

IN BOARD OF SELECTMEN
MONDAY, JUNE 14, 1976

Present: Chairman William F. Toomey, John C. Powers, and Ira M. Potell

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

Sudbury School Committee - Request for Election to Fill Vacancy

Present: Cornell Gray, member, Sudbury School Committee

The Executive Secretary reported that the Board had received a communication dated June 7, 1976 from Superintendent O'Neill, requesting that the Sudbury School Committee meet with the Selectmen, as soon as possible, to elect a new member to the Committee to fill the vacancy created by the resignation of Alfred Cron.

The Executive Secretary summarized the process under General Laws by which a new member would be elected by the two boards.

Mr. Thompson further reported that the Board had also received a communication dated June 11, 1976 from Mary Jane Hillery, who requested that the Board consider her as a nominee for the post.

The Executive Secretary asked for the Board's direction as to whether he should arrange for additional interested candidates, their resumes, and interviews.

The Board directed him to so proceed.

Following discussion, it was agreed to tentatively arrange a joint meeting for 7:30 p.m., Wednesday, June 23, 1976, a time which was confirmed by Mr. Gray later in the evening.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the meeting and executive session of June 7, 1976, the former, as corrected.

Goodnow Library Trustees - Library Funds

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

VOTED: To grant the request of the Town Treasurer, as Co-Trustee of the Goodnow Library Trust Fund, for authorization to increase the investment of the interest from said Trust Fund from \$5,000 to \$5,500, in accordance with the vote of the Board on March 22, 1976.

Peakham Road/Old Lancaster Road Intersection

The Executive Secretary reported that the Board, at its May 24, 1976 meeting, had requested that the Board forward the March 23, 1976 report from the Safety Officer and the May 10, 1976 report from the Town Engineer, on the subject of the hazardous Peakham Road/Old Lancaster Road intersection, to the Police Chief for his recommendation relative to four-way stop signs and a clarification of the accident figures for this intersection.

The Executive Secretary reported that the Board had received a memorandum dated June 9, 1976 from the Police Chief, stating that the DPW would not approve a four-way stop at an intersection and confirming the accident figure.

Selectman Potell stated that the Board had also discussed at its earlier meeting the Town Engineer's suggestion set forth in his above-mentioned report that he begin the necessary preliminary field survey work required to prepare plans for a final solution to this problem and that the Board, at that time, requested that the Town Engineer not proceed with work in this regard until a cost estimate for developing a detailed engineering study is received from the Town Engineer and the Board's authorization given.

After further discussion, the Board directed the Executive Secretary to request the Town Engineer to meet with the Board for discussion of such an estimate before any further action is taken.

Wayside Inn Reception - Phyllis A. Sampson

Chairman Toomey announced a farewell reception for Mrs. Phyllis A. Sampson, Administrative Secretary to the Board of Selectmen, which will be held on Saturday, June 19, 1976, at the Wayside Inn from 2 p.m. until 5 p.m.

Chairman Toomey commented that Mrs. Sampson, who was leaving Sudbury for California, had been a faithful and dedicated employee of the Town for more than sixteen years.

Selectman Powers added that, prior to Mrs. Sampson's joining the Town Hall staff, she had served as the first editor of the "Sudbury Citizen".

Chairman Toomey requested that the press insert notices of the forthcoming reception in their respective newspapers so that all who wish to say goodbye to Mrs. Sampson and her family would have an opportunity to do so.

Town of Wayland - Bicentennial Home Days - June 17-20

The Executive Secretary reported receipt of an invitation dated June 12, 1976 from the Town of Wayland and its Bicentennial Committee for the Board's participation in Wayland's Bicentennial Home Days, June 17-20. The invitation included a schedule of events for those days, copies of which had been earlier distributed to the Board.

Election Teller - Request for Hearing

Chairman Toomey reported that the Board had received a communication dated June 9, 1976 from D. Barry Hill, attorney for Forrest Bradshaw, an Election Teller, who requested a hearing with the Board, after July 1, to discuss Town Counsel's opinion dated May 13, 1976, which upheld the Town Clerk's position relative to eligibility of election tellers to serve in elections in accordance with local tradition.

Selectman Powers respectfully suggested that the Board has no jurisdiction in this matter, as the decision was made by Town Clerk, an elected official over whom the Selectmen have no authority.

Chairman Toomey stated that, in his opinion, the Selectmen, as the appointing authority of the election tellers, could hold such a hearing.

Selectman Powers stated that, in his opinion, while the Board makes the appointment, it has no jurisdiction after the appointment is made, and he again expressed his opinion that this matter did not concern the Selectmen.

Selectman Potell expressed his agreement with the positions of his fellow Selectmen, but was of the opinion that the Board is the one authority to whom people can come to air their differences. Selectman Potell stated that, as the letter indicates that the hearing is requested for a discussion of Town Counsel's opinion, it was his belief that the opinion should be discussed.

Selectman Powers requested that, if the matter were to be scheduled on the agenda, inquiry be made of Mr. Bradshaw's counsel as to his opinion of how the matter was properly before the Board and what relief the Board could give in this matter.

The Board was in agreement, Chairman Toomey again expressed his belief that the request should, especially in that Mr. Bradshaw is a past Selectman and Town official of long standing, be granted, and he stated that the matter would be scheduled after July 1 at a regular meeting on the Board's summer schedule and in accordance with the dates suggested by Mr. Bradshaw's attorney.

Sign Review Board - Community Message Board

Present: Burton Mullen, Chairman, Leon Zola, and Dorothy Emmons of the Sign Review Board

The Board met in joint session with members of the Sign Review Board in response to that Board's request dated June 7, 1976 for discussion relative to the functions of the Sign Review Board.

Chairman Toomey opened the meeting by commending the Sign Review Board for their dedication and fine work, and he stated that he wished to correct a wrong impression that tonight's meeting was the result of the Selectmen's unhappiness concerning the P.R.I.D.E. sign at the Police Station on the Post Road. Chairman Toomey stated that, in his opinion, the Board had been unfairly quoted in the press on the subject.

Chairman Toomey stated that, in his opinion, a community message board was necessary, and he asked what vehicle could be used through which the Town organizations could advertise their activities that would be in accordance with the Town bylaws and acceptable to the various organizations.

Selectman Powers commented that the problem with the sign at the Police Station was that no request had been made for permission to the owner of the property and that, as the Selectmen have jurisdiction over that piece of Town-owned property, such a request should have been made of the Board.

Mr. Mullen stated that it was his understanding that the Sign Review Board could grant permits other than those allowed in the Bylaws.

Mr. Zola suggested that it had been a question of judgment of the property and, in his opinion, granting the permission was his sole responsibility, as he had been Chairman at that time. Mr. Zola stated that he had made his decision after speaking with many different involved parties. Mr. Zola further stated that as the Sign Review Board is presently organized great latitude is given to applicants, and he expressed his opinion that it was important that everything be clearly understood so that there would not be a recurrence.

Chairman Toomey again expressed the Town's need for having various public functions advertised, and he suggested that this need be discussed and resolved.

Selectman Powers suggested that, in the case of Town-owned property, the Executive Secretary be called to determine under whose jurisdiction it would fall.

Mrs. Emmons suggested that the items agreed upon be included in the Sign Review Board's rules and regulations for the benefit of new members.

Selectman Powers stated that a sign would be necessary and he suggested that the Bicentennial Information Center sign, which was no longer needed, might be used.

Discussion followed relative to the limitations and use of the sign, and the Board requested that the Sign Review Board reserve some dates for Town Meetings.

Chairman Toomey asked that, if the Bicentennial sign could not be used, the Sign Review Board present a cost estimate for what was decided upon and that the Selectmen would help them find the necessary funds.

After further discussion, during which it was agreed that the sign's location would be at the Police Station and that specifics concerning its use and control would be drawn up by the Sign Review Board, it was on motion unanimously

VOTED: To request the Executive Secretary to draw up an appropriate application from the Selectmen to the Sign Review Board to acquire a community message board for placement on the lawn of the Police Station.

Release of Tennessee Gas Bond

The Executive Secretary reported that, relative to Town Counsel's June 3, 1976 recommendation that the Tennessee Gas Pipeline Road Crossing Bond be released, the Board had requested, at its meeting on June 7, 1976, that he (Mr. Thompson) coordinate a possible claim against the bond for corrective work indicated in a communication dated May 28, 1976 from the Highway Surveyor. Mr. Thompson reported that in the interim he had obtained figures for the new construction and drainage for that portion pertaining to the Tennessee Gas Bond in the approximate amount of \$500, but that it was the opinion of Town Counsel and the Town Engineer that it would not be in the best interests of the Town, as the drainage was going to be moved.

Mr. Thompson stated that he had today spoken with the Highway Surveyor on the matter and that he had again stated that he wished to have his dissatisfaction with the Elsbeth Road crossing recorded if the bond were to be released.

Mr. Thompson stated that it was his recommendation that the bond be released.

Town Counsel expressed his agreement with the recommendation of the Executive Secretary.

After further discussion, it was on motion unanimously

VOTED: In accordance with the recommendation of Town Counsel, in his communication dated June 3, 1976, to release Aetna Life and Casualty Bond #62 S 19215 BCA (Tennessee Gas Pipeline Company - Road Crossing Bond) in the amount of \$19,500. It is noted that the Highway Surveyor records his dissatisfaction with the quality of the work performed, as being inadequate, and to so advise the Tennessee Gas Company.

Site Plan Application #76-165, Granco Realty Trust, 60 Union Avenue

The Board, at its June 7, 1976 meeting, following review of the site plan of Granco Realty Trust, 60 Union Avenue, for an additional building to be located at 64 Union Avenue, requested that the Executive Secretary draw up an appropriate motion for the Board's action on June 14 relative to their approval of the same.

After consideration and discussion, it was on motion unanimously

VOTED: To approve the site plan application #76-165 of Granco Realty Trust, 60 Union Avenue, for an additional building to be located at 64 Union Avenue, as shown on plan sheets 1 and 2, with sheet 2 dated May 6, 1976, drawn by Theodore E. VanLingen, subject to the following conditions:

1. A Wetlands Protection Act hearing with the Conservation Commission, if necessary;
2. Compliance with Items 1 (original plan), 2, and 4 of the Planning Board letter, dated June 3, 1976, which letter is attached hereto and incorporated herein by reference;
3. Compliance with the Board of Health letter, dated May 28, 1976, which letter is attached hereto and incorporated herein by reference.

It was further understood and agreed, with the concurrence of Mr. Grande, acting for said Trust, and Mr. Noyes, Highway Surveyor, that the authorization and approval in this vote is conditional and contingent upon the necessary arrangements being made between the Highway Surveyor and said Trust to eliminate the water problem at the southwest corner of the Grande property with the installation of a catch basin and associated piping, and immediately after the completion of said construction, the landscaping of the same area in question in compliance with the site plan, and said necessary arrangements to include grants by Granco Realty Trust of any and all easements or rights on land necessary to the installation of such drainage work.

Senior Citizens Club - Council on Aging

Present: Senior Citizens Club and Council on Aging members, Florence Burr, George Seale, Esther Rose, Paul Leahy, Donald Willard, Elinor Bentley, Ralph Barton, and others

Members of the Senior Citizens Club and the Council on Aging met with the Board for discussion relative to the use of budget funds as requested in a communication dated June 9, 1976 from the Senior Citizens Club.

Mrs. Burr, referring to the above-referenced communication, stated that she had come to no agreement with Colonel Leahy following his May 9, 1976 letter advising her that, as Chairman of the Council on Aging, he would not sign any future vouchers for the expenditure of funds from the Senior Citizens Club's appropriation, as, in his opinion, the use of these monies was not shared by all elderly residents of the Town because their periodic bus trips were not advertised or made available to all those eligible.

Mrs. Burr stated that the Club advertised their trips in "Bentley's Calendar" and that everyone who has asked to go on the bus trips had been accommodated. Mrs. Burr stated that they did not additionally advertise because their budget did not allow for more people than a single bus could hold.

Colonel Leahy stated that he regretted that the matter had come before the Board. Colonel Leahy reported that he had been advised a year and a half ago, the Senior Citizen travel account had been put under the Council on Aging's administration and that he had been further advised that these monies were to be used for all senior citizens and not solely for a private club. Colonel Leahy stated that since this fund has been placed under the aegis of the Council on Aging, he had tried to make the money available to all senior citizens, but had been unable to reach agreement with the Senior Citizens Club. Colonel Leahy further stated that six months ago, the Council had asked that the Club be represented at their meetings and that since that time Mrs. Burr had been attending regularly. Colonel Leahy stated that, in his opinion, the opportunity for travel should be given to all senior citizens and further, that if he were to certify these vouchers, the mandate of the Town would not be carried out. Colonel Leahy asked for direction from the Board on the matter.

The Executive Secretary reported, with regard to the question of the vouchers, that there is a certain procedure which must be followed, that in this instance the Senior Citizens Club has no authority to sign them, and that they must be signed by a majority of the Council.

Chairman Toomey added that the Town Accountant would only approve vouchers signed by the Council on Aging.

Mrs. Patricia Siff, an observer, suggested that the appropriation for Senior Citizens travel might be increased so that the trips might be made available to more people.

After further discussion, it was noted that Selectman Powers was liaison to the Council on Aging and, at Chairman Toomey's suggestion, Selectman Powers offered to meet with the Council on Aging and representatives of the Senior Citizens Club to draft procedural guidelines.

Selectman Powers asked Colonel Leahy to schedule a meeting for this purpose before June 24, 1976, if possible.

Appointments

After discussion, it was on motion unanimously

VOTED: To defer consideration of appointments to the Council on Aging and the appointment of the MBTA representative until receipt of additional information;

and it was further

VOTED: To make the following appointments:

Maurice J. Fitzgerald to the Board of Registrars for a term to expire on April 30, 1979, in accordance with Chapter 543, Resolves of 1975 (amended Chapter 51);

Alan P. Carpenter to the Personnel Board for a term to expire on April 30, 1979.

HUD Application - Housing Rehabilitation

Present: Emmanuel Tiliakos

The Executive Secretary reported that the Board, at its May 10, 1976 meeting, had voted to authorize the Executive Secretary to proceed with a full application to the Department of Housing and Urban Development (HUD) for funds in the amount of \$30,000 for use in housing rehabilitation in accordance with that Department's communication to the Board dated April 29, 1976.

The Executive Secretary stated that the application must be accompanied by a Housing Assistance Plan and that a public hearing on the matter, as required by HUD, would be held by the Planning Board on Monday, June 28.

Mr. Thompson stated that he had scheduled a discussion of the subject at the Board's regular meeting on June 21 in advance of the Planning Board hearing, in order to receive the Selectmen's comments and recommendations.

Mr. Thompson reported that Mrs. Mack of the Sudbury Housing Authority had requested that they review the entire application in advance of the hearing.

Selectman Potell asked how the Town might be obligated if it is chosen to receive the \$30,000 and whether a special attorney might be needed for its administration.

The Executive Secretary responded that, in his opinion, it could be handled by the present staff, that he had discussed the matter with Mr. Tiliakos, the Town Planner, and that they had agreed the program would be administered by the Planning Board.

Mr. Tiliakos reported that, in his opinion, he was not certain that the Planning Board would accept responsibility for administering the program, but that they do agree that the program will not require extensive administration and that it would not involve any further staffing obligations on the part of the Town.

Chairman Toomey commented that, if the money were given to Sudbury and a problem arose which could be resolved, the funds could be refused.

After further discussion, it was on motion unanimously

VOTED: To authorize the Executive Secretary to file a full application to the Department of Housing and Urban Development (HUD) and appropriate State and areawide clearing houses (A-95 Review) for funds in connection with the Special Revenue Sharing Discretionary Fund Grant Program in the amount of \$30,000 relating to housing rehabilitation, in accordance with HUD's communication dated April 29, 1976; and the Executive Secretary is further authorized to sign all appropriate forms and certifications related thereto.

Flag Day Presentation - Noyes School

Selectman Powers reported on the excellent presentation by the Noyes School this morning in observance of Flag Day, and he requested all Town departments and citizens to display their flags between now and July 5, in accordance with the resolution recently passed by the Board.

Town Counsel - Litigation

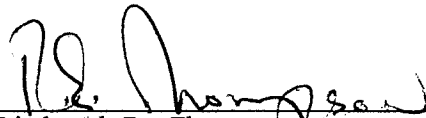
Town Counsel reported that a law suit had recently been initiated by a citizen claiming injury caused by a defective public way and that his office is proceeding on this matter.

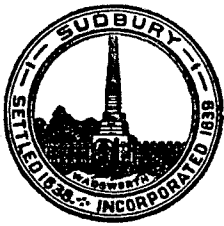
Town Counsel also reported that eleven cases against the Town had recently been disposed of in Middlesex Superior Court and that he would soon submit a report relating to the same.

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

VOTED: To adjourn the meeting at 9:50 p.m.

Attest:


Richard E. Thompson
Executive Secretary/Clerk



TOWN OF SUDBURY

Planning Board

Sudbury, Mass.
01776

June 3, 1976

Board of Selectmen
Town Hall
Sudbury, Mass. 01776

RE: GRANCO-REALTY SITE PLAN

Gentlemen:

At our meeting of May 24th, Steve Grande appeared before the Planning Board for review of this site plan. As a result of that discussion the Board voted unanimously to recommend the following four items to the Board of Selectmen:

1. That curbing be placed in front of parking spaces 1-10 on the new lot to prevent cars from parking against the proposed building.
2. That the driveways from the old section be connected to that proposed in the new section to facilitate traffic flow.
3. That a timetable be established for completion of the old section as well as the new.
4. That runoff from the roof of the proposed building be piped under the parking area.

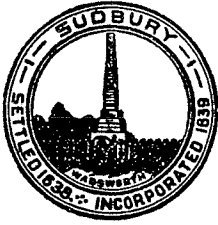
Mr. Grande also asked that the Town install a catch basin on Union Avenue in front of his property so as to eliminate the hole that currently exists.

Sincerely,

Robert E. Cooper
Chairman

pbb

cc: Fran White



443-8891

TOWN OF SUDBURY

Office of Board of Health

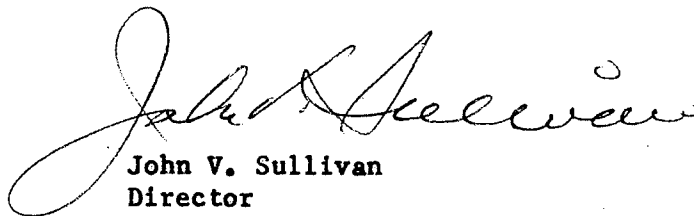
Sudbury, Mass., 01776

May 28, 1976

To: Selectmen
From: John V. Sullivan, Board of Health
Subject: Plan Application #76-165, Granco Realty Trust, 60 Union Avenue,
Property Located at 64 Union Avenue

The Board of Health reviewed the above site plan and recommends approval with the following provision:

An engineering plan for a subsurface sewage disposal facility shall be submitted to the Board of Health, before a disposal works construction permit may be issued.


John V. Sullivan
Director

JVS/mac