

IN BOARD OF SELECTMEN
MONDAY, JUNE 27, 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 Lower Town Hall.

Executive Session

Upon inquiry by Chairman Wallace, Town Counsel Paul Kenny stated that a joint meeting with the Planning Board and Board of Appeals relative to litigation may properly be held in executive session for two reasons: (1) the pending litigation involves a third party (Raytheon); and (2) making public any offers to compromise or settle between the litigants would have a chilling effect on the parties to discuss same fully and openly.

At 7:15 p.m., it was on motion by roll call unanimously

VOTED: To go into executive session for the purpose of discussing pending litigation, namely, Superior Court Case No. 88-2034, Russell P. Kirby, James P. Watterson, and Lael M. Meixsell, as they are members of the Planning Board of the Town of Sudbury v. Lawrence L. Blacker, Harvey R. Peters, Eben B. Stevens, Thomas Phelps, and Marshall Karol, as they are members of the Zoning Board of Appeals of the Town of Sudbury, and Raytheon Company.

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

NOTE: The minutes of this Executive Session of June 27, 1988, were released for public review by vote of the Board of Selectmen on October 17, 1988.

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

Whereupon executive session was held and public session reconvened at 8:00 p.m.

Youth Commission - Appointment

Present: Timothy C. Lee.

Upon review of application of, interview with Timothy C. Lee, and recommendation of the Youth Commission for appointment to the Youth Commission, it was on motion of Chairman Wallace unanimously

VOTED: To appoint Timothy C. Lee of 42 Dakin Road to fill the vacancy on the Youth Commission for a one-year term to expire April 30, 1989.

Town Forum

At 8:05 p.m., Chairman Wallace convened the 179th Session of the Town Forum, a copy of the minutes of which are attached hereto and made a part hereof.

Minutes

It was on motion of Chairman Wallace and seconded by Selectman Drobinski, with Selectman Cope abstaining

VOTED: To approve the regular and executive sessions of the meeting of June 13, 1988, as presented.

It was on motion of Chairman Wallace unanimously

VOTED: To approve the minutes of Town Forum of May 23, 1988, as presented.

Total Communications & Maintenance, Inc. - Service for FY89

Upon review and discussion of the Full Service Agreement For Maintenance of Telephone Equipment for Fiscal Year 1989, submitted by Total Communications and Maintenance, Inc., it was on motion of Selectman Drobinski unanimously

VOTED: To authorize Chairman Wallace to sign Full Service Agreement For Maintenance Of Telephone Equipment - Parts And Labor Included, with Total Communications and Maintenance, Inc., to serve the Town's telephone system, effective July 1, 1988 through June 30, 1989, at the total rate of \$6,833.00 (\$4,308.00 for Schools; \$2,525.00 for Town); and further to request Executive Secretary Thompson to submit said Agreement to the School Committee for its review and signature.

Show and Sale of Antiques at Wayside Inn

Upon review of letter dated June 8, 1988, from Nan Gurley, requesting permission to hold a Show & Sale of Antiques at The Wayside Inn, it was on motion of Chairman Wallace unanimously

VOTED: To grant permission to Nan Gurley of Kezar Falls, Maine, to hold and Show and Sale of Antiques on grounds of the Wayside Inn on Sunday, July 17, 1988, from 7:00 a.m. to 5:00 p.m., subject to approval by the Police Chief, Fire Chief, Health Director and Building Inspector.

Candy Hill Road at Plympton Road - Addition of Stop Sign

The Board reviewed the following:

1. letter dated June 6, 1988, from Hank Tarbi of 225 Water Row Road, requesting installation of stop signs and speed limit signs in the general areas of Plympton Road, Candy Hill and Water Row;

2. letter dated June 21, 1988, from Town Engineer I. William Place, informing that his office inspected the areas in question and offering his recommendations;

3. letter dated June 22, 1988, from Safety Officer William B. Carroll, supporting Mr. Tarbi's request for installation of a stop sign on Candy Hill Road at its intersection with Plympton Road; and further informing that 30-mile-per-hour speed limit signs have been erected on Plympton Road.

After discussion it was on motion unanimously

VOTED: That the Traffic Rules and Orders of the Town of Sudbury, adopted by the Board of Selectmen on September 12, 1941, and subsequent amendments thereto, be and are hereby amended as follows:

By adding at the end of Section 8 in Article VII,
OBEDIENCE TO ISOLATED STOP SIGNS, the following location:

"Eastbound drivers on Candy Hill Road at Plympton Road"

Selectman Cope stated that she not only supports the vote, but believes more improvements are needed; i.e., continued police monitoring of speed and traffic violations. Mrs. Cope suggested that the Selectmen look into the possibility of petitioning to reduce the speed limit on Plympton Road to 25-miles-per-hour; and Executive Secretary Thompson stated that he would contact the Police Department and Public Safety Officer as a follow-up to her request.

Transfer of Fire Department Vehicle to Highway Department

Upon review of request dated June 20, 1988, from Fire Chief Michael Dunne, it was on motion unanimously

VOTED: To approve transfer of the 1983 Ford LTD Crown Victoria Fire Department motor vehicle to the Highway Department, in accordance with Town Bylaws, as requested by the Fire chief in his letter dated June 20, 1988.

AAA Limousine, Inc. - Renewal of License

Upon review of request dated June 16, 1988, from Edmund R. Brown, President of AAA Limousine, Inc., for renewal of Livery & Limousine License, it was on motion unanimously

VOTED: To renew the limousine service license for AAA Limousine, Inc., Edmund R. Brown, President, 80 Union Avenue, and to approve the following rates: \$45 flat rate minimum Sudbury to Logan Airport; \$40 per hour Limousine rental; and \$35 per hour Sedan rental, for a term to expire June 30, 1989; subject to approval of taxi operator licenses by the Police Chief.

Residential Wastewater Treatment Facilities Advisory Committee

Upon review of letter dated June 16, 1988, from William Cooper, Chairman of the Residential Wastewater Treatment Facilities Advisory Committee, requesting the assistance of town Counsel's Office in preparing possible articles for future town meeting action, it was on motion unanimously

VOTED: To concur with the request contained in letter dated June 16, 1988, from William Cooper, Chairman of the Residential Wastewater Treatment Facilities Advisory Committee, that Town Counsel's Office provide assistance in preparing possible articles for future town meeting action; more particularly, for the special town meeting that may be called in the fall of 1988.

Landfill - Rules and Regulations

The Board reviewed final draft of proposed Rules and Regulations for the Landfill as submitted by the Resource Recovery Committee. Executive Secretary Thompson noted that pursuant to joint meeting with the Resource Recovery Committee on June 13, 1988, Neal Drawas of that Committee made non-substantive clarifying changes to the draft; and this was further amended by Committee member Jeffrey Jacobson. Because the regulations now require (as recommended by the Highway Surveyor) that residents obtain a Special Permit for some specific items and any materials which cannot be contained in a 35-gallon container or bagged in plastic, the Selectmen amended the proposed fee schedule for Special Permits and commercial haulers, in part, as follows:

<u>Cubic Yards</u>	<u>Amount</u>
0 - 2	\$ 5.00
3 - 5	20.00

After review, it was on motion unanimously

VOTED: To approve the Rules and Regulations for the Recycling and Disposal of Solid Wastes at the Sanitary Landfill and the Commercial Fee and Special Permit Schedule as listed in Appendix A thereof, as submitted by the Resource Recovery Committee and amended above; said Rules and Regulations and Fees to become effective July 15, 1988.

Line Item Transfer

Executive Secretary Thompson requested approval for a line item transfer to pay outstanding bills for his trip to the State House regarding the 1988 Annual Town Meeting Special Acts, and travel by Budget Analyst. It was on motion unanimously

VOTED: To approve line item transfer of \$70.00 from Account 501-310, Selectmen's Maintenance, to Account 501-410, Selectmen's Travel.

Line Item Transfer - Gasoline

It was on motion unanimously

VOTED: To approve line item transfer of \$2,830.84 from Account 950-803, Insurance, to Account 950-818, Gasoline.

Line Item Transfer - Fire Department

Upon review of request dated June 23, 1988, from Fire Chief Michael Dunne for line item transfers for overtime and uniforms/clothing, it was on motion unanimously

VOTED: To approve line item transfer of \$6,000 from Account 310-110, Fire Salaries, to Account 310-120, Fire Overtime; and to approve line item transfer of \$600 from Account 310-810, Tuition, to Account 310-710, Uniforms/Clothing; as requested by the Fire Chief in a letter dated June 23, 1988.

Budget Analyst - Revised Job Description and Title Change

The Board reviewed proposed amended job description of the Budget Analyst incorporating a title change to "Budget and Personnel Officer", as initially discussed with Budget Analyst Terri Ackerman at the Selectmen's meeting of April 12, 1988. Executive Secretary Thompson also reviewed with the Selectmen a salary survey relating to this newly-revised position and the Selectmen concurred that Mr. Thompson present same to the Personnel Board for reclassification and upgrading.

Historic Districts Commission - Resignation and Appointment

Upon motion of Chairman Wallace, it was unanimously

VOTED: To acknowledge with regret the resignation dated June 23, 1988 from Sally B. Lukesh, P. O. Box 264, Sudbury, from the Historic Districts Commission; and to request Executive Secretary Thompson to send a letter of thanks for her past service.

Upon recommendation of the Historical Commission dated June 13, 1988, and with the concurrence of the Historic Districts Commission, it was on motion unanimously

VOTED: To appoint Alexander S. Frisch of 308 Concord Road, to the Historic Districts Commission, which will fill the vacancy created by the resignation of Sally B. Lukesh from said Commission, for a term to expire January 1, 1994.

Historical Commission

Upon recommendations of the Historical Commission for filling the two new positions on the Historical Commission approved at the 1988 Annual Town Meeting, it was on motion unanimously

VOTED: To appoint Muriel C. Plonko of 69 Puritan Lane and Stephan R. Fontaine of 308 Concord Road to the Sudbury Historical Commission, each to serve a three-year term to expire April 30, 1991.

United Nations Day Chairman Appointment

Upon motion of Chairman Wallace, it was unanimously

VOTED: To acknowledge with regret the letter dated June 2, 1988 from Barbara Miller of 16 French Road, declining reappointment as United Nations Day Chairman; and to request Executive Secretary Thompson to send a letter of thanks for her past service.

Upon recommendation of the League of Women Voters, it was on motion unanimously

VOTED: To appoint Linda Sironen of 12 Village Road as United Nations Day Chairman for a term to expire April 30, 1989.

Veterans Advisory Committee - Appointments

It was on motion unanimously

VOTED: To appoint Vincent P. Surwilo of 220 Old Lancaster Road, Ronald J. Griffin of Seven Poplar Street, and Elizabeth M. Foley of 807 Boston Post Road, to the Veterans Advisory Committee, each for a one-year term to expire April 30, 1989.

Board of Assessors - Resignation

The Board acknowledged with regret notice dated June 14, 1988, from the Board of Assessors of the resignation of Linda Z. Buxbaum from the Board of Assessors, effective June 14, 1988. Chairman Wallace expressed his sincere feeling that Mrs. Buxbaum's resignation will be a great loss to the Town and voiced his opinion that her professionalism and abilities will enhance whatever future endeavor she chooses to pursue.

It was on motion of Chairman Wallace unanimously

VOTED: To acknowledge with regret the notice dated June 14, 1988, from the Board of Assessors of the resignation of Linda Z. Buxbaum of Ten Nashoba Road, from the Board of Assessors, effective June 14, 1988; and to request Executive Secretary Thompson to prepare a letter of appreciation to Mrs. Buxbaum, which the Chairman will sign.

The Board further concurred with the request of the Board of Assessors to schedule a joint meeting in the early fall for the purpose of filling, by roll call vote, the vacancy until the next town election, in accordance with General Laws Chapter 41, Section II, as amended.

Residential Wastewater Treatment Facilities Advisory Committee - Appointments and Name Change

Pursuant to recommendations contained in letter dated June 13, 1988, from William W. Cooper, Chairman of the Residential Wastewater Treatment Facilities Advisory Committee, it was on motion unanimously

VOTED: To change the name of the Residential Wastewater Treatment Facilities Advisory Committee to "Wastewater Advisory Committee"; and further, to reappoint the following individuals each for a one-year term to expire April 30, 1989:

William W. Cooper	11 Cedar Creek Road
Hugh Caspe	33 Philemon Whale Lane
Frances H. Clark	111 Old Lancaster Road
Charles B. Cooper	226 Morse Road
Lael M. Meixsell	34 Barton Drive
Robert H. Sheldon	60 Saxony Drive
Walter Stadnisky	100 Old Lancaster Road

Sudbury Water District - Meeting With Executive Secretary

Present: Winthrop Fairbank, Executive Secretary of Sudbury Water District.

Chairman Wallace convened a meeting with Winthrop Fairbank, Executive Secretary of the Sudbury Water District, to discuss the circumstances

surrounding the recent water shortage and how the Town might avoid the same happening in the future.

Mr. Fairbank explained there were two forces pulling against each other: (1) the District's problems with DEQE relating to wells numbered 5 and 9, which the Selectmen are aware of; and (2) the residents' demand for water this time of year, especially for above-and-under ground water sprinkler systems.

With regard to the latter issue, Mr. Fairbank stated he noted the recent action taken by the Town of restricting outdoor water use except from 7:00 p.m. - 7:00 a.m., on odd-even home numbers/days. Selectman Drobinski expressed his concern that no Water District Rules and Regulations were in effect which would reinforce such a restriction as it relates to penalties. Mr. Fairbank responded that he hopes the next annual Water District meeting will decide this question, as well as others such as limiting water use by metering homes and charging a special rate during heavy-use times.

Selectman Cope expressed her belief that those with private wells have more liberal use of water; but that perhaps this should be addressed also, because those private wells are pulling from the same aquifers. Mr. Fairbank responded that in his opinion the Town is wasting water, especially as it relates to above-and-under ground sprinklers. Mr. Fairbank added that when compared to the town of Wellesley, which is double in size but approximately the same in consumption and tank capacity, it becomes obvious that Sudbury is not concerned about conserving water use; and that another possibility that may be explored is to charge on a sliding scale basis according to use of water.

Selectman Drobinski added that the Town might use the revenues from such a sliding scale charge to purchase additional aquifer protection acreage. Selectman Drobinski continued by stating that the last water crisis indicated that communications or directions to the public are difficult and troublesome. Executive Secretary Thompson responded that based on response from past crises, it takes approximately 24-48 hours to acquaint fifty percent of the population of the problem and the directions the Town wishes to take. Mr. Thompson continued that this was proven during this most recent shortage because two days after the water restrictions were announced, people were calling in and turning in their neighbors who were ignoring the water ban instructions. He concluded that a good place to address procedure for notification of the public would be in the new rules and regulations hopefully proposed at the next annual Water District meeting in early 1989.

Selectman Cope asked Mr. Fairbank to elaborate on his commitment given at the June 21st Water District Special Meeting of the Commissioners' intent to obtain a consultant to look into the water pressure problems on Puritan Lane and Goodman's Hill and Green Hill Roads. Mr. Fairbank responded that he has already spoken with one consultant and has requested him to submit a request for proposal.

Selectman Cope also questioned whether or not the Town would have available extra pumps and motors, since this appeared to be a major problem in the last water crisis when No. 7 well's motor burned out. Mr. Fairbank responded by stating that extra water wells are the answer, not extra pumps. He continued that the Town could stock many motors, but no-one in Sudbury could install the same.

Mr. Fairbank stated that he believes the Water District is ahead of demand in locating new water wells, and that the water table, to his knowledge, has been the same since 1953, reinforcing the fact that we have plenty of water in the ground.

Selectman Drobinski asked when some new wells would be on line and Mr. Fairbank responded that he expected well number 9 to be acted on by DEQE by October of 1988, and the exploration work done for a new well number 10 near the Haynes Meadow land by next year.

Selectman Cope suggested that the Water District give some attention to testing new wells in the Concord Road/Route 117 area; i.e., the Lincoln Road area. In her opinion, Mrs. Cope stated, if this were done DEQE would possibly look favorably upon funding same.

Mr. Fairbank asked the Board what, in their opinion, the public wanted to know about the Water District, because of some of the concerns expressed at the last District special meeting. Chairman Wallace responded that in his opinion the public has expressed a total disbelief and unacceptance that there was no water available and they have demanded that there be more education as to the problems with the Water District and their desire for conservation measures to correct the problems.

Chairman Wallace added that the Selectmen have discussed this in the recent past and they support a comprehensive water management plan; and that the Selectmen hope and expect the Water District to play a major role in the development of such a plan.

Selectman Drobinski further stated that he believes the Water District needs more and better "P.R." Mr. Drobinski believes the people want to know how the District operates and where the water comes from. The public, he added, has a perception of a local water contamination problem, the degree of which, if any, should be carefully and thoroughly explained to the public in understandable terms. Selectman Cope stated that she and others hear of the extensive nature of the Town's water supply, but they need data which proves it. Equally important, she continued, is the question of at what point does the Town draw too much from its aquifers. Again, she concluded, this should be addressed clearly to the public.

The meeting concluded with Chairman Wallace thanking Executive Secretary Fairbank for his presence and dialogue with the Board.

Enforcement of Zoning Violations

Pursuant to report at Town Forum by Building Inspector Joseph E. Scammon that there has been a slow-down in the number of building permits being applied for, the Selectmen requested that Executive Secretary Thompson meet with Mr. Scammon to see if enforcement of zoning violations may be more vigorously pursued.

1988 Local Census

Executive Secretary Thompson reported that his office has been informed that the results of the 1988 Local Census show a population of 15,390, as compared with the 1987 Census total of 14,561. Mr. Thompson noted that after

the next State Census is taken, this increase in population will make the Town eligible for one more All Alcoholic Beverages Package Store License.

Mr. Thompson reminded the Selectmen that in the past five or more years, the question of allowing another package store has come before the Board and it was determined in each instance that there was no public need for such an additional store (there are currently two and the increased population will allow four); and the Board expressed its concurrence with the position that there is no apparent public need for another package store.

Local Arts Council

Executive Secretary Thompson reported that Nora Hall of the Local Arts Council wished the Selectmen to know that the Council wants to increase its membership to nine and will be making formal recommendation to the Selectmen sometime in August. The Selectmen indicated that they see no problem with supporting such a request when presented.

Biannual Selectmen's Dinner at Fort Devens

The Board acknowledged receipt of letter dated June 24, 1988, from Major General Joseph J. Skaff of the United States Army, inviting Chairman Wallace to attend the biannual Selectmen's dinner at the Fort Devens Officer and NCO Club on July 14, 1988.

Chairman Wallace expressed his regrets that he will be unable to attend; Selectman Drobinski will attend if his schedule permits.

Drug Abuse Education

Chairman Wallace shared a report he received at a meeting he attended of a local service group. The report, entitled "DARE" was prepared by the Los Angeles Police Department Drug Abuse Education Unit and Chairman Wallace stated he was very impressed with it. Mr. Wallace requested the Executive Secretary to see that the police and schools administrators have a copy made available to them for their perusal.

Dog License - Waiver of Fine

Upon review of letter dated June 6, 1988, from Barbara Kirk of 605 Concord Road, and response of Town Clerk dated June 12, 1988, it was on motion unanimously

VOTED: To waive the fine of \$10.00 imposed upon Barbara Kirk of 605 Concord Road for not having her dog licensed prior to June 1, 1988, pursuant to Bylaws Article V §3.

Sudbury Housing Partnership Committee - Appointment of Liaison

The Board reviewed minutes of the Sudbury Housing Partnership Committee meeting held June 1, 1988, at Musketahquid Village. It was on motion unanimously

VOTED: To appoint Selectman Judith A. Cope liaison to the Sudbury Housing Partnership Committee.

Goodnow Family Reunion

The Board noted receipt of letter dated June 6, 1988, from Carol McWain Goodenough, inviting a Town representative to attend the planned reunion of the Goodenows/Goodnows/Goodenoughs in July.

Transfer Request No. 88-34 - Amendment

Upon review, it was on motion unanimously

VOTED: To amend approval of Transfer Request No. 88-34, dated May 27, 1988, voted June 6, 1988, for transfer of \$15,335.00 to Account 503-256, Legal Expense, to the transfer amount of \$16,335.00 to said Account.

Transfer Request No. 88-39 - Building Dept.

Relative to Account 340-330, Excess Buildings, Executive Secretary Thompson explained that after Supervisor of Town Buildings Douglas Lewis met with the Finance Committee on June 23, 1988, an agreement was reached that any excess funds remaining in the Reserve Fund for Fiscal 1988 could be used to repair the Fairbank building boiler.

It was thereupon on motion unanimously

VOTED: To authorize the chairman to sign Transfer Request No. 88-39 relative to boiler repairs at Fairbank Community Center.

Massachusetts Municipal Association - Meeting

The Board reviewed materials regarding the Tenth Annual Meeting & Trade Show of the Massachusetts Municipal Association, to be held at the Boston Marriott Hotel/Copley Place from January 6-8, 1989. Chairman Wallace indicated his intention to attend, and he stated he would coordinate the same with Elaine Jones in the Selectmen's Office. Selectman Cope stated she would be unable to attend; and Selectman Drobinski would check his schedule to see if he may attend.

Executive Session

At 10:30 p.m., it was on motion by roll call unanimously

VOTED: To go into executive session for the purpose of discussing collective bargaining and expenditures from the Discretionary Fund.

(Chairman Wallace, aye; Selectman Drobinski, aye; Selectman Cope, 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 10:40 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk