

IN BOARD OF SELECTMEN
MONDAY, NOVEMBER 29, 1982

Present: Chairman William J. Cossart and Anne W. Donald.

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

Governor's Proclamation to Sudbury Fire Department

Present: Fire Chief Josiah F. Frost; Assistant Chief Michael Dunne; and Steven Coan, Director of Training, Massachusetts Firefighting Academy.

Steven Coan, Director of Training, Massachusetts Firefighting Academy, presented a proclamation to the Sudbury Fire Department, signed by the Governor of Massachusetts (which he read), in appreciation and recognition of the dedication and efforts of the Sudbury Fire Department at a serious fire at the Stow Academy on November 6, 1982.

Mr. Coan stated that Sudbury assisted at the fire along with firemen from the towns of Hudson and Stow, and that through their efforts all fifteen vehicles at the Academy and 95% of the equipment (total worth, approximately \$1,000,000) were salvaged. Mr. Coan further stated that both Captains Helms and Spiller, who work at the Academy, were there and assisted the on-duty crew and that the efforts of the Sudbury Fire Department were over and above the other responding fire departments.

Mr. Coan went on to say that the Academy is very happy with its location in Sudbury, and that the intent is to remain there permanently. Responding to Chairman Cossart, Mr. Coan stated that the Academy had filed (as of Friday, November 26) for a major capital outlay budget for a training facility, hopefully in Stow, but plans to keep the Horse Pond Road facility as administrative headquarters; that they are looking for discretionary planning money, approximately \$100,000, to hire an architect for preliminary and final construction plans. The budget will be acted upon anytime after next July.

At the conclusion of discussion, Chairman Cossart thanked Mr. Coan for the presentation and presented the same to Fire Chief Frost.

Fire Capital Improvement Projects 1983-88 Submission

Present: Fire Chief Josiah F. Frost; and Assistant Chief Michael Dunne.

Executive Secretary Richard E. Thompson reviewed with the Board the schedule for Saturday's budget meetings - December 4th at the Loring Parsonage, beginning at 8:00 a.m. The Board concurred with the schedule and later in the evening informed Ms. Marjorie Wallace, Finance Committee liaison, of the same.

There was some discussion regarding the Fire Chief's submission of capital improvement projects for the 1983-88 period following which it was on motion by Chairman Cossart unanimously

VOTED: To support the Fire Department's submission of capital improvement projects for the 1983-88 period, as prepared under date of November 23, 1982.

Selectmen's Submission - 1983 Annual Town Meeting Articles

Executive Secretary Richard E. Thompson reviewed with the Board a list of the Selectmen's 1983 Annual Town Meeting articles, requiring final approval for their submission by the December 1 closing (non-monied articles) and by the December 31 closing (monied articles) deadlines.

Mr. Thompson stated that acceptance of these articles by the Board was a technicality for inclusion in the warrant and stressed that accepting them in their present form in no way indicates the Board's final position or support - articles accepted can be later withdrawn, and specific wording can be changed before the February 28, 1983 signing deadline.

There was some discussion regarding categorizing articles as "monied" or "non-monied" and a brief review of the Town Bylaw on the same.

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

VOTED: To accept for filing the following articles to be submitted under the December 1 deadline for inclusion in the Warrant and the 1983 Annual Town Meeting, with reports and positions still be addressed:

1. Disposition of Loring School, as amended by Selectman Donald;
2. Community Center - Fairbank School;
3. Street Acceptances; and
4. Amend Bylaws - Handicapped Parking.

And it was further

VOTED: To approve and accept for filing the following articles to be submitted under the December 31 deadline for inclusion in the Warrant and the 1983 Annual Town Meeting, subject to determining amounts for each article:

1. Hear Reports;
2. Temporary Borrowing;
3. Retirement Pension Fund; and
4. Stabilization Fund.

Mr. Thompson stated that an article relative to Police - Career Incentive, had been submitted by petition for the 83ATM; the petition article had received certification from the Town Clerk.

Chairman Cossart expressed his opinion that representatives of the Police Department may want to meet with the Selectmen to discuss the article. Mr. Thompson informed the Board that a representative from the Police Department had met with Assistant Town Counsel to draft the petition article. The Board directed the Executive Secretary to refer the matter to Town Counsel's office for comment on the article and a recommendation on how to proceed.

Annual License Renewals

The Board reviewed a list of yearly license renewals and related communications:

- from the Board of Health, dated November 24, 1982, stating that all business establishments requiring inspection in conjunction with annual license(s) renewal have been checked and are in compliance with Article X of the State Sanitary Code;
- a verbal, favorable recommendation (November 29, 1982) from the Building Inspector; and
- from Assistant Chief Michael Dunne, dated November 24, 1982, citing the following establishments as not being in compliance with public safety requirements and the reasons why: Sudbury Farms, Wayside Package Store, American Legion, Paul Joseph Restaurant, Sudbury House and Kaffestuga.

Chairman Cossart recommended that Sudbury Variety's Wine and Malt Package License be held pending the outcome of litigation on their current license (revoked by the Selectmen and the decision appealed by Sudbury Variety).

Responding to Selectman Donald regarding the status of the complex in which Paul Joseph restaurant is located, Mr. Thompson stated that the restaurant's lease expires in September 1983, but he understands the new owner of the property is attempting to buy the restaurant lease so that construction can start earlier, in the spring.

Mr. Thompson stated that Selectman Murray had no concerns regarding the license renewals; also, that Selectman Murray is aware that the office had received notice from the Alcoholic Beverages Control Commission relative to the case brought by Sudbury Variety and of the possibility that the case may be scheduled on the agenda for next Monday, December 6th.

It was on motion by Chairman Cossart unanimously

VOTED: To hold the Wine and Malt Package Good Store License renewal request by Sudbury Variety for the reason expressed above.

And it was further

VOTED: To renew the following licenses, and to forward the appropriate renewal forms to the Alcoholic Beverages Control Commission where applicable for approval; said licenses shall be held until payment of fees, as required; the above-listed establishments cited by the Fire Department are subject to compliance prior to issuance of their respective licenses; and all issuances are subject to confirmation in writing from the Building Inspector:

Colonial Spirits	Package Store All-Alcoholic Beverages
MacKinnon's Liquors	Package Store All-Alcoholic Beverages
Wayside Package Store	Package Store All-Alcoholic Beverages

Sudbury Variety	Automatic Amusement Devices
Sudbury Farms	Package Store Wine & Malt Beverages
Ephraim's of Sudbury	Restaurant All-Alcoholic Beverages Common Victualler Entertainment
Winchester & Company	Restaurant All-Alcoholic Beverages Common Victualler Weekday Entertainment
Kaffe Stuga	Restaurant All-Alcoholic Beverages Common Victualler Entertainment
99 West, Inc.	Restaurant All-Alcoholic Beverages Common Victualler Entertainment
Pacific Gate Restaurant	Restaurant All-Alcoholic Beverages Common Victualler Entertainment
Pizza Alla Pietra	Restaurant All-Alcoholic Beverages Common Victualler Entertainment
Sudbury House	Restaurant All-Alcoholic Beverages Common Victualler Entertainment Automatic Amusement Devices
Wayside Inn	Restaurant All-Alcoholic Beverages Common Victualler Entertainment
Ye Olde 117 House	Restaurant All-Alcoholic Beverages Common Victualler Entertainment
Bullfinch's Inc.	Restaurant All-Alcoholic Beverages Common Victualler Entertainment
Something Simple	Restaurant Wine & Malt Beverages Common Victualler Entertainment
American Legion #191	Club All- Alcoholic Beverages Common Victualler Entertainment Automatic Amusement Devices

Brigham's	Common Victualler Entertainment
Friendly's	Common Victualler Entertainment
Marrone's Bake Shop	Common Victualler
Paul Joseph Restaurant	Common Victualler
Sudbury Bowladrome	Entertainment Automatic Amusement Devices
Sudbury Drug Store	Common Victualler
Sudbury Pizza	Common Victualler
Colonial Auto Body of Sudbury	Used Car Class II
Mosher Auto Body	Used Car Class III
Robert E. Lohnes	Used Car Class III
Steve's Auto Body	Used Car Class II
Mitchell Bistany	Auctioneer
J. David Coccoli	Auctioneer

Note: All licenses will be signed at a later date. Auctioneer licenses are issued by the Town Clerk.

Expenditures - Fairbank School

Executive Secretary Richard E. Thompson reviewed with the Board an accounting update of Building Account 340-32 and the \$10,000 appropriation under Article I (Community Center - Fairbank School) of the October 7, 1982 Special Town Meeting, as set forth in a memorandum to the Building Inspector dated November 25, 1982.

As pointed out by the Executive Secretary, there is approximately \$2,200 remaining in the appropriation account which is not enough to purchase the two double metal doors for the Community Center as requested by Custodian/Security Guard Douglas Lewis when he met with the Board on November 15. Mr. Thompson expressed his opinion that there would be sufficient money in Account 340-32, however, to purchase the doors, estimated to cost approximately \$3,000.

Mr. Thompson briefly explained Account 340-32, which includes a \$35,000 item for all school buildings under the Selectmen, of which \$6,000 is designated for general repairs.

The Board approved with amendments the Executive Secretary's letter to the Building Inspector which requested correctional journal entries between Account 340-32 and STM Article I.

Following comments by Chairman Cossart, the Board directed the Executive Secretary to work with the Town Accountant and establish firm figures where estimates are shown for the various repairs to be expended from the appropriation account and report back to the Board with a more accurate accounting of the two accounts.

Site Plan Update (79-202) - Lee A. Young, et als, 407 Boston Post Road

Present: Lee A. Young.

On the question of approving an update of Site Plan 79-202, of Alan F. Murphy, Katherine V. Murphy and Lee A. Young, revised November 4, 1982, for property owned solely by Lee A. Young, located at 407 Boston Post Road, to show the new westerly lot line resulting from land sold for the Police Station addition, Executive Secretary Richard E. Thompson acknowledged receipt of communications from the Building Inspector and the Town Engineer dated November 19 and November 24, respectively, confirming that the revised plan reflects the new westerly lot line/ boundary change between the Police Station and Young's property.

It was on motion unanimously

VOTED: To approve "Site Plan 79-202, revised November 4, 1982, Change of Lot Line Re Police Station Addition", of Lee A. Young, 407 Boston Post Road.

Taxation Procedures under Chapter 369 of 1982

The Board acknowledged receipt of a communication dated November 24, 1982, from Assistant Town Counsel Thomas M. French, relative to Taxation Procedures under Chapter 369 of 1982, and directed the Executive Secretary to forward a copy of the same to the Board of Assessors.

Police Inventory

Present: Fire Chief Josiah F. Frost and Assistant Fire Chief Michael Dunne.

The Board acknowledged receipt of a communication dated November 24, 1982, from Town Counsel Paul L. Kenny responding to the Board's request of November 15 to review the inventory of Sudbury Auxiliary Police equipment, presently being stored at the Horse Pond School building, and related value(s). Town Counsel indicated in his letter that it appears the items are in generally good condition and have some value and, in accordance with Town Counsel's recommendation, it was on motion by Selectman Donald unanimously

VOTED: To accept, on behalf of the Town, those items listed on the inventory which were donated to the Sudbury Auxiliary Police Department by Raytheon Company and Sears Roebuck Company.

Upon request from the Fire Department, it was on motion by Selectman Donald unanimously

VOTED; To approve the transfer of 10 excessed police lockers, presently being stored at the Horse Pond Road School building, to the Fire Department for its use.

The Board directed the Executive Secretary to circulate a memo to all Town officials/Departments informing them that the equipment is excessed and available for transfer.

Newspaper Advertisement - Loring School

On the question of approving a newspaper advertisement requesting proposals for the purchase or lease of the Loring School, the Board reviewed a draft ad and approved the same with one change (proposals to be returned by January 7, 1983) to be published in The Boston Globe, The Middlesex News and The Town Crier.

Appointment - Memorial Day Committee

On the recommendation of the Memorial Day Committee, dated November 18, 1982, it was on motion by Selectman Donald unanimously

VOTED: To appoint David H. Bentley, 62 Concord Road, to the Memorial Day Committee, to fill the vacancy left by Roger A. Bump, for a term to expire April 30, 1985.

Minutes

It was on motion by Selectman Donald unanimously

VOTED: To approve the minutes of the Regular Session of November 22, 1982, as amended, and a portion of the Regular Session of November 15, 1982, as drafted.

Fort Devens

The Board was in receipt of a letter dated November 16, 1982, from Cheryl Rogers of 38 Lakewood Drive, strongly objecting to the activities at Fort Devens, especially the nighttime gunfire, and requesting the Selectmen's assistance in resolving this issue.

Chairman Cossart stated that, in speaking to Ms. Rogers, he mentioned to her that Mr. Thompson was in the process of scheduling a meeting with Representative Shannon and representatives of Fort Devens to discuss the situation.

Chairman Cossart further stated that he told Ms. Rogers that the Selectmen's office would keep her informed of the Selectmen's action on the subject, and inform her of any local meetings.

Mr. Thompson stated that he had called Representative Shannon's office again but had not yet received a response regarding a meeting date.

Concord Road Pothole

The Board acknowledged receipt of a communciation dated November 24, 1982, from Pearl G. Ciesla of 7 Pennymeadow Road (corner Concord Road) requesting assistance in resolving a problem concerning a trench, which was filled but is now settling and creating a pothole, in Concord Road at its intersection with Pennymeadow Road which, she stated, the Highway Department appears to be ignoring despite her pleas to have the road repaired. Mrs. Ciesla indicated that the noise was very disturbing when large trucks pass over the trench, especially during the very early morning hours.

The Board directed the Executive Secretary to try and resolve this problem with the Highway Surveyor, and report back to the Board.

Town Facilities Committee

Mr. Thompson reported for Selectman Murray on his meeting with the Town Facilities Committee, (TFC) November 24. After some discussion, the Town Facilities Committee reaffirmed recommendations for the disposal of Loring School as stated in their final report to the Selectman dated November 2, 1981. The TFC agreed with the Selectmen's decision to advertise the availability of the Loring School for lease or purchase; they discussed the movement possibilities of certain Town departments, i.e., certain Town departments to Nixon School building and School Department to Loring School building; and the future of Haynes School in terms of projected enrollment. The TFC plans to meet again after gathering pertinent information from the School Department of their long-range school space plans, and Selectman Murray will report back to the Board.

Presbyterian Church Request - Use of Town Hall

Mr. Thompson informed the Board of a request from the Presbyterian Church to use the lower Town Hall for Sunday School and reminded the Board that the heat in the lower Town Hall is generally shut down from Friday to Monday afternoon. Responding to Selectman Donald, Mr. Thompson stated that they are also looking into the possibility of using the Grange Hall. Following discussion, Mr. Thompson was directed to contact the Presbyterian Church denying their request to use the lower Town Hall because of the expense involved in keeping the heat on over the weekend.

Budget(s)

Executive Secretary Richard E. Thompson stated that the Board would have their budget packages for Saturday's meetings by tomorrow. The budget hearings for Engineering, Fire, Police, Selectmen and Town Counsel and Unclassified, in that order, will begin at 8:00 a.m. at the Loring Parsonage, Saturday, December 4. The remaining budgets will be scheduled as soon as they are completed.

Town Fathers Forum

It was on motion by Selectman Donald unanimously

VOTED: To cancel the Town Fathers Forum of December 27, 1982, because of the holidays.

Selectmen's Capital Improvement Projects 1983-88 Submission

The Board briefly reviewed for Ms. Majorie Wallace (Finance Committee liaison) the earlier meeting with the Fire Chief and Assistant Chief relative to their capital improvement submission for the 1983-88 period which the Selectmen supported as presented.

During discussion, the Board approved submission of Capital Improvement Projects for the 1983-88 period, as follows:

- 1) Hosmer House Preservation. Included only for the narrative explaining the status of monies expended, matched by grant, appropriated and in the Hosmer Memorial Fund;
- 2) Loring School Demolition. \$25,000 for 1983/84;
- 3) Fairbank School Community Center. \$50,000 for 1983/84 (\$10,000 appropriated under 82STM, Article 1);
- 4) Town Hall/Flynn Building. \$20,000 for 1983/84 for office space analysis.

Revenue & Expenditures Forecast

Mr. Thompson distributed a Preliminary Revenue & Expenditure Forecast for the Town of Sudbury, dated November 29, 1982, and briefly reviewed the figures with the Board and explained each line item. The forecast is subject to change.

There being no further business to come before the Board, the meeting was adjourned at 9:30 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk