

IN BOARD OF SELECTMEN  
MONDAY, MAY 21, 1979

Present: Chairman John E. Murray, Robert J. Hotch and William J. Cossart.

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

Minutes

It was on motion unanimously

VOTED: To accept the minutes of the regular and executive sessions of May 14, 1979, as amended.

Building Services Group

Chairman Murray requested that the Board members submit a list of duties or areas for the Building Services Group to perform or study in preparation of the joint meeting with the Building Services Group next week.

Middlesex County Advisory Board 1979-80 Dues

Following a brief discussion it was on motion by Selectman Hotch unanimously

VOTED: To authorize the expenditure of \$84.38 from Account 501-81, Surveys & Studies, to the Middlesex County Advisory Board for 1979-80 dues.

The Board agreed to address the placement of this expenditure in a line item other than Surveys & Studies account 501-81 when budgets are being formulated next year.

The Executive Secretary commented that the Board might begin to consider which member will be the representative to the Middlesex County Advisory Board.

Rescind Vote to Appoint Maurice J. Fitzgerald to Board of Registrars

It was on motion by Chairman Murray unanimously

VOTED: To rescind the Board's vote of May 7, 1979, appointing Maurice J. Fitzgerald to the Board of Registrars, and reconsider the same following receipt of recommendations from the Democratic Town Committee, as required by law.

Appointments

It was on motion by Chairman Murray unanimously

VOTED: To appoint F. Jacob Zagata, Wayland Building Inspector, as Deputy Building/Zoning Inspector, for a term to expire April 30, 1980.

Following a brief discussion it was on motion unanimously

VOTED: To establish a Mosquito Control Study Committee to investigate the effects of spraying insecticides for mosquito control and determine what levels of spraying,

if any, should be continued in Sudbury;

and it was further

VOTED: To appoint Karen D. Rasile, member of the Board of Health, to the Mosquito Control Study Committee on the recommendation of the Board of Health dated May 18, 1979;

and it was further

VOTED: To appoint Selectman Cossart, on behalf of the Board of Selectmen, to the Mosquito Control Study Committee;

and, later in the evening, it was further

VOTED: To appoint Joan C. Irish, member of the Conservation Commission, to the Mosquito Control Study Committee, on the recommendation of the Chairman of the Conservation Commission.

Review of Board's Policy - Issuing Temporary Alcoholic Beverages  
Serving Licenses

The Board reviewed a list of one-day licenses for the sale of All Alcoholic Beverages and Wines and Malt Beverages, issued from 1975 through 1978, and it was a consensus that the low level of issuance of these temporary licenses would not be an encroachment on the business of licensees. The Board agreed to continue as in the past to use their discretion in issuing temporary alcoholic beverages serving licenses.

Boundaries - Reeves Street and Allan Avenue

Executive Secretary Richard E. Thompson brought to the Board's attention a report from the Town Engineer dated May 10, 1979, responding to the Board's request concerning boundaries on Reeves Street and Allan Avenue in relation to an existing fence, called to the Board's attention by a petition dated May 1, 1979, from Joseph C. Peacock, 37 Allan Avenue and Peter F. Cialdea, 50 Allan Avenue,

The Board of Selectmen, as Fence Viewers, agreed to view the boundary in question on Reeves Street and Allan Avenue, as surveyed and staked out by the Town Engineer on Tuesday, May 29th, at 6:00 P.M.

Completion of the Village Green Site

Executive Secretary Richard E. Thompson stated that, as requested by the Board, Mr. Raymond A. Johnson, President of the Coolidge Bank and Trust Company, was sent another letter regarding completion of certain requirements of the Historic Districts Commission at the Village Green site and notifying him that the site plan for said property expired May 1st.

Mr. Thompson read a communication dated May 15, 1979, from Mr. Johnson responding that, although some work still remains to be completed, the Bank has made a genuine effort to complete the work in a timely manner.

The Board discussed some of the work which still remains to be done and some required repair work, following which the Executive Secretary was directed to send a copy of Mr. Johnson's letter of May 15th to the Historic Districts Commission.

Memorial Day

Following a brief discussion it was on motion unanimously

VOTED: To grant permission to Ronald J. Griffin of the American Legion for setting up a food and soft drink stand in the Town Hall parking lot and picnic area near the Loring Parsonage on Monday, May 28, 1979, following the Memorial Day Parade for the purpose of serving free hot dogs and cokes to all the children who marched in the Parade.

Chairman Murray recessed the meeting for a ten-minute coffee break at 7:20 P.M.; the meeting was called back to order at 7:30 P.M.

Appointment - Sudbury Housing Authority

Present: Dallas T. Hayes, Chairman, Albert S. Feinberg, Russell Loftus, Carl K. Witham and Dorothy Cabral, Executive Director, Sudbury Housing Authority; Theodore Athanas, Sahag R. Dakesian, Myrna Chandler Goldstein, Charlotte E. Goss, William J. Halter, James E. Huston, Nancy K. Schwartzman, Alan P. Thayer and Marjorie Wallace, applicants.

Executive Secretary Richard E. Thompson stated that, on May 10, 1979, he had addressed a letter to the Sudbury Housing Authority Chairman, Dallas T. Hayes, in response to his earlier request dated March 15, 1979, to fill the vacancy on the Sudbury Housing Authority (SHA) created by the resignation of Thomas Blanchette, confirming a meeting scheduled for this date for a joint session of the Board of Selectmen and the remaining members of the SHA for the purpose of interviewing candidates and electing a fifth member of the SHA in accordance with General Laws, Chapter 41, Section 11, as amended.

On motion by Chairman Murray, seconded by Selectman Hotch, it was on motion unanimously

VOTED: To appoint Richard E. Thompson, Executive Secretary, to serve as Clerk for the joint session of the Board of Selectmen and the Sudbury Housing Authority for the purpose of electing a new member to the Sudbury Housing Authority.

Mr. Thompson read Chapter 41, Section 11 of the General Laws, as amended.

The above-listed applicants/candidates were interviewed relative to their interest and qualifications in serving on the Sudbury Housing Authority and their intention as to whether each would run at the next Annual Election and his availability to serve for an additional five years if elected at that time.

Following the interviews, Chairman Dallas T. Hayes nominated Nancy K. Schwartzman, and Mr. Russell Loftus seconded the nomination.

Selectman Cossart nominated William J. Halter, and Selectman Murray seconded the nomination.

Mr. Albert S. Feinberg nominated Myrna Chandler Goldstein, and Mr. Hayes seconded the nomination.

Selectman Hotch nominated Charlotte E. Goss, and the nomination was seconded by Selectman Murray.

Chairman Murray asked for other nominations and, there being none, he announced that nominations had closed and requested the Clerk to proceed with the roll call vote.

Mr. Thompson read the roll call alphabetically, and the following votes were cast:

William Cossart voted for William Halter.  
Albert Feinberg voted for Myrna Goldstein.  
Dallas Hayes voted for Myrna Goldstein.  
Robert Hotch voted for Charlotte Goss.  
Russell Loftus voted for Myrna Goldstein.  
John Murray voted for Charlotte Goss.  
Carl Witham voted for Charlotte Goss.

At the completion of the roll call vote, the Clerk declared that there was no election since both Myrna Goldstein and Charlotte Goss received three votes.

Chairman Murray stated that he would accept nominations again, and they were received as follows:

Selectman Cossart nominated Charlotte Goss, and Selectman Murray seconded the nomination.

Mr. Loftus nominated Myrna Goldstein, and Mr. Feinberg seconded the nomination.

Chairman Murray asked for other nominations and, there being none, he announced that nominations had closed and requested the Clerk to proceed with the roll call vote.

Selectman Cossart voted for Charlotte Goss.  
Mr. Feinberg voted for Myrna Goldstein.  
Mr. Hayes voted for Myrna Goldstein.  
Selectman Hotch voted for Charlotte Goss.  
Mr. Loftus voted for Myrna Goldstein.  
Selectman Murray voted for Charlotte Goss.  
Mr. Witham voted for Charlotte Goss.

At the completion of the roll call vote, the Clerk declared that Charlotte Goss, having received the majority vote of the officers present and entitled to vote, was elected to fill the vacancy on the Sudbury Housing Authority occasioned by the

resignation of Thomas Blanchette, until the next Annual Election, in accordance with Chapter 41, Section 11 of General Laws, as amended.

Chairman Murray adjourned the joint session and thanked the members of the SHA and the applicants for their interest and attendance tonight.

Chairman Murray recessed the meeting for a ten-minute coffee break at 8:20 P.M.; the meeting was called back to order at 8:30 P.M.

Weekday Entertainment License - Ephraim's of Sudbury

The Executive Secretary read a communication dated May 17, 1979, from Donald Wagoner of Ephraim's of Sudbury, requesting the Board to reconsider the weekday entertainment license recently issued to Ephraim's limiting weekday entertainment to one live entertainer, due to certain difficulties expressed by Mr. Wagoner in obtaining a "single" quality entertainer.

Chairman Murray stated his willingness to consider an amendment to the above-mentioned license, since a license is a privilege, one which Mr. Wagoner has not abused, and is a legitimate request since the Board has granted this privilege to other establishments.

Both Selectmen Hotch and Cossart, however, agreed that their views had not changed since Mr. Wagoner was last in to discuss his entertainment license on April 30, 1979. Both Selectmen Cossart and Hotch expressed their view that Ephraim's Restaurant should demonstrate an ability to carry on a successful operation, for a period of time, before approval is granted to extend its entertainment license; likewise, the privilege of an entertainment license granted to establishments along Route 20 cannot be rationalized on the same basis as a license to be exercised in an historic area or the Town Centre.

After further discussion, it was on motion by Selectman Cossart

VOTED: To deny a request dated May 17, 1979, from Donald Wagoner of Ephraim's of Sudbury to amend his Weekday Entertainment License. (Chairman Murray opposed; Selectmen Hotch and Cossart in favor.)

Current Items of Interest

LSRHS Student Senate - Sudbury Schools Budget Cut

In conjunction with a letter dated May 1, 1979, received on May 14, 1979, from the Student Senate at the Lincoln-Sudbury Regional High School expressing their belief that the budget cuts at the 1979 Annual Town Meeting in the Sudbury schools should be reconsidered, the Board directed the Executive Secretary to draft a letter for the Board's signature to be sent to the Student Senate explaining how the budget cut was made and inviting them to attend a Selectmen's meeting to discuss the same, if they so desire, and thank them for their interest and concern on the subject.

Landham Road

Selectman Cossart questioned the status of the petition filed by Eric Johnson with the State Department of Environmental Quality Engineering (DEQE) challenging

the Sudbury Conservation Commission's Wetlands Protection Act Order and whether or not Mr. Johnson had filed justifications for the challenge as required. The Executive Secretary responded that to his knowledge Mr. Johnson had not filed the justifications, but that the Selectmen's office was keeping in contact with the DEQE on a daily basis. It was noted by Conservation Commission Chairman Lynne Remington that Mr. Johnson had until approximately May 24th to reply.

#### Monthly Budget Statement

Selectman Cossart raised questions concerning the presentation of the monthly budget statements, prepared by the Town Accountant's office, questioning its usefulness and suggested that the Town Accountant might meet with the Board on a monthly basis to give them a clearer picture of the status of appropriations and special article accounts. Selectman Hotch replied that he believes that the monthly reports were first instigated for the benefit of the Finance Committee, and it was his opinion that they were very useful. The Executive Secretary stated that he would discuss the same with Mr. Wilson upon his return from Military Duty.

#### General Meeting with Board of Assessors

Present: Frank H. Grinnell, Chairman, William R. Duckett and David G. Hubbard, Board of Assessors.

Chairman Murray welcomed the members of the Board of Assessors for a general meeting to discuss the revaluation plan.

Mr. Grinnell reported that a contract, approved by Town Counsel, had been signed with McGee and Magane, Inc., 201 Lowell Street, Wilmington, in the amount of \$72,000 to update property values in the Town of Sudbury, which will begin in approximately thirty days.

Mr. Grinnell responded to questions and gave information as follows:

1) A public press release will be printed in The South Middlesex News, Town Crier and Bentley's Calendar explaining the upcoming revaluation program. 2) All property owners will receive return postcards requiring certain data to be furnished to the Board of Assessors. 3) Possible 1600 homes will be completely inspected inside and out by the consulting firm and those property owners will be informed of such inspection. All other properties will be inspected but only on a visual basis on the outside. 4) All consulting personnel will have proper identification and will be registered with the Police Department.

In response to a question from the Board for clarification of the public, Mr. Grinnell stated that a total of \$86,000 had been appropriated for the revaluation program, \$6,000 by the 1975 Annual Town Meeting, \$40,000 by the 1978 Annual Town Meeting and \$40,000 by the 1979 Annual Town Meeting of which \$5,000 was designated to be for the Assessor working with the revaluation firm.

On the subject of the tax rate, in reply to a question by the Board, Mr. Grinnell responded that he could not predict when they might be setting the tax rate, because no Cherry Sheets have been received from the State and, in addition, approximately fifty properties existing as of January 1, 1979, must be added to the tax rolls.

At the conclusion of Mr. Grinnell's explanation, Chairman Murray thanked the Assessors for attending tonight.

#### Parkinson Land

Present: Lynne H. Remington, Chairman, Rebecca H. Ritchie, Judith A. Cope, Joan C. Irish and David F. Grunebaum, Conservation Commission; John C. Cutting, Sudbury Nurseries, Inc.

Relative to the use of the Parkinson Land, Chairman Murray asked Mr. Cutting if he had given any more thought to the use of the Parkinson Land for his own purposes on a rental basis.

Mr. Cutting indicated that he no longer has an interest for use of the land for tree planting as originally explained in his letter to the Board of Selectmen on June 3, 1977. Mr. Cutting suggested, however, that the Town protect its investment in the property by at least doing some mowing there.

In answer to Selectman Murray, Mr. Cutting agreed with the possibility of the Town using the land as a turf farm and suggested the back section of field since it is closest to the water source, stating also that this section is very suitable for growing trees.

The Executive Secretary called to the attention of the Board the fact that there is a dirt trail in the back section, and it might become necessary to fence in the area to be used (for whatever purpose), and this might be costly.

Selectman Cossart suggested that the Tree Warden be consulted for his opinion as to the use of the Parkinson Land for a Town tree farm.

The Conservation Commission jointly agreed that their position has not changed since the former Chairman's letter of June 17, 1977, to the Board of Selectmen; mainly that the Parkinson Land would be a valuable addition to the Minebrook Marsh Conservation Reservation and that the parcel should be under the jurisdiction of the Sudbury Conservation Commission for that reason.

Selectman Cossart reminded the Board that, at one time, there was an abutter interested in purchasing the Parkinson Land, and on his recommendation, the Board directed the Executive Secretary to inquire of the abutter's current interest, as well as the Tree Warden and the Park and Recreation Commission, as soon as possible, for a consensus on the use of the land.

Chairman Murray thanked everyone for attending tonight's meeting.

#### Drainage Easement

It was on motion unanimously

VOTED: To accept a drainage easement from Roger E. and Janet H. Cutler on the Westerly side of Landham Road as shown on a plan entitled "Plan of Land in Sudbury, Massachusetts showing Drainage Easement Landham Road," dated January 26, 1977.

Audit Selection and Review Committee

The Executive Secretary informed the Board that the office notified all persons recommended by the Board to serve on the Audit Selection and Review Committee, and that each one had expressed a willingness to serve on the Committee. Mr. Thompson recommended that the appointment be on the agenda for next week's meeting on May 29th. The Board concurred.

There being no further business to come before the Board, the meeting was adjourned at 9:20 P.M.

Attest: \_\_\_\_\_

Richard E. Thompson  
Executive Secretary-Clerk