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into meeting

IN BOARD OF SELECTMEN
MONDAY, FEBRUARY 8, 1988

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

Minutes

It was on motion of John Drobinski

VOTED: To approve the regular minutes of the meeting held January 25, 1988, as corrected, and the executive session minutes of the meeting held January 25, 1988, as presented.

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

It was on motion of Selectman Wallace further unanimously

VOTED: To approve the regular and executive session minutes of February 1, 1988, as corrected.

Cancellation of Meeting

It was on motion of Chairman Donald unanimously

VOTED: To cancel the Board's meeting of March 14, 1988.

Article 8, Street Layouts, for 1988 Annual Town Meeting

It was on motion of Chairman Donald unanimously

VOTED: To re-vote the Board's intention to lay out streets under Article 8 for the 1988 Annual Town Meeting, changing the date of lay out from March 14 to March 7.

Permanent Landscape Committee - Resignations

It was on motion of Chairman Donald unanimously

VOTED: To acknowledge receipt of resignations from the Permanent Landscape Committee of Grace Gelpke (Conservation Commission appointee), of 254 Old Sudbury Road, dated February 1, 1988, and William Firth (Planning Board appointee), of 41 New Bridge Road, dated February 6, 1988; and to request Executive Secretary Thompson to forward letters of appreciation to said resignees for their contributions to said Committee.

Bistro Management, Inc. - change in "D/B/A"

Upon review of communication dated February 2, 1988, from Frank P. Bell, President and sole stockholder of Bistro Management, Inc., it was on motion of Chairman Donald unanimously

VOTED: To approve a change in certification of doing business for Bistro Management, Inc., 394 Boston Post Road, from "The Bistro" to "Bistro West".

Sudbury Massachusetts Homeownership Opportunity Program Committee

The Board reviewed applications for appointment to the Sudbury Massachusetts Homeownership Opportunity Program Committee (SMHOPC) from the following individuals:

Karen B. Rubin, 11 Jepson Court, West Newton;

John R. Van Siclen, St. Elizabeth's Church;

George J. Masciarelli, Sr., of 19 Greenwood Road;

Thomas Sokol, 329 Boston Post Road (business address).

Executive Secretary Thompson informed those not familiar with the SMHOPC that it will be a "working committee" and have authority and responsibility for effectuating the transfer of land to the selectmen for sale (in particular, he explained, the Parkinson Land) to a developer of affordable housing. Formation of this committee would make Sudbury eligible for State funding. The objective of the Committee would be to have mixed housing.

Upon inquiry, Mr. Thompson stated he would research whether a non-resident may serve on said Committee. Mr. Thompson further reminded the Board that the League of Women Voters is continuing their search for interested individuals.

After discussion, it was unanimously

VOTED: To continue to accept and review applications for appointment to the Sudbury Massachusetts Homeownership Opportunity Program Committee, and to place this matter on the agenda for February 22, 1988, for appointments to the Committee.

Council On Aging - Acceptance of Proposal for Architectural Services

Upon review of recommendation dated February 5, 1988, from Michael E. Melnick, Chairman, Permanent Building Committee/Designer Selection Committee, it was on motion of Selectman Wallace unanimously

VOTED: To contract with Philip M. Locashio, One Mt. Vernon Street, Winchester, Massachusetts, for the planning and design of a senior citizen center, in two phases as specified in the Town of Sudbury Request for Proposal: Phase I in the amount of \$10,000; Phase II in the amount of \$65,000, to be contracted separately upon funding authorization of Annual Town Meeting 1988, and subject to obtaining insurance in the amount specified by the Town.

Landfill Enterprise Fund - Operating Budget

Executive Secretary Thompson stated that Chapter 306 of the Acts of 1986, relative to establishing Enterprise Funds, requires that no later than 120 days prior to the beginning of a new fiscal year an estimate of the income from the previous fiscal year, and proposed line item budget, must be submitted to the

Board of Selectmen. In order to comply with this, Mr. Thompson explained, he has drafted a proposed Enterprise Fund Budget.

Mr. Thompson stated that if State approval is given for establishing this Fund, then this proposed budget would be amended before Town Meeting to provide more detail.

After review, it was on motion of Selectman Wallace unanimously

VOTED: To approve a budget prepared by the Executive Secretary dated February 1988 for the Sanitary Landfill Operation in conjunction with the proposed Landfill Enterprise Fund to be presented at the 1988 Annual Town Meeting.

April 4, 1988 Special Town Meeting - Acceptance of Articles

The Board reviewed four proposed articles to be presented at the April 4, 1988 Special Town Meeting.

With regard to the proposed article to appropriate \$750,000 for engineering and architectural services for the schools, Executive Secretary Thompson advised that if this article passes at Special Town Meeting, the schools may withdraw the Article being prepared for submission at Annual Town Meeting requesting \$600,000 for repairs.

Selectman David Wallace reported that he received a telephone call from David Wilson of the Finance Committee, who stated that it was his understanding that the question of bonding would be on the Town ballot on March 28, 1988. Mr. Thompson stated that Budget Analyst Terri Ackerman has submitted a memorandum to Town Counsel Paul Kenny requesting that he prepare three questions for the ballot for an exemption for this article, the article from the Council On Aging for a senior citizens center, and existing debt of the Regional High School.

After further discussion, it was on motion of Selectman Wallace

VOTED: To accept four articles for the April 4, 1988 Special Town Meeting and order the same as follows:

1. Unpaid Bills;
2. FY88 Police Paid Detail Account;
3. FY88 Salaries;
4. School Engineering and Architectural Services.

1988 Annual Town Meeting - Petition Article

Upon review, it was on motion of Chairman Donald

VOTED: To accept a petition article for the 1988 Annual Town Meeting; to wit, "Special Act - Shahian Conservation Restriction and Walkway Easement"; and to number the same as "75" on the warrant.

1988 ATM/STM - Offsets

The Board reviewed memorandum from Jan Silva dated February 3, 1988, regarding offsets to reduce the Fiscal Year 1989 Tax Levy.

Executive Secretary Thompson advised that there is a meeting of the Board of Assessors this evening with Town Accountant James Vanar and representatives of the Finance Committee to resolve the overlay surplus figure which relates back to Free Cash.

After discussion, it was on motion of Selectman Wallace unanimously

VOTED: To concur with the offset recommendations by the Town Accountant and Budget Analyst, as set forth in memorandum prepared by Jan Silva dated February 3, 1988; with the exception of those offset recommendations relating to Free Cash.

Annual/Special Town Meeting Articles - Designation of Speakers

Executive Secretary Thompson recommended that Selectmen Wallace and Drobinski divide the articles between them initially; and that the list be reviewed when the new selectman takes office.

It was on motion of Chairman Donald unanimously

VOTED: To designate Selectmen Wallace and Drobinski to speak on Annual and Special Town Meeting articles as follows:

Selectman David A. Wallace: Annual Town Meeting Articles 1, 2, 3, 6, 7, 8, 10, 13, 14, 20, 21, 23, 24, 25, 30, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 62, 63, 65, 66, 70, 71, 75; and all four articles for the April 4, 1988 Special Town Meeting.

Selectman John C. Drobinski: Annual Town Meeting Articles 4, 4(a), 9, 11, 12, 15, 16, 17, 18, 19, 22, 26, 27, 28, 29, 31, 32, 33, 51, 52, 55, 56, 57, 58, 59, 60, 61, 64, 67, 68, 69, 72, 73, 74.

Complaint Re: Route 20 Sidewalks

Chairman Donald reported receiving a telephone call from Richard Garland of 55 Massasoit Avenue, who complained that the Route 20 sidewalks are not being shoveled. Mr. Thompson suggested that if the Town is unable to provide adequate shoveling in that area, perhaps the abutting businesses may be asked to do this. After discussion, it was on motion of Chairman Donald unanimously

VOTED: To request Executive Secretary Thompson to contact Robert Noyes of the Highway Department concerning this matter, and report his findings and recommendations to the Board.

Complaint of Possible Violation of Zoning Bylaw Re: Home Occupations

Present: Paul H. McNally.

Selectman Drobinski reported that he received a telephone call from Paul H. McNally of 23 Evergreen Road, concerning a possible violation by a

neighbor of the Zoning Bylaw relative to home occupations. Mr. McNally was present and asked to address the Board on this matter. Executive Secretary Thompson pointed out that Mr. McNally did not follow normal procedure to request in advance that this matter be placed on the agenda; however, the Board agreed to hear a brief presentation of the matter.

Mr. McNally stated that the problem involves a resident located across the street from his home, and that the problem has been ongoing since pre-December 1986. The problem, Mr. McNally stated, is that he believes there is a construction-type business being conducted from the premises, and he has taken over two hundred photographs to prove its existence. In addition, he said, he has observed on many occasions a number of employees on the premises. Mr. McNally further stated, and Mr. Thompson confirmed, that Building Inspector Joseph Scammon has visited the location a number of times and has forwarded letters to the individual concerning the storage of equipment and trucks on residential property. In response to these communications, the resident has stated that he leases space for storage of his equipment and trucks at another location. In conclusion, Mr. McNally requested that the Board take immediate legal action against the alleged violator by bringing suit in the courts.

Mr. Thompson stated that this was a difficult situation and does not recommend seeking immediate recourse through the courts. Mr. Thompson recommended that Town Counsel communicate in writing to the alleged violator and if no response is forthcoming, Counsel may then proceed directly to Superior Court. After further discussion, it was on motion of Selectman Drobinski unanimously

VOTED: To request Town Counsel Paul Kenny to forward a letter to the alleged violator outlining the applicable Town bylaws and requesting that all acts in violation of those bylaws cease and desist immediately.

Council On Aging - Donations

It was on motion of Chairman Donald unanimously

VOTED: To accept donations in the amount of \$139.80 for deposit into the Council On Aging Van Donation Account; and to authorize the Council On Aging to expend same for purposes of operating and maintaining the Council On Aging Van.

Massachusetts Municipal Association

The Board received notice from the Massachusetts Municipal Association that there will be a Massachusetts Municipal Officials Conference in Washington, D.C., on February 17-18, 1988. Indications were that the Board would not be able to attend, but that Executive Secretary Thompson may do so.

Middlesex County Selectmen's Association

Chairman Donald reported that she plans to attend the Middlesex County Selectmen's Association Conference on February 24, 1988.

Natasha H. Farny - Symphony Hall Performance

John Drobinski reported that he attended a performance at Symphony Hall of the Boston Symphony Orchestra, and he would like to congratulate Lincoln-Sudbury Regional High School student Natasha H. Farny for her solo performance on cello.

Executive Session

At 8:40 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss transactions in real property where open discussion may have a detrimental effect on such transactions.

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

The Chairman announced that public session would not reconvene following Executive Session.

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