

IN BOARD OF SELECTMEN
MONDAY, JANUARY 18, 1982

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 by Chairman Anne. W. Donald at 7:30 p.m.

Girl Scout Presentation

Present: Michael Guernsey, Town Co-Chairman of Girl Scout Cookie Sales; Girl Scouts Sarah Guernsey and Cecile Morgan.

Chairman Donald welcomed the Girl Scout representatives noted above.

Mr. Michael Guernsey stated that the annual Girl Scout cookie sale, which is the single largest source of revenue for the Girl Scout organization, will begin on January 22 at 3:00 p.m. and continue through February 7.

Sarah Guernsey and Cecile Morgan presented the Selectmen with boxes of Girl Scout cookies in appreciation of allowing the sale of Girl Scout cookies in Sudbury and for their personal support in the past.

Garfield/Peters Dog Hearing Decision

Executive Secretary Richard E. Thompson reported that, subsequent to the Garfield/Peters dog hearing held last week on January 11th, at the direction of the Board, he had requested the Dog Officer to speak to the owners of the dog in an effort to resolve the problems created by their dog. Mr. Thompson informed the Board of the Peterses' negative response to the suggestion that they voluntarily find another home for the dog out of town.

Following review and discussion of the situation and the past history of complaints and hearing, it was on motion unanimously

VOTED: In accordance with G. L. Ch. 140, that the dog, Arnold, License #1401, owned and harbored by Arthur Peters, 53 Easy Street, be permanently restrained, meaning the dog must be under the owner's control twenty-four hours per day, either in the house, or on a leash, or on a run or in a pen on the owner's property (by means of sufficient strength to assure restraint).

It was a consensus of the Board that, if the above is not complied with, it is the intention of the Board to immediately convene another hearing for the purpose of ordering the dog out of town or destroyed. The Executive Secretary was directed to request the Dog Officer to monitor the situation very carefully and report back to the Board if she is aware of any instance where the Peters dog is not under the owner's control, as directed by the above vote.

Resignations - Conservation Commission

It was on motion by Selectman Murray unanimously

VOTED: To accept with regret two letters of resignation from the Conservation Commission from Joan C. Irish (effective February 1, 1982) and from Carolyn A. Woolley (effective immediately), dated January 15th and 12th respectively.

The Board directed the Executive Secretary to forward a letter of appreciation to Mrs. Woolley and to Mrs. Irish for their service on the Commission, and in Mrs. Irish's case, for her service as Metropolitan Area Planning Council representative, as well.

Mr. Thompson stated that Mrs. Irish intends to submit a separate letter of resignation from the MAPC at a later time just prior to her move.

Appointments - Conservation Commission

On the recommendation of the Conservation Commission, dated January 15, 1982, it was on motion unanimously

VOTED: To make the following appointments to the Conservation Commisison:

- Lynne H. Remington of 36 Windmill Drive, to replace Richard Passalacqua, for a term to expire April 30, 1983;
- Sara E. Bysse of 226 Morse Road, to replace Judith Cope, for a term to expire April 30, 1984;
- James J. Binder of 290 Marlboro Road, to replace Joan Irish, for a term to expire April 30, 1982, with the intention of re-appointing him for a three-year term at that time;
- Frank A. Scofield of 4 Philemon Whale Lane, to replace Carolyn Woolley, for a term to expire April 30, 1984.

Preservation Restriction

It was on motion unanimously

VOTED: To approve in the public interest a Preservation Restriction to be granted by Creighton Hamill and Robert Munroe, Trustees of the Sudbury Trust 01776, to Trustees of the Massachusetts Farm and Conservation Lands Trust concerning the Barton barns and outbuildings in connection with Article 30 of the 1981 Annual Town Meeting, and to authorize the Executive Secretary to sign said restriction on the Board's behalf.

Change Order #13 - Police Station Addition

On the recommendation of the Executive Secretary on behalf of the Permanent Building Committee, it was on motion unanimously

VOTED: To authorize the Chairman of the Board to sign Change Order #13 relative to the Police Station Alterations and Addition Contract of October 6, 1980, designating July 16, instead of July 8, 1981, as the substantial completion date for the construction project, due to union strikes by carpenters and masons, and including as part of the official record Construction Authorization No. 3 and No. 6; said Change Order signed by Architects, Kubitz & Pepi on November 6, 1981, and is to be signed by Hugo Construction Co.

Utility Petition #81-22 - Boston Post Road

Present: Joseph D. Bausk, New England Telephone; and abutter Theodore Shylovsky, 192 Boston Post Road.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered Utility Petition #81-22 of New England Telephone and Telegraph Company for permission to lay and maintain and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way of the Town:

Boston Post Road (Route 20) - northerly side from existing pole 18/28 opposite Landham Road extending easterly thence southeasterly across Boston Post Road to existing manhole 24 approximately 182 feet of conduit.

Executive Secretary Richard E. Thompson reported that all appropriate Town officials and abutters had been notified and that a joint favorable report, dated January 18, 1982, had been received from the Building and Wiring Inspectors.

Mr. Joseph Bausk of Boston Edison explained to the Board and to the abutter, Theodore Shylovsky, that the intention of the petition is for the installation of a connection underground, which will require digging a trench across Route 20.

Responding to the Selectmen, Mr. Bausk further explained that police protection will be required during the installation - that Route 20 will be channeled from one side to the other as they work on one side of the street at a time, and that anything disturbed during the construction will be repaired exactly as it is now. The installation will take approximately two days.

At the conclusion of discussion, it was on motion unanimously

VOTED: To approve Utility Petition #81-22, as described above, and as shown on Plan No. 7-81, dated December 16, 1981.

Warrant Article and Report - Flood Plains

The Board tabled taking any action relative to the proposed 1982 Annual Town Meeting article and report to amend Bylaw Art. IX, I, G and III, E - Flood Plains.

Selectman Cossart directed the Executive Secretary to have Town Counsel's office call him regarding some questions he had on the above article and report.

Meat King - Package Goods Store License

In accordance with a communication dated January 4, 1982, from Nelson Robideau of Meat King, Inc., it was on motion unanimously

VOTED: To rescind the Board's vote of November 23, 1981, renewing Meat King, Inc.'s 1982 Package Goods Store License for the Sale of Wines and Malt Beverages, conditioned upon informing Mr. Robideau of the future requirements/restrictions in obtaining a new liquor license should he decide to reinstate his beer and wine sales.

1982 Annual Town Election/Meeting

It was on motion unanimously

VOTED: To take the following action in connection with the 1982 Annual Town Election/Meeting, as recommended by the Town Clerk:

- a. To set the 1982 Annual Town Election for the four precincts in Sudbury for Monday, March 29, 1982, from 7:00 a.m. to 8:00 p.m. at the Peter Noyes School;
- b. To set the opening session of the 1982 Annual Town Meeting on Monday, April 5, 1982, at 8:00 p.m. in the auditorium of the Lincoln-Sudbury Regional High School;
- c. To establish that the Annual Regional School District Election shall be combined with and held as part of the Annual Town Election of Sudbury; that the ballot for the Annual Regional School District Election shall be included with and prepared as part of the ballot for the Annual Town Election;
- d. To establish that the listing of the offices shall be the same as set forth in the Warrant for the Lincoln-Sudbury Regional School Committee Election and shall be printed as the last office on the ballot; and
- e. To approve allowing the Board of Registrars to hold special registration sessions prior to the Annual Town Election and Town Meeting at the Town Hall, in accordance with Chapter 51, Section 30 of the General Laws.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of January 11, 1982, as amended and the Executive Session of that date, as drafted.

Current Items of Interest

Board's Annual Report

The Board reviewed a redraft of its annual report, which had been prepared by the Executive Secretary following the Board's suggested revisions, amendments and deletions at its meeting of January 11th, and approved the same with one further amendment.

Police Station

Selectman Murray reported on two incidents of freeze-ups in the water pipes and leaks at the Police Station in the new addition and stated that any expenses incurred would be covered under the one-year warranty.

Inquiries for Use of Excessed School Buildings

Responding to Selectman Cossart, Mr. Thompson stated he had been speaking with Mrs. Susan Fields regarding the use of either the Fairbank or Loring school buildings for her aunt's business (Marion Heath), explaining that she does plan to submit a proposal. Mr. Thompson stated that he will keep the Board updated.

Selectman Cossart directed the Executive Secretary to follow up on an inquiry he had received from a Sudbury resident who expressed an interest in using the gym at Fairbank School for the BAYS Soccer Program for practices one night a week on Wednesday, from 5-7:30 p.m., from the first of February through March, and report back to the Board.

School Signals

Selectman Cossart asked the Executive Secretary to give the Board a definitive resolution to the unending problem of trying to have school signals installed by Signal Systems at next week's meeting.

Later in the evening the following current items of interest were discussed.

Shick Property

Mr. Thompson informed Selectman Cossart that Conservation Commission member H. Rebecca Ritchie would call and update him on the status of the Town's possible bid proposal for the Shick property.

Communications

Mr. Thompson called the Board's attention to receipt of the following communications for informational purposes:

- from the Middlesex County Farm Bureau, Inc., received January 18, 1982, requesting support of the Middlesex County Extension Service Budget;

- from Assistant Town Counsel Thomas M. French dated January 14, 1982, regarding the Simon dog order stating that Mrs. Simon had withdrawn her appeal to the Framingham District Court.

- from Raymond A. Johnson, Trustee of the Village Green dated January 11, 1982, to the Conservation Commission concerning a drainage easement of Village Green on the Griswold property;

- a list of forty candidates for the Cable Television Advisory Committee. The Board agreed not to accept any further applications received postmarked after today's date.

Ordering 1982 Annual Town Meeting Warrant

Present: Town Moderator J. Owen Todd.

Chairman Donald read the following 1982 Annual Town Meeting articles, which the Board approved for the consent calendar: Temporary Borrowing, Street Acceptances, Unpaid Bills, Transfer TP 174-182 to Water District, Grant Easement

to Water District, Art. IX,V,A - Special Regulations - Temporary Trailers,
Art. IX,III & IV - Technical Corrections, Ambulance and Equipment, Accept
G.L.c 90, s.20A 1/2 - Parking Fines Administration, Insurance for Surviving
Spouse, Accept G.L.c.44, s.53E - User Fee Budget Offsets.

After further review and discussion, the Selectmen ordered the 36-article
Warrant for the 1982 Annual Town Meeting.

Executive Session

At 10:30 p.m. it was on motion by roll call

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

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

Chairman Donald announced 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 11:45 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk