

IN BOARD OF SELECTMEN
MONDAY, APRIL 10, 1978

Present: Chairman William F. Toomey and John E. Murray.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:00 P.M. by Chairman William F. Toomey.

Award Bid for Fire Alarm Cable

Present: Fire Chief Josiah F. Frost.

The Executive Secretary Richard E. Thompson reported that a communication dated March 30, 1978, had been received from Fire Chief Josiah F. Frost relative to the question of awarding a bid for Fire Alarm Cable for the Fire Department, Station #2.

Mr. Thompson stated that the bid was advertised in the South Middlesex News and that bids were opened on March 29, 1978, as per notice, and received from three organizations: 1) Prestolite Wire Division, Hudson, Massachusetts @ .727 per foot; 2) Clifford of Vermont, Bethel, Vermont @ .83 per foot; and 3) Inter-City Electric Supply Corp., Framingham, Massachusetts @ .86 per foot.

Chief Frost explained that the bids were received as a unit price to include hardware and cable for a minimum of 4,000 feet (12 pair #16 gauge Figure 8 A.T.R.C. Cable) for Fire Station #2, and recommended that the bid be awarded to Prestolite Wire Division.

Following discussion on recommendation of Fire Chief Frost it was on motion unanimously

VOTED: to award the bid for a minimum of 4,000 feet of Fire Alarm Cable to Prestolite Wire Division, Hudson, at a cost of .727 per foot in accordance with their bid dated March 21, 1978.

Employment of Juveniles with Misdemeanor Charges by the Town

Present: Fire Chief Josiah F. Frost.

Executive Secretary Richard E. Thompson explained that the consideration of employing juveniles assigned to work for the Town pursuant to Court Order or parental approval after committing a misdemeanor is a question that has previously been before the Board, but discussion of the use of such employment had been restricted to the Fire Department.

Mr. Thompson stated that Town Counsel has reviewed the matter relative to town-wide involvement and referred to his letter dated March 29, 1978. Mr. Thompson recommended, based on the facts submitted by Town Counsel, that the Board take no action at this time.

Chairman Toomey concurred with the Executive Secretary, stating that his interpretation of the Town Counsel's letter implies that there would be substantial risk to the Town in employing said juveniles.

Selectman John E. Murray stated that these juveniles would basically be working for the Town, rather than donating their time to achieve worthwhile tasks for the various Town Departments, as the program has been set up in other areas; therefore, the Town would be held liable for said juveniles.

Town Counsel stated that the Town is always liable--whether the juvenile is working for the Town or donating time to the Town. Town Counsel further stated that this can be a good program, but Town Officials should be aware of the risks involved.

Fire Chief Frost indicated that he had this program in mind for those juveniles whose cases do not enter the Courts but are settled through agreements between parents, the Juvenile Officer, and whomever else may be involved with the misdemeanor charges.

Following further discussion, it was on motion unanimously

VOTED: To accept the report from Town Counsel dated March 29, 1978, and to keep the matter under advisement.

Executive Session

At 7:10 P.M. it was on motion following a roll call unanimously

VOTED: To enter into Executive Session for the purpose of discussing a possible litigation matter where open discussion of the same may have a detrimental effect.

Chairman William F. Toomey announced that Public Session would reconvene following the Executive Session.

Receipt of Donation--Annie L. Thorp Trust

Executive Secretary Richard E. Thompson stated that on October 7, 1977, the Board had voted to accept a donation in the amount of \$5,000 received by legacy under the Annie L. Thorp Trust, that said money has now been received, and Mr. Thompson recommended that the Board acknowledge receipt of same.

It was on motion by Selectman John E. Murray unanimously

VOTED: To accept and acknowledge receipt of a donation in the amount of \$5,000 received by legacy under the Annie L. Thorp Trust, to be used to further the work of the District Nurse or other health work, in accordance with a letter dated March 22, 1978, from Philip F. Curtin, Trust Officer, State Street Bank and Trust Company.

Land Court Case No. 89162, Lot 2 Holman's Half Acres (East Street) Loretta G. O'Neil vs. Town of Sudbury et al

The Executive Secretary, Richard E. Thompson, referred to a letter dated April 4, 1978, from Town Counsel, Paul L. Kenny, and recommended the Board accept Town Counsel's recommendations, as stated in said letter, relative to taking action on the complaint of Loretta G. O'Neil vs. Town of Sudbury et al, Land Court Case No. 89162 to remove the cloud on the title to the property known as Lot #2 of Holman's Half Acres (East Street).

Following a brief discussion it was on motion unanimously

VOTED: To advise Attorney Francis J. Scannell, Attorney for Loretta G. O'Neil, relative to Land Court Case #89162 (Loretta G. O'Neil vs. Town of Sudbury et al), of the transfer of Lot 18 to Frederick J. Eisner (220 Horse Pond Road, Sudbury) through the 1977 tax possession auction by deed dated August 8, 1977, recorded with Middlesex South Registry of Deeds on August 30, 1977; and to further advise that the Town of Sudbury will neither file an appearance nor an answer to the complaint in this matter, for the reason previously stated, in accordance with the recommendations of Town Counsel as set forth in his letter dated April 4, 1978.

Minutes

It was on motion unanimously

VOTED: To accept the minutes of the regular sessions of March 28, March 29 and April 1, 1978, as drafted.

Maidstone, England Exchange Students

Following discussion, it was on motion unanimously

VOTED: To authorize the Executive Secretary to give King Philip War plaques as mementos of the Town of Sudbury to visiting students from Maidstone School for Boys, Maidstone, England, to be presented May 13, 1978, at Pierce House in Lincoln, in accordance with the request of Mrs. Phyllis Kaufman, Lincoln-Sudbury Student Exchange Committee.

Legislative Bills--Lincoln-Sudbury Regional High School

Executive Secretary Richard E. Thompson informed the Board that LSRHS Committeeman Rich Davison would like to hear comments from the Board on two proposed legislative bills filed by Representative Ann Gannett: 1) legalizing the LSRHS contingency fund; and 2) to allow to charge for student parking at the high school.

Mr. Thompson further stated that the Lincoln-Sudbury Regional High School Committee recommends support of these bills.

Selectmen Toomey and Murray concurred that before taking any action it would be necessary to have copies of the bills and comment from Town Counsel.

Landham Road

Chairman William F. Toomey read a letter dated April 6, 1978, from Harold R. Cutler requesting rapid progress on the Landham Road project.

Following discussion it was on motion unanimously

VOTED: To have the Executive Secretary acknowledge receipt of the letter dated April 6, 1978, from Harold R. Cutler, Chairman of the former Landham Road Advisory Committee.

Sudbury Nonprofit Housing Corporation--Article 39

Present: Dallas T. Hayes, Sylvia Throckmorton and Helga Andrews, Chairman, Sudbury Nonprofit Housing Corporation.

Chairman William F. Toomey acknowledged receipt of a letter dated March 28, 1978, from Helga Andrews, Chairman of Sudbury Nonprofit Housing Corporation, requesting a joint meeting with the Board of Selectmen for the purpose of furnishing the Board with any information necessary concerning Warrant Articles 39-42 to establish an Open Space Residential District for mixed-income housing in Sudbury, placing the 58-acre Piona land within that District.

Mr. Dallas T. Hayes explained the tax burden to the Town of Sudbury, stating that \$195,000 would be the total cost to the Town, less \$162,000 in tax income, resulting in \$33,000 net cost to the Town.

In answer to Selectman Murray's question, Mr. Hayes stated that the law requires 25-75% of all units to be occupied by families with moderate income or less; their plan is to have 25% of the units occupied by families of low income, 50% of moderate income, and 25% marginal income for this subsidized housing.

Mr. Hayes stated that he has not spoken to the Board of Health (in answer to Selectman Murray's question), but that the Planning Board unanimously supported Article 39, as amended and Articles 40, 41 and 42 as printed in the Warrant.

Mr. Hayes further stated that the Piona land is being proposed for rezoning, and that they have first option to purchase this land.

Selectman Toomey said that the present owners have the land zoned for business.

Town Counsel stated that there would be no problem procedurally, but that it would require a two-thirds vote to have the land rezoned as proposed at this Town Meeting.

Selectman Murray asked Mr. Hayes about restrictions on the development set by the Federal Government, since the housing would be Federally funded.

Mr. Hayes stated that under Federal regulations the Nonprofit Housing Corporation would have to comply with the regulations of the Board of Health, the Planning Board and other pertinent boards in town. Mr. Hayes further stated that the Nonprofit Housing Corporation has employed the services of an attorney who will advise and guide them, and that the Greater Boston Community Development in Boston, an organization to support Nonprofit Corporations, will advise them as developers.

Selectman Toomey asked about a screening committee of applicants in the project.

Mr. Hayes explained that there are various methods by which a Selection Committee would select applicants, but that if mortgage money is granted through the Massachusetts Housing Finance Agency, they set certain guidelines on how selections should be made.

There being no further business to come before the Board, the meeting was adjourned at 7:55 P.M.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk