

IN BOARD OF SELECTMEN
MONDAY, FEBRUARY 2, 1976

Present: Chairman John E. Taft, 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 Chairman John E. Taft.

Tax Anticipation Notes

The Board received a communication dated January 29, 1976 from the Town Treasurer, notifying them of his award of bids for the Town of Sudbury on \$1,000,000 in Tax Anticipation Notes dated February 5, 1976 and due May 14, 1976, as follows:

Boston Safe Deposit & Trust Co.	3.15%	250M
State Street Bank & Trust Co.	3.25%	250M
Guaranty First Trust Co.	3.36%	100M
Newton-Waltham Bank & Trust Co.	3.40%	250M
Guaranty First Trust Co.	3.48%	150M

Utility Petitions #76-39, Hudson Road, and #76-40, Blandford Drive

Present: Edmund Kelly of Boston Edison Company

In conformity with the requirements of Sections 21 and 22 of Chapter 166 of the General Laws, Chairman Taft convened a hearing on the below-named utility petitions:

UP76-39, Hudson Road - Petition of Boston Edison Company and New England Telephone and Telegraph Company for permission to erect a guy wire and anchor to protect the wires of the line on the following public way:

HUDSON ROAD, southwesterly side, approximately 230 feet southeast of Old Lancaster Road, Guy Wire and Anchor

It was on motion unanimously

VOTED: To approve the above-referenced petition dated December 4, as submitted by Boston Edison Company and New England Telephone and Telegraph Company.

UP76-40, Blandford Drive - It was on motion unanimously

VOTED: To confirm the existence, upon property accepted by the Town as a public way of a Boston Edison and New England Telephone utility pole at the following location:

BLANDFORD DRIVE, southerly side approximately 15 feet east of

Willis Road, --
One (1) pole

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular meeting and the executive session of January 26, 1976, the former as amended.

One-Day Alcoholic Beverage License -- Beer and Wine -- Edwin Nault, St. Anselm's Church, Landham Road

In response to his request dated January 13, 1976, after consideration it was on motion unanimously

VOTED: To grant a one-day alcoholic beverages license for the sale of beer and wine to Edwin Nault, St. Anselm's Church, Landham Road, on Saturday, February 28, 1976, for the purpose of accommodating the Framingham Youth Hockey Boosters Club dance.

Application for Incorporation

The Board received an application, dated January 21, 1976, from Hans Bengtsson, 102 Dutton Road, for incorporation under the name of New England Orienteering Club, Incorporated, to be located in the Town of Sudbury.

After a review of the same, it was on motion unanimously

VOTED: To table further consideration of the application until the Board's meeting on Tuesday, February 17, to allow receipt of information as to whether the address at 102 Dutton Road is to be used for mailing purposes only or the conduct of the activity.

Hearings: Application for Additional Underground Storage of Inflammables; Site Plan Application #76-158, Union Carbide Corporation, Linde Division, 141 Boston Post Road

Present: Arthur C. Morgello; applicant; Mr. Jacobi, Assistant to Regional Manager, and Mr. Pfeiffer, Plant Superintendent of Union Carbide Corporation, Linde Division; Francis E. White, Zoning Enforcement Agent; Judith Cope, representing PRIDE, William Cooper, Chairman, Board of Health, and Edward Kreitsek, representing Buddy Dog Humane Society, abutter

At 8:00 p.m. Chairman Taft, under the provisions of Chapter 148 of the General Laws, convened a hearing on the application of A. C. Morgello, Linde Company, Division of Union Carbide Corporation, 141 Boston Post Road, for a license to store inflammables as follows:

Above ground, 10 55-gallon drums Ethylene Oxide (550 gallons); plus

Underground, 4000 gallons Diesel Oil;

on property located at 141 Boston Post Road, Sudbury.

Chairman Taft reviewed the application and noted that the storage had been approved by the Fire Chief on January 8, 1976.

The Executive Secretary reported that notice of the hearing had been published in a local newspaper January 22, 1976, that all appropriate abutters and Town officials had been notified, and that the following reports had been received: from the Building Inspector, dated January 23, 1976, and from the Fire Chief, dated January 30, 1976, both of whom recommended conditional approval.

Selectman Toomey requested that discussion of the application for additional underground storage and their application for site plan approval, scheduled for 8:15 p.m. this evening, be held simultaneously, and Chairman Taft and Selectman Powers were in agreement.

Chairman Taft reported that accompanying the Selectmen, the Building Inspector, and the applicant at the January 31 on-site inspection in connection with their site plan, were the Fire Chief and representatives of the Planning Board, the Conservation Commission, PRIDE, and the Board of Health.

The Executive Secretary reported that all appropriate abutters and Town officials had been notified of the site plan application and that the following reports had been received: from the Planning Board, dated January 26, which recommended conditional approval; from the Zoning Enforcement Agent, dated January 5, 1976, which recommended approval; from the Board of Health, dated January 22, 1976, and from the Conservation Commission, dated January 14, 1976, which indicated that a portion of the parcel is subject to the Wetland Protection act.

Mr. Morgello stated that the request for the underground storage was for an existing storage tank for which no permit had been obtained.

The site plan was reviewed by those present, and Mr. Morgello explained the use of various areas of the building, the location of the inside and outside storage, and the drainage ditches.

Mr. Jacobi stated that, effective January 1977, regular tests of the water in the drainage ditches will have to be made to comply with the Environmental Protection Agency guidelines.

Mr. Morgello stated that the ditches will be inside the fenced area and will be maintained by the Linde Co.

Selectman Powers reported that ground deposits of calcium exist behind the plant, extending to a point south of the railroad tracks.

Mr. Jacobi reported that this had occurred long ago and that the deposits had become almost completely carbonated from air and water.

Mr. Morgello stated that Linde will relocate the controversial utility pole under discussion at the recent hearing for the abutting Buddy Dog Humane Society site and that the wiring will go underground from that point to join the existing underground service.

Mrs. Cope, representing PRIDE, stated that that organization would make certain recommendations to Union Carbide for landscaping.

Selectman Toomey noted that the original site plan indicated many more trees than are shown on the site plan under consideration or exist at the actual site, and several people commented that many of those originally planted had died.

Mr. Morgello stated that he would increase the number of trees that are presently indicated on the plan.

Mr. Kreitsek reported the plans for landscaping between the Linde and the Buddy Dog sites.

Mr. Morgello stated that the entire plant would be encompassed by fencing and that a sliding gate would be used across the driveway.

Selectman Toomey stated that there is nothing on the existing site plan to indicate that a portion of the underground storage, a fourth lime storage tank, a building addition, and a parking lot, all of which exist, were to have been constructed.

The Zoning Enforcement Agent stated that when he had become aware that a parking lot was being constructed, he had stopped further construction, but that he had been unaware of the storage tank, as well as the fourth lime tank.

The Planning Board's January 26 letter was discussed and provisions noted.

Dr. Cooper suggested that the discharges from the plant be noted on the plan, and after further discussion, it was agreed that the following items should be indicated on the plan:

- 1) underground power line and pole;
- 2) fence located outside the east and west ditches;
- 3) screening trees on the west and north side of the property;
- 4) delete the future office building, as being too far in the future;
- 5) the direction of the flood lights;
- 6) note that slurry line pipe to pond will be removed;
- 7) areas of discharge;
- 8) ethylene oxide pad, shed cover, and guard posts; and
- 9) underground storage locations.

It was on motion unanimously

VOTED: To continue consideration of Union Carbide Corp., Linde Division's, applications for underground storage and site plan approval until 9:00 p.m. on February 9.

Hearing: Application for License to Store Inflammables--Carol Nagel, Lot #120,
Chanticleer Road

Present: Bruce Quirk, representing the applicant

In accordance with the provisions of Chapter 148 of the General Laws, Chairman Taft convened a public hearing on the application of Carol Nagel, 2503 Village Road West, Norwood, for a license to store inflammables, for home heating purposes, as follows: Underground, 2000 gallons #2 fuel oil on property known as Lot #120 Chanticleer Road, Sudbury.

The Executive Secretary reported that the hearing had been advertised in a local newspaper on January 20, 1976, that the appropriate abutters and Town officials had been notified, and that affirmative reports had been received from the Fire Chief and the Building Inspector, dated January 26 and January 23, 1976, respectively.

After discussion, it was on motion unanimously

VOTED: To approve the application of Carol Nagel for underground storage of heating fuel for home consumption at Lot #120 in Bowker Land Grant, with the conditions that the fuel not be for sale to the public and is not to be used for the fueling of motor vehicles.

Wayland/Sudbury Septage Disposal Agreement

Present: William Cooper, Chairman, Board of Health

Town Counsel, referring to his communication dated January 23, 1976, stated that he had reviewed and approved the final Septage Disposal Agreement as to form and recommended that the Board sign the same.

Selectman Powers reported that in telephone conversation with Thomas Linden of the Wayland Board of Selectmen, Mr. Linden had stated that he had just received a copy of the Wayland/Sudbury Septage Disposal agreement and requested that the Sudbury Board's acceptance of the same be deferred until next week.

After discussion, the Selectmen agreed that they were ready, willing, and able to sign the present agreement, but, in response to Mr. Linden's request, it was on motion by Selectman Toomey unanimously

VOTED: To defer, for one week, the signing of the Septage Disposal Agreement between the Towns of Wayland and Sudbury, as requested by Mr. Linden of the Wayland Board of Selectmen.

1975 Annual Town Report and Town Meeting Proceedings - Award Bid

Present: Linda Buxbaum, Nancy Schwartzman, and Nancy Hansen of the Town Report Preparation Committee

The Executive Secretary stated that the Board at their January 26 meeting had voted to defer awarding the bid for the 1975 Annual Town Report and Town Meeting Proceedings until receipt of a recommendation on the same from the Town Report Preparation Committee and a joint meeting with that Committee on February 2.

The Executive Secretary stated that the recommendation dated January 28, 1976, had since been received and that it was his recommendation and that of the Committee that the award for printing the 1975 Annual Town Report be made to Central Middlesex Printers, Inc., of Lowell, and that the award for the printing of the Town Meeting Proceedings be made to Goodway Graphics of Burlington, both of whom were low bidders.

In response to the Board's questions, the Committee estimated that the Proceedings would be 160 pages long and that the Town Report, excluding the abstract of the Town Meeting Proceedings would be 95 pages long.

Referring to the Committee's abstract of the Proceedings which was intended for the Annual Town Report, Selectman Powers stated that, as the Committee had not included the wording of the article, the motion as voted, and the Finance Committee's recommendation for each article, the Committee had not included all the material which had been promised at Town Meeting. Selectman Powers particularly noted the absence of the complete budget and the Personnel Board's Classification and Salary Plan and Benefits, and he cited, in his opinion, several other errors and omissions.

Chairman Taft suggested that the Committee work with the Town Clerk in compiling all the necessary material for the Town Report.

Selectman Toomey asked the Committee whether or not they were of the opinion that they could do the job they told the Town they could do, and whether, in their opinion, the proposal and presentation at Town Meeting could be accomplished within their budget.

Mrs. Buxbaum stated that with policy direction from the Board, in her opinion, the answer would be yes.

Selectman Toomey stated that a proposal was made at Town Meeting and a vote taken on the matter, and that, in his opinion, it was incumbent upon the Committee to do the job within the budget and page allocation.

Mrs. Buxbaum stated that she was in agreement.

Selectman Powers stated that, in his opinion, there had been inaccurate reporting by the Committee on some articles and that it was his belief that the voters of the Town should receive a verbatim vote of the Town rather than the Committee's impression of that vote.

After further discussion, it was on motion by Selectman Toomey

VOTED: To accept the bid of Central Middlesex Printers, Inc., Lowell, low bidder on the "Town Report" for \$18.77 per page, based on saddle-stitched binding, as quoted in their letter dated January 14, 1976, and the bid of Goodway Graphics, Burlington, low bidder on the "Proceedings", for \$5.47 per page, sidewire bound, as quoted in their letter of January 14, 1976.

Chairman Taft and Selectman Toomey voted in favor; Selectmen Powers voted in opposition, stating that it was clear from the figures which the Town Report Preparation Committee has given the Board that they could not stay within the number of pages upon which the bids were based or the limits of the available money if they comply with their statements on the floor of Town Meeting, as recorded in the Proceedings, that the Town Meeting votes and the Finance Committee reports would be included in the Town Report.

Chairman Taft stated that he had been, for a number of years, interested in having a shortened Annual Town Report and that he would like to see this year's format work, and he offered his services to the Committee to work with them for the Report's success.

Ambulance Service/Data Processing Articles - 1976 Annual Town Meeting

The Executive Secretary reported that at a recent meeting of the Ambulance Task Force, it had been agreed that a charge for ambulance service should be made. Mr. Thompson reported that the Committee had reviewed its position on providing town Emergency Ambulance Service without reaching any consensus, except to charge for calls, as previously stated.

Mr. Thompson further reported that the Committee intended to again meet before the Finance Committee meeting on February 12 and that he would provide the Board with the additional information on the subject of the ambulance service.

On the subject of data processing and for the information of the Board, the Executive Secretary noted that the matter was scheduled for their agenda for February 9.

Collective Bargaining

The Executive Secretary reported that he had informed the Selectmen that an agreement had been reached with the Firefighters' union; that, essentially, the agreement provides for an additional \$900 across-the-board increase, a ½% increase in longevity, and Martin Luther King Day, with base pay and longevity retroactive to July 1, 1975, and overtime retroactive to January 26, 1976--the new contract to be dated January 26, 1976.

Mr. Thompson stated that he would discuss the matter of funds to handle this agreement with the Board at a later time.

Reserve Fund Transfer Request - Fire Department Overtime

Present: Fire Chief Josiah F. Frost

The Fire Chief met with the Board to discuss his Reserve Fund transfer request to Account #310-12, Overtime.

The Fire Chief's two letters of January 8, 1976, and letter of January 14, 1976 were reviewed.

The Fire Chief stated that he had recently received a doctor's report which stated that Captain Dunne could return to his "full" regular tour of duty and that it would no longer be necessary to hire a man to cover at night.

After discussion, it was agreed to request that the Fire Chief provide further information, as follows:

- 1) Recalculate the money needed for Captain Dunne's coverage;
- 2) A different method for handling other sick time;
- 3) Actual rather than estimated vacation time due; and
- 4) EMT coverage.

On the subject of the cost of overtime for firefighters and captains versus the cost of new hire, Chairman Taft stated that the Fire Chief's report dated January 12, 1976, had been reviewed by the Board, and he requested that the Fire Chief look at the possibility of hiring one or two men rather than the four he based his report on.

Presidential Primary - March 2, 1976

At the request of the Town Clerk in a communication dated January 28, 1976, it was on motion unanimously

VOTED: To set the time and place of the polls for the Presidential Primary for March 2, 1976, between the hours of 7:00 a.m. and 8:00 p.m., with all four precincts voting in the Noyes School Gym.

License - Automatic Amusement Device

It was on motion unanimously

VOTED: To grant a license to The American Legion, Post 191, Inc., Cletus A. Terwiske, President, to operate one (1) automatic amusement device (coin-operated bowling machine) on the premises located at 676 Boston Post Road between the hours of 11:00 a.m. to 12:00 midnight on weekdays only, said license to expire December 31, 1976.

Dissolution of Inactive Committees - Municipal Facilities Committee and Sign Bylaw Revision Committee

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

VOTED: To dissolve the Municipal Facilities Committee and the Sign Bylaw Revision Committee, especially appointed by the Board of Selectmen, both Committees having completed the jobs for which they were created.

Selectmen's Annual Report

The report for the Board of Selectmen, as prepared by Chairman Taft, was reviewed and approved by the Board, with minor amendments.

Town Counsel's Annual Report

Town Counsel's Annual report was reviewed and approved by the Board with minor amendment and the attachment of the Haskins and Sells' investigative report.

Change in Meeting Date

It was on motion by Selectman Toomey unanimously

VOTED: To change the Board's regular meeting date from Monday, February 16, to Tuesday, February 17, because of the national holiday.

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

VOTED: To adjourn the meeting at 11:10 p.m.

Attest:



Richard E. Thompson
Executive Secretary-Clerk