

IN BOARD OF SELECTMEN  
MONDAY, JULY 25, 1977

Present: Chairman John C. Powers, Ira M. Potell

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The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:45 p.m. by Chairman John C. Powers.

Jurors

Present: Town Clerk Betsey M. Powers

The Board drew the names of Douglas Ghetti Adams, 509 Concord Road, and Willard L. Ford, 52 Ruddock Road, to serve as jurors at Cambridge Court, commencing September 12, 1977; James E. Wurlitzer, 50 Austin Road, to serve as a juror at Lowell Court, commencing September 12, 1977.

Utility Petition #77-80 -- Newbridge Road

Present: Boston Edison Representative Lewis E. Jones; Mrs. Lyn MacLean, Matthew and William Dickey, Dr. & Mrs. James McFarland, William Reed, area residents.

In conformity with General Laws Chapter 166 § 21 and 22, the Board considered the following petition:

UP#77-80 - Petition of Boston Edison and New England Telephone and Telegraph Company for the purpose of relocating four J.O. poles, 130/3 through 130/6,

Newbridge Road, northeasterly side from a point approximately 300 feet northwest of Water Row.

Executive Secretary pro tem John H. Wilson reported that all appropriate abutters and Town officials had been notified and that a report dated July 14, 1977 recommending approval had been received from the Wiring Inspector.

In reply to a query from area resident Mrs. MacLean concerning the length of time prior to construction, Mr. Jones, Boston Edison representative, stated that an Act of Public Authority, which this is, did not require the completion of the processing of forms for the work to commence.

After review of the plan, it was on motion by Selectman Potell

VOTED: To approve UP#77-80 as described above and shown on a plan of Newbridge Road proposed pole relocations made by C.B. Damrell, dated May 9, 1977.

Appointments to Sudbury Archeological Advisory Committee

Chairman Powers stated that the prospective appointees to the Archeological Advisory Committee established on July 11, 1977 by the Board of Selectmen are Royal Haynes, Royce Kahler and George D. Max. The Committee will advise on a university or person qualified to perform an archeological exploration and salvage operation at the Haynes Garrison site.

As it is the Selectmen's policy not to make appointments until the entire Board is present, it was on motion by Selectman Potell unanimously

VOTED: To table the appointments to the Sudbury Archeological Advisory Committee until all three Board members are present.

#### Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular session of July 11, 1977 as amended.

#### Tax Anticipation Notes

Following discussion with Town Accountant John H. Wilson and a review of a request dated July 18, 1977, and a subsequent report on adjustments dated July 25, 1977, from Town Treasurer William E. Downing, it was on motion by Selectman Potell unanimously

VOTED: To authorize the borrowing of \$2,000,000 on Tax Anticipation notes in accordance with the Town Treasurer's aforementioned request.

It was noted that a recent ruling by the Bureau of Accounts will enable the Treasurer to invest the immediate unused portion of borrowed monies in a municipal savings account, the earned interest from which offsets the cost of borrowing.

#### Landham Road Street Relocation Project

Present: Highway Surveyor Robert A. Noyes; Town Engineer James V. Merloni;  
Area Residents

Chairman Powers read the communication from the Highway Surveyor dated July 19, 1977 relative to his request to the District 4 Office of the Department of Public Works for a traffic count, drainage design problems, and his recommendation for citizen participation, for the Landham Road relocation.

Mr. Noyes stated that the traffic count has not yet been taken.

Mr. Merloni reported that the drainage design proposed by the State is inadequate in several areas and that the State expects the Town to put in additional drainage. Therefore he has been asked by the Highway Surveyor to implement a drainage study and make recommendations to the District 4 Office concerning the plan. The study will be completed in approximately 30 days.

Mr. Noyes recommended that an advisory group of three or four persons be appointed to work with Town officials and abutters, and that a meeting be set up at Loring School to listen to abutters' concerns. This liaison/advisory group should review the set of plans from the State and meet with the Highway Surveyor and Town Engineer to update themselves on the status of the project.

In answer to a query from one of the area residents as to why the Selectmen had not seen the State plans, as Selectman Potell had commented, Chairman Powers stated that they do not come to the Selectmen until they are to be approved and, further, that unless and until the plan is approved, no work can be implemented.

Landham Road resident Peter Anderson asked what effect the traffic count would have on the project.

Mr. Merloni replied that volume of traffic would be one of the factors which would affect road design and the overall plan, as would reasonable speed.

Mr. Noyes elaborated by explaining that he had requested that counts be taken at two locations on Landham Road. A traffic count has also been requested on Nobscot Road, also a main artery to Framingham.

Mr. Merloni stated that in 1971, 6000 cars per day used Landham Road, and, in answer to another resident's questions regarding weight restrictions, stated that County and State roads must be open to all traffic.

Mr. Anderson reported, however, that in 1975 the County Commissioners thought that a weight restriction could be placed on one of the parallel roads to Framingham.

Intentions regarding the raising of speed limits were raised by one resident, noting that the speed limit is now set at 30 miles per hour. Although residents could petition for a speed zone, Mr. Merloni stated that the speed limit is established in accordance with the average use on the road.

Returning to the subject of appointing an advisory committee, it was on motion by Selectman Potell unanimously

VOTED: That appointments to the Landham Road Advisory Group would be made by the entire Board of Selectmen in accordance with policy.

Chairman Powers suggested that interested citizens should advise the Selectmen's Office this week of their interest in serving, or their recommendations.

Discussion ensued regarding setting up a public meeting at Loring School. It was thought that a time close to September 1, when people have returned for the start of school, would be best, but that the advisory group should have a chance to prepare for the meeting and have a plan on hand for that meeting. Choice of location could be decided at the time.

In answer to a resident's questions concerning the earliest date the Committee could be appointed, Chairman Powers stated that a special meeting could be held for the purpose of making appointments and that an announcement of a meeting of this nature would be posted on the Town Hall bulletin board.

Mr. Merloni, replying to a question regarding construction time, reported that if the paper work was complete by the end of July, the State had planned to begin construction in the fall, but that the earliest date possible estimated at this time to begin construction is in the spring. The construction will take approximately six to nine months to complete.

A request was made that the Selectmen announce the names of persons interested in serving on the advisory group at their next meeting and to set and announce the date of the meeting at which the appointments will be made. Selectman Potell suggested that when the Committee has been established and has its charter, a time limit should be set for the holding of the public meeting.

Regarding citizen complaints concerning excessive speeding on Landham Road and the limited use of the radar car, it was noted that there is only one radar car for use in the entire Town. Chairman Powers stated that although the Selectmen could express concern to the Police Department, it was a police matter. Residents can request in writing to the Traffic Safety Officer at the Police Department that more speed signs be posted.

There being no further discussion, it was on motion by Selectman Potell unanimously

VOTED: To hold a public meeting to listen to citizen concerns as close to September 1 as is possible to arrange.

Selectmen's Policies and Procedures: Site Plan Submission Rules and Regulations Amendment

After review of Town Counsel Paul L. Kenny's opinion, dated July 12, 1977, with respect to a waiver provision to the proposed amendment recommended by the Town Engineer in his communication dated May 16, 1977 that the site plan regulations require that all plans be prepared by and show the seal and signature of a registered professional engineer and/or registered land surveyor, it was on motion by Selectman Potell unanimously

VOTED: To accept the opinion of Town Counsel dated July 12, 1977 on the amendment proposed by the Town Engineer and to amend the Selectmen's Policies and Procedures Section I. Site Plan Submission Rules and Regulations by adding an additional regulation under 1. Requirements as follows:

(All site plans shall be:)

"h. Prepared by and show the seal and signature of a Registered Professional Engineer and/or Registered Land Surveyor."

and that the following provision be added:

"1) The Board of Selectmen in their discretion may waive the provision under section I.h. requiring that the plans be prepared by and show the seal and signature of a Registered Professional Engineer and/or Registered Land Surveyor, if in the opinion of the Selectmen this requirement would cause undue hardship on the applicant taking into consideration the size and configuration of the site, the buildings and other structures to be located thereon, the complexity of the plan, and the financial ability of the applicant."

Reserve Prices - Auction of Tax Possession Parcels, August 6, 1977

Executive Secretary pro tem John H. Wilson stated that the Board had before them the assessed values assigned by the Board of Assessors to the Tax Possession parcels scheduled for auction on August 6, 1977 and that in his opinion they should not sell for any less than the taxes they were taken for.

Assistant Town Counsel Thomas M. French stated that he recommends that the Selectmen set the reserve price at 80 or 90 percent of the full and fair market value as an incentive for the public to attend and bid at the auction, and to insure that there would be some bidding; the reserve prices set for the last auction were at market value.

In answer to a question from Selectman Potell, Mr. French stated that, in his opinion, parcels purchased at auction at 80 percent would be taxed at their full value and not be subject to abatement.

There being no further discussion, it was on motion by Selectman Potell unanimously

VOTED: To set the reserve prices at the values as assigned by the Board of Assessors as stated in their communication to Town Counsel dated July 21, 1977.

Home Rule Legal Defense Fund

Executive Secretary pro tem John H. Wilson stated that the Board has been solicited by the Massachusetts League of Cities and Towns to contribute the sum of \$60.20, which represents 10 percent of the dues to the League, as an optional payment to the Home Rule Legal Defense Fund. The Board had made this payment in fiscal 1976-77.

It was on motion unanimously

VOTED: To table the consideration of approval of payment to the Home Rule Legal Defense Fund until all Board members were present.

Gift for Fire Department In-Service Training - Digital Manufacturing Company of Maynard

The Board received a letter dated July 21, 1977 from Fire Chief Josiah F. Frost advising that, through the efforts of Mr. A. H. Michels of 18 Chanticleer Road, the Digital Manufacturing Company of Maynard has donated the sum of \$340 for the purchase of a life-size manikin, "Resusci-Anne", for the teaching and training of cardiopulmonary resuscitation.

It was on motion unanimously

VOTED: To accept the gift of \$340 from Digital Manufacturing Company of Maynard for purchase of a "Resusci-Anne" to be used for the Fire Department in the EMT training program and to thank all parties involved for this generous gift.

Blue Cross/Blue Shield Contract - 1977-78.

Town Accountant John H. Wilson explained that the agreement between the Town of Sudbury and Blue Cross/Blue Shield for fiscal year 1977-78 was ready for signature. Mr. Wilson stated that there had been a reduction in the cost of the contract for this period. The charge for an employee with a family plan is \$65 per month, whereas, an individual plan costs \$25 per month. Three-quarters of the total payment is made by the Town, one-quarter by the employee. The contract for health care insurance is not put out to bid.

It was on motion by Selectman Potell unanimously

VOTED: To execute the Town of Sudbury Blue Cross/Blue Shield contract for fiscal year 1978.

Minuteman Regional Vocational Technical School District Proposal for Becoming a Non-Profit Organization

Present: Mr. George Gibson

The Board was in receipt of a memorandum from Town Counsel dated July 11, 1977 relative to his review of the proposed legislation which would allow the Minuteman Regional Vocational Technical School District (MRVTSD) to form a non-profit corporation. Chairman Powers provided Mr. Gibson, who is a proponent of the legislation, with a copy of Town Counsel's review and suggested that Town Counsel and counsel for the MRVTSD meet to resolve problem areas.

Mr. Gibson stated that the legislation has been amended since Town Counsel's review.

Accounting Machine - Contract Status, Space Plan, Site Preparation Cost

Present: School Committee members, John Sirota, Paul Langner

Town Accountant John H. Wilson reported that the School Committee met to discuss the joint purchase/lease of the Burroughs accounting machine and entering into the agreement with Burroughs Corporation. On July 13, 1977 the School Committee accepted the proposal and will sign a joint Purchase Order, which is acceptable to the Town Accountant and, he feels, is what the townspeople understood to be the intent at Annual Town Meeting. Mr. Wilson is drafting a contract with the School Business Manager which will be scheduled for review by Town Counsel prior to the Selectmen's meeting of August 8, 1977.

Mr. Wilson also reported that no monies had been included for site preparation. Although no extensive renovations are required, some will be necessary. He will meet with Burroughs Corporation to discuss with them paying for preparation costs, particularly, electrical expenses. A new floor will be installed in the Town Accountant's office over the existing floor which will provide insulation. There are three options concerning financing: 1) Burroughs to assume part of or all preparation costs; 2) Use Town Hall maintenance funds; 3) Request transfer of funds from the Finance Committee.

Mr. Wilson stated further that delivery of the machine would take place three weeks after the contract has been signed. The September 12 payroll is scheduled to be done on the new machine and, hopefully, there will be a parallel run on the payroll preceding the September 12 payroll.

Mr. Wilson plans to submit a written report for the August 8 Selectmen's meeting.

Executive Session

At 9:07 p.m., Chairman Powers moved that the Board enter Executive Session for the purpose of discussing transactions in real property where open discussion may have a detrimental effect on such transactions, and to consider an expenditure from the Charity Fund.

After a unanimous roll call it was

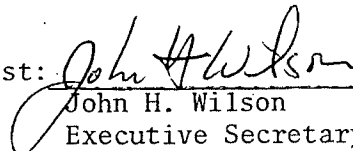
VOTED: To enter into Executive Session for the above stated purposes.

Chairman Powers announced that the public meeting would not reconvene after the Executive Session.

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

VOTED: To adjourn the meeting at 10:20 p.m.

Attest:



John H. Wilson  
Executive Secretary pro-tem