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IN BOARD OF SELECTMEN  
WEDNESDAY, APRIL 4, 1990

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 by Vice-Chairman Cope at 7:00 p.m. in the Lincoln-Sudbury Regional High School library.

Utility Petition 90-7 - Candy Hill Road

Present: Christine Cosby, Boston Edison Company; Joseph Bausk, New England Telephone & Telegraph Company; William Mitchell; Mr. and Mrs. Robert Jones.

The Board reviewed Utility Petition 90-7 of Boston Edison Company and New England Telephone and Telegraph Company for location of approximately thirty-five feet of conduit under Candy Hill Road. Christine Cosby, Right of Way Agent, Distribution Division of Boston Edison Company, explained that this work was necessary to provide new overhead to underground service to the residence at 39 Candy Hill Road. Homeowner William Mitchell informed that he had requested this petition because of safety concerns relative to the condition of the cable running down the pole.

Noting that approval had been recommended by the Building and Wiring Inspectors under date of April 2, on the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To approve Utility Petition 90-7 of Boston Edison Company and New England Telephone and Telegraph Company for permission to install approximately 35 feet of conduit and appurtenant fixtures in Candy Hill Road, southerly approximately 500 feet northeast of Concord Road, in accordance with Boston Edison Company "Plan of Candy Hill Rd., Sudbury Showing Proposed Conduit Location, dated March 1, 1990, and New England Telephone and Telegraph Company "Plan for Conduit Location 920001", numbered 90-6, dated March 22, 1990.

Utility Petition 90-8 - Marlboro Road

Present: Christine Cosby, Boston Edison Company; Joseph Bausk, New England Telephone & Telegraph Company.

The Board reviewed Utility Petition 90-8 of Boston Edison Company and New England Telephone and Telegraph Company for location of approximately six feet of conduit under Marlboro Road. Christine Cosby, Right of Way Agent, Distribution Division of Boston Edison Company, and New England Telephone Company representative Joseph Bausk explained that this work was necessary to provide electrical service for New England Telephone's new vault recently approved by the Board.

Noting that approval had been recommended by the Building and Wiring Inspectors under date of April 2, on the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To approve Utility Petition 90-8 of Board Edison Company and New England Telephone and Telegraph Company for permission to install approximately

6 feet of conduit and appurtenant fixtures in Candy Hill Road, southerly approximately 29 feet east of Maynard Road, in accordance with Boston Edison Company "Plan of Marlboro Rd., Sudbury Showing Proposed Conduit Location, dated March 1, 1990, and New England Telephone and Telegraph Company "Plan for Conduit Location 920001", numbered 90-5, dated March 22, 1990.

Show House - Jr. League of Boston

(Chairman Drobinski arrived.)

Relative to the request of Candace McMahon on behalf of the Junior League of Boston to use the Town Hall parking lot on Friday, May 18, in conjunction with the Show House preview party which would take place from 6 p.m. to midnight, the Board unanimously

VOTED: To approve the use of the Town Hall parking lot by the Junior League of Boston on Friday, May 18, from 5:30 p.m. until after midnight, in conjunction with the Show House preview party, conditioned upon Fire Chief Dunne's stipulation that no more than one hundred fifty people be allowed in the house at one time and that there be no smoking allowed in the house, as agreed by the League and so stated under item #27 in the Verified Complaint against the Town dated February 26, 1990.

With regard to the Selectmen's scheduled meeting with League representatives on April 30, Mr. Thompson recommended that he confirm with the League that League representation be limited to Ms. Newkirk, Ms. McMahon and the League's publicity person. The Selectmen agreed. Mr. Thompson recommended also that an administrative meeting be scheduled with the League and the Department heads involved relative to the specifics of the project. The Board directed that he schedule such a meeting.

Ballot Question - Override

Mr. Thompson informed the Board that he had conferred with the Department of Revenue's Property Tax Bureau relative to the format of the Town's override ballot questions. Finding that the format dated 4/4/90 met with the guidelines established by the Department, on the recommendation of the Executive Secretary it was on motion unanimously

VOTED: To approve the override ballot questions as prepared under date of April 4, 1990, and to forward same to the Town Clerk.

The Board directed the Executive Secretary to contact the newspapers with regard to publishing the same as a public education service.

Landfill - DEP Adjudicatory Proceeding

Relative to the Town's March 25, 1988 Notice of Claim for an Adjudicatory Proceeding on the Enforcement Order and Notice of Noncompliance (Order) of the Department of Environmental Quality Engineering, now the Department of Environmental Protection (DEP), Town Counsel Paul L. Kenny informed that a prehearing conference has been scheduled by the DEP for April 23, 1990. It is Mr. Kenny stated that he may request that the conference be rescheduled so that settlement issues could be further discussed by the parties.

ATM90 - Warrant Articles

Selectman Wallace informed that Gary Greenberg, Planning and Development, Unisys, had called relative to meeting with the Board. Of the suggested dates, it was agreed that April 17 would be best and Selectman Wallace will so advise Mr. Greenberg. Therefore, in order to allow a meeting of the parties to take place prior to Town Meeting consideration of Article 30, it was agreed to request that Article 30 be deferred until the April 23rd session of Town Meeting.

Mr. Thompson informed that the Zoning Board of Appeals has notified the Planning Board that it would support indefinite postponement of petition Article 28, relative to Customary Home Occupations, in order to draft alternative legislation by a joint committee involving the Planning Board, Town Counsel and the Zoning Board of Appeals. The Board expressed its support of this recommendation.

Landfill Regulations - Brush Disposal

On the recommendation of Highway Surveyor Robert A. Noyes and Town Engineer I. William Place in a communication dated April 3, 1990 relative to short-term brush disposal, it was on motion unanimously

VOTED: To waive the requirements of the Rules and Regulations for the Sanitary Landfill under Section VI, Prohibited Materials, to allow the disposal of brush, cut as small as possible, to be deposited at a designated area of the Landfill during the months of April and May.

Constable Appointment

The Board acknowledged communication dated March 27, 1990 from Town Clerk Jean M. MacKenzie advising that the Town had failed to elect a constable for one year in the Town Election of March 26 and that, in accordance with statute, this office may be filled by appointment of the Board of Selectmen until the next Annual Town Election.

Further noting that statute allows the Board to appoint as many Constables otherwise as desired, for terms not to exceed three years, it was on motion unanimously

VOTED: To reappoint Theodore Milgroom of 1500 Worcester Road, Framingham, to the position of Constable to serve for a three-year term to expire April 30, 1993.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of March 28, 1990, as drafted.

There being no further business to come before the Board, the meeting was adjourned at 7:40 p.m.

Attest: \_\_\_\_\_  
Richard E. Thompson  
Executive Secretary