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IN BOARD OF SELECTMEN
MONDAY, FEBRUARY 13, 1989

Present: Chairman David A. Wallace and Judith A. Cope.

Annual Town Meeting Action

The Board reviewed a Resolution which Executive Secretary Thompson informed was prepared by the Fair Housing Committee, and it is asking that the Selectmen endorse same for Town Meeting. Mr. Thompson stated this would also assist the Fair Housing Committee in its dealings with the Massachusetts Commission Against Discrimination.

It was on motion of Chairman Wallace unanimously

VOTED: To accept a Resolution entitled "Fair Housing Policy Statement", for the 1989 Annual Town Meeting Warrant and order the same as number 56 thereon.

The Board next considered the question of accepting four petition articles for the 1989 Annual Town Meeting Warrant. Upon review, it was on motion of Chairman Wallace unanimously

VOTED: To accept four petition articles for the 1989 Annual Town Meeting Warrant and order the same, as follows; subject to confirmation of signatures; and to refer the zoning amendments to the Planning Board for hearing and report:

Article 57 - Research Districts Permitted Uses.

Article 58 - Research District Intensity Regulations - Maximum Floor Area Ratio.

Article 59 - Research District Intensity Regulations - Maximum Building Coverage and Height.

Article 60 - Research District Intensity Regulations - Parking Structures.

The Board next considered the question of accepting revised petition articles to substitute those previously submitted. Executive Secretary Thompson explained that petitioner Ralph Tyler has advised that these resubmitted articles were revised based in part on his discussion of same with Assistant Town Counsel.

It was on motion of Selectman Cope unanimously

VOTED: To accept revised petition articles to substitute those previously submitted, as follows:

Article 52 - Regulate Utility Poles, Wires and Structures.

Article 53 - Removal of Utility Poles and Overhead Wires.

Article 54 - Preserve Davis Land for Park.

Annual Town Meeting - Town Counsel Services To Petitioners Re: Articles

Executive Secretary Thompson advised that there is a growing problem with regard to the expenditure of time by the Town Counsel's Office due to late requests for consultation by townspeople who wish to submit petition articles at Town Meeting. Although the Massachusetts statute is subject to differing interpretations, Sudbury has taken the position that the deadline for submission of petition articles for the Annual Town Meeting is prior to the preparation of the Warrant by the Selectmen. This action is usually accomplished middle to end of February, and it is expected that the Warrant will be ready for signing this year by February 27.

Given the timely demands for Town Counsel's services by various boards and committees of the Town, as well as petitioners who made their requests at a much earlier time, Mr. Thompson has advised the Town Counsel's Office not to expend further time on last-minute requests, but rather to give priority to those groups who have already submitted articles and require assistance.

Mr. Thompson reported that he has spoken with Selectman Drobinski concerning this matter and Mr. Drobinski concurs that the Town Counsel's Office should concentrate on articles already submitted. Chairman Wallace and Selectman Cope also concurred with this position, and the Board expressed its hope that in the future persons requiring assistance on the preparation of Town Meeting articles would communicate their need for Town Counsel assistance at the earliest possible time.

Reserve Fund Transfer Request No. 89-13

Executive Secretary Thompson explained that the Reserve fund Transfer Request of the Historical Commission, numbered 89-13, before the Board this evening is a renewal of Transfer Request No. 88-82, which had been withdrawn by the Historical Commission as a result of discussions with the Finance Committee in late May-early June 1988.

It was on motion of Chairman Wallace unanimously

VOTED: To approve Reserve Fund Transfer Request No. 89-13, dated January 26, 1989, for transfer of monies to Account 515-310, Sudbury Historical Commission Maintenance, for restoration work of articles in Hosmer House which were damaged by burst heating pipes on January 9, 1988; and to refer said Request to the Finance Committee for determination of the dollar amount for same.

Fairbank Community Center - Bid To Rebuild Second Boiler

Upon review, it was on motion of Selectman Cope unanimously

VOTED: To accept the bid dated January 30, 1989, received from R. J. Sanders Inc. of Rumford, Rhode Island, to rebuild the second boiler at Fairbanks Community Center, in the amount of \$8,185, as recommended by the Supervisor of Town Buildings in a communication dated February 7, 1989.

Boston University Sesquicentennial Day

The Board reviewed letter dated February 7, 1989, from Jan Hicinbothem, Executive Director, Alumni Relations, Boston University, requesting the Town's participation in its sesquicentennial celebration by sending a proclamation to be displayed during the opening ceremonies on March 13, 1989; and explaining the reason for said request is due to the high concentration of Boston University alumni in the Town.

It was on motion of Chairman Wallace unanimously

VOTED: To proclaim March 13, 1989, to be Boston University Sesquicentennial Day; to sign a Proclamation declaring same; and to request the Executive Secretary to forward the signed Proclamation to Boston University Alumni Relations Office for inclusion amongst the one hundred and fifty cities being asked by the University to participate in its Sesquicentennial Celebration.

Cable Television Committee - Appointment

Upon review of minutes of the meeting of the Cable Television Committee and application of Tyler Fulton for appointment to the Committee, it was on motion of Selectman Cope unanimously

VOTED: To appoint Tyler Fulton of 11 Blackmer Road to the Cable Television Committee, pursuant to the Committee's recommendation as set forth in letter dated February 5, 1989, from Committeeman Jeffrey Winston, for a term to expire April 30, 1989.

Town Election - Sale of Alcoholic Beverages During Polling Hours

It was on motion of Selectman Cope unanimously

VOTED: To allow the sale of alcoholic beverages by common victuallers and retail package stores during the polling hours of the Town Election on March 27, 1989, in accordance with the amendment to General Laws c. 138, §33.

Meeting With Sudbury Housing Authority

Present: Chairman Steven Swanger and Carol Smith of the Sudbury Housing Authority; Bruce Ey.

Chairman Wallace convened a joint meeting with the Sudbury Housing Authority (SHA) to discuss Town Meeting Articles numbered 33 and 34; and to receive an update from the SHA regarding its application to the Division of Health Facilities Planning for lease of the Fort Devens Annex.

With regard to Town Meeting Articles numbered 33 and 34, SHA Chairman Steven Swanger gave a brief history leading up to the articles' requests, by stating that John Cutting offered to donate to the SHA the three-bedroom, 1½-bath Cape house located on property owned by him, if the SHA can move it. Mr. Swanger reported that moving the house does not appear to be a major project (Mr. Swanger pointed out that about three or four years ago another house was moved in that area; thus there will be very little clearing of the

road required); and he has learned that the State's Executive Office of Communities and Development (EOCD) is seriously considering the possibility of its eligibility for funding. (\$60,000 for move and rehabilitation.)

Mr. Swanger explained that the SHA had considered placing the house on the Fairbank site, but decided against that due to its strong commitment to the Town not to increase the density in that area. Thus, the SHA determined the most appropriate site is on the Oliver Land adjacent to Musketaquid Village. The SHA is aware of the fact that the Fire Department is investigating the possibility of building a new fire station house on that site, and Mr. Swanger has spoken with Chief Dunne concerning this. Mr. Swanger stated that Chief Dunne advised that their plans would locate the station on the land closest to the right-of-way driveway that accesses Hudson Road. Executive Secretary Thompson stated that it was his belief that Chief Dunne sees no conflict in both projects being sited on the property.

Mr. Swanger stated that the SHA expects to have final word from the EOCD regarding funding of the project prior to Town Meeting; and that if the State will not provide the monies, the SHA will withdraw the article for consideration.

In response to inquiry by Selectman Cope, Bruce Ey, an engineering architect, advised that although he had occasion to look at the Oliver Land some time ago, the area of concentration was the easterly side of the property, not the area outlined by the SHA. Mr. Swanger stated it was his understanding that the area they are interest in is percable. Mr. Swanger stressed that the SHA is aware that consultation with the Town Engineer is necessary, as well as further investigation; however, because of submission deadlines, the SHA wanted to be able to present this at Town Meeting and keep all options open.

After discussion, and upon recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To hold on support of, and to report at Town Meeting on, the following articles; and to refer same to Town Engineer I. William Place for studying and drawing a plan for siting of the proposed Sudbury Housing Authority home together with a new Fire Headquarters.

Article 33, Transfer Land off Hudson Road to Selectmen for sale to Sudbury Housing Authority.

Article 34, Authorize Selectmen to Sell Land Off Hudson Road to Sudbury Housing Authority.

Executive Secretary Thompson, with the concurrence of Selectman Cope and Chairman Wallace, suggested to Mr. Swanger that the SHA keep abutters William and Judith Mack, as well as the Congregation Beth El, apprised of developments as they occur. At the request of the Selectmen, Mr. Thompson will forward copies of these articles, as well as Article 31 (Fire Department article), to the Macks and to the Congregation Beth El for their information.

Mr. Swanger next discussed the matter of the SHA application to the Division of Health Facilities Planning for lease of the Fort Devens Annex and referred the Selectmen to the letter dated February 8, 1989, from SHA Director

Jo-Ann Howe, advising that the SHA has voted to resubmit its application along with an explanatory letter to the Department of Health and Human Services for the military land. Mr. Swanger explained that the SHA's plan is to resubmit the proposal, recognizing that there is no greater sense that it will be any more acceptable to the Government than its original application was. However, Mr. Swanger stated, the SHA felt it had to make a strong statement to the Government that temporary solutions to the problem of the homeless are unacceptable. Thus, he concluded, the question becomes whether the Government will support long-term housing solutions.

In response to inquiry by Chairman Wallace, Mr. Swanger stated that the application will remain for sixty units to be owned by the SHA, and 140 units to be developed privately. Executive Secretary Thompson informed that there was a meeting concerning this matter with SHA Director Howe, members of the Conservation Commission and Planning Board, and himself, and what was discussed were options available to the SHA, procedural matters, and the viability of the application. Mr. Thompson stated that they also discussed what could be the most prudent thing to do to accomplish what the SHA wants and what the Town wants to accomplish in terms of preservation of open space. Mr. Thompson believes there was a consensus reached that the Town and the SHA attempt to help each other out.

Mr. Thompson expressed the strong concurrence of the Selectmen that the letter forwarded to the Division of Health Facilities Planning by the SHA was very straightforward and commended the SHA for writing such an excellent letter. Mr. Thompson added that the efforts by the SHA might also assist the Town in slowing down the governmental process, since Mr. Thompson opined that he believes the GSA will move speedily along and force a formal response from the Town concerning a commitment to purchase.

Mr. Thompson reported that although Selectman Drobinski was unable to attend this evening's meeting, he did want to re-express his concerns about the impact of such a development to the area and to the Town. Mr. Drobinski wished to make it clear that he is a strong supporter of affordable housing; but is concerned with the number of units as proposed by the SHA in its application to the government. Mr. Swanger stated his belief that the GSA, in the final analysis, will make its decision on the concept proposed by the SHA and not on the number of units. The SHA, Mr. Swanger continued, wanted to make as comprehensive a proposal as possible to the government so it could justify a request for the entire parcel; however, the SHA has never meant to have these numbers "carved in stone".

Chairman Wallace stated that it is his belief that the Selectmen are in a "no win" situation. If the Selectmen do not support the application on the pretext that the land is already zoned Open Space, then they "shoot down" the whole idea of affordable housing on the property. If the Selectmen say that they stand behind the application of the SHA for 200 units of housing, then they "shoot down" the whole premise for Open Space and this would be contrary to what was voted at Town Meeting several years ago. Mr. Wallace concluded by stating that he believes that support of a mixture of the two options is the only alternative. It is Mr. Wallace's opinion that although he cannot agree with the number of units proposed by the SHA, there is a possibility for affordable housing for the Town on that property; recognizing, however, that open space is also extremely important. With this alternative, there might be

presented at a Town Meeting a request to change the zoning of that land to allow some units of affordable housing, keeping the remaining area open space.

Selectman Cope stated her desire to protect open space; but stated that being realistic, she is aware that the land could go to housing. With that reality in mind, Selectman Cope stated that she would like to see some low-density affordable housing. Ms. Cope stated her belief that the Sudbury Valley Trustees could work with the SHA so that the goals of affordable housing and of open space could be reached. Selectmen Cope also expressed to Mr. Swanger, that his letter of February 8, 1989 was extremely well composed.

Mr. Swanger responded by stating that the SHA would be only too happy to work with the Sudbury Valley Trustees for the long-term; however, for the immediate time, the SHA is not prepared to contact them. Mr. Swanger concluded by stating that the SHA is hopeful that the consciousness of the Town has been raised; and wished to express the appreciation of the Sudbury Housing Authority for the Selectmen's understanding of this difficult issue.

It was on motion unanimously

VOTED: To support the intent and concept of the proposal of the Sudbury Housing Authority for the placement of affordable housing on the former Fort Devens property located in Sudbury off Hudson Road; and to seek Town Counsel's comments, if any, on such a position.

1989 Annual Town Election of March 27, 1989 - Ballot Questions

Present: Town Moderator Thomas Dignan; Council On Aging representative Anne W. Donald; Permanent Building Committee Chairman Bruce Ey; Lincoln-Sudbury Regional High School Committeeman Richard Brooks.

The Chairman convened a discussion concerning the question of approving ballot questions for the 1989 Annual Town Election of March 27, 1989; and Executive Secretary Thompson explained that this matter was placed on the agenda in an effort to finalize the wording and numbers at the earliest possible time, rather than wait until the last minute.

The Board reviewed the draft questions prepared by Town Counsel's Office concerning the General Override and the Debt Exemption, and Mr. Thompson provided copies for those present.

With regard to the General Override question, Mr. Thompson advised that the wording for this question came almost verbatim from the statute, and Budget Officer Terri Ackerman had informed him that the Finance Committee is meeting this evening to determine the amount of the override. On recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To approve a ballot question for the 1989 Annual Town Election of March 27, 1989, concerning the override, as follows; the amount of override to be subject to confirmation by the Finance Committee:

Shall the Town of Sudbury be allowed to assess an additional \$1,896,680 in real estate and personal property taxes for the purposes of funding the operating budgets of the School Departments, (both Lincoln-Sudbury Regional High School and Local Elementary Schools), Police Department, Fire Department, Highway Department, and the Goodnow Library for the Fiscal Year beginning July First, Nineteen hundred and eighty-nine?

YES _____ NO _____

[SUBSEQUENT TO SAID VOTE, THE FINANCE COMMITTEE ADVISED CONFIRMING THE AMOUNT OF \$1,896,680 AS THE AMOUNT OF THE OVERRIDE.]

With regard to the Debt Exemption question, the Executive Secretary noted that Town Counsel's Office drafted three individual questions. It was agreed that this would be confusing to the voters and since a "no" vote concerning renovation and remodelling of the Fairbank facility would obviate the questions of repairs to the roof and removal of asbestos, it was on motion unanimously

VOTED: To approve the following ballot question for the 1989 Annual Town Election of March 27, 1989:

Shall the Town of Sudbury be allowed to exempt from the provisions of Proposition 2½, so-called, the amounts required to pay for the bond issued in order to do the following:

- 1) renovate and remodel the Fairbank facility for the use of a portion thereof as a senior center and to accommodate the needs of present uses of the facility by other groups; and
- 2) make extraordinary repairs to the Fairbank facility roof, including reconstruction; and
- 3) remove all asbestos from the Fairbank facility as required by Federal and State Law.

YES _____ NO _____

And it was further agreed

VOTED: To ask Town Counsel to confirm that the dollar amounts do not appear on the ballot question but may be in the summary explanation; and to request the Executive Secretary to request Town Counsel to confirm that all Prop 2-1/2 ballot questions require a majority vote.

In response to inquiry, Executive Secretary Thompson explained that at Town Meeting, the borrowing regarding Debt Exemption would require a two-thirds vote; but at the Election, the Debt Exemption question requires a majority vote.

Bruce Ey of the Permanent Building Committee questioned if the total debt exemption of \$875,000 could be broken down other than as it will be listed on the ballot question. That is, could \$95,000 be spent on the roof repair, and the other \$5,000 be spent on something else. Mr. Thompson advised that he believed this can be done; however, he suggested Mr. Ey ask Town Counsel for

confirmation. Mr. Ey explained the concern of the Permanent Building Committee is that although they are committed to the total of \$875,000, they did not want to be limited only to the line items as they appear.

Anne W. Donald of the Council On Aging expressed concern that the townspeople would look at the request for \$875,000 and assume that the whole amount is a request for the Senior Center. Mrs. Donald requested on behalf of the Council On Aging that the wording be sufficiently explained so that it is understood that the money is going to other uses as well.

Town Moderator Thomas Dignan raised the question of the continuing uncertainty as to the proper procedure regarding the general override. Executive Secretary Thompson reminded the Board that the present consensus appears to be that if the general override question fails at the Town Election, when the Town proceeds to Annual Town Meeting the Town must vote a Proposition 2½ budget. Mr. Thompson informed that all major departments have been informed of this. What would happen in all probability, Mr. Thompson stated, is that Town Meeting would convene and someone would petition to call another Special Election. A "yes" vote at a Special Election would then mean calling a Special Town Meeting to vote a higher budget.

Mr. Dignan stated that he believes the difficulty with this issue is that he understands the Department of Revenue is taking the position that the Town may not override unless there is a vote to override before the Annual Town Meeting, since a contingent budget cannot be voted. Mr. Dignan pointed out that although requested to do so, the Department of Revenue has not provided written confirmation of this position to date.

Mr. Dignan further stated that aside from the question concerning Proposition 2½, people forget that Sudbury's Elections are part of its Town Meeting; therefore the question is can the Town overturn the election vote as a matter of procedure of Town Meeting. Mr. Dignan is researching this question, and he has advised the School Committee that they should take all steps to preserve their rights regarding reconsideration. Mr. Dignan explained that although he can find no Massachusetts case law, there is practice law in another jurisdiction that a reconsideration motion on this point would not be allowed in any form.

Executive Secretary Thompson advised Mr. Dignan that Town Counsel concurs with his opinion regarding this issue. Chairman Wallace informed that Town Accountant James Vanar has written the Department of Revenue for clarification of the State's position and to date no response has been received. Mr. Thompson added that there have been verbal communications between Town Accountant and a representative from the Department of Revenue and it is hoped and expected that the Town will receive some confirmation in the next two weeks.

Chairman Wallace thanked all for their input and at his request, the Executive Secretary will keep everyone apprised of developments as they occur. The Executive Secretary further commented that if there is a need to amend or revote these questions, he will place same on the agenda for February 27, 1989.

The meeting concluded with the Executive Secretary reminding that there will be a meeting of the Selectmen and the Finance Committee regarding the

Fiscal Year 1990 Budget and the need for an override, on Wednesday, February 15, 1989, at 7:30 p.m., at lower Town Hall.

Meeting with Lincoln-Sudbury Regional District School Committee - Town Meeting Article No. 42

Present: Lincoln-Sudbury Regional District School Committee representatives Richard Brooks and Susan Abrams.

Chairman Wallace convened a meeting with representatives of the Lincoln-Sudbury Regional District School Committee at the request of Chairman Richard Brooks, concerning Town Meeting Article No. 42, concerning Combined membership of the School Committee; and the proposal for shared superintendency.

Mr. Brooks opened the discussion by commenting on the phenomenal attendance by concerned individuals at all meetings regarding these issues; and expressed his opinion that the essence of the tri-school meetings has been a fantastic experience of three groups working together in a positive way.

Mr. Brooks informed that subcommittees and other groups have been formed oriented towards the process, legal issues, etc. A result of these combined efforts by the law firm of Ropes & Gray and others, he explained, is Article No. 42, which calls for a governance change in the Lincoln-Sudbury Regional School. Mr. Brooks summarized that the article basically calls for an appointed School Committee, by ballot. This would mean that the five members of the elementary school committee in Sudbury would sit on the Regional School Committee and also on the committee would be two individuals from Lincoln, who must be appointed by the Lincoln School Committee - although they do not have to be members of the Lincoln School Committee. Mr. Brooks explained that since Lincoln does not have a shared superintendency, there is no need for the appointees to be members of the Lincoln School Committee. In Sudbury, Mr. Brooks continued, where the idea is to have a shared superintendent, appointees must be from the school committee.

Mr. Brooks further explained that if this combined school committee passes, the present members of the Lincoln-Sudbury Regional School Committee plus the two who will be elected at this Election, will continue to serve out their terms. Thus, he went on to say, there will be thirteen members the first year; eleven the second (since two members will be retiring and will not be replaced); and nine members the third year. After that, the Committee will consist of seven members who will continue to serve.

Mr. Brooks pointed out that if Article 42 is passed at Town Meeting, it will not affect the question of shared superintendency. Mr. Brooks stated that, however, it is his understanding that the Tri-School people expect the issue of shared superintendency will be decided based upon the vote under the article. If agreed to, there will be a national search using all resources; and the position will probably not become a reality until a year from this Spring. An interim principal will be appointed while the search is being conducted for the shared superintendency position.

Although it is not known how Sudbury will decide, Mr. Brooks offered his conjecture that the chances of Article 42 passing in Sudbury are very good; and

the similar article to be voted at Lincoln Town Meeting appears to have enormously broad support in that town.

Elementary School Committeeman Susan Abrams noted that the beginnings of this combined school committee began about two years ago and there has been much discussion concerning this.

Upon inquiry by Selectman Cope, Mr. Brooks explained that the vote requires a simple majority in both towns; and Mr. Brooks emphasized that passage of this article would only amend the configuration of the school committee and not decide the issue of shared superintendency. Mr. Thompson opined that people voting that article may be making a statement that they support a shared superintendency.

Chairman Wallace concluded the meeting by re-stating the Selectmen's position to support Article 42 at Annual Town Meeting.

Conservation Commission - Meeting Re: Annual Town Meeting Articles

Present: Cheryl Baggen of the Conservation Commission.

Chairman Wallace convened a meeting with Cheryl Baggen of the Conservation Commission concerning Annual Town Meeting Articles numbered 24, 39, 48, 49, 50 and 51.

With regard to Article No. 24, Wetlands Survey Update, Ms. Baggen reported that the Conservation Commission has decided that the requested \$20,000, even when added to the \$20,000 the Commission already has, will not accomplish the purposes for which it is being sought, since the bids for the survey start at about \$120,000.

Because of this, Ms. Baggen stated, the general feeling of the Conservation Commission was to withdraw the article. However, the Commission has become aware of the fact that the Traffic Management Committee is having difficulty obtaining monies for its study and since it will be involved with wetlands issues, the Commission would like to discuss with Town Counsel the possibility of keeping this article in the Warrant and if passed to allow use of the monies for the Traffic Management Committee's study. Selectman Cope urged the Commission to discuss this article before making any decisions, as it is her personal opinion that the \$20,000 might be used by the Commission for a more general delineation. Executive Secretary Thompson stated that he does not believe this would be possible because the article as written is rather specific and this proposed change would not come within the four corners of the article.

Executive Secretary Thompson noted that the question may be moot, because he has been informed that the Finance Committee is under the impression that the article is going to be withdrawn; and Mr. Thompson opined that if such a proposed change is at this time brought back to the Finance Committee, the chances of it supporting same would be very slim.

With regard to Article No. 39, Wetlands Protection Bylaw, Ms. Baggen stated that the Commission has changed the proposed bylaw significantly from last year's so that it is more easily understood by the townspeople as to

intent. Ms. Baggen explained that the purpose of the bylaw is not to stop development in the Town, but rather to provide a better planning tool for same. In addition to the benefit to the Town of providing a mechanism for enforcement of the bylaw, there will also be a mechanism in place to secure the conditions imposed in a permit issued by requiring a bond or other negotiable securities. Ms. Baggen further pointed out that by establishing the Commission's jurisdiction concerning wetland areas, the bylaw will afford additional wetlands protection.

With regard to Article Nos. 48, 49, 50, concerning the Run Brook Circle, Ms. Baggen reported that the Commission has not yet voted a position, as it is waiting to obtain some type of concession from developer Roger Kane.

With regard to Article No. 51, Ms. Baggen explained that this is simply a Resolution seeking Congressional legislation to designate the Sudbury River for study under the provisions of the National Wild and Scenic Rivers Act; and to urge the Selectmen to take all appropriate measures to help coordinate the Town's involvement in the study. Mr. Thompson advised that the Selectmen have already voted to support this Resolution.

Cancellation of February 20, 1989 Meeting

It was on motion of Selectman Cope unanimously

VOTED: To cancel the Board's regular meeting of February 20, 1989, Washington's Birthday holiday.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular session of February 6, 1989, as corrected, and the balance of the regular session of January 9, 1989, as corrected; subject to comment by Selectman Drobinski.

Board of Appeals - Golf Driving Range

The Executive Secretary reported that the Board of Appeals hearing concerning the proposed golf driving range has been continued to May 9, 1989, because it needs to review a proposed lease prior to making any decision. Mr. Thompson noted that this hearing date will not only be duly advertised, but will hopefully generate a newspaper article concerning same.

Board of Assessors - Residences Having Separate Apartments

The Board referred letter dated February 6, 1989, from Assistant Assessor Mary H. Walsh, with attached list of residences which have separate apartments, to Town Counsel for review and comment; and requested the Executive Secretary to place this matter on the agenda after Town Meeting, if necessary.

Sudbury Valley Trustees Study - GSA LAND

The Chairman of the Board of Selectmen signed the Sudbury Valley Trustees application for funding to do a "Use" Design Review Study of the Federal GSA military land in Sudbury.

Wayside Inn - Celebration in Honor of Innkeeper Francis J. Koppeis

The Board noted receipt of invitation to join in the celebration in honor of Francis J. Koppeis for his thirty years as Innkeeper of Longfellow's Wayside Inn, to be held Monday, March 6, 1989, from 3:00 p.m. to 8:00 p.m., at the Wayside Inn.

Comprehensive Planning Workshop

The Board acknowledged receipt of letter dated February 3, 1989, from Director of Education Dennis Robinson, Lincoln Institute of Land Policy, Cambridge, Massachusetts, informing about a Comprehensive Planning Workshop on March 8, 1989, at the Burlington Marriott.

Selectman Cope stated she believes Town Planner Lee Newman is planning on attending.

Department of Revenue Meeting

Chairman Wallace reported that he and Selectman Cope attended the Department of Revenue meeting, which provided a lot of information, particularly with regard to the impact fees pending legislation.

Executive Secretary Thompson stated that he is putting an informational package together concerning the impact fees issue and will distribute same to all interested as soon as completed. It was noted that Planning Board member Peter Anderson is particularly interested in receiving this information.

Septage Treatment Facility - Response By Conservation Commission

The Board reviewed draft copy of letter jointly prepared by Selectman Cope and Conservation Commission member Gordon Henley, requesting reconsideration of the Executive Office of Environmental Affairs' decision that the expanded permit of the Operational Review Committee (Wayland-Sudbury Septage Facility) does not require the preparation of an Environmental Impact Report.

It was on motion unanimously

VOTED: To approve the letter for signature by the Selectmen, as redrafted by Selectman Cope and Town Counsel's Office, responding to communication dated January 11, 1989, from John P. DeVillars, Secretary, Commonwealth of Massachusetts, Executive Office of Environmental Affairs; subject to comment by Selectman Drobinski.

Hager Pond

Selectman Cope reported that the suds situation at Hager Pond appears to be worsening and that Ursula Lyons has taken photographs.

Selectman Cope stated that she has spoken with Health Director Robert Leupold, who has indicated that there are sufficient monies to take a sample for testing to help create a data file on the problem.

Landfill

Selectman Cope reported going by the Landfill on Monday, and was disappointed at the looks of the area. Chairman Wallace stated that he was at the Landfill on Saturday and it appeared that the area had been cleaned up.

Executive Secretary suggested this matter be brought up at the executive session meeting being proposed for March 1, 1989, concerning Landfill issues.

Annual Town Meeting - Positions on Remaining Articles

It was on motion unanimously

VOTED: To add the following Articles to those supported by the Selectmen for printing in the Warrant:

No. 3, Amend Bylaws, Classification & Salary Plans.

No. 12, Amend W/S Septage Disposal Facility Agreement - Enterprise Fund.

No. 20, Intersection Improvements (subject to funding).

No. 22, Feeley Park Tennis Courts (subject to funding).

No. 41, Amend Bylaws - Appoint Tree Warden.

No. 56, Resolution - Fair Housing Statement (petition).

And it was further

VOTED: To designate Chairman Wallace as Speaker regarding Article No. 56, at Annual Town Meeting.

And it was further

VOTED: To report at Town Meeting on the following numbered articles: 7, 11, 21, 23, 24, 27, 28, 29, 30, 33, 34, 47, 48, 49, 50, 52, 53, and 54.

There followed a discussion prompted by Selectman Cope concerning the withdrawal of Article 32, Salt Storage Shed, by the Highway Surveyor. At the request of the Selectmen, Executive Secretary Thompson will send a letter to Highway Surveyor Robert Noyes and request a resolution to the current complaints on the open storage of salt and sand.

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