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IN BOARD OF SELECTMEN  
MONDAY, OCTOBER 24, 1988

Present: Chairman David A. Wallace, John C. Drobinski and Judith A. Cope.

The statutory requirements as to time and place having been fulfilled, the meeting was called to order by Chairman David A. Wallace at 7:30 p.m. in the lower Town Hall.

Executive Secretary Pro Tem

It was on motion of Chairman Wallace unanimously

VOTED: To appoint Janet Silva Executive Secretary Pro Tem for the purposes of this meeting.

Request No. 89-4 - Repair to Second Boiler at Fairbank Community Center

Present: Supervisor of Town Buildings Douglas Lewis.

The Board reviewed Reserve Fund Transfer Request No. 89-4 by the Building Department in the amount of \$25,000 to repair the second boiler at Fairbank Building.

Supervisor of Town Buildings Douglas Lewis called attention to his letter dated April 29, 1988, submitted as a reference, which outlined the reasons for repair of the boilers and listing proposals received to accomplish the needed work at the time work on the first boiler was approved.

Mr. Lewis stated that this boiler is over 28 years old and because of the uncertainty as to use of the building, his department has attempted to keep it going by "patchwork". Mr. Lewis reminded the Board that the money received last Spring was used to work on the other boiler; and the biggest problem encountered was asbestos removal. With regard to the second boiler, the boiler people worked on it and it was running as of 5:00 p.m. this past Friday. The boiler overheated that same evening and almost caused the building to catch on fire. Mr. Lewis concluded by stating that it is necessary to have a back-up boiler and that the bottom-line cost is anticipated to be \$22,600, exclusive of unexpected contingencies. In response to inquiries by Selectmen Drobinski and Cope, Mr. Lewis stated that once this work is done, no additional system will be needed, whatever use the building is put to; and whatever is worked on or purchased will be guaranteed.

It was on motion of Selectman Drobinski unanimously

VOTED: To approve Request No. 89-4 for \$25,000 from the Reserve Fund for Account 340-330, Building Department Excess Buildings, to repair the second boiler at Fairbank Community Center.

Papa Gino's of America, Inc. - Corporate Changes

The Board reviewed application filed October 14, 1988, by Papa Gino's of America, Inc. pertaining to its Common Victualler License to Sell Wines and Malt Beverages for premises located at 104 Boston Post Road.

Executive Secretary Pro Tem Janet Silva informed the Board that the principals of the company have not changed; only a redistribution of the shares of stock among the parties. Mrs. Silva further stated that she has been advised that the company will be submitting an application relative to change in manager, and expects same to be filed within the next week or so.

On motion of Chairman Wallace it was unanimously

VOTED: To approve changes in officers and directors, and stockholder changes as set forth in Attachment A of application filed October 17, 1988, resulting from intra-family stock transfers relative to the Common Victualler License to Sell Wines and Malt Beverages held by Papa Gino's of America, Inc., for premises located at 104 Boston Post Road.

[Whereupon the Selectmen signed the appropriate form for submission of the Alcoholic Beverages Control Commission].

Budget and Warrant Schedules For 1989 Annual Town Meeting

Executive Secretary Pro Tem Janet Silva presented to the Board for its review the budget and warrant schedules for the 1989 Annual Town Meeting; and proposed policy statement relative to the submission of warrant articles. Mrs. Silva explained that with the exception of a new deadline date of December 30 for submission of all warrant articles, the new schedule is basically the same as last year's.

After review, it was on motion of Chairman Wallace unanimously

VOTED: To approve budget and warrant schedules for the 1989 Annual Town Meeting, and policy statement relative to the submission of warrant articles; subject to a change in the date for Department budget reviews, from Saturday December 3, to Saturday, November 26.

Association of Town Finance Committees - Honorable Mention Award

It was on motion of Chairman Wallace unanimously

VOTED: To acknowledge with pride the Notice that the Association of Town Finance Committees awarded Sudbury's 1988 Annual Town Meeting Warrant an "Honorable Mention"; and to request the Executive Secretary to forward a note of congratulations to then-Chairman David Wilson for a job well done.

1988 Presidential Election - Signing of the Warrant

It was on motion of Chairman Wallace unanimously

VOTED: To sign the Warrant for the November 8, 1988 State (Presidential) Election. [Whereupon the Selectmen so signed].

Police Department - Resignation

It was on motion of Chairman Wallace unanimously

VOTED: To accept the resignation dated October 13, 1988, of Sergeant George J. Anelons from the Sudbury Police Department, to become effective upon his retirement on December 1, 1988.

Conservation Commission - Appointment

Upon review of three applications to fill the vacancy left by the resignation of Adam Ames from the Conservation Commission, and based upon recommendation of the Conservation Commission as contained in its memorandum dated October 18, 1988, it was on motion of Chairman Wallace unanimously

VOTED: To appoint Muriel C. Plonko of 69 Puritan Lane to the Conservation Commission to fill the vacancy occasioned by the resignation of Adam B. Ames, for a term to expire April 30, 1990, as recommended by the Commission; subject to receipt of resignation by Mr. Ames.

The Board noted the excellent qualifications of applicants Barbara Kirk and David W. Burke, and was pleased to learn that the Conservation Commission intends to involve them in any projects of interest to them.

Jimmy Mac March Against AIDS

Upon review of request dated October 20, 1988, from representatives of The Martin Luther King Action Project, it was on motion of Selectman Cope unanimously

VOTED: To grant permission to students Dan Shugrue and Aaron Bloomenthal to conduct a "Jimmy Mac March Against AIDS" on Saturday, October 29, 1988, at 10:00 a.m. to raise funds for research; said march to start and finish at Town Hall and traverse Hudson Road, Willis Lake Drive, Oakwood Avenue, Great Lake Drive, Hudson Road, Dutton Road, Pratt's Mill Road, Peakham Road and Hudson Road; subject to all participants utilizing the sidewalks along said route.

Council On Aging - Donations

It was on motion of Chairman Wallace unanimously

VOTED: To accept with thanks on behalf of the Town donations totaling \$120, to be used by the Council On Aging for its activities, from the following:

- \$40 from the Sudbury Police Association, Inc.;
- \$20 from Berthe L. Lessard;
- \$20 from Elizabeth J. Ostroff;
- \$20 from Josephine F. Poe;
- \$20 from Rose K. Gill.

And it was on motion of Selectman Cope further unanimously

VOTED: To accept miscellaneous donations totaling \$96.89 for deposit into the Council On Aging Van Donation Account, and of authorizing the Council On Aging to expend the same for purposes of operating and maintaining the Council On Aging van.

#### Minutes

After review, it was on motion of Selectman Cope unanimously

VOTED: To approve the minutes of October 3, 1988, as amended; and the regular and executive session of October 4, 1988, as presented.

And it was further on motion of Chairman Wallace, seconded by Selectman Drobinski, with Selectman Cope abstaining

VOTED: To approve the regular session of October 17, 1988, as amended; and the executive session of October 17, 1988, as presented.

#### Town Report Committee

Present: Town Report Committee Chairman Ellen M. Given, member Herbert D. Hill, Jr.

The Chairman convened an introductory meeting with the new members of the Town Report Committee, whereupon Executive Secretary Pro Tem Janet Silva made the introductions.

Chairman of the Committee Ellen M. Given emphasized the deadline date for submission for reports from all committees is December 1. Mrs. Given stated that the Committee will attempt to make the Annual Report as artistic and visual as possible. To that end, Mrs. Given stated the Committee is looking for old photographs of Sudbury and would appreciate submission of same from anyone who may have some. Mrs. Given further informed that the deadline for printing bids is November 7, 1988.

Chairman Wallace welcomed the new Committee and Selectman Drobinski expressed the concurrence of the Board that the contributions of volunteers are greatly appreciated.

#### Town Forum

At 8:05 p.m., the Chairman convened the 181st Town Forum, a copy of the minutes of which are attached hereto and made a part hereof; after which the meeting was recessed for coffee and conversation.

#### Meeting With Town Clerk/Superintendent of Schools Re: Presidential Election

Present: Town Clerk Jean MacKenzie; Superintendent of Schools David Jackson.

The Chairman convened a meeting with Town Clerk Jean MacKenzie and Schools Superintendent David Jackson relative to arrangements for the November 8, 1988 Presidential Election.

Ms. MacKenzie detailed the issues raised in her letter to the Board dated October 12, 1988, and stated the letter was written after she had been informed that the School custodian will no longer be available to assist with the voting machines. Ms. MacKenzie stated that this is one more "roadblock" she is being made to work with, as there have been other incidents that have come up.

Ms. MacKenzie gave a brief history of placement of the voting machines at the Noyes School and stated that the machines have been stored at Noyes for the past eighteen years. Ms. MacKenzie stated that when the blueprints for the school were drawn up, there was a small (approximately 13' x 30') storage space allocated for these machines. Over the years, a custodian's services have been utilized to bring the machines from the storage area to the gymnasium via elevator.

Ms. MacKenzie next outlined the problems encountered at the last election (primaries and Town elections), which included one machine being inadvertently left downstairs, and the elevator "jamming" with a machine in it. Ms. MacKenzie continued by stating that when the polls were opened, she discovered that eight machines had been tampered with and jammed; something that has never happened before. Upon inquiry, Ms. MacKenzie stated she believed what had happened was some students passing in the area where the machines were located pulled the lever which in effect "erased" the programming.

Ms. MacKenzie further stated that she and her assistants have had great difficulty in getting to the machines, as they are no longer in a locked area and are being kept with supplies which other people have access to.

Ms. MacKenzie stated that months in advance she sent a letter to the Principal of Noyes School outlining the schedule for the November 8th elections and the particular items she needs from the school. Recalling the last primaries held at the school, Ms. MacKenzie stated that she had requested two tables, but was provided with only one; and that one had two broken legs. She reiterated that this type of thing has never occurred before, and she would like to make certain things like that do not occur again. Ms. MacKenzie further detailed an incident involving the Recount held after the last primaries election. When the Recount was called, Ms. MacKenzie stated that she immediately contacted the Executive Secretary and explained the need for use of the school cafeteria. Contact was then made with the School Department and she was assured there would be no problem. Ms. MacKenzie stated that when she went over on the day for Recount, the principal informed her he had no idea of what was going on and the cafeteria was not available.

Ms. MacKenzie stated that over the years, it has been the Town Clerk's office who prepares the polls. She stated that she has been doing this as a favor to the Board of Selectmen; that it is not her responsibility. Rather, she stated, it is her responsibility to conduct the election; but she has always felt it was common sense for her to help out, since she knows the rules and requirements.

Ms. MacKenzie stated that she has had several situations where people have faulted her for location of the polls; but there has been no time to come up with a more suitable site for voting and place for storage of the machines. She stated that she has looked into other possibilities for off-site storage and it is extremely expensive (approximately \$20,000 per year).

In conclusion, Ms. MacKenzie stated that she would like some understanding and extra support so that her office can go forward in the preparation of the elections.

Upon inquiry by Chairman Wallace, Schools Superintendent David Jackson stated that the School Department will do whatever is required to see that the election procedures are able to be carried out in an orderly and timely fashion. Dr. Jackson stated that he has been unaware of the recent difficulties expressed this evening by Ms. MacKenzie, and stressed that he is only a telephone call away and will be glad to assist as much as possible. In closing, Dr. Jackson stated that the schools are extremely overcrowded in terms of space and numbers of people, which creates problems not experienced in the past.

Selectman Drobinski expressed his opinion that if there is a manpower problem, perhaps the Highway Department could assist. Ms. MacKenzie stated that since there is only one elevator at the school, and the custodian and people in the School Department know best how to work it, it would be foolhardy to have someone inexperienced take the chance of jamming the elevator with the machines on it.

Dr. Jackson stated that he finds it hard to come up with an immediate solution without having been aware of the problem. However, he continued, he will certainly look into the situation regarding the custodian and find out what he can do to make one available.

In order to avoid a repeat of the machines being disturbed by the students after they have been programmed and "locked", Ms. MacKenzie suggested the students be informed not to touch the machines. She further suggested that the students might be told that if they do touch the machines, they will forfeit their voting rights in the mock elections run for the students.

With regard to the parking problems, Ms. MacKenzie pointed out that the Methodist Church grants permission for use of its parking area during elections, and suggested that this be brought to the attention of the teachers. Dr. Jackson stated the teachers have been so informed, but he cannot make them park there if they choose not to. Chairman Wallace suggested that a written notice about a week in advance may prove more effective.

Dr. Jackson stated that the School Department schedules the School Calendar many months in advance so that Election Day is a parent conference day, which would allow the students to leave early.

In response to inquiry by Selectman Drobinski, Ms. MacKenzie stated that she has requested five policemen.

Ms. MacKenzie further stated that although she does not necessarily agree, the voting machine custodian has expressed his opinion that the storage of school materials with the machines presents a fire hazard, as it is a congested area. Ms. MacKenzie stated that she understands that it is no one's fault about the crowded conditions.

In response to further inquiry, Ms. MacKenzie explained that programming of the machines starts a week before the elections. Dr. Jackson stated that he will look at the space and will try to provide more security. The problem is, he went on, that there is much greater use of that area after school, and the after-school traffic tends to be less supervised.

Ms. MacKenzie reiterated that preparation of the polls is not her area. Ms. MacKenzie opined that it is time for the Board of Selectmen to provide some of the "elbow grease"; and she will be happy to work in conjunction with them. In response to inquiry, Ms. MacKenzie stated that it takes her office about nine hours for preparation of the gymnasium, cafeteria and hallway.

Selectman Cope offered her assistance and Chairman Wallace thanked Ms. MacKenzie and Dr. Jackson for attending this meeting and engaging in a meaningful discussion.

Zoning Bylaw Violation - Friendly Ice Cream Corp.

The Board reviewed letter dated October 6, 1988, from Deputy Zoning Enforcement Agent Earl Midgley to Friendly Ice Cream Corp., concerning its violation of Section IX,V,J,5 of the Zoning Bylaw by erection of a freestanding sign at the premises located in the 1776 Plaza. Selectman Cope pointed out that since this letter was written, she has observed two new signs at that location, which she believes are both in violation of the bylaws.

The Board requested Executive Secretary Pro Tem Silva to contact Mr. Midgley and request a follow-up report.

There being no further business to come before the Board, meeting was adjourned at 10:15 p.m.

Attest:

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Janet Silva  
Executive Secretary Pro Tem