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IN BOARD OF SELECTMEN  
MONDAY, MAY 21, 1990

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

The statutory requirements as to notice having been met, the meeting was convened at 7:40 p.m., at lower Town Hall.

Fairbank Building - Space Allocation

Present: Jean Lind, Teen Center Coordinator.

The Board acknowledged receipt of communication dated May 21, 1990, from Dr. Gerald Berenson, Chairman of the Park and Recreation Commission, suggesting modifications to the rough draft proposal submitted by Michael Melnick, Chairman of the Permanent Building Committee, for renovation of the Fairbank Building in order to accommodate the temporary administrative offices of the schools and Town Accountant.

In answer to inquiry by Chairman Cope, Executive Secretary Thompson stated that once cost estimates are received, there would be various avenues to explore with regard to funding; e.g., a "trade-off" with the Permanent Building Committee projects, going to the Finance Committee for a portion of the money, or an article for the Warrant at the Fall Special Town Meeting.

Mr. Thompson expressed his personal opinion that he does not believe all events will necessarily take place as anticipated since there are many factors which may impact the whole scenario. Some of these factors, Mr. Thompson suggested, is the fact that the School Committee has appointed a task force to reconsider its utilization of the Nixon school space; School Superintendent David Jackson openly seeking other employment opportunities; and the Senior Center's plans.

Selectman Wallace expressed his support of the Park and Recreation Commission's requested modifications and reiterated the Board's strong commitment to see that the Fairbank Building becomes a community center, not a permanent space for the schools' administrative offices or the Town Accountant's office. Selectman Wallace went on to say that the Board recognizes that there has been a significant concession by the Park and Recreation Commission, who has responded to the immediate short-term needs of the Town. In conclusion, Selectman Wallace stated that he concurs with Mr. Thompson's opinion that there are so many variables, it is impossible to say with absolute certainty what will or will not be done with the building; however, he stated that there is a moral commitment to the Park and Recreation Commission to do whatever is possible in order for them to achieve their goals.

After further discussion, it was on recommendation of Executive Secretary Thompson unanimously

VOTED: To support the modifications set forth in communication dated May 21, 1990, from Dr. Gerald Berenson, Chairman of the Park and Recreation Committee, relative to the rough draft proposal by the Permanent Building Committee for renovations to the Fairbank Building; subject to available funding.

Police Officer Requisition

It was on motion unanimously

VOTED: To authorize the Executive Secretary to file a requisition with the Commonwealth of Massachusetts Department of Personnel Administration for appointment of one Police Officer to fill the vacancy occasioned by the retirement of John R. MacLean; and to sign all documents related thereto.

Police Department - Continuation Date for Disciplinary Hearings

The Board reviewed copy of letter dated May 16, 1990, from Town Counsel Paul Kenny to Matthew J. Buckley, Esquire, International Brotherhood of Police Officers, regarding the status of the disciplinary hearings of Patrolman Quinn and Sergeant Noah.

After discussion, it was on motion unanimously

VOTED: To schedule continuation of hearing held on March 28, 1990, in the matter of disciplinary action concerning Patrolman Quinn and Sergeant Noah, to June 18, 1990; subject to availability of Lt. Nix and Town Counsel.

Site Plan 89-312 Bank of Boston - Revised Site Plans

Upon review, it was on motion unanimously

VOTED: To sign Landscape Plan L2 dated February 1990, and Site Plan L1, Revised February 26, 1990, for Bank of Boston, 421 Boston Post Road, (Site Plan Application 89-312) revised in accordance with Town requirements as denoted in communication dated May 8, 1990, of Bruce R. Thomas, RLA, Senior Project Engineer, Schofield Brothers.

Site Plan 89-311 Chiswick Park, Phase II

The Board acknowledged receipt of letter dated March 27, 1990, from Joyce Wells Fantasia, Chairman of the Design Review Board, informing that it had approved the landscaping for the Nickerson Theatre, with the exception of the curbing; and letter dated April 30, 1990, from Ms. Fantasia, recommending the composition of the curbing to be granite or precast concrete.

Upon review, it was on motion unanimously

VOTED: To approve and sign landscape plan for Site Plan 89-311, Chiswick Park, Phase II, 490 Boston Post Road; to sign site plans amended April 24, 1990 in accordance with said landscape plan; and to sign related floor plans and elevations; subject to applicant's agreement to use granite or precast concrete on the curbing.

Old Meadow Road - Taking of Portion

Upon review, it was on motion unanimously

VOTED: To adopt an order for the taking of a portion of Old Meadow Road as set forth in the Order of Taking dated May 21, 1990, relative to the vote of the 1990 Annual Town Meeting under Article 13.

At the request of Chairman Cope, Executive Secretary Thompson will inquire of Town Counsel if the exchange of property can be referenced in the documents to be recorded; and to request Town Counsel to do whatever is necessary to accomplish this, if the law permits.

Town Forum - 190th Session

At 8:00 p.m., Chairman Cope convened the 190th Session of the Town Forum. Reporting at said Forum were the following:

Gordon Henley	representing	Conservation Commission
Chester Hamilton		Town Treasurer/Tax Collector
I. William Place		Town Engineer
Sarah Cannon Holden	representing	Lincoln-Sudbury Regional School District Committee
Marilyn A. MacLean	representing	Historical Commission
Burton Holmes	representing	Historic Districts Commission
John J. Ryan	representing	Finance Committee
Peter B. Lembo		Chief of Police
Robert J. Weiskopf	representing	Long Range Planning Committee
Michael W. Guernsey	representing	Board of Health; Operational Review Committee

In addition to reporting a summary of the Selectmen's activities since the last Forum, Chairman Cope read reports from the Park and Recreation Commission, Fire Chief Michael Dunne, Board of Assessors, and Board of Appeals, all of whom were unable to be represented in person this evening.

Following the reading of the reports, Town Forum was adjourned and coffee and conversation was enjoyed by those present.

Utility Easement - 11 Elliot Road

Executive Secretary Thompson reported that the Utility Easement on Lot 44, Elliot Road, has not as yet been signed by Mr. and Mrs. McCarthy, due to Mrs. McCarthy's insistence that the deed from the Town to them on Parcel 1B be recorded first. However, Town Counsel will attempt to work this out with the McCarthys.

Therefore, it was on motion unanimously

VOTED: To accept said Utility Easement to be granted by Frederick and Laura McCarthy of 11 Elliot Road, on Lot 44, Elliot Road, upon submittal.

In the event that the impasse over the signing of the document cannot be resolved, Town Counsel has prepared an alternative Release Deed containing a reversion clause which the Selectmen signed and Town Counsel will hold.

Junior League of Boston - One-day Liquor License

It was on motion unanimously

VOTED: To confirm the issuance of a one-day All Alcoholic Beverages Permit to East Meets West Catering for the Junior League of Boston Decorators' Show House Preview Party on May 18, 1990, from 6:00 p.m. to 12:00 Midnight.

Resource Recovery Committee - Resignation

It was on motion unanimously

VOTED: To accept with regrets the resignation of Neal M. Drawas, dated May 2, 1990, from the Resource Recovery Committee; and to request the Executive Secretary to prepare a letter for the Selectmen's signatures thanking Mr. Drawas for his many years of selfless service to the Town.

Minutes

Upon review, it was on motion of Chairman Cope, seconded by Selectman Wallace, with Selectman Drobinski abstaining

VOTED: To approve the partial minutes of the regular session of May 14, 1990, as corrected.

Board of Appeals

Chairman Cope requested Executive Secretary to forward that portion of the Selectmen's minutes of May 14, 1990, which relates to the Board of Appeals; and to elicit a response from them concerning the situation.

Zoning Enforcement

At the request of Chairman Cope, Executive Secretary Thompson will request an update from Building Inspector Joseph E. Scammon relative to his opinion that sale of bark mulch by Cavicchio Farm Loam Co., Codjer Lane, is not an allowed use. At Mrs. Cope's request, Mr. Thompson will send a copy of Mr. Scammon's report and subsequent follow up to the Board of Appeals for their information.

Land Court Case Re: Green Hill Estates

The Board acknowledged receipt of copy of Decision and Judgment rendered by Chief Justice Marilyn Sullivan of the Middlesex Land Court, in the matter of Elizabeth Barrington, Trustee v. John C. Drobinski, et al, Miscellaneous Case No. 121533.

Suburban Coalition

Upon review of letter dated May 14, 1990, from John B. Wilson, Executive Director, Suburban Coalition, to Chairman Cope, it was on motion unanimously

VOTED: To appoint Executive Secretary Richard E. Thompson Interim Liaison to the Suburban Coalition.

At the request of the Selectmen, Mr. Thompson will contact the Finance Committee for their recommendation of an individual as permanent liaison to the Coalition, which is being reconstituted from its inception five years ago in order to provide relief from the fiscal problems facing municipalities.

Town of Brookline - Letter of Congratulations

It was on motion unanimously

VOTED: To request the Executive Secretary to send a letter to the Town of Brookline commending them for their successful litigation with regard to State Aid.

ICMA Conference

At the request of the Selectmen, Executive Secretary Thompson will forward information on International City Management Association's (ICMA) conference on integrated solid waste management alternatives for local Government, to be held in Lowell on June 28 and 29, 1990 to the Resource Recovery Committee. Mr. Thompson expressed his desire to attend.

"Waste Not?" Seminar

At the request of the Selectmen, Executive Secretary Thompson will forward information on the "Waste Not?" Seminar, to be held at the Newton Marriott on June 14, 1990 to the Resource Recovery Committee.

Sears and Schofield

At the request of Chairman Cope, Executive Secretary Thompson will advise Town Counsel that the Selectmen would like information with regard to the letter opinion dated May 14, 1990, from Building Inspector Joseph E. Scammon concerning Sears and Schofield.

Proposed Senate Bill No. 909

Chairman Cope brought to the attention of the Board a proposed Senate bill which would prevent the submission of plans immediately preceding a Town Meeting by persons hoping to circumvent an anticipated change in zoning bylaws.

At the request of Chairman Cope, Executive Secretary Thompson will obtain copies of proposed Senate Bill No. 909 for review and consideration by the Planning Board and Selectmen.

Unisys/Sperry Research Center - Contamination Issues

As a follow-up to discussion and vote at the Selectmen's May 14, 1990, meeting, Executive Secretary Thompson advised that a letter of support will be sent out tomorrow on behalf of the Selectmen; and that he has spoken with Superintendent of the Water District Richard Carroll urging a similar letter to be sent on behalf of the Water District.

At the request of Chairman Cope, Executive Secretary Thompson will provide Charles B. Cooper of the Wastewater Advisory Committee with a copy of said letter.

Executive Session

At 9:30 p.m., it was on motion by roll call vote unanimously

VOTED: To enter into Executive Session for the purpose of discussing transactions in real property and discretionary fund expenditures.

(Chairman Cope, aye; Selectman Wallace, aye; Selectman Drobinski, aye.)

Chairman Cope announced that the regular session would not reconvene.

There being no further business to come before the Board, the meeting was adjourned at 10:15 p.m.

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk