefing on this subject.

2) The crises cities and towns are having because of increased costs of liability insurance. Some coverages are being denied, others are doubling and tripling in costs because insurance companies say their losses are too great, i.e., police liability insurance coverage. Mr. Rosenberg asked if there was any legislation on the issue which appealed to the Selectmen. Chairman Fox stated that the Selectmen have been working with the MMA on some insurance programs which that organization offers. Also, eliminating coverages or

raising deductibles to afford coverages are alternatives, but these, he stated, are not the answers. Selectman Donald commented on how difficult it is for cities and towns to run their finances in a sensible fashion because of these unknowns, particularly in Sudbury's case where budgets are prepared so far in advance of an April Town Meeting for the next Fiscal Year beginning July 1.

3) Pension costs - a fair amount is unfunded; the impact will be in 5-10 years when many people will be retiring from State service.

4) The costs and problems of solid waste disposal. Chairman Fox stated that Sudbury is in good shape since there are ten years left in our landfill, but the State DEQE has regulations that are changing rapidly because the State wants to eliminate all landfills. To plan for that, Selectman Fox stated that Sudbury has taken different approaches, one with the Town of Stow for regional planning for which he felt there may be some Federal money. Mr. Rosenberg stated he would research the availability of funds now or any which may be planned for the future. Selectman Frost stated that he would like to see some assistance from the Federal Government regarding the regionalization of fire service in terms of helping cities and towns determine what direction they should be taking, and by making study money available. It was his feeling that regionalization of fire stations is the only way fire chiefs will be able to provide residents of this district with the types of fire protection they are used to.

Relative to the State's proposal for the widening of Route 20 for approximately nine-tenths of a mile in Sudbury's business district, Chairman Fox stated that the Selectmen would like to see a co-ordinated effort on the part of the Town, through the Executive Secretary, in working with Congressman Atkins' office so that the various groups of concerned individuals, including the Route 20 Committee, work toward a common goal. Chairman Fox stated that John E. Murray has been appointed as the Route 20 Coordinator for Sudbury on the State level. Chairman Fox announced that the Route 20 Committee is holding a meeting Tuesday, January 14, at the Goodnow Library, at 7:30 p.m.

Chairman Fox stated some of the basic issues which have concerned Sudbury residents with regard to the proposed Route 20 widening, as follows:

1) No-one is pleased with the width; there is a 125% increase from 35' to 80'. The Federal Government has taken the position that Sudbury needs two, 10' paved shoulders lanes in addition to four, 12' traveling lanes plus sidewalks. Most people feel that these rest areas or paved shoulders will not serve their purpose as such but will only be used as additional traveling lanes.

2) Some residents do not want the widening at all; the Selectmen strongly support it. One advantage of the widening will be the creation of turning lanes at Union Avenue and Nobscot Road. Chairman Fox directed that the Town Engineer be in touch with the State to make sure that the final plan accepted by the State is one the Town can live with.

3) Question of obtaining help from the State and/or the Federal Government (Federal Government is accepting 75% of the cost of the widening) to put overhead wiring underground, in addition to other monetary commitments

from Boston Edison, New England Telephone and Adams-Russell cable company, etc. - a commitment of \$20,000 has been received already from Western Union. On the question of the cost of the undergrounding, Chairman Fox stated that Western Union feels it might be \$174,000, the utilities say \$600,000, the State feels it would cost \$750,000, and someone had mentioned one million dollars.

4) Landscaping. Chairman Fox stated that the proposed plan does not include any landscaping, that the State is not required to do any.

5) No answer to the question of four, 12' lanes and two, 10' shoulders and how the traffic will merge from six lanes down to two lanes.

6) Question of whether any work will be done on the bridge over Hop Brook.

7) The Conservation Commission has a major problem because the plan shows filling in 25,000 square feet of wetlands. The Commission will insist on a Wetlands Protection Act filing and from there it will go to the DEQE.

8) Drainage of salt from Route 20 into the well fields south of Route 20 is a major concern of the Sudbury Water District; confirmation is needed from the State that they will definitely install a closed drainage system.

9) Traffic signalization at the two major intersections of Route 20 needs updating. Mr. Thompson stated that the Town Engineer recommended that the Selectmen send a letter to the State Department of Public Works (DPW) regarding upgrading the signalization at the intersection of Union Avenue and Route 20, and at Concord Road and Route 20.

10) There will be extensive land takings because of the almost 80' width. Because this is the Town's major commercial district, the takings will include the loss of many parking spaces, perhaps so many that many businesses on Route 20 will become non-conforming.

11) The Town would like to be more involved with the planning process.

Selectman Frost commented that the original plan for the widening of Route 20 was done in the mid '70s. It showed four lanes with 4' shoulders; some engineering and study work had been done. It was his recollection that the plan had been refused twice because of the 4' shoulder issue. He felt that this may be something that could be looked at again.

Selectman Donald referenced the many letters received from concerned citizens on the subject. Selectman Donald quoted one resident who stated that there must be some "middle ground". Selectman Donald stated that the intent of the widening is to solve the Town's traffic problem without creating a worse problem.

Chairman Fox directed Mr. Thompson to forward copies of all correspondence received on the subject to Congressman Atkins' office.

Mr. Thompson noted for the record that last Friday (January 10) an aide from Congressman Atkins' office in Washington did contact the Selectmen's office and had conversation with the Town Engineer as well.

Mr. Peter Anderson, 113 Landham Road, clarified the 80' total proposed width - four, 12' travel lanes; two, 10' shoulders; and two, 6' sidewalks. These standards, he stated, have been set by the State which recognizes Route 20 as a primary arterial highway. He said that the Route 20 Committee is looking for assistance to see if some of these standards can be waived to have a road that is more appropriate for a local community's business district. Regarding the planning process, Mr. Anderson stated he was astounded that the Planning Board had not been contacted by the State DPW. He commented that Sudbury has a mix of through and local traffic on Route 20 and the way to resolve that problem might be to have a bypass.

Later in the discussion, Mr. Rosenberg stated he would find out about waiving these standards.

Mrs. Arlene Epstein, 66 Raymond Road, stated that she had spent the day at the library at the Department of Transportation and had studied the criteria for primary arterial highways. She stated the standards come from various state highway associations across the country and are accepted by the Federal Government. She stated that at several points in the criteria it was stated that highways must be in "harmony with the environment", and with this in mind, felt that there was room for negotiating the proposed four lane and two shoulder proposal. Mrs. Epstein pointed out that, regarding safety, several references were made to the fact that there are more accidents on undivided highways of four lanes than on undivided highways of two lanes.

Mr. Henry Sorett, 58 Longfellow Road, stated (in part) his opinion that it is the local small businesses along Route 20 who will be most adversely affected by the extreme widening of Route 20. Mr. Thompson responded that the Town Engineer has a map showing all of the business and the exact amounts of land which will be affected by the widening, and that the impact is not as great as recent press publicity has implied.

Mr. Robert Williams, 187 Pratt's Mill Road, expressed frustration over past decisions which, in his opinion, constituted uncontrolled development along Route 20, as well as, in some residential areas. He was concerned that Route 20 could not be improved if this type of "uncontrolled" development is allowed to continue. He felt no particular attention had been given in the past to long-range planning - the types of things which might be enjoyed by townspeople, i.e., a movie theater, a centralized retail shopping area, walkways in the business district, and a central downtown location for people to gather.

Chairman Fox agreed to some extent and pointed out that a group, comprised of eight communities, called MetroWest has been formed to work on regional issues such as these, and that Governor Dukakis has recognized them as one of the most important area groups formed.

Mr. Rosenberg stated he would follow up on the Selectmen's comments, adding that Congressman Atkins is obviously very willing to help the Town meet its objectives.

Mrs. Katherine Abrams, 57 Winsor Road, stated she would like to be assured that Sudbury residents will be given some options rather than an across-the-board decision by the State and/or Federal government regarding the widening.

Mr. Rosenberg stated that Congressman Atkins will use all resources to handle Sudbury's message; he stated that "we are all on the same side of the table", adding that he did not want to give Sudbury false expectations.

Mr. David Epstein stated he learned at the informational meeting held by the State in Sudbury that the plan comes from a handbook and addresses none of the three groups 1) town, 2) shoppers 3) commuters; he pointed out particular needs of the Town to be accomplished by the widening, i.e., left-hand turns and intersection improvements, and suggested that a traffic simulation might be helpful.

Relative to the Route 20 Master Plan update, Planning Board member Mike Meixsell stated that, since it was not a detailed study, the Planning Board did not consider it to be what is required for the Town, but simply considered some of the suggestions contained therein as possible solutions. He agreed that a traffic simulation would be helpful and indicated that the Planning Administrator has been looking into available software in order to be able to accomplish the same using the new computer in the Planning office.

At the conclusion of discussion, Chairman Fox thanked the representatives of Congressman Atkins' office for their attendance and encouraged a continued effort in working together to reach a solution that is acceptable to the Town.

Order Warrant 1986 Annual Town Meeting

Present: Thomas G. Dignan, Jr., Town Moderator; Jane A. Neuhauser, Park and Recreation Commission

It was on motion by Selectman Donald unanimously

VOTED: To acknowledge withdrawal by the Goodnow Library Trustees of an article for the Appropriation of Library Fine Receipts, and withdrawal by the Planning Board of an article to Amend Bylaws, Art. IX, IV - Intensity Regulations.

During review of the list of articles for the 86ATM, the Board approved the following for the consent calendar:

- Temporary Borrowing
- Amend Personnel Bylaw, Art. XI - Technical Corrections
- Amend Personnel Bylaw, Art. XI, 8 - Written Evaluations
- Unpaid Bills
- Reduce Borrowing Appropriation - Art. 19, 1980ATM
- Accept Ch. 293 of the Acts of 1985 - Liens: Septage Billings

- Accept G.L. Ch.40, s.4H - Bid Law Exemption
- Accept Ch. 663 of the Acts of 1983 - Trans. of Certain School Pupils
- Sudbury 350th Anniversary Celebration Fund
- Metrowest Planning Funds
- Street Acceptances
- Street Resurfacing - Portion of Union Ave., Concord Road

After further review and discussion, the Selectmen ordered the 34-article Warrant for the 1986 Annual Town Meeting.

Executive Secretary Richard E. Thompson stated that a petition article involving drainage in Bowker V had been submitted and that there were some technicalities that he had to work out with the Town Engineer and Town Counsel before recommending it for acceptance by the Board.

#### Ninety-nine Restaurant

The Board acknowledged receipt of a communication dated January 6, 1986, from the Middlesex County District Attorney's office regarding an individual who committed a motor vehicle violation while under the influence of intoxicating liquors; the individual had been served at the Ninety-Nine Restaurant in Sudbury.

The Board directed the Executive Secretary to forward a copy of said communication to the Manager of the Ninety-nine, informing him that a copy of the same would be placed in his liquor license file in the Selectmen's office.

#### MetroWest Meeting

Selectman Frost reported on the MetroWest meeting held in Sudbury, Wednesday, January 8. A topic of discussion was the State legislation to amend Ch.41, Subdivision Control Laws; specifically, proposed lengths of time the Planning Board has to act on a preliminary, and then a final, subdivision plan. Selectman Frost expressed his opinion that the length of time on a preliminary plan should be shortened and more time be given to the Planning Board for acting on a final plan. One of the problems appears to be the lack of a clearly-written definition of a preliminary plan; another issue is that preliminary plans generally do not show drainage.

#### Complaints/CATV

Precipitated by receipt of a resident complaint on the installation of cable television by Adams-Russell, dated December 18, 1985, the Board had a lengthy discussion relative to whether this, and any future complaints, should be handled directly by the Cable Television Committee, rather than the Selectmen's office.

Agreement was reached that, until the Cable Television Committee becomes more organized, the Selectmen's office will continue to handle complaints through Jack VanKuilenburg of Adams-Russell.



MAGIC Meeting

Selectman Frost stated he will attend the Thursday, January 16, meeting of the Minuteman Advisory Group for Interlocal Coordination in Concord.

Request for Reactivation of Police Sergeant's Exam List

The Board approved a communication dated January 7, 1986, to be sent from the Selectmen's office to the State Division of Personnel Administration requesting reactivation of a Police Sergeant's Exam List.

Fire/Collective Bargaining Contract Changes

The Board concurred with a communication dated January 8, 1986, from Fire Chief Michael Dunne to be an addendum to the fire collective bargaining proposals approved by the Board December 30, 1985.

TP#188/Crystal Lake Drive (F04)

In accordance with a communication from Michael E. Cournyn, received January 13, 1986, it was on motion unanimously

VOTED: To negotiate a purchase and sale agreement, on behalf of the Town, with the Michael E. Cournyn, for property known as Tax Possession Parcel #188/Crystal Lake Drive (Parcel F04 on the Assessors map), with a 5% deposit of the agreed purchase price of \$37,500, with no interest on the deposit; said purchase and sale agreement will be subject to a percolation test being conducted in the spring of 1986, at which time, if the percolation is unfavorable for building purposes, Mr. Cournyn will be entitled to receive his 5% deposit back; however, if the percolation is favorable, and Mr. Cournyn chooses not to complete the sale within sixty days, he will not be entitled to his deposit back.

Site Plan 85-296/S. F. Doyle Co., Boston Post & Horse Pond Roads

In accordance with a request dated January 13, 1986, from Steven F. Doyle, President, S. F. Doyle Co., it was on motion unanimously

VOTED: To continue the above-captioned site plan to Monday, February 24, 1986, at 9:30 p.m.

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

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk