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IN BOARD OF SELECTMEN
MONDAY, NOVEMBER 14, 1988

Present: Acting Chairman John C. Drobinski and Judith A. Cope.

The statutory requirements as to time and place having been fulfilled, Acting Chairman Drobinski called the meeting to order at 7:40 p.m. at lower Town Hall.

Utility Petitions Nos. 88-16 and 88-17 - Woodside Road and Goodman's Hill Road

Present: Boston Edison Company representative Robert Malis.

The Board reviewed Utility Petition Nos. 88-16 and 88-17 by New England Telephone and Telegraph Company and Boston Edison Company for the laying of conduit within Woodside Road and Goodman's Hill Road to supply service to one house in each of those locations.

Acting Chairman Drobinski noted that all appropriate abutters had been notified and approval had been recommended by the Inspector of Buildings and Wiring Inspector under date of November 9, 1988.

On motion of Selectman Drobinski, it was unanimously

VOTED: To approve Utility Petition No. 88-16 of Boston Edison Company and New England Telephone and Telegraph Company for permission to lay and maintain a distance of about 4 feet of conduit under Woodside Road - northerly approximately 8 feet east of Hopestill Brown Road; and shown on plan of Boston Edison Company entitled "Plan of Woodside Rd. - Sudbury", dated October 18, 1988; and New England Telephone and Telegraph Company's "Plan for Conduit Location", N.E.T.&T. No. 88-14, dated November 8, 1988.

On motion of Selectman Drobinski, it was unanimously

VOTED: To approve Utility Petition No. 88-17 of Boston Edison Company and New England Telephone and Telegraph Company for permission to lay and maintain a distance of about 42 feet of conduit under Goodman's Hill Road - approximately 668 feet northwest of Boston Post Road; and shown on plan of Boston Edison Company entitled "Plan of Goodman Hill Rd. Sudbury", dated October 18, 1988; and New England Telephone and Telegraph Company's "Plan for Conduit Location", N.E.T.&T. No. 88-13, dated November 8, 1988.

Change in Manager Petition - Papa Gino's of America, Inc.

At the request of applicant's Manager that the petition be considered at a time when he could be present, the Board agreed to table the matter to the next week.

Reserve Fund Transfer No. 89-8, Law Legal Expense

Executive Secretary Richard E. Thompson informed the Board that the Reserve Fund Transfer Request is to fund an amount previously approved as the FY89 increase determined during salary review to be paid to the firm of Paul L. Kenny for Assistant Town Counsel services. This increase is essentially a cost

of living adjustment which in prior years has been made from the salary adjustment account; however, since the account title has changed the Accounting Department has determined that the adjustment must come from the Reserve Fund.

Therefore, it was on motion of Selectman Drobinski unanimously

VOTED: To approve Reserve Fund Transfer Request No. 89-8, dated November 10, 1988, for Acct. 512-503-256, Law Legal Expense, in the amount of \$1,264.

Sudbury Housing Partnership - Goals and Guidelines

In order to provide input to the Committee, the Board reviewed documents drafted by the Sudbury Housing Partnership Committee with notations suggested by Selectman Cope relative to program goals and Committee "Guidelines for Developer Proposals". The Board agreed that the Committee had done a good job, one which obviously had taken many months of hard work.

Selectman Cope voiced her concern that all of the Town-owned land would be considered for potential development. It was her feeling, and Selectman Drobinski concurred, that some property purchased or given as a gift, such as land for conservation purposes, should be preserved for that use.

Executive Secretary Richard E. Thompson reminded the Board that some of the land acquired by the Town is protected by deed restriction and that parkland and conservation land enjoys a special protection in that change of use must have Town Meeting and State legislative approval.

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

VOTED: To endorse the "Sudbury Housing Partnership Goals Statement" and the Housing Partnership Committee "Guidelines for Developer Proposals" as notated by Selectman Cope and incorporating the concerns expressed this evening; and further that the finalized documents be forwarded to the Massachusetts Commission Against Discrimination as a supplement to the Town's Fair Housing Plan.

Dixon Restaurant Associates - Change in D/B/A

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

VOTED: To approve a change in d/b/a of Dixon Restaurant Associates, Inc., from Rosario's to Alfredo's, for property at 470 North Road, licensed for the sale of all alcoholic beverages as a Common Victualler.

1989 Warrant Articles

Executive Secretary Thompson brought to the Board's attention a list of possible 1989 Annual Town Meeting Warrant articles which the Selectmen may wish to consider for submission, including some which the Board may wish to jointly sponsor. Mr. Thompson highlighted some which the Board had previously supported, specifically, codification of bylaws, purchase of voting equipment and those articles related to the established Aquifer Zones. Relative to the need for voting machines, which he had discussed with the Finance Committee

Chairman, Mr. Thompson stated that with 9,000 persons voting, there is a need to utilize more than one location and the present machines, in addition to having other problems, cannot accommodate this need.

Selectman Cope stated that she believes an inclusionary zoning article will be developed by the Planning Board and should be added to the list. It was noted that a meeting will be held on the subject by the Planning Board on December 1.

Cable Permit Request - Continental Cablevision

Present: District Construction Manager Paul D'Arcangelo, Continental Cablevision; Cablevision (formerly Adams-Russell Cable Services) Manager Pennie Contos; Cable Television Committee Chairman Jeffrey Winston.

On the question of granting Continental Cablevision's request to install and maintain cable from Pelham Island Road to Griscom Road through the Town of Sudbury to service its Wayland customers as set forth in a communication dated September 13, 1988 from Curt Doble, District Construction Supervisor, Executive Secretary Thompson informed the Board that the Building Inspector and Fire Chief recommend approval subject to conditions relative to the fire alarm cable.

Cable Television Committee Chairman Jeffrey Winston noted that the subject had been discussed and approved by the Committee which believed that no further approval was necessary from the Town. The Committee did not want any vote to be misconstrued relative to Sudbury's franchise and had discussed the matter with Cablevision Manager Pennie Contos. After consultation with Cablevision counsel, it was suggested that any vote include the provision that the cables "service subscribers solely within the Town boundaries of Wayland."

Continental Cablevision District Construction Manager Paul D'Arcangelo stated that, contrary to the Committee's belief, only the Board of Selectmen have the statutory authority to grant approval for the use of the poles within the public way even though the poles are indeed owned by New England Telephone and Boston Edison.

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

VOTED: To approve the request of Continental Cablevision, dated September 13, 1988, to grant permission to install and maintain an aerial cable system using seven poles (3/2, 293/1, 293/2, 293/3, 293/4, 293/5 and 271/1) along Griscom Road in the Town of Sudbury, approximately 1336 feet of cable, as shown on Coaxial Analysts Incorporated Map No. 4749, dated December 11, 1984; subject to approval by Boston Edison company and New England Telephone and Telegraph Company, and subject to Continental Cablevision bearing all costs associated with moving fire alarm cables, if necessary, and meeting all requirements of the Fire Chief in the process of installation; and further, with the proviso that the cable shall service subscribers solely within the Town boundaries of Wayland.

Award - 1988 Annual Town Report Printing

On the recommendation of the Town Report Committee and Administrative Secretary to the Board of Selectmen Janet Silva, under dated of November 8, 1988, it was on motion of Selectman Drobinski unanimously

VOTED: To accept the bid for the printing of the 1988 Annual Town Report from Athol Press, Inc., 225 Exchange Street, Athol, Massachusetts at a total estimated cost of \$5,600 based upon typeset charge of \$56.85 per page and camera-ready charge of \$50.50 per page.

Appointment - Memorial Day Committee

On the recommendation of Winifred Grinnell of the Memorial Day Committee, it was on motion of Selectman Drobinski unanimously

VOTED: To appoint Elizabeth M. Foley, 807 Boston Post Road, Sudbury, to the Memorial Day Committee for a term to expire April 30, 1991.

Appointment - Sudbury 350th Anniversary Celebration Committee

On the recommendation of Harold R. Cutler of the Sudbury 350th Anniversary Celebration Committee, it was on motion of Selectman Cope unanimously

VOTED: To appoint Lynn Kreutz, 325 Maynard Road, Sudbury, to the Sudbury 350th Anniversary Celebration Committee.

Duxbury Selectmen Request for Support

The Board noted receipt of a communication and resolve of the Duxbury Board of Selectmen, dated October 27, 1988, seeking passage of a similar resolution urging Congress to ban beer and wine commercials from radio and television.

After discussion, it was on motion of Selectman Drobinski unanimously

VOTED: To support the efforts of the Duxbury Board of Selectmen to petition for legislation and to direct the Executive Secretary to formulate a simple resolution which would represent the concern of the Board concerning commercials aimed at young persons.

Minutes

It was on motion of Selectman Drobinski unanimously

VOTED: To accept the minutes of November 7, 1988 as amended, and the Town Forum record of October 24, 1988.

Selectmen's Budget - Inclusion of WAC and RRC Requests

At the request of the respective Committees and on the recommendation of the Executive Secretary, the Board agreed that funding of \$10,000 for the Wastewater Advisory Committee and \$2,000 for the Resource Recovery Committee be

requested within the Surveys & Studies line item of the FY90 Selectmen's Budget.

Appointment - Police Matron

Noting information dated November 14, 1988 from Police Chief Peter B. Lembo that the appointment of Judith Steele and Diane McKeone as police matrons had terminated because they had moved out of the State, and on the recommendation of the Chief, it was on motion of Selectman Drobinski unanimously

VOTED: To appoint Carol Ann McClure, 193 Peakham Road, Sudbury, as Police Matron for a term to expire April 30, 1989.

Sudbury Crossing Site Plan

After an update from the Executive Secretary relative to the progress of resolution of the engineering problems encountered with the Sudbury Crossing site relative to the site plan, Selectman Drobinski requested the Executive Secretary to investigate the responsibilities of the owner relative to the landscaping of the rear parking lot. The Executive Secretary agreed to do so and report to the Board on his findings.

Non-Criminal Enforcement of Violations

Executive Secretary Richard E. Thompson informed the Board that the tickets had been printed to allow the designated enforcement officers to process complaints relative to Bylaw or Regulations violations in the District Court on a non-criminal basis and that the Assistant Town Counsel would instruct those involved in the procedures to be followed.

Engineering Work Priorities

Upon Selectman Cope's expression of concern about the priority status of engineering work for the Highway Department relative to its prospective filings under the Wetlands Protection Act, Executive Secretary Thompson informed the Board that this project had since been given a higher priority.

Open Meeting - Real Estate Tax Assessment

Executive Secretary Thompson informed the Board that the public meeting to provide information to landowners concerning available options relative to tax assessment on open land has been tentatively set for December 12, 1988. Landowners will be contacted by letter from the Assessors who will conduct the meeting jointly sponsored by the Conservation Commission, Planning Board, Board of Selectmen.

Mr. Thompson noted that the Board will meet later with the Assessors to discuss the Town's options in this matter.

State House Hearing - Simon Special Act

Executive Secretary Thompson stated that he will attend the State House hearing on the Special Act relative to the assessment of Mrs. Simon which was

submitted as a result of the October Special Town Meeting vote. His representation will be directed only to what was voted by the Town.

Juvenile Cell - Police Station Modifications

Executive Secretary Thompson informed the Board that Supervisor of Town Buildings Douglas Lewis has reworked the Police Station remodeling to bring the juvenile cell up to State regulations and will request a transfer in the amount of \$9,000 of which \$5,334.25 is directly for the detention cell. Mr. Thompson noted that the project will not have to be publicly bid. On recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To amend the previous vote of November 7, 1988 approving Reserve Fund Transfer Request No. 89-5, dated October 28, 1988, from the amount of \$15,000 to the amount of \$9,000.

Executive Session

At 9:00 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session to consider grievance dated October 21, 1988, filed by Local 315, International Brotherhood of Police Officers, on behalf of former employee Peter G. Sullivan, relative to vacation pay entitlement and for the purpose of discussing Discretionary Fund expenditures.

(Acting Chairman Drobinski, aye: Selectman Cope, aye.)

Acting Chairman Drobinski announced that public session would not reconvene following Executive Session.

Attest: _____
Richard E. Thompson
Executive Secretary-Clerk