

IN BOARD OF SELECTMEN  
MONDAY, AUGUST 17, 1987

Present: Chairman Anne W. Donald, David A. Wallace and John C. Drobinski.

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

Utility Petition 87-23 - Boston Edison/New England Telephone & Telegraph

The Board reviewed Utility Petition 87-23 by Boston Edison Company and New England Telephone and Telegraph Company for attachment of one guy wire and anchor on Pole 194/11, Wayside Inn Road.

Executive Secretary Thompson noted that all appropriate abutters had been notified and approval had been recommended by the Inspector of Buildings and Wiring Inspector under date of August 6, 1987, and that all abutters had been duly notified.

On motion of Selectman David A. Wallace, it was unanimously

VOTED: To approve Utility Petition 87-23 for permission to attach one guy wire and anchor on pole 194/11 in Wayside Inn Road - northerly side approximately 1,029.7 feet east of Dutton Road; as shown on plan of Boston Edison Company entitled "Plan of The Wayside Inn Rd.-Sudbury", dated May 19, 1987.

Minutes

It was on motion of Chairman Donald unanimously

VOTED: To approve the minutes of the meeting of August 3, 1987, as presented.

Repurchase of Cemetery Lots

The Board reviewed letter dated August 12, 1987, from Superintendent of Cemeteries Robert A. Noyes, wherein he requested authority to repurchase cemetery lots from Neil and Phyllis Kaufman, Marilyn and Leslie Riseberg, Harold and Janet Ginsburg, and Alfred Cairra.

On motion of Selectman Wallace, it was unanimously

VOTED: To repurchase two graves (#1A-2A) in Lot 3, Section 10, of the New Town Cemetery from Neil and Phyllis Kaufman (Deed #615), at the price of \$200 (\$75 Sale of Lot and \$125 Perpetual Care); and it was further

VOTED: To repurchase Lot 9, in Section 11, of the New Town Cemetery from Leslie and Marilyn Riseberg (Deed #263) at the price of \$200 (\$50 Sale of Lot and \$150 Perpetual Care); and it was further

VOTED: To repurchase Lot 5A, in Section 12, of the New Town Cemetery from Harold and Janet Ginsburg (Deed #619) at the price of \$300 (\$75 Sale of Lot and \$225 Perpetual Care); said amount to be applied toward the purchase of a new cemetery lot in the same Section; and it was further

VOTED: To repurchase Lot 23A, in Section E, of the Wadsworth Cemetery from Alfred Caira (Deed #240) at the price of \$100 (\$25 Sale of Lot and \$75 Perpetual Care).

Donations to Council on Aging Van Donation Account

On motion of Chairman Donald, it was unanimously

VOTED: To accept on behalf of the Town \$99.00 in miscellaneous donations to be deposited in the Council on Aging Van Donation Account; and to authorize the Council on Aging to expend the same for purposes of operating and maintaining the Council on Aging van.

Newcomers Club Bowling League Donation to Council on Aging

On motion of Selectman Wallace, it was unanimously

VOTED: To accept on behalf of the Town \$30.00 from the Newcomers Club Bowling League donated to the Council on Aging.

"Blueprint 2000"

The Board reviewed communication dated July 16, 1987, from Lt. Governor Evelyn F. Murphy providing information regarding the program, "Blueprint 2000", and further, requesting the Town to appoint a Municipal Advisory Committee to provide input to this program.

Selectman Drobinski questioned whether a new committee need be formed or if this is a matter that an already-existing committee (such as the Planning Board) could address. Executive Secretary Thompson concurred and pointed out that the Town is already deeply involved with many of the hard-core issues raised in "Blueprint 2000" by virtue of the Study which had been authorized at Town Meeting. Mr. Thompson suggested this would be a natural extension of the goals and objectives of the Long Range Planning Committee, and further recommended forwarding Lt. Governor Murphy's communication to MetroWest and MAGIC for their input. Mr. Thompson noted that the questionnaire mentioned in Ms. Murphy's letter was not included in her informational package, but if it is forthcoming, he will provide the appropriate committees with a copy of same for their assistance in completing it.

After further discussion, it was on motion unanimously

VOTED: To acknowledge receipt of communication dated July 16, 1987, from Lt. Governor Evelyn F. Murphy providing information regarding the program "Blueprint 2000", a long-range action plan to determine where Massachusetts is heading and what can be done to make life at the turn of the century better; to respond to said communication by describing the committees already in existence that are addressing these issues; and to forward said communication to the groups outlined in paragraph 3 of Lt. Governor Murphy's letter.

United States Soccer Federation

The Board reviewed letter dated July 22, 1987 from Werner Fricker, President of the United States Soccer Federation, requesting the Town adopt a

resolution which would demonstrate support for the United States effort to host the World Cup soccer matches in 1994.

Following discussion and recommendation by Executive Secretary Thompson, it was unanimously

VOTED: To acknowledge receipt of letter dated July 22, 1987 from Werner Fricker, President of the United States Soccer Federation, concerning the Federation's attempt to bring the Soccer World Cup to the United States in 1994; and to adopt the Resolution drafted by Mr. Fricker demonstrating the Town's support in this effort.

Appointment - Town Historian

Present: Laura Scott.

The Board reviewed application of Laura Scott for appointment to the position of Town Historian. Mrs. Scott presented an ambitious outline of the goals and objectives she would pursue in this position, which was enthusiastically received by the Board. Of particular note is Mrs. Scott's desire to make the children of the Town more aware of the Town's past. Chairman Donald noted this objective could tie in nicely with the upcoming celebration of the Town's 350th Anniversary and suggested Mrs. Scott attend the upcoming meeting of the 350th Anniversary Celebration Committee on September 9, 1987.

On motion of Selectman Drobinski, it was unanimously

VOTED: To appoint Laura Scott, 46 Massasoit Avenue, to the position of Town Historian for a term of one year, said term to expire April 30, 1988.

Transfer of Police Vehicle to Executive Secretary

Executive Secretary Thompson informed the Board that Police Chief Peter B. Lembo suggested the 1982 Ford LTD which is being retired from service in the Police Department and would have an estimated trade-in value of only \$2000 would be adequate for the Executive Secretary's use as a Town vehicle. Mr. Thompson stated this vehicle would be a good replacement for the automobile he presently uses, since there have been many times in the past where a larger vehicle such as the LTD would have facilitated town business.

On motion of Selectman Wallace, it was unanimously

VOTED: To authorize the transfer of former Police detective vehicle #1, 1982 Ford LTD, Vehicle Identification No. 2FABP31F1CB170028, Registration No. 850426, to the Executive Secretary for town business use; and further, to approve for budgetary purposes the transfer of \$1500 from Account 501-410, Travel, to Account 501-310, Maintenance, for operation of said vehicle.

Appointment to Board of Registrars

Present: Nicholas Polio, Susan Bistany, Mitchell Bistany.

The Board interviewed Nicholas Polio, Susan Bistany and Mitchell Bistany for one position on the Board of Registrars to fill the Alan P. Thayer vacancy.

After discussion and upon recommendation of Robert Holzwasser, Chairman of the Republican Town Committee received July 23, 1987, it was on motion of Selectman Wallace unanimously

VOTED: To appoint Nicholas Polio, 39 Griscom Road, to the Board of Registrars for a three-year term expiring April 30, 1990.

Congratulations were extended to Mr. Polio and Selectman Drobinski thanked Mr. and Mrs. Bistany for their community spirit in offering their services to meet the Town's needs.

#### Fuel Oil Bids for Town Buildings

The Board reviewed Memorandum dated August 6, 1987, from C. Warren Bezanson of The Education Cooperative, Massachusetts Plan, Administrators Association, attaching the results of the 1987-1988 Fuel Oil Bids.

Based on recommendation of The Education Cooperative and Supervisor of Town Buildings, on motion of Chairman Donald, it was unanimously

VOTED: To accept bids awarded by The Education Cooperative, for supplying fuel oil for Town buildings during the 1987-1988 heating season, commencing September 1, 1987, as follows: (a) from Global Petroleum Corp., First Petroleum Division, 800 South Street, Waltham, Massachusetts, at the price per gallon on the date of delivery of the lowest posting of the Daily New York Journal of Commerce, Boston Terminal, plus \$0.0327/gallon for #2 oil throughout the supply period; and (b) from Atlantic Fuels Marketing Corp., 500 Neponset Avenue, Boston, Massachusetts, at the price per gallon on the date of delivery of the lowest posting of the Daily New York Journal of Commerce, Boston Terminal, minus \$4.53/barrel for #4 oil (1% sulphur content) throughout the supply period.

#### Charge of Duties-Residential Wastewater Treatment Facilities Advisory Committee

The Board reviewed a draft charge for the proposed Residential Wastewater Treatment Facilities Advisory Committee ("RWTFAC"), which had been drafted by the office. The Board recommended adding language which would direct the Committee to advise the appropriate Board(s) on bylaw proposals if such proposals are deemed by the Committee to be necessary following its study and analysis of the impact of the plants upon the Town; and further suggested that it would be desirable to have an attorney and a waste-water engineer on said Committee. Selectman Drobinski indicated that he had obtained the names of individuals who would qualify and may be interested in serving, and he would submit them to Executive Secretary Thompson for his follow up. Chairman Donald suggested that the Board ask what desired expertise other boards and committees feel is necessary for prospective candidates for appointment. The Board agreed.

Following discussion, on motion of Chairman Donald it was unanimously

VOTED: To establish the Charge for the proposed Residential Wastewater Treatment Facilities Advisory Committee as follows:

To organize for the purpose of reviewing the use of package sewage treatment plants in residential developments in general and on specific sites, as requested by the Board of Selectmen; to act in an advisory capacity

reporting to the Board of Selectmen its findings and recommendations. The Committee is assigned to study all technical and procedural aspects of such plants and to analyze the ramifications to the Town; and to advise respective boards on recommended bylaw proposals. At all times the Advisory Committee is to consult with the Board of Health, the Conservation Commission, the Planning Boards, the Town Engineer, and other appropriate town agencies in its deliberations and recommendations. The Committee shall promote, foster and encourage communication between town agencies and, through the Board of Selectmen, keep all agencies informed and updated on this subject.

Amendment to Include Marlborough in the MetroWest Agreement

The Board reviewed a proposed amendment to the Memorandum of Agreement by and among various towns and the Metropolitan Area Planning Council, which would include the city of Marlborough in the MetroWest Growth Management Committee.

Upon inquiry by Chairman Donald, Executive Secretary Thompson stated that he has not received word that the City of Marlborough has officially agreed to join in the Growth Management Committee, but recommended the Board approve said City's inclusion if indeed they decide to join.

After discussion, on motion of Selectman Wallace, it was unanimously

VOTED: To approve a proposed amendment to the Memorandum of Agreement by and among the towns of Ashland, Framingham, Natick, Southborough, Sudbury, Wayland, Wellesley, and Weston and the Metropolitan Area Planning Council relative to the establishment of the MetroWest Growth Management Committee, said amendment providing for the inclusion of the City of Marlborough in the MetroWest Agreement, subject to the City of Marlborough accepting the Agreement; and to authorize the Chairman to sign the amendment when and as appropriate.

Executive Secretary Thompson stated he would forward a copy of said Amendment to the Planning Board for its action.

Additional Election Officers

Pursuant to recommendations of Robert A. Holzwasser, Chairman of Republican Town Committee, and Maureen Wiles, Chairman of Democratic Town Committee, and Town Clerk, it was on motion of Chairman Donald, unanimously

VOTED: To appoint Barbara E. Bell, 215 Hudson Road; Ruth D. Wells, 22 Indian Ridge Road; and Richard L. Wells, 22 Indian Ridge Road, as additional Emergency Inspectors for the Republican Party; and to appoint Maureen Dolan, 18 Lombard Lane; Carolee McGinley, 26 Clark Road; and Christine McLeod, 238 Old Lancaster Road, as additional Emergency Inspectors for the Democratic Party.

Request by Fire Chief to Sell Excess Hose

The Board reviewed memorandum dated August 12, 1987, from Fire Chief Michael Dunne, wherein he requested authority to sell by sealed bids approximately 1,000 feet of hose that is over 20 years old.

On motion of Selectman Wallace, it was unanimously

VOTED: To authorize Fire Chief Michael Dunne to dispose of approximately 1,000 feet of hose by sealed bid, after offering same to other Town departments.

One-Day Wine & Malt License - Annual Colonial Fair

The Board reviewed request dated August 12, 1987, from Joseph D. Bausk, Sudbury Companies of Militia and Minute and the Sudbury Ancient Fyfe and Drum Corps, for a one-day wine and malt beverages license for the Annual Colonial Fair and Muster on the site of the Wayside Inn, September 26, 1987.

Executive Secretary Thompson noted that Mr. Bausk tendered the required \$25.00 fee for said license, and that there is no objection for same from the Wayside Inn.

On motion of Chairman Donald, it was unanimously

VOTED: To grant a one-day license to Joseph D. Bausk, Sudbury Companies of Militia and Minute and the Sudbury Ancient Fyfe and Drum Corps, to sell wine and malt beverages only, to be drunk on the premises on September 26, 1987, from 9:00 a.m. to 5:00 p.m. (or in the alternative, rain date of September 27, 1987) on the grounds of the Wayside Inn, subject to the provision of sanitary facilities for attendees, obtaining required building and wiring permits and health permits, and approval by the Fire and Police Chiefs.

Northeast Recreation Company - 136 Boston Post Road

The Board acknowledged receipt of Notice of Decision by the Board of Appeals in its Case No. 87-34, filed August 13, 1987, relative to the site plan for property at 136 Boston Post Road, owned by Northeast Recreation Company, and a suggestion by the Board of Appeals that the Board of Appeals, Planning Board and Selectmen schedule a joint meeting to discuss possible bylaw changes and general procedures.

On motion it was unanimously

VOTED: To request Executive Secretary Thompson to contact the Board of Appeals, Planning Board and other appropriate parties such as the Town Planner and Town Counsel to schedule a meeting to discuss Board of Appeals Case No. 87-34, relative to the site plan for property at 136 Boston Post Road, owned by Northeast Recreation Company, and the broader issue of bylaw changes and procedures; and further, to place this matter on the next available agenda following said meeting.

Public Hearing Held by DEQE Re: Proposed Willis Hill Sewage Treatment Plant

Selectman Wallace expressed his opinion that the public hearing held August 4, 1987, by the Department of Environmental Quality Engineering was handled very well and felt there was good news coverage. He also stated he believes the townspeople and its officials presented a strong, unified position to the State.

MetroWest Meeting

Chairman Donald reported that she attended the MetroWest Meeting August 4, 1987, and discussed a number of proposals presented at that meeting concerning the Shoppers World expansion. She stated one proposal includes an on-ramp to the Massachusetts Turnpike, which is very much opposed by DEQE. She also stated Transportation Secretary Salvucci feels strongly that the "triangle interchange" on Route 9 is much more important.

Mrs. Donald informed the Board that due to financial problems, the MetroWest office will be closed on Fridays.

Town Librarian

Executive Secretary Thompson informed the Board that Town Librarian Wilma Lepore is moving to Ohio, and interviews will be conducted for a replacement. The Board concurred with Mr. Thompson's opinion that the Town will suffer a great loss when Ms. Lepore departs.

Fire Department Grievance

Executive Secretary Thompson stated that he obtained a postponement of the current Fire Department grievance regarding pay periods until Richard W. Murphy, Labor Relations Counsel, can be present. Mr. Thompson explained the principal problem concerns the fact that there is an "extra pay period" this year and there is a question regarding hourly take-home pay, since with new salary increases, their bi-weekly checks do not coincide with said increases.

Sherman's Bridge

Executive Secretary Thompson reported that he has been getting some telephone calls concerning the fate of Sherman's Bridge and the proposed new construction plans. Mr. Thompson suggests that because of the unusually heavy schedule of projects and issues being addressed by the various boards and committees of the Town, this matter be addressed at a later date, and after Mr. Noyes reports to the Board on the same.

Route 20 Paving

Town Engineer I. William Place attended the State's hearing on the Route 20 paving and he reported that he requested, on behalf of the Town, that the State extend the paving on Route 20 as discussed on prior occasions. Mr. Thompson stated that he was informed that next year the State intends to extend the paving westerly from Station Road. This year's construction will be conducted during the hours 7:30 a.m. - 3:30 p.m., and will commence soon.

Performance Review - Janet Silva

The Board acknowledged receipt of Performance Review Report dated June 16, 1987, submitted by Administrative Assistant to the Board of Selectmen Janet Silva. Executive Secretary Thompson stated that he and Mrs. Silva had met concerning this on August 12, 1987, and they will be meeting again for further discussion. The Board concurred with said Report and commended Mrs. Silva for her continued excellent performance.

Labor Relations Commission Case MUP-6446 - R. Chaffee

The Board acknowledged receipt of a copy of Resolution of Case No. MUP-6446 of the Massachusetts Labor Relations Commission signed August 7, 1987 by Town Counsel and a member of the International Brotherhood of Police Officers, Local 315 (Union), decided in favor of the Town. Executive Secretary Thompson reminded the Board that additional issues will be heard on or about September 3, 1987, which involves the Chaffee dismissal.

Cook/Marrone Dog Complaint Hearing of March 23, 1987

The Board acknowledged receipt of letter dated August 6, 1987, and received August 11, 1987, from Michael D. Chefitz, Esquire, Johnson & Schwartzman, Attorneys for Alan and Linda Marrone, 17 Stone Road.

Executive Secretary Thompson informed the Board that on August 10, 1987, Linda Marrone came into his office and met with him concerning this matter. Mr. Thompson told Mrs. Marrone that a rehearing on this matter could not be held August 17, 1987, because it must be a public hearing with all interested parties and abutters notified, and time did not allow the office to do so by August 17, 1987. Mr. Thompson also requested that Mrs. Marrone notify her attorney of the same, and she said she would.

Mr. Thompson reviewed the Board's previous position concerning removal of the dog. He reminded the Board that the matter has been to court twice, upheld in the lower court and upheld on appeal. He further informed the Board that Mrs. Marrone stated they would be moving from their present address to a new home in the same area. Mrs. Marrone stated she and her husband had several ideas to keep the dog contained in order to save him from being removed from the Town.

After a brief discussion, it was on motion unanimously

VOTED: To deny the request of Alan and Linda Marrone, 17 Stone Road, as set forth in a letter dated August 6, 1987, from their attorney Michael D. Chefitz, for another hearing on the matter of the removal of their dog "Colt" from the environs of the Town; and further to amend its vote dated March 23, 1987, as follows:

VOTED: To order the Doberman pinscher known as "Colt", owned by Alan Marrone of 17 Stone Road, removed from the environs of the Town of Sudbury no later than September 1, 1987; and that until such removal takes place, said dog shall be permanently restrained at all times.

Executive Office of Elder Affairs - Formula Grant Application FY88

After review of the Formula Grant Application for fiscal year 1988 for the Council on Aging, it was on motion of Selectman Drobinski unanimously

VOTED: To authorize Chairman Anne W. Donald to sign Formula Grant Application -- FY 1988 to Commonwealth of Massachusetts, Executive Office of Elder Affairs, in the amount of \$2,379.00, for the Council on Aging.



Executive Session

At 8:55 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing legal issues.

(Chairman Donald, aye; Selectman Wallace, aye; Selectman Drobinski, aye).

The Chairman 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 9:30 p.m.

Attest: \_\_\_\_\_  
Richard E. Thompson  
Executive Secretary/Clerk