

IN BOARD OF SELECTMEN  
MONDAY, MARCH 21, 1983

Present: Chairman William J. Cossart, John E. Murray and Anne W. Donald.

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

Site Plan Scale - Stanmar, Inc.

In accordance with a request dated March 7, 1983, from Richard S. Feldman, Vice President of Stanmar, Inc., it was on motion unanimously

VOTED: To grant permission to Stanmar, Inc., to submit a site plan with a scale of 1"=40', for property located at Boston Post Road, as allowed under the Selectmen's Policies and Procedures.

Permanent Patrolman Requisition

It was on motion by Selectman Donald unanimously

VOTED: To authorize the Executive Secretary to sign and file a requisition with the Department of Personnel Administration for the appointment of one full-time, Permanent Patrolman for the Sudbury Police Department, to fill the vacancy created by the resignation of Patrolman Francis W. Flynn.

Sign Site Plan 83-253 - Auto Diagnostic Center, Inc.

It was on motion by Selectman Murray unanimously

VOTED: To confirm action of the Board on March 14 of signing Site Plan 83-253 of Auto Diagnostic Center, Inc., 100 Boston Post Road, approved February 28, 1983.

Cable Television Issuing Authority Report

It was on motion by Selectman Donald unanimously

VOTED: To confirm the Board's vote of March 11, 1983, amending the Cable Television Issuing Authority Report as set forth in communications dated March 11, 1983 to the two cable television applicants.

Schedule Meeting

It was on motion by Selectman Murray unanimously

VOTED: To schedule the Board's meeting during the Patriot's Day holiday week on Wednesday, April 20, 1983.

Minutes

It was on motion by Selectman Murray unanimously

VOTED: To approve the minutes of the Regular Session of March 7, 1983, and the transcript of the Town Fathers Forum of February 28, 1983, both as drafted.

Transfer Request - Acct. #950-94, Copying Service

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

VOTED: To approve Request No. 1081, dated March 21, 1983, for a transfer from the Reserve Fund to Account 950-94, Copying Service, in the amount of \$2,959, to purchase a copy machine for the Flynn Building offices - Engineering, Health, Building, Accounting and Treasurer (the latter two recently relocated there from the Town Hall), and as further explained on the numbered transfer.

Sudbury Annex Fort Devens

Selectman Murray stated, for the purpose of reminding the press, that the Sudbury Annex of Fort Devens will conduct a noise survey Wednesday and Thursday, March 23 and 24, which will include grenade, gun, simulator (mortar) firing at set intervals.

Meeting with Maynard Selectmen - Powder Mill Road

Selectman Murray reported on a joint meeting held in Maynard at their invitation to discuss common interests/concerns on petition articles to rezone property along Powder Mill Road and/or to create cul-de-sacs there, submitted for the Sudbury 83ATM. Selectman Murray commented that, contrary to implications by Maynard's Town Counsel, Sudbury had properly notified the Town of Maynard of the zoning change article on its Warrant.

Executive Secretary Richard E. Thompson stated that he had so informed Maynard in writing and had also sent a copy of the Selectmen's minutes of an earlier meeting in Sudbury which had been attended by the Maynard Board of Appeals Chairman.

League of Women Voters Meeting

Selectman Donald stated that she was unable to attend the League's meeting and panel discussion on the regional budget scheduled for March 24, 1983. Selectman Murray expressed his interest in attending. Responding to Selectman Murray, LSRSDC Chairman Richard F. Brooks stated that the meeting had been precipitated by the League and Lincoln-Sudbury was invited to participate. Mr. Brooks stated that LSRSDC member Alan Grathwohl, Marcia A. Roehr, District Treasurer, and Administrative Director John Wilson would be representing the High School.

Mr. Brooks credited the League for their slide presentation at Candidates Night.

DEQE Hearings

Selectman Donald referenced a communication received March 18 from the State DEQE and asked Mr. Thompson to check with the Health Director regarding his attendance at the scheduled DEQE hearings during the month of April on the Proposed Draft of the Regulations for the Land Application of Sludge and Septage.

County Budget

Selectman Donald stated she would attend the Middlesex County Advisory Board meeting tomorrow, Tuesday, March 22, on the County Budget.

Blue Cross-Blue Shield Increases

Mr. Thompson referenced the information provided to the Board regarding Blue Cross-Blue Shield rates; those figures show an increase of 48% in rates for 1983. Mr. Thompson stated that the retirement figure is up and that the Regional School's Blue Cross-Blue Shield figures have gone up 52%. In light of these figures, Mr. Thompson added, there will be a need for adjustment in the Town's forecast figures. The Board agreed with his recommendation that a Saturday morning meeting prior to Town Meeting be scheduled with Town officials to try to reach a consensus on the financial recommendations to the Town Meeting.

Thanks to Selectman Cossart

Tonight being Selectman Cossart's next-to-last official meeting as Selectman, on behalf of the Board, Selectman Murray thanked him for his fine job as Selectman. For the countless hours and unselfish efforts spent in so many areas, he expressed his appreciation, and thanked him for the pleasure of working together as a Board. Selectman Donald voiced her concurrence of the same.

Communications Received

- to Paul Conover, Village Road, from the State DEQE (forwarded to the Selectmen from the Board of Health) dated March 4, 1983, regarding well sampling; and
- to the DEQE from Dr. Stevens of the Board of Health, dated March 17, 1983, relative to Coatings Engineering.

Public Hearing: Street Acceptances

Present: Town Engineer James V. Merloni.

Chairman Cossart convened a public hearing for the purpose of the Board voting and signing layouts of Town ways in conjunction with Article 7 of the 1983 Annual Town Meeting for street acceptances.

Executive Secretary Richard E. Thompson referenced receipt of the following communications:

- from Town Counsel's office, dated March 7, 1983, notifying the Highway Surveyor that street layout notices must be delivered on or before March 14;
- from the Planning Board, dated March 21, 1983, supporting the Town Engineer's letter of November 17, 1982, regarding streets which could be submitted for acceptance at the 83ATM, noting that Chanticleer Road, Ford Road, Harvard Drive and Longfellow Street should be inspected around April 1 to determine if the necessary remaining work has been completed; otherwise, the streets should be withdrawn from the Article when it is voted at Town Meeting.

Town Engineer James V. Merloni referenced the plans of the layouts, which were displayed on the side and back walls of the hall; he addressed some questions/concerns raised by abutters, and stated that there is no intention at this time to widen or for any construction - this process is to record plans only.

It was on motion by Selectman Murray unanimously

VOTED: To approve and sign the street layouts for the following Town ways: Austin Road, Axdell Road, Brewster Road, Bulkley Road, Chanticleer Road, Ford Road, Harvard Drive, Hunt Road, Ridge Hill Road, Longfellow Road, Powers Road and Powder Mill Road, as shown on the following plans, subject to the stipulation of the Planning Board, as noted above:

- "Plan of Austin Road as Laid Out by the Town of Sudbury, Massachusetts", dated January 26, 1983;
- "Plan of Axdell Road as Laid Out by the Town of Sudbury, Massachusetts", dated January 25, 1983;
- "Brewster Road as Laid Out by the Town of Sudbury, Massachusetts", dated January 27, 1983;
- "Plan of Bulkley Road as Laid Out by the Town of Sudbury, Massachusetts", dated January 31, 1983;
- "Plan of Chanticleer Road as Laid Out by the Town of Sudbury, Massachusetts", dated February 23, 1983;
- "Plan of Ford Road as Laid Out by the Town of Sudbury, Massachusetts", dated January 26, 1983;
- "Plan of Harvard Drive as Laid Out by the Town of Sudbury, Massachusetts", dated January 24, 1983;
- "Plan of Hunt Road as Laid Out by the Town of Sudbury, Massachusetts", dated January 31, 1983;
- "Plan of Ridge Hill Road as Laid Out by the Town Of Sudbury, Massachusetts", dated February 4, 1983;
- "Plan of Longfellow Road as Laid Out by the Town of Sudbury, Massachusetts", dated February 9, 1983;
- "Plan of Powers Road in the Town of Sudbury", dated November 1, 1982; and
- "Plan of Powder Mill Road in the Town of Sudbury", dated August 30, 1982;

all as prepared by the Town of Sudbury Engineering Department.

#### Longfellow Road

With regard to the acceptance of Longfellow Road, Executive Secretary Richard E. Thompson stated that some years ago Annual Town Meeting accepted as a public way, Longfellow Street, a section running from Route 117 to the Bowker Development. This

year the request is for acceptance for an extension of that Street which runs through the Bowker Development and is known as Longfellow Road. Mr. Thompson stated that it has been recommended to proceed in this manner and to possibly return to next year's Annual Town Meeting to change the name of one segment of the street renaming it to Longfellow Road. There are some problems with doing so in terms of individual deeds but those things can be addressed at some later point in time. Selectman Donald directed the Executive Secretary to notify abutters of Longfellow Street and to request a consensus in changing the name to Longfellow Road.

Public Hearing: Cable Television License

Present: Representatives of Adams-Russell and Community Cablevision; and interested public (a sign-up list of those in attendance available in the office of the Board of Selectmen).

(The following is a summary/highlights of the public hearing to assess applicants for the Sudbury cable television license. These minutes are not intended to be a verbatim transcript. The complete text of the public hearing is available on tape for public review in the office of the Board of Selectmen.)

Chairman Cossart convened the public hearing and set forth the ground rules by explaining that a one-hour segment had been allotted each applicant (for a presentation and question and answer period) with Adams-Russell going first and Community Cablevision going second; they would each have a ten-minute summary period.

Selectman Cossart announced that the Board had received a March 21, 1983, communication from Richard E. Manelis of Community Cablevision stating verbatim the following:

"On behalf of Community Cablevision of Sudbury Associates, we request that the public hearing (March 21, 1983) be held open for a period of ten (10) days for the following reason:

The changes made to the Issuing Authority Report have necessitated an investigation of the effect upon our application (capital expense budget, etc.). As these effects may create changes in our application, sufficient time is needed to determine any new parameters to be fed into the computer program. The possible ripple effect over numerous items throughout the ten (10) years of projections may result in application changes which, in turn, could effect our competitive position."

After consideration, Chairman Cossart informed those present that it was the consensus of the Board of Selectmen not to hold open this public hearing for a period of ten days.

Chairman Cossart asked Town Counsel to review a letter, for the information of those in attendance, sent by the Town to each applicant dated March 11, 1983, with a directive from the Massachusetts Cable Commission, noting certain changes in the Town of Sudbury's Issuing Authority Report.

Town Counsel Paul L. Kenny reviewed the communication of March 11 and in detail explained each change, numbering six, and in summary emphasized that these changes were communicated to each applicant on March 11 receiving from each a verbal statement that no additional time was required for the filing of the final application.

Later in the evening, at 10:35 p.m., based on the above facts, it was on motion by Chairman Cossart unanimously

VOTED: To deny the request of Community Cablevision of Sudbury Associates that this public hearing be held open for a period of ten days.

Adams-Russell

Mr. Raymond Frederick, Senior Vice President and member of the Board of Directors of Adams-Russell introduced himself, stated his local interest, as a resident of the Town for the past eight years, in having the Town select Adams-Russell to provide cable television and introduced another Sudbury resident for the past eleven years, Vice President William Henchy.

Mr. Henchy gave a brief history of the Adams-Russell company pertaining to assets and financial worth, etc.

Mr. Henchy stated that the management of Adams-Russell is known for its stability - Gerald J. Adams founded the company twenty-five years ago and is still Chairman of the Board; John J. Lynch is President and has been with the company twenty-two years; and Raymond E. Frederick, Senior Vice President, has been with Adams-Russell in excess of twenty years. Mr. Henchy introduced the following division staff members: Abigail M. Donahue, Manager of Franchise Development; William L. Gaumond, Operations Manager; and Robert Travers, Telecommunications Specialist.

Mr. Henchy stated that Adams-Russell is a high technology company involved in electronic manufacturing and telecommunications, with a broad line of products; he talked about the many dimensions of their company, the number of subscribers, banking and financing, the experience of Adams-Russell and of the advantage of the Maynard headend system to be used in conjunction with Sudbury's cable system. Mr. Henchy outlined certain sections of Adams-Russell's cable television proposal for the Town of Sudbury - an ultra modern sixty-two-channel cable system, two-way, specifically in the areas of: 1) level of service - \$5.50 monthly/pure reception and \$9.95 monthly/national service offering forty-two - forty-three channels; and 2) available channels and pay options including free installation for ninety days.

Mr. Henchy mentioned that one area that will differ from the Issuing Authority Report is that they will not wire all the homes in Town - certain sparse areas would be wired later at an extra cost. He stated that this was a very carefully made judgement, that wiring the whole Town would make a tremendous increase in rates.

Mr. Henchy next reviewed with the Board information submitted to it prior to the time of the public hearing (8:30 p.m.) entitled, "Sudbury CATV Proposals, Plots of Data From Proposal Proformas", containing comparative financial data in graph form of Adams-Russell vs. Community Cablevision pertaining to comparisons of direct expense, debt, depreciation and revenue - year-to-year profit, cumulative profit, cumulative loss projections.

Comments, Questions and Answers

- Chairman Richard Brooks, Lincoln-Sudbury Regional School District Committee (LSRSDC) asked about local access at the High School. Mr. Henchy stated he had discussed with Raymond Clark the merging of the cable system with the High School's FM radio group for local programming. He concluded by stating that in the proposal is included \$50,000 for studio equipment and that he would be very happy to work with the High School on those details.
- Regarding the charge for the "whole ball of wax", etc., Mr. Henchy stated that most subscribers take the national service at \$9.95 monthly with two pay services for approximately \$27.95 monthly. He reviewed the costs of the basic services and the optional pay services. Mr. Henchy stated that extra outlets would cost \$6 each monthly.
- Responding to one resident regarding future technology of the system, Mr. Henchy stated that they are providing a single cable which is fully two-way.
- Resident Anthony Kreisel asked about total investment in the system, debt and equity. Mr. Henchy responded, a Two Million Dollar total investment with \$900,000 in debt and \$910,000 in equity of which in the tenth year will show a net income of \$49,000 and a cumulative income after ten years of \$160,000. On further discussion, Mr. Henchy expressed his opinion that shareholders feel that, based on prices of the stock, the outlook is very good. Also, responding to Mr. Kreisel regarding basic business trends toward high technology and lack of revenues, Mr. Henchy stated that that aspect had not been overlooked in the submission of their proposal and concluded by stating his opinion that there are always new sources of revenue available.
- Mr. Brooks asked for clarification on subscriber rates; Mr. Henchy responded that the \$5.50 pure reception is included in the \$9.95 monthly charge for national service.
- Regarding installation charges, Mr. Henchy explained that during the initial marketing period, installation is free, as well as extra hookups; otherwise, extra hookups are \$10 each (\$6 mentioned earlier is a monthly charge). A wireless remote control converter is available at an extra charge. It costs ninety cents per month for a television schedule; additionally the T.V. Guide publishes cable television schedules.
- LSRSDC member Alan Grathwohl asked when cable television would be available. Mr. Henchy stated it would be available in approximately eighteen months - six months to convert from provisional license to final license with completion in twelve months from that date.

Community Cablevision of Sudbury

Mr. Barry Bograd introduced, on behalf of Community Cablevision of Sudbury, the following personnel: Elmer Goldman, General Manager of the Framingham system, also member of the Sudbury Militia Company; Chairman of the Board and Financial Expert, Atty. Richard Manelis; Technical and Construction Expert, Ernest Tunmann, Director of Community Cablevision of Sudbury and President of Tully Engineering (a Framingham-based company involved with all engineering, design, and construction of CATV systems); Marketing Expert Michael Wallace, Director of Community Cablevision of Sudbury, spent last five years as Marketing Director at Community Cablevision of Framingham; and Local Programmer and Access Expert, Beverly S. Paris.

Atty. Richard Manelis began the presentation by stressing the local involvement and programming of the firm and explained the financial structure - a limited partnership - how their financing is accomplished; the provisional license period; and a cable trust provision for Sudbury - \$15,000 for local programming with an annual addition to the trust of two percent of subscribers' monies.

Mr. Ernest Tunmann explained the two alternatives offered to Sudbury through their proposal, the headend located in Framingham and the connection to the central electrical center of Sudbury, or the "HUB" which can be the location of the studio for local programming.

- 1) The Dual Residential System contains two cables each containing forty channels; plan is to wire every residence free with a five-channel free universal service in order to increase penetration; therefore, free installation. This system, with fifty-seven channels filled, would cost \$9.95 monthly.
- 2) The Single Residential System is a sixty channel service; does not provide a five channel free universal service to all or a free preview.

Mr. Tunmann explained the common features of these alternatives and the construction schedule.

Mr. Michael Wallace explained the special packages - choice of either eighty- or sixty-channel system and services related thereto (costs and discounts) and the common features.

Ms. Beverly S. Paris explained, with the aid of a television presentation, "What cable television can do for you" in terms of community events, such as, library, school programming, school athletics, election coverage, talk shows, etc., followed by a summation by Mr. Bograd.

Comments, Questions and Answers

- Have been in Framingham four and one half years.
- Mr. Fred Walker questioned the relationship with Framingham system. Community Cablevision of Sudbury Associates is a separate business entity but will share the headend with Framingham on a contractual basis and if Framingham system went out-of-business, the headend would then belong to Sudbury.

- Mr. Grathwohl asked if there were any proposals to consider the Lincoln-Concord market. Mr. Manelis stated there are no current proposals for Lincoln.
- Mr. Brooks asked about the location of Hub. The response was that the main consideration is access; no final negotiations for several places in Sudbury under consideration.
- Mr. George Hitz asked which portions of proposals 1 and 2 do not meet the Issuing Authority Report. Response was that both do with the exception that the seventy-two-channel proposal is only met by Alternative 1.

At the conclusion of the presentations and question and answer periods, Chairman Cossart stated that the Board had prepared a list of significant major differences of the two applicants and the Board now had several questions that they would like to ask directly for a response from each applicant.

- 1) Rate Guarantee: Adams-Russell could not guarantee rates based on unpredictable escalating costs. Community Cablevision guarantees rates for two and one-half years based on inflation being programmed in - that they will take a cut in profits if need be.
- 2) Term of License: Adams-Russell prefers fifteen-year license; Community Cablevision flexible.
- 3) Town Coverage: Community Cablevision will wire complete Town. Adams-Russell banned initial wiring in sparse areas of Water Row, Lincoln Road, Route 117, Concord Road, Prides Crossing, Old Sudbury Road (near Wayland), and lower area of Peakham Road, on the basis of substantial increase in rates.
- 4) Ham Radios - Civil Defense: Adams-Russell will utilize channels "E" and "K" last; Community Cablevision expressed willingness to keep those two channels free.
- 5) Local Programming: Adams-Russell budgeted \$25,000 the first year, and \$30,000 to be available in years two through ten in constant dollars. Community Cablevision proposed \$15,000 contribution to Sudbury in the first year plus two percent of gross thereafter which will equal approximately \$16,000-17,000 per year for local programming.
- 6) Interconnection: Community Cablevision states tendency to interconnect all cable systems. Adams-Russell states they have a massive interconnection in programming underway and mentioned many towns which are interconnected with others through their cable system.

In summary, Mr. Manelis thanked the Selectmen for the opportunity to make their presentation. They feel their rate structure is solid, they have fully complied with the Town's Issuing Authority Report and look forward to serving the Town.

In summary, Mr. Henchy stated that it has been a real pleasure to be present tonight, invited anyone interested to view their mobile van in front of the Town Hall, spoke about local programs in some of the Towns which have their cable system, mentioned their cable shop for consumer and community information and emphasized the regional support and equipment and emergency services of Adams-Russell.

Chairman Cossart closed the public hearing and stated that there is a copy of the complete proposal of both Adams-Russell and Community Cablevision available in the office of the Board of Selectmen.

There being no further business to come before the Board, the meeting was adjourned at 10:45 p.m.

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