

AL

IN BOARD OF SELECTMEN
MONDAY, APRIL 11, 1988

Present: Chairman David A. Wallace, John C. Drobinski, Judith A. Cope.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:00 p.m. by Chairman David A. Wallace at the Library of the Lincoln-Sudbury Regional High School.

Fire Department: Reserve Fund Transfer Request No. 88-25

Present: Fire Chief Michael Dunne.

The Board reviewed Fire Department's Transfer Request No. 88-25 dated April 5, 1988, for transfer of \$4,818.21 for payment of medical bills incurred as a result of job-related injuries and for the pre-employment physical of a new hire.

Fire Chief Michael Dunne amended the transfer request by reducing the transfer amount from \$4,818.21 to \$4,313.29, as a result of his negotiating with the various health-care providers for reduced fees.

It was on motion of Chairman Wallace unanimously

VOTED: To approve amended Transfer Request No. 88-25 by the Fire Department dated April 5, 1988, for transfer of \$4,313.29 from General Expense, to Account 310-210, Fire Department General Expense.

[Whereupon the selectmen signed their approval and delivered forthwith the form to the Finance Committee for action].

Transfer Request No. 88-26

It was on motion of Chairman Wallace unanimously

VOTED: To approve Reserve Fund Transfer Request No. 88-26, dated April 7, 1988, for transfer of \$1,733.43 to Account 950-804, Town Report, for cost of printing Town Report and expenses of Town Report Committee.

[Whereupon the Selectmen signed their approval and delivered forthwith the form to the Finance Committee for action].

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the meeting of March 30, 1988, as corrected; and to approve the minutes of the meeting of April 4, April 5, and April 6, 1988, and Town Forum of January 25, 1988, as presented.

Dakin Farm Estates Subdivision - Conservation Easement

Upon review of copy of memorandum of Assistant Town Counsel David J. Doneski, dated March 24, 1988, to Conservation Coordinator Deborah Montemerlo,

and a second memorandum of Town Planner Lee Newman, dated February 29, 1988, to Town Counsel, together with accompanying documents, regarding easements by Dakin Farm Estates Subdivision which had not been completely processed in 1981, it was unanimously

VOTED: To execute the appropriate documents relating to the following grants of easement:

1. Approval of two Conservation Easements and three Drainage and Conservation Easements, described as Easement #4, Easement #5 and Easement #1 and Easement #2, and Easement #3 in a grant of "Drainage and Conservation Easements" from Carl J. Young and Frederic A. Crafts" dated June 29, 1981; and

2. Acceptance of five Drainage Easements, described as Easement #1, Easement #2, Easement #3, Easement #6, and Easement #7, in a grant of "Drainage and Conservation Easements" from Carl J. Young and Frederic A. Crafts" dated June 29, 1981.

Spring Cleanup - Earth Week

It was on motion unanimously

VOTED: To sign a letter to Ronald Stephan, President of the Sudbury Chamber of Commerce, dated April 8, 1988, prepared by the Office of the Executive Secretary on behalf of the Board of Selectmen requesting the assistance of the business establishment in making a special effort to clean up their properties and adjacent areas during Sudbury Earth Week (April 30-May 8).

117 House/Rosario's

Executive Secretary Thompson informed the Board that because the transfer license application from the "117 House" to "Rosario's", 470 North Road, was not approved by the Alcoholic Beverages Control Commission in the expected time period, the Selectmen have been requested to sign a renewal affidavit for the 117 House. Mr. Thompson also reported that the transfer to "Rosario's" has been approved by the ABCC.

It was on motion unanimously

VOTED: To sign a renewal affidavit for the 117 House of 470 North Road, in order to comply with the procedural requirements of the Alcoholic Beverages Control Commission.

Police Academy Examination Results

Executive Secretary Thompson was pleased to report that Police Officer John Skinnion received the highest score from the Police Academy Examination. Police Chief Peter B. Lembo requested Mr. Thompson advise the Selectmen that he is in the process of preparing a proclamation and presentation to Officer Skinnion, for the next Town Forum.

Haynes Meadow Conservation Land - Rental of 489 Peakham Road

Upon review and recommendation of the Conservation Commission, it was unanimously

VOTED: To sign the lease for rental of a home located on Town property known as the "Haynes Meadow Conservation Land" (489 Peakham Road) to Patricia Cibulskis for two years commencing June 15, 1987 to June 15, 1989.

Town Meeting Article 64 - Water Resource Protection Districts

Executive Secretary Thompson reported that Winthrop Fairbank, Executive Secretary to the Sudbury Water District has this date delivered to him the test results of the wells. Mr. Fairbank stated to Mr. Thompson that he wished to speak on the article and that his meeting with the Maple Avenue residents resulted in a request by them that the article be postponed.

Selectman Drobinski stated that he has been in contact with Kelly O'Keefe, a representative of the DEQE regarding Well #9. Although Ms. O'Keefe is not the one assigned to this matter, it was that person's belief that the approval is being withheld because of the Water District's "Zone 2" delineation.

Selectman Drobinski and Selectman Cope each presented a draft letter to the Water District, requesting they forward to the Selectmen all appropriate information for review and consideration. The Board concurred that such a request should be made and requested Executive Secretary Thompson to prepare an appropriate letter for their signature.

Highway Department - Use of Backhoe

The Board acknowledged receipt of letter dated March 30, 1988, from Donald A. Masley of Schmidt Equipment, Inc., P. O. Box 578, Route 20, North Oxford, Massachusetts, concerning use of a 410C four wheel drive wheel loader backhoe by the Highway Department; and referred same to Town Counsel.

Massachusetts Commission Against Discrimination

The Board acknowledged receipt of letter dated March 24, 1988, from the Massachusetts Commission Against Discrimination, concerning their belief that the Town may be out of compliance with anti-discrimination rules and regulations. Executive Secretary Thompson was requested by the Selectmen to schedule a meeting with MCAD to discuss this matter, after Town Meeting is concluded.

Town Meeting Article No. 68

Present: Members of the Board of Health and Residential Wastewater Treatment Facilities Advisory Committee.

A joint meeting was held among the Selectmen, the Residential Wastewater Treatment Facilities Advisory Committee (RWTFAC) and the Board of Health regarding Town Meeting Article No. 68, calling for proposed bylaw changes affecting common sewage treatment facilities.

William W. Cooper, Chairman of the RWTFAC, summarized that the Committee had previously met with the Selectmen because they were concerned that some

regulations be adopted to protect the Town. At that time, Dr. Cooper stated, communications between RWTFAC and the Board of Health were not what he believed they should have been. Dr. Cooper was pleased to report that he has since met with Bob Sheldon of RWTFAC and the Board of Health and received comments on RWTFAC's February 8, 1988 draft of proposed regulations. Based on those comments and recommendations, Dr. Cooper has re-drafted the proposed regulations and passed out copies to all present. Dr. Cooper acknowledged that members of his own Committee, as well as the Board of Health, are seeing these changes for the first time and therefore recognized no immediate feedback could be made this evening.

Dr. Cooper concluded by stating that they request the Board of Health to act promptly to adopt these regulations, or similar ones, as a minimum step for protecting the Town's interests.

Donald C. Kern, Chairman of the Board of Health, stated that it is the Board of Health's intention to review and comment on these proposed regulations in as expeditious a manner as possible. Dr. Kern stressed that the Board of Health is trying to separate those issues that are primarily within the purview of the Planning and Zoning Boards, versus those that would come under the Board of Health's auspice. It is Dr. Kern's belief that the Board of Health can make reasonable regulations to protect the public health; however, he reiterated that they cannot stray into other areas.

Dr. Kern acknowledged that his Board has had an opportunity to look over the most recent revisions proposed by the RWTFAC, and believes all are moving forward, as these revisions appear to be a more finely-tuned focus on health-related issues.

Dr. Kern did not believe that regulations could be in place before the end of Town Meeting. However, he does expect that by the beginning of next month, something may be finalized. In response to inquiry by RWTFAC member Charles Cooper as to why regulations could not be ready sooner, Dr. Kern explained that detailed review of the proposed regulations has just begun (a public hearing is not required); also, the new Town Health Director must also review the proposed regulations. Board of Health member Hugh Caspe pointed out that the important fact to consider is that the job is done well and not just to act within a pressured time-frame.

Upon inquiry by Selectman Wallace, Dr. Kern stated that it is the consensus of the Board of Health to adopt regulations and they are prepared to make a statement to the effect at Town Meeting.

Town Counsel Paul Kenny reported that he was in Land Court this date on the Liberty Ledge matter and that opposing counsel attempted to introduce into evidence the Town Warrant; however, Attorney Kenny successfully argued this was a petition article and it has not passed. Attorney Kenny also handed out copies of the Motion for Judgment on the Pleadings he filed and stated that the Court has taken the matter under advisement.

Dr. Cooper thanked the Selectmen for their assistance in moving this matter forward, and the meeting was adjourned.

There being no further business to come before the Board, and being mindful that Town Meeting is to commence at 8:00 p.m., the meeting was adjourned at 7:55 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk