

IN BOARD OF SELECTMEN  
MONDAY, OCTOBER 26, 1981

Present: Acting Chairman 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 Acting Chairman William J. Cossart.

Common Victualler and Weekday Entertainment Licenses - Winchesters of Sudbury, Inc.

Present: Atty. Robert F. Dionisi for Winchesters of Sudbury; Building Inspector Joseph E. Scammon.

The Board considered applications for common victualler and Weekday Entertainment Licenses, requested by Atty. Robert F. Dionisi for Winchesters of Sudbury, Inc., to be exercised at 120 Boston Post Road.

Atty. Dionisi stated that these license applications are being made in the wake of the August 3, 1981, hearing on the application for the transfer of the restaurant license for the sale of All Alcoholic Beverages, from J.T.'s Steak House to Stephen Goldberg, Manager of Winchesters of Sudbury, Inc., which was approved by the Board of Selectmen.

Atty. Dionisi stated that, according to information he had received from David Fleicher, Winchesters' opening is scheduled for December 1. The Building Inspector stated that he made a site inspection this week, and it appears that the time for completion of work for the December 1st opening will be "tight".

Responding to Selectman Cossart, Atty. Dionisi stated that the Weekday Entertainment License is for background music only, that there are no further entertainment plans for weekdays or Sundays at this time.

At the conclusion of discussion, it was on motion by Selectman Murray unanimously

VOTED: To approve a Common Victualler License application, dated October 1, 1981, by Robert F. Dionisi, Atty. for Winchesters of Sudbury, Inc., to be exercised at 120 Boston Post Road;

and it was further

VOTED: To grant a Weekday Entertainment License for background music only to Winchesters of Sudbury, Inc., to be exercised at 120 Boston Post Road, during hours of operation in accordance with an application filed on behalf of Winchesters of Sudbury, Inc., by Atty. Robert F. Dionisi, dated October 1, 1981.

Both of the above votes are subject to final approval by the Building Inspector and the Board of Health in their respective capacities, and said license will be held accordingly.

Agreement - Whitman & Howard, Inc.

It was on motion by Selectman Cossart unanimously

VOTED: To approve and sign an agreement, dated October 26, 1981, with Whitman & Howard, Inc., concerning the work to be performed in its study of the effects on the Town of Sudbury of the MDC's proposed Sudbury River Diversion project.

Memorandum of Agreement - Landham Road Reconstruction

Following discussion, it was on motion by Selectman Murray unanimously

VOTED: To execute a Memorandum of Agreement between the Commonwealth of Massachusetts, Department of Public Works, and the Town, under Chapter 354 of the Acts of 1980, relative to reimbursement of 75% of \$149,548, or \$112,161, for expenses incurred by the Town of Sudbury during the reconstruction of Landham Road for the period April 4, 1979 through June 2, 1980. The agreement covers payment for reconstruction of Landham Road and/or other Town roads for up to \$113,000.

Auxiliary Police Cruiser

It was on motion by Selectman Murray unanimously

VOTED: To accept the highest bid to purchase a used former Auxiliary Police vehicle, received at the October 21st bid opening, from Martin C. French, dated October 21, 1981, in the amount of Seventy-five Dollars, and to authorize the Executive Secretary to execute title and bill of sale documents for this sale.

Municipal Bonds - Police Station

Present: Town Treasurer Chester Hamilton.

Following a brief explanation by the Town Treasurer, and discussion, it was on motion unanimously

VOTED: To confirm approval of the bid award made on October 20, 1981, by the Town Treasurer for the sale of the Bonds of the Town dated November 1, 1981, \$525,000 Municipal Purpose Loan of 1981 within Debt Limit (Nos. 1 to 105); \$105,000 payable November 1 in 1982 to 1986, to The First National Bank of Boston, and Adams, Harkness & Hill, Inc., at 100.0720 and accrued interest; and further

VOTED: To sign 1) a Signature and No Litigation Certificate and 2) a No Arbitrage Certificate for said bonds.

Noyes Family Property

Following discussion, it was on motion by Selectman Murray unanimously

VOTED: To approve the request dated October 20, 1981, from Highway Surveyor Robert A. Noyes that the Town Engineer be assigned all of the responsibilities for inspection and review of plans, normally the duty of the Highway Surveyor, in conjunction with the subdivision of the Noyes family property on Peakham Road, subject to Town Counsel acknowledging this as a properly relinquished responsibility.

Executive Secretary Richard E. Thompson stated that he would seek Town Counsel's comments as to his opinion regarding possible conflict of interest and whether he feels turning the responsibility of inspections and review of plans over to the Town Engineer is a valid alternative. Also, the Executive Secretary was directed to ask the Town Engineer if he would be willing to accept these added responsibilities.

Donations to Council on Aging

It was on motion by Selectman Murray unanimously

VOTED: To accept, on behalf of the Town, miscellaneous donations totaling \$61.80 to the Council on Aging.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of October 19, 1981, as amended, and the minutes of the Executive Session of that date and the Emergency Session Minutes of October 21, 1981, both as drafted.

Purchase and Sale Agreement (Barton Land)

It was on motion by Acting Chairman Cossart unanimously

VOTED: To table, in the absence of Town Counsel, consideration of executing a Purchase and Sale Agreement for the purchase by the Town of Sudbury of approximately fifteen acres of land (formerly the Barton land) from The Massachusetts Farm and Conservation Lands Trust, in the amount of \$110,000, as authorized by Article 30 of the 1981 Annual Town Meeting.

Town Fathers Forum

At 8:00 p.m. Acting Chairman Cossart convened the 141st session of the Town Fathers Forum, a copy of which is attached and is part of these minutes.

Performance Review - Building Inspector Joseph E. Scammon

Present: Joseph E. Scammon, Building Inspector.

In accordance with the Selectmen's Performance Review Policy, the Board met with Building Inspector Joseph E. Scammon.

The Board acknowledged receipt of a June 30, 1981, report from the Building Inspector/Zoning Enforcement Agent, reviewing the functions of the Building Department over the past fifteen months since Mr. Scammon has been employed by the Town.

Mr. Thompson commented that he is in contact with the Building Inspector daily, and that he is more than satisfied with his performance.

There was some discussion concerning difficulties Mr. Scammon is experiencing at the present time because his secretary is seriously ill and had been out of the office for approximately five weeks.

Selectman Murray commented that he felt the Building Inspector's adaptation has been very good.

Selectman Cossart commented that Mr. Scammon is doing a fine job, that his relations with other departments have been excellent, and that he appreciates the general maintenance work Mr. Scammon has been doing along with Ted Davison.

Selectman Cossart questioned whether the duties of Sealer of Weights and Measures could be taken over by the Building Inspector. Mr. Thompson stated that certification is required to be a Sealer of Weights and Measures.

Mr. Scammon concurred with Selectman Murray that there is room for improvement in the area of zoning enforcement; i.e., illegal signs.

Mr. Thompson clarified, in response to Selectman Cossart, that the custodian/security guard position, when filled, would be under the supervision of the Building Inspector.

Selectman Cossart stated that he would like to give Selectman Donald, who is currently on vacation, an opportunity to contribute to Mr. Scammon's evaluation.

Responding to Selectman Murray, Mr. Scammon stated he had no suggestions to the Board in conjunction with the operations of the Building Department. Also, responding to Selectman Cossart, Mr. Scammon stated that he is a Special Constable.

There was a brief update by Mr. Scammon relative to the Morris property. Mr. Thompson was directed to check with the Health Director relative to the status of the progress from his standpoint.

The Selectmen thanked Mr. Scammon for a fine job and for attending tonight.

#### Current Items of Interest

##### Police Department Furnishings

Following discussion it was on motion by Selectman Murray unanimously

VOTED: To support the recommended items of furnishings to be purchased from the Correctional Industries catalogue for the Police Department, totaling \$970, listed in a communication dated October 22, 1981, from the Chief of Police, to be expended from the balance in the account for the Police Station addition, Article 25 of the 1980 Annual Town Meeting.

The Board acknowledged information in the above-mentioned communication from the Police Chief regarding the expenditure of \$241.71 for the purchase of tools, previously supported by the Board.

Also, the Executive Secretary distributed a project cost report, prepared by Elaine Jones of the Selectmen's office (and currently filling in as secretary to the Permanent Building Committee), showing an estimated balance in the account of \$11,896.96. Mr. Thompson informed the Board that two additional expenditures - completion of the television monitoring system and the fire alarm system - will be taken from the remaining balance, once it has been determined by the PBC what the exact amounts for these items are and if there is sufficient money remaining in the account to pay for the same.

#### Custodian/Security Guard

At the direction of the Board on September 28, 1981, the Executive Secretary submitted a more specific memorandum, dated October 23, 1981, with a job description attached, relative to the hiring and duties of the newly-formed custodian/security guard position.

Following discussion of the same, there was a consensus of the Board for the Executive Secretary to proceed as outlined in his above-mentioned communication.

#### Recognition - Roger Allan Bump

In conjunction with Roger Allan Bump being honored by WRKO for 25 years in broadcasting, the Selectmen directed the Executive Secretary to prepare a congratulatory message/resolution for the Board to sign.

#### Meeting with Sperry Research

Selectman Cossart reported that he and Health Director John V. Sullivan met with Sperry representatives on October 21st for a review of their methods of handling chemical wastes. Selectman Cossart stated that Sperry representatives gave an excellent presentation and Selectman Cossart briefly relayed information on how their present system of disposal works, including the exhaust system, pointing out that a waste disposal system had not yet been designed for the new addition which is planned (see minutes of Site Plan hearing #81-231, held on July 6, 1981).

At the above-mentioned hearing, site plan approval was granted subject in part to final recommendations from the Board of Health. Selectman Cossart stated that Sperry is aware that final approval of the site plan is contingent upon approval of the waste disposal systems and the locations of those systems on the site by the Board of Health.

Coatings

Selectman Cossart reported that he attended a Board of Health meeting, Wednesday, October 21, during which there was a discussion relative to Coatings' failure to comply with state and local regulations relative to the disposal of chemicals on site. Selectman Cossart continued that Town Counsel Paul L. Kenny was also in attendance and gave the Board of Health certain direction: namely, that the Town might want to consider pursuing filing its own motion with the courts to bring about speedier resolution by state and federal agencies. The Board agreed to discuss this further with Town Counsel at its next meeting at which he is present.

Executive Session

At 10:00 p.m. it was on motion by roll call

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.

(Roll call vote: Selectman Cossart, in favor; Selectman Murray, in favor.)

Acting Chairman Cossart stated that Open Session would not reconvene following the Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 10:15 p.m.

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

Richard E. Thompson  
Executive Secretary-Clerk