

IN BOARD OF SELECTMEN  
MONDAY, DECEMBER 17, 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 7:30 p.m. by Chairman Donald.

Sign Reimbursement Anticipation Notes/Highway Reconstruction

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

Following a brief discussion, it was on motion by Chairman Donald unanimously

VOTED: To sign a reimbursement anticipation note in the amount of \$30,000, effective December 31, 1984, and due June 14, 1985, relative to Article 23, Union Avenue Reconstruction, and Article 24, Dutton Road Reconstruction, voted by the 1983 Annual Town Meeting.

Sign Bonds and Related Documents/Stone Tavern Farm

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

In accordance with authorization by the 1984 Annual Town Meeting under Article 31, and vote of the Board of Selectmen of November 8, 1984, the Board reviewed bonding documents related to the purchase of an Agricultural Preservation Restriction on the Stone Tavern Farm off the Boston Post Road with Town Treasurer Chester Hamilton. The Board concurred with an amendment recommended by Bond Counsel and Town Counsel contained on the first page of the Signature and No Litigation Certificate.

It was on motion unanimously

VOTED: To confirm the sale of \$295,567, 4% Land Acquisition Bonds of the Town to William P. Stone and Olive T. Stone, payable annually in installments of \$59,567 in 1985 and \$59,000 in 1986 to 1989 at par and accrued interest.

And it was further

VOTED: To execute/sign 1) a Signature and No Litigation Certificate and 2) a No Arbitrage Certificate for said bonds.

And it was further

VOTED: To sign the above-noted bonds.

Reports/Annual Licenses

The Board noted receipt, as requested November 26, of annual inspection reports from the Building Inspector, the Health Director and the Fire Chief, dated December 17, 14 and 17, respectively. No outstanding violations were

noted against any licensed premises that would prohibit the renewal of annual licenses by the Selectmen.

Extend Serving Hours/New Year's Eve

Following discussion it was on motion by Chairman Donald unanimously

VOTED: To grant permission to extend serving hours on December 31, 1984, New Year's Eve, to 2:00 a.m. on January 1, 1985, to holders of alcoholic beverages pouring licenses in Sudbury.

Additionally, the Selectmen agreed that all license owners should be reminded of the new "Happy Hour" regulations which, among other things, impose restrictions on free drinks; and further, that they will seriously consider limiting closing time on New Year's Eve next year to 1:00 a.m.

Fire Department Inspection Charges

In accordance with a communication dated December 13, 1984, from Fire Chief Michael Dunne, it was on motion by Selectman Fox unanimously

VOTED: To approve the charge of \$10 by the Fire Department for inspections of day care centers, nursing homes and inns; the statutory authority for said fee is M.G.L.c. 148, s.14, under which the maximum fee is \$10.

Approve Selectmen 85ATM Articles

During discussion, it was on motion unanimously

VOTED: To approve the following Board of Selectmen articles for the 1985 Annual Town Meeting, submitted under the December 31 deadline:

- Acceptance of Statute - Liens/Septage Billings
- Hear Reports
- Temporary Borrowing
- Stabilization Fund
- 350th Celebration Fund
- Telephone System
- Aquifer Study
- Raymond Road Access - bylaw change
- Nobscot Road Access - bylaw change
- Intersection Improvements

It was noted for the record by Selectman Fox that the Board has not taken any position on the above articles.

Public Hearing - Utility Petitions 84-43 and 84-44

Present: Carole McManus, Boston Edison; Bryan G. and Frances E. Lewis, 20 Adams Road, for UP84-43.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered the following Utility Petitions of Boston Edison Company and New England Telephone and Telegraph Company for permission to install a line of conduits and manholes, with the necessary wires and cables therein, under the following Town ways:

UP84-43: On Dudley Road, westerly, approximately 95 feet south of Boston Post Road, a distance of about five feet of conduit.

UP84-44: On Willis Road, southeasterly, approximately 380 feet south of Hampshire Street, a distance of about five feet of conduit; and approximately 380 feet south of Hampshire Street, a distance of about five feet of conduit (two, five-foot conduits).

Executive Secretary Richard E. Thompson noted that all appropriate abutters and Town officials had been notified and noted receipt of a joint communication from the Building and Wiring Inspectors, dated December 7, 1984, recommending approval of the above-noted petitions.

It was on motion by Selectman Frost unanimously

VOTED: To approve the above-noted Utility Petitions, as described, and as shown on the following plans:

84-43: "Plan of Dudley Rd., Sudbury, Showing proposed location of customer conduit", dated November 5, 1984, and "Plan For Conduit To Accompany Petition of New England Telephone and Telegraph Company", dated December 11, 1984.

84-44: "Plan of Willis Rd., Sudbury, Showing proposed location of customer conduit", dated October 23, 1984, and "Plan for Conduit To Accompany Petition of New England Telephone and Telegraph Company", dated December 11, 1984.

#### Fay/Water Row Utility Petition

In accordance with a request from owner Francis Fay and having received statement of no objection to the petition signed December 14-16 by all abutters to Mr. Fay's property at 249 Water Row, it was on motion by Selectman Frost unanimously

VOTED: To authorize Boston Edison Company and New England Telephone and Telegraph Company to proceed immediately with the installation of approximately 5-10' of conduit with cables therein from Pole #53 in Water Row in advance of receipt of petition and public hearing, as an emergency measure to allow connection of power to a new home owned by Francis Fay.

#### Confirmation of Existing Locations of Conduits/Cables

Following discussion it was on motion by Selectman Fox unanimously

VOTED: To approve, without notice or hearing required, the following utility petitions of Boston Edison Company for confirmation of existing locations of conduits and cables, subject to confirmation by the Wiring and Building Inspectors:

- UP84-45 Minebrook Road
- UP84-46 Minuteman Lane
- UP84-47 Thompson Drive
- UP84-48 Whispering Pine Road.

Approve Wording/Warrant Reports for Selectmen's Articles

During discussion it was on motion unanimously

VOTED: To approve the wording of Warrant Reports for the following Selectmen's '85ATM Articles:

- Amend Bylaws, Art. V(A), Removal of Earth (wording of article to be reviewed by Town Counsel on Section 1 - term of membership, Section 4 - permit requirement, and Section 5 - fees)

- Accept Ch. , Acts of 1984, Liens: Septage Facility Billings

- Amend Zoning Bylaws, Art. IX, V, A, Site Plan Approval - Design Standards (wording of article amended)

- Street Acceptance, Portion of Winter Street

- Amend Bylaws, Art. IX, III, C, 2, Technical Correction

- Temporary Borrowing\*

- Stabilization Fund

- Sudbury 350th Anniversary Celebration Fund\*

- Telephone System\*

- Aquifer Study

- Amend Bylaws, Art. IX, II, C, LBD#6, Raymond Road Access\*

- Amend Bylaws, Art. IX, II, C, LBD#6, Nobscot Road Access\*

- Intersection Improvements\*

\*Report approved as amended.

VOTED: To hold for revision the wording of the following Warrant Report for the Selectmen's 85ATM Article: Amend Bylaws, Delete Art. IX, V, J, Signs: Add Article V(B), Signs.

Land Management Assignments

Present: Conservation Coordinator Deborah Montemerlo and Conservation Chairman Gordon D. Henley; Park and Recreation Robert J. Myers, Jr.

Chairman Donald convened a joint meeting with members of the Conservation Commission and the Park and Recreation Commission to discuss land management reports and their respective assignments of land as follows:

- Parkinson Land - John Cutting is renting a portion for growing nursery stock for Sudbury Nurseries. It was agreed that the Conservation Commission should take charge of billing Mr. Cutting for the land; Selectman Fox suggested that when Mr. Cutting's lease is up the Conservation Commission should review the rental fee with those being paid in other comparable situations, locally or in surrounding towns. The Conservation Commission agreed to do so.

Part of Mr. Cutting's agreement in leasing said land was to plant evergreen seedlings on or adjacent to the premises leased, to be tended and replaced as necessary by Mr. Cutting for the period of the agreement and which are to remain for the benefit of the Town thereafter. Ms. Montemerlo stated that Mr. Cutting will have these planted by the summer of 1985. The Board concurred.

- Hunting on conservation land - Mr. Henley stated this is an on-going subject of concern among Commissioners, that they will continue to pursue the best resolution of this problem and try to reach a consensus among themselves on the same.

- Heritage Park - on-going maintenance may include repair of the edging along the paths and repair of the paths as well.

Following further discussion, it was on motion unanimously

VOTED: To accept the Land Management Reports for the Raymond Land East and West, Surrey Lane Parcel (Tax Possession #188), and the Parkinson Land including the Pernice Land (Tax Possession #187), from the Conservation Commission, all dated December 1, 1984.

And it was further on motion unanimously

VOTED: To accept the Land Management Reports for Feeley (Raymond Land) and Heritage Parks and the Haskell Land, from the Park and Recreation Commission, under cover letter, dated November 30, 1984.

And it was further on motion unanimously

VOTED: To co-ordinate the land management assignments of the above-noted parcels to the Conservation Commission and the Park and Recreation Commission, respectively, so that the assignments requiring renewal all coincide; thus, the following assignments are extended to January 1, 1990:

To Conservation Commission:

- Raymond Land, 38 acres, Easterly side.
- Raymond Land, 72 acres, Westerly side.
- Surrey Lane Tax Possession Parcel #188.

To Park and Recreation Commission:

- Raymond Land, 18 and 8.9 acres, Easterly side.

Call Special Town Meeting within 85ATM

It was on motion by Selectman Fox unanimously

VOTED: To call a Special Town Meeting to be held within the 1985 Annual Town Meeting, for the purpose of supplementing the FY85 Blue Cross/Blue Shield Account (950-11), the Casualty Insurance Account (950-31), and the Salary Adjustment Account (950-101), in accordance with the following schedule:

- December 17, 1984, Call Special Town Meeting;
- December 31, 1984, 5:00 p.m., Close Warrant; and
- April 1, 1985, 8:30 p.m., Hold Special Town Meeting.

Articles and Warrant Reports/STM

It was on motion by Selectman Fox unanimously

VOTED: To approve the following Board of Selectmen articles and Warrant reports for the 1985 Special Town Meeting:

- FY85 Budget Adjustment - Blue Cross/Blue Shield
- FY85 Budget Adjustment Casualty Insurance
- FY85 Budget Adjustment - Salary Adjustment (report amended).

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Special Meeting of December 1, and the Regular Session of December 10, 1984, both as corrected.

Sub-Regional Planning

The Board acknowledged receipt of a communication dated December 6, 1984, from the Concord Board of Selectmen, relative to a November 29 meeting with representatives of a number of towns to discuss the feasibility of establishing a sub-regional planning effort to address a variety of mutual concerns, and to notify the Board of a follow-up meeting to be held at 8:00 p.m. in Concord, Thursday, January 17. Selectman Frost stated he planned to attend.

Communications Received

- The Board noted receipt of a communication to Fire Chief Dunne enclosing a proposal for the implementation of Impact - the Industrial Medicine Program for the members of the Sudbury Fire Department, from Ruth B. Stark, Director of Marketing, Program of Framingham Union Hospital. The Selectmen

were not supportive of implementing this until they could see a cost impact analysis, i.e., showing cost in the prior year as if implemented.

- The Board noted receipt of a communication from Project Management, Inc., dated December 11, 1984, requesting reimbursement of a building permit fee which was issued and subsequently rescinded for a proposed building in Sudbury. The Board referred the communication to Town Counsel for resolution.

- A communication from the Massachusetts Municipal Association, dated December 12, 1984, enclosing "right-to-know reimbursement" material. Selectman Frost directed Mr. Thompson to forward the same to the Hazardous Waste Co-ordinator and his Assistant - Health Director Michael Sullivan and Fire Chief Dunne, respectively.

Middlesex News Article/Incinerators

Selectman Frost referenced a recent Middlesex News article regarding an area meeting in Hudson on the subject of a regional trash-to-energy incinerator and directed the Executive Secretary to contact the group as it is a subject of great interest to Sudbury. Selectman Frost stated further that it might be something he could bring up at the January 17th meeting in Concord dealing with sub-regional planning.

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