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IN BOARD OF SELECTMEN
MONDAY, JULY 10, 1989

Present: Chairman John C. Drobinski, Judith A. Cope and David A. Wallace (who arrived at 8:50 p.m.).

The statutory requirements as to notice having been fulfilled, the meeting was called to order by Chairman Drobinski at 7:35 p.m. at lower Town Hall.

Tax Anticipation Note Renewal

Present: Town Clerk Jean M. MacKenzie.

Upon review of memorandum dated June 29, 1989, from Town Treasurer/Collector Chester Hamilton, advising that the winning bid on the \$3,000,000 Tax Anticipation Note Renewal was Shawmut Bank, N.A. at 6.43%, it was on motion unanimously

VOTED: To sign Tax Anticipation Note Renewal, dated July 14 and due August 4, 1989, in the amount of \$3,000,000, as authorized by the Board on June 26, 1989.

As requested by the Town Treasurer and stated in his communication dated July 7, 1989, it was on motion unanimously

VOTED: To sign Highway Bond Reimbursement notes in the amount of \$137,475, dated July 17, 1989, and due January 16, 1990, for borrowing in anticipation of state reimbursement for street resurfacing authorized by the Board August 29, 1988.

Utility Petition 89-16 - North Road

Present: Joseph Bausk of New England Telephone and Telegraph Co.

The Board reviewed Utility Petition No. 89-16 submitted by New England Telephone and Telegraph Company for conduit installation on North Road. Joseph Bausk, representative for the Company advised that the work is necessary in order to place a service terminal and service cabinet on private property, for which the Company has obtained an easement.

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 July 5, 1989.

It was on motion of Selectman Cope unanimously

VOTED: To approve Utility Petition 89-16 of New England Telephone and Telegraph Company for permission to lay and maintain a distance of about 119 feet of conduit to include connection and power supply to private property under the following public way of the Town: North Road - northerly side approximately 507 feet easterly of Longfellow Street beginning at pole 250 and running easterly to pole 249; as shown on plan of New England Telephone and Telegraph Company entitled "Plan For Conduit Location 213145", N.E.T.&T. No. 89-10, dated June 12, 1989.

Utility Petition No. 89-17 - Hudson Road

Present: Joseph Bausk of New England Telephone and Telegraph Company; Robert Malis of Boston Edison Company.

The Board reviewed Utility Petition No. 89-17 submitted by New England Telephone and Telegraph Company and Boston Edison Company for conduit installation on Hudson Road. Robert Malis, representative for Boston Edison Company, advised that this underground work is needed to provide service to a private residence.

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 July 5, 1989.

It was on motion of Selectman Drobinski unanimously

VOTED: To approve Utility Petition 89-17 of New England Telephone and Telegraph Company and Boston Edison Company for permission to lay and maintain a distance of about 8 feet of conduit under the following public way of the Town: Hudson Road - southerly approximately 38 feet east of Intervale Road; as shown on plan of Boston Edison Company entitled "Plan of Hudson Rd. - Sudbury", dated June 7, 1989; and New England Telephone and Telegraph Company's plan entitled "Plan For Conduit Location", N.E.T.&T. No. 89-12, dated June 23, 1989.

Utility Petition No. 89-18 - Hudson Road

Present: Joseph Bausk of New England Telephone and Telegraph Company; Robert Malis of Boston Edison Company.

The Board reviewed Utility Petition No. 89-18 submitted by New England Telephone and Telegraph Company and Boston Edison Company for conduit installation on Hudson Road. Robert Malis, representative for Boston Edison Company, advised that this underground work is needed to provide service to a private residence being built.

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 July 5, 1989.

It was on motion of Selectman Cope unanimously

VOTED: To approve Utility Petition 89-18 of New England Telephone and Telegraph Company and Boston Edison Company for permission to lay and maintain a distance of about 7 feet of conduit under the following public way of the Town: Hudson Road - southerly approximately 60 feet east of Willis Lake Drive; as shown on plan of Boston Edison Company entitled "Plan of Hudson Rd. - Sudbury", dated June 7, 1989; and New England Telephone and Telegraph Company's plan entitled "Plan For Conduit Location", N.E.T.&T. No. 89-11, dated June 23, 1989.

Utility Petition No. 89-19 - Wayside Inn Road

Present: Joseph Bausk of New England Telephone and Telegraph Company; Robert Malis of Boston Edison Company.

The Board reviewed Utility Petition No. 89-19 submitted by New England Telephone and Telegraph Company and Boston Edison Company for conduit installation on Wayside Inn Road. Joseph Bausk, representative for New England Telephone and Telegraph Company, advised that the reason for the underground work is due to a number of area residents, (primarily the Wayside Inn), desiring to have all existing above-ground poles, cables and wires placed underground. The Executive Secretary further advised that this project is the result of all pertinent parties getting involved and cooperating; and he wished to give special thanks to Boston Edison Company for their participation and assistance.

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 July 5, 1989.

It was on motion of Selectman Cope unanimously

VOTED: To approve Utility Petition 89-19 of New England Telephone and Telegraph Company and Boston Edison Company for permission to lay and maintain conduit under the following public way of the Town: Wayside Inn Road - New England Telephone and Telegraph Company - northerly side beginning approximately 320 feet easterly of Dutton Road at pole 194/18 and running 860' easterly to pole 194/10, conduit to include road crossing 60 feet, as shown on New England Telephone and Telegraph Company's plan entitled "Plan For Conduit Location 602715", N.E.T.&T. No. 89-9, dated May 23, 1989, revised June 23, 1989; and Wayside Inn Road - Boston Edison Company - approximately 320 feet east of Dutton Road, a distance of about 710 feet; as shown on plan of Boston Edison Company entitled "Plan of Wayside Inn Rd. - Sudbury", dated June 6, 1989.

The Executive Secretary advised the utility companies' representatives that resident Ralph Tyler of One Deacon Lane, who has attended many utility petition hearings as a concerned towns person, was unable to attend this evening's hearings but wished to pass along his kudos to all those involved in preserving and/or improving the Town's aesthetics by placing the conduit underground.

Pantry and Haynes Roads - Intersection Improvement Program

Executive Secretary Thompson displayed petition handed him by resident Ralph Tyler of One Deacon Lane prior to the commencement of this evening's meeting, signed by Mr. Tyler and other area residents concerning the proposed intersection improvements for Pantry and Haynes Roads. It was agreed this petition would be addressed as current priorities allow.

Landfill Permit Fee - Proposed Waiver For Senior Citizens

Present: John Naatz.

The Board considered recommendation of John Naatz of 40 Singletary Lane, as set forth in his letter dated June 21, 1989, to waive for senior citizens the newly-enacted landfill permit fee.

Executive Secretary Thompson voiced his support for such a waiver, but acknowledged that it may be difficult to rebate fees to those senior citizens who have already paid. Mr. Thompson further reminded the Board that he had opposed instituting a fee for residential stickers; but was convinced to change his mind last year because he felt the public was not giving serious enough attention to the problems of the Landfill.

John Naatz agreed that there is a necessity to call attention to the Landfill; but stated that imposition of the residential fee could create a hardship for many people on fixed incomes. Mr. Naatz further stated that there was a general concern that although the fee is only \$25.00 this year, each year will see an increase and become an even more serious financial burden for the senior citizen to bear.

After further discussion, it was on motion unanimously

VOTED: To provide a process for waiving the Landfill residential permit fee for those individual senior citizens who have need to request same; and to request that the Executive Secretary prepare a senior citizen exemption form so that they may present same to the Highway Department if so approved by Selectmen's Office through the Executive Secretary.

Fairbank Community Center - Renewal of Lease With L-S West

Present: Geraldine Nogelo, Chairman of the Lincoln-Sudbury School Committee and representative for Lincon-Sudbury West Alternative High School.

The Chairman called to order a discussion relative to renewal of the lease of a portion of the Fairbank Community Center by the Regional High School for Lincoln-Sudbury West Alternative High School (L-S W).

Executive Secretary Thompson advised that the draft lease submitted for consideration was drafted by his office, and said draft reflects the recommendations of Interim Supervisor of Buildings Warren Boyce. Mr. Thompson further noted an attached "Fairbank Facility Use Plan" which shows the shared space of the facility including the proposed Senior Citizens Center.

Mr. Thompson called the Board's attention to document entitled "Cost of Operation of Lincoln-Sudbury West" dated May 1989, and pointed out that there are currently twenty students from Sudbury and five tuition students. Based on a discussion with Brian Cunnane, Director of Pupil Services and Special Education for Lincoln-Sudbury Regional High School, Mr. Thompson is convinced that L-S W is still very much a viable alternative to transporting the Town's special needs students out of district.

Mr. Thompson stated that due to the "in flux" nature of the Town's space needs and finances, he recommends renewal of the lease for a one-year period, and pointed out that because of the one-year notice clause, this in effect assures L-S W a two-year stay.

Mr. Thompson went on to report that the biggest problems in the past at the Fairbank Building has been the heating system and the overall cleanliness. Mr. Thompson stated that because of the plans for the Senior Center, the heating problem will be resolved, as the plans call for conversion to gas. There is, however, a continuing cleanliness issue, and Mr. Thompson opined that L-S W needs to do its share of keeping the tidiness of the outside of the building.

Geraldine Nogelo, Chairman, Lincoln-Sudbury Regional High School, stated that with regard to the cleanliness issue, she believes that it is difficult for the students to take pride in a building that is in as bad shape as Fairbank is. Ms. Nogelo pointed out that the school has had the parking lot paved and has put some money into the school's general appearance; however, she acknowledges that it has not been enough to make much of a difference.

Mr. Thompson advised that a new roof will be installed; and he confirmed that both Richard Brooks and Sandra Topalian, Director of L-S W, have been involved in discussions concerning the building.

Ms. Nogelo stated that she would take back to L-S W the fact that the school is secure for two years. In response to inquiry by Selectman Cope, Ms. Nogelo informed that at some point newly-appointed School Superintendent Matthew King will want to get involved with L-S W, but she believes he needs some time to get fully acclimated to the Town's school systems, problems and needs. Ms. Nogelo concluded by stating that she would convey the Selectmen's concerns about the outside appearance of the building to L-S W for their knowledge and comment.

Finalization of the lease was held until Selectman Wallace arrived. At that time, Selectman Wallace recommended approval of the lease for one year, with an amendment to Section D, "Termination", which he believes will clear up an ambiguity that may exist.

It was on motion of Selectman Cope unanimously

VOTED: To authorize the Chairman to sign the lease as drafted by the Executive Secretary for a period of one (1) year, with an amendment shown in all capitals to Section D, "Termination", as follows:

"Notwithstanding B. and C. above, AND EXCEPTING G. HEREAFTER, the Lessor may terminate this Lease by giving one year's written notice to the Lessee to vacate the premises."

In answer to inquiry by Ms. Nogelo, Mr. Thompson advised that she may pick up a signed copy of the lease at his office after Noontime.

Performance Review - Fire Chief

Present: Fire Chief Michael Dunne.

The Board reviewed Annual Performance Review and FY90 Salary Benefits Proposal, both dated May 25, 1989 of Fire Chief Michael Dunne.

Executive Secretary Thompson conveyed Selectman Wallace's apologies to Chief Dunne for not being able to attend, but wished Mr. Thompson to let the Chief know he has done a great job.

Mr. Thompson informed the Selectmen that he and Chief Dunne met last Friday for discussion and the Chief expressed his desire to study the feasibility of a combined local Police and Fire Department dispatch center.

Mr. Thompson also advised that Chief Dunne and he are making a joint recommendation to the Selectmen that the Fire Department not become involved with the handling of hazardous waste materials for three principal reasons: (1) time expenditure for training; (2) cost; and (3) exposure to possible liability to the Town.

Mr. Thompson next pointed out that an item on Chief Dunne's Wish List was for department heads meetings. Mr. Thompson advised that once the Town's financial plan is in order, he intends to call a department heads meeting prior to the plan being made public.

Mr. Thompson concluded by advising the Selectmen that there is a problem developing relative to the widening gap between the Fire Chief's salary and the Police Chief's salary, due to the provisions of the Quinn Bill that are applied to the Police Department. The Board requested the Executive Secretary to look into this issue and make a recommendation as to how some kind of parity may be achieved.

Chairman Drobinski stated that he is very pleased with the professionalism of the Fire Department and believes this is a reflection "from the top down". Mr. Drobinski further advised that he has not heard one negative comment concerning the Fire Department or its Chief.

Selectman Cope concurred with Chairman Drobinski's comments, and she asked Chief Dunne if he had any idea as to when the "911" emergency number would take effect in Sudbury. Chief Dunne opined that implementation in Sudbury of this number would occur in two years.

Chief Dunne commented that with regard to the Mobil station at Nobscot Road, he is pleased that the piles of dirt have been removed. However, Chief Dunne expressed his concern that despite repeated requests, he has not been provided with reports as to what all contaminants were. Chief Dunne explained that the problem is that the owners received permission from DEQE to remove the tanks and to fill the hole back up; and that they have not only done this, but they have a permit from EPA to filter those 55-gallon canisters.

In response to request from Chairman Drobinski to expand on Mr. Thompson's mention of his joint recommendation concerning hazardous waste materials, Chief Dunne explained that although some fire departments across the country are getting involved, his research indicates that it would not be wise to do this. Chief Dunne pointed out that the Fire Department's job should remain to contain the materials (i.e., the pools, put down the sand, keep it in one location, etc.). However, Chief Dunne does not think the Fire Department should be responsible for the actual sealing of leaking tanks or the like.

With regard to the Town's gasoline tank at Station 2, Chief Dunne advised that everything has been pumped out. Chief Dunne informed that Zecco Corporation has given a cost estimate of \$50,000 to eliminate all gas tanks at the Fire and Highway Departments and to put a new tank at the Highway Department. Since Chief Dunne does not believe that the Town can afford that price tag right now, he suggests that some alternative be proposed; but in particular he believes the Route 20 Fire Station tank should be replaced. Chief Dunne stated that the two tanks at the fire station are each twenty years old, and he believes the Highway Departments tanks are also that old.

In response to inquiry by Chairman Drobinski, Chief Dunne informed that the plans for the new Fire Department headquarters are moving along and they have chosen an architectural firm that he will be asking the Selectmen to approve in the near future. Chief Dunne stated that approximately 27 architectural bids were submitted and that the three best were interviewed. Of these three, the firm of Carell Group of Brookline impressed him and the Permanent Building Committee as the best firm for the job.

It was on motion unanimously

VOTED: To accept the Annual Performance Review and Memorandum of FY90 Salary/Benefits Package, each dated May 25, 1989; and to set the salary for Fire Chief Michael C. Dunne at Grade 15, Step 7, \$54,410 plus \$2,176 Longevity and \$1,100 EMT Stipend, for a total salary of \$57,686, effective July 1, 1989 through June 30, 1990.

Fire Department - Refurbishing Fire Engine No. 5

Present: Fire Chief Michael Dunne.

Upon review, it was on motion unanimously

VOTED: To award a contract for refurbishing Fire Engine No. 5 pursuant to bids opened June 30, 1989, to E. J. Murphy Co. of Ashland, in the amount of \$9,952.00; as per recommendation of the Fire Chief contained in communication dated June 30, 1989.

[N.B. Selectman Wallace joined the meeting at 8:50 p.m.]

Performance Review - Janet Silva

Present: Janet Silva, Administrative Assistant to the Board of Selectmen.

The Board reviewed Performance Review Report dated June 1, 1989, from Janet Silva, Administrative Assistant to the Board of Selectmen.

Executive Secretary Thompson stated that he thinks Town Moderator Thomas Dignan summed up the generally-held opinion about Ms. Silva when he commented at Town Meeting that Ms. Silva "does everything that comes along." Mr. Thompson added that the townspeople should be made aware of the extensive work Ms. Silva does with regard to the Town Report and Town Meeting.

Chairman Drobinski stated that he knows well how hard Ms. Silva works and he expressed his pleasure that someone of her caliber is here to get things done.

Selectman Wallace concurred with the high praise given Ms. Silva and gave her high accolades for her performance.

Selectman Cope expressed her appreciation for the job Ms. Silva has been doing. Ms. Cope inquired about Ms. Silva having to assume the responsibility of arranging and posting meetings for other town boards, departments and committees; and Ms. Silva responded by stating that it has depended upon the makeup of the committee but this procedure will be reviewed and minimized as much as possible.

Ms. Cope further expressed her concern about the status of the Site Plan Special Permit Rules and Regulations and requested that this matter be given high priority. Mr. Thompson opined that it may be appropriate at this time for the Selectmen to communicate with Town Counsel directly to express their concerns.

It was thereupon on motion unanimously

VOTED: To accept the Performance Review Report dated June 1, 1989, from Janet Silva, Administrative Assistant to the Board of Selectmen, and approve a step increase for Mrs. Silva on her anniversary date.

Selectmen's License Fee Schedule

Present: Janet Silva, Administrative Assistant to the Board of Selectmen.

Executive Secretary Thompson provided the Board with copies of a License Fee Schedule prepared by Administrative Assistant Janet Silva, which included a comparison with other towns of fees, the Licensee list, and proposed increases.

Ms. Silva explained there are costs to the Town that go along with license usage, and she believes the recommended increases would be reasonable. Ms. Silva did point out the fact that there is only one bowling alley in Town, currently paying a combined total of \$250.00 per year in fees, and recommended considering a \$40.00 increase.

Selectman Cope expressed her concern that increasing these fees may send a contrary message to the business community based on the open and constructive communications with business leaders; and thus she did not believe this was a good time to increase fees to all license holders.

After further discussion, it was on motion unanimously

VOTED: To approve a fee increase for All Alcoholic Restaurant licenses, from \$2,250.00 to \$2,500.00, as recommended by Administrative Assistant Janet Silva in her memorandum dated June 20, 1989, effective January 1, 1990, for all renewed and new licenses issued for the 1990 calendar year.

Rental Procedures for Town Hall and Fairbank Community Center

Present: Administrative Assistant Janet Silva.

The Board reviewed memorandum dated June 20, 1989, from Administrative Assistant Janet Silva, outlining and enclosing a proposed new Selectmen's Policy and Procedure relative to rental of Town Hall and Fairbank Community Center.

The proposed amendments would include the Fairbank facility; an increase in rental fees; and a redefining of allowed users and rental fee exemptions.

The Executive Secretary gave his full recommendation to the proposal and stated that it has become apparent that some system will have to be developed at Fairbank Building, and this would accomplish that. Further, Mr. Thompson stated, there will remain in place a good policy whereby non-profit organizations would be exempt, subject to certain restrictions.

Mr. Thompson stated that Ms. Silva contacted the Sudbury Community Players, one of the most frequent users of Town Hall, and advised of the proposed increases being contemplated; and that organization did not voice any strong objection thereto.

Selectman Cope wished to take this opportunity to comment about the key situation with regard to Fairbank Building, and she concurred with the complaints she has heard regarding the inconvenience of having to come to the Parsonage to obtain the key, travel to the Fairbank Building, and then have to attempt to figure out the lock system without assistance, which many times necessitates a return trip to the Parsonage. Ms. Cope inquired as to the feasibility of leaving a key with a responsible person at Fairbank Building.

Ms. Silva responded by reminding that at present it is the Selectmen who are responsible for that building, and although she acknowledges there is a problem in having the custody of the key kept at a location so far from the building, it would be unwise not to retain it in the Selectmen's Office.

Mr. Thompson stated that it is his hope that if the Park and Recreation Commission can be located at Fairbank Building, this may present a solution to the logistics problem.

It was on motion of Selectman Wallace unanimously

VOTED: To adopt the revised Selectmen's Policy and Procedures relative to rental of Town Hall and Fairbank Community Center, as recommended in memorandum dated June 20, 1989, from Administrative Assistant Janet Silva, effective immediately.

Resource Recovery Committee - Appointment

Present: Applicant Susan R. Primm.

Upon review of application of Susan R. Primm, and upon the recommendation of the Resource Recovery Committee, it was on motion of Selectman Cope unanimously

VOTED: To appoint Susan R. Primm of 83 Stone Road to the Resource Recovery Committee, to fill the vacancy created by the resignation of Linda Bolton, for a three-year term expiring April 30, 1992.

Joint Meeting with Town Engineer, Highway Surveyor and Resource Recovery
Committee Regarding Landfill and Recycling Matters

Present: Highway Surveyor Robert Noyes; Town Engineer I. William Place;
Resource Recovery Committee Co-chairmen Neal Drawas and Thomas White.

At 9:00 p.m., the Chairman called to order a meeting with the Town Engineer, Highway Surveyor and Resource Recovery Committee to discuss Landfill and recycling matters, and summer projects of the Engineering and Highway Department.

Executive Secretary Thompson opened the discussion by stating that one of the most immediate things that is being worked on, outside of the Town Engineer's attempts to comply with DEQE in order to get the next cell, is working out a new personnel organization at the Landfill. Highway Surveyor Robert Noyes is working with Mr. Thompson to accomplish this, and Mr. Thompson is pleased to report that the newly-hired individual who is now monitoring the Landfill is doing an excellent job. Mr. Thompson attributes this to the fact that this individual is a resident of the Town and appears to really take pride in the Landfill and making certain the rules and regulations are complied with. Part of the operational changes being considered is the creation of a position of something in the nature of a Landfill Manager; and Mr. Noyes reports such a position is in effect in another community.

Mr. Thompson continued by saying that he is distressed and concerned about rumors he has been hearing that the Town employees believe the Town's executives' only interest in suddenly "cracking down" on rules and regulations at the Landfill is in order to satisfy DEQE. Mr. Thompson stated, with the concurrence of the Selectmen, that if the Town has been somewhat lax in the past with regard to the Landfill operation, it has been out of deference to the townspeople, in order to accommodate their needs. Given the scarcity of Landfill space and the hope to extend the life of Sudbury's Landfill to its maximum, everyone's attitude has to change and a firm line has to be taken about what is or is not allowed at the Landfill.

Chairman Drobinski stated that from what he has been able to see recently, he is happy with what is going on at the Landfill. Mr. Noyes added that the addition of two new people should make quite a difference; and he believes operations ran more smoothly when the office stayed open Saturdays and some nights.

Mr. Noyes stated that with regard to the issuance of the stickers, he suggests that the close-off period occur prior to July. Mr. Noyes reported that to date he has collected \$38,500, which is short of the projected \$64,000. To date projected estimates have been pretty true to its mark; thus, Mr. Noyes is not concerned at this time that the Town will not realize considerably more than it has collected to date.

Mr. Noyes went on to say that he definitely recognizes the need for changes and reports his Department is in the process of having signs professionally made. Mr. Noyes further commented that more trees are needed; and that the presence of a police officer every Saturday has been very effective in preventing potential altercations with irate users. Mr. Noyes concluded by stating that he believes the more professional the place can look

and the more structured the operation is run, people will come to recognize it as a professional operation.

Mr. Thompson agreed with the comments made by Mr. Noyes and added that for that reason it is necessary to move on the creation of a Landfill Manager position. Mr. Thompson also stated that he would like to see the person currently working at the Landfill kept happy so that he will stay in the Town's employ. To that end, Mr. Thompson stated that he would see no problem in offering him an extra stipend.

In answer to inquiry by Co-chairman of the Resource Recovery Committee Neal Drawas, Mr. Thompson assured that in drafting up a job description for the position of a Landfill Manager, there would be included a description of duties relating to the recycling center.

Town Engineer Place concurred with the good opinions concerning the new Landfill Operator; but opined that part of his frustration is that he must take his directions from a lot of different individuals. Mr. Place further stated that he has observed this individual taking excellent care of the equipment, which will very much benefit the Town in the long run when one thinks of repair and maintenance.

The discussion next turned to the recycling programs, and Mr. Drawas reported that the Resource Recovery Committee has been talking about a number of things. The Committee's overriding item is making the most efficient use of the Landfill. Also of importance is the economic use of cover and that proper compaction is critical. Mr. Drawas further commented that the Committee is excited about the Landfill moving into the Pond area and that they believe this will add an additional three to four years, which will be quite beneficial to the Town. If vertical expansion is also allowed, Mr. Drawas estimates this will give an extra ten to fifteen years.

Mr. Drawas reiterated the Committee's feeling that a towns person only utilizing the recycling center should not have to pay for a sticker. He believes making them pay for and use the sticker for recycling would not be a good incentive for recycling.

Mr. Drawas stated that the Committee would also like to bring to the public's attention what they believe to be an unfair and deceptive practice being utilized by commercial haulers. It has come to their attention that these haulers are increasing their fees considerably for the pickup of residential trash, and are telling their customers that the increased fee is due to the increased fees the Town is charging. The Committee would like it known emphatically, that the increase in fees the haulers are charging its customers is very much disproportionate to what the Town is charging the hauler. The Board directed that the Executive Secretary send a letter to local commercial haulers expressing said concern of the Resource Recovery Committee.

Mr. Drawas also reiterated the Committee's position with regard to the fees charged commercial haulers. Mr. Drawas pointed out that when a comparison of fees charged by area communities is made, Sudbury is offering a great "deal" to its commercial haulers. The Committee's fear has always been that because this Town's fee has always been so much lower than others, it may encourage

haulers to try to take advantage of the situation. Mr. Drawas stated that not only is good monitoring essential, but if someone is found in violation of the rules and regulations, the strictest measures must be taken against the violator.

There followed a discussion about how to disseminate information to the public about what is or is not allowed into the Landfill. There was a suggestion, in addition to putting notices in the press, that a flyer be prepared listing the most commonly-asked questions such as days/hours of operation; what is prohibited; fee schedule. There was a further suggestion that this flyer or a copy of the regulations could be given along with the sticker.

Mr. Drawas further reported that with regard to the tires, he has located three outlets that would take the tires for a cost. The charge would be less if the Town can arrange to have them brought to the outlet. Mr. Drawas stated that when rates are provided, he will so advise the Selectmen; and he informed that the Town of Wayland is charged 50¢ per tire, but passes that cost directly on to the disposer.

It was reported that Administrative Assistant Janet Silva is researching a number of high quality paper recyclers for town government operations and will provide the information as it is received.

In response to inquiry by Selectman Cope, it was stated that Raytheon does not recycle; however the matter will be investigated further to convince them to do so.

The discussion concluded with the thought of mandatory recycling. Mr. Drawas stated, however, that it would not be feasible to expect compliance with any recycling regulations unless and until a good recycling center is in place.

The meeting concluded with Chairman Drobinski thanking those present for their input and expressed his opinion that a lot of positive things are in progress.

Minutes

It was on motion of Selectman Cope unanimously

VOTED: To approve the minutes of the Executive Session of June 12, 1989, and the Special Session of June 13, 1989.

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

VOTED: To approve the minutes of the Regular Session of June 26, 1989, and two Executive Sessions of June 26, 1989.

Resurfacing of Route 20/Station Road/Nobscot Road Area - DPW

The Board acknowledged receipt of communication dated June 16, 1989, from Peter J. Donohue, District Highway Engineer, Department of Public Works,

responding to the Town's inquiry relative to resurfacing of Route 20 in the area between Station Road and Nobscot Road.

The Board wished to go on record as stating that they take exception to the statements and position taken by the Department of Public Works with regard to this situation.

Report Regarding Zoning Enforcement Matters

The Board reviewed a report dated July 6, 1989, from the Executive Secretary relative to zoning enforcement matters and after discussion it was on motion of Selectman Cope unanimously

VOTED: To concur with the report dated July 6, 1989; and especially relative to Sudbury Automotive and Colonial Auto, the Selectmen accept the recommendation of the Executive Secretary and Building Inspector that these two matters be placed in the hands of Town Counsel's Office, with assistance from the Town Planner, for immediate institution of suits in the courts.

Disclosure Under Conflict of Interest Law

The Board acknowledged receipt of letter dated June 26, 1989, from Town Engineer I. William Place, stating his relationship and lack of conflict of interest with regard to the "Run Brook II" subdivision.

At the request of Selectman Cope, the Executive Secretary will forward a copy of said communication to the Planning Board.

Parking Clerk - Appointment

Upon review of letter dated July 6, 1989, from Chief of Police Peter B. Lembo, it was on motion of Chairman Drobinski unanimously

VOTED: To appoint Police Officer Allan Houghton as Parking Clerk, for a term to expire April 30, 1990, replacing Anthony Deldon who has been assigned other duties, per recommendation of Chief of Police Peter B. Lembo.

Peter B. Lembo - Termination of Leave of Absence as Police Sergeant

In accordance with a request dated July 6, 1989, from Police Chief Peter B. Lembo, it was on motion unanimously

VOTED: To terminate and rescind the leave of absence of Peter B. Lembo from his former permanent position as Civil Service Police Sergeant, which had been approved for an indefinite period on March 17, 1986.

Requisition For Permanent Police Sergeant

It was on motion unanimously

VOTED: To authorize the Executive Secretary to file a requisition for a Permanent Police Sergeant to fill the opening occurring by the termination of the leave of absence of Peter B. Lembo from his former permanent position as Civil Service Police Sergeant; and to thus request a certification list from

the Department of Personnel Administration for two Permanent Police Sergeants, a previous requisition having been filed on January 4, 1989, to fill the vacancy resulting from the resignation of George Anelons.

Bagel Baker - Common Victualler License

The Board reviewed application dated June 20, 1989, for a Common Victualler License, and memorandum dated July 6, 1989, from Health Director Robert C. Leupold.

Executive Secretary Thompson noted that verbal approval was recommended on July 6, 1989, by the Fire Chief; and on July 7, 1989, Building Inspector Joseph Scammon made inspection and found no problems.

It was on motion unanimously

VOTED: To grant a Common Victualler License to Daniel and Bertha Oliveira of Medford, to operate the Bagel Baker at 621C Boston Post Road, as the new owners; subject to holding said license until compliance with the following conditions which must be met under 105 CMR 590.000 of the State Sanitary Code (Article X), as set forth in the aforementioned memorandum by Health Director Leupold:

- 1) any change in ownership must be reported to the Board of Health by the food establishment permit holder within forty-eight hours of such change;
- 2) an application for a new or amended food establishment permit with written documentation reflecting such ownership change shall be promptly submitted to the Board of Health; and
- 3) issuance of a food establishment permit by the Board of Health.

Dog Licensing Changes

The Board acknowledged receipt of memorandum dated July 5, 1989, from Town Clerk Jean M. MacKenzie, which reported receipt of notice from Paul Meaney, Canine Manager for Middlesex County, dated June 27, 1989, that dog licensing fees will be increased effective January 1, 1990.

In addition to fee increase, the licensing period will be changed from April 1 to January 1 of each year. Ms. MacKenzie advised that because of the licensing period change, the Town's present bylaw, Article V §3 must be amended as to when the penalty fine will go into effect; thus necessitating Town Meeting action.

The aforementioned memorandum further advises that the law permits the Town to increase each dog fee by one additional dollar, as an administrative cost; and suggesting that if the Board desires to do so, said additional \$1.00 be included with the new fees for January and not added later on.

The Board took note of the fact that Ms. MacKenzie has informed that to add the \$1.00 fee would also require the action of Town Meeting.

Special Town Meeting

The Board acknowledged receipt of memorandum dated July 5, 1989, from Town Clerk Jean M. MacKenzie, advising that she will not be available from September 16 to October 1, 1989, and points this out for consideration of dates for a Special Town Meeting.

Selectman Judith A. Cope added that she would be out of Town the first week in October 1989.

350th Anniversary Celebration - Bus Contract

It was on motion of Selectman Cope unanimously

VOTED: To contract with Big W Transportation Bus Lines for bus service to be provided during the events of the 350th Anniversary Celebration Weekend, in accordance with Revised Request for Quotation dated July 10, 1989, at a cost of \$3,442.50, and as requested in communication dated July 10, 1989, from Harold R. Cutler of the 350th Anniversary Celebration Committee.

Town of Arlington

The Board acknowledged receipt of communication dated June 26, 1989 from Donald R. Marquis, Town Manager for the Town of Arlington, informing of action that Town intends to spearhead in order to put an appropriate question on the state ballot in November of 1990 to return 40% of the state growth taxes to the cities and towns based on population.

The Board commended the Town of Arlington for its perseverance and stated its support for the record.

Board of Appeals

In response to a request from the Board of Appeals for opinion or comment from the Selectmen, it was on motion unanimously

VOTED: To support the application of the Sudbury Housing Authority for a comprehensive permit under General Laws Chapter 40B, for construction of low income multi-family housing on Parcels: F06-001, Fairbank Road; K06-036, Old Meadow Road; and H04-277/278, Pine Street, which will be heard by the Board of Appeals on July 11, 1989; and, further, to acknowledge the comments provided in a communication from the Zoning Enforcement Agent dated July 7, 1989.

Finance Committee

Executive Secretary Thompson reported that at the Finance Committee's meeting last week, they voted to approve the expenditure of \$25,000 from the FY89 Reserve Fund for the Town school audit. Mr. Thompson further reported that the Committee has agreed to transfer funds from the Retirement Account in this fiscal year to provide the extra money needed to complete the audit.

Conservation Commission

The Board acknowledged receipt of copy of communication dated June 19, 1989, which the Conservation Commission sent out to all large landowners in

Town to express their concern that much land could be lost this year or enter the development process in the near future unless owners can find ways to reduce taxes.

Town Pound

Selectman Cope reported that the Town Pound repair work appears to be near completion, but she was distressed to learn that Sam Reed, Keeper of the Pound, was not notified that the work was being done. However, Ms. Cope stated that she would contact Mr. Reed immediately and attempt to get him out to the Pound to look at the work.

Selectmen's Priority Lists

At the suggestion of Selectman Cope, the Selectmen agreed to each prepare a list setting their priority preferences for the year, and will discuss same at a future meeting.

Toxic Waste Bill - House Bill No. 6161

Selectman Cope displayed a copy of House Bill 6161 which seeks to reduce Toxic Waste use by 50%, which is being supported by State Senator Argeo Paul Cellucci and others. Ms. Cope thought it interesting that this Bill has the support of many of the chemical companies; and she has been informed by Senator Cellucci that he would attempt to have it brought forward before the close of the Session.

Selectman Cope opined that the idea of the Bill is a step in the right direction.

Conflict of Interest Designations

In response to inquiry by Selectman Cope, Executive Secretary Thompson will review the question of updating the Town's designations with regard to the Conflict of Interest Law, as recently requested by the State Ethics Commission; specifically as it relates to so-called "special employees".

Northland Development

At the request of Selectman Cope, the Executive Secretary will inquire of the Board of Assessors as to their feelings with regard to back taxes due on the Northland property.

Carding Mill

Selectman Cope advised that the residents in the Carding Mill area have asked the Selectmen for whatever help can be given regarding the increasingly-offensive pollution of the water.

Ms. Cope pointed out that she has been advised that the City of Marlboro is not meeting State requirements with regard to the area; however, Chairman Drobinski opined that since the license has been issued, he doubts the State will take a very active monitoring role.

The discussion concluded with Ms. Cope stating that she would contact Health Director Robert Leupold for his comment.

Continuing Vacancies on Boards

Selectman Cope reported that she has been attempting to get the remaining positions on the various boards filled by contacting persons she believes would be interested. To that end, Ms. Cope has drafted a letter which she requested the Executive Secretary have placed into the office's word processor. Ms. Cope's thought is that as individuals are thought of by each of the Selectmen, they would only have to call the name and address into the Office and a letter can immediately be sent out.

There being no further business to come before the Board, the meeting was adjourned at 10:30 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk