

IN BOARD OF SELECTMEN
MONDAY, JUNE 30, 1980

Present: Chairman John E. Murray, Anne W. Donald 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.

Site Plan Application #80-215 - Robert Devlin, 65 Union Avenue

Present: Robert Devlin, applicant and Clement L. McIvire, both of Methods, Inc.; and Joseph E. Scammon, Building Inspector.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered Site Plan application #80-215 of Robert Devlin of Methods, Inc., for property located at 65 Union Avenue, for the purpose of increasing the size of the garage area.

Executive Secretary Richard E. Thompson reported that all appropriate abutters and Town officials had been notified and that the following communications had been received relative to the same:

- from the Building Inspector dated May 28, 1980, recommending approval;
- from the Board of Health dated June 15, 1980, recommending approval;
- from the Planning Board dated June 19, 1980, questioning the rear building line set-back from the Penn Central railroad tracks;
- from the Conservation Commission dated June 25, 1980, recommending approval; and
- from the Sign Review Board dated June 18, 1980, with no recommendations at this time, but questioning the installation of a sign at Methods, Inc., some time ago.

There was some discussion relative to the concerns expressed by the Planning Board in the above-mentioned communication, following which all parties concurred with the Building Inspector's determination that the Penn Central Railroad tracks running along the rear of the building would constitute a siding, and, therefore, the building rear-line set-back qualifies for the exemption specified in the Town bylaws.

The Building Inspector showed the plan of the property, which was viewed by the Selectmen.

Following a brief discussion, it was on motion by Selectman Cossart unanimously

VOTED: To approve Site Plan application #80-215 of Robert Devlin of Methods, Inc., for property located at 65 Union Avenue, for expansion of the garage area, as shown on a plan entitled "Second Story Addition for Methods, Incorporated, Sudbury, Massachusetts." dated February 12, 1980, as revised May 20, 1980.

Energy Technical Assistance Audit Application

Executive Secretary Richard E. Thompson stated that he had a copy available for the Board of the Energy Technical Assistance Audit grant application, prepared by Jay Silverston and Associates, Inc., in conjunction with the Permanent Building Committee, which was filed with the Massachusetts Office of Energy Resources on June 27, 1980.

It was on motion by Selectman Donald unanimously

VOTED: To confirm the Board's telephone vote of June 25 to authorize the Executive Secretary to file an Energy Technical Assistance Audit grant application with the Massachusetts Office of Energy Resources, and to sign and execute all contracts and documents related thereto.

Parking Fines

Pursuant to Article 10, approved by the June 24, 1980, Special Town Meeting, the Board considered the establishment of a schedule of parking fines.

On the recommendation of Selectman Cossart, it was on motion unanimously

VOTED: To establish a schedule of fines for parking violations, as follows:

- \$10 Restricted Place or Prohibited Area
 Parking within 10 feet of Hydrant
 Obstructing a Driveway
 Within 20 feet of an Intersecting Way
 Snow Removal
 Fire Lanes

- \$ 5 Overtime Parking
 Over 1 foot from Curb
 Wrong Direction
 Obstructing a Crosswalk
 Obstructing a Sidewalk
 All Night Parking
 Parking within a Bus Stop
 Double Parking

Utility Petition #80-10 - Powder Mill Road

Present: Edward Kelly, Boston Edison Company.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered UP#80-10, Powder Mill Road, of the Boston Edison Company, for permission to erect or construct, and a location for, guy wire and anchor in the following public way of the Town:

Powder Mill Road, easterly side, approximately 645 feet north of Powers Road, One (1) Guy Wire and Anchor.

Executive Secretary Richard E. Thompson reported that all appropriate Town officials and abutters had been notified, and noted receipt of the following communications:

- from the Wiring Inspector, dated June 26, 1980, and from the Building Inspector, dated June 27, 1980, both recommending approval.

Mr. Kelly showed the sketch/plan of the utility petition to the Selectmen, at the request of Selectman Cossart, and stated that the purpose of the petition is to replace a pole and attach an anchor guy wire to the new pole.

Following a brief discussion, it was on motion by Selectman Cossart unanimously

VOTED: To approve Utility Petition #80-10, Powder Mill Road, as described above, and as shown on a plan entitled, "Plan of Powder Mill Road, Sudbury, Showing proposed location, guy wire and anchor", dated May 5, 1980.

Bid for Repairing/Painting Flynn Building

Present: Building Inspector Joseph E. Scammon.

The Board was in receipt of a communication dated June 27, 1980, from the Building Inspector regarding the two bids received, with two options in each case, from H.M.Horton Company of Walpole and from Michael H. Orlando, Inc. of Framingham, in accordance with the invitation to bid dated June 16, 1980, for exterior work of the Alan F. Flynn Building.

Mr. Scammon explained that the two options related to specifications for the gutters either to be repaired/replaced, or to be removed permanently. Mr. Scammon told the Selectmen that, in his opinion, the gutters do not need to be replaced - there would be no damage to the building if they were not, and there would be no inconvenience relative to run-off.

Executive Secretary Richard E. Thompson stated that references had been checked on the low bidder - H.M.Horton Company - and that it appears that it is a reliable construction firm.

Following discussion, it was on motion by Selectman Donald unanimously

VOTED: To award a contract for exterior work of the Alan F. Flynn Building to H.M.Horton Company, 28 Gould Street, Walpole, in the amount of \$10,900 for Option 2 of the bid dated June 27, 1980, in accordance with Town of Sudbury Specifications, Flynn Building Repairs and Painting, dated June 13, 1980; subject to approval by the Finance Committee of a transfer from the Reserve Fund.

It was further unanimously

VOTED: To approve Request for Transfer No. 0875 from the Reserve Fund, dated June 30, 1980, to Town Buildings Maintenance Account #340-32, in the amount of \$1,900 to be added to the \$9,000 budgeted for the Flynn Building painting/repair under this line item.

Chairman Murray recessed the meeting at 7:25 p.m. for a coffee break; the meeting was called back to order at 7:30 p.m.

Joint Meeting - Historical Commission

Present: Chairman John C. Powers, Winifred C. Fitzgerald, Emmalou Eaton, Royce C. Kahler and Richard C. Hill, Historical Commission.

In keeping with the Selectmen's policy to meet annually with each board and committee and department head, in order to be updated on activities and to discuss mutual concerns, Chairman Murray welcomed the members of the Historical Commission.

Chairman John C. Powers stated that the Historic Structures Report and Feasibility Study had been completed for the Hosmer House. Mr. Powers stated the Committee's intention to have a copy placed in the Goodnow Library for the public.

Chairman Powers stated that the Historical Commission would like to form a committee to begin working on a "Hosmer Festival", beginning during the month of October, since the 20th of October would mark the 100th birthday of the late Florence Hosmer. Mr. Powers explained that this Hosmer Festival would be a month's fund drive, perhaps beginning with a dance in the lower Town Hall, all proceeds to be applied to the Hosmer House fund for restoration of the property.

Mr. Powers encouraged support and ideas from the Selectmen, local civic groups, such as the Arts Council and various women's clubs, and from anyone interested in having fun with the idea of the Hosmer Festival. Private donations are also encouraged. Mr. Powers stated that it may be possible to receive matching funds from the Federal government for restoration of the Hosmer House. Generally speaking, Mr. Powers stated, the Historical Commission is looking for approximately \$32,000 from public subscription for the restoration of the property.

Mr. Powers stated that the Commission intends to prepare a certain number of rooms for viewing by various civic groups in order to make known the need for restoration and repairs at the Hosmer House. Mrs. Emmalou Eaton stated this activity would be part of the Hosmer Festival.

Responding to Chairman Murray, Mr. Powers stated that the Committee has not reached a decision on options proposed in the Hosmer House Report. However, the Committee will not reach any specific decisions until they know how much money they will have to work with. Mr. Powers responded to the Executive Secretary that the House lends itself to many options at this point. Also, the more practical problems, such as the furnace and rezoned heating, will be some of the first concerns of the Commission, and these can be done without affecting the report/plan.

Committee member Richard C. Hill stated that it will be a long time before all the rooms will be available for touring, but first of all, the building must be secured.

Mr. Royce C. Kahler expressed enthusiasm over the fund drive and suggested a flea market, set up similar to the Arts Festival in the lower Town Hall, where people can contribute old paintings, frames, etc., with all proceeds to go toward the Hosmer fund.

Mr. Powers pointed out a substantial private donation would enable the Historical Commission to prepare for viewing some of the paintings of the late Florence Hosmer. The cost is approximately \$160 each for restoration.

At the conclusion of discussion, Chairman Murray thanked the Historical Commission for attending this evening.

Longfellow Glen

The Board was in receipt of a sample draft comprehensive permit for the Longfellow Glen project, prepared by McNeil & Associates, forwarded to the Selectmen under cover letter dated June 24, 1980, from the Board of Appeals.

Executive Secretary Richard E. Thompson recommended that the Board direct him to inform the Board of Appeals of the essence of the Board's previous communication of June 3, 1980, on this subject, and recommended that the Board not address the comprehensive permit per se, prepared by McNeil, since the Board had previously stated its position. It was noted that several of the Board's concerns, previously made known to McNeil and the Board of Appeals through public meetings and communications, had not been addressed in the above-mentioned draft comprehensive permit.

Selectman Cossart expressed concern that the Board respond in writing especially because the Selectmen's concerns, as Mr. Thompson stated above, have not been addressed - the draft comprehensive permit could have been prepared months ago! Selectmen Murray and Donald concurred. Selectman Donald pointed out that McNeil appears very responsive and agreeable, but does not follow through addressing total concerns, as has already been pointed out.

Selectman Cossart pointed out several inadequacies as far as addressing the basic issues - the most important issues - brought up at the hearings and other public meetings relative to the Longfellow Glen project, at which McNeil representatives were present, within the draft comprehensive permit.

After further discussion, the Board directed the Executive Secretary to prepare for its approval and signature a letter to be sent to the Board of Appeals specifying especially:

- 1) The three sections of the comprehensive permit - Pre-construction Conditions, During Construction, Operational Phase - appear to be boiler plate in nature and the specifics stated under each section do not satisfy all our concerns as stated in the Board's letter of June 3, 1980, to the Board of Appeals. Also, it does not address some of the valid concerns raised by others at the hearings.
- 2) Another concern, if the Board of Appeals is to use this document, is that the wording of certain sections should be specific when it references or mentions obtaining local governmental agency approvals. Also, of concern is that traditional pre-construction participation of local boards and commissions will not take place. The Board believes it is imperative that it does take place.

Renewal of Taxi Business/Limousine Licenses

Following discussion it was on motion by Selectman Cossart unanimously

VOTED: To renew the taxi and limousine service license for Sudbury Gulf Corporation Livery and Limousine Service, Edmund Brown, President, d/b/a AAA Limousine Service, Sudbury, Ma., 10776, and approve the rates of \$1.45 first mile, \$.95 each mile thereafter, \$25 one way to Logan Airport; Limousine: \$65 minimum - \$22 driving time - \$10/hr. waiting time, as quoted in his application dated June 16, 1980.

And it was further

VOTED: To renew the taxi and limousine service license for Lincoln Town Cab, Carmine J. Spiro, President, and approve the rates of \$1.30 per mile, \$3.50 minimum, \$23 to Logan Airport plus tolls, in accordance with his application dated June 8, 1980.

The above licenses are granted and accepted upon the express condition that the licensees shall, in all respects, conform to all of the rules and regulations as made by the licensing authorities under the provisions of Chapter 40, section 22 of the General Laws, as amended, and shall expire June 30, 1981, unless earlier suspended, cancelled, or revoked. Approval is also subject to the Board's notification by the licensees of all changes in driver personnel, with character verification for the individual drivers to be determined by the Police Chief.

Executive Secretary Richard E. Thompson stated that he had spoken to Police Chief Nicholas Lombardi, who informed him that Lincoln Town Cab has had its drivers licensed and that the Police Chief will be calling Sudbury Gulf to arrange for the licensing of their drivers.

Lease Agreement and Memorandum of Understanding for Dog Pound

Executive Secretary Richard E. Thompson referenced a communication dated June 19, 1980, from Assistant Town Counsel Thomas M. French enclosing a redraft of the proposed dog pound lease for the use of property at 56 Dakin Road, owned by Betsy M. DeWallace as a dog pound by the Town of Sudbury and also a Memorandum of Understanding between the Board of Selectmen and Betsy M. DeWallace concerning the salary, expenses, and reimbursements to the Dog Officer.

Selectman Cossart stated that there is a possibility the Board of Assessors will consider abatement of the entire tax bill on the above-mentioned leased property, as it will be considered a municipal building while being used as the Town Dog Pound.

Responding to Selectman Cossart, Assistant Town Counsel stated that Mrs. DeWallace preferred a short-term lease, and that was the reason for reducing it from five to three years.

Chairman Murray stated that any endorsement on his part of the lease and agreement is conditioned with the understanding that no transfer or additional Town funds will be necessary to effectuate the lease and agreement.

On page 2, paragraph #4 of the draft lease, Assistant Town Counsel responded that there was an error, as noted by Selectman Cossart, and that the figure "\$2.50" per day per dog should be reduced to "\$.50".

After concern was expressed by Selectman Donald regarding insurance coverage, the Board directed the Executive Secretary to fill in the amount of insurance on the lease, on page 3, paragraph #9 before the lease is executed. Mr. Thompson stated that he would confirm that figure with Town Accountant John H. Wilson.

The Board approved the draft of the lease and the memorandum of understanding, as corrected, and directed the Executive Secretary to forward the documents to

Mrs. DeWallace for final approval. Selectman Cossart agreed to continue negotiations with the DeWallaces to finalize the same.

Transfer Requests

#0873 for Account 503-21, Law, General Expense

It was on motion by Chairman Murray unanimously

VOTED: To discuss Request for Transfer #0873 from the Reserve Fund dated June 30, 1980, for Account 503-21, Law, General Expense, in the amount of \$3,875 later this evening during Executive Session.

#0874 for Account 950-99, Unclassified - Telephone

It was on motion by Selectman Donald unanimously

VOTED: To approve Request for Transfer #0874 from the Reserve Fund, dated June 30, 1980, for Account 950-99, Unclassified - Telephone, in the amount of \$1,535.97, due to increased telephone rates.

Joint Meeting with Veterans' Agent and Veterans Advisory Committee

Present: Chairman William A. Burns, Cletus A. Terwiske, Thomas F. McDonough, and Veterans' Agent & Director of Veterans Services Col. Paul J. Leahy, all of the Veterans Advisory Committee.

In keeping with the Selectmen's policy to meet annually with each board and committee and department head, in order to be updated on activities and to discuss mutual concerns, Chairman Murray welcomed the members of the Veterans Advisory Committee and the Veterans' Agent.

Veterans' Agent & Director of Veterans Services, Col. Paul J. Leahy, explained some of the areas in which he had formerly assisted Frank H. Grinnell, former Veterans' Agent, with veterans' and elderly affairs, and that through this association is able to continue with familiarity in these affairs.

Col. Leahy mentioned the possibility of pursuing obtaining and placement of a plaque honoring Vietnam and Korean Wars Veterans near the World War II monument and suggested it be placed 15-18' in front of the same.

Col. Leahy credited Mrs. Frank Grinnell for her assistance with the Betsy Ross flags on April 19th (Patriot's Day) and the placement of flags on veterans' graves during the May 30th Memorial Day festivities.

Col. Leahy talked about the recent death of a Sudbury veteran at the Tufts New England Medical Center. Some discussion followed regarding medical insurance coverage for assisted veterans, and the Selectmen agreed that the Insurance Advisory Committee should be contacted to advise the Veterans Advisory Committee on any necessary budget revisions which might include an additional appropriation for more medical insurance for veterans.

There being no further discussion, Chairman Murray thanked Col. Leahy and members of the Veterans Advisory Committee for attending tonight.

Chairman Murray recessed the meeting at 8:55 p.m. for a coffee break; the meeting was called back to order at 9:00 p.m.

Common Victualler License - Something Simple, 385 Boston Post Road

Present: Tracey Lee Harrington and Deborah Ann Getrost, Applicants, d/b/a Something Simple, 385 Boston Post Road.

Chairman Murray announced a public hearing for consideration of an application for a Common Victualler License requested by Tracey Lee Harrington and Deborah Ann Getrost, partners, d/b/a Something Simple, to be exercised at 385 Boston Post Road, Building G, Store 2, Mill Village.

Mr. Thompson noted receipt of the following communications:

- from the Building Inspector, dated June 30, 1980, recommending approval; and
- from the Board of Health, dated June 26, 1980, recommending conditional approval.

Chairman Murray commented on the additional seating for Something Simple. The applicants responded that the Board of Health, on the recommendation of their Engineer, Bruce Ey, approved an additional seating capacity.

Selectman Cossart commented on the Board of Health's restriction that no dishwasher be used on the premises. The applicants stated that they have been allowed 150 gallons of water a day and that they will use a double-pot sink for hand washing cooking utensils - all other utensils and dishes will be disposable.

Responding to Selectman Cossart, the applicants stated that there will be take-out service.

Responding to Chairman Murray, the applicants stated that they are obligated by agreement with the landlord to remove rubbish daily from the premises - they are not allowed to use the dumpster provided for the other Mill Village occupants. Due to the closing of the Sudbury Landfill on Mondays, the Selectmen suggested that Monday's rubbish be held over until Tuesday.

Hours for Something Simple will be Monday through Thursday, 10:00 a.m. to 6:00 p.m. and Friday and Saturday, 10:00 a.m. to 9:00 p.m. The applicants stated that they would like to remain open longer during the Christmas season. The Selectmen requested that they apply through the Selectmen's office if they wish to extend their hours during that time.

Following further discussion it was on motion by Selectman Cossart unanimously

VOTED: To approve a Common Victualler license application requested by Tracey Lee Harrington and Deborah Ann Getrost, partners, d/b/a Something Simple, to be exercised at 385 Boston Post Road, Building G, Store 2, Mill Village, during the following hours: Monday through Thursday, 10:00 a.m. to 6:00 p.m. and Friday through Saturday 10:00 a.m. to 9:00 p.m., subject to the conditions set forth in the Board of Health's communication of June 26, 1980.

The applicants responded to the Selectmen that they plan to open by July 14, 1980.

Joint Meeting Industrial Development Commission

Present: Chairman Leon Zola and F. Crawford Reed, Industrial Development Commission.

Chairman Zola commended newest member Crawford Reed for his expertise in handling matters for the Industrial Development Commission. Mr. Zola stated that the goal of the Commission is to encourage the orderly development of industry. Mr. Zola talked about some of the new and local industry's expansions, stating that 1.1 million dollars had been added to our tax dollars last year through these industrial developments.

Executive Secretary Richard E. Thompson reported that Mr. Joseph E. Brown would have been present tonight but is ill.

The Selectmen asked for recommendations to fill the vacancies on the Commission, as soon as possible.

Chairman Murray suggested that the Industrial Development Commission meet with the Town Engineer, the Conservation Commission and the Board of Health to discuss the Industrial Parks.

Mr. Thompson stated that he would work on reactivating, on a more modest level, the meeting of Town Boards and local industries after the summer, following discussion on the subject.

Following discussion, Chairman Murray thanked the members of the Commission for attending tonight.

Walkway Easement - 275 Morse Road

Executive Secretary Richard E. Thompson referenced a communication dated June 25, 1980, from the Highway Department relative to a walkway easement for Benjamin A. and Sara C. Bonnett of 275 Morse Road. Said communication stated that this easement was previously granted to the Town by S. F. Doyle & Company, Inc., but not recorded, because the Certificate of Title was never submitted.

Following a review of the plan and discussing where the easement is located, it was on motion by Selectman Cossart unanimously

VOTED: To sign and accept, on behalf of the Town, a walkway easement from Benjamin A. and Sara C. Bonnett, 275 Morse Road, dated June 24, 1980, as shown on a plan entitled, "Plan of Land in Sudbury, Massachusetts Showing Walkway Easement Morse Road", dated August 23, 1978.

Pie Sale During Fourth of July Festivities

It was on motion by Selectman Donald unanimously

VOTED: To grant permission to the Sudbury Woman's Club to hold their Annual Pie Sale on the Town Green on July 4, 1980, in accordance with their request dated June 26, 1980.

Appointments

Following discussion, it was on motion unanimously

VOTED: To make the following re-appointments:

- David F. Grunebaum to the Conservation Commission for a term to expire April 30, 1983;
- Joseph E. Brown to the Industrial Development Commission for a term to expire April 30, 1985;
- James A. Pitts and Frederick P. Armstrong III to the Long Range Capital Expenditures Committee, both for terms to expire April 30, 1983.

The Board directed the Executive Secretary to forward applications to three people who have been recommended to serve on the Conservation Commission. Selectman Cossart stated that applicants to the Conservation Commission should be made aware of the commitment to the position, as recommended by the Chairman, Judy Cope. The Executive Secretary was also requested to prepare lists of people for the Board's review from the Talent Search List for possible appointment to the Conservation Commission. Chairman Murray stressed the importance of having a balanced committee.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of June 23, 1980, deleting the section on page 11 dealing with the closing out of special article accounts, until such time as the Board has been updated on the subject; and to approve the minutes of the Regular Session of June 24, 1980, as drafted.

Current Items of Interest

State Signs Installed on Route 20, Sudbury

Selectman Cossart called the Board's attention to a communication dated June 26, 1980, from Police Chief Nicholas Lombardi relative to the placement of certain signs on Route 20 by the State on his recommendation; this letter was precipitated by reference in June 9 minutes of the Board of Selectmen relative to a complaint from a Sudbury resident relative to the abundance of State signs on a short distance of Route 20. Selectman Cossart stated that, after checking this part of Route 20, his opinion now is that most of the signs appear appropriate.

Cherry Sheet

Responding to Selectman Donald, the Executive Secretary briefly reviewed figures he had obtained from the Cherry Sheet and stated that he would be getting a complete package out to the Board on the same.

Temporary Certificate of Occupancy - 109 Prides Crossing Road

The Executive Secretary reported that a temporary Certificate of Occupancy had been issued on June 27, 1980, for property located at 109 Prides Crossing Road.

Plantings/Landscaping Around Police Station Addition

The Executive Secretary reported that Mr. Gordon P. DeWolf, Jr., of the Permanent Landscape Committee has been in touch with the Police Chief regarding plantings/landscaping in conjunction with the construction of the Police Station addition.

Hours of Sanitary Landfill and Highway Department for Summer

The Executive Secretary requested, on behalf of the Highway Surveyor, that the Board approve summer hours at the Sanitary Landfill for the Highway Department - 7:00 a.m. - 3:30 p.m. Tuesday through Friday, and 7:00 a.m. - 4:00 p.m. on Saturdays - until Labor Day. In conjunction with this request, the Board directed the Executive Secretary to confirm the hours of the Wayland Landfill and request Highway Surveyor Robert A. Noyes to coordinate the opening hour of the Sudbury Landfill with Wayland and keep the Sudbury Landfill open until 4:00 p.m. regardless of the Highway Department's summer hours.

Restitution Program

Chairman Murray stated to Chief Frost that he would like to meet with him and discuss and/or set up some guidelines relative to compiling a list of jobs for the juvenile restitution program.

Executive Session

It was on motion at 10:15 p.m. by roll call unanimously

VOTED: To enter into Executive Session for the purpose of discussing strategy for collective bargaining or litigation where open discussion of the same may have a detrimental effect.

(Chairman Murray, in favor; Selectman Donald, in favor; Selectman Cossart, in favor.)

Chairman Murray announced that public session would not reconvene following the Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 11:20 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk