

IN BOARD OF SELECTMEN  
MONDAY, MAY 13, 1974

Present: Chairman John C. Powers, John E. Taft, and William F. Toomey

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The statutory requirements for notice having been complied with, the meeting was called to order at 7:30 p.m. by Chairman John C. Powers.

Entertainment License - J.T. Steak House

Present: Francis E. White, Building Inspector; John Trevisani, applicant.

The Executive Secretary reported that the Board had previously deferred consideration of an application from Sudbury Management Associates, Inc., d/b/a J.T. Steak House, for a change in entertainment license until additional information was received from the Building Inspector and review by Town Counsel of the statute regulating control of entertainment as it relates to dancing.

The Building Inspector reported, as set forth in his report dated May 1, 1974, that the applicant proposes to change the location of the portable dance floor so as not to block the path of egress. Mr. White also reported that Mr. Trevisani is in the process of correcting the existing self-illuminating lounge sign to comply with the Sudbury Bylaws.

Mr. Trevisani stated that the entertainment would consist of a one- to three-piece band and dancing to the foregoing entertainment and would be conducted on weekdays between the hours of 7:00 p.m. - 12:00 Midnight.

The Executive Secretary stated that the Board had received a communication dated May 10, 1974, from Town Counsel, which set forth his opinion that the Board may impose time limits within which a license is valid.

It was the consensus of the Board that as the expiration date of all similar licenses is December 31, 1974, the interim would allow sufficient time to insure control of the license, and it was on motion unanimously

VOTED: To approve an entertainment license for Sudbury Management Associates, Inc., d/b/a J. T. Steak House, 120 Boston Post Road, expiring December 31, 1974, subject to the following conditions:

- 1) continued compliance with the restriction that any entertainment group not exceed three members;
- 2) that there be no entertainment on Sundays; and
- 3) that the location of the stage, instrument apparatus, and dance floor meet with the approval of the Building Inspector.

Entertainment License - Sudbury Skating and Tennis Club

Present: Francis E. White, Building Inspector.

The Executive Secretary stated that consideration of the application for an entertainment license for the Sudbury Skating and Tennis Club, Inc., 31 Union Avenue, had been deferred until the Building Inspector had inspected the Red Cross Safety Room at the Club relative to the present procedure and staffing of the same and to confirm which private vehicle is assigned for usage as an ambulance in case of emergencies, if any.

Mr. Thompson stated that the Building Inspector's recommendation in his communication of May 1, 1974, had been that a training program be set up for Red Cross certification of some of the Club employees, utilizing qualified instructors in the Sudbury Police Department. Mr. Thompson reported that he had discussed the matter with the Chief of Police and with Joyce Winship, manager of the Club and that Ms. Winship will contact Chief Lombardi in this regard as soon as possible.

Mr. Thompson further reported that the Building Inspector's above-mentioned communication stated that police records from last November until the present time indicated an average of less than two calls for medical aid per month.

Following discussion it was on motion unanimously

VOTED: To defer further consideration of the application request pending receipt of a written commitment from the Sudbury Skating and Tennis Club, Inc., relative to an agreement for in-service training for some members of the Club's staff to qualify them as first aid room attendants.

Minutes

The Board voted to approve the minutes of the regular and executive sessions of May 6, 1974, as amended.

Drainage Easement - Frank W. Generazio, Jr., "Lands End" Subdivision

As requested by the Board at its May 6th meeting, Town Counsel reported that he had reviewed the drainage easement, dated October 16, 1969, and "Lands End" subdivision plans which had been requested by the Planning Board for recording, and read to the Board the terms thereof.

Later in the evening, on the recommendation of Town Counsel, it was on motion unanimously

VOTED: To accept and sign the drainage easement from Frank W. Generazio, Jr., et al, dated October 16, 1969, as shown on the Definitive Plan of Lands End in Sudbury, dated July 21, 1969, drawn by Ewald and Maschi, Inc., Engineering Consultants.

Article 26 - Transportation Corridors - Public Hearing

Town Counsel stated, as set forth in his communication dated May 8, 1974, that Article 26 changed the Official Map of Sudbury by adding certain transportation corridors, and that under G. L. c. 41, Section 81F, "no such change or addition shall become effective until after a public hearing...before the Selectmen...for which at least ten days' notice shall be given." Town Counsel also stated that he is preparing a list of all owners of property to whom notice should be sent, and he recommended that upon completion of the list, the Selectmen schedule and hold the public hearing.

Town Counsel stated that under the article if the railroads ceased to run, the land within their rights-of-way would be earmarked on Sudbury's Official Map as a transportation corridor, and he likened the procedure to an "order of taking".

Chairman Powers expressed the Board's concern that the rights and appeals of involved individual property owners should be considered at a hearing and requested further clarification from Town Counsel relative to the possibility that, following a hearing by the Board, it did not uphold the action of Town Meeting.

Chairman Powers stated that the Board may wish to discuss the matter with the Planning Board before proceeding with a hearing, and the Executive Secretary was requested to schedule the subject for a further report from Town Counsel at the May 20th meeting.

The Board also received a communication dated May 7, 1974, from Town Clerk, which stated that upon the recommendation of Town Counsel, she intended to "hold" sending a certificate relative to Article 26 to the Department of Community Affairs and the Registry until the question relative to the hearing is resolved.

The Board requested that Town Counsel clarify any possible timing conflict in connection with Town Clerk's proposed action as mentioned above.

Boston Post Road/Station Road Intersection

The Board received a communication dated May 7, 1974, from the Chief of Police, which enclosed a communication dated May 5, 1974, from the Safety Officer relative to the high accident area on the Boston Post Road near Station Road. The Police Chief requested the Board's support in obtaining the necessary changes in the area to prevent further serious accidents and endorsement of Safety Officer Carroll's recommendations that the Selectmen request Boston Edison Company to install additional street lighting and request the Massachusetts Department of Public Works to erect signs indicating the dangerous curve in that area.

It was on motion unanimously

VOTED: To authorize the Executive Secretary to implement the above-stated recommendations of the Sudbury Police Department, in conjunction with the appropriate Town and State government agencies.

Traffic Hazard - Intersection of Massasoit Avenue and King Philip Road

The Board received a communication dated May 7, 1974, from the Chief of Police, which asked that the Board request the Department of Public Works to install stop signs at the intersection of Massasoit Avenue and King Philip Road in an effort to correct a serious traffic hazard.

The Board agreed to table the above request until next week to enable the Executive Secretary to review the new procedure for installation of traffic signs and to request a diagram of the proposed sign locations from the Police Chief.

Sudbury Housing Authority - Housing for the Elderly

The Board received, for informational purposes from the Sudbury Housing Authority, a notice dated May 8, 1974, of a public forum to be held by the Authority on Tuesday, May 21, 1974, at 8:00 p.m. in the lower Town Hall, at which time citizens' concerns regarding the location of an access road to the proposed elderly housing development, to be located at the corner of Hudson and Peakham Road, will be heard.

The Selectmen agreed to attend the meeting and requested the Executive Secretary to so notify the Sudbury Housing Authority chairman.

Application for Incorporation

Following a review by the Board of the below-named application for incorporation, it was on motion unanimously

VOTED: To send a favorable report to the Secretary of the Commonwealth on the application of David Arnow, 377 Concord Road, for incorporation under the name of The Center for Chamber Music at Apple Hill Farm, Inc., to be located in the Town of Wellesley.

Lord's Day License

It was on motion

VOTED: To confirm the prior granting of a license for the sale of frozen desserts, ice cream mix, confectionery, soda water or fruit to Harry C. Rice, Broadmeadow Stables, 130 Water Row, on May 12, 1974, such license for that one day only.

The Board directed that the Executive Secretary request that Mr. Rice make future applications of this type in advance of the specified date.

Civil Defense Agency

Chairman Powers announced the receipt of a check by Albert St. Germain, Director of Civil Defense for the Town, in the amount of \$399.87, which represents the 50% federal share of Sudbury's Matching Funds Project Application for the Emergency Communications Study.

Raymond Land, Haskell Land - Park and Recreation Commission

Present: John R. Carter, John Murray.

Messrs. Carter and Murray met with the Board to inform the Selectmen of the updated use and management of the so-called Raymond land and to discuss the master plan for the Haskell property.

Raymond Land - Mr. Carter reported that the Engineering Department is presently doing work on the septic system at Raymond Park in conjunction with Mr. Sullivan, Director of the Board of Health, with plans subject to State approval in relation to well sites.

Mr. Carter also reported that the Commission will continue with the construction of the senior citizens' park and the soccer/football field.

Selectman Taft suggested that if further work is to be done by the Sudbury Water District relating to the laying of mains that it be coordinated with the construction of the septic system across Raymond Road.

Mr. Carter stated that the finish date for the toilet facilities and the soccer/football field is mid-July.

The Board requested that Town Counsel work with the Park and Recreation Commission to obtain a copy of the final agreement relative to water service from the Sudbury Water District and a final plan from the Engineering Department.

Chairman Powers requested that the Commission advise the Board of any problems that might arise and to come back to the Selectmen with a progress report.

Haskell Land - Mr. Murray reported that the Commission had received a letter from the Executive Secretary relative to provision of a parking facility and a sign for the Haskell land in order to expedite reimbursement from the State Department of Natural Resources.

Mr. Thompson stated that the cost of the sign will be about \$200 and stated that if the Commission has no funds for this expense to so notify the Executive Secretary and a request for a reserve fund transfer would be made.

Mr. Thompson stressed a need for swift completion of the parking area and installation of the sign in order that the money be received before June 30th.

Discussion followed about the possible inclusion of a walkway to the rear of the land and the Board suggested that the Commission discuss the matter with the Planning Board.

Selectman Taft suggested that the Commission consider placement of the noisier activities away from the abutting residential areas and to consider screening for the residential areas as well.

The Board requested that the Commission compile a list of development priorities for its review.

The Executive Secretary suggested to the Commission that it keep accurate records and documents of the expenditure of its \$10,000 as items, if approved, are eligible for 50% reimbursement.

Town Counsel stated that the jurisdiction of the Haskell land now belongs to the Selectmen and suggested that the Board could, by vote, initiate transfer of said jurisdiction to the Park and Recreation Commission for final approval at a Town Meeting.

Fourth of July Parade - Selectman Toomey volunteered to act as liaison with the Commission in connection with the Fourth of July parade and with the Police Department with regard to a larger role in crowd control. Chairman Powers and Selectman Taft were in accord.

#### 1974 Annual Town Meeting - Follow-Up Action

The Board received a memorandum dated May 10, 1974, from the Executive Secretary, which suggested follow-up action relating to articles acted upon in the 1974 Annual Town Meeting.

The Executive Secretary's recommendations and comments and those of the Board are listed below:

Articles 2 and 4 - Police Negotiations - Request report from Labor Relations Counsel on fact finding. Mr. Thompson stated that he had contacted Mr. Murphy, but would prefer to report to the Board on the matter in executive session later in the evening.

Article 4 - Budgets - Department head yearly reviews to be completed during the month of June. The Executive Secretary stated that he has sent a letter to all department heads requesting an activity report for last year for consideration at the merit reviews in June.

Articles 12 and 13 - Davis and Hulbert Lands - Staff report from the Executive Secretary being prepared, outlining procedures for federal funding - completion in approximately two weeks.

Article 15 - Transfer Tax Possession Land to Conservation - Town Counsel stated that the transfer of tax possession land to the Conservation Commission is an automatic procedure - that the Town Meeting vote is the official transfer. Mr. Turner stated that he will, however, send a memorandum to that effect to Town Clerk.

Article 24 - Signs - Appointment of Sign Review Board after approval of article by Attorney General's office. Mr. Thompson stated that the proposal should be considered and will be presented for the Board's consideration in the subject matter for appointments at the May 20th meeting.

Article 26 - Transportation Corridors - Question of Selectmen holding a public hearing - matter was discussed earlier in the evening and will be further discussed on May 20th.

Article 29 - Appointment of Sudbury Bus Transportation Committee - Pertinent information will be in Selectmen's package for consideration at the May 20th meeting.

Article 39 - Drainage System Engineering Plans - Request the Highway Commission to hold general meeting with appropriate boards and committees on the subject. The Board requested that the Executive Secretary obtain a verbatim transcript of the motion, as voted under Article 39, as well as the discussion pertaining to the same.

Article 49 - Haskell Land Recreation Facility - Request a follow-up definitive development plan of the Haskell land in stages of priorities.

Article 50 - Haynes Garrison Site - Continue negotiations and bring back at next special town meeting.

Article 56 - Police-Fire Headquarters - Board requested that the Executive Secretary schedule a meeting for May 20th with the Permanent Building Committee to request a few small changes to make the design less expensive (elimination of skylight and extra roofing).

Article 57 - Town Hall Renovations - General preliminary meeting with department users and request reduction - report back to Selectmen.

The Executive Secretary also submitted to the Board an informational sheet put together by the Executive Secretary and the Town Accountant, which sets forth the following financial information relative to the 1974 Annual Town Meeting:

Town Meeting Action	\$11,493,856	Borrowings	\$525,000
Available Funds	\$958,518	Tax Levy	\$10,010,338

Executive Session

At 9:40 p.m., it was on motion unanimously

VOTED: To enter into executive session for the purpose of discussing deliberating, or voting on the subjects of police negotiations and the Charity Fund.

There being not further business to come before the Board, it was on motion unanimously

VOTED: To adjourn the meeting at 10:15 p.m.

Attest: Richard E. Thompson  
Richard E. Thompson  
Executive Secretary-Clerk