

at

IN BOARD OF SELECTMEN
MONDAY, FEBRUARY 6, 1989

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

The statutory requirements as to time and place having been fulfilled, the meeting was called to order by Chairman Wallace at 7:30 p.m. at lower Town Hall.

Utility Petition 89-4 - Lincoln Road

Present: Stephen Kane, representative of Boston Edison Company; resident Julia Euling; representative for resident Gary Isaacson.

The Board reviewed Utility Petition 88-4 from Boston Edison Company for confirmation of installation of six poles along Lincoln Road. In response to inquiries from Julia Euling of 55 Lincoln Road, and a representative of resident Gary Isaacson of 56 Lincoln Road, it was explained that this petition is to confirm acceptance of the six poles already in place on Lincoln Road, which were constructed as a result of emergency approval granted by the Selectmen on January 25, 1988.

Executive Secretary Thompson noted that all appropriate abutters had been notified and approval had been recommended by the Inspector of Buildings and Wiring Inspector under date of February 2, 1989.

It was on motion of Chairman Wallace unanimously

VOTED: To approve Utility Petition 89-4 of Boston Edison Company for confirmation of permission to construct telephone a line of wires, poles and such other fixtures including anchors and guys along and across the following public way of the Town: Lincoln Road - southerly side from a point approximately 142 feet west of Lincoln Lane (east entrance), two (2) poles; and Lincoln Road - northerly side from a point approximately 565 feet west of Lincoln Lane (east entrance), four (4) poles; subject to receipt of a revised plan being submitted showing Pole 35/81 on the north side of the street as noted by the Building Inspector.

Bond Anticipation Notes

Present: Town Treasurer Chester Hamilton.

The Board reviewed memorandum dated January 31, 1989, from Town Treasurer Chester Hamilton requesting the Selectmen sign Bond Anticipation Renewal Notes, dated February 10, 1989 and due August 25, 1989, in the amount of \$500,000, relative to Article 4 of the April 4, 1988, Special Town Meeting.

The Executive Secretary stated that notice as to place, date and time of this meeting regarding this request was filed with the Town Clerk and a copy thereof posted in the Office of the Town Clerk or on the principal official bulletin board of the Town at least forty-eight hours prior to the time of the meeting and remained so posted at the time of the meeting, in

accordance with the provisions of Massachusetts G. L. c. 39, §23B, as amended.

After discussion, it was on motion of Chairman Wallace unanimously

VOTED: To approve the sale of \$500,000, 6.55 percent Bond Anticipation Notes of the Town dated February 10, 1989, payable August 25, 1989, to BayBank Middlesex at par and accrued interest; and it was further

VOTED: That the provisions of Massachusetts General Laws c. 44, §§23 to 24A, 26 and 27, shall not apply to this issue of notes, and it is hereby confirmed that the Treasurer has solicited proposals for the notes from at least three financial institutions; and it was further

VOTED: To confirm the consent dated January 31, 1989, to the certifying bank bidding for the notes; and it was further

VOTED: To request the Executive Secretary, as Clerk of the Board of Selectmen, to sign a certification of the above action.

Fiscal Year 1990 Tax Levy - Offsets

After discussion, it was on motion of Chairman Wallace unanimously

VOTED: To approve use of Cemetery Fund in the amount of \$15,000, as offset to 410-110 Highway Salaries, to be applied at the 1989 Annual Town Meeting to the Fiscal Year 1990 tax levy, as set forth in memorandum dated February 1, 1989, from the Office of the Executive Secretary; and to concur with other offset recommendations set forth in said memorandum.

Annual Town Meeting Articles 43 and 44 - Featherland Park Land

The Board acknowledged receipt of communication dated January 30, 1989, from Park and Recreation Commission expressing conditional support of the Warrant Article for sale of the approximately 1,950 square feet of Featherland Park land to abutters Dinkel/Baggen, at the highest appraised value; and communication dated January 31, 1989, from Mark T. Dinkel, outlining what he believes to be the status of the property in question with regard to easements.

Executive Secretary Thompson explained that evidently the garage owned by the owner of the residential property was built on land that is Town land; and that a search of the records at the Registry of Deeds indicates that the Town has no easement for the residential property. An attempt to resolve this situation has been long standing. Contrary to the belief of Mr. Dinkel, the utility companies have indicated they believe they do have easement rights over Mr. Dinkel's property.

Mr. Thompson stated that the original idea was to swap some of the Town property for some of Mr. Dinkel's property; however, Mr. Dinkel has indicated his desire for a "taking" of the property by the Town, rather than a "swap" or a grant of easement. Mr. Thompson informed that he spoke with Mr. Dinkel this date and Mr. Thompson suggested that, since there is still sufficient time, Mr. Dinkle might consider going back to Park and

Recreation and arrive at a mutually-beneficial solution which can be presented at Town Meeting.

In response to inquiry by Selectman Cope, Mr. Thompson suggested that Park and Recreation should accept the opinion of Assistant Assessor Daniel Loughlin as to the market value of the property in question.

Loring School Building - Meeting with Congregation B'nai Torah

Present: Robert Snyder, President, and Myra Snyder, Past-President, B'nai Torah Congregation; residents Susan Boak and Thomas Boak.

The Chairman convened a meeting with Robert Snyder, President, and Myra Snyder, Past-President, of the Congregation B'nai Torah, which currently holds a lease of the Loring Building on Woodside Road due to expire June 30, 1989. Mr. Snyder stated that his request for this meeting was to obtain an update of the Town's position with regard to use of the Loring Building and to ascertain if the Town is willing to allow the Congregation to continue to lease the premises.

In response to inquiry by Chairman Wallace, Mr. Snyder stated that the Congregation has looked into other alternatives for location, such as the availability of space in other churches, the feasibility of constructing a new building at another site, and lease of space in non-religious buildings. Mr. Snyder concluded that, although area churches have offered temporary space in their buildings, the stability and vitality of the Congregation depends on a more permanent location.

Mr. Snyder expressed his belief, based upon what he has read and his attendance at School Committee meetings, that the schools are not interested in pursuing the Loring Building for expansion or use.

Chairman Wallace explained that the Town and the School Committee have covered a lot of territory in the past year, and plans and proposals have by necessity changed many times. Mr. Wallace stated that he and Executive Secretary Thompson met with the Space Study Steering Committee on January 25, 1989, and there was basically a consensus reached that the Town should continue to hold onto the Loring Building, even if the School Committee does not wish to utilize it. Thus, Mr. Wallace opined, it would appear that some kind of lease situation with the Congregation is possible. But Mr. Wallace cautioned that such an arrangement may only be for a one-year commitment, with a reassessment of what the maximum rental fee of that space would be.

Chairman Wallace expressed his personal preference to be a continuation of a lease arrangement with the Congregation; but he did not believe the Town at this time should make a long-term arrangement.

Executive Secretary Thompson stated that the School Committee has just recently voted to withdraw its Town Meeting warrant article seeking \$8,500,000 for repairs and renovations to the Nixon/Noyes schools; and he believes there will be a Special Town Meeting convened in the Fall to address overall space needs, which will include but not be limited to the schools. Mr. Thompson concluded by stating that he therefore does not

believe anything can be decided until at least after the Annual Town Meeting in April.

Chairman Wallace concurred with Mr. Thompson and stated the Selectmen cannot take a position this evening. Mr. Wallace personally recognizes the value of having the Congregation as a tenant at the Loring Building and would hope that at least a one-year lease could be negotiated with the offer for first refusal to them if the premises can be leased after the one year. Selectman Drobinski concurred with these comments.

Executive Secretary Thompson stressed that the School Committee has made it very clear that they have no interest in the Loring Building; and that at any rate, the schools must have a definite plan in place by this summer in order to have its administrative space needs met by October 1, 1989.

Susan Boak of 148 Woodside Road stated that it was her understanding that the Loring School was also a consideration as the site for the Senior Citizens Center. Mrs. Boak further stated that she is appalled that the Town is considering building a new addition to the Nixon School versus renovation of the Loring Building.

Executive Secretary first expressed his personal apology to Mrs. Boak for his oversight in not specifically informing her of this meeting although requested to do so, and stated he was glad she was able to attend on short notice. In response to Mrs. Boak's comments, Mr. Thompson stated that he believes the School Committee has been consistent in its contention that it will be cheaper to build versus renovate. Mrs. Boak pointed out that at a School Committee meeting it was ultimately determined that the cost of doing either would in reality be a "wash".

In response to inquiry by Mrs. Boak, Mr. Thompson stated that if the building were used for a Senior Citizens Citizen, it would be considered a municipal use.

Selectman Cope suggested to Mr. Snyder that the Congregation continue to look into the possibility of locating at the Horse Pond site; and Mr. Snyder requested that the Town keep him apprised of developments as they occur pertaining to the availability of this property.

Chairman Wallace concluded the meeting by thanking all for their input and by requesting the Executive Secretary to place this matter on the agenda for May 8, 1989, which is the next available date after Annual Town Meeting. Mr. Snyder thanked the Board for its consideration and wished to make it known that the Congregation B'nai Torah remains interested in purchasing the building should the Town decide to sell it.

Tax Anticipation Notes

Present: Town Treasurer Chester Hamilton.

It being 8:30 p.m., the Board reviewed memorandum dated January 31, 1989, from the Town Treasurer, requesting the Selectmen sign Tax

Anticipation Notes, dated February 10, 1989, and due July 14, 1989, in the amount of \$4,500,000.

The Executive Secretary stated that notice as to place, date and time of this meeting regarding this request was filed with the Town Clerk and a copy thereof posted in the Office of the Town Clerk or on the principal official bulletin board of the Town at least forty-eight hours prior to the time of the meeting and remained so posted at the time of the meeting, in accordance with the provisions of Massachusetts G. L. c. 39, §23B, as amended.

After discussion, it was on motion of Chairman Wallace unanimously

VOTED: To approve the sale of \$4,500,000 Revenue Anticipation Notes of the Town dated February 10, 1989, payable July 14, 1989, at par and accrued interest plus the premiums indicated as follows:

<u>Numbers</u>	<u>Denom- ination</u>	<u>Rate</u>	<u>Interest Premium</u>	<u>Purchaser</u>
1	\$500,000	6.40%	-	Guaranty-First Trust Company
2	500,000	6.49		
3 to 10	100,000	6.52	\$658.	First National Bank of Boston
11 to 26	50,000	6.52		
27 to 42	25,000	6.52		
43 and 44	100,000	6.70	242.	Boston Safe Deposit & Trust Co.
45	50,000	6.70		
46 to 53	100,000	6.50	60.75	BayBank Middlesex
54 to 57	50,000	6.50		
58 to 67	25,000	6.50		

And it was further

VOTED: That the provisions of G. L. c. 44, §§23 to 24A, 26 and 27, shall not apply to this issue of notes and it is hereby confirmed that the Treasurer has solicited proposals for the notes from at least three financial institutions; and it was further

VOTED: To confirm the consent dated January 31, 1989, to the certifying bank bidding for the notes; and it was further

VOTED: To authorize the Executive Secretary, as Clerk of the Board of Selectmen, to sign a certification of the above action.

Space Study Steering Committee - Draft Action Plan

Present: Resident Susan Boak.

Upon review, it was on motion of Chairman Wallace unanimously

VOTED: To endorse the consensus of the Space Study Steering Committee with regard to Draft Action Plan submitted under memorandum dated January 31, 1989, from the Executive Secretary; subject to amendment of Note (2) by deleting the words "on long-term basis", so that said Note reads as follows: "(2) Consensus that Loring School should not be sold but held for indefinite future; i.e., lease at market rate."

Upon invitation of Selectman Cope, Susan Boak of 148 Woodside Road stated that she wished to bring a matter to the attention of the Selectmen. Mrs. Boak stated that she and her husband have had the opportunity to attend many of the hearings with the School Committee pertaining to space needs and the Loring School. Mrs. Boak stated that she and Mr. Boak were impressed by the political lobbying done by the tenants at the Loring School. Mrs. Boak also noted that at one of the public hearings, it was asked if the School Committee considered some of its individuals' membership in the Congregation B'nai Torah as presenting a possible conflict of interest; and she reported that she believed the response was that the attorney would be looking into the situation.

Mrs. Boak then prompted a discussion concerning the School Committee's decision not to consider the Loring School Building on Woodside Road for its needs, and compliance with State law concerning full disclosure of a possible conflict of interest by certain individuals in this matter. Mrs. Boak acknowledged that she believes the statute she is referring to is more of a protective one for the individual who may have a potential conflict rather than an accusatorial one. Mr. Thompson agreed, and stated he believed the individual who may have the potential conflict generates action under the statute by requesting a formal finding by Town Counsel, which finding is then filed with the Town Clerk's Office. Mr. Thompson stated that it is public knowledge that Schools Superintendent David Jackson is a member of Congregation B'nai Torah and he has made this fact known. Mr. Thompson opined that since Dr. Jackson is not a voting member of the School Committee, it would not be necessary for him to seek protection or clarification that his position does not present a conflict in interest problem. Mrs. Boak stated that she understood Dr. Jackson's position; however, she has learned that there are some individuals serving on the School Committee that are also members of the Congregation B'nai Torah and that she believes those individuals should comply with the statute to avoid the appearance of impropriety and/or conflict in interest. Mr. Thompson stated he was not aware of voting members of the School Committee being members of the Congregation and he would immediately communicate with the School Committee concerning this issue, and report back to the Selectmen and Mrs. Boak.

Announcement of Public Forum Re: General Override/Debt Exemption Questions

Chairman Wallace announced a public forum to be conducted by the Finance Committee and Board of Selectmen on Wednesday, February 15, 1989, at 8:00 p.m. in the lower Town Hall, to solicit questions from citizens concerning the upcoming general override and debt exemption questions which will be on the March ballot.

The Executive Secretary requested the media give notice of this Forum as much exposure as it can; and he further informed that the Forum will be carried on the Cable Television station.

Chanticlair Residential Development - Framingham

Present: COMMAND members Frances Ciampa, Chairman, Joyce Wolff, and Albert Follin; David Robertson and Leslie Willets, Framingham Conservation Commission; Framingham residents Walter Darby and Grace Liberatori.

It being 9:00 p.m., the Chairman convened a meeting at the request of Frances Ciampa of 33 Hiram Road, Framingham, concerning the Chanticlair Residential Development, proposed for location at Water Street and Edgell Road, Framingham.

Mrs. Ciampa introduced concerned citizens from Framingham and asked Albert Follin to make an initial presentation to the Selectmen.

Mr. Follin gave a brief history of how COMMAND (Committee Mobilized Against Nobscot Development) was formed and stated that since its beginnings over a year ago, COMMAND has procured a petition with over 2,100 signatures of concerned residents in opposition to the proposed development. Mr. Follin informed that the proposed development, known as Chanticlair Residential Development, will consist of one, six-story building with a total of 224 rental units, a total of 448 parking spaces, and a swimming pool, all to be placed on an eight-acre area of land. Of the total units, Mr. Follin believes that approximately twenty-five percent will provide for affordable housing; and this is coming to the Town under a Chapter 774 Comprehensive Permit to be heard before the Framingham Zoning Board of Appeals.

Mr. Follin stated that members of COMMAND believe Sudbury would not only be interested in this project, but might take an active position against it, because of its proximity to Sudbury and the serious questions of open space and water sheds. Although there is no hard data in, it appears that there will be severe deterioration and urbanization of that area which could negatively impact the water resources to Sudbury. There was particular discussion about the Hop Brook (a/k/a Allowance Brook) flooding and excessive run-off concerns, as well as pollution and aquifer protection issues. Mr. Follin further pointed out that initial studies show this proposed development would generate around 1,000 vehicles per day to be added to the already congested Route 20 traffic and safety problems.

Mr. Follin advised that COMMAND has acquired the expert assistance of the law firm of McGregor, Shea and Doliner, 27 School Street, Boston, and Sanford Ecology Services; and they have the support of the Sudbury Valley Trustees.

Mrs. Ciampa provided the Selectmen with a detailed package of data and assured the Selectmen that they will provide Sudbury with whatever information they wish as it is received by COMMAND.

COMMAND member Joyce Wolff gave a history of Hop Brook and their concerns about the effects of the development on that body of water.

Mrs. Wolff expressed her confidence in Sanford Ecology Services handling the review of the Environmental Impact Report that MEPA has required the developer to submit. There also is a belief that there is a connection between the aquifer located at least partially on this subject property and the Sudbury aquifer.

Executive Secretary Thompson confirmed that the Conservation Commission has received some materials concerning this matter and they have indicated their intent to review all data when received and will make a decision as to a formal position concerning this proposed development. Mr. Thompson further stated that he would see that Richard Carroll, the Water District Superintendent, will receive a copy of the ENF filed by the developer, and any other pertinent material, for his review and comment.

Selectman Drobinski and the Executive Secretary endeavored to inform those present of the Comprehensive Permit process and the requirements and procedures relating to MEPA; and it is Mr. Drobinski's opinion that they should be aware that these two procedures are separate and distinct. Mr. Drobinski also indicated that a cursory review of the request for an EIR does not contain a specific request for information concerning the location of the aquifer. Mrs. Wolff indicated that it was her belief that this information is part of the regularly-requested information; and that the letter Mr. Drobinski is referring to is meant to serve as additional requests for information.

Chairman Wallace commended the Framingham citizens for the wonderful work they are doing and expressed his empathy for the situation, as he believes Sudbury's interests are similar to Framingham's. It is Mr. Wallace's personal observation that at least on its face, this proposed development is way out of line for the area. Selectmen Cope and Drobinski concurred.

Chairman Wallace concluded the meeting by expressing the concurrence of the Selectmen that they will give this matter serious consideration and they look forward to receiving comments and recommendations from Sudbury's Conservation Commission. Mr. Wallace assured those present that this matter will be placed on the agenda for further consideration and determination as soon as sufficient data is received.

Annual Town Meeting Articles - Meeting with Planning Board

Present: Planning Board members Russell Kirby, Lael Meixsell, Richard Brooks and Peter Andersen; Town Planner Lee Newman.

At 9:45 p.m., the Chairman convened a meeting with the Planning Board concerning its Annual Town Meeting articles numbered 25, 26, 35, 37 and 38.

Town Planner Lee Newman informed as follows:

With regard to Article No. 25, Walkways: the Planning Board is requesting \$115,345 for continuing the walkways program, by obtaining construction funds with regard to the Mossman Road walkway and the Old Lancaster Road walkway; and by obtaining engineering funds for walkways on

Powers Road, Powder Mill Road, and portions of Mossman Road and Peakham Road.

Ms. Newman further reported that the Town has developer contributions from Cranberry Meadows, and the developer has agreed to construct a walkway, at his cost, from Maynard town line down to Virginia Ridge Road; and by carrying that walkway past Powder Mill Road down to Route 117, tying in that whole area with the Town-operated system. Ms. Newman stated that this contribution by the developer has an estimated value of \$60,000 to the Town.

With regard to Article No. 35, Water Resource Protection Districts: there are only three technical corrections. Ms. Newman explained that the Board wishes to amend the present bylaw by allowing replacement of tanks, not necessarily the same size going into the ground, but rather if the old tank were of a 50-gallon capacity, two 25-gallon tanks would be permitted. Ms. Newman stated that this correction was recommended by Fire Chief Michael Dunne. Selectman Drobinski pointed out that the rules and regulations pertaining to construction of the storage tanks recently changed, as of January 1, 1989, and Executive Secretary Thompson stated Chief Dunne would have received and is responsible for enforcing them.

With regard to Article No. 37 (Free-standing Business Signs): this was recommended by the Design Review Board and allows free-standing business signs in business centers, provided there are no other independent signs on the lot.

With regard to Article No. 38 (Projecting Signs): this was also recommended by the Design Review Board and allows projecting signs by Special Permit for individual businesses; and if such a permit is granted, the business could not have a wall sign and an individual sign.

Planning Board Chairman Russell Kirby addressed Article No. 26, Comprehensive Growth Management Plan, and stated that there have been many plans and studies prepared concerning this, and although none of them have been totally successful or fully used, each has contained valuable information that the Planning Board proposes be gathered into a comprehensive package, which can be updated and added to. Mr. Kirby stated that one of the prime movers concerning this issue is pending legislation which would establish impact fees. Mr. Kirby explained that one of the major prerequisites to imposing such an impact fee would be the existence of an approved comprehensive plan for the Town. Mr. Kirby pointed out that whether or not the Town would vote to assess impact fees would depend on a vote at Town Meeting; but if the Town has a comprehensive plan, then the Town would be in a position to impose such a fee and that would afford them a measure of protection against the irresponsible developer.

Mr. Kirby stated that he believes the value of the CAPS is quite clear; the Planning Board this past year has brought in \$216,000 worth of revenue to the Town through walkway construction contributions and negotiated settlements with developers. To date, Mr. Kirby continued, the Planning Board has absolutely no tools to mandate this; impact fees would enable the Town to do this on a continuing basis, in anticipation of the need for new schools or highway improvements, or whatever. Mr. Kirby

pointed out that there has to be some basis in determining what the impact on the school system would be by developing at a certain location versus another location, etc. With a comprehensive plan in place, there would be some sort of objective yardstick that may be used so that it can be determined that the particular proposed development would cost the Town X-amount of dollars, and an assessment may then be made right then and there to the developer, who would have to make the contribution.

Although the collection of such an impact fee would be immediate and thus an obvious benefit to the Town, Mr. Kirby stated that the more long-term benefit would be to provide a basis for decisions to be made, for example, by the Finance Committee. If successful, this program would take projections from the schools, Highway Department, and other municipal departments involved, and such studies as that prepared by the Traffic Management Committee, and place all the information within reach in one location.

Mr. Kirby stated that the Planning Board believes this would be a three-year process and its proposal is to request \$50,000 for each of the three years. Selectman Chairman Wallace pointed out that the Town cannot be committed for more than the \$50,000 requested at this year's Town Meeting.

Mr. Kirby stated that the Planning Board believes it has the support of the Board of Selectmen and the Finance Committee (in particular, Jack Hepting), at least as to the concept.

Planning Board member Richard Brooks pointed out that one of the things that must be taken into consideration is identifying items such as impact fees, and the possible ramifications and repercussions by developers, and cautioned that this is something that should not be proceeded upon lightly and requires extensive homework.

Executive Secretary Thompson stated that he would attempt to obtain a copy of the proposed legislation mentioned earlier and make same available.

Mr. Kirby stated that in addition to the request for monies through Town Meeting, the Planning Board has been actively soliciting contributions from private sources to fund this project.

Executive Secretary Thompson opined that it is important for the townspeople to be aware of comparable plans that may exist in other communities, such as Southboro, so that they may better understand the need for such a plan and how it can work.

Annual Town Meeting - Positions on Articles/Designation of Speakers

The Board reviewed list of Annual Town Meeting articles prepared as a result of its consideration on January 30, 1989. It was on motion unanimously

VOTED: To add Annual Town Meeting Article No. 26, Comprehensive Growth Management Plan, to those supported by the Selectmen at its January 30, 1989, meeting; and it was further

VOTED: To acknowledge letter of withdrawal from the Highway Surveyor of the Highway Department's Article No. 32, Salt Storage Shed; and it was further

VOTED: To concur with the designation of Selectmen to speak on the Annual Town Meeting articles, as drafted by the Executive Secretary.

Hopestill Brown Road, Wright Farm

The Board acknowledged receipt of letter dated January 26, 1989, from Town Engineer I. William Place, concerning a possible violation of Massachusetts G. L. c. 23, §543, Obstructions on Public Ways, regarding a fence belonging to Lot 12 house, number 67 Hopestill Brown Road, belonging to Michael W. G. and Ellen F. Berman. Upon request of the Selectmen, the Executive Secretary will refer this letter to Town Counsel for response.

Board of Assessors - Possible Reorganization

The Board acknowledged receipt of letter dated January 24, 1989, from representatives of the Board of Assessors asking if the Selectmen and the Executive Secretary would communicate their personal intentions relative to the potential reorganization of Town Government under a director of municipal finance, pursuant to Massachusetts G. L. c. 43C.

The Selectmen indicated that since they have not met formally to discuss the matter, they have no formal position to take at this time. The Executive Secretary advised that he believes the Town Treasurer feels consolidation may be a good idea somewhere down the road; and the Executive Secretary concurred that this may be something to be brought up in a couple of years.

Upon request of the Selectmen, the Executive Secretary will so advise the Board of Assessors, and will assure the Assessors that this will have no affect on the upcoming elections, and will keep them apprised of developments as they occur.

Reserve Fund Transfer Request No. 89-13 - Historical Commission

Upon review of Transfer Request by the Historical Commission, it was on motion unanimously

VOTED: To table discussion and decision relative to Reserve Fund Transfer Request No. 89-13 by the Historical Commission, dated January 26, 1989, for transfer of \$2,700 to Account No. 515-310, Sudbury Historical Commission Maintenance; and to request the Executive Secretary to communicate with the Commission and request a representative to attend a future Selectmen's meeting in order to more fully explain said request.

Chiswick Park - Proposal of Nickerson Theatres, Inc.

The Board acknowledged receipt of letter dated February 2, 1989, from Frank M. Vana, Project Coordinator, Chiswick Trading, Inc., concerning a proposal of Nickerson Theatres, Inc. to operate a professional theatre within Chiswick Park, which is located on Union Avenue/Boston Post Road.

After a brief review and discussion by the Board, and upon request of the Selectmen, the Executive Secretary will arrange a meeting at the earliest possible time concerning this proposal with all interested Town boards and departments. Upon request of Selectman Cope, the Executive Secretary will make certain the Traffic Management Committee is contacted concerning same.

350th Anniversary Celebration - Request for Placement of Banner

Upon review, it was unanimously

VOTED: To permit the hanging of a banner across the Town Hall facade during the period of March 1 to September 30, 1989, as set forth in letter dated February 2, 1989, from Harold Cutler of the 350th Anniversary Celebration Committee.

Minutes

It was on motion unanimously

VOTED: To approve the remainder of the January 23, 1989, minutes, as corrected; the regular session of January 30, 1989 minutes, as corrected; and the executive session of January 30, 1989 minutes, as presented.

Cancellation of Town Forums/Rescheduling Selectmen's Meeting

Due to preparation for, and the convening of, the Annual Town Meeting, it was on motion unanimously

VOTED: To cancel the Town Forums of March and April, 1989; and to reschedule the Board's regular meeting of Monday, March 27 to Wednesday, March 29, 1989, to include the Warrant Review at 8:00 p.m.

At the request of the Selectmen, the Executive Secretary will schedule a later afternoon Executive Session at the earliest possible time to discuss possible transactions in real property relative to the daily cover material for the Landfill space for the upcoming fiscal year. On behalf of the Selectmen, the Executive Secretary will request the Town Engineer and the Highway Surveyor to attend said meeting.

Metropolitan Area Planning Council Designee

The Board was informed that Metropolitan Area Planning Council Designee James W. McKinley of 118 Peakham Road, does not wish to be reappointed to M.A.G.I.C. upon the expiration of his term in April 1989.

It was suggested that former Selectman Anne W. Donald be contacted to see if she would accept appointment as Designee to the M.A.G.I.C.

Sudbury Chamber of Commerce

Chairman Wallace reported on a meeting held Tuesday, January 31, 1989, with the Sudbury Chamber of Commerce; and expressed gratitude to the Town

Management Committee for its excellent presentation of the future development plans concerning the Route 20 area.

Chairman Wallace stated that most attendees at the meeting expressed great interest in the plan and a willingness to pursue public discussion of the same.

Wastewater Advisory Committee

Selectman Cope reported a meeting with the Wastewater Advisory Committee (WAC) and others concerning the recently-announced non-required Environmental Impact Report for the Wayland-Sudbury Septic Sludge Facility.

Selectman Cope stated that a consensus prevailed at that meeting, especially by WAC's Chairman William Cooper, that many of the concerns expressed by the Conservation Commission and WAC were not addressed by the Commonwealth.

Selectman Cope stated she may draft a reply to Steven Davis of the Executive Office of Environmental Affairs, outlining the Towns' previous concerns and asking for reconsideration on addressing those issues by the Operational Review Committee. Ms. Cope may have this letter prepared for presentation to the Selectmen for signing at the February 13, 1989, meeting.

Davis Property - Proposed Golf Driving Range

Selectman Cope questioned the status of the proposed golf driving range and expressed her strong feeling that the plan should be limited to a driving range only, excluding any type of miniature golf course or similar expansion plans.

Executive Secretary Thompson reported that the site plan has been completed and it only shows a driving range being within tentatively-marked wetlands boundaries, twenty tee-stands, and a parking lot.

After further discussion, it was on motion of Selectman Cope unanimously

VOTED: To support development of the Park and Recreation Commission's Davis Land area for golf driving range purposes only; and to direct the Executive Secretary to request the Park and Recreation Commission to adopt only such a plan.

Proposed Budget Cuts for Fiscal Year 1990

Upon review, the Selectmen concurred in their support of budget cuts, if necessary, as set forth in memorandum dated February 3, 1989, from Executive Secretary Thompson to the Finance Committee.

Budget Override Question

The Board acknowledged receipt of copy of letter dated January 31, 1989, from Town Accountant James Vanar to the Department of

Revenue, requesting guidance and clarification with regard to the budget override question which the Town intends to present at Town Election at the end of March.

Community Outreach Worker

Executive Secretary Thompson updated the Board on the status of the Community Outreach Worker position. The Evaluation Committee, which consisted of Mr. Thompson, Ann Loos, Donald Kern, Nancy Brown, and Marge Van Houten, reached a consensus to (1) support schools' social/community worker for grades K-12 to address related school, student and family needs; (2) that the job description for Community Outreach Worker be amended to provide for a permanent Advisory Committee, which will meet on a monthly basis, to act in an advisory capacity to the Outreach Worker; (3) the Community Outreach Worker for Fiscal Year 1990 will provide 51%-plus time on youth activities and problems; and (4) the Youth Commission will delete their requested position for the Fiscal Year 1990 budget.

After a brief discussion, the Selectmen voiced their support for the above.

Expansion of the Landfill/Recycling

The Board acknowledged receipt of letter dated January 30, 1989 (revised February 2, 1989) from Thomas M. White on behalf of the Resource Recovery Committee.

Selectman Drobinski expressed his great concern that to implement the recommendation to retain outside Engineering consultants to work with Town Engineer Place to help expedite matters may not be fiscally prudent because of the large costs involved. The Board agreed.

Board Of Assessors - Appellate Tax Cases

The Board acknowledged receipt of letter dated January 30, 1989 from Assistant Assessor Mary H. Walsh, accepting the decision of the Selectmen to deny outside legal counsel regarding three appellate tax board cases, and noted the Assessors' request the presence of Town Counsel at the Board of Assessors meeting on February 13, 1989, at 7:30 p.m. in executive session.

Traffic Management Committee - Route 20/Union Avenue Traffic Lights

Upon review of memorandum dated January 31, 1989, from Executive Secretary Thompson, regarding the request of the Traffic Management Committee to have a letter drafted to the State Department of Public Works concerning intersection lights at Route 20 and Union Avenue, and for a "No Left Turn" sign for such intersection, the Board agreed with Mr. Thompson's comments and requested Mr. Thompson to investigate this matter further with Traffic Management Committee member James McKinley.

Ayer Chamber of Commerce - Honorarium of Major General Joseph J. Skaaf

The Board acknowledged receipt of letter dated January 25, 1989, from the Ayer Chamber of Commerce, inviting the Selectmen to attend a buffet

breakfast on Wednesday, February 22, 1989, at 7:30 a.m., honoring Major General Joseph J. Skaaf, Commanding General, Fort Devens, who is retiring on March 31, 1989.

Since none of the Selectmen is able to attend this honorarium, the Selectmen requested the Executive Secretary to prepare a letter for their signature to Major General Skaaf, thanking him for his leadership and efforts in keeping all communities well informed on the use of the military of land within our Town as well as all other abutting communities.

Former Route 20 Task Force Report of Alleged Violations

Selectman Cope gave the Board a copy of the former Route 20 Task Force's report of alleged zoning violations, and requested that the Executive Secretary have copies made for each Selectman, as well as for Zoning Enforcement Agent Joseph Scammon.

Upon further request of Selectman Cope, Mr. Thompson will request Mr. Scammon to respond to said report in writing prior to the scheduled meeting on March 6, 1989, so that the Selectmen may have an opportunity to review same.

There being no further business to come before the Board, the meeting was adjourned at 11:30 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk