

IN BOARD OF SELECTMEN  
MONDAY, SEPTEMBER 12, 1983

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

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

Union Avenue/Dutton Road Reconstruction Borrowing

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

It was on motion unanimously

VOTED: To confirm the Board's telephone vote of September 1, 1983, authorizing the Treasurer to borrow \$65,000 in connection with Article 23, 1983ATM, for Union Avenue reconstruction, and \$75,000 in connection with Article 24, 1983ATM, for Dutton Road reconstruction, and, accordingly, signed the following notes:

BayBank Trust Co.            4.88%            \$140,000

The Board noted receipt of the Town Treasurer's communication dated September 8, 1983, confirming the awarding of the above bid for the Town of Sudbury for highway reconstruction, said notes to be dated September 20, 1983, will mature March 15, 1984, and are to be paid with State reimbursement funds.

Appointment - Sign Review Board

Present: Robert E. Verville, applicant.

In accordance with a recommendation dated August 22, 1983, from the Chairman of the Sign Review Board, G. Burton Mullen, and following discussion with applicant Robert E. Verville, it was on motion by Selectman Donald unanimously

VOTED: To appoint Robert E. Verville, 264 Morse Road, to the Sign Review Board, replacing Leon Zola, for a term to expire April 30, 1986.

Framingham Hospital Emergency Training

Present: Fire Chief Michael Dunne.

The Board noted receipt of an August 23, 1983, communication from the Fire Chief recommending that the Town not participate in Framingham Union Hospital's Emergency Medical Technician - Intermediate (EMT-I) Program at this time due to the costs involved and Sudbury's present good working relationship with two area hospitals to provide para-medical service in emergencies.

During discussion with Chief Dunne, he reiterated his position, and the Selectmen expressed agreement.

Calling Emergency Special Town Meeting

Present: Town Treasurer Chester Hamilton.

On the question of calling a Special Town Meeting on an emergency basis, and after discussion of a list of proposed articles in the Selectmen's pending file, dated September 12, 1983, it was a consensus to call a Special Town Meeting and include the following articles in the Warrant:

- Free Cash - FY84
- Unpaid Bills.

During discussion with the Town Treasurer it was further agreed by the Selectmen to include an article requested by the Town Treasurer, FY84 Budget Adjustment - Debt Service (Line Item 201, Temporary Loan Interest, \$20,000), as well as two articles by the Board of Assessors, Accept G.L., c.59, s.5, Clause 37A - Tax Relief for Blind Persons and Accept G.L., c.59, s.5, Clause 41B - Real Estate Tax Reductions for Elderly. (It was the Board's position that all other pending Selectmen's articles should be held and reconsidered for inclusion in the Warrant for the 84ATM.)

Following a lengthy discussion, it was on motion unanimously

VOTED: To adopt and follow the schedule for proceeding with an Emergency Special Town Meeting, as prepared by the Executive Secretary;

and it was further unanimously

VOTED: To call a Special Town Meeting to be held on Monday, October 3, 1983, at 8:00 p.m. in the Lincoln-Sudbury Regional High School Auditorium;

and it was further unanimously

VOTED: To order articles for the Warrant, and direct the Executive Secretary to proceed with the preparation of the Warrant, as follows:

- 1) Unpaid Bills (totaling \$823.93)
- 2) FY84 Budget Adjustment - Debt Service (Line Item 201, Temporary Loan Interest, \$20,000)
- 3) Free Cash - FY84 (Amend 83ATM vote for use of Free Cash by reducing the amount appropriated)
- 4) Accept G.L., c.59,s.5, Clause 37A - Tax Relief for Blind Persons
- 5) Accept G.L., c.59,s.5, Clause 41B - Tax Reductions for Elderly.

Selectman Fox commented that an explanation to the public of tonight's expeditious action to call a STM would be in order and suggested that the press and the Executive Secretary publicize in layman's terms the reason necessitating a STM to adjust the Free Cash voted at the 83ATM based upon FY84 Cherry Sheet estimates (received actual numbers July 27, 1983) a figure larger than expected and to further explain that because it is being called on an emergency basis, there isn't time for the usual lengthy process of Town-wide involvement.

Mr. Thompson responded that he had consulted with the certain boards and commissions and elected Town officials he was aware of who were considering articles. Also, that he would assist the press in reporting on the subject.

Site Plan 83-267, Stanmar, Inc., 68 Old County Road

Present: Building Inspector Joseph E. Scammon; Town Engineer James V. Merloni; Fire Chief Michael Dunne; Richard Feldman of Stanmar, Inc.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered Site Plan 83-267 of Stanmar, Inc., for property located at 68 Old County Road, owned by Stanley W. Snider, Industrial District #11, for expansion of the existing front building and the addition of a two-story, 18,000 square foot research and development/office building.

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 Town Engineer dated August 29, 1983, and from the Planning Board, received tonight and dated September 12, 1983, both recommending approval conditioned on Board of Health approval;
- from Fire Chief Michael Dunne, dated September 6, 1983, recommending that the proposed building be sprinklered and requesting one additional fire hydrant;
- from the Board of Health dated September 6, 1983, stating the proposed office building sewage flow will be connected to the existing building's septic system, and that the engineering design is adequate for the two buildings; that the proposed monitoring well shall be installed as shown on the site plan; that the proposed building be occupied strictly for office space; and recommending approval of the site plan as submitted;
- from the Conservation Commission, dated August 31, 1983, indicating that a Determination of Applicability filing will be necessary because of work proposed in the wetland buffer zone; and
- from the Building Inspector, dated September 9, 1983, recommending approval.

Applicant Richard Feldman for Stanmar, Inc., stated that they would comply with the Fire Chief's recommendation to sprinker the building and would coordinate the placement of an additional hydrant with the Chief.

Responding to the Selectmen, Mr. Feldman stated he has not met with the Conservation Commission yet.

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

VOTED: To approve Site Plan Application 83-267 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, revised June 9, 1983, July 22, 1983, and August 26, 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:

- those set forth in communications from the Board of Health and the Fire Chief, both dated September 6, 1983, and from the Conservation Commission dated August 31, 1983;
- and to the condition that any industrial use by any tenant involving the use, storage or disposal of chemicals requires prior approval from the Board of Health.

#### Plumbing Fees

On the question of increasing fees for plumbing inspections, Executive Secretary Richard E. Thompson referenced material provided for the Board's consideration - a schedule of the various current plumbing fees (amended January/1979), and a comparison of corresponding and additional plumbing fees charged in six area towns.

Mr. Thompson pointed out that it would be the Building Inspector who makes the final approval for the raising of these fees, and at the suggestion of Chairman Murray, Mr. Thompson stated he would work with Building Inspector Joseph E. Scammon and Plumbing Inspector Howard P. Porter and get back to the Board.

Selectman Fox stated it would be helpful to know what the fees had been increased from when they were amended upward in 1979, and whether the individual fees adequately cover administration of the same.

Selectman Fox recommended that whenever the subject of fees/charges comes before the Board, the two criteria for determining these fees should be based on: 1) the total amount of money raised for those fees annually; and 2) what the cost is to carry out the service(s). The Board should also know what the suggested percentage increase is for each fee. The Board concurred.

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

VOTED: To postpone any action on this matter until the Board has received additional information, as noted above, and a recommendation from the Building and Plumbing Inspectors.

Alcoholic License Transfer - Pizza Alla Pietra

Present: Antonio Giovane, Pizza Alla Pietra.

Chairman Murray convened a Public Hearing on the application for a Transfer of a Restaurant License for the Sale of All Alcoholic Beverages from Antonio Giovane, Manager, Giovane & Manion, Inc., d/b/a Pizza Alla Pietra, for property located at 447 Boston Post Road, to Dimitri James, d/b/a Dimitri's Pizza and Restaurant; (also, question of approving an application for Common Victualler License).

At the request of Antonio Giovane, it was on motion unanimously

VOTED: To continue by mutual consent to Monday, September 26, at 7:30 p.m., the above-noted application.

Town Insurance

Following discussion, it was on motion by Selectman Fox unanimously

VOTED: To modify the Town's insurance to reflect the recommendations and information from the Executive Secretary in a letter dated August 29, 1983.

For the Board's information, Executive Secretary Richard E. Thompson stated that the Finance Committee is scheduled to meet with the Insurance Advisory Committee September 22, and pointed out the Finance Committee may be recommending that the Town go out to bid on Town insurance, contrary to the recommendation that Sudbury retain the same insurance carrier, just adopted by the Board, noted in the Executive Secretary's letter of August 29. The Executive Secretary stated he would update the Board after the FinCom meeting.

Speed Humps - Dudley Road

Present: Town Engineer James V. Merloni.

The Board was in receipt of an August 31, 1983, communication from the Town Engineer enclosing plans he prepared for the placement of five speed humps at several locations along Dudley Road and warning signs at both ends of Dudley Road to alert motorists of the use of these speed control devices. The Town Engineer also enclosed for the Board's information a portion of a report entitled, "Speed Humps and the Thousand Oaks Experience" dealing with installation guidelines and construction details.

The Board also acknowledged receipt of two communications from Dudley Road residents as follows:

- from David R. Owen, dated August 26, asking if the completion target date of the project will be before winter; and
- from Stephen D. Rich, dated August 2, requesting that the installation of the speed humps be prior to September 15 and the yellow center line along Dudley Road be re-marked.

Chairman Murray stated his recollection that the Selectmen had not made a firm commitment to the Dudley Road residents contrary to the inference in the above-noted communications for the installation of speed humps, but rather had recognized that safety problems existed there, and had requested the Town Engineer to draw up preliminary plans with cost estimates for further consideration by the Board.

The Executive Secretary called to the Board's attention their comments in the minutes of February 14, 1983, on the same subject.

Responding to the Selectmen, the Town Engineer stated that the cost for speed humps is approximately \$300-500 each, that he is only in favor of using speed humps because there does not seem to be any alternative to prevent speeding on this road, and that he recommends using only two in the middle, on an experimental basis, which would cost approximately \$1,000. Mr. Merloni stated that, from all the literature he has read, speed humps really do work.

Regarding alternatives, the Town Engineer felt that law enforcement should be the first priority (all agreed on the difficulty of policing Dudley Road because the road itself is so narrow and winding); other alternatives discussed at public meetings, he continued, were to make Dudley Road one way or to exclude certain vehicles/trucks during peak traffic hours, but these were disregarded since these regulations did not satisfy the goal of reducing speed - weekend and nighttime speeding would continue.

The Town Engineer added that he had requested for the installation of speed humps from other neighborhoods where speeding is a problem, and that, although his preference might have been Longfellow Road instead of Dudley Road as the first location, he felt a commitment to those people because of the long history of traffic concerns there and because of initial discussion regarding the use of speed humps at a public meeting attended by Dudley Road residents.

Selectman Fox stated he would like to have an opinion from Town Counsel before making his decision on proceeding; Selectman Donald directed the Executive Secretary to respond to the two Dudley Road letters, and the Board agreed that the response should state that their understanding is incorrect, that the Board had considered the installation of speed humps on Dudley Road and are looking at all aspects of it; that, although final approval is pending, the engineering has

been completed, no money has been appropriated at this time. Also, the Board is waiting for advice from Town Counsel regarding liability and guidelines for installation and construction of speed humps. The Executive Secretary was further directed to request the recipient(s) of the Board's response to contact their respective neighbors regarding the status of the speed humps, and that the residents give some thought to whether or not it is acceptable (to those families involved) to have the speed humps in front of their respective properties.

Revised Site Plan 80-227 - Frank M. Vana, 435 Boston Post Road

Present: Building Inspector Joseph E. Scammon; Town Engineer James V. Merloni; Fire Chief Michael Dunne; Engineer Richard Skarinka; and Mr. & Mrs. Frank M. Vana.

The Board met with Mr. Frank Vana, his engineers, and Town officials on August 22 to discuss revisions to the above-noted Vana Site Plan, #80-227. Since the Town Engineer had some reservations about the number of changes, the Project Engineer, Bruce Skarinka, was directed to meet with the Town Engineer to discuss the same. The Executive Secretary had been directed by the Board to contact the appropriate Town officials, departments/commissions regarding the proposed changes, requesting input.

Executive Secretary Richard E. Thompson noted receipt of the following communications received subsequent to the Board's meeting of August 22:

- from the Board of Health, dated September 9, 1983, recommending conditional approval with the following revisions: "1. Referring to Note 3 on the site plan, the easement lines shall be changed to encompass the existing disposal system and future expansion area. All septic system components shall have the proper set back distances. 2. The cement wall foundations in two proposed buildings adjacent to the existing septic system shall extend five feet in depth below the leaching system. 3. The proposed septic system leaching trenches shall be twenty feet from property lines. 4. The proposed future expansion area shall be prepared with the proper gravel fill as also shown in the primary area. 5. The proposed plaza retail stores shall be provided with two toilet fixtures and two hand-washing facilities. 6. The existing building, 421 Boston Post Road, septic system shall be in good repair. No human habitation shall be allowed in this office building.";
- from the Conservation Commission, dated August 30, stating that the proposed revisions will have no impact on the Wetlands;
- from the Fire Chief, dated August 31, recommending an additional fire hydrant at the front of the building, that access for fire vehicles will be best if the rear of the proposed parking lot and the rear of the adjacent Sudbury Farms parking lot were connected, and an entrance/exit from the rear lot to Raymond Road;

- from Schofield Brothers, Inc., to the Planning Board, dated September 1, explaining how the revised plan meets the current landscape bylaw regulation, and to the Engineering Department, dated September 2, submitting a revised site plan incorporating all the changes discussed at an August 27 meeting between the engineers;
- from the Building Inspector, dated September 9, recommending approval;
- from the Town Engineer, dated September 9, recommending approval conditioned on the installation of a traffic light and approval of the septic system by the Board of Health. (Also submitted was a report dated August 24.)

Relative to the Fire Chief's recommendations, Mr. Vana expressed agreement to the additional fire hydrant and the fire access improvement, but stated Town Meeting action would be required for an access drive onto Raymond Road because it is a residential district. However, Mr. Vana stated that, as owner of that property, he has granted an easement over it for any future Town Meeting action that would require said driveway.

It was on motion by Selectman Fox

VOTED: To approve revised Site Plan 80-227 of Frank M. Vana, Trustee of Filomena Vana Trust, for lots 4 and 5, 435 Boston Post Road, zoned Limited Business District #6 and Residential A, for a shopping center, as shown on a plan entitled, "Site Plan of Land in Sudbury, Mass., Proposed Site Conditions", dated November 24, 1980, revised five times, the latest revision date being September 1, 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:

- items #1 and #2 in the Fire Chief's letter of August 31;
- those listed in the Board of Health's letter of September 9;
- those listed in the Town Engineer's letter of September 9; and
- all conditions set forth in the Selectmen's vote of January 19, 1981, relating to the initial approved Site Plan 80-227.

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

Selectman Fox stated his abstention was based on the fact that Mr. Vana had been treasurer of his campaign for the office of Selectman.

#### Performance Review - Town Accountant

Present: Town Accountant James Vanar; and Marjorie Wallace, Finance Committee.

In accordance with the Selectmen's Performance Review Policy, the Board met with Town Accountant James Vanar.



The Board acknowledged receipt of a June 7, 1983, report from the Town Accountant recapping the operations of the Accounting Office for FY83 and his involvement in various projects, i.e., the moving of his Department to the Flynn Building, and the purchase of a Digital computer and copier replacement program, resulting in a great deal of progress in the interaction between the Accounting, Assessors' and Tax Collector's offices. He discussed his objectives for the coming year - especially his plans for a Town Meeting article for the installation of an integrated computer system for the financial operations of the Town.

Executive Secretary Richard E. Thompson referred to the evaluation sheet he had prepared following a general evaluation meeting with Mr. Vanar on July 25. Mr. Thompson also referenced an August 25, 1983, communication from Chairman James A. Pitts, on behalf of the Finance Committee, commending Mr. Vanar for his contributions to the FinCom, his technical skills, positive attitude and attention to details.

Selectman Donald stated she is impressed with how Jim progressed; Chairman Murray commented on Jim's productivity over such a short period of time (1½ years); Selectman Fox stated that, although he has not had a lot of contact with Jim, he agrees with the opinions of the Executive Secretary and the FinCom.

Mr. Vanar stated he considers himself fortunate to be here in Sudbury; he enjoys his work and the way the Town is structured and operates.

It was on motion by Selectman Fox unanimously

VOTED: To set the FY84 salary, retroactive to July 1, 1983, for the individually-rated position of Town Accountant James Vanar at \$30,933, which is an 8% increase over last year, plus a 2% merit increase.

Performance Review - Fire Chief Michael Dunne

Present: Fire Chief Michael Dunne; and Marjorie Wallace, Finance Committee.

In accordance with the Selectmen's Performance Review Policy, the Board met with Fire Chief Michael Dunne.

The Board acknowledged receipt of a communication received June 23, 1983, from the Fire Chief outlining his activities as Fire Chief for the past six months, and related objectives.

Chairman Murray conveyed the Board's appreciation for the thoroughness of Chief Dunne's monthly fire reports.

Chief Dunne talked about the condition of the fire apparatus. He stated that through the Service Life Extension Program the Department has gained valuable life out of some of the equipment, but that the fire trucks, for example, have reached a point that gradually they will have to be replaced (three fire trucks are 25, 23 and 21 years old!). Responding to Chairman Murray, Chief Dunne stated that most of the equipment on the trucks is transferable.

Selectman Fox brought up the subject of regionalization, stressing that, although it may not be preferable, it may become a necessity due to the high cost of replacing fire apparatus. He felt Sudbury should get a head start in this area and that regionalization should be a FY84 objective.

Chief Dunne commented that Sudbury does cooperate with surrounding towns in medical and fire emergencies, and that mutual aid statistics are carefully recorded and the mutual aid appears to equal out among the towns.

There was some discussion regarding the manning of the Department, during which Chief Dunne stated that from the standpoint of overtime the present system is the best.

Relative to the Chief's new policy with regard to permit fees, and the possibility of assessing a user fee for pumping flooded basements, Selectman Fox commented on his position that it could be very beneficial to the Town to keep current all fee schedules and stressed the importance of uniformity among departments in the rationale for various fee amounts.

Chief Dunne stated he had a copy of a bylaw from the Town of Wellesley which specifically addresses a schedule of fees for pumping basements, and that he would give it to the Executive Secretary. Selectman Fox suggested he put his recommendations on it first.

There was a brief discussion regarding the overcrowded conditions of the Fire Station. Mr. Thompson stated that the Department had expanded into one room of the lower Town Hall.

Selectman Fox expressed appreciation for the Chief's good work, his monthly reporting and his thorough reports on site plans.

It was on motion by Chairman Murray unanimously

VOTED: To set the FY84 salary, retroactive to July 1, 1983, for the individually-rated position of Fire Chief Michael Dunne at \$34,039, which is an 8% increase over last year.

#### Traffic Safety

The Board noted receipt of a report dated September 7, 1983, from Safety Officer William B. Carroll, pursuant to the public meeting held by the Board on June 20, 1983, regarding traffic safety.

Selectman Fox stated that a gentleman had come forward at that public hearing offering to coordinate any action on their behalf, and directed the Executive Secretary to inform him of Officer Carroll's report which concludes that stop signs could be installed only at various peripheral roads along Peakham Road.

Mr. Thompson will report back to the Board on possible locations of stop signs.

Powder Mill Road - Communication from Dr. Adolph

The Board noted receipt of a communication dated August 24, 1983, from Dr. Joseph F. Adolph clarifying his position following the August 22, 1983, public meeting on the Powder Mill Road issue and proposing a possible solution.

Selectman Fox stated he would like to have Town Counsel update the Board on the status of the current pending litigation on Powder Mill Road before addressing Dr. Adolph's comments and recommendations as set forth in his letter. Following discussion, the Board concurred.

Executive Session

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

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

(Roll Call vote: Chairman Murray, in favor; Selectman Donald, in favor; Selectman Fox, in favor.)

Chairman Murray stated that Public Session would reconvene following the Executive Session.

Powder Mill Road - Communication from Dr. Adolph

At the conclusion of Executive Session the Board announced that the Board would respond to Dr. Adolph thanking him for his interest and comments set forth in his letter of August 24, 1983, and telling him that the Board has agreed to wait until a court judgment in the matter before responding to his comments and/or making a decision on his recommendation for a committee to mediate this problem.

Temporary License - St. Anselm's Church

It was on motion by Selectman Donald unanimously

VOTED: To rescind the Board's vote of July 25, 1983, granting a one-day license for the sale of wines and malt beverages to Barbara L. Lettery, St. Anselm's Church for their International Night on September 23, 1983, from 8:00 p.m. to Midnight, and to grant in its stead a license to serve all alcoholic beverages for the same occasion.

Longfellow Glen

The Board noted receipt of a communication dated August 30, 1983, from MacNeil Management Services Inc., updating the Board on the Longfellow Glen apartment complex and enclosing copies of general information sheets and initial interest forms. It was noted that the interview period for any interested persons is September 19 through September 30, and that initial interest forms, to assure any applicant an interview, should be submitted prior to September 15. Selectman Fox asked the press to publicize that information.

Chairman Murray stated it was his understanding that occupancy would be late January.

Temporary License - Sudbury Ancient Fyfe and Drum

In accordance with a request from Joseph D. Bausk, dated September 8, and letter of approval from Innkeeper Francis Koppeis, dated September 7, it was on motion unanimously

VOTED: To issue a temporary license for the sale of wines and malt beverages only, to Joseph D. Bausk, Sudbury Ancient Fyfe and Drum Company and the Sudbury Companies of Militia and Minute, for one day only, September 24, 1983, from 9:00 a.m. to 5:00 p.m. for their annual fair and muster on the grounds of the Wayside Inn, subject to the provision of sanitary facilities for attendees, obtaining required building and wiring permits, and approval by the Fire and Police Chiefs.

Bay Path Grant

It was on motion by Selectman Donald unanimously

VOTED: To accept \$29.99 as the fourth and final payment of a \$1,000 commitment, Title III B Grant No. 3B-83-02-00 from Bay Path Senior Citizens Services, Inc., to the Council on Aging for van transportation.

Resignation - Board of Assessors

It was on motion by Chairman Murray unanimously

VOTED: To acknowledge a letter of resignation dated September 2, 1983, from Patrick M. Schrafft, from the Board of Assessors, effective immediately, and to direct the Executive Secretary to forward a letter of appreciation to Mr. Schrafft for his services on that Board;

and it was further

VOTED: To acknowledge a letter dated September 7, 1983, from the Board of Assessors, advising the Board of said vacancy and requesting a joint meeting be scheduled for the purpose of filling the vacancy by roll call vote in accordance with General Laws, C.41, s.11, as amended.

The Board directed the Executive Secretary to schedule a joint meeting with the Board of Assessors on October 17, subject to that date being satisfactory and at a time convenient to the Assessors.

Selectman Fox suggested that an announcement be made at the October 3 Special Town Meeting that a vacancy exists on the Board of Assessors. The Board concurred. Mr. Thompson added that the Assessors will also be advertising the vacancy.

Resignation - Memorial Day Committee

It was on motion by Selectman Donald unanimously

VOTED: To accept the resignation dated August 31, 1983, from Cletus A. Terwiske from the Memorial Day Committee, effective immediately, and to direct the Executive Secretary to forward an appropriate letter of appreciation to Mr. Terwiske for his services on said committee.

Appointments

Board of Appeals (Associate Member)/Earth Removal Board

In accordance with a recommendation from the Board of Appeals dated August 29, 1983, it was on motion unanimously

VOTED: To appoint Elizabeth D. Ingersoll, 271 Boston Post Road to the Board of Appeals (Associate Member) and Earth Removal Board replacing Harvey R. Peters, for a term to expire April 30, 1984.

Local Arts Council

In accordance with a recommendation from the Local Arts Council, it was on motion unanimously

VOTED: To appoint Maxine J. Yarbrough, 468 Concord Road, to the Local Arts Council replacing D. Nadine Wallack, for a term to expire April 30, 1984.

Metropolitan Area Planning Council

It was on motion unanimously

VOTED: To appoint David F. Grunebaum as Metropolitan Area Planning Council Designee, for a term to expire April 30, 1986.

Community Signs

Selectman Fox recommended that individual requests for the temporary use of community signs not be brought before the Board of Selectmen and instead that those requests be approved by the Executive Secretary.

On concurrence of the rest of the Board, it was on motion by Selectman Fox unanimously

VOTED: To delegate the task of coordinating and approving the use of the community signs located at the Routes 117 and 20 Fire Stations to the Executive Secretary.

Cable Television

The Board acknowledged a communication dated September 2 from the Town of Lincoln requesting comment on certain criteria listed (and a designee in Sudbury to contact for occasional future comment) relative to the cable television firm of Adams-Russell.

The Board directed the Executive Secretary to respond to the Lincoln Selectmen that the Sudbury Board of Selectmen cannot comment at this time because of the pending appeal made by Community Cablevision of Sudbury Associates to the Massachusetts Cable Television Commission of Sudbury's award of the local CATV franchise to the firm of Adams-Russell.

Accept Donation

It was on motion unanimously

VOTED: To accept, on behalf of the Council on Aging, miscellaneous donations totaling \$89 to be used for the Council on Aging van.

Police/Fire Vacation Compensation

The Board acknowledged a communication dated August 23, 1983, from Atty. David F. Grunebaum relative to a decision - Harry J. Rein vs. Town of Marshfield - Police Incapacity, Vacation Compensation/Municipal Corporations, relative to whether a police officer or firefighter, receiving payment under c.41, s.111F, accrues either vacation or sick leave when he is on injured leave.

Mr. Thompson stated that he spoke to Labor Relations Counsel, Atty. Murphy, who indicated his familiarity with the above case and his opinion that neither vacation nor sick leave accrues when payment is received under c.41, s.111F.

Confirm Action of the Board

It was on motion by Selectman Donald unanimously

VOTED: To confirm the following action by the Board:

- a. Signing of Tax Anticipation Notes, dated September 12 and due December 15, 1983, for \$3,000,000 on September 26, 1983, as follows:

Guaranty First Trust Co.	4.79%	500M
Guaranty First Trust Co.	4.83%	500M
Essexbank	4.97%	250M
Bank of Boston (5.54% less premium \$366)	4.98%	250M
Guaranty First Trust Co.	4.99%	500M
Bank of Boston - Middlesex	5.09%	250M
Bank of Boston (5.54% less premium \$287)	5.10%	250M
Bank of New England	5.15%	300M
Boston Safe Deposit & Trust Co.	5.18%	200M

- b. Signing a Ch. 90 Project Request and Environmental Punch List relative to drainage reconstruction on Union Avenue, involving M.A. agreements 30593 and 31233, on August 23, 1983.
- c. Telephone vote of August 23, 1983, to grant a license to store inflammables (24,000 gallons gasoline underground, and 100 gallons miscellaneous petroleum products aboveground) to V. S. H. Realty, Inc., at 470 Boston Post Road, pursuant to the Board's meeting of August 22, 1983.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of August 22, 1983, as amended.

Powder Mill Road - MAPC Traffic Study

The Board noted receipt of a September 8, 1983, communication from Executive Director Alexander V. Zaleski of the Metropolitan Area Planning Council (MAPC), also forwarded to the Towns of Maynard, Acton and Concord, indicating that, if the court rules that Powder Mill Road cannot be closed, the MAPC could serve a useful role in coordinating the planning efforts of the involved communities and assist in conducting a traffic analysis leading to recommendations to accommodate future developments, and recommending that this issue be discussed with the participating communities after the Court's decision.

Fort Devens Dinner Meeting

The Board was in receipt of a communication dated August 29, 1983, from Colonel Delmar L. Crobin, Infantry Commanding, Fort Devens, inviting the Selectmen to attend a dinner meeting on September 27, 1983 at 6:30 p.m. at the Fort Devens Officers Club. Executive Secretary Richard E. Thompson and Chairman Murray stated they planned to attend.

SMACC Dinner Meeting

Selectman Donald stated she could not attend, as planned, the dinner meeting of the South Middlesex Area Chamber of Commerce (SMACC), Wednesday, September 21 at 6:00 p.m. Both Mr. Thompson and Chairman Murray indicated interest in attending.

Site Plan Procedures

As a follow-up with Selectman Fox, Executive Secretary Richard E. Thompson stated the office is preparing a draft of a boiler-plate motion for future site plans which will be presented to the Board in the near future.

Mr. Thompson confirmed with the Board their previously expressed agreement to amend the Selectmen's site plan Rules and Regulations by adding a provision that authorizes the Planning Board to approve architectural schematic renderings during the site plan review process.

Reception - Health Director John V. Sullivan

Mr. Thompson announced that a reception in honor of retiring Health Director John V. Sullivan, will be held at the Wayside Inn, Sunday, September 25, and that tickets can be obtained through the Selectmen's office.

There being no further business to come before the Board, the meeting was adjourned at 11:30 p.m.

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

Richard E. Thompson  
Executive Secretary-Clerk