

IN BOARD OF SELECTMEN
TUESDAY, OCTOBER 26, 1976

Present: Chairman 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 William F. Toomey.

Resignation -- Historic Districts Commission

The Board received a communication dated October 14, 1976 from N. Cornell Gray, who tendered his resignation, as of that date, from the Historic Districts Commission.

It was on motion unanimously

VOTED: To accept the resignation of N. Cornell Gray, with regret, and to direct the Executive Secretary to acknowledge Mr. Gray's communication, expressing the Board's appreciation for his service on that Commission.

Resignation -- Long Range Capital Expenditures Committee

The Board received a communication dated October 19, 1976 from Saul M. Nathan, who tendered his resignation from the Long Range Capital Expenditures Committee.

It was on motion unanimously

VOTED: To accept the resignation of Saul M. Nathan, with regret, and to direct the Executive Secretary to acknowledge Mr. Nathan's communication, expressing the Board's appreciation for his service on that Committee.

Appointment - Provisional Patrolman

After consideration of a communication dated October 19, 1976 from the Police Chief, it was on motion unanimously

VOTED: To approve the recommendation of the Police Chief and to appoint Tayno V. Hyden, Jr., 32 Great Road, Stow, as a Provisional Patrolman, subject to Division of Personnel Administration approval;

and it was further

VOTED: To authorize the Executive Secretary to file the necessary forms and requisition with the Division of Personnel Administration.

Appointment -- Historic Districts Commission

After consideration of the candidates recommended by the Historic Structures Commission in their communication received by the Board on September 22, 1976, it was on motion unanimously

VOTED: To appoint Maynard R. Marshall, 12 Ruddock Road, to the Historic Districts Commission for a term to expire on January 1, 1979. (See minutes of 11/1/76).

One-Day Special License for the Sale of All Alcoholic Beverages - Ladies Auxiliary of the American Legion, No. 191, November 6, 1976

In response to a request received by the Board on October 15, 1976 from Constance A. Foster, President, Ladies Auxiliary of the American Legion, Post No. 191, it was on motion unanimously

VOTED: To grant a one-day Special License for the Sale of All Alcoholic Beverages, to be drunk on the premises, to Constance A. Foster, President, Ladies Auxiliary of the American Legion, No. 191, to accommodate the annual installation of Auxiliary and Legion Officers on Saturday, November 6, 1976, until 1:00 a.m., November 7, 1976, at St. Anselm's Church, Landham Road.

Appointment -- Cemetery Study Committee

The Board, at its meeting on October 12, 1976, appointed members of the newly established Cemetery Study Committee.

Executive Secretary Richard E. Thompson reported that request had since been made that Father Joseph F. Gough be appointed to the committee as the representative for Our Lady of Fatima Church and that Frank L. Dowling, earlier appointed to the committee in this capacity, be designated as the representative for St. Anselm's Church.

After discussion, it was on motion by Selectman Powers unanimously

VOTED: To appoint Joseph F. Gough, 160 Concord Road, to the Cemetery Study Committee to represent Our Lady of Fatima Church.

On a related matter, the Executive Secretary reported that a communication dated October 20, 1976 had been received from Nancy Blecher, who was one of the initiators of discussion which preceded the formation of the Cemetery Study Committee. Mrs. Blecher requested that she be appointed to the Committee as a citizen, as she is vitally interested in the matter.

After discussion during which it was stated that the two citizens who were appointed to the committee were included to balance the two representatives of existing cemetery associations, it was agreed that no further committee appointments should be made.

On the subject of expenses for the Cemetery Study Committee, after discussion, it was on motion unanimously

VOTED: To approve an expenditure of up to \$200 from the Surveys and Studies account to provide secretarial service to the Cemetery Study Committee.

City of Marlborough -- Regional Solid Waste Disposal System

The Board received a communication dated October 15, 1976 from the Marlborough City Council, inquiring as to Sudbury's interest in a regional solid waste disposal system.

After discussion, during which it was the consensus of the Board that Sudbury's needs in this regard were reasonably satisfied by the Sudbury Sanitary Landfill, the proposed Wayland-Sudbury Septage Disposal Facility and a possible Wayland-Sudbury joint landfill operation, on the recommendation of the Executive Secretary, it was on motion by Selectman Powers unanimously

VOTED: To refer the above-referenced communication to the Board of Health and to the Town Engineer with the request that they monitor the progress of the Marlborough project.

Receipt of Federal Funds -- Emergency Operating Center

Present: Civil Defense Director Josiah F. Frost

Executive Secretary Richard E. Thompson reported that a communication had been received from Civil Defense Director Josiah F. Frost which enclosed a check in the amount of \$4,080.47 received as matching Federal funds for Sudbury's Project Application 221-1B, Emergency Operating Center, Phase 1B.

Mr. Thompson reported that this project had been included as part of the fire-police headquarters facility, and even though no action had been taken by the Town relative to the building, the commitment for matching Federal funds stood.

Mr. Thompson stated that the money would be placed in the Town's General Fund and that the Civil Defense Director should be commended for his efforts in the receipt of the money.

Tennis Court Construction -- Haskell Land

The Board at its meeting on October 18, 1976 awarded a bid for construction of four tennis courts on the Haskell Land to the low bidder for a total price of \$25,810.00, subject to the concurrence of the Department of Housing and Urban Development (HUD).

Executive Secretary Richard E. Thompson now reported that he had received the necessary HUD approval.

Thomas French, Assistant to Town Counsel, reported that he had reviewed the specifications and the contract and had found everything to be in order.

The Executive Secretary reiterated his statement at the Board's meeting on October 18 that the Board's first priority for these Federal funds had been acquisition of low income housing to supplement the Sudbury Housing Authority's program and that this item had been rejected by HUD, but that the second priority, the tennis courts, had been accepted.

After further discussion, it was on motion by Selectman Powers unanimously

VOTED: To execute the contract, dated October 26, 1976, with E. C. Murray Construction Co., Inc., for construction of four tennis courts at the Haskell Land.

Jurors

Present: Betsey M. Powers, Town Clerk

The Board drew the names of William F. Bitter, 14 Ridge Hill Road, and James A. Young, 54 Intervale Road, to serve as jurors at Cambridge Court, and Kenneth C. Perkins, 60 Barton Drive, to serve at Lowell Court, all commencing December 6, 1976.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular and executive sessions of October 18, 1976.

Fire Alarm Cable Bid

Present: Fire Chief Josiah F. Frost

The Board received a communication dated October 21, 1976 from the Fire Chief relative to his recommendation for awarding a bid for fire alarm cable.

Chief Frost stated that the majority of the labor for installation of this cable along Concord Road from Sudbury Centre south to Route 20 would be done by on-duty personnel and the Fire Alarm Superintendent and that there was sufficient money in the fire alarm budget if any additional costs would be involved.

After further discussion, on the recommendation of the Fire Chief, it was on motion by Selectman Powers unanimously

VOTED: To accept the recommendation of the Fire Chief to award the bid for 4,000 feet of 12 pair #16 A.T.R.C. cable to the low bidder, Independent Cable, Hudson, MA, at the cost of \$.727 per foot.

Kidney Foundation of Massachusetts - Bike-A-Thon

In response to their request in a communication dated October 19, 1976, it was on motion by Selectman Powers unanimously

VOTED: To grant permission to the Kidney Foundation of Massachusetts, Inc., to hold a bike-a-thon through Sudbury on Sunday, October 31 at 11:30 a.m. (rain date November 6).

The Board directed the Executive Secretary to forward the communication to the Police Chief for his information.

Site Plan Application #76-175, Peter Piona, Trustee, Peter-Cam Trust, One Union Avenue

Present: Francis E. White, Building Inspector/Zoning Enforcement Agent; Peter Piona, applicant

In accordance with Article IX, Section V, Paragraph A, the Board considered the site plan application of Peter Piona, Trustee, Peter-Cam Trust, Box 341, for location at One Union Avenue.

Executive Secretary Richard E. Thompson reported that the Selectmen had considered a previous site plan application on July 26, 1976, at which time the Board had denied the plan, without prejudice, to allow necessary adjustments to be made to the plan and the title of the property to be researched.

Mr. Thompson reported that the appropriate Town boards and abutters had been notified and the following reports received: from the Building Inspector/Zoning Enforcement Agent dated September 16, 1976 which recommended approval; from the Conservation Commission, dated September 22, 1976, which stated that the site was of no concern to the Commission; from the Board of Health Director, dated September 8, 1976 which indicated that the correct location of the proposed sewage disposal leaching area and the storm drain details are shown on the plan and which approved the application with conditions; and from the Planning Board dated October 13, 1976, which recommended approval.

Mr. Thompson reported that at the earlier hearing, in addition to the necessary changes to the plan, there had been a question relative to the applicant's General Release concerning a tie-in of a sub-drain system from the property to the existing storm drains located on Union Avenue and as to the title of the property. Mr. Thompson stated that corrections had been made to the site plan and to the General Release and that the owner of the property had been verified and a copy of the deed placed on file.

Building Inspector/Zoning Enforcement Agent Francis E. White submitted and described the site plan.

Mr. Piona stated that the proposed use of the building indicated on the plan was for retail purposes, with the possibility of a second-floor residence at a later time.

Mr. White stated that a variance from the Board of Appeals would be necessary if a portion of the building were to be used as a residence.

Thomas French, Assistant to Town Counsel, stated that a corrective deed had been drawn up on October 31, 1969 to clarify and confirm the east-west boundary line between land of Mobil Oil Corporation and land of the former owner of the property known as One Union Avenue and that the perimeters shown on the site plan were correct.

After further review and discussion, it was on motion unanimously

VOTED: To approve the site plan application #76-175 of Peter Piona, Trustee, Peter-Cam Trust, One Union Avenue, Plans 1, 2, and 3, subject to a restriction of a daily sewage flow of 400 gallons, as set forth in the September 8, 1976 letter from the Director of the Board of Health, and further subject to the consolidation of the three plans referenced above into a single sheet before its return to the Board for signatures.

It was on motion unanimously

VOTED: To recess the meeting for a period of five minutes.

Town Fathers Forum --- 111th Session

A summary of the 111th session of the Town Fathers Forum is attached hereto and is a part of these minutes.


Performance Review -- Executive Secretary

It was agreed to defer the scheduled performance review of the Executive Secretary until a meeting of the full Board.

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

VOTED: To adjourn the meeting at 9:40 p.m.

Attest:



Richard E. Thompson
Executive Secretary/Clerk