

IN BOARD OF SELECTMEN
MONDAY, JUNE 6, 1983

Present: Chairman John E. Murray, Anne W. Donald and Myron J. Fox.

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

Tax Anticipation Notes

Present: Town Clerk Jean M. MacKenzie and Town Treasurer Chester Hamilton.

a) In accordance with a communication dated May 25, 1983, from the Town Treasurer, it was on motion by Chairman Murray unanimously

VOTED: To confirm the Board's vote of May 25 authorizing renewal of borrowing in the amount of \$3,000,000 in Tax Anticipation Notes.

b) In accordance with the Town Treasurer's communication of June 2, 1983, it was on motion by Chairman Murray unanimously

VOTED: To sign Tax Anticipation Notes in the amount of \$3,000,000 dated June 5, 1983, and due August 31, 1983, as follows:

Bay Bank Middlesex	4.42%	1,000M
Essexbank	4.47%	250M
Boston Safe Deposit & Trust Co.	4.66%	200M
Old Colony Bank of Middlesex	4.69%	250M
Guaranty First Trust Co.	4.87%	500M
Bank of Boston (5.65% less premium \$406)	4.89%	500M
Guaranty First Trust Co.	4.92%	300M

c) Also, in accordance with the Town Treasurer's communication of May 25, 1983, it was on motion by Chairman Murray unanimously

VOTED: To authorize renewal of \$900,000 in Tax Anticipation Notes which fall due June 30, 1983.

Mr. Hamilton requested that he be on the Selectmen's June 20 agenda to sign these notes.

Mr. Hamilton stated that the Selectmen may be interested to know that he had requested the Finance Committee to transfer \$14,000 from the long- to the short-term interest account and, in addition, to transfer an additional \$20,000 from the Reserve Fund to cover borrowing costs. (He stated there will be approximately \$11,000 in the Reserve Fund after this and other pending transfers are processed.)

Mr. Thompson informed Mr. Hamilton that a classification hearing had been scheduled for next Monday, June 13.

Selectman Fox asked if the tax bills are still scheduled to go out on June 20 and how any income from the same might affect the August 31 due date. Mr. Hamilton responded, in part, that the majority of the money collected from real estate taxes gets on the books during the 5th and 6th week after tax bills go out; in the meantime, he must continue to borrow to pay off borrowing which is currently due and to continue to run the Town which costs approximately One Million Dollars monthly, adding that he will be back before the Selectmen to borrow again, short-term, to cover July expenses.

Temporary Trailer - New England Research

Present: Toivo Koehler, Deputy General Manager and Angelo Trainito, New England Research Center, Incorporated.

In accordance with a communication dated May 17, 1983, from Toivo Koehler, Deputy General Manager of New England Research Center, Incorporated, and following some discussion and explanations regarding the need, location, and duration of the use of a temporary trailer on this property, it was on motion by Selectman Donald unanimously

VOTED: To approve the request of New England Research Center, Inc., dated May 17, 1983, for an extension of the Board's votes of June 24, 1980, May 18, 1981, and June 7, 1982, to allow the use of one temporary trailer by New England Research Center, Inc., at Longfellow Center, 30-54 Boston Post Road (Site Plan 80-216), for one additional year.

Selectman Fox stated that he personally would not vote in favor of any further extensions beyond this one.

Mr. Koehler stated that there are ten small engineering office cubicles in the trailer which will be moved to new space at Stanmar if its site plan is approved; therefore, this is expected to be the last request for an extension for the use of said trailer. He added that they hoped to be out of the trailer before the year is up.

House Bill #2104

The Board acknowledged receipt of a communication dated May 31, 1983, from the Massachusetts Municipal Association concerning House Bill No. 2104, An Act to Provide Residential Property Tax Relief Through Reform of Property Tax Classification in Large Cities and Towns.

On the recommendation of the Executive Secretary that this bill would deteriorate local options by dictating that a residential factor be used for communities in excess of 20,000 population, the Board directed him to send communications to Representative Lucile Hicks and Senator Chester Atkins soliciting their support to oppose the same.

House Bill #5784 (re-drafted)/Senate Bill #1028

The Board was in receipt of a communication dated May 24, 1983, from the Middlesex County Advisory Board regarding county courthouse takeover by the State (H5784/S1028), and a May 26 communication from Thomas Larkin, Chairman of the Middlesex County Commissioners, enclosing a statement (also dated May 26) responding to an inquiry from Mayor Mann, Chairman of the Middlesex County Advisory Board, outlining opposition to H5784/S1028.

On the recommendation of the Executive Secretary, it was on motion by Selectman Fox

VOTED: To direct the Executive Secretary to forward communications to both Representative Lucile Hicks and Senator Chester Atkins, with a copy to the Middlesex County Advisory Board, soliciting their support of H5784 (re-drafted) for the State take-over from the county of court house buildings.

(Chairman Murray, in favor; Selectman Fox, in favor; Selectman Donald, opposed based on the opinion that the State cannot take care of things better than local or regional governmental agencies; the State should pay an appropriate rent, not the small amount they have been paying to the county, and it might create a significant increase in the number of State employees.)

Easements

It was on motion by Selectman Fox unanimously

VOTED: To confirm the signing and acceptance of easements, on behalf of the Town, under date of May 26, 1983, from the following grantors:

Cooperative Bank of Concord - Slope Easement (1) and Drainage Easement (1), shown on a plan entitled, "Definitive Subdivision of Land in Sudbury, Mass.", dated February 1983, by Charles A. Perkins Co., Inc.

Trustees of The Sudbury Foundation - Walkway Easement (2) and Highway Easement (1), shown on "Plan of Land in Sudbury, Massachusetts Showing Walkway Easement Dutton Road", dated April 4, 1983 (one walkway easement) and "Plan of Land in Sudbury, Massachusetts Showing Highway Easement Dutton Road", dated September 3, 1982 (one walkway easement and one highway easement), both plans drawn by the Town of Sudbury Engineering Department.

William L. Smith and Janet M. Smith, Trustees, Dovic Realty Trust - Highway Easement shown on "Plan of Land in Sudbury, Massachusetts Showing Highway Easement Dutton Road," dated September 3, 1982, drawn by the Town of Sudbury Engineering Department.

William H. Eburn, Jr. & Dorothy H. Eburn - Walkway Easement shown on "Plan of Land in Sudbury, Massachusetts, Showing Easements Dutton Road", dated June 1, 1982, revised August 30, 1983, drawn by the Town of Sudbury Engineering Department.

Site Plan 83-256 Stanmar, Inc., 68 Old County Road

Present: Richard S. Feldman of Stanmar, Inc.; Toivo Koehler, Deputy General Manager and Angelo Trainito, New England Research Center, Incorporated; Chairman Richard O. Bell, Conservation Commission; and Building Inspector Joseph E. Scammon.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered site plan 83-256 of Stanmar, Inc., for property located at 68 Old County Road, owned by Stanley W. Snider, Industrial District #11, for a change of use of the warehouse building to a research and development office facility.

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

- from the Building Inspector dated May 31 recommending approval subject to any conditions of the Board and, in part, commenting on seeding of the area in front of and to the right of the existing building which is being rehabilitated and shade trees in the new parking area;
- from the Town Engineer dated May 16, 1983, recommending approval conditioned on the following: leaching basins for storm run-off be installed at the driveway entrance and exit to Old County Road; and that a landscape plan be prepared and submitted for review in accordance with the landscape bylaw (done 5/20 - see below);
- from the Planning Board dated May 24 recommending approval in accordance with the landscape and drainage plans submitted by Stanmar, Inc., at the Planning Board's meeting of May 23;
- from the Conservation Commission dated May 27 expressing no concern and with no comment;
- from the Board of Health dated June 2, 1983, with recommendations as follows: that New England Research Co. (the proposed tenant) submit a report concerning any toxic or hazardous chemicals they plan to use; a DEQE license is required if hazardous waste is involved on site; a sewage system in accordance with the Massachusetts Environmental Code, Title 5 to be installed; a monitor well to protect the ground water shall be installed; and any change in the process shall be submitted to the Board of Health in the form of a detailed plan;
- from Mr. Feldman to the Planning Board dated May 20, 1983, enclosing landscaping plans and stating details of Japanese gardens and parking outlined in accordance with the bylaw. (And an earlier letter from Stanmar dated May 16, 1983, regarding landscaping plans.)

Mr. Scammon then reviewed the revised landscape plans which satisfied his concerns as noted above.

New England Research will be the new tenant for the renovated Stanmar building. On behalf of New England Research, Mr. Angelo Trainito stated that they propose to install a polypropylene system to collect residue, which will not be connected to the septic system and are looking into the possibility of putting in a gold-plating system, which involves effluents which they have to store on site. Until a final decision is made regarding the installation of a gold-plating system, the polypropylene system will remain blocked off and not in use. Mr. Trainito stated they have information about the system - how it will be treated to meet the EPA requirements; that they have a toxic waste storage permit from the DEQE and are waiting for EPA approval.

Chairman of the Board of Health, Richard L. Stevens, stated the Board's main concern is the uncertainty of New England Research's plans - whether they will be a short- or long-term tenant and whether there will be an increase in the amount of chemicals used either by them or by a subsequent research and development plant. He said that the Selectmen should realize that the situation could change in the future.

Later responding to comment by Selectman Murray regarding any change in use, Mr. Koehler stated that prior to installing the system and prior to their issuing a purchase order with the vendor, they will submit a plan to the Board of Health, the DEQE and the EPA for approval - that the vendor will have to verify that the system works to the existing requirements of those agencies. He added that New England Research would submit whatever weekly or monthly reports the Town desires.

Responding to Selectman Fox, Mr. Koehler stated that they make heat sensors - that the hardware assembly will be done in the proposed Stanmar building, and that some chemicals used in the process would be alcohol, Freon and trichloroethylene, and that they would be put in containers and shipped out - that license has been obtained from the DEQE and is waiting for approval from the EPA.

Responding to Selectman Donald, Mr. Koehler stated that the licensed hauler they plan to use is a New York Company, Radiac Inc.

Responding to Selectman Fox's general concerns regarding how the Town monitors changing tenants who might use hazardous chemicals and likewise the possible change in chemical use of a particular premise, particularly in an Industrial Zone, Mr. Stevens stated that it is difficult to co-ordinate these changes and it has been a problem in the past.

Mr. Thompson stated that it is a policy of the Board of Health in accordance with State health regulations to monitor the same. Selectman Fox suggested a more formal policy to be worked out between Health Director John V. Sullivan, the Board of Health and Mr. Thompson.

Mr. Feldman asked if the Board of Health's requirement for a monitoring well was for the present system or for a future system.

Mr. Stevens stated he believed Mr. Sullivan intended that a monitoring well be placed on the property only if chemicals were used; that there was a question of a pipe discharging waste water to the Sudbury River.

Mr. Feldman stated that that pipe had been capped and will not be opened until the tenant has the proper approvals from the DEQE.

Mr. Feldman stated he would contact Mr. Sullivan regarding the need for a monitoring well and placement of the same.

To Selectman Fox, Mr. Feldman stated that all other tenants are for office space despite the fact that the property is in an Industrial Zone, but that he would not like to see any restriction placed on the property in that regard.

Mr. Feldman satisfied Selectman Donald's concern regarding the placement of the handicapped parking area by pointing out that there are two entrances to the building.

Mr. Feldman discussed landscaping plans with the Building Inspector and agreed to update the plan accordingly.

Following further discussion, it was on motion by Selectman Donald unanimously

VOTED: To approve Site Plan Application 83-256 of Stanmar, Inc., owned by Stanley W. Snider, for property located at 68 Old County Road, as shown on a plan entitled, "Site Plan of Land in Sudbury, Mass.", dated April 8, 1983. subject to compliance with all governmental laws and regulations including, but not limited to, zoning, building and health laws and regulations, and further subject to the following conditions:

- the Board of Health's report of June 2, 1983;
- inclusion of final landscaping on the mylar;
- confirmation from the Town Engineer that his concern pertaining to leaching basins had been satisfied through conversation with Engineer Bruce Ey for Stanmar since he had not amended the recommendation regarding the same noted in his letter of May 16;
- subject to any industrial use by any tenant involving the use of chemicals obtaining approval by the Board of Health.

NOTE: The plan will not be signed until it is updated.

Police Cruisers

Present: Police Administrative Assistant Peter Lembo.

Accept Bid

It was on motion by Selectman Donald unanimously

VOTED: To accept a bid to furnish two, 1983 Ford LTD's Crown Victoria Police Cruisers from Natick Auto Sales, Inc., 157 W. Central Street, Natick, Massachusetts, in the amount of \$14,998 including trade-in allowance for two 1982 Ford LTD's, in accordance with their proposal dated May 31, 1983 and the Town's specifications dated May 16, 1983.

Transfer Request

Present: Marjorie Wallace, Finance Committee.

Accordingly, it was on motion by Selectman Donald unanimously

VOTED: To approve transfer request No. 1103, dated June 6, 1983, from the Reserve Fund to Account No. 320-51, Police Equipment Purchase, in the amount of \$753.35 which is the additional money needed to meet the bid for the two new police cruisers at a price of \$14,998.

Transfer Requests

Present: Police Administrative Assistant Peter Lembo; and Marjorie Wallace, Finance Committee.

a. Police Tuition Reimbursement

It was on motion by Selectman Donald unanimously

VOTED: To approve transfer request No. 1095 dated May 26, 1983, from the Reserve Fund to Account No. 320-81, Tuition Reimbursement, in the amount of \$2,135.03 to reimburse two police officers as explained in the numbered transfer.

b. Police Cruiser Maintenance

It was on motion by Selectman Murray unanimously

VOTED: To approve transfer request No. 1097 dated May 26, 1983, from the Reserve Fund to Account No. 320-31, Cruiser Maintenance, in the amount of \$5,000 to cover the cost of two additional gasoline deliveries for FY83 and for repairs to the cruisers.

Transfer Request - Fire Department Overtime

Present: Marjorie Wallace, Finance Committee.

It was on motion by Selectman Fox unanimously

VOTED: To approve transfer request No. 1098 dated May 26, 1983, from Account No. 310-11, Fire Department Salaries to Account No. 310-12, Fire Department Overtime, in the amount of \$2,551.35, for newly retired Firefighter/EMT Shawn Kelley, as set forth on the numbered transfer and as shown on attached explanation.

Reference: communication dated May 25, 1983, from the Middlesex County Retirement System to Mr. Shawn C. Kelley approving the Involuntary Accidental Disability Retirement application.

Site Plan 83-254, Carolyn J. Mugar, Boston Post Road

Present: Building Inspector Joseph E. Scammon; Police Administrative Assistant Peter Lembo; Chairman Richard O. Bell, Conservation Commission; Winthrop H. Fairbank, Sudbury Water District; James R. Walsh, Vice President for Carolyn Mugar, Mark J. Brennan, Engineer Herrick H. Spicer, Atty. Robert Davis, Leasing Agent David Zagrodny, Lee McNeil of Anderson-Nichols, all for Mugar; Bill Wong and Dong P. Wong, Pacific Gate Restaurant, Joseph Klein and approximately four other interested residents and/or Town representatives.

Chairman Murray convened the continued hearing (from April 21, 1983) of site plan 83-254 of Carolyn J. Mugar, Sudbury Plaza Shopping Center, located on Boston Post Road, Limited Business District #2, for the construction of a new building.

Executive Secretary Richard E. Thompson noted receipt of the following communications in the interim since April 21:

- from James R. Walsh, Agent for Carolyn J. Mugar, dated May 27, 1983, submitting 1) drawings incorporating a. changes requested by the Conservation Commission at the public hearing of May 11, b. traffic control improvements, and c. comments received from the various Town officials and departments; 2) a traffic report prepared by Anderson-Nichols incorporating information referenced at the initial hearing on April 21 and additional traffic counts, all of which had been reviewed with the Town Engineer. In his letter, Mr. Walsh indicates Mr. Scammon has mylar sepias for the Board's endorsement, and the Fire Chief and Police Administrative Assistant Peter Lembo have updated copies of the site plan. Sergeant Lembo also has a copy of the traffic report; Health Director John V. Sullivan has a copy of the new drawings;
- from the Building Inspector dated June 2 recommending approval of the revised site plan;

- from the Fire Chief dated June 6 recommending approval of the revised site plan;
- an IEP report dated April 5, 1983, addressed to the Conservation Commission relative to the Mugar filing March 25, 1983;
- a May 31, 1983 "Notice of Intent of Carolyn J. Mugar, Sudbury Conservation Commission" (enclosing a draft of the restrictive covenant between the Town and Mugar) forwarded to Town Counsel Paul L. Kenny from Goulston & Storrs;
- from the Town Engineer dated May 31 recommending approval on the basis that the revised site plan appears to be in compliance with all concerns raised by the various Town boards/officials, i.e., fire lane and handicapped parking resolved, speed bumps proposed on access road, improved on-site drainage, slope adjustment adjacent to the wetlands for better stabilization, on-site traffic patterns to improve safety and control.

Mr. Thompson stated he had spoken to the Water District and that Mr. Fairbank is present to report.

Mr. Fairbank stated that the District has no real objection to the site plan but is concerned that the Town's best well water supplies are located just downstream of this site. Mr. Fairbank stated that the District would like the Selectmen to place some restrictions on the site to limit the use so that no hazardous material can get into the sewage system or the ground water. He stated further that that restriction could limit the sales to prepackaged pharmaceuticals if there are still plans for a drug store.

Responding to Mr. Fairbank, Chairman Murray referenced the Board of Health's April 15 report to the Selectmen placing several health restrictions on the property and specifically the restriction limiting space for dry goods stores only.

Mr. Walsh added that there are several restrictions in the restrictive covenant which have been previously agreed to as a result of the Conservation Commission's Wetlands Protection Act hearing. Chairman Bell of the Conservation Commission stated that hazardous and/or non-biodegradable waste had been taken care of in the covenant. He commended The Mugar Group for their efforts in working with the Town, and responding to Selectman Murray, stated that the Conservation Commission will respond to the IEP report in its order of conditions.

Mr. Walsh stated that, additionally, they have agreed (as noted in the covenant) to install two monitoring wells on the property to monitor the quality of the water.

Atty. Robert Davis clarified some points/concerns in the restrictive covenant and stated that it would be recorded with the Grant of Easement, also attached.

The Building Inspector confirmed that his initial concerns had been satisfied.

Chairman Murray stated that the traffic report submitted was the best one he had seen in six years as Selectman, but he felt Saturday should have been included. (Later, Selectman Donald stated she felt some of the abbreviations should have been explained since she was not familiar with them and, therefore, could not understand some parts of the report.) Mr. Walsh pointed out that one of the counts was taken on a Thursday night purposely to take in the evening bank traffic and the traffic fell within the ninety-three percentile of the national average. Mr. McNeil, Traffic Engineer, Anderson-Nichols, reiterated that the existing shopping center traffic rate was ninety-three percent of the national average; based on the size of the proposed development, they anticipate one hundred-ninety cars entering and exiting during the p.m. peak traffic - fifty percent of which will be newly generated trips (people passing by on Route 20 and who turn into the shopping center), and the other fifty percent would be from people already in the Star Market complex.

Selectman Murray expressed his opinion that Saturday's traffic is local and it is a big problem.

Selectman Donald suggested a change in the traffic pattern at the easterly access from Route 20 eliminating left turn to the northerly parking area of the proposed new building. Following private discussion the applicant agreed, on behalf of The Mugar Group, to her recommendation, and those changes will be so amended on the plan. There was also a question of landscaping changes by Selectman Fox on the north side of the building to better shield the pavement, which changes the applicant will make on the plan.

Police Administrative Assistant Peter Lembo stated that the traffic on Route 20 has doubled every five years for the past twenty years while nothing had been done to improve the road. Figures show a total of thirty-two accidents over the past five years, and those are only the investigated accidents - those with damages of two hundred dollars or more. Uninvestigated accidents are about ten to one compared to investigated ones! Sergeant Lembo said he met with The Mugar Group and Chief Dunne and had expressed his dissatisfaction with the impact on traffic on Route 20. Looking at the revised plan for the first time, however, Sergeant Lembo stated that the entrance was not wide enough; that the berms should be angled and shortened for better vehicular maneuverability, and that he would not be able under any circumstances to get an off-duty police officer to direct traffic at that intersection. Selectman Fox suggested that The Mugar Group settle Sergeant Lembo's concern regarding the berm. Sergeant Lembo stated that the traffic on Route 20 is not getting better, it is impossible, that there are no peak hours - but traffic is car-to-car all the time.

Mr. Joseph Klein made the following general remarks:

- he travels Route 20 westerly every evening and it has gotten worse since opening of the new Casual Male building at Nobscot Road;
- population statistics show Sudbury and Wayland down by one thousand people over the past five years; Framingham's population is also less than it was five years ago;

- where is the need for additional retail stores - is it for a wide general area (in which case a traffic study is useless), or competition for the local merchants (in which case someone will end up going out of business);
- rules and regulations in this Town are not enforced; i.e., Longfellow Glen promised to do no undue destruction, and then cut down all the trees;
- the Selectmen are forced to approve certain things by law, but if there is not enough benefit to the Town, the subject site plan should be turned down;
- he suggested it be turned down for three further reasons - 1) traffic problems, 2) water problems, and 3) a threat to health;
- Route 20 is still residential and every time the Selectmen allow a commercial development, the pressure on those residences is increased. Recently, near the intersection of Horse Pond Road, a home was renovated into a doctor's office because the owner felt he could not resell that home as a residence because of its location on Route 20, even though it was built only seven years ago. Ms. Marjorie Wallace later agreed with Mr. Klein and agreed that the traffic problem was a very valid reason to turn down the site plan.

Mr. Brennan of Mugar addressed some of Mr. Klein's remarks as follows:

- There will be no deviation to the plan; The Mugar Group is responsible and has a proven reputation in Town;
- they have continued to address problem areas and worked very closely with the Town Engineer, the Board of Health and the Health Director, and have agreed to a restrictive covenant to protect not only the septic system but the Town's water;
- he believes the benefit to the Town will be seen through the tax benefits.

Chairman Murray added that the Town has quite a lot of college-aged children, and that could be the reason for the drop in population (they are considered residents of the Town in which they board).

Chairman Murray stated his belief that the widening of Route 20 would include that portion of the road between the Police Station and the Fire Station. It will be widened approximately ten feet on the opposite side of Route 20 from the Star Plaza; the State DPW is in the process of obtaining takings and easements and have scheduled the bidding for sometime this fall.

Responding to Chairman Murray, Mr. Walsh stated that they had contacted the State DPW but they learned that this particular project had been placed on a back burner even though just prior to that, their people were working in Town.

On the subject of the monitoring wells, there was a consensus of Mr. Bell and Mr. Walsh that The Mugar Group would pay the cost of the installation and the Board of Health, the cost of the monitoring.

Regarding snow plowing, Mr. Walsh stated that they would plow to the parameters of the site and if necessary would haul the snow to behind the existing buildings (behind Star Market).

Following comments by both Selectmen Murray and Donald, Selectman Fox added he is in favor of the site plan based on the fact that the Route 20 widening is coming up within the next twelve to eighteen months, and it was on motion by Selectman Fox

VOTED: To approve Site Plan Application #83-254 of Carolyn J. Mugar, Sudbury Plaza Shopping Center, located on Boston Post Road, as shown on a plan, submitted under cover letter from The Mugar Group dated May 27, 1983, entitled, "Shopping Center At Sudbury Plaza, Boston Post Road, Sudbury, Mass.", sheets C-1 through C-6, dated February 18 and revised May 6 and May 17, 1983, subject to compliance with all governmental laws and regulations including, but not limited to, zoning, building and health laws and regulations, and further subject to the following conditions:

- 1) incorporation of seven items listed on page 6 of the April 15, 1983, (revised May 6, 1983) traffic reports prepared by Anderson-Nichols & Company, Inc., 150 Causeway Street, Boston, for The Mugar Group, Inc.;
- 2) a Restrictive Covenant and Easement, both to be recorded, submitted under cover letter dated May 31, 1983, from Goulston & Storrs and developed in conjunction with the Conservation Commission's requirement that the applicant file a Notice of Intent under the Wetlands Protection Act. Among other things, this will restrict hazardous materials from being put into the Town's water supply, the ground or sewage that will adversely harm the Town wells or groundwater;
- 3) recommendations contained in the Board of Health's report of April 15, 1983, which will require, among other things, that no wet (including but not limited to car washes, restaurants and beauty parlors) uses will be allowed in the complex (proposed development and existing shopping center), and approval by the Board of Health of the Sub-surface sewage disposal system;
- 4) architectural design review and approvals by the Planning Board and the Board of Selectmen;
- 5) an approved Order of Conditions under the Wetlands Protection Act by the Sudbury Conservation Commission;
- 6) approval of final landscaping plan by the Board of Selectmen, since there appears to be more changes on the north side of the proposed building;

- 7) updating the plan to include recommendations regarding traffic patterns on site, as recommended by Selectman Donald, and shortening and angling at sixty degrees the westerly berm at the easterly access to Route 20;
- 8) final drainage approval by the Town Engineer.

NOTE: The above vote is subject to final review at the time the minutes of this meeting are approved by the Board.

(Selectman Donald, in favor; Selectman Fox, in favor; Chairman Murray, abstained.)

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session minutes and the Town Fathers Forum minutes both of May 23, 1983.

Annual Appointments

During discussion it was on motion unanimously

VOTED: To make the following annual appointments:

- Harvey R. Peters, currently Board of Appeals Associate member and Earth Removal Board member, to the Board of Appeals, to replace Joseph A. Klein, for a term to expire April 30, 1988;
- Geraldine C. Nogelo, Jeremy M. Glass, Lawrence Shluger and Martha Reiss to the Board of Appeals (Associate Members) and to the Earth Removal Board, all for terms to expire April 30, 1984;
- Sister Mary McGovern of Our Lady of Fatima Parish to the Council on Aging for a term to expire April 30, 1986;
- Harriet T. Ritchie to the Sudbury Historical Commission for a term to expire April 30, 1986;
- Judith A. Mack to the Historic Districts Commission for a term to commence January 1, 1984 and expire December 31, 1988, replacing Donnilea S. Marshall;
- Michael Freundlich, Bruce J. Campbell, Nancy Schaffer and Frank M. Vana to the Juvenile Restitution Program Committee, all for terms to expire April 30, 1984;
- Richard E. Murphy, Esq., appointed as Labor Relations Counsel for FY83-84 bargaining year;
- Thomas M. French as Temporary Parking Clerk for a term to expire April 30, 1984;

- Darlene F. Robinson, Helen E. Nadeau, Mary-Ann Gavin and Barbara A. Greenwood as Police Matrons, all for terms to expire April 30, 1984.

All of the above appointments were made subject to acceptance.

The Executive Secretary was directed to contact the Board of Appeals, for a recommendation regarding a replacement for Harvey R. Peters on the Associates/Earth Removal Board; Chairman Eileen M. Todd of the Talent Search Committee and/or the Council on Aging for a recommendation for appointment to the Council; and Stephen Golder, Chairman of the Personnel Board, regarding that Board's recommendation for appointment to fill the one vacancy.

Chairman Murray stated that he would contact Officer William B. Carroll for clarification of his recommendations to fill the existing vacancies on the Juvenile Restitution Program Committee (including Alternates).

The Executive Secretary was further directed to send letters of appreciation on behalf of the Board to both Joseph A. Klein and Lynne H. Remington for their service on the Board of Appeals and the Conservation Commission, respectively.

The Board acknowledged receipt of a letter of resignation from Maurice J. Fitzgerald from the Board of Registrars, dated May 27, 1983, and directed that a letter thanking Dr. Fitzgerald for his service be sent on its behalf.

Conservation Restriction (off Maynard Road)

It was on motion by Selectman Murray unanimously

VOTED: To accept and sign a Conservation Restriction from The Cooperative Bank of Concord on a portion of land (marked "restricted areas" on the respective plans) in Sudbury owned by them and known as Lots 1 through 18, Goodnow Meadows subdivision, off Maynard Road, to be recorded in the Middlesex South District Registry of Deeds.

Cemetery Lots

It was on motion by Selectman Fox unanimously

VOTED: To repurchase Cemetery Lot No. 31 (four graves) in Section 3A of the New Town Cemetery from Mrs. Dorothy Gledhill, 9 South Street, Wayland, Massachusetts, at the price of \$200, the money to be taken from the appropriate Cemetery Funds (\$50 from Sale of Lot and \$150 from Perpetual Care), in accordance with a request from Mrs. Gledhill dated May 26, 1983, and under the authority provided by Section IX, paragraph 3, of the Town's Cemetery Rules and Regulations.

Winchester & Co.

It was on motion by Selectman Fox unanimously

VOTED: To approve the addition of "d.b.a, Winchester and Company," in relation to the All Alcoholic Beverages License held by Winchesters of Sudbury, Inc., and to file said designation with the Alcoholic Beverages Control Commission.

Insurance

On the recommendation of the Executive Secretary who is working with the Town Counsel and will be meeting with Insurance Advisory Committee member Rita C. Cobb and Insurance Agent, Chuck Hall, it was on motion by Chairman Murray unanimously

VOTED: To postpone to sometime in July a decision with regard to recommendations set forth in a communication dated May 27 from the Insurance Advisory Committee Chairman, William P. Reed, relative to municipal liability insurance.

FY82 Audit

It was on motion by Selectman Fox unanimously

VOTED: To concur with the recommendations set forth in a May 26 communication from the Town Accountant with respect to the FY82 Audit and the use of funds for the same.

The Executive Secretary distributed to the Board a communication dated June 1, 1983, from Glenn E. Funkhouser, Manager, Audit Division, Office of the Treasury, granting a final extension to September 1 of the filing of the Town's FY82 Audit.

Donations

It was on motion by Selectman Fox unanimously

VOTED: To accept, on behalf of the Town, miscellaneous donations in the amount of \$172 to be used for the Council on Aging van.

Fort Devens - Volksmarsch

The Board acknowledged receipt of an announcement relative to the Fifth International Volksmarsch on June 18 and 19, sponsored by Fort Devens Wanderers American Volkssport Association, at the U.S. Army Fort Devens Sudbury Training Area.

Chairman Murray stated that this was a family oriented march on trails on the Sudbury Annex of Fort Devens; an average volksmarsch, he stated, is eleven kilometers.

Chairman Murray informed the Board that Fort Devens has arranged for School-aged children to be educated to the dangers associated with the unlawful trespassing and/or tampering with any of the materials found on the grounds of training bases, in this case, Fort Devens, Sudbury Annex. Mr. Thompson added that at the direction of Chairman Murray, he had notified Superintendents LoPresti and Sargent regarding the same.

MCSA Meeting

Selectman Donald stated she planned to attend the Middlesex County Selectmen's Association Spring Meeting, Thursday, June 16, at Stouffer's Bedford Glen.

Selectman Murray and Fox stated they are unable to attend.

House Bill 485

Selectman Fox directed Executive Secretary Richard E. Thompson to request that Representative Lucile Hicks and Senator Chester Atkins support House Bill 485 allowing certain cities and towns that have no service, but are assessed for the same anyway, to get out of the MBTA.

Ephraim's - Wedding Tent

In accordance with a request, dated June 6, 1983, from Donald Wagoner, Manager, Ephraim's of Sudbury, it was on motion unanimously

VOTED: To grant permission to Ephraim's of Sudbury to erect a temporary outdoor tent for weddings on two separate occasions, June 18 and June 25, 1983, covering the brick patio area to the rear of said restaurant (between 8 Village Green and the rear entrance of the West Newton Savings Bank), which would be removed the same day, during their licensed hours; said permission will not permit Ephraim's to exceed the Board of Health's seating capacity for the entire restaurant on those two dates; said permission is subject to Historic Districts Commission and the Building Inspector approval.

The Board directed Mr. Thompson to remind Mr. Wagoner that no parking is allowed in the fire lanes and that he should make provisions for any anticipated additional parking.

Route 20 Railroad Crossing

Selectman Fox directed the Executive Secretary to look into the matter of who was going to be responsible for repairing the road at the railroad crossing (intersection of Route 20 and Nobscot Road) and when, and specifically to get an answer to the liability question.

Utility Poles

Following a brief explanation by the Executive Secretary it was on motion unanimously

VOTED: To authorize Boston Edison Company and New England Telephone and Telegraph Company to proceed immediately with the removal and installation of poles (7), wires, and such other fixtures as may be necessary to sustain or protect the wires of the line, along Dutton Road, in advance of receipt of petitions and public hearing, as an emergency measure to enable road reconstruction to go forward.

S.A.D.D. Signs

Mr. Thompson confirmed with the Board that he had followed up with Mrs. Susan Sartori, the Students Against Driving Drunk (S.A.D.D.) Advisor, the Board's authorization for their use of the community signs. She agreed that the sign boards could be used to congratulate the '83 graduating class; the winning sign in the S.A.D.D. "Design a Sign" contest would later be displayed at the north and south fire stations on the community signboards.

Mr. Thompson stated he had suggested that a S.A.D.D. sign could replace the permanent "conserve energy" signs for a while. Chairman Murray agreed that was a good cause. Selectman Donald reiterated her willingness to be on the panel of judges for the contest.

Loring School Lease

Mr. Thompson asked that the Board review and comment individually on the Loring School lease which had been prepared by Town Counsel.

There being no further business to come before the Board, the meeting was asjourned at 11:50 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk