

IN BOARD OF SELECTMEN  
MONDAY, MAY 12, 1975

Present: Acting Chairman William F. Toomey and John C. Powers

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Acting Chairman William F. Toomey.

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Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular meeting of May 5, 1975, as corrected.

Site Plan Application #75-147, Leonard E. Pike, 475-477 Boston Post Road

Present: Francis E. White, Zoning Enforcement Agent; Robert Hagopian, attorney for applicant

Following consideration of the site plan application for Leonard E. Pike, 475-477 Boston Post Road, the Board at its May 5, 1975 meeting voted to schedule an on-site inspection with the Zoning Enforcement Agent for Saturday, May 10, 1975, at 9:00 a.m. The Board, on May 5th, also agreed to schedule further consideration of the site plan at its regular meeting on May 12.

Chairman Toomey reported that the on-site inspection has taken place and that the recommendations in the Planning Board's May 2, 1975 communication had been discussed.

Following a lengthy discussion of the above-referenced recommendations, at the request of acting Chairman Toomey, Town Counsel, the Zoning Enforcement Agent, and Mr. Hagopian withdrew to formulate a mutually acceptable motion for the Board's consideration.

Later in the evening, Town Counsel presented the Board with a suggested motion, and, following its review, it was on motion unanimously

VOTED: That the site plan entitled: "Proposed Signs at No. 475-477 Boston Post Road, Sudbury, Mass., owner Leonard E. Pike et ux, Site Plan and Elevations", dated March 3, 1975, by Koller Associates, Inc., is hereby approved, subject to the following terms, conditions and limitations, which the owners, through their attorney, hereby agree to:

1. the wood frame building, located behind the service station building, will be removed and, at a later time, may be replaced, subject to the usual building code requirements, provided, however, that the walls of the building shall be masonry construction.
2. the old pump location, in front of the service station building and next to said building, shall be removed.
3. the existing pole near the Pizza shop shall (a steel pole) be removed.
4. the utility pole, with the mercury vapor light, shall be moved to a location near the northwest corner of the property.

5. the signs for the property are subject to Sign Review Board approval, after a proper application, which shall be submitted by the owners.
6. the Street Entry Permits shall be requested, in proper form, from the State Department of Public Works, by the owners, and berms, with a five foot deep planting area between the berms (five feet deep between the berms that run parallel to the Boston Post Road) shall be constructed in accordance with the street opening permits so that only the entrance ways, approved in the Street Entry Permits, shall be without berms.
7. the lights shown on the plan shall not shine directly into the Boston Post Road. The lantern type lights on the island, with non-glare glass or plastic lenses, do not violate this prohibition.
8. the dumpster areas for both the service station and the pizza shop shall be adequately screened from view by a fence or thick plantings.
9. the pumps and tanks, shown on the plan, for the storage and sale of inflammable liquids, under G.L.c.148 §13, and the proposed increase of underground storage, shown as two/ten thousand gallon tanks, shall be the subject of an application in the usual form for increased underground storage, under said Chapter 148, before the Selectmen, and the approval of this site plan is without prejudice with regard to such storage or increased storage and said application shall be without prejudice of the owners rights existing at the present time with regard to such storage.
10. the present underground storage facilities on the site are:

4	-	4,000 gallon tanks
1	-	2,000 gallon tank
1	-	500 gallon waste oil tank.

There are six pumps on the site.

Sudbury Federal Aid Urban Systems Map

Present: John Hare, Chairman, Martha Coe, and Frederick Welch of the Highway Commission; Edward Connors of the Planning Board, Emmanuel Tiliakos, Planner; and Philip Hughes from the Department of Public Works

The Executive Secretary reported that tonight's joint meeting of the Selectmen and the Highway Commission was being held following the receipt by the Highway Commission of a proposed Sudbury Federal Aid Urban Systems Map, dated December 1974, from the Massachusetts Department of Public Works, and a March 18, 1975, meeting of the Board of Selectmen and the Highway Commission for the purpose of discussion of the map.

The Executive Secretary introduced Mr. Philip Hughes from the Department of Public Works (DPW), who had been requested to attend tonight's meeting to answer questions relating to the proposed map.

Mr. Hughes, responding to questions, made the following statements:

- Approval of the map by the Selectmen will incur no obligation to the Town, but is the initial step for requesting State and Federal aid through the DPW, such request to be completely at the discretion of the Town.

- Additional roads can be added to the urban system map at any time by forwarding a list to the Town's DPW district office, the changes will be incorporated into the map and it will then be brought to the Town for signatures, after which it will be forwarded to the Federal Highway Administration.

- Present yearly assistance funds are allocated from the State Highway System and State Aid Chapter 90 Primary System; under the Federal Aid Urban System, additional State money (30%) and Federal money (70%) becomes available, which would bring road improvements to the Town at no cost.

- The DPW will make no takings, but they can be made by the Town.

- The Urban Systems program is more comprehensive than the TOPICS program because it deals with general improvement rather than spot improvement.

- \$23,000,000 has been allocated to the State for fiscal 1975-76 and a comparable amount for the following year; \$18,000,000 to the Boston urbanized area, of which Sudbury is a part - priorities are not yet established.

- Any single improvement made under the urban system would not further obligate the Town in any way.

- There would be no necessity to deal with the County; all discussion would be between the Town and the DPW - Mr. William Poole is Sudbury's contact with the DPW.

- Walkway, or sidewalk, program is included as part of the highway improvement program.

Mr. Hughes recommended that Town projects requested under the TOPICS program be reaffirmed with the Department's Chief Engineer in Boston under the Urban Systems program.

Acting Chairman Toomey requested recommendations relative to the approval of the urban systems map from the Planning Board and the Highway Commission. Mr. Connors expressed the Planning Board's approval of the map, and the Highway Commission members present expressed approval as long as the Town has the ultimate control.

In response to a question from Mr. Potell, the Executive Secretary stated that Town Meeting action would only be required in this matter if a taking were necessary.

In response to a question from the Executive Secretary, Mr. Hughes stated that the Chief Executive Officer of the community, or the Board of Selectmen in Sudbury's case, should sign the Federal Aid Urban Systems Map.

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

VOTED: To approve and sign the Sudbury Federal Aid Urban Systems Map, dated December 1974, as proposed by the Massachusetts Department of Public Works.

Reserve Fund Transfer Requests

#0635 - Copying Service 950-94 - Following discussion, it was on motion unanimously

VOTED: To approve a request for a transfer (#0635) in the amount of \$800.00 from the Reserve Fund to Account 950-94, Copying Service, inasmuch as the magnitude of the copy requirements has exceeded the initial budget.

#0634 - Town Report Printing 950-41 - The Executive Secretary reported that the original bill from Acme Printing Company for the printing of the 1974 Town Report was \$10,087.41 and that, following agreement with the printer, the bill had been reduced to \$9,700, to cover: 340 pages @ \$28.25, 80 halftones @ \$4.00, and 5500 copies. Mr. Thompson stated that the difference included 90 extra copies, which had not been ordered, and authors' alterations (\$449).

Following discussion, it was on motion unanimously

VOTED: To table, until May 27, further consideration of Reserve Fund Transfer Request #0634 until receipt of a report from the Town Report Preparation Committee and a specific list of "authors' alterations".

Fourth of July Parade

Acting Chairman Toomey requested that the press publish plans and information relating to the Fourth of July Parade float competition and that they offer their services for dispensing information on the matter.

One-Day Beer & Wine License - June 6, 1975 - Robert E. Guthrie, Chairman, Sudbury American Cancer Society Fund Raising Drive

Present: Robert E. Guthrie, applicant, Victor Mangini, Burton Mullen; Sergeant Sullivan of the Police Department

The Board, at its meeting on May 5, 1975 received a communication, dated May 5, 1975, from Mr. Robert Guthrie, Chairman of the American Cancer Society Fund Raising Drive for the Town of Sudbury, which requested permission for a Dixie Land/Rock Evening on Friday, June 6, 1975, from 7:30 p.m. - 12:30 a.m., at the Sudbury Skating and Tennis Club. At that time the Board also received a related communication dated May 5, 1975 from the Chief of Police, who indicated his disapproval of the proposal and opposition to the issuance of any permit to hold such an affair for so large a number of people.

At that time, the Board directed the Executive Secretary to schedule the matter on the agenda for its May 12 meeting.

Mr. Guthrie now stated that, following a meeting of those involved in the Sudbury Fund Raising Drive, changes in their original plan had been voted as follows:

to hold an afternoon young peoples' concert from 2:00 p.m. - 4:00 p.m. for approximately 600 - 800 junior and senior high school students (tickets \$2.00), at which soft drinks would be served and to hold an evening Dixie Land/Rock Concert between 8:00 p.m. - 12:30 p.m. for 1,000 people, aged 18 and over, at which beer and soft drinks would be served (tickets \$5.00) -- all funds, minus expenses, to go to the American Cancer Society.

Sergeant Sullivan, on behalf of Police Chief Lombardi, expressed the Chief's opposition to the original plan because of the rock music nature of the concert, involving alcohol, which would especially attract persons 18-24 years old. Sergeant Sullivan stated that, in his opinion, the five police officers which have been requested for paid detail are not sufficient for proper safety coverage.

Sergeant Sullivan presented information received from the Wayland Chief of Police relative to an outdoor rock concert held in Wayland for 2000 people, at which twenty policemen were working and the crowd was unruly and did damage to the building and premises. Sergeant Sullivan recommended that, if the license is approved, a police matron be on duty, with sufficient police protection.

Mr. Mangini stated that the concert would be a family night with the emphasis on the Dixie Land music, which would be presented for periods of forty-five minutes and alternate with fifteen-minute periods of modified rock music.

Selectman Powers asked what controls could be placed on tickets, and Mr. Mangini stated that ID's would be checked, that access in and out would be controlled at one exit, that the audience would be confined to the building, and that additional control would be supplied by forty volunteer parents.

In response to a question, Sergeant Sullivan stated that five patrolmen and a sergeant are assigned to control traffic and security for Town Meetings and that the Town Meeting members are usually fewer in number than the audience of 1500 in this proposal.

Mr. Mangini stated that there will be a mailing to parents, in American Cancer Society envelopes, on the matter as well as releases to the local press which will stress the family aspects of the concert.

Acting Chairman Toomey stated that, as he had discussed the above-referenced changes in the proposal with Chief Lombardi on May 8 and as no new opinion had been expressed to Sergeant Sullivan since that time, it was his suggestion that a sliding scale be used to determine sufficient police coverage, based on the amount of tickets sold and requested recommendations from the Police Department and the Police Chief as to the scale.

Selectman Powers requested that the facility be inspected by the Board of Health to determine necessary sanitary facilities for the size of the expected gathering.

Following further discussion, it was on motion unanimously

VOTED: To grant a One-day Beer & Wine License for Friday, June 6, 1975, from 8:30 p.m. - 12:30 a.m., to be held at the Sudbury Skating and Tennis Club, to Robert E. Guthrie, Chairman, American Cancer Society Fund Raising Drive for Sudbury, with police security to be worked out among members of the Cancer Society Fund Raising Committee, the Board of Selectmen and the Chief of Police.

Special Town Meeting - June 9, 1975

Present: Alfred Cron, Chairman; Phyllis Prager, Mary D'Andrea, Lawrence Ovian, and N. Cornell Gray of the Sudbury School Committee; John O'Neill, Superintendent of the Sudbury Schools; and Town Accountant John Wilson

Members of the Sudbury School Committee met with the Board to request that a Special Town Meeting be called for the purpose of appropriating a supplemental budget for the School Committee to operate the Sudbury schools for the remainder of the year.

Mr. Cron submitted to the Selectmen information indicating appropriations, expenditures, encumbrances, deficits and/or balances on all education accounts as of May 8, 1975. Mr. Cron stated that the School Committee had met with the Finance Committee on that date to advise them of their deficit budget. Mr. Cron stated that the Committee had reduced maintenance costs by shutting off the heat in the schools and had considered closing the schools, but could not because of the State law regulating the length of the school year.

The School Committee stated that the deficit had been caused chiefly by increased fuel costs, special education tuition costs, and a negotiated additional salary step, for which they had budgeted \$6,000, but would actually need \$30,000.

Following further discussion, on the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To call an emergency Special Town Meeting on June 9, 1975, at 8:00 p.m., in the Lincoln-Sudbury Regional High School Auditorium, in accordance with Article II, Section 1 of the Town Bylaws, for the purpose of considering a deficit in the Sudbury School Committee's budget; and it was further

VOTED: To close the warrant for the Special Town Meeting on Monday, May 19, 1975, at 5:00 p.m.

Sudbury Housing Authority - Appointment

Acting Chairman Toomey reported that a notice dated May 1, 1975, had been received from William G. Flynn, Department of Community Affairs, which announced the appointment of Mr. Dallas T. Hayes, 583 Peakham Road, as the State Member of the Sudbury Housing Authority, for a term to expire on July 21, 1979.

Industrial Development Commission - Appointment

In response to the request of the Industrial Development Commission, in a communication dated April 28, 1975, on the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To appoint Mr. Robert Pecaut, 28 Middle Road, to the Industrial Development Commission, for a term to expire April 30, 1980.

June 9, 1975, Special Town Meeting - Warrant Article

The Board received a communication dated May 6, 1975, from the residents of Codjer Lane which enclosed an article for inclusion in the warrant of the next Special Town Meeting, when scheduled.

It was on motion unanimously

VOTED: To accept the Codjer Lane citizens' warrant article relative to amending Article IX of the Bylaws, Section II, C, Industrial District #2, for inclusion in the warrant for the June 9, 1975 Special Town Meeting.

The Board requested that a copy of the article be forwarded to the Planning Board.

Vana Property - Boston Post Road

In response to a request dated May 1, 1975, from the Planning Board, the Board received a communication dated May 9, 1975, from Town Counsel relative to the Vana property on the Boston Post Road. The Board requested that the communication be forwarded to the Planning Board, with a request for their comments, and that a copy be sent to Mr. Vana.

Tax Possession #145: Lots 31 - 32, Great Lake Drive, Block E

At the request of Mr. George Abrahamson, in a communication to Town Counsel dated March 22, 1975, Town Counsel prepared, for the Board's consideration, an easement to the Sudbury Water District, which would allow the piping of water over Town Tax Possession #145 -- Lots 31 and 32 to Mr. Abrahamson's home on Great Lake Drive, which is under construction. Mr. Abrahamson's above-referenced communication also indicated his interest in purchasing Lots 31 and 32 if and when they become available at public auction.

Selectman Powers requested that a report on the background of these particular parcels be obtained, and it was on motion unanimously

VOTED: To table the matter until the Board's regular meeting on May 19 to allow receipt of the requested information.

Licenses - Sudbury Bowladrome, Inc., 136 Boston Post Road

It was on motion unanimously

VOTED: To grant to Sudbury Bowladrome, Inc., 136 Boston Post Road, a license for Public Entertainment on the Lord's Day to operate and maintain six (6) pocket billiard tables for amusement commencing June 1, 1975, and expiring May 23, 1976, from 1:00 p.m. to 11:00 p.m. Sundays, subject to the approval of the Commissioner of Public Safety;

and it was further

VOTED: To approve the license for Sudbury Bowladrome, Inc., 136 Boston Post Road, to operate twenty-four (24) bowling alleys on weekdays from 8:00 a.m. to 12:00 midnight and on Sundays from 1:00 p.m. to 11:00 p.m.; and six (6) pocket billiard tables on weekdays from 8:00 a.m. to 12:00 midnight.

Sudbury Woman's Club - Annual Pie Sale

In response to a request dated May 5, 1975, it was on motion unanimously

VOTED: To grant permission to the Sudbury Woman's Club to use a portion of the green in Sudbury Centre, the exact location to be determined by the Executive Secretary, on July 4, 1975, for their Annual Pie Sale.

Town Accountant - General Conference

Present: John H. Wilson, Town Accountant

Revenue Sharing

Mr. Wilson reported that a year ago the Executive Secretary had directed him to look into Federal Revenue Sharing with a view of determining whether Sudbury is receiving its fair share of funds. Mr. Wilson reported that, in April 1975, the Accounting Department had received results of its earlier report to the U.S. Bureau of the Census which indicated that the Town can anticipate the receipt of \$234,630 for fiscal year 1975-76, an increase, over 1974-75, of \$81,344 -- \$47,222 for the next entitlement period and \$34,122 as an adjustment from prior periods.

1975-76 State Cherry Sheet

Mr. Wilson reported that the State has included on the Cherry Sheet receipts and assessments which result in a total net gain of more than \$300,000 over last year.

In response to Acting Chairman Toomey's question relative to whether the Town will receive all 1974-75 monies estimated by the State, Mr. Wilson stated that more will be known at the end of May but that, in his opinion, receipts not received will be within the minus 5% range.

Mr. Wilson reported to the Board the major assessments that have been made upon the town, indicating that, considering offsets, in his opinion, the Town is in a strong financial position.

Selectman Powers stated that the anticipated increases in state revenue should reflect a possible tax rate decrease. Selectman Powers also pointed to the importance of the town pursuing its 100% re-evaluation case to better Sudbury's position in future state local aid disbursements.

After further discussion, the Executive Secretary and the Town Accountant were directed to provide any assistance possible to the Board of Assessors over the next few months.



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  
Richard E. Thompson  
Executive Secretary/Clerk