

IN BOARD OF SELECTMEN
MONDAY, DECEMBER 7, 1987

Present: Chairman Anne W. Donald, David A. Wallace, John C. Drobinski.

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

Matt Garrett's of Sudbury, Inc. - Pledge of Collateral

Present: Robert H. Doe, Jr., Manager, Matt Garrett's.

The Board reviewed petition of Matt Garrett's of Sudbury, Inc. for approval of pledge of collateral in conjunction with obtaining a loan from Boston Trade Bank and for changes in officers, directors and stockholders. Executive Secretary Thompson noted receipt of the following:

1. Application dated November 23, 1987, of Matt Garrett's of Sudbury, Inc. detailing the above petition;
2. Letter dated November 23, 1987, from Charles J. Jaffe, President, Matt Garrett's, 111 Boston Post Road, requesting the Board's approval to pledge the Capital Stock and Liquor License of Matt Garrett's of Sudbury, Inc., to the Boston Trade Bank, Ten Post Office Square, Boston, as collateral for a loan of \$2,800,000.00;
3. Letter dated November 25, 1987, from Charles Burkin, Esquire, on behalf of Boston Trade Bank, outlining the aforementioned loan transaction and enclosing copies of Certificate of Change of Officers and Directors of Matt Garrett's and Corporate votes authorizing the transfer of stock and pledge of license;
4. Vote of the Board of Directors dated November 23, 1987, electing officers and directors as follows:

President/Clerk/Director: Charles J. Jaffe
Six Seneca Road, Canton

Treasurer/Director: Robert Jaffe
55 Hill Road, Belmont

Vice President/Director: Matthew P. Renaghan
83 Harborside, Quincy

Lester Jaffe is no longer an officer or director and Charles Jaffe has become Clerk in place of Robert Jaffe.

Selectman Wallace noted Lester Jaffe, a Capital Stockholder, has been divested of his 283 shares of stock, and that Robert H. Doe, Jr., has become the owner of 30 shares of stock.

After discussion, it was unanimously

VOTED: To approve the petition of Matt Garrett's of Sudbury, Inc. for approval of the following in conjunction with its Restaurant Alcoholic Beverages License:

- a) pledge of stock as collateral for loan;
- b) pledge of license as collateral for loan;
- c) change in officers and directors;
- d) change in stock holdings;

per votes of the Board of Directors of Matt Garrett's of Sudbury, Inc. on November 23, 1987.

Public Hearing Re: Lowell-Sudbury Bike Trail

Present: Representative Lucile Hicks; representatives of Planning Board, Conservation Commission; David Roddy and Nancy Clinton of the Bike Trail Abutters Committee; approximately 42 townspeople.

Executive Secretary Thompson reported Notice of this Public Meeting was duly posted; and noted receipt of letter dated December 4, 1987, from David Roddy and Nancy Clinton of the Bike Trail Abutters Committee, which letter was hand-delivered to each of the selectmen that evening. In addition, Mr. Thompson noted receipt of the following:

1. Memorandum dated December 3, 1987, from Deborah Montemerlo, Conservation Coordinator and Sudbury Coordinator for Bike Trails, setting forth her comments and recommendations concerning the Lowell-Sudbury Bicycle Path Feasibility Study and the December 2, 1987 Bicycle Path Advisory Group meeting;

2. Lowell-Sudbury Bicycle Path Feasibility Study dated October 1987, prepared by the Central Transportation Planning Staff ("CTPS"), in conjunction with the Northern Middlesex Area Commission ("NMAC") and the Metropolitan Area Planning Council ("MAPC").

Executive Secretary Thompson reminded those present that the legislation previously filed concerning this bike trail (House No. 1455) was supported by the Board in large part because it provided the communities involved with the right of veto at any stage of the development of this bike trail. Mr. Thompson advised that it is his understanding, based on statements made at the December 2, 1987 Bicycle Path Advisory Group meeting, that contrary to the wording of that Bill, the State wishes a firm commitment now which would preclude those communities from withholding its approval as work progresses.

Deborah Montemerlo confirmed that House Bill 1455 is presently in the Senate Ways and Means Committee, and thus has not passed at the present time.

David Roddy of the Bike Trail Abutters Committee stated that there were many unanswered questions after the December 2, 1987 meeting Mr. Thompson referred to and it is the Committee's strong belief and opinion that until and unless these questions are addressed it would be unwise for Sudbury to commit itself to the development of this Bike Trail.

Mr. Roddy outlined the major concerns of the Committee as follows:

1. Use - The Feasibility Study is still unclear as to what uses would be allowed;
2. Motorized Vehicles - The Feasibility Study does not address the question with regard to projected costs for purchase of patrolling vehicles and manpower necessary to make certain the Bike Trail is not used by motorized vehicles such as minibikes and snowmobiles;
3. Parking - Since this will be a State bicycle trail, the issue of increased parking should be satisfactorily addressed;
4. Ridership Volume - The number of people using the trail is an important element to consider, since that number will affect issues such as parking, bathroom facilities, water fountains, etc.;
5. Maintenance - This issue is of concern to the Committee because the State is projecting its figures on volunteer groups assuming a large portion of the maintenance; a situation the Committee does not feel can be relied upon.
6. Emergency Vehicle Access - The Study did not address access by police and fire emergency vehicles;
7. Privacy For Abutters - The Study still does not satisfactorily explain the impact of the Trail on abutters' privacy and aesthetic concerns.

Mr. Roddy went on to say that during all preliminary discussions concerning this proposed bike trail, the Committee has been assured that the Town could always back out at any point in time if it did not like what was going on. If this is no longer true, then much more work needs to be done before Sudbury can give a total commitment.

Mr. Roddy submitted to the Board a petition signed by over 150 townspeople who wish to bring this matter to Town Meeting. It is their belief that Town Meeting will enable a full and fair discussion of the proposed bike trail and will allow a realistic view of what the townspeople want. Mr. Roddy stressed that a delay of a few months will not cause any hardship to the State or otherwise have a detrimental effect on the project.

In conclusion, Mr. Roddy stated in clear terms that it is the Committee's request that the Board not give approval for the proposed trail at this time.

Chairman Donald requested comment from Representative Lucile Hicks, and Ms. Hicks stated that she is present to listen to the concerns and desires of the townspeople so she may adequately represent the Town's best interests to the various state agencies.

Lawrence W. Tighe, resident and owner of Ti-Sales of 36 Hudson Road, reiterated his position as contained in his letter to the Board dated September 22, 1987, wherein he expressed concern about the vandalism and safety in that area. Mr. Tighe reported various incidents of vandalism that have occurred over the years and the recent breaking of windows at his office

building and the destruction of file cabinets. Mr. Tighe suggested that Police Chief Lembo be asked if the trail could be adequately patrolled.

Lawrence Shluger of 42 Bishop Lane recalled that Police Chief Lembo had been asked if that area could be properly patrolled and his answer was a definite "no". Mr. Shluger further expressed concern about liability. He questioned who would be liable for injuries suffered on the trail, or on abutters' properties.

Dr. F. Daniel Buttner of 54 Old Garrison Road expressed his support for the bike trail and urged those concerned with the many "what ifs" obtain and read the report prepared by the Seattle Engineering Department regarding the Seattle Brook-Gilman Bike Trail. This trail extends over 12.1 miles and follows an abandoned railroad right-of-way. Dr. Buttner highlighted various points, such as increased property values to abutters and no increase in incidents of vandalism.

Deborah Montemerlo, Conservation Coordinator, added that the Minute Man Bike Trail starting in Lexington might also be looked into for some idea as to how such a trail affects the community and its abutters. It is her understanding that many of the residents who were in opposition to the trail are now becoming proponents of it. She went on to say that the MAPC will be acting as liaison between the Department of Public Works ("DPW") and the Town and will be holding meetings to address concerns of abutters.

Representative Hicks commented that about 2½-3 years ago, she contacted a number of communities in the Commonwealth to see how the development of bike trails affected them. Ms. Hicks recalled speaking with the Police Chief in Northampton concerning that trail and his comments pretty much verified the findings contained in the Seattle report referred to by Dr. Buttner.

Adam B. Ames, an abutter and member of the Conservation Commission, reported that most members of the Commission, including himself, are in favor of the Trail, since it is a very good way to connect the various open spaces in the area.

Morton L. Brond of the Planning Board stated this matter was discussed by the Planning Board and was unanimously voted to go to the next phase, provided there is intense involvement with the abutters. Mr. Brond also stressed that the Planning Board's approval is conditioned upon the Trail being designed for passive use only; and any other use, such as terrain vehicles or horses, should be prohibited.

Marshall E. Deutsch of 41 Concord Road stated he was in favor of the bike trail and expressed his opinion that many of the problems cited are caused by the fact that the area is now an isolated one. He further stated that it is his belief that the individuals for whom this trail is being designed are law-abiding and not the type to litter or vandalize.

David J. McCormack of 403 North Road expressed his belief that the reality of life in 1987 is that there are rapists and child kidnappers in our society. Mr. McCormack stated he fears for the safety of his four-year-old playing in his own back yard, which would abut the bike trail. Mr. McCormack

feels he has a legitimate concern that there is the potential of even one "nutcake" coming down that Trail and kidnapping his son.

George Hanow of 24 Hudson Road reiterated the question posed by the Bike Trail Abutters Committee as to who is going to maintain, police, etc. Mr. Hanow believes the Town has to know this before it can make any intelligent decision. Mr. Hanow commended the Committee for a fine report.

Paul R. Bergen of 38 Windmill Drive stated that he gets the feeling that these discussions concerning a bike trail have become an "us versus them" situation; i.e., the abutters versus the rest of the Town. Mr. Bergen pointed out that, although many of the issues have been proffered by the Abutters Committee, they are really Town issues as well. Mr. Bergen believes it is reasonable to expect written answers to these questions, to avoid further speculation.

Deborah Montemerlo was asked to address the issues of maintenance and policing of the Trail and she stated that the Department of Environmental Management ("DEM") has stated that they would be willing to incur the costs of the maintenance, providing there is a line item in their budget. With regard to policing, the DPW has asked that the towns be responsible for policing the Trail. DEM concurs with that and they want to see something up front with regard to that prior to commencement of design and construction. Town Accountant James Vanar confirmed to Ms. Montemerlo that the Town would be able to be reimbursed for much of this through Local Aid Cherry Sheets. In terms of implementing an effective policing of the Trail, it is her opinion that a paved right-of-way and access gates would allow police and emergency vehicles greater access than they now have. Ms. Montemerlo concluded by stating that liability is assumed by the State, since it is and will remain state-owned property.

Donna L. Hardy of 37 Normandy Drive posed two questions: (1) how much did Seattle charge for maintenance and policing of its bike trail; and (2) if Featherland Park is a town-owned park, why is it being used in advertising as an advantage to the Bike Trail.

Executive Secretary Thompson acknowledged that, although there are several parks in Town that are required by state law to be available to all residents of the State, Featherland Park is not one of them. However, he stated he can understand why it is listed as an advantage to the Trail and cited this is done with many of the trails located in Cape Cod. To answer Mrs. Hardy's first question, Mr. Thompson stated he would make certain representatives of the Abutters Committee receive a copy of that Seattle report. With regard to Featherland Park, Mr. Thompson pointed out that just as people come from many other locales to use our playgrounds or other parks, it would not be right for Sudbury to discourage its use by others. It is his belief that this is the nature of the community and concurred with Selectman Donald's observation that residents of Sudbury can likewise go into other towns as well. Mrs. Hardy commented that in the Eastham section of Orleans, not far from the Bike Trail, one cannot use that town beach without possession of a sticker and payment of \$10.00. One of the townspeople present explained that the sticker and payment requirement are for motor vehicles only.

Peter A. Albee, an abutter at One Hunt Road, stated that, although he has heard about successful bike trails in other parts of the country and other parts of the state, development of this bike trail is gambling with abutters' property and security. Mr. Albee believes that, if the optimistic projections are wrong, it is the abutters who will suffer. Executive Secretary Thompson explained that the Board has to make these types of decisions every week, and that is what the Board is elected to do. Mr. Thompson requested that everyone keep in mind that the Board has to look at the "Big Picture" and make the best decision for the Town. Mr. Albee commented that it is his feeling that the people who live along those tracks should carry more weight in the decision-making process than those living away from the area.

Sheila Leonard of 602 Peakham Road commented that since Seattle is an urban area, it is easy to see how the bike path would be an enhancement to abutting property. Given the rural setting of this area, it is her opinion that the Trail would not have as great an impact on property values. Ms. Leonard also stated that it is not the people who legitimately would use the bike trail that she and others are fearful of; rather, it is those who would wrongfully use it that are the concern of abutters.

Richard Fletcher of 598 Peakham Road asked Ms. Montemerlo to explain the statement in the Feasibility Study concerning maintenance, wherein it states that DEM has indicated that they are willing to maintain the facility "with the support and assistance of the Town." Mr. Fletcher believes clarification is needed with regard to that statement. Mr. Fletcher voiced his support for the recommendation set forth by Mr. Roddy to delay making any decision concerning the bike trail until the matter could be put before Town Meeting for a vote.

Judith Deutsch of 41 Concord Road stated her support for the bike trail and expressed her opinion that Sudbury has need of a place to ride a bicycle and walk unencumbered by poor walkways, traffic, etc.

A question was raised about the "mechanics" of how the Trail would be patrolled. Executive Secretary Thompson stated that there will first be a budgetary process, with input from the Police Chief and the final decision resting with the Selectmen. Mr. Thompson opined that the actual patrolling would be accomplished by some type of land vehicle. Mr. Thompson stated that in the fifteen years he has lived in Sudbury he has seen some very serious problems with regard to vandalism and illegal activities in unreachable areas in Town and these problems have been taken care of, even at the expense of ruining equipment and vehicles to reach the problem areas. Mr. Thompson stated he has been informed that the bike trail will be somewhat easier to patrol than the present condition of that area. He further stressed that the Selectmen have indicated that they will not support anything other than passive recreation.

Nancy Clinton of the Bike Trail Abutters Committee asked clarification from the Planning Board and Conservation Commission as to their positions with regard to the Bike Trail. Ms. Montemerlo advised that a unanimous vote was taken by the Conservation Commission in support of proceeding as of last May. This issue is on the Commission's agenda for Wednesday, December 9, 1987; thus, there has been no vote taken by the Commission on proceeding further.

Mr. Brond advised that the Planning Board has unanimously voted to continue with the next phase, which it understands to be design and construction.

Mr. Roddy asked if the Selectmen or Conservation Commission had any reason for avoiding a presentation to Town Meeting. Chairman Donald stated that if enough signatures are collected to put an article on the warrant, then it can indeed go to Town Meeting. Mrs. Donald did suggest an alternative and that is to place a non-binding question on the election ballot. Upon inquiry, Mr. Thompson stated that the public opinion question by law cannot be binding.

Chairman Donald informed the public that the Selectmen would not be taking a position at the present time. The matter will be continued to January 11, 1987, at a time to be decided later.

Executive Secretary Thompson summarized the hearing by stating that the Selectmen have received input from the Conservation Commission, Abutters Committee and the Planning Board. Further, there is still an uncertain status with regard to House Bill No. 1455 which the Selectmen have supported with the proviso that the language in it stay the same with regard to continuing approval by the Selectmen. Finally, there is consideration to be given to presenting this matter to Town Meeting or to placing a non-binding question on the election ballot.

The meeting was thereupon adjourned at 8:30 p.m.

Review of School Budgets

Present: Sudbury School Committee; Superintendent David E. Jackson; Lawrence A. Ovian representing Minuteman Regional Vocational Technical School District; Lincoln-Sudbury Regional School District Committee.

Executive Secretary Thompson provided those present with a Revenue and Expenditure Analysis prepared for discussion purposes only and stressed that the figures set forth therein are only "best estimates" given available data. What the Analysis shows, Mr. Thompson explained, are expenditures (top part) and revenue (bottom part). The bottom part (revenue) is pretty much fixed, whereas the top part (expenditures) is not. Thus, the bottom figure showing roughly \$3,500,000 over the levy limit should elicit some concern.

Mr. Thompson proceeded to detail the revenue portion of the Analysis. Mr. Thompson explained that the "New Construction" figure of \$756,000 was set by the Assessors as their "best guess" estimate. He further explained that figure is what may be spent in addition to Proposition 2½ (2½% plus New Construction). The figure of \$891,000 for "Free Cash" has been certified and Mr. Thompson opined that the Town is fortunate to have this substantial amount. With regard to "Abatements & Exemptions", he cautioned that the \$500,000 set by the Assessors was determined by what they think will happen because of revaluations. Mr. Thompson stated he has asked the Assessors to go back and average that amount out; in the last year in which the Town had a similar evaluation, the Town actually only used somewhere around \$300,000+. Thus, the \$500,000 figure may be a little high. It is Mr. Thompson's belief that these three areas (New Construction, Abatements and Exemptions) are the only major ones where there may be some flexibility. Mr. Thompson is aware of the fact that Lincoln-Sudbury Regional School Superintendent Bradford H.

Sargent has expressed strong concern that, while there is no problem with sharing in this whole picture, the LSRHS Committee would like to see the hardest figures be used, so the amounts will not substantially change. Mr. Thompson expressed his hope that the receipt of recap figures earlier than in years past may help achieve a more realistic figure.

With regard to the Stabilization Fund, another major funding source, that figure of \$130,000 takes into account the fact that this is the year for purchase of a major piece of equipment for the Town (fire truck).

"Overlay Surplus" (now called Abatement Surplus) has been an account which is held for reserve fund activity in the amount of \$100,000 annually and special items that may come up at a Special Town Meeting.

"Landfill Receipts" are anticipated to be around \$150,000. However, Mr. Thompson informed those present that his recommendation to the Selectmen and Town Meeting will be that every penny collected from the Landfill be placed right back into it. The Town is aware of the state of turmoil with regard to landfills and the public should be reminded that our landfill cannot escape the time limits imposed by the State, whether it be five or twenty years.

Taking the above funding sources into account, it is projected that the Town will have approximately \$2,027,000 for its use at the present time. Even allowing for an upward swing, it is obvious, Mr. Thompson stated, the figures are a long way off from the projected \$3,515,712 required, which has the offsets of \$2,027,000 already calculated into it.

Mr. Thompson stated that at this time the question of what other additional funds are available cannot be answered. But it is his belief that nothing will boost that funding source figure up too much. On the positive side, he pointed out, is that there is nothing looming that will subtract significantly from that amount.

The most important purpose of this meeting is to confirm the open dialogue that has historically existed among the various boards, committees and departments. Mr. Thompson is proud of the line of communication especially among the various school departments and hopes this will lead to joint support of budget items at Town Meeting.

Town Counsel Paul L. Kenny was present to explain the procedure for overriding Proposition 2½. Mr. Thompson stressed that this is for informational purposes only and is not to be construed as an endorsement for doing this.

Attorney Kenny explained that pertaining to Proposition 2½ overrides or exemptions being placed on the ballot, M.G.L. c. 59 §21C defines the appropriating body as the Selectmen rather than Town Meeting vote. It is the Selectmen who, by a two-thirds vote, decide whether or not to put certain questions on the ballot seeking an override of Proposition 2½ by a specific amount for a specific purpose. The amount sought may not be greater than a \$25 tax rate.

Attorney Kenny went on to say that although more than one override request may be placed on the ballot, only the one requesting the highest amount will become effective, if voted.

Upon inquiry, Attorney Kenny stated that a request for a bond issue exemption requires a 2/3 vote by the Selectmen in order to get it placed on the ballot at a regular or special election. There is, he explained, no limit on the dollar amount. Attorney Kenny stressed, however, that the schools or the Town should be as certain as possible about the dollar amount sought in either an override or an exemption proposal. Once voted on the ballot, that amount is finalized and if additional funding is determined to be necessary at a later date, then the entire procedure must be repeated to obtain same.

Mr. David Pettit of the LSRHS Committee stated that there has been some informal discussion about proposing an exemption from last year's bond authorization. Based on what was said this evening, it is his feeling that one approach to accomplishing this would be to put it on the ballot prior to Town Meeting. If the Sudbury School Committee is going to have a bond issue, it may make sense to submit its proposal jointly. Chairman Donald opined that on one hand it may make the issue more understandable to the townspeople; but on the other hand, it may also create an "all or nothing" situation, whereby both might be voted down.

Chairman Donald queried Dr. Lawrence A. Ovia, representative for Minuteman Regional Vocational Technical School District, for any comment and Dr. Ovarian stated that the District is seeking support on pending legislation concerning new state reimbursement formulas for vocational schools.

In conclusion, the Board requested the Executive Secretary to prepare, in conjunction with Town Counsel, a summary report for distribution to all interested parties which will explain the options and procedures with regard to Proposition 2½ and exemption issues.

Chairman Donald thanked all present for their input and anticipated continuing cooperation. Whereupon the meeting was adjourned at 9:15 p.m.

Executive Session

At 9:15 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing possible litigation where open discussion of the same may have a detrimental effect.

(Chairman Donald, aye; Selectman Wallace, aye; Selectman Drobinski, aye).

The Chairman announced that public session would reconvene following Executive Session.

Whereupon the Board adjourned for Executive Session and reconvened the regular meeting at 10:10 p.m.

Codjer Lane Realty Trust - c. 61A land

Executive Secretary Thompson noted receipt of the following in connection with an option to purchase Chapter 61A land located at Codjer Lane and Union Avenue in connection with the Notice of Intent to Sell said property for residential, industrial or commercial use:

1. Notice Of Intent To Sell, dated October 28, 1987 and received October 30, 1987, from Roland Gray, Jr. and Jeffrey B. Gray, Trustees of Codjer Lane Realty Trust, through its attorneys Feldman & Gamerman, 50 Congress Street, Boston, 18.5 acres ± (16 acres of which comes under Chapter 61A), enclosing a bona fide offer to purchase in the amount of \$1,800,000;

2. Memorandum dated December 1, 1987, from Board of Assessors, indicating no interest in recommending that the Town exercise its option to purchase said land and assessing that the current fair market value of this property is \$1,365,000;

3. Memorandum dated December 3, 1987, from the Conservation Commission stating no interest in purchasing the parcel for open space and recreational use, but supporting purchase of this parcel for affordable housing or development of a retirement community or senior center;

4. Letter dated December 3, 1987, from Town Planner Lee Newman, advising that the Planning Board reviewed the option to purchase and has voted unanimously to recommend that the Town not exercise its option for open space or recreational use; but suggesting the Housing Authority and Long Range Planning Committee be given the opportunity to review the site for other future Town needs.

After discussion, it was on motion of Selectman Wallace unanimously

VOTED: To decline to exercise the Town's first refusal option to meet a purchase offer for approximately 16.0 acres of land owned by Roland Gray, Jr. and Jeffrey B. Gray, Trustees of Codjer Lane Realty Trust located at Codjer Lane and Union Avenue and currently assessed under G.L. c. 61A, plus an additional 2.5± acres, in connection with the Notice of Intent to Sell said property for residential, industrial or commercial use, mailed October 29, 1987.

Mass. Housing Partnership Homeownership Opportunity Program

The Board reviewed request by the Sudbury Housing Authority that it apply for Sudbury to be a Homeownership Partnership Community. Executive Secretary Thompson recommended the Board authorize the Chairman to sign such an application and stated this would make Sudbury eligible for grants. Mr. Thompson further advised that if the application is submitted and approved the next step will be to appoint a committee. To this end, Mr. Thompson has asked the Planning Board and Housing Authority to meet and jointly recommend individuals who could serve.

On motion of Selectman Wallace, it was unanimously

VOTED: To authorize the Chairman to sign a Massachusetts Housing Partnership Homeownership Opportunity Program Application to be a Homeownership Partnership Community, as requested by the Sudbury Housing Authority. [Whereupon Chairman Donald so executed the application].

Edwin Barrett Hosmer Memorial Fund - Expenditure

Pursuant to request dated November 29, 1987, of Mrs. Lillian W. Balch on behalf of the Sudbury Historical Commission, it was on motion of Chairman Donald unanimously

VOTED: To approve an expenditure from the Edwin Barrett Hosmer Memorial Fund in the amount of \$1,286.88 to pay Pairpont Glass Co. for cup plates ordered by the Sudbury Historical Commission.

Donation of Stove to Fire Department

Pursuant to request dated December 1, 1987, from Fire Chief Michael Dunne, it was on motion of Selectman Wallace unanimously

VOTED: To accept with thanks on behalf of the Town a gift of a self-cleaning double oven stove donated to the Fire Department by Mr. and Mrs. Daniel J. Tanous, Two Wagonwheel Road.

Bid Acceptance for 1974 Chevrolet Sport Van/Building Department

On motion of Chairman Donald, it was unanimously

VOTED: To accept the offer of \$100 dated December 4, 1987, from Charles Knous, Charlie's Auto Body, 9 Old County Road, Sudbury, to purchase the 1974 Chevrolet Sport Van, exsessed by the Building Department.

Contract for Supplying Town with Gasoline - Calendar Year 1988

After review, on motion by Selectman Wallace it was unanimously

VOTED: To award the contract for supplying the Town of Sudbury with regular and premium unleaded gasoline for the calendar year 1988 to the current supplier and low bidder, Bursaw Gas & Oil, Inc., 94 Great Road, Acton, in accordance with the Town of Sudbury specifications and bid of Bursaw Gas & Oil, Inc., dated November 27, 1987, at a \$.0200 per gallon increment over the tank car price throughout the supply period.

Articles for Town Meeting - Received Under December 1, 1987, Deadline

It was on motion unanimously

VOTED: To accept the following articles for the 1988 Annual Town Meeting submitted under the December 1 deadline and to refer the zoning bylaw articles to the Planning Board for its hearings and reports in accordance with G.L. c. 40A, §5:

ARTICLE	SUBMITTED BY
Amend Personnel Bylaw	Personnel Board
Street Acceptances	Selectmen
Amend Bylaws, Art. III, 2 - Town Report	Selectmen
Transfer Land for Senior Center	Selectmen
Transfer P&R Parcel 111, Willis Lake Drive, to Selectmen for Purpose of Sale	Park & Recreation
Sell Parcel 111 off Willis Lake Drive	Selectmen
Sell Parcel 140 off Willis Lake Drive (to abutter as voted at 87ATM)	Selectmen
Alternate Article: Transfer Parcel #140 to Selectmen for Purpose of Sale (to anyone if it is found abutters do not want)	Selectmen
Companion Alternate Article: Sell Parcel 140 at public sale	Selectmen
Amend Bylaws, Art. V-Storage of Inflamm. Fluids	Selectmen and Fire Chief
Amend Bylaws, Art. V-Public Safety-Penalties	Selectmen
Amend Bylaws, Art. V(B)-Burglar Alarms-Penalty	Selectmen
Amend Zoning Bylaws, Art. IX,V,L-Unregistered Motor Vehicles-Penalty	Selectmen
Amend Zoning Bylaws, Art. IX,VI,D- Selectmen Administration-Penalty	
Amend Zoning Bylaws, Art. V,\$14-Conduct in Public Areas-Enforcement	Selectmen
Amend Bylaws, Art. V,\$7-Open Burning/Littering	Selectmen and Fire Chief
Amend Bylaws, Art. XI(A), Council On Aging- Add Members	Council On Aging
Council On Aging Appointment Procedure	Council On Aging
Amend Bylaws, Art. I, \$1-Effective Date of Election	Town Meeting Procedures Com.
Amend Bylaws, Art. I,\$2-Time of Town Meeting	Town Meeting Procedures Com.
Amend Bylaws, Art. II,\$1-Warrant Closing Dates; Art. III,\$10-Warrant Report; and Art. I,\$4, Notice of Meetings	Town Meeting Procedures Com.
Amend Bylaws, Art. II,\$8 - Resolutions	Town Meeting Procedures Com.
Amend Bylaws, Art. II,\$11-Length of Speeches	Town Meeting Procedures Com.
Amend Bylaws, Art. II,\$13-Reconsideration	Town Meeting Procedures Com.
Amend Bylaws, Art. II,\$15-Legal Errors	Town Meeting Procedures Com.
Amend Bylaws, Art. II,\$16-Accounting Errors	Town Meeting Procedures Com.
Transfer Land off Fairbank, Horse Pond and Pine St. to Selectmen for Purpose of Sale to Sudbury Housing Authority	Sudbury Housing Authority
Authorize Sale of Land off Fairbank, Horse Pond and Pine Sts. to Sudbury Housing Authority	Sudbury Housing Authority
Transfer Land off Hudson Road to Selectmen for Purpose of Sale to Sudbury Housing Authority	Sudbury Housing Authority
Authorize Sale of Land off Hudson Road to Sudbury Housing Authority	Sudbury Housing Authority
Amend Zoning Bylaws, Art. IX,I,H & III,G - Water Resource Protection Districts	Planning Bd. and Cons. Comm.
Amend Zoning Bylaws, Art. IX,V,A-Site Plan Special Permit: Applicability, Compliance Interpretation	Planning Board

Amend Zoning Bylaws, Art. IX,III,A,2-Permitted Uses, Residence Districts: Accessory Apartments	Planning Board
Amend Zoning Bylaws, Art. IX,III,A,1,b,(4)- Permitted Uses, Residence Districts: Signs	Planning Board
Amend Zoning Bylaws, Art. IX,I,D,3-Non-Conforming Buildings and Uses-Delete Hardship Clause	Planning Board
Amend Zoning Bylaw, Art. IX,V,D-Signs and Advertising Devices-Delete Special Permit by Board of Appeals	Planning Board
Amend Zoning Bylaws, Art. IX,IV,D,7-Cluster Developments-Hearing and Decision	Planning Board
Amend Zoning Bylaws, Art. IX,V,A-Site Plan Special Permit-Hearing and Decision	Planning Board
Amend Bylaws - Wetlands Protection Bylaw Special Act - Land Bank	Conservation Comm. Conservation Comm.
Amend Bylaws, Art. V.16-Recreational Vehicles	Petition
Amend Bylaws, Art. V(C) - Smoking Prohibition	Petition

Chairman Donald expressed continuing concern over the wording contained in the Planning Board's Article to Amend Zoning Bylaws, Art. IX,III,A,2 - Permitted Uses, Residence districts: Accessory Apartments. The Selectmen do not feel it is proper for one board of the town to place restrictions on another. Chairman Donald requested Executive Secretary Thompson to communicate the Board's concerns to the Planning Board on this article and a similar clause in the article to Amend Zoning Bylaws, Art. IX,V,A - Site Plan Special Permit.

In conclusion, Chairman Donald also recommended the wording of the Selectmen's article requesting transfer of land for Senior Center be re-worded so as to avoid the appearance of dissention between Council On Aging and the Goodnow Library Trustees.

Warrant Reports for Articles Submitted by Selectmen

Following a brief discussion, it was on motion unanimously

VOTED: To approve Selectmen's warrant reports, incorporating the amendments of Chairman Donald, for articles for 1988 annual Town Meeting as follows:

Street Acceptances;
Amend Bylaws, Art. III,2 - Town Report;
Transfer Land for Senior Center;
Amend Bylaws, Art. V-Storage of Inflammable Fluids
Amend Bylaws, Art. V.7 - Open Burning/Littering.
Hear Reports;
Temporary Borrowing;
Use of Free Cash;
Landfill Upgrading;
MetroWest and M.A.G.I.C. Planning Funds;
Police Paid Detail Account;
Special Act - Appoint Treasurer/Collector;
Designate Enforcement Agent - Litter Laws.

It was pointed out that the following articles for 1988 annual Town Meeting have no warrant report as yet:

Sell Parcel 111 off Willis Lake Drive (subject to Park and Recreation article to transfer to selectmen;
Sell Parcel 140 off Willis Lake Drive (to abutter as voted at 87ATM);
Transfer Parcel 140 to Selectmen for Sale (to anyone if not wanted by abutter(s) - Alternate Article;
Sell Parcel 140 at Public Sale - Companion Alternate Article;
Amend Bylaws, Art. V., Public Safety-Designate Penalties;
Amend Bylaws, Art. V(B), Burglar Alarms - Designate Penalty;
Amend Zoning Bylaws, Art. IX,V,L, Special Regulations, Unregistered Motor Vehicles - Establish Penalty;
Amend Zoning Bylaws, Art. IX,VI,D, Administration - Penalty.
Amend Bylaws, Art. V, Public Safety - Enforcement Procedure;
Codify Town Bylaws (to be submitted jointly with Town Clerk).

Transfer of Cable Television License to Cablevision Systems Corporation

Executive Secretary Thompson reported that the Statement Of Reasons was finalized this afternoon and the Board requested Mr. Thompson to express their appreciation to Elaine Jones for her excellent preparation of same. This document was reviewed and approved by Town Counsel.

On motion of Chairman Donald, it was unanimously

VOTED: To approve and sign the Decision and Report of the Sudbury Board of Selectmen upon the Grant of Application to Transfer the Sudbury Cable Television License from Adams-Russell Company, Inc. to Cablevision Systems Corporation, relative to the Board's vote of November 30, 1987.

Selectmen's Report for 1987 Annual Town Report

Upon review and after discussion, it was on motion of Chairman Donald unanimously

VOTED: To approve the draft report prepared by the Executive Secretary of the Selectmen's Annual Report for the 1987 Town Report.

Minutes

It was on motion of Chairman Donald unanimously

VOTED: To approve the minutes of the regular and executive session dated November 30, 1987, as presented.

Fiscal Year 1989 Law Budget

After review and discussion, it was on motion of Chairman Donald unanimously

VOTED: To approve the Fiscal Year 1989 Law Budget for submission to the Finance Committee.

Drainage Easements

After review by the Board and approval by Town Counsel, it was on motion unanimously

VOTED: To accept the following interests in property:

a) drainage easement given by Powder Hill Estates, Inc., dated September 28, 1987, relative to property located on both the north and south sides of Maynard Farm Circle;

b) drainage easement given by James A. McNamara and Mary P. McNamara, dated September 28, 1987, relative to property located on the north side of Maynard Farm Road and Maynard Farm Circle; and

c) drainage easement given by Susan M. Morneau, dated September 28, 1987, relative to property located on the north side of Maynard Farm Circle;

all as shown on plan entitled, "Powder Hill Estates, Inc.", dated November 29, 1984, revised December 12, 1984, drawn by Colburn Engineering, Inc.

There being no further business to come before the Board, this meeting was adjourned at 10:45 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk