

IN BOARD OF SELECTMEN
SEPTEMBER 24, 1973

Present: Chairman William F. Toomey, 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 5:30 P.M. by Chairman William F. Toomey.

Appointments

The Selectmen met at 5:30 P.M. at The Wayside Inn for the purpose of reviewing and discussing their remaining 1973 appointments to boards and committees. Chairman Toomey stated that no appointments will be made at this meeting.

Following a lengthy discussion, it was the consensus of the Board that the Executive Secretary contact various individuals by phone, to determine their qualifications and willingness to serve, and then report to the Board.

At 7:15 P.M. Chairman Toomey recessed this meeting to return to Town Hall for the remainder of the Board's meeting.

Subregion Intertown Liaison Committee (SILC)

Present: Howard Forbes, Co-chairman of SILC; Malcolm Beers, Paul Buxbaum, Ronald Campbell, and Edmund Henault of the Regional Concerns Committee

Mr. Howard Forbes, Co-chairman of SILC met with the Board to discuss SILC's program for the next few months and to inquire as to any special concerns of the Town. Mr. Forbes stated that SILC is primarily a discussion committee and that its main concerns, at the present time, are transportation and solid waste disposal. Mr. Forbes stated that the Committee was also interested in plans for the bicentennial celebration, in the Department of Natural Resources proposal for land use relating to recreation and conservation, and in plans for the reorganization of Middlesex County.

On the subject of reorganization of Middlesex County, Mr. Forbes asked for the Board's thoughts as to whether they were interested in having SILC act as a liaison group.

Selectman Powers stated that historically counties have been impossible or disastrous to work with and should be abolished.

Chairman Toomey stated that the Board was concerned with regionalized systems in the areas of fire, police, and ambulance services.

Selectman Taft stated that he did not think SILC the proper vehicle to discuss county government and that it would be better to concern itself with transportation planning.

Mr. Buxbaum stated that he had found SILC to be a useful tool for lobbying and for acquiring State and Federal money. Mr. Buxbaum further stated that he would endorse John Caswell's recommendation, who was a previous co-chairman of SILC, that a professional planner be retained to handle the day-to-day activity in running SILC.

Town Fathers' Forum - 86th Session

The transcript of the Town Fathers' Forum attached hereto is a part of these minutes.

Finance Committee - Reserve Fund Transfer Request

Present: Frank T. LeBart, Ronald L. Blecher, Karl E. Clough, John J. Hennessy of the Finance Committee; Ann Bigelow of the Committee on Town Administration.

Mr. Blecher of the Finance Committee stated that the Board's recent request to the Finance Committee for a transfer of \$600 to Account #501-11, Selectmen - Executive Secretary, had been denied by the Finance Committee for the reason that the request was not of an emergency nature. Mr. Blecher stated that the Finance Committee would suggest to the Board that it discuss with the Committee on Town Administration and the Personnel Board alternate ways in which to solve the inequities of the present system of setting salaries for individually-rated personnel.

Following further discussion concerning transfer eligibility requirements, it was the consensus of the Board that the Executive Secretary compile additional data relating to the above-mentioned request and that the request be resubmitted to the Finance Committee. The Board also agreed that they and the Executive Secretary would attend the Finance Committee meeting at the time of the consideration of the request.

Site Plan Application #73-118, Sudbury Swimming and Tennis Club, Inc.

Present: Zoning Enforcement Agent, Francis E. White; Mr. and Mrs. Milton Weinstein

Chairman Toomey opened consideration of Site Plan Application #73-118, for Sudbury Swimming and Tennis Club, Inc., located off Hemlock Road, for installation of a tennis backboard in an existing court. The hearing was continued from September 17, 1973.

The Board had previously received a report from the Zoning Enforcement Agent, dated August 17, 1973, which recommended conditional site plan approval, and a communication, dated September 11, 1973, from the Planning Board.

At the hearing on September 17th, Chairman Toomey stated that, until such time as the Board received notification of the Board of Ar

peal's decision relative to an amendment to the permit granted to the Club on March 28, 1967, no action would be taken by the Board. Chairman Toomey now stated that the Board had received, on September 21, 1973, a communication from the Board of Appeals, which indicated that the amendment to the previous permit had been granted, which would allow construction of the backboard in court #5.

Mr. Milton Weinstein, an abutter, expressed his concern with the noise connected with use of the backboard and requested that it be constructed so as to be as quiet as possible.

Mr. White stated that if the present backboard were made separate from the fence, it would reduce the noise level considerably.

Following further discussion, it was on motion unanimously

VOTED: To approve the site plan for Sudbury Swimming and Tennis Club, Inc., dated March 1972, as drawn by Colburn Engineering, for construction of a backboard on the westerly court (Court #5), and it was further

VOTED: To direct the Building Inspector to see that the structure is built in a manner so that its use creates the least possible noise.

Special Permit - Community National Bank

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

VOTED: To authorize the Executive Secretary to grant a permit to the Community National Bank, 451 Boston Post Road, for illumination of their existing sign until 11:00 p.m.

Special Permit - New Reflections, Inc.

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

VOTED: To authorize the Executive Secretary to grant a permit to New Reflections, Inc., Mill Village, for illumination of existing signs until 11:00 p.m.

General Conference -- Town Surveyor

Present: Arthur Harding, Town Surveyor

Arthur Harding, Town Surveyor, submitted to the Board his report relative to activities of the Engineering Department between April and September.

On the subject of Heritage Park, Mr. Harding stated that invitations to bid on the first contract for construction of Heritage Park had been advertised several weeks ago. Mr. Harding stated that specifications of the bid provided for cleaning up the logs, stumps, and debris, stripping of loam and peat, excavation of Cricket Pond,

distribution of excavated material over the area where stripped, and rough grading for proposed plantings.

Mr. Harding stated that only one contractor had submitted a bid and that this was for \$9,550.

Mr. Harding stated that in reviewing the bid and the quantity estimate specifications, it was realized that a figure of 5,000 cubic yards of loam should have been placed at 2,200 cubic yards; therefore, the bid was too high. His recommendation was that the bid be refused. Mr. Harding stated that it was also realized at this time that there would be a problem in getting the necessary equipment into the pond for dredging and that the pond should perhaps be reduced in size.

Mr. Harding stated that he would like to readvertise for bids, basing the specifications on the reduced loam figure and the redesign of the pond, with the bid opening scheduled for October 9th.

Town Counsel suggested that the specifications state a request for bid on the redesigned pond but also include, as an alternate, the present configuration.

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

VOTED: To reject the bid of \$9550 from Jenkins Contracting Co., Inc. of Weston, and to direct the Town Engineer to readvertise in accordance with the suggestions of Town Counsel.

On the subject of the Concord Road Walkway, it was the consensus of the Board that the Concord Road Walkway, sometime in the future, if possible, be extended southward to the junction of the Boston Post Road.

Board of Appeals - Property located on Boston Post Road

The Board received a communication, dated September 12, 1973, from the Chairman of the Board of Appeals, which reported the continuation of an operation on property located on Boston Post Road in violation of the denial of a variance at a hearing held by the Board of Appeals on August 7, 1973. The Board of Appeals requested the Selectmen's support by enforcing its decision.

Following discussion, it was on motion unanimously

VOTED: To authorize the Executive Secretary to direct Town Counsel and the Zoning Enforcement Agent to take appropriate action relative to the above-stated violation.

Minutes

The Board voted unanimously to accept the minutes of the regular and the executive session of September 17, 1973, as amended.

Sudbury Emergency Communications Planning Report

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

VOTED: To acknowledge receipt of, and to authorize payment for, the Sudbury Emergency Communications Planning Report, dated September 1973, from G. Bradford Tiffany, Communications Systems Consultant.

Sudbury Nonprofit Housing Corporation

The Board received and placed on file a communication, dated September 19, 1973, from John A. Brown, President of the Sudbury Nonprofit Housing Corporation, relative to available land for housing purposes.

Garden in the Woods - Directional Sign

Present: Olga Reed, member of the New England Wild Flower Society, Inc.

The Board received a communication, dated September 19, 1973, from the New England Wild Flower Society, Inc., relative to a directional sign for the Garden in the Woods.

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

VOTED: To refer the above-mentioned communication to the Zoning Enforcement Agent for his recommendation.

Coatings Engineering Corporation

The Board received a communication dated September 19, 1973, from the Board of Health, relative to the license for underground storage of inflammables granted to Coatings Engineering Corporation on August 20, 1973.

It was the recommendation of the Executive Secretary to forward a copy of the same to the Zoning Enforcement Agent for his records. The Board was in agreement.

Town Counsel

Revaluation Suit - Town Counsel reported that the Board had recently sent letters to the cities and towns in South Middlesex County which have been reassessed at full and fair valuation in an effort to solicit funds and support for a joint suit relative to the State equalized valuation formula.

Mr. Turner stated that the Court has continually stressed the setting forth of allegations which are specific, rather than general, in nature, and that he and his associate are in the process of obtaining specific data to put in a bill to begin proceedings.

Mr. Turner requested and received authorization to proceed with the bill and stated that he will have a draft ready for the Board's review within two weeks. Mr. Turner also stated that it may take more than one attempt and that the original bill might have to be modified or amended to make it acceptable to the Court.

Article 7, Special Town Meeting, June 13, 1973, Unsolicited Mail Bylaw

The Selectmen suggested that the Executive Secretary advise the petitioners for Article 7 of the June 13, 1973, Special Town Meeting, of Town Counsel's availability to meet with them to redraft this bylaw for the next Town Meeting in such a way as to avoid the issues raised by the Attorney General's denial.

Buddy Dog Humane Society - On the recommendation of the Executive Secretary, the Board agreed to table Town Counsel's report on the Buddy Dog Humane Society until receipt of Town Counsel's recommendation relative to the consent decree discussed at the meeting on September 17th.

July Road - Town Counsel stated that conditions previously agreed to by all parties involved, relative to property on July Road, had not been honored by the homeowners, and therefore, litigation would commence immediately.

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

VOTED: To adjourn the meeting at 11:40 p.m.

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