

OK

IN BOARD OF SELECTMEN
MONDAY, MAY 22, 1989

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

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Selectman Cope.

Short-term Borrowing

Present: Town Treasurer and Collector Chester Hamilton.

Upon the recommendation stated in a communication dated May 18, 1989 which was verbally reiterated by Town Treasurer and Collector Chester Hamilton, it was on motion by Selectman Cope unanimously

VOTED: To authorize the Town Treasurer and Collector to borrow \$1,000,000 in tax anticipation notes, effective June 7, 1989, and payable July 28, 1989; and to authorize a further borrowing of tax anticipation notes, if necessary, in an amount not to exceed \$500,000.

Mr. Hamilton apprised the Selectmen of the Town's cash flow problems and consequences if there was further delay in sending out the tax bills anticipated for the first week of June after the Tax Classification Hearing of May 31. He also warned of the severity of the problem if a fall Special Town Meeting were held and the setting of the FY90 tax rate delayed.

Haynes Meadow House Lease

Executive Secretary Richard E. Thompson explained that it was necessary to terminate the present lease, which expires June 15, 1989, and execute a new one in order to change the description of the premises involving use of the land surrounding the dwelling as agreed between the abutters and the Commission. On motion of Selectman Wallace, it was unanimously

VOTED: To approve the signing of an Agreement to Terminate Lease and Enter New Lease, and to approve the signing of the Lease between the Town, through its Conservation Commission, and Patricia Cibulskis, for the dwelling located on the Haynes Meadow Conservation Land, 489 Peakham Road, said lease to terminate on June 30, 1991.

Bistro West - Outdoor Seating

The Board noted receipt of a communication dated May 10, 1989, from Frank Bell, President, Bistro Management, Inc., d/b/a Bistro West, 394 Boston Post Road, informing the Board of planned renovations and requesting permission to utilize three or four outdoor tables seating twelve to sixteen people, the addition of which would not exceed the allowed seating capacity.

With good wishes, it was on motion of Selectman Cope unanimously

VOTED: To grant permission to Bistro Management, Inc., d/b/a Bistro West, 394 Boston Post Road, to increase its seating capacity by the addition of three or four outdoor tables seating twelve to sixteen people, subject to approval of

the Board of Health and the Building Inspector and filing of the plan for same with the Selectmen's Office.

Engineering Reserve Fund Transfer/Route 20 Lane Markings

Present: Town Engineer I. William Place.

With the approval of the Town Engineer, who stated that the State Department of Public Works had initiated the repainting of the lane and crosswalk markings of Route 20 in the area of Union Ave and would resume upon the repair of its machinery, it was on motion of Selectman Cope unanimously

VOTED: To defer for a period of two weeks consideration of the Engineering Department's request for Reserve Fund Transfer, No. 89-26, dated May 18, 1989, in the amount of \$658.00, for repainting of traffic markings on Route 20 in the Union Avenue area.

Inter-line Transfer Requests - Unclassified Accounts

The Board considered additional funding of the Unclassified accounts for: life insurance, to accommodate additional employee enrollment; Town Meeting expenditures, attributed to increased printing and mailing costs for the Special October 1988 and 1989 Annual Town Meeting Warrants; and gasoline, due to a combination of underbudgeting compounded by increased usage and prices.

It was on motion of Selectman Wallace unanimously

VOTED: To approve inter-line transfers from Account 950-803, Unclassified Property/Liability Insurance, to the following Unclassified Accounts:

- a. 950-801, Life Insurance, in the amount of \$166.00;
- b. 950-814, Town Meeting Expense, in the amount of \$3,118.75; and
- c. 950-818, Gasoline, in the amount of \$7,500.00.

KidSpace Maintenance Account/Accept Gift

The Selectmen noted receipt of a communication, dated May 12, 1989, from John H. Wilson, Director of Administrative Services, Sudbury Public Schools, stating that the School Department was in receipt of the balance of the KidSpace donations which is intended for maintenance of the playground. Therefore, it was on motion of Selectman Cope unanimously

VOTED: To accept the balance of donations received and not expended for construction of the KidSpace playground at the Noyes School in the amount of \$3,482.12, for deposit in a separate account for the maintenance of the KidSpace playground, and to authorize the Sudbury School Department to expend such funds for the designated purpose.

Appointment - Resource Recovery Committee

With the concurrence of Resource Recovery Co-Chairman Neal Drawas, it was on motion of Selectman Wallace unanimously

VOTED: To appoint Eugene L. Ratner, 5 Fern Trail, to the Resource Recovery Committee for a three-year term to expire April 30, 1992.

Selectman Cope stated her hope that utilization of Mr. Ratner's experience and knowledge in the recycling efforts planned by the Resource Recovery Committee will hasten their implementation.

Minutes

It was on motion of Selectman Cope unanimously

VOTED: To accept the minutes of May 15, 1989 as corrected.

Use of Town Common - 4th of July

In response to a request from the Elizabeth W. Drum, President, Sudbury Woman's Club, dated May 17, 1989, it was on motion unanimously

VOTED: To grant permission to the Sudbury Woman's Club to conduct its annual pie sale on the Town Common during the 4th of July celebration.

Easements - Lake Shore Drive

Noting approval of Town Counsel, it was on motion of Selectman Wallace unanimously

VOTED: To accept two grants of easement given by Habitech, Inc., D. Bruce Wheeler, Vice-President, relative to its subdivision and the use of Lake Shore Drive for access to Town of Sudbury land and as a turnaround, and to sign acceptance of said documents upon receipt from the Grantor.

Sanitary Landfill

Executive Secretary Richard E. Thompson informed the Board that the State Department of Environmental Quality Engineering (DEQE), under date of May 19, 1989, has approved construction of the liner and leachate collection system for the northeast section of the Sanitary Landfill, and upon certification by the DEQE, utilization of the area. Use of this area, he stated, will extend the life of the Landfill a minimum of five years and with the implementation of recycling an even greater lifespan will result, saving the town ten fold in cost compared to a transfer station. Detailed plans for construction and operation of the proposed transfer/recycling area must be submitted to the DEQE for its approval, although the Department has stated its concurrence with the Town's concept.

The Board commended the Town Engineer for his years of efforts in bringing this plan to fruition.

Wetlands Protection Act - Fee System

Selectman Cope noted that the Conservation Commission will be attending a public hearing on the proposed amendments to the Wetlands Protection Act Regulations (310 C.M.R. 10.00) to include a wetlands fee system.

Town Forum

At 8:00 p.m. the 184th Session of the Town Forum was convened consisting of Town Report art award presentations and reports of Town officials, Boards and Committees.

Speed Controls and Traffic Safety

Present: Safety Officer William Carroll, Sudbury Police Department.

Officer Carroll prefaced the general discussion on traffic safety by outlining the present patrol system: three cruisers on the road at all times in the east, west, and north districts of Town utilizing dash or hand held radar units. These officers, however, are often called to perform other duties which interrupt the traffic patrol.

Selectman Cope stated her opinion that a rotation of coverage on the side roads might help to enforce the speed limits, and that Sudbury suffered by comparison to the good reputations of Acton and Lincoln relative to enforcement.

Both Officer Carroll and Executive Secretary Thompson noted that Sudbury is more centralized and receives much more through traffic than either of those towns.

Officer Carroll noted in response to some possible solutions to alleviate speeding put forth by Selectman Cope that: the ability to police some of the side roads is limited by road conditions which in and of themselves would produce a safety hazard if an officer attempted to pull a car off the road; warning oncoming cars of police presence by flashing headlights might inadvertently deter the apprehension of a person wanted by police for another reason; it is unknown as to whether posting signs at Town bounds that speeding violations will be prosecuted would be helpful; speed bumps are considered dangerous and are therefore not recommended because of the potential liability.

Relative to the posting of special speed limits below 30 m/p/h, Officer Carroll explained that the procedure required for State DPW approval is a very costly one for the Town operating with limited manpower and budget; however, there is legislation being drafted which would allow the towns to set their own speed limits.

Relative to reporting the license number of young persons observed driving recklessly or speeding, Officer Carroll responded that in some cases the parents would be contacted but each situation is different and he does not perceive this to be the main traffic safety problem.

Officer Carroll reported that since the fines have been increased, the number of show cause hearings have also increased, requiring officers to spend more time in court. In the first quarter of the year, over 240 hearings were held with the Town winning about 99% of the cases. As of April 1, the Town gets three-quarters of the fine collected.

At the close of discussion, Officer Carroll reiterated his position that the best solution would be the placement of extra patrols; however, in order to

do so, the budget would have to be increased significantly to allow the hiring of part-time personnel.

Selectmen's Goals/Special Projects

Selectman Cope submitted her priorities for Selectmen's concentration in the upcoming fiscal year: downtown revitalization progress; enforcement of zoning violations town-wide; and developing Town Board unity and credibility, working toward the Wish List items and a unified position on a Prop. 2½ override, if warranted.

Sudbury Housing Authority Grant

Executive Secretary Thompson reported that the Sudbury Housing Authority had been notified that it has been awarded an EOCDC grant of \$5,000 for site selection on the GSA land.

Rt. 20 Mapping

Executive Secretary Thompson reported that Ft. Devens personnel had informed him that no map of the Route 20 area in the scale required is available and, in order to perform such mapping, they would have to hire an outside contractor. Selectman Cope suggested that Mr. Thompson investigate the cost of doing that since it may be the cheaper alternative.

Meetings

Mr. Thompson stated that, although the date for meeting with the Lincoln Board of Selectmen had been confirmed, he would try to arrange a different date to allow Selectman Cope to attend. Selectman Cope noted that she had had an indication through a personal conversation with a Town official that some of Lincoln's concerns to be discussed would involve the restructuring of the Regional School District Committee and traffic.

Mr. Thompson related to the Board indication received that the Board of Selectmen of Concord would also like to meet with the Sudbury Selectmen on a periodic basis.

Executive Session

At 10:20 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss purchase of real property.
(Selectman Cope, aye; Selectman Wallace, aye.)

Selectman Cope announced that public session would not reconvene following the Executive Session.

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

Attest:

Richard E. Thompson
Executive Secretary-Clerk

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IN BOARD OF SELECTMEN
: TOWN FORUM
MONDAY, MAY 22, 1989

The Chairman convened the 184th Session of the Town Forum at 8:00 p.m. in the lower Town Hall.

Town Report Art Awards

Town Report Committee Chairman Ellen Given and Selectman Judith Cope presented art awards to those present of the seventeen recipients for their artwork printed in the 1988 Town Report based on the theme "What Town Officials and Boards and Committees Do."

350th Anniversary Celebration Committee

Betty Brackett, Betsy Cutler and Judy Whepley appeared in period dress and distributed strawberries to those assembled to advertise the Strawberry Shortcake Social to take place June 11.

Conservation Commission

Member Cheryl Baggen reported that the Commission was concerned with maintenance at the Hop Brook Conservation Reservation, especially those repairs resulting from vandalism and erosion caused by off-road vehicles. Five attempts at well drilling at the Community Gardens, the expense of which will be shared by the Commission and the Water District, were unsuccessful. The Commission has been reviewing various proposals for the Unisys and Ft. Devens land proposed for excess as well as checking wetlands delineations for persons considering Conservation Restrictions as a consequence of the new assessments. Ms. Baggen announced that the State had accepted the linkage plan involving the Town's open space.

Town Engineer

Town Engineer I. William Place reported on the status of the various walkways under construction or in the planning/design phases: Goodman's Hill Road - construction almost complete; Peakham Road - construction to begin next week; Mossman and Old Lancaster Roads - baseline design complete; Fairbank Road - design complete and Highway securing easements. Relative to intersection safety improvements, Mr. Place reported: the remaining three poles at the intersection of Rt. 20 and Horse Pond Road will be reduced to one upon the removal and reconnecting of the various lines; the redesigns of the approaches to the Sawmill and Oak Ridge intersections with Lincoln Road are complete and ready for the Highway Department to implement; the Pantry Road/Haynes Road/Deacon Lane intersection design is complete and will be ready to submit to the Board of Selectmen upon the receipt of data compilation from the Police Safety Officer. Mr. Place and Mr. McKinley of the Traffic Management Committee are still meeting with owners of Rt. 20 property relative to the elimination of multiple curb cuts. Mr. Place has also been providing assistance to the Town Planner in the formulation of the Request for Proposal relative to the Village Concept plan and to other Boards and Town Officials upon request.

Fire Department

Chief Dunne reported that in the process of tank replacement at the Gibbs Nobscot Road/Rt. 20 self-service gas station, now owned by Mobil, gas contamination was discovered in the soil. Mobil's environmental engineer was present on the site and the DEQE was notified. The contaminated soil will be taken off the site for disposal. No evidence of leakage was present in the previous testing of the four tanks scheduled for replacement by three larger tanks. While the leakage appeared to be confined to the tank area, the DEQE may require the installation of monitor wells on the property. The Chief reported that due to the failure of the override, Station 3 will be closed some days and manned with only one firefighter on some days. The Town is one step closer to having a 911 telephone emergency system in that funding is under discussion. The Chief issued the Town's first ticket, under the non-criminal prosecution bylaw, for open burning without a permit; the fine was upheld upon appeal. Congratulations were extended to the Chief upon his election as President of the Massachusetts Fire Chiefs' Association.

Park and Recreation

Chairman Jerry Berenson reported that the recreation fields were being prepared and that the summer camp program was filled. Fourth of July plans are in place and the Senior cookout and summer band concerts are scheduled. The Commission, with two new members active, is working on promotion of the Atkinson Pool and plans to preserve the Davis land for recreational use.

Sudbury Water District

Chairman Robert Boyle and Superintendent Dick Carroll informed the Forum that voluntary water restrictions have been requested in order to conserve the Town's water, noting that supply is plentiful but that problems occur in distribution. Reporting on the status of proposed well use and exploration, Mr. Boyle stated that a pump test was done on Well 5 which will probably have to be treated to make it usable; Well 9 is expected to be on line by next year with Well 10 expected to go on line the following year; and tests of the Stone land revealed clay and silt. Mr. Boyle predicted that the Town would eventually have to install a sewer system and appurtenant treatment plant for the Rt. 20 area in order to protect the Raymond Road well fields which are now only protected by the natural clay and silt barrier.

Housing Opportunity Partnership Committee

Member Art Hall stated that the Committee's goals and objectives and guidelines for developers were formulated and had been approved by the Selectmen. After review of Town-owned land over ten acres by the site selection group, the Parkinson land off Hudson Road was deemed to be the most suitable for the purpose of constructing forty units. The site has been walked with the Conservation Commission and Planning Board and preliminary plans are being developed with a fall Special Town Meeting in mind. The Committee is planning meetings with other Town officials and Boards relative to the project.

Tax Collector and Treasurer

Town Collector and Treasurer Chester Hamilton reported that 97% of the FY89 taxes have been collected, noting that half of the outstanding bills are attributable to builders. Sixty-nine new parcels have been put into Tax Title for a total of 150 and foreclosure in Land Court is being pursued on various parcels through the Office of Town Counsel. With the delay in setting the FY89 tax rate and the consequential inability to send out tax bills causing a severe cash flow problem in spite of the borrowing, Town departments were requested to inform their vendors that bills will not be paid promptly, but that attempts will be made to pay within thirty days. In answer to a question, Mr. Hamilton stated that the June FY89 bills will include the bonding for the High School projects.

Veterans Advisory Committee

Acting Chairman Mary Jane Hillery reported that flags were placed on the Revolutionary cemetery graves before April 19 and the rest of the flags will be in place before Memorial Day. Father Foley will be leading the prayers at the Memorial Day celebration and prizes will be awarded to the winning essay contestants.

Personnel Board

Chairman David Mandel stated that the Personnel Board had been involved in routine matters, reclassification requests and collective bargaining matters. The Board was also working on an employee recognition program.

Board of Health

Chairman Hugh Caspe announced the successful conclusion of the Hazardous Waste Day collections sponsored by Wayland and Sudbury. The Board had met with the Planning Board to discuss the Village project and its concerns, and was in the process of interviewing candidates for the Outreach Worker position formerly held by Karin Rubin.

Finance Committee

Chairman Richard Pettingell announced that the Finance Committee was involved in the routine items current with the close of a fiscal year and has set the financial affairs of the Atkinson Pool as its FY90 priority. Mr. Pettingell opined that he was certain that an override would be required for FY91 due to salary increases and lack of State funds.

Building Inspector

Building Inspector Joseph Scammon reported that the real estate market seemed to be picking up and cited departmental building statistics. Relative to Zoning Enforcement matters, progress has been noticeable. Due to the newly increased assessments, the office is in receipt of many inquiries relative to zoning status which require research to determine.

State Legislative Report

Representative Cile Hicks reported that there is no contingency in place if the FY90 Governor's budget plan is not approved. FY89 will end with a \$150-400 million deficit, which will possibly be bonded. The Administration does not support an increase in local aid which will affect the School Building Assistance Bureau funding of our local projects. Cile will be working with another Representative member of the Ways and Means Committee in review of the funding of the SBAB. Representative Hicks also reported that the County was trying a new twist of the Land Bank (transfer tax) idea to get money for county jails.

Historic Districts Commission

Selectman Cope read the report of the Historic Districts Commission which in part noted that the work on the Village Green chimney was still not completed.

Permanent Building Committee

Selectman Cope read the report of the Permanent Building Committee, submitted by Chairman Bruce Ey, noting that its current projects included the architectural design work for school renovations/additions at Nixon and Noyes Schools, coordination of projects at the Fairbank Facility including roofing, asbestos work and construction of the Senior Center. The Committee is also in the process of requesting proposals for design of the proposed Fire Headquarters. Ted Athanas has been appointed to the Committee, replacing former Chairman Eugene Bard who has moved from Town.

Board of Selectmen

Selectman Cope reported that, since the last Town Fathers Forum in January, the Selectmen were predominantly involved with issues related to Town Meeting and held various meetings with Town Boards and Committees in relation to the articles to be presented. In addition, the Board met with other Committees and groups for discussion of such varied topics as Route 20 zoning violations and enforcement issues, the Haynes Meadow land, street repaving, continued use of Loring School by Congregation B'nai Torah, access questions relative to a residential development in Framingham, use of the Sperry property, the Ft. Devens Training Annex to be exccessed by the Federal Governments, the permit application submitted by the Wayland-Sudbury Septage Facility for an increase in discharge, and the general beautification of the Town.

A major subject of discussion was Landfill use and revision of the Rules and Regulations to accommodate growing concern for this important asset. After much deliberation and consultation with the Resource Recovery Committee, the Board has revised the commercial and special permit fee schedule and has instituted a new residential annual permit fee of \$25 annually to take effect on July 1; the Board also took action prohibiting the disposal of "white goods" (large appliances and lighting fixtures), many of which contain hazardous PCBs.

The Board approved additional office space for Ti-Sales located off Hudson Road and approved a temporary trailer to help alleviate the cramped working conditions at the Post Office.

In addition to its annual appointments, the Board met in joint session with the Park and Recreation Commission to appoint Melinda Berman to fill the vacancy created by the resignation of Alan Williamson. Other resignations accepted during this period were: Joan Lyle, 350th Celebration; Eugene Bard, Permanent Building; Maxine Yarbrough, Arts Council; Karin Rubin, Housing Partnership; and Nicholas Polio and Carmen Gentile, Registrars. Police Officer Todd Eadie was appointed with permanent status, and commendations were given to Officers Spinelli and Harris for their work in the Unisys property break in.

At the conclusion of the Forum, Selectman Cope introduced Mary Ellen Normen who is an intern in the office of the Budget & Personnel Officer Terri Ackerman who is currently on maternity leave.

Selectman Cope thanked all for attending the Forum and adjourned the 184th Town Forum at 9:15 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk