

ok

IN BOARD OF SELECTMEN  
TUESDAY, DECEMBER 19, 1989

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

The requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. in the Flynn Building second floor Conference Room.

Joint Executive Session with Planning Board

Present: Chairman Richard A. Brooks, Peter H. Anderson, Russell P. Kirby, Lael M. Meixsell, and James P. Watterson.

At 7:40 p.m., it was on motion of Chairman Drobinski by roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing litigation matters involving the Planning Board.

(Chairman Drobinski, aye; Selectman Cope, aye; Selectman Wallace, aye; Chairman Brooks, aye; Mr. Anderson, aye; Mr. Kirby, aye; Mr. Meixsell, aye; Mr. Watterson, aye.)

Chairman Drobinski announced that the regular session would reconvene.

Executive Session

Upon the reconvening of the regular session at 9:20 p.m., it was on motion of Chairman Drobinski by roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing expenditures from the Charity Fund (Discretionary Fund).

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

Chairman Drobinski announced that the regular session would reconvene.

1990 ATM - Selectmen's Warrant Article Submissions

Upon the resumption of the regular session at 9:25 p.m., Executive Secretary Richard E. Thompson reported that the statutory provisions under which towns are allowed to adopt a consolidated department of municipal finance require both a ballot question and bylaw amendment and do not provide for reduction in force; therefore, he can not recommend such establishment at this time.

Therefore, on the recommendation of the Executive Secretary, it was on motion of Selectman Cope unanimously

VOTED: To approve the Board's Articles for submission for the 1990 Annual Town Meeting Warrant, as follows:

- Hear Reports
- Temporary Borrowing

- Street Acceptances
- MetroWest & MAGIC contributions
- Voting Equipment
- Use of Free Cash
- Amend Zoning Bylaw, Technical Correction - Wayside Inn Historic Preservation Residential Zone
- Amend Zoning Bylaw, Technical Amendments - Change DEQE to DEP
- Unisys Research District (jointly with Planning Board)
- Amend Wastewater Treatment Facilities Bylaw (jointly with Wastewater Advisory Committee).

#### Selectmen's Annual Report

Executive Secretary Thompson requested that he provide the Board with a draft later in the week, since he had not had the opportunity to revise the first draft. The Board was agreeable.

#### Street Acceptance Schedule

It was on motion of Chairman Drobinski unanimously

VOTED: To approve the schedule of required actions by the Selectmen for laying out those streets to be accepted by the 1990 Annual Town Meeting as prepared by Janet Silva, Administrative Assistant to the Board of Selectmen, under date of December 12.

#### 1990 ATM - Planning Board Overhead Utility Articles

The Board noted receipt of a December 7 communication from Peter H. Anderson, Planning Board Underground Utility Project Coordinator, enclosing two draft Bylaw articles dealing with the prohibition, regulation and removal of overhead utilities in Sudbury, and requesting a sense of the Board relative to its support of the Articles. Additionally, two questions were posed relating to street lighting upon which Mr. Thompson expressed his intent to reply.

Mr. Thompson informed the Board that the Long Range Planning Committee's position on the Articles, transmitted through Mr. Cusack, is approval of the Bylaw to prohibit overhead utilities and disapproval of the Bylaw for progressive removal.

While expressing his personal agreement with the Long Range Planning position, it was on motion by Selectman Wallace unanimously

VOTED: To support the proposed Planning Board Bylaw amendment which would prohibit construction of overhead utilities except by way of replacement or upgrading existing facilities, and to advise the Planning Board that it cannot take a position on the proposed Bylaw amendment for progressive removal of overhead utilities until the financial ramifications have been considered.

#### Sunday Entertainment Licenses

It was on motion of Selectman Wallace unanimously

VOTED: To approve the annual applications for License for Public Entertainment on Sunday, as follows:

- Papa Gino's of America, Inc., 104 Boston Post Road, for a jukebox;
- 99 Restaurant Pub, Inc., 698 Boston Post Road, for live music (folk singer with guitar; disk jockey).

Land Management Reports & Assignments

It was on motion of Selectman Wallace unanimously

VOTED: To accept Land Management Report of the Conservation Commission, dated December 6, 1989, for parcels of land located on Surrey Lane, Raymond Road (east and west), and for the Parkinson land off Hudson Road; and Land Management Report of the Park and Recreation Commission, dated December 1, 1989, relative to Feeley Park, Heritage Park and the Haskell land off Fairbank Road; and it was further

VOTED: To extend management assignments, which expire January 1, 1990, for a period of five years, as follows:

Conservation Commission

Raymond Land, 38 acres, easterly side  
Raymond Land, 72 acres, westerly side  
Surrey Lane, 1.45 acres, Parcel 625 (Tax Possession Parcel 188)

Park and Recreation Commission

Raymond Land, 18 + 8.9 acres, easterly side.

Parkinson Land Lease

Executive Secretary Thompson informed the Board that Sudbury Nurseries, Inc. was interested in renewing its lease of the Parkinson Land off Hudson Road for a period of three to five years. It was noted that the Conservation Commission had suggested that the lease be reviewed in terms of the Housing Opportunity Partnership Committee's proposals for use of this site. In the interim, it was on motion of Selectman Wallace unanimously

VOTED: To extend the term of the lease between the Town and Sudbury Nurseries, Inc., for use of a portion of the Parkinson Land, shown as parcel 200 on Town of Sudbury Property Map G09, for one year, commencing on September 1, 1989, and to sign the appropriate document.

Edwin Barrett Hosmer Memorial Fund Expenditure

It was on motion of Selectman Wallace unanimously

VOTED: To authorize the expenditure of \$4,565 from the Edwin Barrett Hosmer Memorial Fund to pay Pairpoint Glass Works for a cup plate shipment.

1990 Town Census

In response to a request from Town Clerk Jean MacKenzie, dated December 8, 1990, it was on motion of Selectman Cope unanimously

VOTED: To authorize the Police Department to assist the Town Clerk, if necessary, in the conduct of the 1990 Census.

Enterprise Funds

Executive Secretary Thompson informed the Board that the FY91 Landfill Enterprise Fund Budget 1 before the Board this evening includes purchase of a used dozer as previously discussed and a \$2,000 increase for the Landfill Operator/Manager position. The Board noted request of Landfill Agent Robert A. Noyes, dated December 18, 1989, relative to application of retained earnings in the amount of \$37,660 toward purchase of the dozer, and his recommendations with regard to the residential and commercial fee structure.

It was on motion, therefore, of Selectman Cope unanimously

VOTED: To approve FY91 Landfill Enterprise Budget 1 for submission to the Finance Committee, in the total amount of \$373,803, which reflects application of \$37,660 in retained earnings toward the purchase of a used dozer.

It was agreed to hold on increasing the fee structure to allow Mr. Noyes to develop further information and experience relative to this year's budget.

Relative to the Pool Enterprise Fund it was noted that out-of-state travel expenses had been deleted, and the personnel sections reflect the new organization discussed previously.

It was on motion of Selectman Cope unanimously

VOTED: To approve the FY91 Pool Enterprise Fund Budget in the amount of \$346,624 for submission to the Finance Committee.

Second-Hand Motor Vehicles Licenses

The Board noted receipt of a December 12 communication from Building Inspector Joseph E. Scammon to the Board of Appeals reporting on his inspection of the Station Road Auto Body premises relative to permit renewal, case #89-52, indicating no problems in the use of the site. In addition, the Board was in receipt of a December 15 communication from Mr. Scammon relating to his inspection of the four other premises utilized by second hand motor vehicle licensees, noting problems in need of correction relative to screening at the Colonial Auto Body site at the corner of Union Avenue and Boston Post Road.

It was on motion, therefore, of Selectman Cope unanimously

VOTED: To approve the renewal of Class II and III licenses for calendar 1990, as conditioned, for:

Colony Leasing Corp., 103 Boston Post Road	Class II
Station Road Auto Body & Garage, 40 Station Road	Class II
Automotive Diagnostic Center, 100 Boston Post Road	Class II
Mosher Auto Body, 34 Station Road	Class III;

and to notify Colonial Auto Body of Sudbury, 430 Boston Post Road, that its Calendar 1990 Class II license is being held for correction of the site problems in conjunction with the Design Review Board/Planning Board.

Minutes

It was on motion of Selectman Wallace unanimously

VOTED: To approve the remaining portion of the December 4, 1989 regular session minutes as drafted, the December 11, 1989 regular session minutes as amended, and the December 11, 1989 Executive Session minutes as drafted.

Trailer Permit

In consideration of a December 14 request from Don Akin, on behalf of Christine Rose whose home was badly damaged by fire, it was on motion of Selectman Cope unanimously

VOTED: To approve a six-month permit for the installation and use of a mobil home during fire repairs on the property of Christine Rose, 540 Hudson Road, subject to Board of Health and Building Department requirements.

Grants and Gifts

It was on motion unanimously

VOTED: To accept a grant in the amount of \$2,638.88 from the Massachusetts Committee on Criminal Justice to be used to upgrade the Police Department's present computer system.

It was further on motion unanimously

VOTED: To accept on behalf of the Fire Department the following donations to be used for the purchase of a First Medic Semi-Automatic Heart Defibrillator and to express the Town's appreciation to the donors:

Sudbury Foundation	\$3,432
Raytheon Company Equipment Division	\$1,000
The TJX Companies, Inc.	\$ 500.

Office Space - LSRHS

In conjunction with Selectman Wallace's report on the meeting held with School officials and the Permanent Building Committee relative to space requirements for the relocation of School offices during the conversion of the Nixon Building, Executive Secretary Thompson reported that he has spoken with the Chairman of the Lincoln-Sudbury Regional District School Committee, Geraldine Nogelo, concerning requests for use of space at the High School for relocation of various Town and School offices, and will be meeting with Superintendent King and Dr. Jackson relative to the same.

Traffic Management Meeting

Executive Secretary Thompson reported that he and Assistant Town Counsel Doneski and the Town Engineer will be meeting with Traffic Management Committee members and Sudbury Crossing representatives in early January relative to curb cuts on the Boston Post Road.

There being no further business for discussion, the meeting was adjourned at 9:50 p.m.

Attest: \_\_\_\_\_

Richard E. Thompson  
Executive Secretary