

IN BOARD OF SELECTMEN
MONDAY, JANUARY 30, 1984

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.

Utility Petitions

Present: Carole Clinton, Boston Edison Company; and David C. Provost, 266 Mossman Road.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered the following Utility Petitions of New England Telephone and Telegraph and Boston Edison Company:

UP 84-2 - 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:

Boston Post Road - Northerly approximately 375 feet west of Nobscot Road, a distance of about 10 feet - Conduit.

UP 84-3A&B - a) for permission to erect or construct, and a location for, a pole, 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:

Willis Road - Southeasterly side approximately 330 feet northeast of Ford Road One (1) pole (One existing JO pole to be removed).

Also for permission to lay and maintain underground laterals, cables and wires, on the same side of the public way as poles, for the purpose of making connections with such poles and single-residence buildings as each of said petitioners may desire for distributing purposes.

b) 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:

Willis Road - Easterly approximately 330 feet northeast of Ford Road, a distance of about 25 feet - Conduit.

UP 84-6 - 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:

Mossman Road - Easterly approximately 225 feet south of Possum Lane, a distance of about 10 feet - Conduit.

Executive Secretary Richard E. Thompson noted that all appropriate abutters and Town officials had been notified, and noted receipt of joint

favorable responses from the Building and Wiring Inspectors, all dated January 27, 1984.

Selectman Fox expressed his concern about the safety of the temporary repair to the utility pole on Old Lancaster Road, which had been struck down by a car and which is now being supported by a second pole. Ms. Clinton of Boston Edison stated that was the normal procedure until each of the utility companies and the Fire Department can remove their individual lines and secure them to a new pole which will then be installed. Ms. Clinton stated she would inquire about expediting the installation of the new pole.

Mr. David C. Provost, 266 Mossman Road, stated he was surprised about the formality and length of time for processing the petition. He was not objecting to the petition (UP84-6) - the work was being done for his benefit.

It was on motion unanimously

VOTED: To approve Utility Petitions 84-2, 84-3A&B, and 84-6 of Boston Edison Company and New England Telephone and Telegraph Company, all as noted above and as shown on the following plans:

UP84-2: "Plan of Boston Post Rd. - Sudbury, Showing Proposed Conduit Location", dated November 22, 1983; and "Plan For Conduit Location To Accompany Petition of New England Telephone and Telegraph Company", dated January 3, 1984.

UP84-3A: "Plan of Willis Rd. Sudbury Showing proposed pole relocation guy wire & anchor", dated September 20, 1983.

UP84-3B: "Plan of Willis Rd. Sudbury Showing Proposed Conduit Location", dated September 20, 1983; and "Plan for Proposed Conduit Location To Accompany Petition of New England Telephone and Telegraph Company", dated November 15, 1983.

UP84-6: "Plan of Mossman Rd. - Sudbury, Showing Proposed Conduit Location", dated December 22, 1983; and "Plan For Conduit Location To Accompany Petition of New England Telephone and Telegraph Company", dated January 20, 1984.

Visit by Webelos, Pack 80

Webelo Leader Michael Guernsey introduced Leader Frank Scofield and Webelos, Pack 80, from Haynes School. Mr. Guernsey stated that the Webelos are working on their citizenship badge for Arrow of Light, and that one of the requirements is to see Town government in action. Mr. Guernsey thanked Selectman Fox for speaking with the Webelo Scouts for approximately one-half hour before the Selectmen's meeting and explained that the boys would like to observe the Selectmen's meeting for a short time tonight. Chairman Murray welcomed the boys and responded to a few questions from them.

B'nai Torah/Loring School

Noting receipt of a January 26, 1984, communication from Myra Snyder, President of B'nai Torah, notifying the Selectmen of a 2/3 majority vote of the congregation to authorize the president (or her designee) to negotiate

with the Town of Sudbury for the purchase of the Loring School and requesting a meeting with the Selectmen at their convenience, the Board expressed support of the prospect of selling Loring School.

It was on motion by Chairman Murray unanimously

VOTED: To direct the Executive Secretary to solicit proposals from the organizations which have already expressed an interest in buying the facility and to advertise in the Boston Globe and the local papers that the Town is accepting offers for the same.

Selectman Fox noted for the record that the Selectmen's position on the disposition of Loring School has been, in order of priorities, to sell the building, to enter into a long-term lease, and lastly, a short-term lease.

Selectman Fox further noted that the Town is presently under lease with the Sudbury Community Arts Council, Inc., which ends June 30, 1984, and he did not feel the Selectmen had any legal commitment beyond that date. Selectman Fox stated that any proposal for sale would have to go before Town Meeting.

Tax Anticipation Notes

Present: Town Treasurer Chester Hamilton.

It was on motion by Selectman Fox unanimously

VOTED: To authorize the Town Treasurer to borrow in tax anticipation notes the amount of two million dollars, effective February 22, 1984, and due May 15, 1984, in accordance with a request from the Treasurer, dated January 26, 1984.

Responding to inquiry from Clifford Hughes, the Town Treasurer stated he felt the \$2,000,000 would be sufficient until next May when the next tax receipts are anticipated (tax bills are expected to be mailed on schedule for collection by a May 1 deadline), and that he would rather borrow this amount now and, if necessary, borrow for a very short term later.

Petition Article - Commercial Development Moratorium

Present: Judith A. Cope and Leslie D. Bellows, petitioners.

Relative to the petition article to amend Article IX of the Zoning Bylaw by placing a 12-month moratorium on commercial development, Selectman Fox suggested that the term "commercial" be defined.

Mrs. Judith A. Cope stated that the article before the Selectmen tonight had been rewritten by Assistant Town Counsel Thomas M. French; Mr. Leslie D. Bellows added that the original petition which they had submitted had over three hundred signatures and this article prepared by Town Counsel's office was submitted instead.

Following further comment by Selectman Fox, the Board directed the Executive Secretary to ask Town Counsel to define the word "commercial" and

give his opinion as to how this article should be clearly presented at the 84ATM.

Executive Secretary Richard E. Thompson noted for the record that Town Counsel Paul L. Kenny had approved the wording as drafted by Mr. French.

It was on motion by Selectman Donald unanimously

VOTED: To accept the above-noted petition article for the Annual Town Meeting calling for a twelve-month moratorium of commercial development in Business and Limited Business Districts; to number said article, #47; and to refer said article to the Planning Board for its public hearing and report, in accordance with G.L.c.40A, s.5, subject to clarification by Town Counsel as noted above.

Selectman Fox noted that, as all other articles accepted by the Board, this does not necessarily have the Board's support. Selectman Fox added that it is the obligation of the Planning Board to hold a public hearing on every zoning article prior to Town Meeting.

Town Fathers Forum

At 8:00 p.m. Chairman Murray convened the 154th Session of the Town Fathers Forum, a copy of which is attached and is part of these minutes.

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

Present: Building Inspector Joseph E. Scammon; Mark J. Brennan, Engineer Herrick H. Spicer (Vice President Anderson-Nichols), Architect David M. Fiske of Kenneth F. Parry, all representing Mugar; Vice President Robert McKenzie and Atty. John Mullen, Framingham Trust.

Chairman Murray convened a meeting with interested parties relative to revisions to Site Plan 83-254 of Carolyn J. Mugar, Sudbury Plaza Expansion, Boston Post Road, as requested, on behalf of Carolyn J. Mugar, by Vice President Herrick H. Spicer, Anderson-Nichols, dated January 18, 1984. The revisions are shown on Drawing C-1 of the approved Site Plan to include a canopy over the bank drive-up windows, a wider drive to the bank windows to accommodate two cars side-by-side, and the relocation of four parking spaces. (Framingham Trust will be re-located to the southerly end of the proposed building from its current location in the existing Sudbury Plaza building.)

Executive Secretary Richard E. Thompson stated that the Town Engineer and the Building Inspector had reviewed the revisions and had no concerns.

Selectman Donald suggested that a "Do Not Enter" sign at the exit area of the drive-up window should be noted on the plan; Selectman Fox suggested that the same be noted on the original plan before the Building Inspector issues a building permit.

At Selectman Fox's request, Architect David M. Fiske showed the architectural renderings of the proposed drive-up canopy, including elevations, for the Framingham Trust Company.

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

VOTED: To approve a revision to Site Plan 83-254 of Carolyn J. Mugar, Sudbury Plaza Shopping Center, located on Boston Post Road, as shown on Drawing C-1 of the plan entitled, "Shopping Center At Sudbury Plaza, Boston Post Road, Sudbury, Mass.", sheets C-1 through C-6, dated February 18, 1983, revised December 2, 1983, to show revised parking; January 19, 1984, to show added canopy and wider drive at bank drive-up teller; and January 30, 1984, to show "Do Not Enter" sign at the exit area of the drive-up teller window, drawn by Anderson-Nichols, subject to revision and re-submission for signing of the original site plan, signed by the Selectmen on June 20, 1983; the design is to be consistent with the architectural rendering entitled, "Proposed Drive-Up Canopy, Framingham Trust Company, Sudbury Plaza Branch, Sudbury, Mass.", by Kenneth F. Parry & Associates, Inc., dated November 21, 1983, revised January 30, 1984.

Grievance/Police Officer Chaffee

The Board tabled continued discussion relative to the grievance dated December 24, 1983, of Police Officer Robert I. Chaffee concerning reinstatement of sick time, paid holidays, and vacation time, because Dr. Nesto's report had not arrived to date.

CATV License

The Board tabled finalizing wording of a provisional cable television license to be issued to Adams-Russell CATV Division, pending comment from Town Counsel.

Street Layouts - 1984 Annual Town Meeting

Following discussion it was on motion by Chairman Murray unanimously

VOTED: That the Board intends to lay out the following ways, as described in Articles 32 and 40 for the 1984 Annual Town Meeting, at its regular meeting of March 19, 1984; that proper notice of the Board's intention to lay out those ways be given to the owners of the properties in question not less than seven days before such date; and that the proposed layouts be referred, by February 2, 1984, to the Planning Board for its report thereon prior to March 19:

- Article 32 - a portion of Winter Street; and
- Article 40 - a portion of Powder Mill Road.

Building Services Reorganization

The Board acknowledged receipt of a communication, dated January 25, 1984, from the Executive Secretary on the subject of Building Services Reorganization and supported the recommendations set forth therein.

Selectman Fox commented that a more accurate salary comparison might have included that portion of the Building Inspector's salary for time spent on the maintenance of Town buildings.

It was on motion by Selectman Fox unanimously

VOTED: To accept the recommendations set forth in the Executive Secretary's above-noted communication of January 25, 1984, and to implement the same.

Sudbury Housing Authority State Appointment

In accordance with a request, dated December 6, 1983, from Director Jo-Ann Howe of the Sudbury Housing Authority, it was on motion by Chairman Murray

VOTED: To send an endorsement to the Executive Office of Communities and Development requesting that the State's 5-year appointment to the Sudbury Housing Authority be Myrna Goldstein for the term commencing July 22, 1984, further requesting that said appointment be expedited so as to avoid any gap between effective dates of appointments.

(Selectman Fox abstained because of his past involvement as attorney for the Sudbury Housing Authority.)

Communication to Concerned Resident

Selectman Fox directed the Executive Secretary to communicate to Mrs. Susan Boak, 148 Woodside Road, on behalf of the Selectmen, their plans relative to the disposition of the Loring School, i.e., that the Selectmen had been approached by several groups inquiring about purchasing the building, that they will be requesting proposals for the sale or lease of the same, and will be bringing the matter before the 84ATM.

Hosmer Fund Expenditure

It was on motion by Chairman Murray unanimously

VOTED: To authorize an expenditure of \$2,237.39 from the E. B. Hosmer Fund to pay Pairpoint Glass Company invoices for cup plates, as requested by the Sudbury Historical Commission in a letter dated January 26, 1984.

The Executive Secretary noted that the remaining balance in the Hosmer Fund will be \$238.78 after the above expenditure.

FY84 Transportation Improvement Program

The Board was in receipt of a January 20, 1984, memorandum from the Joint Regional Transportation Committee, and, on recommendation by the Executive Secretary, so directed that he and/or Town Engineer James V. Merloni attend a February 8 Joint Meeting to Review February Amendments to the FY1984 Transportation Improvement Program - Sudbury's interest being the State's project for the widening of Route 20 in Sudbury.

Selectman Donald suggested that Mr. Thompson review the minutes of a former Selectmen's meeting when the State showed plans for the widening project. There was some discussion regarding the Selectmen's strong negative feelings about the State's uncertainty in finalizing the scheduling of this project.

One-Day Wines and Malt Licenses

It was on motion by Chairman Murray unanimously

VOTED: To grant one-day licenses for the sale of wines and malt beverages only to be drunk on the premises, Sudbury Community Arts Center, and to waive the fee for the same, to the following people for the following occasions:

- 1) to Vicki Hammel for a dance to benefit the Sudbury Community Arts Center, on February 18, 1984, from 8:00 p.m. to midnight; and
- 2) to Ruth Patti for a dance to benefit the Lincoln-Sudbury West School, sponsored by the Parent's Association, to be held March 4, 1984, from 8:00 - 11:00 p.m.

The above is subject to notification to the Fire Chief, and to the Police Chief, who will determine whether a police detail is necessary.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of January 23, 1984, as amended.

Sign Review Bylaw Article

Chairman Murray directed the Executive Secretary to schedule a joint meeting with the Sign Review Board and a member of the Board of Appeals to discuss the Selectmen's 84ATM article (#37) to amend the Town Bylaws, Art. IX, V.J. - Signs.

Sudbury River/Citizens Advisory Meeting

Selectman Donald informed the Board that, at the last Citizens Advisory Committee meeting, draft environmental impact reports had been distributed for comment, and that Mr. Thompson had contacted Dr. Chiang (Consultant - Sudbury River Diversion Study under Article 26, 81ATM), the Water District Commissioners, and Conservation Commission member Frank Scofield to let them know that the report is available and that the committee is meeting again on the 16th to discuss any concerns; March 8 is the deadline for getting any changes back to the Advisory Committee.

Acoustics - Lower Town Hall

The Selectmen asked that the Executive Secretary look into the possibility of providing a microphone and/or speakers to be used during Selectmen's meetings in the lower Town Hall, especially during the Town Fathers Forum. This request was precipitated by comments addressed to the Chairman by people attending the Forum and who were having difficulty hearing everything that was said.

Growth Route 20

Selectman Fox addressed the subject of the Town's growth, a subject, he stated, which has come before the Board in several different ways. For the

record, Selectman Fox stated that the Selectmen have been dealing with this issue, i.e., by meeting with the various Town boards, participating in the League of Women Voters panel on the subject of limiting growth in Town; by directing the Executive Secretary to work with the Planning Board in applying for a \$25,000 grant that would update the Town's master plan as it relates to Route 20, which, if granted, would mandate that updating to be done by July 1, 1984; by working with Senator Atkins and other State officials on the widening of Route 20; by encouraging the Planning Board to submit an article for the 84ATM for the funding of a Town Planner; by changing site plan procedures to include recommendations for architecture style by the Planning Board; by supporting the Planning Board's submitting an article for the 84ATM for formal design review of all commercial developments; encouraging the Planning Board to complete its survey on residents' opinions as to planning and growth in Town.

Selectman Fox concluded by stating that, through intelligent planning, we can resolve the problem of growth in Sudbury.

Middlesex County Advisory Board - Budget

Selectman Donald stated that the voting meeting on the Middlesex County Advisory Board budget conflicts with our Annual Town Meeting and she, therefore, does not plan to attend and vote on the county budget.

Colonial Spirits

The Board acknowledged receipt of a copy of the Board's vote of June 1, 1981, approving Colonial Spirits' change in location of their licensed premises.

Use of Sick Leave Bank/Police Officer Chaffee

In accordance with the grievance procedure of the police union contract, on January 9, 1984, the Selectmen held a hearing on the December 24, 1983, grievance of Police Officer Robert I. Chaffee. At that hearing, as requested by Police Officer John Harris, President of Police Local 315, Selectman Fox asked that the Board consider voting to amend Officer Chaffee's grievance, if and when it is settled in his behalf, so that the sick bank days paid to Officer Chaffee are reimbursed to the sick leave bank.

Following discussion relative to limiting the number of days which should be reimbursed and the precedent this sets, it was on motion by Selectman Donald unanimously

VOTED: To not amend the above-noted grievance, but to agree to reimburse the sick leave bank up to thirty days if the grievance is decided in Officer Chaffee's favor, and to take the matter under advisement again for further extension if the December 24, 1983, grievance of Officer Chaffee is still unresolved after thirty days.

Amend Transfer Request

It was on motion by Selectman Donald unanimously

VOTED: To acknowledge and concur with an amendment voted by the Finance Committee to increase Transfer #18, dated December 8, 1983, for Account 521-22, from \$276.17 to \$892.17 (difference \$616) for additional repair to the computer.

There being no further business to come before the Board, the meeting was adjourned at 10:30 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk