

IN BOARD OF SELECTMEN
MONDAY, JUNE 8, 1981

Present: Chairman Anne W. Donald, William J. Cossart, and John E. Murray.

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

Utility Petition 81-8 - Haynes Road

Present: Carole Clinton, Boston Edison.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered Utility Petition 81-8 of Boston Edison Company and New England Telephone and Telegraph Company for permission to erect or construct hip guys and anchors to be used in common by them, upon, along, and across the following way of the Town:

Haynes Road, westerly side, approximately 190 feet north of Hadley Road,
One (1) hip guy and anchor;

Haynes Road, easterly side, approximately 50 feet south of Dunster Road,
One (1) hip guy and anchor.

Executive Secretary Richard E. Thompson reported that all appropriate Town officials and abutters had been notified and that a favorable report had been received from the Wiring and Building Inspectors, dated June 3, 1981.

It was on motion by Selectman Murray unanimously

VOTED: To approve Utility Petition 81-8, as described above, and as shown on a plan entitled "Plan of Haynes Road, Sudbury, Showing proposed hip/guy location", dated November 6, 1980.

Utility Offsets - Sudbury Schools Budget

The Board was in receipt of a memorandum from the Sudbury School Department detailing utility offsets which may be subtracted from the Sudbury Schools budget for the Fairbank and Loring Schools and the South Annex if these buildings are transferred to the Board of Selectmen. The total amount shown is \$28,984, which Executive Secretary Richard E. Thompson indicated must be subtracted from the 1981-82 School Budget.

Selectman Murray stated his opinion that these figures should not be accepted, one reason being that the Lincoln-Sudbury Regional School District Committee (LSRSDC) and the Sudbury School Committee have not negotiated a lease/contract for the use of the Fairbank School for the school year 1981-82 due to an unsatisfactory arrangement of finances between the two School Committees this past school year.

Mr. Thompson commented that the Board had approved on May 18, 1981, a lease which had been submitted to the Board under the date of May 12, 1981, subject to execution by the LSRSDC, in its present form, and that it was his understanding that there would be some changes made to the lease by the LSRSDC.

Selectman Cossart expressed his opinion that the zero amounts shown on the memorandum were not realistic.

Selectman Murray stated his opinion that, if these figures are accepted, it will definitely mean transfers will be required later in the year. Mr. Thompson commented that in some areas the past year's utility costs do not approach the figures noted, and that the Sudbury School Committee may not have taken into consideration the energy conservation measures which have been implemented.

At the conclusion of discussion, the Board directed the Executive Secretary to review these figures with the appropriate Town officials and report back to the Board.

Leasing Equipment

The Board acknowledged receipt of a report from the Town Accountant, dated June 1, 1981, concerning possible benefits of leasing equipment and directed the Executive Secretary to schedule a meeting for discussion of the same with the Town Accountant following Town Meeting.

Special Permit - Trailers at Wayside Inn

Based on communications dated June 8, 1981, from Francis Koppeis, Innkeeper of Longfellow's Wayside Inn and the Board of Health Director, it was on motion by Chairman Donald unanimously

VOTED: To grant a Special Permit to Francis J. Koppeis, Manager, Wayside Inn Corporation, for the parking of 18-23 trailers in the East Field of the Wayside Inn on October 16, 17 and 18 for the purpose of a private Airstream trailer rally to be conducted by Rally Chairman John C. L. Shabeck, Jr., of the Wally Byam Caravan Club International, Inc., requested by Mr. Shabeck in a communication dated May 30, 1981, subject to Board of Health approval of the facilities on-site and issuance of a building permit by the Building Inspector for a 20' X 20' tent, and notification to the Police and Fire Departments.

Resolution - Eagle Scout Christopher Wallingford

It was on motion by Chairman Donald unanimously

VOTED: To sign a resolution in honor of Christopher Wallingford on the occasion of his attaining the rank of Eagle Scout in the Boy Scouts of America.

Goodnow Library Accounts

Present: George D. Max, Goodnow Library Trustees; and Chester Hamilton, Town Treasurer.

Upon receipt of clarification from the Town Accountant relative to the status of the Goodnow Library accounts and to the legalities of creating a new policy by which certain funds can be expended yearly from the Goodnow Library Trust Funds Income Account, as requested by the Board at its June 1, 1981, meeting, and following discussion, it was on motion by Selectman Murray unanimously

VOTED: To approve, as co-trustees of Town donations under the provisions of Chapter 180 of the Acts of 1911, the transfer of \$10,000 from the Goodnow Library Trust Funds Income Account to the Goodnow Library Invested Income Account, as requested in a communication dated May 5, 1981, from the Goodnow Library Trustees, and with the verbal concurrence of the Town Treasurer.

On the recommendation of Mr. George Max of the Goodnow Library Trustees, an opinion was requested from Town Counsel regarding any subsequent legislation which may conflict with Chapter 180 of the Acts of 1911 dealing with the investment of the Goodnow Library Fund Income Account.

Following a lengthy discussion, and on the verbal concurrence of the Town Treasurer, it was on motion unanimously

VOTED: To approve, as co-trustees of Town donations, under the provisions of Chapter 180 of the Acts of 1911, an expenditure of \$2,000 - \$800 available immediately, the remaining \$1200 available when interest accrues - from the Goodnow Library Trust Fund Income Account by the Goodnow Library Trustees, effective for a period of one year commencing this date, for the acquisition of historical research materials and preservation of ancient documents, as requested in a communication dated May 5, 1981, from the Goodnow Library Trustees.

It was mutually agreed that, rather than make the above expenditure a yearly authorization as requested, any future requests for expenditures from this account would be reviewed and approved on an annual basis.

In dealing with the restraints of Proposition 2 1/2, Selectman Donald expressed her opinion that it may become necessary for the Library Trustees to use the Income Account to offset the Library's budget in the future. Mr. Max agreed.

In an explanation to Selectman Cossart regarding the value of the invested Income Account, Mr. Hamilton explained that the original purchase cost of the various investments was approximately \$31,000, and the investments of that fund have appreciated to \$53,000, which is the present market value; earnings on the \$53,000 is the amount which would be transferred to the Income Account.

Lydia G. Raymond Fund - At the request of Mr. Max, Chairman Donald stated that the Selectmen would take under advisement (and talk with Town Counsel), the possibility of restoring the Raymond Library Trust Fund, which had been combined with the Goodnow Library Trust Funds Income Account several years ago in conjunction with determining how much interest had accrued over the years on the original \$500 bequeathed to the Town under Article 27 of the 1968 Annual Town Meeting under the will of Lydia G. Raymond, which Mr. Max suggested may total \$1,000 - \$1,200 (including principal and interest).

Town Donations Listed in Town Report - Mr. Max suggested that a listing of all Town donations received during any calendar year should be listed in the Town Report under the heading "Report of the Trustees of Town Donations".

The Town Treasurer commented that some of these donations are already included in the Annual Town Report in the Town Accountant's report and/or

are available in the Accounting or Treasurer's office, if not listed (in an attempt to minimize space in the Town Report under the Town Treasurer's report). Chairman Donald stated that the Selectmen would take the matter under advisement.

Joint Session With Sudbury Housing Authority - Interviews and Election

Present: Chairman Albert S. Feinberg, Myrna C. Goldstein, Charlotte Goss, and Executive Director Lucille M. Crist, Sudbury Housing Authority; and Candidates: Cheryl Rogers, Barbara G. Butler and Constance A. Schubert.

Chairman Donald opened a joint session with the remaining members of the Sudbury Housing Authority (SHA) for the purpose of interviewing candidates and electing a fifth member to serve until the next Annual Town Election.

Executive Secretary Richard E. Thompson acknowledged a June 3 notification from the SHA that all of the applicants had been interviewed by the Authority, and recommending the appointment of Cheryl Rogers because of her outstanding qualifications.

Mr. Thompson stated that the Selectmen had confirmed tonight's meeting with the SHA under date of June 4, 1981, in accordance with G. L. Chapter 41, s.11.

It was on motion by Selectman Murray 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 Authority.

The above-listed applicants/candidates were interviewed relative to their interest and qualifications in serving on the Sudbury Housing Authority.

Following the interviews, Chairman Albert Feinberg of the SHA nominated Cheryl Rogers, and Myrna Goldstein seconded the nomination.

Chairman Donald asked for other nominations and, there being none, she 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 Cheryl Rogers.
Anne W. Donald voted for Cheryl Rogers.
Albert S. Feinberg voted for Cheryl Rogers.
Myrna C. Goldstein voted for Cheryl Rogers.
Charlotte Goss voted for Cheryl Rogers.
John E. Murray voted for Cheryl Rogers.

At the completion of the roll call vote, the Clerk declared that Cheryl Rogers, having received the unanimous vote of the officers present and entitled to vote, was elected to fill the vacancy on the Sudbury Housing Authority created by the failure of the Town to elect a new member for the position

formerly held by Carl K. Witham, until the next Annual Election, in accordance with Chapter 41, Section 11 of the General Laws, as amended.

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

Waiving Site Plan Requirement - The Game Room

Present: Rodney DeMille, for applicant Antonio M. Giovane.

Upon Mr. Rodney DeMille's agreement to Selectman Murray's recommendation that certain more specific details be included on the plan, such as noting the location of the stairs and including a scale showing the number of feet in each opening, it was on motion by Selectman Cossart unanimously

VOTED: To waive requirement I,1,h,1 of the Selectmen's Site Plan Submission Rules and Regulations to allow the submission of a site plan which has not been prepared by a Registered Professional Engineer or Registered Land Surveyor, as requested by Antonio Giovane for "The Game Room", 416 Boston Post Road; said plan entitled, "Site Plan, 416 Boston Post Road, Sudbury, Ma. 01776", dated June 1, 1981, to be approved for submission by the Building Inspector.

Prior to his motion to waive said site plan requirement, Selectman Cossart indicated that he was not in favor of the concept of the Game Room.

Mr. Thompson commented that the sign to be used for the Game Room, as indicated on the above-mentioned plan, requires Sign Review Board approval.

Change Orders 7 and 8 - Police Station Addition

Upon receipt and review of a June 5, 1981, report from the Permanent Building Committee, as requested by the Board at its June 1 meeting, it was on motion by Chairman Donald unanimously

VOTED: To confirm the Board's vote of May 20, 1981, authorizing the Chairman of the Board to sign Change Order 7 and 8 in the amounts of \$947 and \$3331 respectively, in conjunction with the Police Station Addition contract with Hugo Construction Co., Inc., dated October 6, 1980.

Sudbury Supervisory Association Contract

It was on motion by Selectman Cossart unanimously

VOTED: To sign a contract between the Town of Sudbury and the Sudbury Supervisory Association for the period July 1, 1981 - June 30, 1982.

Landham Road Reconstruction Pay Estimates

It was on motion by Selectman Cossart unanimously

VOTED: To confirm the Board's vote of June 3, 1981, to authorize the Chairman of the Board to sign pay estimates submitted by the Highway Surveyor under cover letter dated June 2, 1981, for the period April 9, 1979, through November 20, 1979, relative to Landham Road Reconstruction, to be submitted to the Dept. of Public Works for reimbursement.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of June 1, 1981, as amended, subject to clarification on one subject from Town Counsel; and to approve the minutes of the Executive Session of June 1, 1981, as drafted, subject to confirming one section of the minutes by listening to the tape of that meeting.

It was noted that the Executive Session, as written, was a summary only of that meeting.

Second Hand Motor Vehicle License Application - Aubrey Dingley, 684 Boston Post Rd.

Present: Aubrey Dingley, applicant.

On May 18, 1981, the Board tabled the above-subject application in order for the Zoning Enforcement Agent and Town Counsel to review the Zoning Bylaw in connection with the same.

Executive Secretary Richard E. Thompson informed Mr. Aubrey Dingley that in order for a Second Class License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts Thereof to be issued to him to be exercised on property located at 684 Boston Post Road, as requested in his application of May 13, 1981, a Special Permit under section VI, C, 5 of the Zoning Bylaw, and also a site plan, would be required, as noted in a communication dated May 29, 1981, from Town Counsel Paul L. Kenny.

The Board took no action on the application of Mr. Aubrey Dingley, advising Mr. Dingley that the above-stated requirements would have to be met prior to the granting of the requested license.

Resignation - Insurance Advisory Committee

The Board accepted with regret a letter of resignation dated June 1, 1981, from Roland I. Capone from the Insurance Advisory Committee and directed the Executive Secretary to send a letter of appreciation to Mr. Capone, on behalf of the Board, for his service on that Committee.

Annual Appointments

It was on motion unanimously

VOTED: To make the following annual appointments:

- W. Burgess Warren and Louis H. Hough to the Historic Districts Commission, for terms to expire January 1, 1987, and January 1, 1986, respectively.

- Frank M. Vana, Robert S. Rhodes, former alternate Bruce J. Campbell (replacing Andrew Oleski), Nancy Schaffer, Michael Freundlich, to the Juvenile Restitution Program Committee, and Rev. John E. Hartigan and Ellen G. Cowan, alternates to said Committee, all for terms to expire April 30, 1982.

- Jean A. Griffin to the Board of Registrars, for a term to expire April 30, 1984, a recommendation of the Sudbury Republican Town Committee dated May 29, 1981.

- Harold L. Lingley as Sealer of Weights and Measures, for a term to expire April 30, 1982.

Waive Site Plan Requirement - Lot 2 A-B Union Avenue

Upon consideration of a communication dated June 5, 1981, from Schofield Brothers, Inc., it was on motion by Chairman Donald unanimously

VOTED: To waive requirement I, 1, c of the Selectmen's Site Plan Submission Rules and Regulations to allow submission of a site plan with a scale of 1"=40' for property located at Lot 2 A-B, off Union Avenue (former Skating and Tennis Club), requested by the Mutual Bank for Savings.

Current Items of Interest

Transfer Request - During discussion of Reserve Fund Transfer Request #1098 of \$360 to the Communications Account #950-92 for Fire and Police equipment bills, Selectman Cossart questioned why the account had been over-expended and if the Town Accountant should have monitored the account more carefully.

Mr. Thompson indicated to the Board that the major reason for the transfer was due to the Police cruiser purchases. The Police Chief explained that the successful bidder had failed to put the roof wiring in for the lite bars and the radio. Mr. Thompson reviewed with the Board the various invoices included in this transfer for Fire Department expenses.

Following discussion it was on motion by Chairman Donald unanimously

VOTED: To approve Request for Transfer #1098 dated June 8, 1981, from the Reserve Fund to Communications Account No. 950-92, in the amount of \$360 for three outstanding bills for radio repairs and changing of lite bars from the old to the new cruisers.

Chamber of Commerce Activities - Mr. Thompson informed the Board of a social to be held on Tuesday, June 23, from 7:00-9:00 p.m. at Ephraim's Restaurant by the Sudbury Chamber of Commerce, a division of the South Middlesex Area Chamber of Commerce (SMACC). The Board will consider attending depending on the duration of the Annual Town Meeting.

The Board received an invitation from the SMACC to join an Industry/Community Transportation Committee organizational meeting on June 15, 1981, for the purpose of discussing the development of a regional transportation association. Selectman Cossart suggested and the Board agreed that Mr. Thomas Carroll, 155 Moore Road, be requested to attend on behalf of the Board, since Mr. Carroll has approached Selectman Cossart regarding his interest in Massachusetts transportation.

40 July Road Property - Mr. Thompson referenced a letter dated June 1, 1981, from Paula M. Winter of 44 July Road requesting the inspection of property at 40 July Road and a review of Town files regarding a past court order that the owner keep the property free and clear of trash.

Chairman Donald recessed the meeting at 9:40 p.m.; the meeting was called back to order at 9:45 p.m.

Executive Session

Auxiliary Policeman Edward Murphy requested that the Board meet in Executive Session with the Auxiliary Police to discuss the suspension of certain Auxiliary Police Officers, and personnel.

Selectman Murray expressed his opinion that it was not necessary to go into Executive Session because most of the matters that he believed would be discussed had already been discussed in public or been given to the press by the Auxiliary Police.

Selectman Cossart asked for Town Counsel's opinion. Town Counsel Paul L. Kenny stated that it would be appropriate to enter into Executive Session for the purpose of discussing discipline or dismissal as long as any discussion of individuals be limited to only those individuals who were present.

Mr. Murphy stated that discussion of individuals would be limited to those present who were: Town Counsel Paul L. Kenny, Fire Chief/Civil Defense Director Josiah F. Frost, Police Chief Nicholas Lombardi, Auxiliary Police Officers Mr. and Mrs. John A. Stearns, suspended Auxiliary Police Officers Anthony Sorrenti, Robert Boyd, Edward Murphy, Renaud Collin and Robert Melley.

At 9:45 p.m. it was on motion by Selectman Cossart by roll call

VOTED: To enter into Executive Session for the purpose of discussing the discipline or dismissal or the hearing of complaints or charges against an individual, limited to discussion of only those persons present and listed above.

(Roll call vote: Chairman Donald, in favor; Selectman Cossart, in favor; Selectman Murray, not in favor.)

The Police Chief was not in favor of entering into Executive Session.

Chairman Donald 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 11:10 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk