

IN BOARD OF SELECTMEN  
MONDAY, MARCH 8, 1976

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

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

Wayland-Sudbury Septage Disposal Agreement

Present: William Cooper of the Wayland-Sudbury Septage Disposal Planning Committee

The Executive Secretary reported that the Board had received a copy of correspondence, dated March 5, 1976, from the Executive Secretary for the Town of Wayland to the Wayland Road Commissioners, announcing that the Wayland Board of Selectmen and Finance Committee had, on March 3 and 4, respectively, voted to approve and sign the Wayland-Sudbury Septage Disposal Agreement.

Selectman Powers reported that the Wayland Road Commissioners expect to sign the Agreement at their meeting on Wednesday, March 10, 1976.

It was agreed that, following the signing of the agreement by the Wayland Road Commissioners, the Agreement would be reviewed by the Executive Secretary, Town Counsel, and/or Assistant to Town Counsel, prior to its being signed by the Board.

After further discussion, it was on motion unanimously

VOTED: To call a special meeting for Friday, March 12, at 8:30 a.m. in the Loring Parsonage for the purpose of signing the Wayland-Sudbury Septage Disposal Agreement, as approved by Town Counsel.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular meeting and the executive session of March 1, 1976, both as corrected.

Reserve Fund Transfer Request - Funding for the Growth Policy Committee

The Board, at its March 1, 1976 meeting, requested a detailed budget from Mr. Richard Brooks, Chairman of the Growth Policy Committee, showing their anticipated expenses through June 30, 1976 in connection with their reserve fund transfer request of \$750.

In reviewing the anticipated budget, Selectman Powers questioned the inclusion of registration fees, which had not been discussed at the March 1 meeting, as to whether this request was intended for past or future symposiums concerning the Growth Policy Act.

Selectman Toomey requested that the transfer request cite the specific chapter and section of the General Laws which spells out what documents must be printed and distributed to the towns' public, as well as the requirements for public hearing, which would necessitate legal ads. Selectman Powers further requested additional breakdown as to the contents of the printed matter and how many copies were proposed.

It was agreed that further breakdown of expenses should be presented by Mr. Brooks at the Finance Committee meeting at which the transfer would be discussed and that a copy of the Growth Policy Act would accompany the transfer request.

Following further discussion, it was on motion unanimously

VOTED: To submit a request for a transfer (#0663) in the amount of \$750.00 from the Reserve Fund to Account 501-81, Surveys and Studies, to supply funds for the recently appointed Growth Policy Committee through June 30, 1976, for clerical, advertising, printing, and registration expenses.

#### Emergency Medical Technicians (EMT) Training

In response to the Board's earlier request, the Selectmen received a letter, dated March 3, 1976, from the Executive Secretary on the subject of estimated Town costs for Emergency Medical Technicians (EMT) training.

Mr. Thompson reported that his letter included all expenses in connection with the EMT training and that the difference in the training costs is accounted for by the lack of a uniform policy of reimbursement costs.

Selectman Toomey reported that costs for this training had been discussed at the recent Executive Board meeting of the Massachusetts League of Cities and Towns, and he requested the Executive Secretary to further break down the costs and to submit them to Kennedy Shaw of that organization.

#### 1976 Annual Town Meeting - Article 8, Water District Well Site

Present: Sudbury Water Commissioners Milton Bartlett and George Mercury

Chairman Taft reported that, at the request of the Sudbury Water Commissioners, the Selectmen had included an article in the warrant for the 1976 Annual Town Meeting to convey the Raymond well site to the Sudbury Water District.

Mr. Bartlett submitted a plan showing the proposed well site, which encompasses a portion of the Penn Central Railroad right-of-way, and indicated that the Water District plans its access road within Penn Central's right-of-way. Mr. Bartlett reported that the Water District has forwarded copies of all material and a request for authorization for use of their land to the office of the Penn Central bankruptcy trustees in this regard.

In discussion of the article, the Selectmen requested that the radius figure of 425 feet be reduced to 400 feet, the figure which was earlier discussed and was included in the Board's article report. The Water Commissioners agreed, and it was further agreed that, if possible, the map referenced in the article would be redrawn to reflect this radius reduction and that these changes would be made at Town Meeting.

After further discussion, it was on motion by Selectman Toomey unanimously

VOTED: To support the Water Commissioner's request that Article 8 - Raymond Road Well Site, as revised, be included in the warrant for the 1976 Annual Town Meeting.

This article allows the Board of Selectmen to negotiate with the Water District to deed another portion of the so-called Raymond Land to the District for a new well site shown on the map, to be corrected to reflect the above-referenced reduced radius figure, accompanying this article. Also, the Selectmen have been informed by the Water District that this proposed site has been approved by the State Department of Public Health as a public water supply, provided the District acquires the land within 400' of the proposed well.

#### 1975 Annual Town Report

Present: Nancy Schwartzman, Co-Chairman, and Linda Buxbaum of the Town Report Preparation Committee

Chairman Taft announced that the new Town Report had been received from the printers, that it was a good looking publication, and that it was within the limitations placed on it by the 1975 Annual Town Meeting and the December 15 Special Town Meeting. Chairman Taft congratulated the members of the Committee for their fine job.

Mrs. Schwartzman reported that the total cost of the report, including the Proceedings was \$3,005, or \$500 less than the Town Meeting appropriation. Mrs. Schwartzman expressed the Committee's debt of gratitude to Nancy Hansen, who worked on the Report until its completion, and has since moved to Seattle.

Mrs. Buxbaum expressed her hope that the Selectmen were pleased with the 1975 Town Report, and, if so, would so inform the Annual Town Meeting.

Selectman Toomey congratulated the Committee on their Report and in the manner in which it was prepared, and he commented that the Town will now be able to make its choice as to the Report's future format.

Selectman Powers stated that his comments on the Report will be made on the floor of the Annual Town Meeting.

#### 1976 Annual Town Meeting - Article 28, Drawings/Specifications for Drainage Systems

The Executive Secretary reported that the Board had earlier met with the Highway Commission relative to an orderly transition between the Highway Commission and either an elected or appointed highway superintendent, and in this connection, the Town Engineer had been requested to report on Article 28-Drawings/Specifications for Drainage Systems, which had been submitted by the Highway Commission. Mr. Thompson reported that the Town Engineer's report, dated March 2, 1976, had since been received.

The Board reviewed Mr. Merloni's report, who indicated that the proposal could be handled by the Engineering Department at an estimated cost for engineering drawings and specifications of \$10,000, as opposed to the \$25,000 request in the article to have the work done by an outside engineering firm.

Selectman Toomey suggested that the Board accept the Town Engineer's March 2 report and ask him to be prepared to speak on Article 28 at the Annual Town Meeting.

The Executive Secretary recommended that the Board, based upon the Town Engineer's report, support the article.

Selectman Powers expressed his opinion that the Board needs more input before their position is established, suggesting that the Board wait until it is determined whether a Highway Surveyor will be elected or a Superintendent of Streets appointed by the Selectmen.

Selectman Powers requested that a copy of Mr. Merloni's March 2 report be forwarded to the uncontested candidate for Highway Surveyor.

The Board was in agreement and further agreed that a copy should be sent to the Highway Commission.

Sudbury Historical Society - Request for Use of Town Seal

Present: Betsey M. Powers, Town Clerk

The Board, on February 23, 1976, met with Forrest D. Bradshaw, Trustee, Sudbury Historical Society, relative to his February 17 letter requesting the use of the Town Seal on the cover of the Society's forthcoming publication, which is to be an index of Hudson's History of Sudbury.

The Board, at that time, asked that the request be resubmitted along with a statement that the request was an official action of the Trustees, following their vote on the matter. Chairman Taft had also requested that a more complete description or a copy of the proposed index be submitted.

The Board now reviewed the second communication, dated March 2, 1976, from the Trustees, and it was their opinion that it did not indicate that the request followed a vote of the Trustees. Chairman Taft again stated that he would like to see a copy of the proposed index.

Selectman Powers reported that when the original History of Sudbury was printed, it was printed by the Town, and it carried a motif on its cover. Selectman Powers cited the vote of the 1890 Town Meeting which adopted, as the Town Seal, the "cut" used on the cover of the Town's publication of its history, and established that the seal should be used on Town warrants, printed reports, and other appropriate papers.

Selectman Powers cited G.L.c40, §47, passed in 1898-9, relating to establishment and use of a town seal which should be kept by the Town Clerk, and G.L.c268, §35, passed in 1881, relating to unauthorized use of a town seal.

After a lengthy discussion, during which it was questioned who actually has authority to regulate the use of the Town Seal, it was agreed to place a note in the future Town Meeting file to propose an article that would designate the responsibility for authorizing the use of the Town Seal.

After further discussion of the request, it was on motion unanimously

VOTED: To deny the request of the Sudbury Historical Society for use of the Town Seal on the cover of its forthcoming publication indexing Hudson's History of Sudbury on the basis of the information before the Board tonight and the lack of a copy of the index and a vote of the Trustees of the Historical Society, requesting the use of the seal.

1976 Annual Town Meeting - Signing of the Warrant

It was on motion unanimously

VOTED: To sign the warrant for the 1976 Annual Town Meeting, which consists of thirty-five articles.

April 7, 1976 Special Town Meeting - Signing of the Warrant

Present: Town Clerk Betsey M. Powers

The Town Clerk reported that those voters who register between March 10-24 will only be eligible to vote at the April 7 Special Town Meeting, that a second voting registration list will be used on that date, and that those persons eligible to vote only at the Special Town Meeting will be given a voting card of a color other than that designated for use by the attendees for that particular night of the Annual Town Meeting.

The Executive Secretary, referring to his letter to the Board, dated March 2, 1976, reported that before the March 5 deadline for the closing of the warrant for the April 7 Special Town Meeting, he had received a request from the Town Treasurer to insert an article in the warrant for that Meeting relative to automatic payroll deposits (Article 3). The Executive Secretary also reported that he had received, on March 4, an article from the Highway Commission "to see if the Town would vote to pay to the Highway Department's Operations Assistant the sum of \$75.00 as compensation for time worked in addition to his regular scheduled work and to provide for overtime pay to individually-rated employees when specifically approved by the Personnel Board for special purposes".

The Executive Secretary reported that the Highway Commission's article had been amended by Town Counsel into two articles, proposed as Articles 4 and 5 for the warrant for the Special Town Meeting.

Mr. Thompson further reported that he, today, received a request dated March 5, 1976, from the Operations Assistant, requesting that the Highway Commission's above-referenced article be withdrawn from the warrant.

Chairman Taft stated that the Board would agree to the withdrawal of Articles 4 and 5, provided that such a request is made by the Highway Commission and received by March 9, when the warrant would go to the printers.

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

VOTED: To sign the warrant for the April 7 Special Town Meeting, consisting of three articles, with the understanding that, upon receipt of the written request from the Highway Commission on March 9, 1976, Articles 4 and 5 will be deleted.

Selectman Toomey suggested that the Town Treasurer prepare an informational handout for Town Meeting on the subject of his proposed article.

Sudbury Housing Authority - Confirmatory Deed

The Board received a request dated March 2, 1976 from Richard A. Gelerman, counsel for the Sudbury Housing Authority, which requested that all three members of the Board execute a confirmatory deed for certain premises to the Sudbury Housing Authority, as the original deed, which was signed in May 1975, had only been signed by two members of the Board, the third member being unavailable at that time.

Town Counsel stated that, in his opinion, the confirmatory deed was not necessary, and the request was referred to Town Counsel for his written report at the Board's March 15 meeting.

It was on motion unanimously

VOTED: To postpone further consideration of this item until March 15, 1976.

Fourth of July Parade

The Board received a letter, dated February 26, 1976, from the Chairman of the Park and Recreation Commission, which requested that the Selectmen act as Parade Marshals in the July Fourth Parade scheduled for Monday, July 5.

The Board accepted the invitation and directed the Executive Secretary to so advise the Park and Recreation Commission.

Svensk Kaffestuga, Inc. - Change in Managership

In response to Mr. Forsberg's request, dated March 3, 1976, it was on motion unanimously

VOTED: To approve a change in mangership for Svensk Kaffestuga, Inc., 394 Boston Post Road, from Sara A. Lundberg to Clifton H. Forsberg.

Sudbury Firefighters' Wives Association

In response to their letter dated February 25, 1976, after discussion, it was on motion unanimously

VOTED: To approve the request of the Sudbury Firefighters' Wives Association to use the side yard of the Town Hall for a craft and bake sale on May 15, 1976 between 10:00 a.m. - 2:00 p.m., to provide lawn furniture, a picnic table, and games for the recreation hall for Musketahquid Village, with the provision that the Town Hall driveway be closed off during this period and that any signs associated with the activity be approved by the Building Inspector.

Perambulation of Bounds

The Board received a letter on March 4 from the Town of Hudson relative to perambulation of bounds.

After discussion, the Board directed the Executive Secretary to arrange for a meeting for this purpose.

Edward A. Sokoloff v. Board of Selectmen, et Al.

The Executive Secretary reported that the members of the Board of Selectmen and other Town officials and property owners had, today, received a Summons and Order of Notice on Application for Preliminary Injunction from Edward A. Sokoloff, Three Washington Drive, relative to the Taylor Rental Center, Boston Post Road.

Town of Sudbury v. Morris

Town Counsel reported that the case of the Town of Sudbury v. Morris will be heard on March 11, 1976 at 2:00 p.m. in Superior Court.

Selectman Powers reported that a temporary restraining or a cease and desist order had been issued against the Morrises on February 9, 1976.

Town Counsel reported that the Town has an outstanding order and contempt citation against the Morrises and has been in court with the party on two previous occasions.

Town Counsel reported that he has two motions before the Court which will be heard on March 11, the first to allow the Town to remove the debris at the Morris property on July Road and the second for contempt of court.

In response to the Board's question, Town Counsel reported that he had arranged for photographs of the property to be taken.

Power and Light Committee

Present: Frank R. Sherman, Moderator

Mr. Sherman met with the Board to discuss his letter dated February 27, 1976 to the Board relating to the present status of the membership and duties of the Power and Light Committee, whose members are appointed by the Moderator.

Mr. Sherman suggested, as the main function for which the Committee was created (to study proposals for extension, modification, or underground installation of distribution lines throughout the Town), had been accomplished, the Committee's remaining function, to advise on utility pole location petitions, could be handled by the one remaining member of this Committee by his appointment by the Selectmen, rather than the Moderator, as the Board's special adviser in this regard.

The Board concurred with the Moderator's suggestion, and following discussion, it was on motion unanimously

VOTED: In view of the fact that the term of the remaining Power and Light Committee member expires on April 30, 1976, to place an article in the next annual or special Town Meeting, requesting abolition of this Committee, its original purpose having been completed.

On the subject of the March 29 Annual Town Election, Mr. Sherman asked the Board, if a Highway Surveyor is elected by the Town and the Town also votes in favor of the question on the ballot relative to appointment of a Superintendent of Streets by the Selectmen, and the elected Highway Surveyor requests Mr. Sherman to swear him in, whether or not he should do so.

Chairman Taft stated that, in his opinion, he should not be sworn in, but that Town Counsel would be asked this question later in the evening for confirmation.

Later in the evening, Town Counsel confirmed Chairman Taft's statement, and he was requested to submit a memorandum to the Board to this effect.

Executive Session

At 10:05 p.m., following an unanimous roll call vote, it was on motion further unanimously

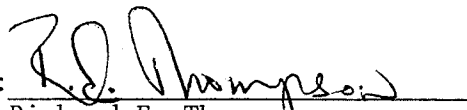
VOTED: To enter into executive session for the purpose of discussing strategy for collective bargaining.

Chairman Taft announced that the public meeting would not reconvene following the executive session.

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

VOTED: To adjourn the meeting at 11:15 p.m.

Attest:

  
Richard E. Thompson  
Executive Secretary-Clerk