

IN BOARD OF SELECTMEN
MONDAY, SEPTEMBER 23, 1985

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

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

Interview/Board of Appeals Associates and Earth Removal Board

Present: Candidate Marshall A. Karol.

The Board met with Mr. Marshall A. Karol who had expressed interest in serving on the Board of Appeals Associates and Earth Removal Board by forwarding his application under date of September 19, 1985. The Board was also in receipt of a communication from Maryann K. Clark, Chairman of the Board of Appeals, dated September 23, 1985, recommending Mr. Karol's appointment.

Chairman Fox stated, and the Board agreed, that the vacancy should be properly advertised in the local newspaper, perhaps mentioned at the Town Fathers Forum later this evening, and the Talent Search list checked, before the final appointment is made, to give everyone who may be interested in serving the opportunity to apply for the position.

Chairman Fox thanked Mr. Karol for his interest and for giving the Board the opportunity to interview him this evening; he stated that the appointment would not be made for several weeks.

Reschedule Meetings

It was on motion by Selectman Frost unanimously

VOTED: To reschedule meetings during holiday weeks as follows:

- October 14, Columbus Day, to Wednesday, October 16, at 5:30 p.m., in the lower Town Hall; and
- November 11, Veterans Day, to Wednesday, November 13, at 5:30 p.m., in the Flynn Building.

Accept Bid/Sign Contract - Paint Town Hall

In accordance with a recommendation from the Supervisor of Town Buildings, Douglas R. Lewis, dated September 23, 1985, it was on motion by Selectman Donald unanimously

VOTED: To accept a bid and authorize the Chairman to sign a contract for painting all exterior wood surfaces of the Town Hall including, where necessary, replacement of window glazing, as explained in specifications for the Town of Sudbury, Section II, and in accordance with "Option A" of the bid submitted under date of September 18, 1985, from H. M. Horton Company,

Howard M. Horton, owner, 28 Gould Street, Walpole, Massachusetts, 02081, for the contract price of \$8,800.

Exemption/School Employees

In accordance with a communication dated September 19, 1985, from Town Counsel Paul L. Kenny and upon request from the Police Chief, letters dated September 19 and 20, 1985, it was on motion unanimously

VOTED: To approve an exemption under the Conflict of Interest statute to allow School Department employees, Claire D. Eaton and Mary-Ann Gavin, to work part-time as school crossing guards, as requested by Police Chief Peter Lembo in accordance with M.G.L.c.268A,s.20(f), effective September 1, 1985.

UN Day in Sudbury

It was on motion unanimously

VOTED: To proclaim October 24, 1985, the 40th birthday of the United Nations, as UN Day in Sudbury, as requested by Ambassador Peter H. Dailey, President, World Business Council, 1985 National UN Day Chairman.

Fair Labor Standards Act

It was on motion by Selectman Frost unanimously

VOTED: To support the Massachusetts Municipal Association's call upon Congress to delay implementation of the Fair Labor Standards Act and eliminate retroactive penalties and to direct the Executive Secretary to inform Representative Chester Atkins accordingly.

It was noted that Representative Atkins will be holding office hours in Framingham, October 5, beginning at 1:30 p.m.

Release Funds/Town Meeting Articles

The Board was in receipt of a communication dated September 16, 1985, from Finance Committee Chairman Marjorie Wallace requesting that balances remaining in articles voted at prior Town Meetings might be released to offset future expenditures.

Following a brief update by the Executive Secretary and on his recommendation, it was on motion by Selectman Donald unanimously

VOTED: To release to available funds, balances in articles under the jurisdiction of the Board of Selectmen, voted at prior Town Meetings, as follows:

- 1) Hydrogeological Study, 84/12, \$700.01
- 2) Powder Mill Street Acceptance, 84/40, \$100.00
- 3) Boundary Change, 82/3-STM, \$3,994.50

Other articles with remaining balances, under the jurisdiction of the Board of Selectmen, and not released, are as follows:

- 1) MDC River Diversion, 81/26, \$1,202.45 - not completed
- 2) Town Office Facilities, 82/2-STM, \$2,305.25 - outstanding bills, money owed to Schools
- 3) Community Center/Fairbank, 83/19, \$740.09 - outstanding bills

The Executive Secretary was directed to notify Ms. Wallace accordingly.

Continue Site Plan 83-262/S. F. Doyle, 321 Boston Post Road

Upon telephone request from Mr. Steven Doyle and on recommendation by the Executive Secretary, it was on motion by Selectman Frost unanimously

VOTED: To continue by mutual consent the hearing on Site Plan 83-262 of S. F. Doyle and Co., 321 Boston Post Road, to October 21, 1985, at 8:00 p.m.

MetroWest Traffic Study

Selectman Donald referenced a communication from the MAPC dated September 18, 1985, containing information regarding the proposed MetroWest traffic study.

Executive Secretary Richard E. Thompson stated that he had referred the communication to the Town Planning Administrator and the Town Engineer for their comments prior to September 27 relative to the proposed selection of routes in Sudbury so that he may respond to the MAPC by its deadline of September 30.

Miss Sudbury Contest

The Board acknowledged receipt of a communication dated September 12, 1985, from Chairman of the Park and Recreation Commission Peter A. Berkel, inquiring as to the Selectmen's interest in assuming the responsibility for the Miss Sudbury program as the Commissioners voted to discontinue its role of being responsible after assessing priorities.

After discussion, the Board directed the Executive Secretary to notify the following people as to their interest in serving on a committee to continue this program: Roberta "Bobbie" Benson, Debbie Vana and/or other past Miss Sudbury's, and Rosalyn Drawas.

Town Center Signalization

Present: Town Engineer James V. Merloni.

With regard to recent inquiries/complaints concerning the intersection of Route 27 and Concord Road at the Town Center, and responding to questioning by Chairman Fox, Town Engineer James V. Merloni stated the following:

- agrees that some corrective measures should be taken and recommends an article for the 86ATM to appropriate funds for 1) replacing the signals with

modern equipment which, among other things, will allow a left-hand turn onto Route 27 going west by means of a delayed green light - cost over \$50,000 (willing to prepare design plans for the same); and/or 2) widening the intersection - cost in excess of \$50,000 and could require land takings from the abutters.

Chairman Fox directed the Town Engineer to look into alternatives which would cost less than \$100,000; he asked if something could be done with the timing of the lights at the center which might help prevent the 7:30-8:00 a.m. traffic backup from the Town Center beyond Musketahquid Village on Route 27 traveling east.

The Town Engineer explained that traffic lights are installed by State Department of Public Works permit which regulates the timing sequence; he said that there is some flexibility within a certain range, that range being smaller on an old traffic light, and that newer, modern traffic lights have other built-in capabilities to accommodate various traffic situations.

Chairman Fox asked that the Town Engineer report back to the Board on this matter by providing some alternatives and cost estimates.

Town Fathers Forum

At 8:00 p.m. Chairman Fox convened the 162nd session of the Town Fathers Forum, a copy of which is attached and made a part of these minutes.

Class II License/Colony Leasing Corporation, 8-10 Concord Road

Present: Applicant David J. Lyons and Susan K. Lyons; Fire Chief Michael Dunne and Building Inspector Joseph E. Scammon.

Chairman Fox convened a public hearing on the application of Colony Leasing Corp., for a Class II license to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts Thereof, for property located at 8-10 Concord Road.

Executive Secretary Richard E. Thompson stated that all appropriate Town officials and abutters had been notified and noted receipt of the following communications:

- a communication from applicant David J. Lyons dated September 10, 1985, stating that the primary business at Colony Leasing Corp. will be the leasing of automobiles and light duty trucks on a long-term basis; a Class II license will allow them to acquire dealer plates so that vehicles can be transported and properly insured while temporarily owned by Colony Leasing and allow Colony Leasing to act as a dealer in disposing of customers' used vehicles; under said license Colony Leasing does not intend to 1) be in the business of performing repairs or maintenance of any kind; 2) ever display used cars for sale; and 3) use this license for anything but to facilitate its primary business of vehicle leasing.

- from the Building Inspector dated September 16, 1985, recommending approval of the license subject to the three numbered items in Mr. Lyons' communication as noted above;

- from the Fire Chief, dated September 13, 1985, stating no objections subject to the vehicles on site not interfering with access to the building in case of fire or medical emergency;

- from the Police Chief dated September 16 offering no objections subject to items 1-3 of Mr. Lyons' communication and compliance to any restrictions set forth by the appropriate Town officials/boards; and

- from Town Counsel dated September 20, 1985, indicating that the license application is premature since no site plan has been approved, or even filed - a previous site plan for this site only addressed use as office space. In addition, the property is located in a limited business district in which the buying and selling of used vehicles is not an allowed use; therefore, the applicant would have to obtain either a special permit, or perhaps a use variance, from the Board of Appeals to conduct this type of business at the proposed location.

Mr. Lyons stated that Colony Leasing will require no additional parking at this location; there will be no display of cars, and no repairs on the premises; vehicles will be disposed of within a 48-hour period and the company will only be dealing with 2-4 cars in the period of a month.

There was some discussion regarding the contents of Town Counsel's communication following which it was on motion by Selectman Frost unanimously

VOTED: To deny without prejudice an application from Colony Leasing Corporation for a Class II License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts Thereof for property located at 8-10 Concord Road, LBD#3.

Fire Department CIP (1986-91)

Present: Fire Chief Michael Dunne.

In accordance with the Fire Chief's submittal to the Long Range Capital Expenditures Committee (LRCEC) and following discussion with the Fire Chief, it was on motion unanimously

VOTED: To support the Fire Department Long Range Capital Improvement Program, 1986-91, as submitted to the LRCEC by Fire Chief Michael Dunne under date of August 29, 1985.

Chairman Fox recommended to Chief Dunne that he upgrade charges/fees which have not been updated for a while, i.e., \$25/hour for use of fire alarm truck on private jobs, charge for fire alarm hook-ups.

There being no further business to come before the Board, the meeting was adjourned at 11:00 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk