

IN BOARD OF SELECTMEN
MONDAY, SEPTEMBER 30, 1974

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

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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.

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

Present: Mary Jane Hillery, Marian Hall, Ellen Siegars, Dorothea Worden, and Linda McLellan

A proclamation was signed by the Selectmen, which designated October 21 - 26, 1974, as National Federation of Business and Professional Women's Club Week in the Town of Sudbury.

Sudbury Bus Transportation Committee

Present: Paul Buxbaum and Robert Coe of the Sudbury Bus Transportation Committee; John Wilson, Town Accountant

On the subject of the proposed intra-town bus service, the Executive Secretary stated that reports containing recommendations and suggestions had been received from Town Counsel, dated September 27, 1974, the Chief of Police, dated September 23, 1974, and the Town Accountant, dated September 23, 1974, and would be made available to the Committee. The Executive Secretary also stated that he had also received verbal reports on the subject from the Insurance Advisory Committee and the Sudbury School Department.

Chairman Powers read the above-referenced communications into the record.

Mr. Thompson reviewed the verbal report of the School Department, stating that Mr. Charles Sullivan had suggested that route departure times be so scheduled as to prevent the intra-town busses meeting and having to pass one another on narrow roads, as well as a situation which would require an intra-town bus and a school bus to pass one another. In this regard, the Executive Secretary suggested that the Bus Transportation Committee meet with Mr. Sullivan and Safety Officer William Carroll.

Mr. Thompson reported that the Insurance Advisory Committee's recommendations, which had been reviewed and approved by Town Counsel, included:

1. the motor vehicle liability is adequate; a general liability with the same limits as those for the motor vehicle liability, with the exception of a property damage limit of \$100,000 rather than \$500,000, should be added;

2. provision for workmen's compensation should be added;
3. certificate should include 30-day written notice of cancellation;
4. certificates should be in hand before any bus is on the road.

Mr. Buxbaum described the Committee's proposal for \$.25 fares to be collected by the contractor, who will provide for the certification of all collected fares through a locked fare box or a fare-tallying box. Mr. Buxbaum stated that the busses would be ridden periodically by monitors and that this check plus the bonding of the drivers would afford reasonable assurance of honesty. Mr. Buxbaum further stated that written into the contract is a clause which prohibits the Subsidy to exceed \$25,000.

Mr. Buxbaum stated that the bus company would give the Bus Transportation Committee a monthly report for that Committee's and Town Accountant's examination before the subsidy is given and that the Committee would be aware two months in advance of any total depletion of the subsidy.

Mr. Buxbaum stated that the Town of Dedham operates a similar bus service which has proved successful, and the Board requested that he obtain letters from that town in this regard.

The possibility of a ticket system was also discussed, but Mr. Buxbaum stated that this system was more difficult to monitor.

Selectman Taft made the following recommendations for modification of the bid document:

1. Page 1, G9. The phrase "compensation to the Contractor" be changed to "subsidy" for reasons of consistency throughout the contract;
2. Page 2, S1. - minimum limit of \$1,000,000 be changed to \$100,000;
3. Page 2, S6. - the words "subsidy payment" be changed to "monthly contract cost";
4. Page 3, S9. insert phrase "and the front" so that second paragraph reads, "Provision...both sides and the front of the busses."
5. Bus Transportation Bid Form, 3. - clarify the words "alternate bus".

Mr. Buxbaum stated that the various agency recommendations were reasonable and that modifications will be made to the bid specifications to reflect the same.

It was stated that Department of Public Works approval of the route system will be necessary once all Town approval is

received.

Chairman Powers requested that the Bus Transportation Committee provide the Board with a scheduling overlay of proposed intra-town bus routes over the school bus routes following its meeting with the Safety Officer and Mr. Sullivan.

Hearing - Application for License to Store Inflammables Underground,
578 Boston Post Road

Present: John Bartlett, applicant; Ernest Schofield, engineer;
Donald Peirce; Albert St. Germain, Fire Chief; Francis E.
White, Building Inspector

In accordance with Chapter 148 of the General Laws, Chairman Powers convened a public hearing on the application of John P. Bartlett for a license to store underground, for agricultural purposes, 500,000 gallons #4 - 6 heavy fuel oil, on property located at 578 Boston Post Road.

The Executive Secretary stated that notice of the above application had been advertised, that all abutters had been notified, and notification return receipts received.

The Executive Secretary further stated that the application had been approved by the Fire Chief on September 6th, subject to its approval by the Board of Selectmen and that reports, dated September 30, 1974, had been received from the Building Inspector and Town Counsel.

Mr. Bartlett stated that the reason for his application was to insure a year's supply of fuel oil to heat his greenhouses and, therefore, the safety of his business and to enable him to take advantage of opportunities to periodically purchase fuel oil at reduced oil prices. Mr. Bartlett stated that he would not use this reserve to sell to home owners, but, in cases of emergency, might temporarily supply fellow owners of greenhouses.

Mr. Bartlett stated that his greenhouse area is approximately 225,000 square feet and that his average yearly fuel consumption is between 550,000 - 600,000 gallons of oil. Mr. Bartlett stated that he presently has storage in the amount of 200,000 gallons of fuel oil, for which he has never obtained a permit.

The Fire Chief stated that he was aware of underground storage at this address, but not of the amount.

The Building Inspector reported that he had been notified approximately a month ago that there was considerable concrete work at this location and that he had discovered the tank and directed Mr. Bartlett, by a written notice, to cease and desist further work on the tank.

Mr. Bartlett stated that the installation was virtually complete at that time and that they have done only grading since they were stopped.

In response to a question, Mr. Peirce, who owns a greenhouse business at 55 Maple Avenue, stated that he had underground storage of fuel oil in the amount of approximately 40,000 gallons.

In an effort to determine comparable storage, the Board requested that the Executive Secretary compile a list of existing Town-wide fuel oil storage permits.

In reviewing the recommendations made in the above-referenced communications of Town Counsel and the Building Inspector, Mr. Bartlett described the construction of the tank, stating that it is so constructed that it cannot rupture and, in addition, will have dirt banked against it. Mr. Bartlett further stated that he will certify, or cause to have certified by a registered professional civil engineer, that the storage facility is structurally safe for the proposed use and is so situated that in case of a tank rupture the oil will not flow to the surface of the ground and create a fire hazard.

Mr. Bartlett also stated that he was of the opinion that a building permit was not necessary as the use of this land is certified as an agricultural use and that such a designation is exempted from Article XV of the Sudbury Bylaws. Mr. Bartlett distributed to the Board a copy of Chapter 128, Section 1A relative to this designation.

Mr. Bartlett stated that his present storage, as well as the proposed storage, is located on land owned by the Pilama Corporation.

No abutters appeared in opposition to the proposal.

Selectman Toomey stated that he would like to have the general neighborhood, including Raytheon Company, made aware of the proposed installation. Selectman Toomey suggested that the Board make an on-site inspection, following which there would be a continuation of tonight's hearing to which the abutters living in the general neighborhood would be invited. The Board was in agreement, and the Executive Secretary was directed to schedule a meeting for the on-site inspection as soon as possible.

The Building Inspector requested that the Board direct Town Counsel to give his written opinion as to whether this tank, as a structure, requires a building permit.

Following further discussion, it was on motion unanimously

VOTED: To continue consideration of the application of John P. Bartlett for a license to store inflammables underground, 500,000 gallons #4 - 6 heavy fuel oil, on property located at 578 Boston Post Road, following an on-site inspection by the Board as soon as possible;

and it was further

VOTED: To direct Town Counsel to prepare a written opinion relative to the necessity of a building permit for the storage tank.

The Selectmen requested that Mr. Bartlett supply the Board, at the continued hearing, with a certified design plan of the proposed tank for their review.

October 22, Special Town Meeting - Warrant

Following discussion, it was on motion unanimously

VOTED: To delete from the warrant of the October 22, 1974, Special Town Meeting the article which would reschedule the time of budget submittal and the commencement of the Annual Town Meeting;

and it was further

VOTED: To work with the Committee on Town Administration, the Finance Committee, and other interested boards and committees toward an article in this regard for the 1975 Annual Town Meeting.

The Board recessed the meeting at 9:15 p.m. to appear at the Finance Committee's hearing on the above-referenced warrant article to advise the Committee members of its above votes, at which time a consensus of the Finance Committee, the Selectmen, the Committee on Town Administration, and the Moderator was reached that a joint committee be established to review and recommend action on the subject for the 1975 Annual Town Meeting.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular meeting and the executive session of September 23, 1974, the former as corrected.

Metropolitan Area Planning Council

The Board received a communication dated September 24, 1974, from the Metropolitan Area Planning Council (MAPC) relative to a public hearing on October 2nd on the subject of water quality and waste treatment planning.

It was on motion unanimously

VOTED: To refer the above-referenced communication to Ronald Campbell, Sudbury's designee to the MAPC, requesting that he inquire as to the reasons for that Council's involvement in this

issue.

Sudbury Finance Committee Warrant Hearings

The Board received, on September 24, 1974, a communication from the Finance Committee relative to its schedule of hearings on Special Town Meeting Warrant Articles.

The Board will attend the October 1st hearing at 9:00 p.m., relative to the Police/Fire Station article.

Sudbury Housing Authority - Common Access Road - Oliver Land

To accommodate the Sudbury Housing Authority's request to meet in executive session with the Board relative to the common access road layout for the Police/Fire Headquarters and the Housing for the Elderly project, it was agreed to call a special meeting of the Board at 8:00 p.m., Loring Parsonage, on Tuesday, October 1st.

October 22 Special Town Meeting - Warrant

The Board noted receipt of a communication dated September 26, 1974, from the Conservation Commission, which requested that the article entitled "Addition to Flood Plain District Use Provisions" be deleted from the Warrant for the October 22nd Special Town Meeting.

Massachusetts League of Cities and Towns - Annual Meeting

The Board received a notice from the Massachusetts League of Cities and Towns, announcing its annual meeting on October 17th, 9:30 a.m. - 8:15 p.m., at the Sheraton-Lincoln Hotel in Worcester.

It was agreed that the Selectmen and the Town Counsel would attend the meeting.

Bicentennial - First Provincial Congress

The Board received a communication dated September 23, 1974, from the Bicentennial Committee, the First Parish in Concord, requesting the Selectmen's attendance on Friday, October 11th at 10:45 a.m., for ceremonies to mark the bicentennial of the First Provincial Congress which assembled in that Church on October 11, 1774.

Selectman Taft and a member of the Revolutionary War Bicentennial Committee will attend on behalf of the Town.

Saint John Lutheran Church

The Board received a communication dated September 23, 1974,

inviting the Selectmen to join in that Church's worship celebration to commemorate its eighty years of service to the community.

Selectman Toomey will attend on behalf of the Board.

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

It was on motion unanimously

VOTED: To order the warrant for the Special Town Meeting - October 22, 1974, as follows:

Article 1 - Police/Fire Headquarters - Construction and Equipping

Article 2 - Easement - Elderly Housing Access Road

Article 3 - Data Processing Appropriation

Executive Session

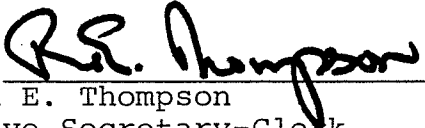
It was on motion unanimously

VOTED: To enter into executive session, at 10:45 p.m., for the purpose of discussion, deliberating, or voting on matters, 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 11:30 p.m.

Attest:


Richard E. Thompson
Executive Secretary-Clerk