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IN BOARD OF SELECTMEN  
MONDAY, MAY 15, 1989

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

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

William F. Toomey

The Board expressed the deep loss felt by the Town in the passing of William F. Toomey, who, in addition to serving as a Selectman for three terms, had contributed his services to the town for over twenty years in various capacities. The Selectmen signed a note of sympathy to the Toomey family.

Board of Registrars - Interview/Appointments

Present: Candidate Eva Jane N. Fridman.

Executive Secretary Thompson informed the Selectmen that Board of Registrars candidate Mary J. Long was unable to attend this evening's meeting and would not be available until June.

Candidate Eva Jane N. Fridman was present, and the Selectmen thanked her for her interest and availability to serve.

Based on the recommendations contained in letter dated April 28, 1989, from Carmine L. Gentile, Chairman, Sudbury Democratic Town Committee, it was on motion of Chairman Drobinski unanimously

VOTED: To appoint Eva Jane N. Fridman of 25 Christopher Lane to the Board of Registrars, to succeed Stephen B. Shugrue for a three-year term to expire April 30, 1992; and it was further

VOTED: To appoint Mary J. Long of 11 Hampshire Street to the Board of Registrars, to fill the vacancy created by the resignation of Carmine L. Gentile, for a term to expire April 30, 1991.

Selectmen's Summer Schedule

Upon review of memorandum from the Executive Secretary, it was on motion unanimously

VOTED: To approve the Selectmen's Summer Meeting Schedule as proposed by the Executive Secretary in his memorandum dated May 16, 1989.

Minutes

It was on motion of Selectman Cope unanimously

VOTED: To approve the minutes of the regular session of May 8, 1989, as corrected; and to approve the minutes of the executive session of May 8, 1989, as presented.

Management Intern - Budget and Personnel Office

Executive Secretary Thompson informed that approximately eighteen or nineteen interns were interviewed to take the place of Budget and Personnel Officer Terri Ackerman during her maternity leave of absence. The Town Accountant James Vanar and Ms. Ackerman reviewed the qualifications of the three finalists, which resulted in the position being offered to Mary Ellen Normen, subject to the Selectmen's approval.

In response to inquiry by Selectman Cope, Mr. Thompson explained that Ms. Normen's duties will include some of those performed by Ms. Ackerman with regard to assistance to the Finance Committee and Personnel Board; but that Ms. Normen's major project will be to coordinate the publication of a document dealing with the five-year forecast for the Town, which document will include a five-year forecast of capital expenditures.

It was on motion of Selectman Wallace unanimously

VOTED: To confirm the appointment of Mary Ellen Normen of 1844 Commonwealth Avenue, Newton, as Management Intern (Budget and Personnel) in the Selectmen's Office, to commence May 15, 1989, for a period of six months or less, at the rate of \$380 per week, based on 35 hours per week; all as more particularly set forth in letter dated May 9, 1989, to Ms. Normen by the Executive Secretary.

Traffic Management Committee

The Board acknowledged having interviewed Susan Rutstein, candidate for the Traffic Management Committee, at a prior time, and it was therefore on motion of Selectman Wallace unanimously

VOTED: To appoint Susan Rutstein of 60 Thunder Road, to the Traffic Management Committee, replacing Gilbert P. Wright, for a three-year term to expire April 30, 1992.

Reserve Fund Transfer Request No. 89-18 - Conservation Commission

Upon review of Reserve Fund Transfer Request No. 89-18 by the Conservation Commission, and on recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To approve Reserve Fund Transfer Request No. 89-18 by the Conservation Commission, dated May 9, 1989, in the amount of \$1,923, for Account 360-130, Conservation Maintenance, for removal of oil tanks at the Haynes Meadow Conservation Land.

Eagle Scout - Andrew Nicol Hitz

The Board noted receipt of invitation to the Eagle Scout Court of Honor for Andrew Nicol Hitz of 37 Easy Street, to be held Wednesday, June 14, 1989.

On motion of Selectman Drobinski it was unanimously

VOTED: To acknowledge with pride the achieving of the rank of Eagle Scout by Andrew Nicol Hitz of 37 Easy Street; and to sign a letter of congratulations to

Mr. Hitz commending his dedication and perseverance in obtaining the Eagle Scout Award.

Chairman Drobinski indicated his intention to attend the Court of Honor for Mr. Hitz on Wednesday, June 14, 1989, at 7:00 p.m., at Memorial Congregational Church, Ames Hall, Concord Road.

Memorial Day Committee - Invitation To Participate

The Board acknowledged receipt of letter dated May 5, 1989, from Winifred C. Grinnell, for the Memorial Day Committee, inviting the Selectmen to participate in the Memorial Day Parade to be held on May 29, 1989.

The Selectmen indicated that they would be pleased to participate, and Chairman Drobinski would be honored to extend greetings from the Board during the ceremonies at Town Hall.

Wood-Davison House - Request For Expenditure

Upon review, it was on motion of Selectman Wallace unanimously

VOTED: To authorize the expenditure in the total amount of \$89.80 from the Wood-Davison House Restoration Fund, broken down as follows:

American Speedy Printing Centers	\$54.80
Laura F. Scott (reimbursement for printing costs)	35.00.

Cordelia's Gourmet Shoppe of Marlboro - One-Day Liquor License

Upon review of letter dated May 10, 1989, from Stephanie Hooper of Cordelia's Gourmet Shoppe and Catering, it was on motion of Chairman Drobinski unanimously

VOTED: To grant a one-day license to Cordelia's Gourmet Shoppe of Marlboro to sell all-alcoholic beverages at a private residence function at 206 North Road on June 25, 1989, from approximately 2:30 - 7:30 p.m.

Meeting with Residents Re: Haynes Meadow Conservation Land

Present: Richard Wilsack, Spokesman for Abutters; Conservation Coordinator Deborah Montemerlo; Conservation Commission Chairman Gordon Henley and member John P. Nixon, Jr.; abutters.

The Chairman convened a meeting with residents abutting the Haynes Meadow Conservation Land and the Conservation Commission relative to abutters' concerns regarding the lease and maintenance of said property.

The Executive Secretary informed that this has been an on-going matter for some time now; and that he, members of the Conservation Commission and representatives of the abutters have met in an attempt to clarify issues and come to resolution of the matters.

The Board acknowledged receipt of memorandum dated February 27, 1989, from Richard Wilsack, Spokesman for Abutters, which outlined the issues most concerning the abutters; and the Board also acknowledged receipt of memorandum dated March 21, 1989, from Conservation Coordinator Deborah Montemerlo, providing an update on the status of those outstanding issues.

By invitation of the Chairman, Richard Wilsack of 363 Old Lancaster Road opened the discussion, and Mr. Wilsack stated that the abutters felt the need for this meeting because they have found the Town not to be a responsible neighbor. Mr. Wilsack contended that twice there have been modifications made to abutters' properties without notification.

There followed a brief discussion concerning the interpretation of the laws as they relate to easements, and Mr. Wilsack reiterated his and his neighbors' belief that Town Counsel's interpretation is incorrect. Mr. Wilsack stressed, however, that although they are aware they have the right to litigate this matter in the courts, the abutters would rather have the Selectmen look into the matter and for all parties to come to a reasonable resolution without the necessity of involvement through the courts.

Mr. Wilsack outlined another serious issue to the abutters, and that was the dumping by the Town of 600 feet of stones on the road, when in fact the emergency order was granted for only 100 feet.

Mr. Wilsack concluded his opening remarks by reading an article from the Middlesex News dated April 4, 1988, wherein the Town stated its proposed use of the building on the property would be used for school purposes. Mr. Wilsack pointed out that, at present, the Town has leased the house for residential purposes.

Executive Secretary Thompson acknowledged that the easement issue is a legal one, and suggested that no purpose would be served to argue the merits one way or the other at this meeting, without benefit of counsel for either side.

At the suggestion of Mr. Thompson, the memorandum of February 27, 1989, from Mr. Wilsack, and the memorandum dated March 21, 1989, from Ms. Montemerlo were reviewed, and the following comments were made on an item-by-item basis.

Item 1: All parties concurred that the lease situation appears to be resolved.

Item 2: Selectman Cope opined that it appeared the situation involving the signs was a misunderstanding; and those present concurred that this item is resolved.

Item 3: The decision concerning whether to cover the stones, and if so, with what material, is still an open issue. Mr. Wilsack informed that the original desire of the abutters was to have the stones removed; however, recognizing the great expense involved, a compromise was reached to cover them.

Chairman of the Conservation Commission Gordon Henley handed out copy of memorandum dated May 15, 1989, from Town Engineer I. William Place, informing that he this date visited the Peakham Road driveway access to the Haynes Meadow Conservation Land, and recommending, in relevant part, as follows:

"The stones placed on the driveway have partially settled into the underlying soils, creating a stable base for vehicles. This was the intent of the placement of the stone and it appears to be working well. Placement of additional gravel over the stones would be for aesthetic purposes at an approximate cost of \$1,400, and would require regraveling every few years to insure adequate cover. I would recommend that additional stones be placed in a low spot near the parking area to prevent future puddling in this area not previously covered with stones."

Mr. Henley stated that given the present budget situation this year and probably next year, he somewhat questions whether the Conservation Commission can quickly obtain \$1,400. Selectman Cope suggested the availability of bank gravel cover from the Town's Rt. 117 location at little or no expense.

Donald R. Meltzer of 341 Old Lancaster Road stated that part of the problem was the fact that when a truckload of stones was brought in for a 100' portion, the truck kept on going to 600'. Mr. Meltzer stated that the abutters do not want to encourage or discourage traffic; but they believe the dumping changed the nature and texture of the road; and it is Mr. Meltzer's belief that the original agreement with the Conservation Commission was that they would return the road to the natural state. John Nixon of the Conservation Commission explained that, at the request of the abutters, the Commission obtained several samples of cover material and brought them to Town Engineer Place to see what would be best to work into the stone. Mr. Nixon stated that Mr. Place was not enthusiastic about any of these covers and did not feel any of those choices should be used. Mr. Henley added that it is his view that the Conservation Commission never formally agreed to take a particular course of action; but that they would review it in the Spring. Executive Secretary Thompson stated that he did recall an agreement that a review of the situation would occur in the Spring. Mr. Thompson stated that there is bank and sand gravel in North Sudbury that might be used; and requested that the abutters visit the site to see if this would meet their needs. Chairman Drobinski concurred with Mr. Thompson's suggestion.

Item 4: Referring to Town Engineer Place's memorandum, it was noted that Mr. Place stated:

"The berm of the westerly side of the driveway no longer exists due to normal settling of materials. No water will be trapped on the driveway due to the berm and a swale exists adjacent to the low point in the driveway to allow drainage off the driveway into the wetland."

Mr. Wilsack stated that he did not disagree with Mr. Place's assessment; but based on his concerns, Mr. Thompson will request Mr. Place to see how the road can be set up so that the water will not be collected in the middle of the road. Chairman Drobinski concurred and added that Mr. Place will have to look at the drainage issue.

Item 5: With regard to the issue of constructing a bridge, although there appeared to be a consensus that this would be an excellent thing to do, Mr. Henley stated that contrary to what the Commission thought could be a relatively simple project, Town Engineer Place has a very different interpretation of what is needed and Mr. Place's proposals are complex and expensive.

Item 6: Mr. Henley admitted that a lot needs to be done with regard to trail maintenance; and the Commission will be doing work on the property. There was a suggestion that the Commission organize a "Work Day" for the property, which Selectman Cope pointed out has been highly successful in other areas of the Town.

Mr. Wilsack reiterated the concern that the original intent of the building was as a resource for the schools and noted that substantial repairs have been required for its use as a house. Although Mr. Wilsack stressed his desire to know when the building might be available to the town as an education tool, Mr. Drobinski cautioned that all abutters may not wish that use as a preference; and Mr. Thompson pointed out that he believes such a use would certainly mean increased traffic to the area.

Paul B. Black of 359 Old Lancaster Road opined that he believes the major intent is to reduce traffic, and he wished to see concentration on developing the original plans which indicated other access routes into the conservation area (i.e., Blueberry Hill Lane).

Ms. Montemerlo added that she has had several conversations with School Superintendent David Jackson and although he has expressed liking the idea of use of that building for educational purposes, given the current financial situation, he does not see the ability to develop a new curriculum and otherwise put this in motion.

Ms. Montemerlo pointed out that June 3 has tentatively been scheduled for a site walk at Haynes Meadow. The Conservation Commission assured those abutters present that they will notify them of time, date and place, so they may attend if they wish.

Item 7: With regard to placement of the signs, Mr. Henley stated that the Commission has two choices: (1) to prevail upon the Park and Recreation Commission to install property boundary signs, as they have done in the past; or (2) hire a contractor to install them.

At the request of the Selectmen, Mr. Thompson will contact the Town Engineer in order to communicate the Selectmen's wish that designation of placement of markers at that location be given a high priority.

Item 8: It was noted that in Ms. Montemerlo's memorandum dated February 27, 1989, the Commission had promised that member J. S. Yeo would assist the Sobecks and McKelveys in preparing the necessary paperwork concerning wetlands filing; but to date no one has been contacted. Mr. Henley assured the Sobecks and McKelveys that he will contact Mr. Yeo to follow up.

Item 9: Unless and until a bridge is constructed over Hop Brook, the issue of placement of a sign is moot.

Item 10: There was a concurrence that an encased map would be a good idea, and Mr. Thompson commented that this would be a "cost" item. Those present agreed that this might be a good Eagle Scout project.

Mr. Wilsack summarized the abutters' feelings by stating that what has exacerbated this whole situation is the lack of tangible results and the lack of communication. Mr. Wilsack concluded by stating that he finds no fault with the

individuals he has dealt with on the Conservation Commission and believes they are doing a fine job; however, he added, dealing with the Commission collectively has been frustrating.

Chairman Drobinski concurred with Mr. Wilsack by emphasizing the necessity for communication among all parties involved. Mr. Drobinski thanked all present for their comments and recommendations and adjourned the meeting at 8:55 p.m.

Ancient Documents Committee

Present: Russell Kirby, Chairman, Ancient Documents Committee.

Chairman Drobinski convened a meeting with Chairman of the Ancient Documents Committee (ADC) Russell Kirby.

Mr. Kirby opened the discussion by stating that he has served as Chairman for a number of years and has been Acting Chairman for the past three years. Mr. Kirby explained that the major problem is the nature of the ADC. Mr. Kirby went on to say that ten or fifteen years ago, the Records Management Program was established; and this came about because of an acknowledgement that yesterday's correspondence is History, and the records of the Town are kept, some in strict accordance with legal requirement, and others not. Jesse Clark, who was a professional in the records-management business and Betsey Powers volunteered their services to set up a system for the Town. Working with the Supervisor of Business Records in the State House, a program was developed.

Mr. Kirby stated that what this program did was separate all working documents of all boards and committees in the Town into those that had to be retained and those that did not. Retention requirements could be satisfied by use of microfilm; this was desirable so that the Town could "clean out" its documents. Mr. Kirby informed that the Town Clerk's Office is filled with cabinets of microfilm of pertinent documents. Although when that program first got off the ground it got a great deal of support, it only caught on with a limited number of boards and committees in the Town. For years the ADC would cite the number of cubic feet of filing space that would be saved, and if every board and committee in Town would work with the program, that space would be considerable, saving not only floor space but the cost of filing cabinets as well.

Mr. Kirby went on to say that the advent of the personal computer in the offices resulted in records being kept on floppy discs.

Mr. Kirby also advised of a recent technique used widely in commercial offices, wherein information already on tape or disk can be recorded onto film directly, rather than going first to hard copy. Microfiche is an even better method, according to Mr. Kirby.

Mr. Kirby suggested that, since the Selectmen have authority to appoint members to the ADC, they should try to find some people with backgrounds in records management. Mr. Kirby stated that the program the Town had was cited by the Division of Public Records as a model for the Commonwealth and has been adopted by many communities.

Mr. Kirby informed that the ancient records had been in very poor condition. A five-year program was instituted, which in reality took about ten years, and Mr. Kirby commented that the Town is indeed fortunate that this was done when it was because of the rising costs of having ancient documents restored and bound. At any rate, Mr. Kirby states that the records are in excellent condition now.

Mr. Kirby concluded by reiterating his concern for contemporary documents that must be preserved now or they will be lost as future ancient documents. Mr. Kirby believes this is a very cost-effective program and should be encouraged.

At the request of the Selectmen, Executive Secretary Thompson will confirm that the ADC calls for five members, and whether the Town Clerk, as a permanent member, is one or--or in addition to--the five. Mr. Thompson believes there are currently two vacancies for which applications have been received. Mr. Kirby expressed his desire to have someone take over the chairmanship of that committee.

It was noted that the Town has just recently published a listing of vacancies for various boards and committees, and Selectman Cope expressed the feelings of the Board in wanting to see what response the Town receives.

Mr. Kirby further suggested that the name of the Ancient Documents Committee be changed to a better-descriptive name.

Chairman Drobinski thanked Mr. Kirby for taking the time to explain the situation and his concerns about the ADC and there was a concurrence that new appointments to the ADC would be placed on a future agenda.

#### MAGIC

Present: Russell Kirby.

Upon inquiry by Selectman Cope, Russell Kirby confirmed that he is the Planning Board liaison with MAGIC, and that he attends the meetings on a fairly regular basis.

Executive Secretary Thompson also informed that James McKinley had also been attending MAGIC meetings for the benefit of the Selectmen.

Selectman Cope expressed her concern that MAGIC needs some "bolstering up" and more participation from communities; its actions are limited when compared with the organization and projects of MetroWest.

After discussion, the Selectmen requested the Executive Secretary send a letter to the MAPC expressing the Selectmen's concern about the inactivity of MAGIC and to seek their help in the matter. Mr. Thompson was asked to specifically inquire what the Town might do to bolster attendance at meetings and get surrounding communities to actively participate.

#### Unisys Property

Present: Russell Kirby, Chairman of the Planning Board.



Chairman of the Planning Board Russell Kirby informed that he has made initial contact with the Concord Planning Board concerning the Unisys property which is located in both Concord and Sudbury.

After discussion, it was agreed that once the Planning Boards of Concord and Sudbury have had an opportunity to meet and exchange initial ideas, the Planning Boards would develop an agenda for a future meeting with the Selectmen and interested boards and committees of both towns.

#### Citizens Of The Year Awards Ceremony

The Board acknowledged with thanks invitation from The Sudbury Chamber of Commerce to attend their Annual Awards Ceremony Honoring the Sudbury Citizen, Sudbury Teacher and Sudbury Employee of the Year, to be held at the Wayside Inn, on Wednesday, May 17, 1989, from 5:00 p.m. - 7:30 p.m.

The Selectmen and the Executive Secretary all indicated their intention to attend; and Mr. Thompson pointed out that one of the recipients, George Mills, was the Selectmen's nominee.

#### Meeting For Special Projects Agenda

At the suggestion of Selectman Drobinski, the Selectmen concurred that a meeting be scheduled at a future date to discuss any special projects which the Selectmen would like to see given priority; and to work with the Executive Secretary in preparing such a "Special Projects Agenda".

#### Town Counsel's Office - Assistant Town Counsel Communications

The Board reviewed the following copies of communications from Assistant Town Counsel David J. Doneski:

1. Memorandum dated May 10, 1989, to Robert A. Noyes, written in response to letter dated December 17, 1986, from Highway Surveyor Robert Noyes, who inquired about the rights of Town employees to carrying firearms during working hours. Mr. Thompson stated that he believes a legal opinion had been orally given concerning the matter some time ago, but due to a recent case before the State Labor Relations Commission, he felt it necessary to clarify his change in opinion in writing. At the request of the Selectmen, Mr. Thompson will seek confirmation of this and report back to the Board if he is incorrect in his understanding of the matter.

2. Letter dated May 10, 1989, to Ralph S. Tyler, in response to Mr. Tyler's letter of May 4, 1989 and May 5, 1989, requesting certain information concerning traffic and speed regulations in the Town. At the request of Selectman Cope, Mr. Thompson will communicate with Safety Officer Carroll and confirm that the Town is in compliance with State laws.

#### Flynn Building - League of Women Voters Storage Area

Selectman Cope reported that she has been contacted by the Conservation Commission concerning a lack of space and ineffective storage of its maps and plans. It was pointed out that the League of Women Voters have a storage area next to the Commission's office, which would serve the Commission's needs.

At the request of Selectman Cope, the Executive Secretary will contact the League of Women Voters in an attempt to work out an accommodation for meeting the storage needs of the League and the Conservation Commission.

Middlesex County Selectmen's Association

The Board acknowledged notice of annual meeting of the Middlesex County Selectmen's Association, to be held Wednesday, June 21, 1989, at Hanscom Air Base at 6:30 p.m.

Selectman Wallace indicated his intention to attend said meeting.

Lincoln-Sudbury Scholarship Fund

The Board acknowledged letter dated May 1, 1989, inviting the Selectmen to attend The Lincoln-Sudbury Scholarship Fund Reception at 7:30 p.m., at the Pierce House on Weston Road in Lincoln.

Due to the fact that the reception is being held on a Monday, the Selectmen are unable to attend, and requested the Executive Secretary to so inform the Fund committee.

Raytheon - The JASON Project

The Board acknowledged receipt of letter dated May 1, 1989, from Kathleen P. Lynch, Community Relations Manager, Raytheon, bringing to the Selectmen's attention an important education project Raytheon is supporting for students in Sudbury and other cities and towns across Massachusetts, The JASON Project, which enables fourth through twelfth graders to visit the Boston Museum of Science to take part in underwater explorations beamed live from the Mediterranean Sea.

At the request of Selectman Cope, the Executive Secretary will send an acknowledgement of thanks to Raytheon for its offering such a unique and exciting educational experience for the Town's young people.

Review of Collective Bargaining Contracts

Selectman Wallace reported that he has had an opportunity to review the Town's Collective Bargaining contracts and notes that they all are due to expire June 30, 1990.

At the recommendation of the Executive Secretary, with the concurrence by the Selectmen, a meeting should be scheduled this summer with the schools in order to come to some type of common ground as to salary offers, etc., in the collective bargaining process. Mr. Thompson indicated that he and Selectman Cope have informally discussed this, and all agree that it would be wise to reactivate this procedure which had been done three or four years ago, so that important issues could be collectively discussed and a concurrence reached before going to the bargaining tables.

Letter of Greetings - Sudbury, England

The Selectmen signed a letter of greetings to the Mayor of Sudbury, England, which will be hand delivered by a contingent of Sudbury, Massachusetts residents,

who will be leaving this week for a trip to England as a prelude to the 350th Anniversary Celebration.

Landfill Regulations - Tires

The Executive Secretary informed as a follow-up to a prior discussion concerning the disposal of tires at the Landfill, that after further discussion with the Highway Department, the Town has advertised the new regulations leaving the provision at two tires, instead of four.

Mr. Thompson assured that Operations Assistant Cary Meyer will present his recommendations to the Board for consideration within the next month.

Meeting with Town of Lincoln

The Executive Secretary informed that as a follow up to letter dated April 26, 1989, from the Lincoln Board of Selectmen, requesting a joint meeting, such a meeting has been scheduled for Wednesday, June 14, 1989, at 7:30 p.m., at the Loring Parsonage.

Concord Greene - DEQE

Selectman Cope requested that the Executive Secretary communicate to the Town Engineer that the Selectmen wish him to check DEQE files concerning the constructive improvements to the Concord Greene area of Concord, that had been monitored by them. Ms. Cope expressed being extremely impressed with what was done with that area, and stated that she believes the same can be done for Sudbury.

Mobil Station - Route 20 and Nobscot Road

At the request of Chairman Drobinski, the Executive Secretary will speak with the Fire Chief concerning tank installation at the new Mobil Station located at the corner of Route 20 and Nobscot Road; and specifically, to inquiry as to why an "oil separator device" or other device was in operation last Saturday, May 13th.

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

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk