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BOARD OF SELECTMEN  
MONDAY, FEBRUARY 27, 1989

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

Transfer Request #89-15: Treasurer's Office Move from Nixon to Flynn Building

Present: Town Treasurer Chester Hamilton.

The Board reviewed Transfer Request No. 89-15 from the Building Department for \$4,600 to cover the costs of moving the Treasurer's Office from the Nixon Building to the Flynn Building, as more particularly set forth in memorandum dated February 10, 1989, from Supervisor of Town Buildings Douglas R. Lewis.

Executive Secretary Thompson reminded the Selectmen that in planning for the transition moves pertaining to the schools, the only office that cannot be accommodated is the Tax Collector/Treasurer. The plan is therefore to renovate one of the conference areas on the second floor of the Flynn Building for this dual office.

After discussion, it was on motion of Selectman Drobinski unanimously

VOTED: To approve Reserve Fund Transfer Request No. 89-15 dated February 24, 1989, for the Building Department, Account 340-320, in the amount of \$4,600.00 for moving the Tax Collector/Treasurer's office from the Nixon Building to the Flynn Building, with renovations as set forth in memorandum dated February 10, 1989, from Supervisor of Town Buildings Douglas R. Lewis.

Fire Department - Acceptance of Donation

It was on motion of Selectman Drobinski unanimously

VOTED: To accept a donation to the Fire Department from the Entwistle Company of approximately 1300 feet of 3/4 and 1 inch hose, and to authorize the sharing of this hose with the Highway Department and Park and Recreation Commission, as per letter dated February 23, 1989, from Fire Chief Michael Dunne; and to request the Executive Secretary to prepare a letter for the Board's signature thanking the Entwistle Company, Bigelow Street, Hudson, Massachusetts, for the donation, and to prepare a letter for the Board's signature thanking Finance Committee member Cary Corkin for his efforts in making this donation available.

Council On Aging - Donations

It was on motion of Selectman Drobinski unanimously

VOTED: To accept \$168.93 in miscellaneous donations for deposit into the Council On Aging Van Donation Account; and to authorize the Council On Aging to expend the same for purposes of operating and maintaining the Council On Aging van.

Annual Town Meeting - Acceptance Of Petition Article

After review, it was on motion unanimously

VOTED: To accept for placement in the Warrant for the 1989 Town Meeting as Number 61, a petition article, received in the Office of the Board of Selectmen on February 15, 1989, to request transfer of the Davis Land now under the Park and Recreation Commission to the Conservation Commission.

1989 Annual Town Election - Amendment To Question No. 1 on Ballot

Upon recommendation of the Executive Secretary and the Finance Committee Chairman, it was on motion unanimously

VOTED: To amend Question No. 1 for the 1989 Annual Town Election Ballot, by adding the words, "and other Town departments", so that said question shall read:

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, the Goodnow Library and other Town departments for the fiscal year beginning July first, nineteen hundred and eighty-nine?

YES \_\_\_\_\_ NO \_\_\_\_\_

1989 Annual Town Meeting Warrant - Signing

Noting that a copy of the Warrant had been distributed to the Board yesterday; the Executive Secretary advised that the Personnel Board, who is meeting Tuesday, February 28th, may make some changes to the Personnel Plan before the Warrant goes to the printer if the Board has no objection. The Selectmen raised no objection and were advised they would receive copies of any amendments.

It was on motion unanimously

VOTED: To approve and sign the 1989 Annual Town Meeting Warrant as prepared; subject to inclusion of revisions which may be made by the Personnel Board.

MacNeill Property - Release and Termination under M.G.L. c. 61A

It was on motion unanimously

VOTED: To table the question of executing a Release and Termination of the Notice of Intent to Exercise Option under M.G.L. c. 61A, §14, recorded with the Middlesex South Registry of Deeds in Book 18572, Page 207, pertaining to certain parcels owned by Arden M. and Barbara MacNeill, Trustees of the Arden B. MacNeill Real Estate Trust, 1959, as amended, located near Dutton Road, Boston Post Road and Wayside Inn Road; pending review by Town Counsel.

The Board requested the Executive Secretary to place this matter on a future agenda.

Board of Assessors - Proposition 2½ Override Question

The Board acknowledged receipt of letter dated February 21, 1989, from the Board of Assessors, requesting an increase in the Proposition 2½ override amount from \$1,896,680 to at least \$2,076,680.

Executive Secretary Thompson advised that he spoke with Finance Committee Chairman John B. Hepting this morning, and with Town Accountant James Vanar last week concerning this matter.

Mr. Thompson reported that Mr. Hepting was very upset with the contents of the letter from the Board of Assessors and wished the Selectmen to know that before the Finance Committee voted on the amount of \$1,896,680, he had thoroughly discussed their strategy with the Chairman of the Board of Assessors, who indicated agreement therewith at that time. Mr. Hepting was unable to be present this evening but wished to clarify that the amount recommended by the Finance Committee is by necessity a best estimate. When a recap sheet is done sometime late summer/early fall, if there is a severe problem, the Town can either work with the Assessors or adjust receipts through the Town Accountant.

Upon inquiry by Chairman Wallace, Mr. Thompson confirmed that the numbers that the Finance Committee relied upon in part were the numbers given to them by the Board of Assessors; and that a month and a half ago, similar numbers were confirmed with Assistant Assessor Daniel Loughlin. Upon inquiry by Selectman Cope, Mr. Thompson confirmed that Budget Analyst Terri Ackerman has seen the numbers and agrees with the Finance Committee.

Selectman Drobinski expressed his opinion that so long as the Finance Committee, Town Accountant James Vanar and Budget Analyst Terri Ackerman agree with the amount, that is acceptable to him.

Massachusetts Antenna Television Commission

Upon recommendation by the Executive Secretary, it was on motion of Chairman Wallace unanimously

VOTED: To support House Bill No. 39, An Act to Provide Local Officials with Cable Operator Revenue Information, as explained in letter dated February 21, 1989, from the Massachusetts Community Antenna Television Commission; and to request the Executive Secretary to express the Town's support to the appropriate party.

Minutes

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

VOTED: To approve the minutes of the regular meeting of February 13, 1989, as presented.

Line Item Transfer Request No. 89-14 - Landfill

On recommendation by Executive Secretary Thompson, who informed the money requested would be used to offset the payment for the new compactor, it was on motion of Chairman Wallace unanimously

VOTED: To support Line Item Transfer Request No. 89-14 of the Highway Department in the amount of \$15,000, from Account 460-110, Landfill Salaries, to Account 460-310, Maintenance.

Town Meeting Articles Re: Research Districts

Selectman Cope reported that she received a telephone call from Town Planner Lee Newman, who asked if it was possible to obtain some funds to augment or verify our traffic model data output relative to the proposals contained in the 1989 ATM articles concerning Research Districts. Ms. Cope informed the Board that she told Ms. Newman it was her opinion that HMM should be held accountable for any errors in our traffic model and thus the Town should not be expected to pay for clarifications or corrections needed.

In reply to Mr. Thompson, Selectman Cope stated that the Town Engineer was up-to-date on this matter.

Police Department - Contract For Computer Systems

The Board reviewed revised Master Agreement For Computer Systems Acquisition between the Town and Pamet Systems. Executive Secretary Thompson advised that, although Town Counsel is not yet satisfied with the terms and conditions, he is requesting the Selectmen to sign this revised copy in order to enable a partial payment be made.

It was on motion unanimously

VOTED: To sign Master Agreement for Computer Systems Acquisition with Pamet Systems, dated February 27, 1989, as presented.

Mailer Regarding Override of Proposition 2½

The Board acknowledged receipt of an informational paper prepared by Superintendent of Schools David Jackson outlining the need for a Proposition 2½ override. The Board further noted that this would be mailed townwide and that Dr. Jackson would welcome comments on same from the Selectmen.

Metropolitan Area Planning Council - MBTA Fare Increases

The Board acknowledged receipt of communication from David C. Soule, Executive Director of the Metropolitan Area Planning Council, regarding proposed MBTA Rapid Transit, Bus and Commuter Rail Fare Increases, inviting comment on same. It was agreed that no response was necessary concerning this matter and its associated Environmental Notification Form.

Override Illustration Charts Prepared By Resident

The Board acknowledged receipt of letter dated February 16, 1989, from resident Ralph S. Tyler, enclosing a series of Charts which he believes might be useful in presenting the impact of the proposed Override on Sudbury residents.

At the request of the Selectmen, the Executive Secretary shall forward a copy of same to Schools Superintendent David Jackson.

Sudbury/Wayland Septage Treatment Facility - Report

The Executive Secretary handed the Selectmen data received into his office late this afternoon concerning the septage facility. Such data included the following:

1. Memorandum from Robert C. Leupold, Health Director, dated February 27, 1989, concerning Landfill leachate treatment at the Septage Plant, attaching leachate testing results for July 1, 1987 and stating that Plant Superintendent Bruce Strong will provide leachate test results in March 1989 when Wayland leachate will be processed.

2. Memorandum from Robert C. Leupold, Health Director, dated February 27, 1989, concerning the MEPA appeal.

3. Letter dated February 27, 1989, from Bruce Ey, Representative to the Operational Review Committee, stating that as a member of the ORC, he cannot justify spending money to prepare a full EIR to increase the discharge permit of the plant and setting forth the case why such an increase should be approved.

At the request of the Selectmen, Executive Secretary Thompson will place this matter on a future agenda at the earliest possible time and invite the Operational Review Committee and the Board of Health to attend.

Board of Health Rules and Regulations

The Board reviewed letter dated February 10, 1989, from Health Director Robert C. Leupold concerning the Board of Health Rules and Regulations, inviting interested parties to attend its meeting for February 23, 1989. Selectman Cope reported that she and Planning Board members Russell Kirby and Lael Meixsell attended the meeting and learned that the Board of Health would like some proof that a 100' setback would be better than a 50' one. The Board of Health also expressed that although it is not always possible to go to other Boards every time a per test is being conducted, they would make a better effort to so notify interested boards.

Septage Disposal Facility - Massachusetts Environmental Protection Agency

Executive Secretary Thompson reported that Conservation Coordinator Deborah Montemerlo asked that the package of data just received relating to the Wayland/Sudbury Septage Disposal Facility and the request for increase in discharge permit be given to Gordon Henley of the Conservation Commission. The Board agreed.

Mr. Thompson reported that it appears an issue is being raised concerning the Selectmen's written request dated February 21, 1989, to MEPA for reconsideration of MEPA's decision not to require an EIR regarding the request for increase in the Septage Facility's discharge permit; especially with regard to the words "notice of action" contained in said letter. There is a possibility such notice must entail the filing of a special form with the State Attorney General's office.

The Selectmen directed that the Executive Secretary confirm this with the Conservation Coordinator, and if true a filing is necessary with the Attorney General's office, to hold on the same until the Board reviews the matter with Town Counsel.

The Selectmen requested that the Executive Secretary report to them concerning this matter by Wednesday, March 1, 1989, if possible, and Mr. Thompson stated that he would use his best efforts to comply with said request.

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m., to allow the Selectmen and the public to attend the Annual Water District Meeting at upper Town Hall.

Attest:

Richard E. Thompson  
Executive Secretary-Clerk