

IN BOARD OF SELECTMEN
MONDAY, MARCH 4, 1985

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.

Utility Petitions/85-8, Marlboro Road and 85-9, Water Row

Present: Robert Malis, Boston Edison; and abutter John S. Eterno, 241 Water Row.

In conformity with General Laws Chapter 166, sections 21 and 22, the Board considered the following joint Utility Petitions of Boston Edison Company 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 ways of the Town:

UP85-8: Marlboro Road - westerly approximately 252 feet east of Maynard Road, thence turning and running northerly a distance of about 20 feet - conduit.

UP85-9: Water Row - northerly approximately 1,446 feet north-east of New Bridge Road, a distance of about 8 feet - conduit.

Executive Secretary Richard E. Thompson stated that all appropriate abutters and Town officials had been notified and that a favorable recommendation had been received from the Building and Wiring Inspectors, dated February 25, 1985.

Following a brief explanation of each utility petition by Mr. Robert Malis of Boston Edison, it was on motion unanimously

VOTED: To approve Utility Petition 85-8, as described above, and as shown on plans entitled: "N.E.T.&T.Co. No. 85-2 Plan For Conduit Location", dated February 20, 1985, and "Boston Edison Company Plan of Marlboro Rd., Sudbury, Showing proposed location of customer conduit", dated January 22, 1985;

and further

VOTED: To approve Utility Petition 85-9, as described above, and as shown on plans entitled: "N.E.T.&T.Co. No. 85-3 Plan For Conduit Location", dated February 20, 1985, and "Boston Edison Company Plan of Water Row, Sudbury, Showing proposed location of customer conduit", dated January 30, 1985.

Mr. John S. Eterno, 241 Water Row, expressed concern about some wires that were still above ground; Mr. Malis stated he had noticed them but did not know what they were. The Board asked that Mr. Malis look into the matter.

Presentation/Proceeds of Sale, Horse Pond School

Present: Thomas Leonard, Assistant Director, Massachusetts Firefighting Academy.

Mr. Thomas Leonard, Assistant Director of the Massachusetts Firefighting Academy in Sudbury presented to the Board of Selectmen a check in the amount of \$170,000 from the sale of the Horse Pond School to the Massachusetts Firefighting Academy, noting that this is the first time in the history of the Academy that they have owned their own building. Mr. Leonard thanked the Town of Sudbury for being such good neighbors; the Selectman expressed the same appreciation to the Fire Academy.

Transfer Request/Police General Expense

Present: Police Chief Peter Lembo.

On the question of approving a Reserve Fund Transfer, requested by the Police Chief for the purchase of leather accessories as part of the official police uniform, Chief Lembo stated his intention to have all police officers in new uniforms by May 15. That uniform will include identical clothing for every man on the force including, if the transfer requested is approved, new leather accessories (29 sets), consisting of a safety holster, which prevents unlawful access to a police officer's gun from behind, and a speed loader, a round cylinder holding six bullets.

Chief Lembo explained that these accessories are required at the Academy and it will be mandatory to issue these to any police officer qualifying at the Academy. The Chief went on to say that by July 1, he planned to have another training session which may or may not be done in-house depending on whether he can get a local police officer trained; otherwise, he will have a FBI certified instructor or someone from the State Police force do the training so that it will be a legal certification. Chief Lembo stated that all police officers should be qualified twice a year, including special police. Chief Lembo further explained that that he plans to have two, 5-hour training sessions a year - 3 hours in fire arms (most likely at the Maynard Rod and Gun Club), and 2 hours, in-house instructional course on the use of force and review of departmental policy on the use of fire arms.

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

VOTED: To approve Request No. 33, dated February 21, 1985, for a Transfer from the Reserve Fund, to Account 320-21, Police General Expense, in the amount of \$2,900, to purchase leather accessories, and as further explained on the numbered transfer.

Transfer Request/Surveys & Studies

It was on motion by Selectman Fox unanimously

VOTED: To approve Request No. 19, dated March 1, 1985, for a Transfer from the Reserve Fund to Account 501-81, Surveys and Studies, in the amount of

\$13,079, to conduct the State Census in Sudbury, as further explained on the numbered transfer.

Engineering Personnel

It was on motion by Selectman Fox unanimously

VOTED: To table until March 11 the question of approving promotions and upgrading of Engineering Department personnel, in accordance with a letter dated February 6, 1985, from the Town Engineer, as the Town Engineer was unable to attend tonight.

Master Plan

It was on motion by Selectman Fox unanimously

VOTED: To table until March 11 discussion relative to a report dated February 22, 1985, from the Planning Administrator summarizing Planning Board comments regarding Interchange's recommendations as outlined in the Master Plan Update to provide for further time to review the same.

LEA Group/Solid Waste Disposal

It was on motion by Selectman Fox unanimously

VOTED: To submit an application for State Technical Assistance Funding being offered to communities for studying and evaluating their management of solid waste disposal, as recommended by LEA Group, Engineers, coordinators of the Wachusett Area Solid Waste Study Committee, in a communication dated February 14, 1985, and to authorize the Chairman of the Selectmen to sign all related documents.

Change of Officers/Winchesters

It was on motion by Selectman Fox unanimously

VOTED: To approve, under G.L. c. 138, the new officers and directors of Winchesters of Sudbury, Inc., subject to updating probation checks, as follows:

President	Lawrence Kimmelman
Treasurer	Stephen Goldberg
Clerk	Lawrence Kimmelman
Directors	Lawrence Kimmelman
	Stephen Goldberg
	Mandell Sherman;

and to permit, under s. 15A of said Chapter, the transfer and/or issuance of stock to the following (so that the total shares held will be as listed):

Lawrence Kimmelman	750 shares
Stephen H. Goldberg	750 shares
Mandell Sherman	750 shares
Craig Fierman	54 shares

Selectmen's Meetings

It was on motion by Selectman Fox unanimously

VOTED: To take the following action relative to upcoming Board of Selectmen meetings:

- a) To postpone the meeting of March 25 until March 27, 1985, at 7:30 p.m., lower Town Hall, due to the Annual Town Election on March 25.
- b) For the duration of Town Meeting, the Board's regular Monday meetings at Town Hall are cancelled, and instead, the Board will meet at 7:00 p.m. in the Lincoln-Sudbury Regional High School Library prior to each night of Town Meeting.
- c) To cancel the Town Fathers Forum for the months of March and April.

Appointment/Board of Assessors

Present: Assistant Assessor Daniel A. Loughlin, Chairman David M. Collins and Patrick J. Delaney, III, Board of Assessors; candidate Michele T. Singer.

In accordance with General Laws Chapter 41, Section 11, as amended, Chairman Donald convened a joint meeting with the Board of Assessors to interview and elect by roll call vote a third member to the Board of Assessors to serve until the next Town Election, March 25.

Following an interview/discussion with the candidate, it was on motion by Selectman Fox unanimously

VOTED: To appoint Richard E. Thompson as Clerk of the joint session of the Board of Selectmen and the Board of Assessors for the purpose of electing a new member to the Board of Assessors.

It was moved by Selectman Fox to nominate Michele T. Singer, 16 Meadowbrook Circle.

There being no further nomination, Chairman Donald announced that nominations were closed and requested the Clerk to proceed with the roll call vote.

Mr. Thompson read the roll call vote and the following votes were cast:

Mr. Collins voted for Michele Singer.
Mr. Delaney voted for Michele Singer.
Selectman Donald voted for Michele Singer.
Selectman Fox voted for Michele Singer.
Selectman Frost voted for Michele Singer.

At the conclusion of the roll call vote the Clerk declared that Michele T. Singer, having received the unanimous vote of those present and entitled to vote, was elected to fill the vacancy on the Board of Assessors, created by the resignation of Theodore G. Cameron, until the next Annual Town Election, in accordance with Chapter 41, Section 11, of the General Laws, as amended.

It was noted for the record that there is a candidate for Assessor running in the Town Election for the three-year opening (Linda Buxbaum). Mrs. Singer indicated that she would run in the Annual Election as a write-in candidate to fill Mr. Cameron's unexpired term (two years remaining).

Chairman Donald adjourned the joint session and thanked the members of the Board of Assessors and the applicant for their interest and attendance this evening.

Minutes

It was on motion by Selectman Fox unanimously

VOTED: To approve the minutes of the Regular Session of February 25, 1985, as corrected.

Minuteman Planning Council Meeting

Selectman Frost reported that he had attended a Minuteman Planning Council meeting in Lincoln Thursday, February 28, and on his recommendation it was on motion by Selectman Fox unanimously

VOTED: To support the donation of one week of free service from the Metropolitan Area Planning Council (of the two allotted to cities and towns by the MAPC) to the Minuteman Planning Council, to be part of the cumulative hours being donated by cities and towns within the Minuteman Planning Council district for developing a study dealing with regional issues, and to direct Selectman Frost to so inform the Minuteman Council at its next meeting later this month.

Youth Commission

Present: Neal A. Shifman, Rosalyn J. Draws, Henry Tarbi, Linda M. Manjarrez, William B. Carroll, Wayne Ogden, Joan McKenna and Nancy Guilmartin, Youth Commission.

Chairman Donald convened a joint meeting with the newly-established Youth Commission to discuss its duties and purpose.

Executive Secretary Richard E. Thompson introduced the members and recommended that Mr. Shifman be Acting Chairman.

Mr. Thompson suggested that, following a brief meeting with the Selectmen, the Youth Commission convene a meeting of its own and asked that the Commission issue a report indicating its opinion as to whether or not

there should be a Youth Commission and, if agreed there should be, what direction it might take.

Selectman Fox asked that the Youth Commission be cognizant of the Board's concern regard an overlapping of committees, i.e., the Juvenile Restitution Commission, the Teen Center organization, the Park and Recreation Commission, etc., and suggested the Youth Commission might take on the responsibility of determining where there are gaps and whether this organization can be helpful in filling the gaps and/or be the interacting body to co-ordinate if it appears these organizations are working on the same things.

Selectmen Frost expressed appreciation on behalf of the Board for the time the members of the Youth Commission are willing to put into this assignment. Chairman Donald thanked the members of the Youth Commission for their attendance this evening.

Chapter 90 Construction Funds

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

VOTED: To sign and submit certification of the Final Advisory Report (Chapter 90 Bond Issue Project) to the District 4 Highway Engineer, relative to Street Overlay Project, #6033-8028 for Hudson Road at August Road, Concord Road at Route 20 and Horse Pond Road at Route 20, totaling \$68,846 (State Funds - \$65,284 and Municipal funds - \$3,562), in accordance with a request dated February 27, 1985, from the Highway Department.

Traffic Signal/Sudbury Crossing

In accordance with a communication dated February 25 from Mr. Gerald D. Cohen, CG Investment Group, Inc., on behalf of Sudbury Crossing Associates Realty Trust, and following a brief explanation by the Executive Secretary, it was on motion by Selectman Fox unanimously

VOTED: To support a grant to the Town of Sudbury and the Commonwealth of Massachusetts by Sudbury Crossing Associates Realty Trust; namely, a right of entry to install, operate and maintain traffic signal equipment including vehicle detectors located at the intersection of Route 20, Union Avenue, and the access road to the Sudbury Crossing Shopping Center, subject to verification from Town Counsel that this is all that is necessary - it being the opinion of Selectman Fox that a recordable easement would be required instead.

Cherry Sheet

Executive Secretary Richard E. Thompson informed the Selectmen that he had received the Cherry Sheet in the Selectmen's office today and presented them with a copy.

Route 20 Widening

Executive Secretary Richard E. Thompson referenced a "Program of Projects to be Advertised, January 1985 thru December 1986" which he received from the State Department of Public Works which lists the Route 20 widening project for February of 1986, as well as, a "bridge removal project" on Landham Road in Sudbury, which Mr. Thompson stated he would look into and report back to the Board.

Illegal Dumping at Landfill

The Board noted receipt of a copy of a letter to R & G Trucking Company from the Highway Surveyor, dated February 28, 1985, putting that Company on notice that they will not be able to continue the apparent practice of unloading their trucks of refuse originating from other towns in the Sudbury Landfill.

Executive Session

At 9:00 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.

(Chairman Donald, in favor; Selectman Fox, in favor; Selectman Frost, in favor.)

Chairman Donald announced that Public Session would not reconvene following the Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 9:20 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk