

IN BOARD OF SELECTMEN  
MONDAY, APRIL 30, 1973

Present: William F. Toomey, John C. Powers, and John E. Taft

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The statutory requirements as to notice having been complied with, the regular meeting was called to order at 7:30 P.M. by Chairman William F. Toomey.

Dog Complaint - Henry/Crawford

Present: Dog Officer, Francis E. White; Assistant Dog Officer, Betsey M. Lawson; Mr. Joel B. Henry; Mr. and Mrs. Edmund Brown, and Mrs. Margaret Publicover

Chairman Toomey read the complaint, dated April 17, 1973, filed by Mrs. Edmund R. Brown, 66 Pratt's Mill Road, against the Irish Setter dog named "Casey", owned by Mr. Joel B. Henry, 77 Pratt's Mill Road. The complaint stated that the dog was a nuisance by reason of killing or carrying away a pet caged rabbit, chasing cats, littering of trash in her garage, and excessive barking.

The Selectmen received a report, dated April 20, 1973, from the Assistant Dog Officer, which stated that she had picked the dog up on September 21, 1972, and on December 1, 1972, during Dog Control hours.

Mrs. Brown stated that "Casey" was not always restrained during the hours specified by the dog control law and when free would enter her yard.

Mr. Henry stated that the first indication he had received that his dog was a nuisance had been on April 29th and that "Casey" was restrained 98% of the time on a chain and that he did not see how the dog had killed the rabbit. Mr. Henry further stated that his dog had contracted a nervous skin disorder since the enactment of the dog control law.

Mrs. Margaret Publicover, 161 Pratt's Mill Road, agreed that the dog was not always restrained during dog control hours, and that he had also tried to get at her rabbit. Mrs. Publicover stated that "Casey" had had his nervous skin disorder for a period of at least three years.

It was the decision of the Board that the dog should be permanently restrained, and under direct supervision, and, if picked up again by the Dog Officer, taken from the Henrys. Mr. Henry agreed to abide by the Board's decision.

Collective Bargaining Agreements

Present: Anthony Fredella, Town Negotiating Committee; Vincent Patruno and Robert Wenham, Sudbury Police Department; John Cincotta and Michael Kaskiewicz of the Highway Department; and Michael Dunne of the Sudbury Fire Department.

On the recommendation of the Executive Secretary and the Town Counsel, it was unanimously

VOTED: To ratify the memorandum of agreement between the Town Negotiating Committee of the Town of Sudbury and the Sudbury Police Association, dated February 22, 1973, effective May 1, 1973, and it was further

VOTED: To ratify the memorandum of agreement between the Town Negotiating Committee of the Town of Sudbury and the AFL-CIO Public Employees' Local 1156, dated December 11, 1972, effective May 1, 1973.

On recommendation of the Executive Secretary and the Town Counsel, it was unanimously

VOTED: To sign the contract between the Town of Sudbury and the Sudbury Permanent Firefighters, dated May 1, 1973, to become effective May 1, 1973.

On the subject of the Insurance Advisory Committee's recommendation that the Blue Cross-Blue Shield contract be renewed at the highest level of coverage available by statute, the Executive Secretary stated that this recommendation was of sufficient magnitude that it should be a subject for future collective bargaining, and should not be discussed at this time, but would be scheduled for discussion at the time of group insurance contract renewal.

Chairman Toomey expressed the Board's appreciation for the excellent work done at the negotiating sessions by the Negotiating Committee, and representatives of the Sudbury Police Association, the AFL-CIO Public Employees' Local 1156, and the Sudbury Permanent Firefighters.

Hearing - Application of License to Store Inflammables, American Oil Company, 440 Boston Post Road

Present: Richard Duval, representing C.K. Smith Company

At 8:00 P.M., Chairman Toomey opened a hearing, under the provisions of Chapter 148, Section 3 of the General Laws, on the application of E.A. Murray, c/o C.K. Smith Co., 99 Crescent Street, Worcester, Massachusetts, for a license to store aboveground 250 gallons fuel oil and underground 2-4,000 gallon tanks gasoline, plus an additional 10,000 gallons gasoline, on property located at 440 Boston Post Road.

Notice of the hearing was published in the "Sudbury Citizen" on April 19, 1973. Abutters were notified by certified mail and return receipts were received. A communication, dated April 24, 1973, from Mr. Reuben L. Seth, Trustee, owner of the property, was received by the Selectmen, which stated Mr. Seth's accord with whatever action is taken by the Selectmen in this matter.

The Board also received a communication from the Building Inspector, which stated that if the Board acts affirmatively on the application, that the permit be conditioned to include site plan approval of the property before the installation of tanks.

Mr. Duval stated that Mr. Seth's lease to the American Oil Company had been assigned to the C.K. Smith Co., and that his company sought additional underground gasoline storage in order to offer a low-lead product to the public.

Following discussion and review of the application, the Board requested that Mr. Duval work with the Building Inspector and the owners of the property toward a proper site plan before further consideration of the application. Mr. Duval was in accord and requested a continuance of the hearing for this reason.

It was on motion unanimously

VOTED: To grant a continuance of this hearing on the above-described application until such time as a proper site plan is before the Selectmen.

Petition - Special Town Meeting, June 13, 1973

The Board received a letter, dated April 30, 1973, from Betsey M. Powers, Town Clerk, enclosing a petition, containing approximately 700 signatures, and requesting that the Board of Selectmen call a Special Town Meeting for the purpose of rescinding the action taken under Article 39 of the 1973 Annual Town Meeting (Appointment of the Combined Office of a Town Treasurer and Tax Collector).

Mr. Taft asked whether the petition had ever been previously submitted to the Selectmen, and the Executive Secretary replied that the petition had been presented to the Selectmen today, with signatures certifiable by the Town Clerk's office.

Mr. Taft stated that the petition should be originally submitted to the Selectmen, to be then forwarded to the Board of Registrars for certification of petitioners.

Upon the recommendation of the Town Counsel, who determined the date in accordance with the General Laws and the Town of Sudbury by-laws, it was on motion unanimously

VOTED: To call a Special Town Meeting on Wednesday, June 13, 1973, at the Lincoln/Sudbury Regional High School at 8:00 P.M., and

It was further

VOTED: To close the warrant for said Special Town Meeting on Thursday, May 10, 1973, at 5:00 P.M.

Town Counsel suggested to the Selectmen that they amend the present Town Bylaw to make it more workable with the General Laws requirements as to the time requirements associated with the scheduling of Special Town Meetings.

The Selectmen had previously placed on file two articles for inclusion in the warrant of the next Special Town Meeting, and discussion was held relative to whether or not the warrant should be restricted. It was agreed that the Executive Secretary be directed to notify all departments, boards, committees, and commissions that a Special Town Meeting had been called for June 13, 1973, and that all agencies should avail themselves of this opportunity to conduct Town Meeting business, exercising some discretion in submission of articles.

#### Veterans Agent

Present: Frank Grinnell

Mr. Grinnell met with the Board for a general conference, in accordance with the Selectmen's policy, to discuss procedures within his department.

Accessibility of Veterans Agent - Chairman Toomey stated that he had received several calls concerning the inaccessibility of the Veterans Agent by telephone, due to the fact that his number is unlisted and only available from the Town Hall during its hours of operation. The Executive Secretary recommended that Mr. Grinnell consider some way of making a number available to callers during hours other than from 9:00 a.m. - 5:00 p.m. or that the Town assume the cost of a new municipal number for this service. Mr. Grinnell commented that, in his opinion, there was no need for an emergency number, as he did not have the authority to place people in the hospital. Chairman Toomey requested that Mr. Grinnell attend, or send a report, to the monthly Town Father's Forum to communicate to the Town the activities of his office.

Grave Markers - Mr. Grinnell made a recommendation concerning the replacement of approximately a dozen grave markers, and the Executive Secretary requested that Mr. Grinnell proceed on his own initiative within the limits of funds being available.

At the request of Selectman Toomey, Mr. Grinnell agreed to invite Mr. Toomey to the next scheduled meeting of the Memorial Day Committee.

S.1460 - Under discussion was a bill, recently passed by the State Senate and currently in the House Ways and Means Committee, which would direct the Commonwealth to reimburse the Town of Sudbury for certain monies expended for veterans' benefits, specifically the amount of \$10,000 for prior years' bills for veterans' benefits paid, but not reported to the Commissioner of Veterans Services, until the year 1972. Mr. Grinnell stated that these bills covered a period of three months in 1969 and all of 1970.

Massachusetts Veterans' Benefits - Also under discussion was a communication dated March 29, 1973, from John F. Dacey, Jr., Acting Executive Director of the Massachusetts League of Cities & Towns, relative to a proposed plan for Massachusetts veterans' benefits which would shift the payment of one-half of the \$40,000,000 cost of the Massachusetts veterans' benefits program from the cities and towns to the Federal Government. The second half of the contribution, under the proposal, would continue to come from the State.

Zoning Enforcement Agent - Gas Stations on Boston Post Road

Present: Francis E. White, Zoning Enforcement Agent

Francis E. White, the Zoning Enforcement Agent, met with the Board to review the present condition of gas stations on the Boston Post Road and elsewhere in connection with the Board's plan to schedule a public meeting on the same.

Under discussion, in this regard, were items mentioned in Mr. White's letter to the Selectmen, dated September 18, 1972, relative to plans for improving the business areas along Route 20.

Discussion included a review of existing variances, common problems, and zoning violations, Chairman Toomey directed the Zoning Enforcement Agent to pursue all violations for all stations, including those of the station currently involved in litigation with the Town.

The Executive Secretary recommended that Mr. White update his letter of September 18, 1972, and that all gas station owners and/or operators be invited to a public meeting, as well as members of the Business Advisory subcommittee. It was agreed that the meeting be scheduled for June 11 or June 18, 1973, prior to which time the Building Inspector will submit a proposed agenda, and updating of his memo of September 18, 1972.

Minutes

The Board voted unanimously to approve the minutes of the regular meeting and the Town Fathers' Forum of April 23, 1973, as corrected.

Town Surveyor - General Conference

Present: Arthur E. Harding, Town Surveyor

Arthur E. Harding, Town Surveyor, met with the Board for a general conference in accordance with the Selectmen's policy.

Monthly Reports - Discussion included the most effective manner in which to have the Town Surveyor make his monthly reports to the Selectmen. It was generally concluded that the narrative type of report, supplemented by a project status chart to show the current status of

all engineering projects and requests for service, should be used. The Selectmen requested that if the present type of chart was used that it be elaborated upon to reflect projects and performance data and include target completion dates and actual completion dates.

Mr. Harding stated that for the past year Engineering personnel have been carrying diaries in order to be able to compile statistical information, and that this information could be furnished upon request.

Additional Space - Mr. Harding requested of the Board that he be allocated additional space in the White Building. Mr. Harding stated that he had held discussions with the Planning Board and the Building Inspector, and he displayed preliminary plans based on his discussions with these departments.

Chairman Toomey stated that any decision for space allocation would require meetings with the Planning Board, the Building Inspector, the Park and Recreation Commission, the Finance Committee, and the School Department, all of whom use this general area.

Mr. Harding requested that, until such time as additional space is granted to Engineering, that he be allowed to store filing cabinets in the outside corridor in order to make room for the clerical personnel. Chairman Toomey stated that this was a matter to be, in the first instance, cleared through the Executive Secretary.

The Executive Secretary requested that Mr. Harding arrange for joint meetings concerning space allocation and then submit a mutually agreed upon plan to the Selectmen for their consideration.

Walkways - Mr. Harding commented briefly upon the current status of the Concord Road and Horse Pond Road walkways.

Selectmen Liaison Assignments

In discussion of the Selectmen liaison assignments for 1973, it was agreed that the existing work assignments would continue, the only changes being the reassignment of the following departments:

William F. Toomey, Chairman - Executive Secretary  
Town Counsel

John C. Powers - Sub-Region Intertown Liaison Committee

John E. Taft - Fire Department

On motion it was unanimously

VOTED: To adopt the liaison assignments as listed in the Selectmen's letter to all Boards, Committees, Commissions, and Department Heads, dated May 3, 1972, with the reassignments noted above.

It was further unanimously

VOTED: To distribute the list of 1973 Board of Selectmen liaison assignments to all boards, committees, commissions and departments for their information.

Appointments

Following discussion, it was on motion unanimously

VOTED: To make the following appointments:

Josiah F. Frost

Earl B. Hoyle

R. Barry Liner

to the Insurance Advisory Committee, for terms to expire April 30, 1974.

Marjorie Huse

to the Long Range Capital Expenditures Committee for a term to expire April 30, 1976.

Frank Grinnell

Joan Meenan

William Waldsmith

to the Memorial Day Committee, for terms to expire April 30, 1976.

Samuel L. Reed

as Pound Keeper, for a term to expire April 30, 1974.

Francis E. White

as Sealer of Weights & Measures, for a term to expire April 30, 1974.

Ralph Stone

as Surveyor of Lumber & Measurer of Wood, for a term to expire April 30, 1974.

Francis E. White

as Building, Zoning, Wiring Inspector, for a term to expire April 30, 1974.

Albert St. Germain

as Director, Civil Defense, for a term to expire April 30, 1974.

Howard C. Kelley

as Radio Operator, Civil Defense, for a term to expire April 30, 1974.

Howard P. Porter

as Gas Inspector, for a term to expire April 30, 1974.

Earl D. Midgely

as Deputy Building Inspector, for a term to expire April 30, 1974.

Warren E. Boyce

as Deputy Wiring Inspector, for a term to expire April 30, 1974.

Rexford Moss as reciprocal (Wayland) Deputy Building/Zoning Inspector, for a term to expire April 30, 1974.

George Ey as Deputy Gas Inspector, for a term to expire April 30, 1974.

Richard E. Thompson as Executive Secretary, for a term to expire April 30, 1974.

Nicholas Lombardi as Keeper of the Lockup, for a term to expire April 30, 1974.

John D. Nicholson  
Z. Stanley Taub as Town Physicians, for terms to expire April 30, 1974.

Arthur E. Harding as Town Surveyor, for a term to expire April 30, 1974.

Louis Abbondanzio, Jr.

Joseph Bausk

J. Lawrence Devoll, Sr.

Ronald Laasanen

John R. McLean, Sr.

Matteo Mucciaccio

Elwood G. Nix

Raymond J. Spinelli, Sr.

Armando Troisi

Francis E. White as Patrolmen, Part-time, for terms to expire April 30, 1974.

Jeanne M. McCarthy

Irene Mele

Barbara Herrick as Policewomen, for terms to expire April 30, 1974.

Albert St. Germain, Fire Chief as Special Officer, non-paid, for a term to expire April 30, 1974.

Robert Clark (Sperry-Rand)

William Kleiner "

Robert Hatfield (Raytheon)

Robert Blakesley "

Everett Mitchell "

Ernest Russo "

Roland Soucy "



Warren Stivers (Raytheon)  
Gerardo Vitti "  
William T. Knightly "

William Long (Regional High School)  
Chester Rafus "  
David Parr "

For Protection of Persons and Property, for terms  
to expire April 30, 1974.

The Gray Line Bus Co.

The Board received a communication, dated April 27, 1973, from Mrs. Marilyn Hotch, Chairman of the Regional Concerns Committee, relative to the Gray Line Bus Company's new schedule, which reflects a cutback in service.

Establishment of a Detoxification Center

The Selectmen received a copy of a communication to Ernest Simpson, Director, Alcoholic Rehabilitation Commission, Framingham, from Nicholas Lombardi, Chief of Police, which advised Mr. Simpson of the Police Chief's complete support and interest in the establishment of a detoxification center for the Framingham area.

On the recommendation of the Chief of Police, the Board agreed to send a similar letter to the Alcoholic Rehabilitation Commission.

Town Common - July 4, 1973

Upon receipt of a communication from Mrs. C. H. Feistkorn, for the Sudbury Woman's Club, and a communication from Mrs. Pat Dugas, for the Sudbury Art Association Exhibit, it was on motion unanimously

VOTED: To grant permission for use of the Town Common on July 4, 1973, to: 1) Sudbury Woman's Club for their annual pie sale, and  
2) Sudbury Art Association for their annual art exhibit.

Town of Concord - Firefighting Contract

The Board received a communication, dated April 17, 1973, from the Town of Concord relative to their firefighting contract as it concerns contract reimbursement for mutual aid.

It was on motion unanimously

VOTED: To defer action on the April 17 communication from the Town of Concord relative to mutual aid firefighting agreement until the Board has an opportunity to review the matter in more detail.

Town of Wayland - Heavy Trucking

The Board received a communication, dated April 19, 1973, from the Town of Wayland relative to a proposal to exclude heavy trucking from Routes 27, 30 and 126 through the Town, and directed the Executive Secretary to forward a copy of the same to the Police Safety Officer.

MBTA - Senior Citizen Half-Fare Passes

The Board received a communication, dated April 18, 1973, from the Massachusetts Bay Transportation Authority relative to a registration for Senior Citizen Half-Fare Passes to be held for Sudbury senior citizens in Maynard at the Housing for Elderly on May 21st from 1:30 P.M. to 4:00 P.M. The Board directed the Executive Secretary to forward a copy to the Senior Citizens Group.

Conservation Commission - Public Hearing

The Board received a communication, dated April 23, 1973, from the Conservation Commission relative to a hearing under the Wetlands Protection Act to be held on May 2, 1973, at 8:00 P.M. in the White Building on the application of E.R. Linn, Builders, Inc.

Treasury Warrants

The Board signed a payroll warrant in the amount of \$153,426.01 and a bills payable warrant in the amount of \$86,086.82.

Executive Session - Town Counsel

It was on motion unanimously

VOTED: To enter into executive session, at the request of Town Counsel, for the purpose of discussing, deliberating or voting on a matter which if made public might adversely affect the financial interest of the Town.

There being no further business to come before the Board, it was on motion unanimously

VOTED: To adjourn the meeting at 11:20 P.M.

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