

IN BOARD OF SELECTMEN
MONDAY, APRIL 23, 1984

Present: Chairman Anne W. Donald, Myron J. Fox and Josiah F. Frost.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:00 p.m. by Chairman Donald in the library of the Lincoln-Sudbury Regional High School.

Emergency Special Town Meeting

During discussion, it was on motion unanimously

VOTED: To call an Emergency Special Town Meeting in accordance with Town Bylaws, Article II, Section 1, to be held on May 23, 1984, at 8:00 p.m., in the Lincoln-Sudbury Regional High School auditorium, for the purpose of hearing the following articles:

- Petition Article to amend Zoning Bylaw Article IX, II, C, Rezone Portion (Parcels 26 and 27) of Business District #15 to Residential C-1 District, and

- FY84 Budget Adjustment - Blue Cross, submitted by the Board of Selectmen, to appropriate \$38,000 to be added to FY83-84 line item 950-11, Blue Cross/Blue Shield.

And it was further

VOTED: To open the Warrant for the purpose of accepting the above-noted articles, and to accept the following articles, to be printed in the Warrant for the Emergency Special Town Meeting:

- Process Parking Tickets, submitted by the Parking Clerk;

- Amend Zoning Bylaw Art. IX, IV, Intensity Regulations, submitted by the Planning Board; and

- Amend Zoning Bylaw Art. IX, I & III - Aquifer Protection, also submitted by the Planning Board.

Town Counsel Paul L. Kenny explained that before the appropriation being requested under the above-noted article to process parking tickets is brought before Town Meeting, approval is required from the Bureau of Accounts to set up a revolving fund, in accordance with G.L.c.44, s.53E (accepted 82ATM, Art. 29). This fund will provide the money needed to secure the services of an outside firm for computer processing of parking tickets.

The Board directed the Executive Secretary to convey to the Planning Board the Selectmen's request that it withdraw its two zoning articles - it being the strong feeling and position of the Selectmen that Town Meeting has spoken in opposition of these articles in the immediate past, and that the Planning Board should have the opportunity to discuss these articles with the Town Planner before presenting them to Town Meeting once again.

The Board agreed with the Executive Secretary's recommendation that the petition article, as noted above, should be printed in the Warrant with only the accompanying explanation or a similar brief report, not the entire report.

During further discussion it was on motion unanimously

VOTED: To close the Warrant for the May 23, 1984, Emergency Special Town Meeting.

It was further on motion unanimously

VOTED: To order the Warrant for the May 23rd Emergency Special Town Meeting, as follows:

- Article # 1, Process Parking Tickets
2, FY84 Budget Adjustment, Blue Cross/Blue Shield
3, Petition, Amend Zoning Bylaw, Art.IX,II,C
4, Amend Zoning Bylaw, Art.IX,IV, Intensity Regulations
5, Amend Zoning Bylaw, Art.IX,I&III, Aquifer Protection

and it was further

VOTED: To approve the Warrant report for Article 2, FY84 Budget Adjustment - Blue Cross/Blue Shield, as amended.

Mr. Thompson informed the Board that Planning Board Chairman Theodore Theodores had submitted his resignation today, effective May 1.

Resolution - Dorothy H. Roberts

It was on motion by Selectman Fox unanimously

VOTED: To sign a resolution honoring Dorothy H. Roberts on the occasion of her retirement from her position in the Accounting Department.

Preservation Week

It was on motion unanimously

VOTED: To sign a proclamation designating May 13-19, 1984, as Preservation Week, co-sponsored by the National Trust for Historic Preservation and local preservation organizations.

Municipal Clerk's Week

It was on motion by Selectman Frost unanimously

VOTED: To proclaim May 13-19, 1984, as Municipal Clerk's Week, as requested by the International Institute of Municipal Clerks in a letter dated April 4, 1984.

Amend Selectmen's Policies and Procedures

Following discussion, it was on motion unanimously

VOTED: To amend the Selectmen's Policies and Procedures, part 1 of section A., Meeting Policy, to read as follows:

- "1. An organizational meeting shall be held before Town Meeting if previous Chairman is no longer on the Board; otherwise, at first meeting following Town Meeting.
- a. Elect chairman.
 - b. Elect vice-chairman.
 - c. Elect clerk - who shall be the Executive Secretary unless voted otherwise.
 - d. Establish meeting schedule for the year."

Later in the evening, it was on motion by Selectman Frost unanimously

VOTED: To appoint Selectman Myron J. Fox Vice Chairman of the Board of Selectmen, effective immediately, until the next reorganization of the Board of Selectmen.

The Selectmen directed the Executive Secretary to define for inclusion in the Selectmen's Policies and Procedures the functions of the Chairman, the Vice-Chairman and the Clerk, and to bring it back sometime during the summer for the Board's review.

MMA Communication

The Board acknowledged receipt of a communication, dated April 17, 1984, from the Massachusetts Municipal Association (MMA) relative to two issues which may soon come before the legislature: 1) an education package eliminating local control in areas of teacher salaries, class size, pre-kindergarten programs, and more, and possible earmarking of local aid for the same, and 2) reinstatement of some form of binding arbitration.

The Selectmen agreed, during discussion of the same, that they would not be in favor of any legislative package unless there is a funding package along with it, considering Proposition 2½ constraints.

Selectman Frost stated that there is now an active group working under the State Auditor to ensure that there are no laws enacted nor rules/regulations promulgated by State government that impose additional costs upon cities and towns without providing for reimbursement of these costs.

It was on motion by Selectman Fox unanimously

VOTED: To direct the Executive Secretary to contact Representative Lucile Hicks and Senator Chester Atkins relative to the Board's opposition to both of these proposals.

The Board further designated Selectman Frost and the Executive Secretary, as MMA liaison, to lobby on behalf of the Board at the various hearings and/or meetings relative to the above.

Communication - Boston Edison

The Board acknowledged receipt of a letter of appreciation from Boston Edison Company to public officials of Sudbury for cooperation during the repair of damage from the March 29th storm.

Sign Site Plan 84-278, Desjardin, 758 Boston Post Road

The Board agreed to sign the remaining sheets of Site Plan 84-278 of Grace Desjardin, 758 Boston Post Road, initially approved and signed on March 28, 1984. A letter dated April 19, 1984, was received from Schofield Brothers, Inc., explaining the re-numbering of sheets and certain other changes on the site plan to comply with the Board's vote of approval.

Minutes

It was on motion by Selectman Fox unanimously

VOTED: To approve the minutes of the Regular Session of April 9, as amended, and the minutes of the Regular Sessions of April 10 and 11, both as drafted.

Utility Petition 84-10, Hudson Road

Present: Carole McManus, Boston Edison Company.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered Utility Petition 84-10 of Boston Edison and New England Telephone and Telegraph Company for permission to lay and maintain, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way of the Town:

Hudson Road - southwesterly approximately 109 feet northwest of Dorothy Road, a distance of about 15 feet - Conduit.

Executive Secretary Richard E. Thompson noted that all appropriate abutters and Town Officials had been notified, and noted receipt of a joint favorable response from the Building and Wiring Inspectors, dated April 10, 1984.

Mrs. Carole McManus, Boston Edison, stated the petition is to provide underground service from existing Pole #86 on Hudson Road to five new homes.

It was on motion by Selectman Donald unanimously

VOTED: To approve Utility Petition 84-10 of Boston Edison Company and New England Telegraph Company, as noted above, and as shown on a plan entitled, "Plan of Hudson Rd. - Sudbury Showing Proposed Conduit Location", dated February 14, 1984.

Utility Petitions

Present: Carole McManus, Boston Edison Company.

Boston Edison representative Carole McManus explained that the following petitions are related and will provide electric and telephone service to eighteen house lots at Virginia Ridge Road. This request for advance permission is because of a closing scheduled for May 1 - electric service is required before an occupancy permit can be issued.

Executive Secretary Richard E. Thompson reported that the one abutter involved had been contacted by telephone and was in favor of the petitions.

Mrs. McManus stated that Boston Edison would not do any of the work without a letter from the Selectmen authorizing the same.

Following discussion, it was on motion by Selectman Fox unanimously

VOTED: As an emergency measure to prevent hardship to a new home buyer, to grant permission to Boston Edison Company and New England Telephone and Telegraph Company to proceed immediately in advance of the public hearing scheduled for April 30 with work under utility petitions, as follows:

a. UP84-11 for permission to erect or construct, and a location for, poles, and such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, to be used in common by them, upon, along and across the following public way of the Town:

Powder Mill Road - easterly side approximately 1,045 feet north of Singing Hill Circle, One (1) pole, (One existing JO pole to be removed), as shown on a plan entitled, "Plan of Powder Mill Rd., Sudbury, Showing proposed pole relocation & guy wire & anchor", dated December 30, 1983;

b. UP84-13 for permission to lay and maintain, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way of the Town:

Powder Mill Road - southerly approximately 1,045 feet north of Singing Hill Circle, a distance of about 30 feet - Conduit, as shown on a plan entitled, "Plan of Powder Mill Rd. - Sudbury, Showing Porposed Conduit Location", dated January 17, 1984; and

c. UP84-14 for permission to lay and maintain, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way of the Town:

Powder Mill Road - easterly approximately 735 feet north of Singing Hill Circle, a distance of about 10 feet - Conduit, as shown on a plan entitled, "Plan of Powder Mill Rd. - Sudbury Showing Proposed Conduit Location", dated February 9, 1984.

Selectman Fox directed the Executive Secretary to obtain an opinion from Town Counsel as to whether the Selectmen's above action is in violation of the Open Meeting Law, whether the Selectmen can continue to do the same in the future if requested to do so, and to report back to the Board.

CATV Provisional License

Present: William C. Henchy, Adams-Russell Cable Services Division.

At the Board's direction on April 10, Town Counsel Paul L. Kenny had added his comments to an April 6 communication, from Adams-Russell, which contained those items in the Provisional License which could not be agreed upon between Town Counsel and counsel for Adams-Russell, and distributed copies to the Board at this time.

The Board agreed that Mr. Henchy should have some time to review Mr. Kenny's comments and, therefore, directed the Executive Secretary to reschedule this matter on the Board's next agenda, depending on availability of Town Counsel.

Invitation - Senate Ways and Means

The Board acknowledged receipt of an invitation from the State Senate Ways and Means Committee to a celebration on April 26 at 2:30 p.m. at the State House.

Accounting Office Move

The Board supported the Town Accountant's April 18 request to move the Accounting Office to the Nixon building as soon as possible consistent with the installation of the new data processing equipment, subject to receipt of a full, written report at a later date from the Executive Secretary on an update of Town office space.

There being no further business to come before the Board, the meeting was adjourned at 8:00 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk