

IN BOARD OF SELECTMEN  
MONDAY, OCTOBER 7, 1974

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

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

Jurors

Present: Betsey M. Powers, Town Clerk

The Board drew the names of Albert Terkelsen, 50 Blueberry Hill Lane, and Thomas S. Irby, 51 Cider Mill Road, to serve as jurors at Cambridge Court, and Bruce C. Wyman, 72 Austin Road, to serve as juror at Lowell Court, commencing November 4, 1974.

Hearing - Application for License to Store Inflammables Above Ground, Longfellow Center

Present: Robert Waters, applicant; Anthony F. Dernbach, from Laser Graphic Systems

In accordance with the provisions of Chapter 148 of the General Laws, Chairman Powers convened a public hearing on the application of Robert A. Waters for a license to store above ground 7,550 gallons of inflammable chemicals, for use in manufacturing, on property located at Longfellow Center, Route 20, Sudbury/Wayland.

The Executive Secretary stated that notice of the above application had been advertised, that all abutters had been notified, and notification return receipts received. Mr. Thompson stated that the application had been approved by the Fire Chief on September 13, 1974, subject to its approval by the Board of Selectmen. Mr. Thompson further stated that a favorable communication, dated October 1, 1974, had been received from the Chairman of Wayland Board of Selectmen and that an oral report had been received from the Building Inspector, who recommended approval of the application, subject to the granting of a variance by the Board of Appeals for insufficient setback of a building to house inflammables and submission of a site plan (scheduled on the agenda for the October 16th meeting).

Mr. Thompson displayed a site plan of the area for the Board's review.

It was stated that the set back insufficiency was created by the locating of the building to house the inflammable chemicals as far away as possible from the remainder of the buildings on the site, and that the Fire Chief had approved the location because there are no dwellings in the area.

Following discussion, it was on motion unanimously

VOTED: To issue a permit for the above ground storage of inflammables for manufacturing purposes only, as follows:

Ethyl Alcohol  
Methyl Ethyl Ketone  
Cellulose Nitrate, Ethyl Alcohol  
and Cello-Solve combined,  
Toluene, or  
Cello-Solve Acetate

for a total of 7,550 gallons, to be stored within an approved N.F.P.A. #30-1972 chemical storage building located at Longfellow Center, said approval subject to issuance of a variance by the Board of Appeals for the location of the storage building and site plan approval by the Board of Selectmen.

Utility Petitions #74-6 - Hudson Road, #74-7 - July Road,  
and #74-8-Dutton Road

Present: Robert Blake of Boston Edison Company

In conformity with the requirements of Sections 21 and 22 of Chapter 166 of the General Laws, a hearing was held on the below-mentioned utility petitions.

The Executive Secretary stated that all abutters and appropriate boards were notified and that favorable reports, dated October 4, 1974, had been received from the Wiring Inspector and the Power and Light Commission.

UP74-6 - Hudson Road - Petition of Boston Edison Company and New England Telephone and Telegraph Company for relocation of one (1) pole, 6/66, and the removal of one (1) pole, 6/67, Hudson Road, southwesterly side, approximately 27 feet north-west of Allene Avenue.

It was on motion unanimously

VOTED: To grant the above-referenced petition, dated July 3, 1974, as submitted by the New England Telephone and Telegraph Company and Boston Edison Company.

UP74-7 - July Road - Petition of Boston Edison Company and New England Telephone and Telegraph Company for the purpose of abandonment of pole 38/1, July Road, southeasterly side, at Hudson Road.

It was on motion unanimously

VOTED: To grant the above-referenced petition, dated July 3,

1974, as submitted by the New England Telephone and Telegraph Company and Boston Edison Company.

UP74-8 - Dutton Road - Petition of Boston Edison Company and New England Telephone and Telegraph Company for the purpose of replacing pole 71/24, Dutton Road, southeasterly, approximately 750' southwest of French Road.

It was on motion unanimously

VOTED: To grant the above-referenced petition, dated July 5, 1974, as submitted by the New England Telephone Company and Boston Edison Company.

#### Appointments

The Executive Secretary announced the following appointments to the Sign Review Board, which were made in executive session on September 30, 1974:

Leon Zola for a term to expire April 30, 1977;

Ronald Boucher and Dorothy Emmons for terms to expire on April 30, 1976; and Stanley Barron and G. Burton Mullen, for terms to expire on April 30, 1975.

#### Open House - Fire and Police Headquarter Buildings

The Executive Secretary announced that there will be an open house on Sunday, October 20th at the fire and police headquarter buildings.

Chairman Powers urged that all citizens concerned with the level and quality of service that can be performed by these Town departments attend the open house sessions.

#### Proclamation - 4-H Youth Program

At the request of Stephen Mullen, County Extension Agent in 4-H Club Work, it was on motion unanimously

VOTED: To sign a proclamation designating October 6 - 12, 1974, as 4-H Club Week in the Town of Sudbury.

#### Pizza alla Pietra, 447 Boston Post Road

The Executive Secretary reported that he had received notices dated October 4, 1974, from the Building Inspector, and October 7, 1974, from the Fire Chief, both of whom, following an inspection of Pizza alla Pietra, 337 Boston Post Road, reported compliance with Town requirements.

The Selectmen requested that the Executive Secretary

arrange for an inspection by the Board, following which they will release the common victualler's license, previously approved and signed.

October 22, 1974 - Special Town Meeting - Signing of the Warrant

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

VOTED: To sign the Warrant for the Special Town Meeting to be held on Tuesday, October 22, 1974.

Overlay Reserve - Special Town Meeting

The Executive Secretary reported that the Town Accountant had confirmed, following contact with Mr. Crosby, an Assistant Director of the Bureau of Accounts, the recertification of free cash for the Special Town Meeting, in the additional amount of \$120,971, as well as the use of Overlay Reserve.

Mr. Thompson stated that at the request of the Finance Committee, Mr. Wilson had compiled a breakdown of free cash and overlay reserve, which he had incorporated into a communication dated October 2, 1974, to the Executive Secretary.

The Board also received a communication dated October 3, 1974, from Town Counsel, which referred to his meeting with Bond Counsel, who was of the opinion that an appropriation from Overlay Reserve can be voted at the Special Town Meeting.

Police/Fire Headquarters

Present: Craig Parkhill, William Bell, John Reutlinger, Norman Gillespie, and Donald Katz of the Permanent Building Committee; John Hennessy of the Finance Committee

Mr. Parkhill stated that following the opening of the bids for the police/fire headquarters building, protests had been filed with the Department of Labor and Industries, before whom a hearing will be held at a time not yet determined. Mr. Parkhill stated that if the protesting petitioners are successful, there will be an increase in the construction cost of \$38,880, assuming the contract will be awarded to the second low bidder.

The Executive Secretary stated that the amount of \$775,000 printed in Article 1 of the warrant for the October 22nd Special Town Meeting is not the amount requested for bonding and gave the following breakdown of that figure:

Second Low Bid	\$659,000	(contingent upon upholding of the protest)
Development costs	92,000	
Equipment and communications	40,000	
Contingency	35,000	
	<u>\$826,000</u>	
from which	<u>51,000</u>	prior appropriation can be deducted
leaving a total of	\$775,000.	

Equipment and communications costs were further broken down as follows:

Communications transition cost	\$14,000
Fire Alarm Panel	14,000
Furnishings for Fire Department	7,000
Furnishings for Police Department	3,500
Communications Consultant	1,000
Telephone Changeover	500

Mr. Parkhill reported that the Finance Committee had requested that maintenance cost figures be calculated for the present headquarters and the proposed headquarters. Mr. Parkhill stated that the present yearly maintenance cost for both the Fire and Police headquarters amount to \$10,000 - \$12,000 and that they have requested additional projected maintenance costs for the proposed building, but have not yet received all the figures.

The Executive Secretary stated that the above figures do not include civil defense reimbursement for which a commitment has been made.

Mr. Bell itemized the deduct alternates, as bid by the low and second low bidders, as follows:

	Description	Low Bid	Second Low Bid
Alternate 1	vehicle maintenance bay	\$11,000	\$5,200
Alternate 2	spreading of the loam, seeding, and fertilizer - 4 bays	3,600	1,100
Alternate 3	spreading of the loam, seeding, and fertilizer - 3 bays	3,800	1,200
Alternate 4	delete gravel base and bituminous concrete roads, parking, and walks, and all granite curbing and all precast concrete wheel stops - 4 bays	14,500	17,500
Alternate 5	delete gravel base and bituminous concrete roads, parking, and walks, and all granite curbing and all precast concrete wheel stops - 3 bays	14,300	17,000

	<u>Description</u>	<u>Low Bid</u>	<u>SECOND LOW BID</u>
Alternate 6	delete equipment in police firing range	\$8,600	\$10,500
Alternate 7	delete all interior painting on concrete block walls, substi- tuting clear seal	3,200	2,800

for a maximum deduction of \$40,900 for alternates 1, 3, 5, 6, and 7 from the low bidder and \$36,700 deduction for the same alternates from the second low bidder.

Mr. Parkhill stated that it was the recommendation of the Permanent Building Committee that the alternates not be taken as it would affect the Town's position in the protest hearing.

Town Counsel explained to the members of the press that the second low bidder in the general contract and some of the sub-bidders for the proposal had registered a protest with the Department of Labor and Industries, alleging a violation of the statutes regulating competitive bidding in the award of contracts for public building projects. Mr. Turner stated that a hearing will be held, in Boston, before the Department of Labor and Industries to review the protests and a determination will be made as to whether or not the low bid should be thrown out in the protested instances. Town Counsel stated that he was of the opinion that further discussion of matters relative to the protest hearing should be held in executive session, as a continuation of the public session might adversely affect the financial interests of the Town.

It was agreed to continue the discussion later in the evening in executive session.

Sudbury Water District Deed

Following receipt of a communication dated October 2, 1974, from the Park and Recreation Commission, attesting to the completion of all agreed upon work to be done for the Commission at its site on Raymond Road by the Water District, and on the recommendation of Town Counsel, it was on motion unanimously

VOTED: To execute the deed to the Sudbury Water District, giving them the right and easement to use and control the well site on Raymond Road, as voted under Article 33 of the 1972 Annual Town Meeting.

BP Station, Boston Post Road

The Board received a communication dated October 3, 1974, from Town Counsel, enclosing his memorandum of September 23, 1974, in regard to the Bill in Equity to enforce the decision of the Board of Selectmen to revoke the license issued to the BP station on the Boston Post Road, under General Laws, Chapter 148, Section 13.

Town Counsel stated that the relevant parts of the record of the case had been reproduced and were being assembled for filing with and certification by the Court.

Davis Land

The Board received a communication dated October 3, 1974, from Town Counsel relative to the purchase of the Davis land and a modification of the original purchase and sales agreement, which would postpone the purchase, for park and recreational purposes, of Parcel A 1, containing 29.48 acres, until October -November 1975.

Town Counsel requested that the Selectmen indicate their approval of the modification to the Conservation Commission.

The Board agreed to defer the matter for one week in order that the proposal come before the full Board, directed that Town Counsel and Town Accountant meet with the Treasurer relative to the most advantageous way of bonding the Davis land, and directed the Executive Secretary to request the Conservation Commission and the Park and Recreation Commission to attend next week's discussion of the matter.

Hulbert Land

The Board received a communication dated October 4, 1974, from Town Counsel relative to the purchase of the Hulbert land.

Town Counsel stated that Sudbury could acquire land, by purchase, in another town, for municipal purposes (a small portion of the Hulbert land lies within the Town of Framingham) and that such property, when appropriated to public uses, is exempt from taxation.

The Board was in agreement with the contents of Town Counsel's communication of October 4, and agreed to proceed with the purchase of the Hulbert land.

Executive Session

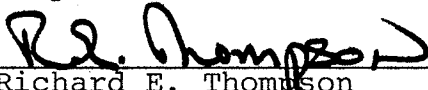
At 9:25 p.m., it was on motion unanimously

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 impact of the Town.

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

VOTED: To adjourn the meeting at 10:35 p.m.

Attest:

  
Richard E. Thompson  
Executive Secretary-Clerk