

IN BOARD OF SELECTMEN
TUESDAY, JUNE 10, 1975

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

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Chairman John E. Taft.

Executive Session

At 7:30 p.m., it was on motion unanimously

VOTED: To enter into executive session for the purpose of conducting interviews for the position of Captain with the Sudbury Fire Department.

The executive session ended at 8:45 p.m.

Board of Appeals

Present: Ronald Adolph, Chairman, Eunice Secatore, and John McKenna of the Board of Appeals, Robert A. Burd Associate Member; Myron Fox, candidate for appointment; Zoning Enforcement Agent Francis E. White.

The Board met with members and an associate member of the Board of Appeals to discuss appointments to the Earth Removal Board, the function of the associate members, and the enforcement of existing permits and variances.

Earth Removal Board - The Selectmen proposed that the Earth Removal Board be combined with the Board of Appeals and requested that the Board of Appeals submit three names from the present Board for the Selectmen's consideration for appointment to the Earth Removal Board.

Mr. McKenna, present appointee to the Earth Removal Board from the Board of Appeals, suggested that the Earth Removal Board's function was a planning function and could best be performed by the Planning Board.

The Selectmen advised the Board of a communication dated January 20, 1975, from Town Counsel, which stated that adoption of Article 36 by the 1975 Annual Town Meeting, which would appoint the members of the Board of Appeals as the Earth Removal Board, would avoid the legality question of whether or not the Planning Board, acting in its official capacity, can also act as an Earth Removal Board.

The Selectmen again requested that the Board of Appeals submit names for the Selectmen's consideration.

Associate Members - The Selectmen asked the Board of Appeals how many and how often associate members had sat during the last year.

Mr. Adolph responded that the Board of Appeals had held approximately sixty hearings last year and that Robert Savoy had sat six or eight times, Robert Turner, once or twice, Robert Anderson, twice; and Robert Burd, two or three times.

In response to the Board's question, Mr. Adolph stated that their present procedure for calling associates is to have their secretary notify him as to which members can attend each hearing and her request for which alternates to call. Mr. Adolph stated that he then gives her three names.

Mr. Adolph stated that, in his opinion, five associates are sufficient backup.

Selectman Toomey requested that the Board of Appeals supply the Selectmen with information as to who is called for hearings and who is available.

Mrs. Secatore stated that, in her opinion, Mr. Cheney has not requested reappointment as an associate because he is not called, and the Executive Secretary was directed to verify Mr. Cheney's willingness to be reappointed.

The Board suggested that the Board of Appeals rotate the list of associates each time when calling for their participation.

Mr. Adolph stated that one of the alternates is not suited to serve as he is openly aggressive.

Chairman Taft suggested that the associates be asked to sit in at the hearings to gain experience and knowledge of procedure.

Mr. Adolph stated that he would ask their secretary to do so.

Zoning Violations - Chairman Taft stated that some years ago, Mr. White was sent to the District Court to enforce a permit and was unable to get an order from the Court. Chairman Taft asked if the Board of Appeals could hold a rehearing in the instances of zoning violations for the purpose of rescinding their variances or permits.

Town Counsel stated that a case could be reheard only if the permit or variance were conditioned to that effect and that a standard variance or permit does not have any authority under Chapter 40A to be reheard.

Town Counsel stated that if a complaint is taken to the District Court and if they do nothing and a case exists, the case can be taken to Superior Court.

Following discussion, it was agreed to have Town Counsel, the Zoning Enforcement Agent, and the Selectmen meet with the presiding Justice of the District Court.

Town Counsel suggested that a list of permit and variance violations be compiled and that selections be made as to which ones warrant action in Superior Court.

The Board requested that a list of refusals from the Clerk of the Court also be compiled.

Selectman Toomey suggested that the matter be the subject for the next area-wide Selectmen's meeting, which is to be hosted by Sudbury. He further suggested that the presiding Justice might be invited to attend for discussion of his Court's policy.

Conservation Commission

Present: Joseph Tratnyek, Chairman, Marion Harris, Margaret Langmuir, John Cutting, and Eric Lind of the Conservation Commission; Kathleen Brown and Paul Remington, candidates for appointment

The Board interviewed the following candidates for possible appointment to the Conservation Commission:

Kathleen Brown, 59 Blueberry Hill Lane - Mrs. Brown stated that she has been a Sudbury resident for two years, that she is presently teaching nature studies in the Cambridge Public Schools, Grades K - 8, and was a Boston area resident before her move to Sudbury.

Mrs. Brown stated that she has attended recent Conservation Commission meetings and Wetland Protection Act hearings and is currently taking a course in botany.

Mrs. Brown reviewed her past municipal services, educational background and employment experience.

Mrs. Brown stated that she would be available in the afternoons from 3:00 p.m. during the school year, during the summer, and on most evenings and weekends.

In response to the Board's question concerning the goals of the present Commission, Mrs. Brown stated that she found the Commission members to be extremely knowledgeable, dedicated, and up-to-date in their activities. She commented that she would like to see more people use the areas than presently use them.

Paul J. Remington, 36 Windmill Drive - Mr. Remington stated that he has been a Sudbury resident for 3½ years and reviewed his past municipal service (Long Range Capital Expenditures Committee), his educational background, and his employment experience.

Mr. Remington stated that Sudbury's natural beauty had originally attracted him to the Town and that he would like to be part of its preservation. He stated that his specific interests are land management and land acquisition and that he would tend to support a fairly aggressive land acquisition program within fiscal responsibility.

Mr. Remington stated that he would generally agree with the Commission's present policies and that, in his opinion, the Commission's approach for gradual development of land such as the Davis land is correct.

In response to the Board's question as to his time availability with the Long Range Capital Expenditures Committee, Mr. Remington reported that he had no severe problem, missing only a few meetings, and that he had been available for all project work.

Marion Harris, 582 Peakham Road - Mrs. Harris reported that she enjoys working on the Commission and has been recently employed by Boston University and is now teaching several courses. Mrs. Harris reported that her time is not as completely available as it has been as she is in Boston two days a week, but is interested in continuing her work on the Commission.

Joseph Tratnyek, 476 Concord Road - Mr. Tratnyek stated that he enjoys the work and the group on the Commission as well as doing things for the Town. He stated that he would like to see some streamlining of some of the Commission's work -- that some procedures take longer than they should.

Mr. Tratnyek stated that the work of the Commission's subcommittees is very valuable and that they lighten the work load of the Commission itself.

Chairman Taft suggested that the Commission might wish to change its emphasis on priority, such as toward land management and development and away from land acquisition.

The Board requested that the Commission's reports indicate that their positions follow a vote or a consensus of the full Commission, and the Commission was in agreement.

Personnel Board

Present: Helen Deck of the Personnel Board, A. Douglas Dalton, candidate.

The Board met with Mrs. Deck of the Personnel Board and with Mr. Douglas Dalton, 109 Maynard Farm Road, for the purpose of interviewing him as a candidate for possible appointment to that Board.

Mr. Dalton stated that he has been an eleven-year Sudbury resident and is currently employed by R & R Associates, a real estate firm located in Newton.

Mr. Dalton reviewed his past employment experience, stating that he had been owner and operator of Bailey Employment Service of Waltham, a personnel agency which he had started in 1963.

The Board asked whether Mr. Dalton has been aware of the collective bargaining problems with the fire and police groups, and he stated that he was aware only to the extent that the matters have been reported in the local newspapers.

Selectman Taft stated that the Personnel Board is no longer engaged in collective bargaining negotiations, but that its scope includes approximately 150 unorganized employees and the classification, salary structure and job descriptions of these people, as well as approval of all Town employees and department heads.

Later in the evening, it was on motion unanimously

VOTED: To appoint A. Douglas Dalton, Jr., to the Personnel Board for a term to expire on April 30, 1978.

Reserve Fund Transfer Request

#0638 - Town Hall Maintenance 340-32 - Following consideration, it was on motion unanimously

VOTED: To approve a request for a transfer (#0638) in the amount of \$390.00 from the Reserve Fund to Account 340-32, Town Hall Maintenance, to cover the cost of electricity and fuel.

#0639 - Centre School (White) Building Maintenance 340-33 - Following consideration, it was on motion unanimously

VOTED: To approve a request for a transfer (#0639) in the amount of \$400.00 from the Reserve Fund to Account 340-33, Centre School (White) Building Maintenance, to cover the increased costs of electricity and fuel.

#0640 - Telephone 950-99 - Following consideration, it was on motion unanimously

VOTED: To approve a request for a transfer (#0640) in the amount of \$500.00 from the Reserve Fund to Account 950-99, Telephone, to cover costs of increased telephone rates, increased usage, and relocation of telephones.

Common Victualler's License - Colonial House of Pancakes, Wayside Plaza

In response to a communication dated June 6, 1975, from Elliott W. Taylor, Elca Corporation, Southboro, Massachusetts, following discussion, it was on motion unanimously

VOTED: To grant a Common Victualler's License for the proposed "Colonial House of Pancakes" to be located in unit #4A, Wayside Plaza, 730 Boston Post Road, subject to the approval of the Board of Health, the approval of the Building Inspector, and an on-site inspection.

There being no further business to come before the Board, it was on motion unanimously

VOTED: To adjourn the meeting at 10:40 p.m.

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