

IN BOARD OF SELECTMEN
NOVEMBER 19, 1973

Present: Acting Chairman John C. Powers and John E. Taft

The statutory requirements as to notice having been complied with, the regular meeting was called to order at 7:30 p.m. by Acting Chairman John C. Powers.

Minutes

The Board voted unanimously to accept the minutes of the regular meeting and the executive session of November 12, 1973, as submitted.

Appointments

It was on motion unanimously

VOTED: To table consideration of 1973 appointments until November 26, 1973.

New England Coatings Association, Inc.

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

VOTED: To approve a request from the Secretary of State relative to the application of Reginald L. Maynard, New England Coatings Association, Inc., for a change in location to 23 Poplar Street, Sudbury.

One-Day License - Auctioneer

The Board received a communication dated November 9, 1973, from John F. Dembrowsky, 118 Pleasant Street, Stoughton, Massachusetts, which requested that he be issued a one-day auctioneer's license in connection with an auction to be held for RADIN, INC., 31 Union Avenue, Sudbury.

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

VOTED: To grant a special one-day auctioneer's license to John F. Dembrowsky, to conduct a public auction to be held on the premises of the Sudbury Skating and Tennis Club, 31 Union Avenue, on November 29, 1973.

Special Officer - Appointment

The Board received a communication dated November 2, 1973, from Acting Police Chief Nicholas Lombardi, which requested the appointment of a special officer for part-time duty.

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

VOTED: To appoint Joseph Bisson, 29 Birchwood Avenue, Sudbury, as a Special Police Officer, subject to approval by the Personnel Board, for a term to expire April 30, 1974.

Building Permit #R-5230 - 23 Lincoln Road

The Board received a copy of correspondence, dated November 8, 1973, to Mr. Walter Beckett from Francis E. White, Building Inspector, recommending the reinstatement of Building Permit #R-5230, which had been revoked by the Board on August 14, 1970. Mr. White's letter recommended that reinstatement of the building permit be subject to Mr. Beckett's adherence to the regulation that the amount of fill to be removed from the premises not exceed the amount required for excavation of the basement area and the sewerage system, or, in this case, 300 cubic yards.

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

VOTED: To reinstate building permit #R-5230, dated July 28, 1970, which had been issued to Mr. Walter Beckett, for 23 Lincoln Road, subject to the condition that no more than 300 cubic yards of fill be removed for the purposes of foundation and basement work and septic system, unless stipulated otherwise by the Earth Removal Board.

Christmas Lighting

The Board received a communication on November 11, 1973, from Mrs. Marianne Sellers, 541 Peakham Road, which made suggestions for reduction of Christmas lighting in view of the current energy crisis.

It was on motion unanimously

VOTED: To direct the Executive Secretary to implement the spirit of Mrs. Sellers' letter, and to thank her for her sincere concern and intent.

Energy Crisis Bulletin

The Board received a communication dated November 15, 1973, from the Massachusetts League of Cities and Towns, which announced a meeting on Tuesday, November 20, 1973, from 11:30 a.m. to 12:00 Noon, with Governor Sargent and members of his staff to meet with a representative group of Mayors, Selectmen and Municipal Administrators to discuss the gravity of the energy crisis.

The Executive Secretary stated that it was his recommendation to prepare for local emergencies rather than Statewide concerns at the present time.

Discussion followed concerning the advisability of appointing a local committee to continually update data relating to the energy crisis. In this regard the Board requested that the Executive Secretary report back next week.

TOPICS

The Board received a communication dated November 7, 1973, from Robert T. Tierney, Executive Office of Transportation and Construction, Department of Public Works, in response to the Board's communication of October 10, 1973, which requested assistance in obtaining construction funds for Project I in Sudbury's proposed areawide TOPICS plan. The communication stated that at the present time the Department is evaluating areawide TOPICS plans to select the ones eligible for funds.

The Executive Secretary reported that he had been told that if an application is far enough advanced in the design stage of priorities by the State, which he believes to be the case with Project I, the State will assume completion of this project; otherwise, the application is returned to the communities in order that they may seek funding elsewhere.

Cable Television (CATV)

The Board received a copy of correspondence dated November 6, 1973, from Richard E. Santella, Director, Audio-Visual, at the Lincoln-Sudbury Regional High School, to Mr. Levington and Mr. Heys, relative to their interest in CATV licensing.

The Board requested the Executive Secretary to inform Mr. Santella that the Board would take into consideration the needs of the local schools and the Regional High School before granting any franchise for CATV, but that at this time it was too early to comment on a cable franchise.

Revaluation Suit

Present: Mary M. Monroe, Eben B. Stevens, Eugene L. Naegele, Frank T. LeBart, George W. Adams, J. Leo Quinn, Arthur A. Babigian, John J. Hennessy, Anthony L. Galeota, Jr., Lawrence A. Ovian, Craig Parkhill and William McKinlay Bell.

Mrs. Monroe and Messrs. Stevens, Naegele, LeBart, Adams, Quinn, Babigian, Hennessy, Galeota, Ovian, Parkhill, and Bell met with the Board for the purpose of signing the Bill in Equity for Declaratory Judgment and Injunctive Relief which will be filed by Town Counsel in Supreme Judicial Court to challenge the State's present assessment system.

Executive Session

At 8:15 p.m. it was on motion unanimously

VOTED: To enter into executive session for the purpose of discussing, deliberating, or voting on a matter relative to labor relations work.

The regular meeting of the Board resumed at 8:45 p.m.

Sudbury Regional Refuse Disposal Planning Committee

Present: Lawrence Gogolin, of the Wayland-Sudbury Regional Refuse Disposal Planning Committee; Anthony Galeota, member of the Highway Commission.

Mr. Gogolin presented the background of the Minuteman Regional Refuse Disposal Planning Board, which is made up of representatives from the Towns of Bedford, Boxford, Burlington, Carlisle, Concord, Lincoln, Maynard, Stow and Sudbury. Mr. Gogolin reported that Wayland may also join following the outcome of their next Town Meeting.

Mr. Gogolin reported that their current undertaking is discussion, from a technical standpoint, relative to the most appropriate type of facility and that included under consideration in this regard were resource recovery and processing plants.

Mr. Gogolin stated that the objectives of the Planning Committee are to help with the initial planning, to obtain cost estimates to Sudbury under regionalization versus Sudbury alone, and to determine Sudbury's refuse disposal pressures both alone and in conjunction with surrounding towns.

Mr. Gogolin stated that the Committee has considered several site locations, including the site of the Natick Laboratory Annex and that its recommendation is the existing landfill area, especially in case of Sudbury's regionalization with Wayland.

Mr. Gogolin stated that his Committee plans to bring to the 1974 Annual Town Meeting a warrant article which would propose to study the advisability of creating a regional refuse disposal district and to request funds to hire a consultant to inspect sites and to make recommendations as to which type of operation would be most suitable.

Town Counsel stated that Section 44E, of Chapter 40, of the General Laws, would provide for the establishment of such a district only after local Town Meeting action.

Mr. Gogolin stated that the approximate share of Sudbury's cost of the total \$60,000 estimated planning monies needed for the

Minuteman Regional Refuse Disposal Planning Board's proposal would be \$6,000, as it is computed from population figures.

Mr. Galeota stated that the Highway Commission's landfill operation could continue from 7 - 13 years and that changing costs for its operation are being kept up to date, along with more accurate records pertaining to all phases of the landfill operation.

Acting Chairman Powers requested that the Executive Secretary be furnished with a copy of the Regional Committee's proposed article as well as any available information on projected population figures. Mr. Gogolin indicated that he would do so.

Insurance Advisory Committee

The Board received and noted a communication dated November 7, 1973, from the Insurance Advisory Committee relative to their progress report for August, September and October.

Award Contract - Gasoline for Town Vehicles

The Executive Secretary reported that when bids were advertised in September for supplying gasoline for Town vehicles, no bids had been received and that at that time Atlantic Richfield Company had indicated their willingness to continue to supply the Town in this capacity for the coming year.

Mr. Thompson reported that the Board had received a communication dated November 8, 1973, from Atlantic Richfield Company, which stated that the current price was \$.25 per gallon, said price subject to escalation, and which enclosed a contract dated November 1973 for the Board's signature.

Mr. Thompson stated, in response to a question from Acting Chairman Powers, that the Board has been assured of a sufficient gasoline supply for emergency vehicles, but that present allocations are not up to the levels of prior years.

Town Counsel stated that, in his opinion, the present emergency situation exempted the Town from the provisions of the bid statute.

The Executive Secretary stated that he and Town Counsel had amended the contract to provide for its termination by either party on a 30-day notice, and subject to funding by the Sudbury Town Meeting, and he requested the Board's authorization to sign the contract.

It was on motion unanimously

VOTED: To authorize the Executive Secretary to sign the above-referenced contract with Atlantic Richfield Company, subject to

the amendments providing for termination by either party by thirty days written notice of termination sent to the other party and subject to funding by the Sudbury Town Meeting.

Selectman Taft requested the Executive Secretary to put the Finance Committee on notice, in writing and by a telephone call, as to gasoline per gallon cost, the probability of cost escalation and its affect on the budget, and the possiblility of a transfer request.

Final Decree - Buddy Dog Humane Society, Inc., vs the Board of Appeals

On the recommendation of Town Counsel, it was on motion unanimously

VOTED: To forward a copy of the Final Decree, Buddy Dog Humane Society, Inc., vs the Board of Appeals, which had been entered in the First District Court of Southern Middlesex on November 13, 1973, to the Town Clerk for her records.

Award Bids - Two Police Cruisers

The Executive Secretary reported that bids for the replacement of two police cruisers had been advertised on November 8, 1973, and had been received up until 4:00 p.m. on November 15, 1973, at which time they were opened. Mr. Thompson reported that Crown Chevrolet, Inc., Framingham, was the low bidder.

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

VOTED: To grant the purchase to the low bidder, Crown Chevrolet, Inc., Framingham, for two police cruisers at a net delivered price of \$5,668.44, as set forth in the Executive Secretary's memorandum of November 15, 1973.

Utility Petition #73-19, Boston Post Road

Present: Frederick Roth, District Manager, and Robert Blake, of Boston Edison Company.

In conformity with the requirements of Sections 21 and 22 of Chapter 166 of the General Laws, a continuation of a hearing was held from October 29, 1973, on the following utility petition:

UP73-19 - Petition of Boston Edison Company for permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way:

BOSTON POST ROAD, at and easterly from Goodman Hill Road to the Sudbury-Wayland Town Line, a distance of about 1,711 feet - Buried Cable, and Pipe.

BOSTON POST ROAD, at and easterly from the Sudbury-Wayland Town Line to the Sudbury-Wayland Town Line, a distance of about 1,175 feet - Buried Cable and Pipe.

The Board had previously received a communication, dated October 17, 1973, from the Wiring Inspector and his verbal recommendation for approval at the October 29th meeting. The Board had also previously received the report, dated October 29, 1973, from the Power and Light Committee which recommended disapproval as the proposed underground installation does not include the necessary conduit and transformer pads which will eventually allow the elimination of overhead power lines along Route 20.

The Board had requested the continuance to allow receipt of further information on issues at the October 29th meeting, specifically the problem of excavation of the recently laid pavement and why the petition had not been coordinated with the DPW's schedule for resurfacing the Boston Post Road.

The Board had received a communication dated November 19, 1973, from Mr. Frederick Roth, which provided additional information relative to the petition request and Boston Edison's attempts to process the work order to enable completion of the underground installation prior to the highway resurfacing.

Mr. Roth stated that Boston Edison was first aware of plans for repaving Boston Post Road at the beginning of the year, and that they had applied for a permit for a work order following negotiations with Raytheon in September of 1973.

Acting Chairman Powers questioned Mr. Roth concerning what time in negotiations Boston Edison and Raytheon had agreed upon the installation of the line. Mr. Roth was unsure of the date but stated that agreement was considerably later than the October 1972 request, but probably prior to the resurfacing. Mr. Roth stated that at that time it was impossible to complete the project, which would take approximately three months.

Mr. Roth stated that the surface would be repaved berm to berm in the work area.

In response to a question, Mr. Roth stated that this proposed underground line would be in addition to the existing overhead cable to Raytheon and that they would prefer not to have a second overhead cable.

Following further discussion, it was on motion unanimously
VOTED: To continue this hearing until November 26, 1973, before
the full complement of the Board.

Transfer Stock Ownership - duRobtrater, Inc.

Present: Walter A. Dermon, Virginia L. Dermon, Edward T. Morrill,
Stephen P. Steinberg, and Alan Alford, Attorney

Acting Chairman Powers announced that it was the decision of
the Board to hold a hearing, even though not legally bound, relative
to the request of duRobtrater, Inc., d/b/a The Bottle Shop, to
transfer ownership of all stock to Edward L. Morrill, 552 Great Elm
Way, Acton.

Following further discussion, it was on motion unanimously
VOTED: To direct the Executive Secretary to set up a public hear-
ing on December 3, 1973, at 8:00 p.m.

Executive Session

At 10:05 p.m. it was on motion unanimously
VOTED: To enter into executive session for the purpose of dis-
cussing, deliberating or voting on a matter which if made public
might adversely affect the financial interest of the Town and the
reputation of a person.

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

VOTED: To adjourn the meeting at 11:00 p.m.

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