

IN BOARD OF SELECTMEN
MONDAY, JANUARY 20, 1975

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

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.

Plumbing/Gas Inspector

Present: Plumbing/Gas Inspector Howard Porter; Building Inspector Francis E. White

The Board met with Plumbing/Gas Inspector Howard Porter, at his request, for discussion relative to his salary. Mr. Porter stated that the Building and Inspections Department had conducted a survey relative to the salaries of plumbing and gas inspectors of the surrounding comparable towns, and he submitted to the Board the information received from the survey as well as his analysis of the information.

Mr. White stated that he, as Building Inspector, had requested an increase in the 1975-76 budget for Plumbing/Gas Inspector to \$5,000, which had been reduced to \$2500.

The Board stated that, while wishing that the Plumbing/Gas Inspector receive a fair salary, in line with their policy of no increase in programs for the coming fiscal year, any salary increase would have to come from within the fee structure.

The Building Inspector stated that his recommendation for increased salary is to compensate the inspector for policing work relating to illegal plumbing and gas operations, which would, in turn, result in increased permits, and therefore, increased fees.

Following further discussion, it was on motion unanimously

VOTED: To table the matter of the Plumbing/Gas Inspector's present pay structure until further review of the information submitted to the Board tonight.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular meeting and the executive session of January 13, 1975, the latter as amended.

Appointments

It was on motion unanimously

VOTED: To make the following appointments:

Donald D. Bishop, 80 Raymond Road, as the Highway Commission representative to the Wayland-Sudbury Septage Disposal Planning Committee for a term to expire April 30, 1975.

Fire Chief Josiah F. Frost to the Bicentennial Committee for the duration of the Bicentennial planning.

Fire Chief Josiah F. Frost, as Civil Defense Director, for a term to expire April 30, 1975.

1975 Wine and Malt Beverages Package Store License - Nugent's Variety

In response to a communication dated January 9, 1975, from Joseph H. Nugent, informing the Board that due to illness and rising expenses, he would be unable to renew his license for the sale of wines and malt beverages at Nugent's Variety, 328 Hudson Road, and

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

VOTED: To regretfully accept the above - referenced communication and to rescind the Board's action of November 18, 1974, relative to the issuance of the license.

Waste Water Management Planning - Regional Concerns Committee

On the recommendation of Town Counsel at the Board's January 6, 1975, meeting, the Board voted to table the matter of consideration of the Regional Concerns Committee's recommendation for adoption of a "resolution of intent" relating to participation in the plan of the Metropolitan Area Planning Council (MAPC) for waste management until receipt of a report on the same from Town Counsel.

Town Counsel, referring to his report on the subject dated January 16, 1975, stated that, as the initial resolution designates the MAPC as the responsible agency to conduct waste treatment management planning within the metropolitan area, it would probably follow that any resulting funding requested for implementation of waste treatment management facilities would also be under the control of the MAPC. Town Counsel stated that, in his opinion, the metropolitan area towns could find a more suitable agency for the control of the funding.

Following discussion, it was on motion unanimously

VOTED: To refer the Metropolitan Area Planning Council's request, dated November 19, 1974, for adoption of the "resolution of intent" and Town Counsel's January 16, 1975 report to the Regional Concerns Committee for further review and the Committee's recommendations.

1975 Town Election - 1975 Annual Town Meeting

It was on motion unanimously

VOTED: To set the 1975 Town Election for the four (4) precincts in Sudbury for Monday, March 31, 1975, from 7:00 a.m. to 8:00 p.m. in the Peter Noyes School.

It was further

VOTED: To set the opening session of the 1975 Annual Town Meeting for Monday, April 7, 1975, at 8:00 p.m. in the auditorium of the Lincoln-Sudbury Regional High School;

and it was further

VOTED: That the Annual Regional School District Election shall be combined with and held as part of the Annual Town Election of Sudbury; that the ballot for the Annual Regional School District Election shall be included with and prepared as part of the ballot for the Annual Town Election;

and

that the listing of the offices shall be the same as set forth in the Warrant for the Lincoln-Sudbury Regional School Committee election and shall be printed as the last office on the ballot.

Raymond Land

Present: Sudbury Water District Commissioners Robert Boyle and Milton Bartlett; John Carter and John Murray of the Park and Recreation Commission; Joseph Tratnyek, Margaret Langmuir, and John Cutting of the Conservation Commission.

Members of the Conservation Commission, Park and Recreation Commission, and the Sudbury Water District met with the Board to discuss the Conservation Commission's 1974 report on the Raymond Land, which had been received by the Board on December 19, 1974.

Discussion was held on the following proposals of the Conservation Commission:

Clearing the brush from the stream - Mr. Cutting stated that this proposal was strictly a matter of clearing to improve the stream visually and to allow physical access for fishing. Mr. Cutting further stated that a work group headed by the Conservation Commission would do the clearing and that the only cost to the Town would be the rental of necessary equipment such as chain saws and brush cutting equipment or reimbursement for damage done to tools owned by work participants.

Selectman Taft requested that the brush not be completely cleared to ensure the survival of the fish.

Mr. Bartlett stated that the Water District has no objections relating to the cutting of brush along the brook, within reason, because the State does not object to the cutting of brush along well sites, but that the District would prefer that the brush be removed from the area rather than be chipped at the site.

In response to a question, the Conservation Commission was of the opinion that the brush cutting would not substantially or detrimentally increase the present flow of the stream.

Development of a skating area - Mr. Cutting stated that possible development of a skating area in the low area between the old and new Raymond Roads is a proposal for the future and would require more investigation before a definite proposal is made

but that the Commission is mentioning it at this time with the hope of reserving the land for this purpose.

Mr. Bartlett stated that this particular area would have to be looked over and approved by the State, as care would have to be taken not to reverse the subsurface grading which would then cause pollution of the Water District wells.

Clear trees along west side of Raymond Road to allow viewing of knoll - Mrs. Langmuir requested that the Commission be allowed to undertake minimal clearing in several areas along the west side of Raymond Road to allow viewing of the knoll beyond.

Mr. Bartlett stated that the Water District has a well site between the west side of the old Raymond Road and the east side of the Penn Central Railroad, access to which may have to be across the portion of land Mr. Cutting is now discussing.

Selectman Toomey suggested that the Board turn the entire project of Raymond land development over to the Town Engineer to coordinate the individual plans of the Conservation Commission, the Park and Recreation Commission, and Sudbury Water District.

Mr. Cutting requested that the jurisdiction of the knoll and the 40-acre meadow beyond be transferred from the Selectmen to the Conservation Commission. Mr. Cutting recommended that the meadow be mowed as it is becoming overgrown and stated that once the initial cutting is done, it can be maintained in a meadow state with twice-yearly mowing. Mr. Cutting further stated that the Commission is perfectly willing to do maintenance on these pieces of land, but if the jurisdiction will not be transferred, they do not wish to pay for the maintenance from their budget.

The Board requested that the Park and Recreation Commission and the Sudbury Water District respond to the recommendations of the Conservation and following further discussion, it was agreed that these three agencies would submit to the Engineering Department their priorities for the Raymond land, which the Town Engineer could then incorporate into an overlay map and five-year plan for use in determining the development of the land.

1975 Annual Town Meeting - Ordering of the Warrant

It was on motion unanimously

VOTED: To defer the ordering of the warrant for the 1975 Annual Town Meeting until a time to be agreed upon by the Moderator and the Executive Secretary - if possible, at the Town Fathers' Forum on January 27, 1975.

Utility Petitions #75-24 - Aaron, Barbara, and Ronald Roads

It was on motion unanimously

VOTED: To confirm the existence, upon property accepted by the Town as public ways, of Boston Edison and New England Telephone utility poles at the following locations: Aaron Road, Barbara Road, and Ronald Road - individual poles as specified on petitions of Boston Edison Company dated December 31, 1974.

Auxiliary Police - Firearms

The Board at its meeting on December 30 agreed to refer to Town Counsel for his recommendations the matter of the right of the Sudbury Police Auxiliary to bear arms and the liability of the Town in this regard.

Town Counsel, referring to his communication on the subject dated January 14, 1975, stated that he was of the opinion that the Board of Selectmen could authorize the auxiliary police officers to carry fire arms under G.L. c.33 App., § 11.1.

Town Counsel stated that such authorization would be a policy decision of the Board and that it is his recommendation that training and qualifying standards be established in this regard and that the Board consider the safeguards which he has set forth in his above-referenced communication.

The Executive Secretary stated that he had, on January 14th, written to the Police Association for their comments or recommendations on the proposal, as requested by the Board at its earlier meeting, but had, as yet, received no response.

Following further discussion, it was on motion unanimously

VOTED: To table further consideration of the matter pending receipt of the response from the Sudbury Police Association.

Petition - One-Way Traffic on a Portion of Old Lancaster Road

The Board received a communication dated January 14, 1975, which enclosed a petition to promulgate an ordinance to declare that section of Old Lancaster Road lying between Concord Road on the east to Peakham Road on the west a one-way street, and which would allow vehicular traffic to proceed in a westerly direction only.

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

VOTED: To refer the petition to the Planning Board, the Police Chief, the Fire Chief, the Sudbury School Department, the Engineering Department, and the Highway Commission for their recommendations and comments, with the request that they respond on the matter within a month.

Subregion Intertown Liaison Committee (SILC)

The Board received a communication dated January 6, 1975, from the Chairman of the Subregion Intertown Liaison Committee (SILC) relative to a proposed addition to zoning provisions which would designate all present railroad rights-of-way to be used for public transportation only.

Discussion followed relative to the Town's official map designation of present railroad rights-of-way as transportation corridors, and Town Counsel stated that it was his opinion that zoning would be more stringent than the map designation.

As the warrant for the 1975 Annual Town Meeting is closed, the Board agreed to consider inclusion of the proposal in the warrant for the 1976 Annual Town Meeting.

Easter Seal Society

The Board noted receipt of a communication dated January 15, 1975, from the Easter Seal Society relative to Coffee Day on Thursday, February 13, 1975.

Suit - Pending Litigation - MacInnis vs Hughes

On the matter of the pending litigation in Framingham District Court of MacInnis vs Hughes, Town Counsel reported that Attorney Sheldon Pitchel, representing Mr. MacInnis, has agreed on a motion for removing the default issued against the Town and that the case will be continued on April 13, 1975.

Reserve Fund Transfer Request - Police Overtime

Following consideration, it was on motion unanimously

VOTED: To approve a request for a transfer (#0604) in the amount of \$8,000.00 from the Reserve Fund to Account #320-12, Police - Overtime, inasmuch as the Police Chief is projecting additional expenses from January 14, 1975, to the end of the fiscal year, \$12,749.00 vs a balance in the account of \$2,365.62, with a notification to the Finance Committee that the Board may have to return at a later date for an additional transfer from the Reserve Fund.

Sudbury Housing Authority - Access Road Elderly Housing Development

Present: William Mead and Bruce Taylor of W.M. Design Group; Douglas Miranda, Chairman, Lorraine Bauder, Willie Hoover, and Robert Williams of the Sudbury Housing Authority; Roland Smith, part-time executive director for the Sudbury Housing Authority; and six residents of Colonial Road

In response to a request dated January 6, 1975, members of the Sudbury Board met with the Housing Authority for discussion relative to the access road for the proposed elderly housing development.

Mr. Miranda stated that he had met earlier today with Mr. Merloni, Town Engineer, who had been unable to attend the Authority's meeting just prior to tonight's meeting with the Selectmen. Mr. Miranda read a communication dated January 2, 1975, from Mr. Mead, the Housing Authority's architect, on the matter of costs of the alternative access roads. Mr. Miranda reported to the Board that the figures in Mr. Mead's above-referenced communication relating to the distance of "Hudson Long" access had been recalculated to be 735 feet rather than 830 feet and that the cost for 735 feet @ \$60 per foot would be \$44,100, which would, therefore, reduce the total cost of this proposal to \$47,100.

The Board had received a report dated January 6, 1975, from the Town Engineer, as requested by the Board at its special meeting on Thursday, December 19, 1974, on the subject of the safety cost and aesthetics of the access road, which was read by Chairman Powers. The Town Engineer, Mr. James Merloni, stated in his report that construction of the access to the Housing Authority Project would cost approximately \$41.07 per foot.

In response to a question, Mr. Mead stated that the \$60 per foot cost figure had been given to him last Spring by Arthur Harding, former Town Surveyor.

Selectman Taft stated that the Board had received road cost figures from former Town Surveyor Harding, dated August 26, 1974, indicating a per-foot construction cost of \$30 per foot, not including clearing and grubbing or loaming and seeding the shoulders, which would bring the cost to \$35 per foot.

Mr. Mead stated that increased asphalt costs and markup for contractors' prices, lighting conduit, and drainage problems would seem to indicate a wise provision of \$60 per foot to protect the Sudbury Housing Authority in their cost figures.

Selectman Taft recounted the history of the original placement of the joint access road to service the elderly housing development and the proposed police/fire headquarters and the reasons therefor, which included approval of its location by the Police and Fire Chiefs, the Board's obligation to the Town to maximize the usability of the Oliver land, and the Board's moral commitment to preserve the existing evergreen screening between the site and the Mack property.

It was the Board's contention that there was a difference in road costs between the Selectmen's proposal and the Authority's proposal of only \$5,000, and Chairman Powers suggested that the Board and the Authority halve this difference and deduct it from the upper limit \$6,000 easement cost figure voted by the October 22, 1974 Special Town Meeting, leaving a balance of \$3,500 which might be acceptable to the Board as payment for the easement.

The Housing Authority stated that they thought the cost of the easement too high and stated that the one appraisal the Authority had received was well below the \$3,000 lower limit of the Town Meeting vote. Mrs. Bauder stated that the Department of Community Affairs will not authorize payment above its appraised value.

The Board voiced its disagreement with the Authority's opinion of the value of the land at this location and suggested that it obtain another appraisal.

Chairman Powers thanked the Authority for appearing tonight and stated that the Board would await the Authority's reaction to the Selectmen's suggestions.

Reserve Fund Transfer Request - Hosmer House

Following consideration, it was on motion

VOTED: To approve a request for a transfer (#0543) in the amount of \$1,000 from the Reserve Fund to Account #340-36 Hosmer House, for payment of outstanding fuel oil bills through December 21, 1974, and estimated fuel oil costs through June 30, 1975.

(Selectmen Taft and Toomey voted in favor; Chairman Powers abstained, as he is executor for Miss Hosmer.)

Minuteman Regional Vocational Technical School District - Budget Review

Selectman Taft reported on the budget review of the Minuteman Regional Vocational Technical School, which was held on January 14th and attended by representatives from the Boards of Selectmen in Arlington, Lexington, Lincoln, Sudbury, and Wayland and representatives of the Finance Committees from Acton, Carlisle, Concord, and Weston, all of whom evidenced a great deal of concern with the School's budget.

Selectman Taft stated that the budget reviewed at the meeting had been reduced by the School Committee from that which had earlier been distributed for the towns' review and now reflected a lowered cost-per student of \$3,000. Selectman Taft also stated that he advised the members of the Vocational School Committee that they have a larger responsibility toward the towns they represent than do elected officials and that, therefore, they must be more responsive to the towns' recommendations, to reduce spending levels for the 1975-76 school year.

Executive Session

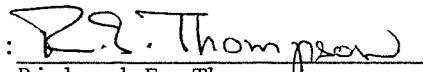
At 10:40 p.m., it was on motion unanimously

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

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

VOTED: To adjourn the meeting at 11:05 p.m.

Attest:


Richard E. Thompson
Executive Secretary/Clerk