

IN BOARD OF SELECTMEN
OCTOBER 10, 1973

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

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Chairman Toomey announced the death, on October 8, 1973, of Richard T. Cutler, Chairman of the Park and Recreation Commission. Chairman Toomey stated that Town offices under the jurisdiction of the Board of Selectmen, with the exception of the Police and Fire Departments, would close at 1:00 p.m., Thursday, October 11th, in respect for Mr. Cutler.

Chairman Toomey announced that an alternate slate of officers proposed by incumbent Selectmen had been included for balloting at the annual meeting of the Massachusetts Selectmen's Association on October 6, 1973. Chairman Toomey stated that the alternate slate including Selectman Taft as Second Vice-President had been voted into office, and that recommended revisions were adopted for changes in the Association's bylaws which would return control of this organization to elected active Selectmen whose towns contribute most to the Associations' support.

Chairman Toomey reported that the award for first place in Class II of the 1973 Town Report Contest had been presented to Sudbury at the annual meeting of the Massachusetts Selectmen's Association.

Chairman Toomey congratulated Executive Secretary, Richard E. Thompson, upon the completion of his first year in that office.

Proclamation - National Federation of Business and Professional
Women's Clubs, Inc.

Present: Mary Jane Hillery, Jessie Hall, Marian Hall, Jeane McCarthy,
Harriet Mattsen, Ellen Siegars, Mary Hitchcock, Ruth Brown,
Beverly Bentley, and Vera Presby

A proclamation was signed by the Selectmen, which designated October 21 - October 27, 1973, as National Federation of Business and Professional Women's Club Week in the Town of Sudbury.

Minutes

The Board voted unanimously to accept the minutes of the regular meeting and the executive session of October 1, 1973, as submitted.

Rubbish Removal Services

The Board received a communication, dated September 27, 1973, from Robert J. Caldwell, 11 Peakham Road, relative to the announcement of a local rubbish removal service that as of October 1, 1973, the company will offer curb-side pickup service only.

Following discussion the communication was referred to the Executive Secretary for further information and his report relating to procedure, establishment of rates, past history of the Selectmen's office in this regard, and the proper governing authority.

Application for Incorporation - Sudbury Nonprofit Housing Corporation

Following a review by the Selectmen of the below-named application for incorporation and on the recommendation of the Police Chief in a communication dated October 10, 1973, it was on motion

VOTED: To send a favorable report to the Secretary of the Commonwealth on the application, dated September 27, 1973, of John A. Brown, 31 Churchill Street, Judith M. Brown, 31 Churchill Street, Francis J. Daly, 160 Concord Road, Mary Jane Hillery, 66 Willow Road, Frank H. Grinnell, 21 Massasoit Avenue, Dallas T. Hayes, 583 Peakham Road, Richard A. Mayo, 54 King Philip Road, Carolyn J. Edwards, 74 New Bridge Road, Priscilla Caputo, 28 Pinewood Avenue, Leonard R. Doyon, 13 Rolling Lane, John Reutlinger, 62 Stone Road, and Pauline B. Doyon, 13 Rolling Lane, for incorporation of Sudbury Nonprofit Housing Corporation, to be located in the City of Boston.

(Chairman Toomey and Selectman Powers voted in favor, Selectman Taft voted present, as he is a member of the corporation, even though he had previously received the opinion of Town Counsel that service as a member, officer, or director of the corporation would not constitute conflict of interest.)

Waters Manufacturing, Inc.

Chairman Toomey reported that an article concerning Waters Manufacturing, Inc., now located in Sudbury at the Sudbury/Wayland border, had been published in the September, 1973, issue of "Commerce Digest".

Massachusetts Bicentennial Commission

Selectman Powers read a communication, dated October 5, 1973, from Richard E. Barringer, Executive Director of the Massachusetts Bicentennial Commission, which announced the selection of Sudbury for a matching Bicentennial Grant of \$4,000 for construction of Heritage Park under the Federally funded Community Grants Program. Mr. Barringer's communication stated that Sudbury is among twelve Massachusetts communities which the Commission is recommending to Washington for grant awards.

The Board requested that the Executive Secretary extend its appreciation to Senator Atkins and Representative Gannett for their valuable support in receiving this grant.

Gasoline Bids - Town Vehicles

The Executive Secretary stated that requests for bids to

supply gasoline for Town vehicles had been sent to 16 companies and had been advertised in "The Fence Viewer" on September 13, 1973, with bid opening scheduled for 4:00 p.m. on October 4, 1973. Mr. Thompson stated that replies had been received from the companies solicited, each of which stated that the company was unable to submit a bid at this time. Mr. Thompson informed the Board that no bids were received, but that his office had received a telephone call from Mr. Smithers of Atlantic Richfield, who indicated that if no other bids were received, Atlantic Richfield would continue to supply the Town for the coming year.

The Executive Secretary also stated that once allocations for fuel are set at the national level, the proposal will be rebid.

Award Bid - Fuel Oil

The Executive Secretary stated that invitations for bids to supply heating fuel for Town buildings had been sent to 13 companies and had been advertised in "The Fence Viewer" on September 13, 1973. Mr. Thompson stated that bids were opened at 3:30 p.m., on October 4, 1973, and that Town Counsel had reviewed the bids.

Mr. Thompson reported that Marvelheat, Boston, Massachusetts, had submitted the lowest bid.

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

VOTED: To award the bid for supplying heating fuel for the Town buildings to the low bidder, Marvelheat, 950 Morrissey Boulevard, Boston, Massachusetts;

and it was further

VOTED: To direct the Executive Secretary to contact Marvelheat relative to said company's signing of a waiver relinquishing their request for service on Sudbury's fuel burning equipment.

It was agreed by the Board to retain the present service contract with Interstate Gas & Oil Corporation, 239 Nobscot Road, Sudbury, at the rate of \$6.50 per hour, plus parts; after execution of the above-mentioned waiver.

The Board requested that the Executive Secretary obtain copies of Congressman Conte's speech, given on Saturday evening, October 6th, at the annual meeting of the Massachusetts Selectmen's Association, relative to the availability of fuel oil.

Proclamation - 4-H Club Week

A request was received by the Selectmen for proclamation of October 7 - 13, 1973, as 4-H Club Week in the Town of Sudbury.

The Board consented to the request and the proclamation will be ready for the Board's signatures on October 15th.

United Nations Week - Proclamation - Chairman

The Board received a communication from William D. Weeks, State United Nations Week Chairman, which requested that the Board proclaim October 19 - 26, 1973, as United Nations Week in the Town of Sudbury, and a request that the Board appoint a community chairman to coordinate a local program for United Nations Week.

The Board consented to the request and a proclamation will be made ready for the Board's signatures on October 15, 1973.

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

VOTED: To appoint Sandra Gardiner, 37 Pokonoket Avenue, as the United Nation's community chairman for the Town of Sudbury.

Heritage Park - Contract

The Executive Secretary reported that invitations to bid for clearing, earthwork, and Drainage Construction in Heritage Park were advertised in the Minuteman Supplement to the "Fence Viewer" on September 27th, were mailed to fifteen contractors in the surrounding area, and given to "Dodge Reports" Construction News Letter. Mr. Thompson reported that bids were opened at 3:00 p.m., October 9th.

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

VOTED: To award the bid to the low bidder, Sears Construction Corporation, 80 Union Avenue, Sudbury, Massachusetts, in the amount of \$4,200.

Sudbury Housing Authority

Present: Lorraine Bauder, Myron Fox, Reverend Richard Faxon, Douglas Miranda and Willie Hooper.

Mrs. Bauder, Chairman of the Sudbury Housing Authority, displayed the Authority's architect's plans for the Housing for the Elderly proposed for a portion of the so-called Oliver land.

Mrs. Bauder stated that the boundaries for site location had not yet been settled, nor the leaching field established.

Selectman Taft stated that the architect for the Fire/Police headquarters building had been requested to contact the Authority's architect to work out the boundaries, but as yet had not done so.

Mrs. Bauder stated that these preliminary plans did not indicate road grades which met Planning Board specifications, that they did not have, at this time, adequate access for emergency vehicles, and that all road systems would require change.

In response to a question, Mr. Fox stated that the final plans must be approved by the Sudbury Housing Authority, the Department of Community Affairs, the Planning Board, and the Board of Selectmen, who must sign the contract for financial assistance.

Mrs. Bauder stated that the Authority plans, at this time, a maximum number of sixty-six units, at a cost of \$22,000 per unit, and that consideration of the maximum number of units was determined by the size of the leaching field. Mrs. Bauder stated that the Authority has discussed possible future expansion with the architect, and that provisions for expansion will be included in the plan.

Selectman Taft commented that another vote of the Town would be necessary before additional units could be added.

Chairman Toomey stated that the Board wants to make certain that both the police/fire headquarters building and the elderly housing units are done correctly and in a manner acceptable to Town Meeting. Chairman Toomey further stated that the Board has had a series of meetings relating to the Police/Fire headquarters building with the architect and the Permanent Building Committee and is still dissatisfied with architectural plans for the structure.

Selectman Taft commented that the Board was concerned with aesthetics of the exterior design of the Police/Fire headquarters building and that he was concerned that the same situation might hold true for the Housing for the Elderly plans. Selectman Taft asked if the architect had received any input in this regard.

Mr. Fox stated that Mrs. Bauder had spent a day with the architect touring through Sudbury, pointing out examples of their likes and dislikes in architecture.

Selectman Powers stated that the Board's meeting with the police/fire headquarters architect scheduled for next Monday night would, hopefully, settle the boundaries for these projects.

Mrs. Bauder and Mr. Fox stated that these plans were preliminary and had been submitted to the Department of Community Affairs only for the purpose of starting the flow of funding.

Chairman Toomey stated that the Board would extend an invitation to the Authority's architect and to representatives of the Authority to attend, as observers, the Board's meeting with the architects for the police/fire headquarters and Messrs. Parkhill and Bell of the Permanent Building Committee, scheduled for 10:00 p.m., October 15th.

Town Counsel

Re-valuation Suit - Town Counsel submitted to the Board an

outline draft of bill of complaint in connection with the re-valuation suit. Town Counsel recommended that the complaint take the form of a Bill in Equity for Declaratory Judgment and Injunction under General Laws, Chapter 40, Section 53, in the Supreme Judicial Court. Town Counsel further recommended that the Petitioners be the Selectmen and at least seven other taxpayers from the Town and that the Respondent be the Commissioner and the Associate Commissioners of the Department of Corporations and Taxation.

In his memorandum Town Counsel listed the facts to be alleged in the Bill in Equity, and these were read and discussed.

Town Counsel stated that he would like to meet with counsels from those towns that had affirmatively replied to the Board's recent request for support and/or financial aid regarding the State equalized valuation formula suit before finalization and filing of the Bill in Equity. Town Counsel further stated that he would like to have the meeting at the Town Hall within the next two weeks, and the Board was in agreement.

The Board endorsed the theory of Town Counsel's bill of complaint, and it was agreed that the Board would choose the seven citizens to join in the suit.

The Board requested that Town Counsel, following the above-mentioned meeting, submit to them an estimate of the cost of litigation.

Executive Session

It was on motion unanimously

VOTED: To enter into executive session for the purpose of discussing, deliberating, or voting on matters which if made public might adversely affect the financial interest of the Town and the reputation of any person.

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

VOTED: To adjourn the meeting at 10:45 p.m.

Attest: 
Richard E. Thompson
Executive Secretary-Clerk