

IN BOARD OF SELECTMEN  
MONDAY, MARCH 6, 1978

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

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 P.M. by Chairman John C. Powers.

Goodnow Library Grant -- Federal Library Services and Construction Act, Title I

Executive Secretary Richard E. Thompson stated that the Board had received a letter dated February 23, 1978, from Helen Lowenthal, Director of the Goodnow Library, notifying the Board that the Goodnow Library Trustees applied for and received a recent grant in the amount of \$2,000 from the Massachusetts Board of Library Commissioners, under the Federal Title I Program of the Library Services and Construction Act.

Mr. Thompson further stated that Town Accountant, in accordance with the General Laws of the Commonwealth, will set up a special account for these funds.

It was on motion by Selectman Potell unanimously

VOTED: To accept the grant to the Goodnow Library Trustees in the amount of \$2,000 from the Massachusetts Board of Library Commissioners, under the Federal Title I Program of the Library Services and Construction Act, in accordance with the provisions of G.L.c.44,s53A; and

To acknowledge receipt of communication dated February 23, 1978, from Helen Lowenthal, Director of Goodnow Library, relative to the same.

Nobscot Hill -- Metropolitan Area Planning Council (MAPC)

Executive Secretary Richard E. Thompson stated that the Board had received a communication dated February 23, 1978, from Edward Lapal, Town Planner, enclosing a proposal (narrative and map) of suggested alternatives for the use of the Nobscot Hill area for conservation/recreation purposes, prepared by the Metropolitan Area Planning Council (MAPC).

Mr. Thompson further stated that Mr. Lapal has circulated the plan to the appropriate departments and commissions in town to solicit their comments regarding the same, and recommended that the Board, along with the various boards and commissions, consolidate the Town's position before responding to the MAPC.

Mr. Thompson continued to say that the Conservation Commission stated its conditional concurrence with the Framingham Conservation Commission relative to the acquisition of the remaining undeveloped areas of Nobscot Hill in Sudbury, Framingham and Marlborough for a regional Conservation Reservation in their letter of June 26, 1977.

Chairman Powers stated that this is a pilot program being prepared by the MAPC, and is a good opportunity for the Town to deal with the Nobscot Hill area on a multicomunity level. Mr. Powers strongly encouraged the plan, but stated that it will require cooperation between the Towns, the MAPC and the Division of Forests & Parks. Mr. Powers said that he is very pleased to see this program

underway again, and commended the Conservation Commission for their overall goal-- to preserve the mountain (Nobscot Hill) in its natural condition.

The Selectmen did raise questions as to the ramifications of pursuing such a project, for example: conflicting future programs of concerned Town boards and commissions on use of such an area; questions of control and maintenance; vehicular impact; and, eventual agency responsibility for control of such area whether it be Federal, State, or local.

Following discussion it was on motion by Selectman Potell unanimously

VOTED: To invite the Finance Committee, Conservation Commission, Park and Recreation Commission, Planning Board, Sudbury Housing Authority, Sudbury Non-Profit Housing Authority, Sudbury Valley Trustees, and Representative Barbara Gray to attend the Board's next meeting on March 13, 1978, for the purpose of exploring the project on the basis of the suggested alternatives for the use of the Nobscot Hill area for conservation/recreation purposes, prepared by the Metropolitan Area Planning Council.

Management Alternatives Report -- 208 Metropolitan Area Planning Council Water Quality Project

Executive Secretary Richard E. Thompson stated that the Board had received, for their review and evaluation, a summary of the "Management Alternatives Report," prepared for the Metropolitan Area Planning Council (MAPC) Water Quality Project (208). Mr. Thompson further stated that said report was received on February 21, 1978, just one day prior to the public meeting (to hear comments/recommendations on the report), and that at the Board's regularly scheduled meeting on that date, the Selectmen voted to have the Town Planner represent them at the Public Meeting on February 22, 1978.

Mr. Thompson said that the MAPC Water Quality Project (208) study is being finalized now and offers two areawide management alternatives: 1) Maximizing Existing Institutional Capabilities; and 2) Metropolitan Coordinating Council, and that, according to the Town Planner, Mrs. Carla B. Johnston, Executive Director of MAPC, has implied she supports the first alternative.

The Executive Secretary suggested that he draft a letter from the Board of Selectmen supporting the first alternative, with reservations, and state their non-support of the second alternative.

Chairman Powers stated that MAPC will have to demonstrate a higher degree of capability than it has in the past; and furthermore, he has concerns in the latter part of the summary report entitled "Areawide Management Proposals for Water Quality Problem Areas" relative to Industrial Discharges and Subsurface Sewage Disposal.

Selectman Potell expressed his doubts as to the "prior agreement" between the MAPC and MDC mentioned in the MAPC management report, and furthermore he suggested going on record that the summary report was received for review and evaluation on a one-day's notice. Selectman Potell also asked the Executive Secretary to make inquiry as to the status and inclusion of the Town of Sudbury's comments in the MAPC 208 Water Quality Project final report.

Chairman Powers expressed some disagreement regarding the area management alternatives, (Alternative A, which states, "The MAPC would provide technical

assistance to local officials and act as an agent in convening and brokering intermunicipal agreements between subregional groupings of communities.") Chairman Powers stated that Sudbury and Wayland have an intermunicipal agreement relative to septage, and that municipalities are capable of working with neighboring communities in the best interest of the towns.

Following discussion it was on motion unanimously

VOTED: To reply to the Metropolitan Area Planning Council relative to a summary of the Management Alternatives Report, prepared for the 208 Metropolitan Area Planning Council Water Quality Project, indicating support of Alternative A, Maximizing Existing Institutional Capabilities, with the following reservations:

- 1) Alternative "A" should be better defined as to method of implementation.
- 2) Grave concern over the establishment of a Municipal Advisory Committee and implication of turning local management and control over to another tier of government.
- 3) Areawide Water Quality Management Alternatives report should be reviewed in more detail with MAPC staff.

And it was further

VOTED: To provide copies of said report for the Conservation Commission, the Finance Committee and Planning Board for their review and comments on the same.

Planning Board -- Draft of Letter

It was on motion unanimously

VOTED: To table the review of a draft letter dated February 16, 1978, by the Board of Selectmen to the Planning Board, until all members of the Board are present.

February Blizzard 1978 -- Letters of Appreciation

Executive Secretary Richard E. Thompson noted a communication dated February 21, 1978, from John P. Chandler, Colonel, Department of the Army, (Engineering Division), enclosing a brochure of the "Blizzard of 1978" as a follow up to their assistance in the Town of Sudbury for snow removal during the "Storm of the Century."

Mr. Thompson further noted a second letter dated February 27, 1978, from Mr. Chandler commending Mr. Donald P. Peirce's voluntary services to the Town of Sudbury, and suggesting a special note of thanks be sent to him from the Selectmen. Mr. Thompson said that Mr. Chandler was aware of Mr. Peirce's dedication and voluntary services to the Town of Sudbury during the recent blizzard because of a letter written by him to the Department of the Army in response to their request, to provide time and date of when Mr. Peirce's front-end loader worked from February 10th on, for the purpose of reimbursing Mr. Peirce.

It was on motion by Selectman Potell unanimously

VOTED: To direct the Executive Secretary to prepare a letter of thanks for the Board's signature to Mr. John P. Chandler, Engineering Division, Department of

the Army, and to Mr. Donald P. Peirce of Sudbury, for their assistance in the removal of snow during the Blizzard of February, 1978, for the Board's signature.

Defense Civil Preparedness Agency (DCPA) -- Emergency Operations Center

Executive Secretary Richard E. Thompson recommended that the Board request the Defense Civil Preparedness Agency (DCPA) to extend the obligation of funds designated for the cost of an Emergency Operations Center, designed for the proposed Police/Fire Headquarters, stating that this is still in our long range plans.

Chairman Powers concurred, stating that in this way, we are keeping the eligibility and options open for future consideration.

Mr. Thompson stated that the letter dated February 24, 1978, from Mr. Robert H. Cunningham, Director, Executive Department, Commonwealth of Massachusetts, to Fire Chief Frost indicates that, due to the fact, the DCPA obligated \$42,501.50 on September 20, 1974, to cover their portion of the cost of the above-mentioned project, and the Town of Sudbury has requested two billing extensions and has not constructed the Emergency Operating Center, it will be his recommendation to the DCPA to close out the project unless information is received from the Town of Sudbury "citing good and sufficient reason why the project application should remain open."

It was on motion unanimously

VOTED: To request the Defense Civil Preparedness Agency to extend the obligation of funds designated for the cost of an Emergency Operations Center, designed for the proposed Police/Fire Headquarters, citing good and sufficient reason why the project application should remain open.

Minutes

It was on motion unanimously

VOTED: To table the minutes of the regular and executive sessions of February 21 until which time Selectman Toomey can be present; and to approve the minutes of the regular and executive sessions of February 27, 1978, as amended.

Rescheduling Meetings of the Board due to Annual Town Election and Meeting

It was on motion unanimously

VOTED: To change the regular meeting date of Monday, March 27, 1978, to Wednesday, March 29, 1978, and to schedule a special meeting on Tuesday, March 28, 1978, in the Loring Parsonage for the purpose of organization of the Board and taking positions on Annual Town Meeting articles, and to schedule special meetings at 7:30 p.m. in the Lincoln-Sudbury Regional High School Library prior to the commencement of every night of Town Meeting.

1978 Annual Town Meeting -- Easement Article Submitted Late

Executive Secretary Richard E. Thompson referred to a communication dated March 2, 1978, from Robert A. Noyes, Highway Surveyor, requesting an article necessary for the petition by the Board of Selectmen to the County Commissioners, to alter the railroad crossing on Morse Road, and enclosing a draft of the proposed article for submission to the 1978 Annual Town Meeting.

Chairman Powers stated that the Board cannot take any action due to the deadline for inclusion of articles in the Warrant for the 1978 Annual Town Meeting, but that the necessary work permits can be filed, and the Board will take action on it at some future date. Town Counsel concurred.

Following discussion it was on motion by Selectman Potell unanimously

VOTED: To take no action at this time on the request of the Highway Surveyor, dated March 2, 1978, relative to accepting an article authorizing the acquisition of easements to alter the Penn Central railroad crossing on Morse Road, due to the deadline for inclusion of articles in the Warrant for the 1978 Annual Town Meeting; however, the Board will give this matter its attention at the earliest possible date.

CETA Contract -- Parks, Conservation and Public Ways Project

Executive Secretary Richard E. Thompson informed the Board that he received the modified CETA Contract today, showing the new effective dates of the contract period as July 20, 1977 to July 19, 1978.

Landham Road Reconstruction Project

Executive Secretary Richard E. Thompson stated that he sent a letter dated January 30, 1978, to C. F. Mistretta, District Highway Engineer, Department of Public Works (DPW), requesting the answers to several questions relative to the Sudbury Landham Road Reconstruction Project. Mr. Thompson brought to the Board's attention a communication dated February 23, 1978, from Mr. Mistretta in response to the same, a copy of which has been given to the Board.

The Board directed the Executive Secretary in reference to Mr. Mistretta's letter to set up a meeting with the District #4 Chief Engineer and the Selectmen for further clarification of the subject letter.

Department of Public Utilities -- Hearing Concerning Extended Area Calling Service for Sudbury -- D.P.U. #18153

Executive Secretary Richard E. Thompson stated that the Board has received copies of interim reports from the New England Telephone Company regarding the status of the temporary "test plan" relative to the optional extended local service offered to the residents of Sudbury due to a petition (effective May 14, 1976) of certain residents of the Town of Sudbury (D.P.U. #18153).

Mr. Thompson referred to a letter dated February 25, 1978, to Mr. Harold J. Keohane, Chairman of the Department of Public Utilities (D.P.U.), in which Town Counsel requested that this matter be reopened for a determination on the implementation of the petitioners' original request based on the results of the "test plan."

Mr. Thompson stated that because most of our adjacent communities are long distance calls, this would be a very useful service in the Town of Sudbury, and recommended that the Board concur with Town Counsel's request for the hearing with the D.P.U. concerning extended local service.

Mr. Thompson also mentioned that it would be advantageous to deal with this matter as soon as possible, since he heard that Mr. Keohane may not be with D.P.U. much longer, and that Mr. Keohane is familiar with our case and sympathetic to our needs.

It was on motion by Selectman Potell unanimously

VOTED: To concur with Town Counsel, as indicated in his letter of February 25, 1978, to the Department of Public Utilities, requesting a hearing with the Department of Public Utilities concerning the extended area calling service for the residents of Sudbury -- D.P.U. #18153.

Budget Options and Financial Affairs of the Town

Present: Town Accountant John H. Wilson.

The Board reviewed a report dated February 28, 1978, on budget options and financial affairs of the Town, prepared by the Town Accountant.

Chairman Powers directed the Executive Secretary to furnish copies of the above-mentioned report to the Finance Committee and other affected boards and departments, along with notification to meet with the Board at their regularly scheduled meeting of March 20, 1978, for the purpose of discussing the suggested options cooperatively, keeping in mind that any and all decisions will directly influence the 1978-79 tax rate.

Executive Secretary Richard E. Thompson distributed copies of the report to the public in attendance, and indicated that the report is being presented in an attempt to solicit cooperation from the many boards and departments involved.

Mr. Wilson stated that he had examined the few possibilities of reducing the tax rate and presented three options in his report. Mr. Wilson further stated that he took the overall budget, as approved by the Finance Committee, and used this as a basis in preparing the first two options: the first option shows the high tax rate projection of \$61.63; the second option presents the possibility of bonding, determining the tax rate of \$59.23; and the third option uses the bonding, as suggested in option 2, and in addition, includes the following suggested reductions:

Local Schools	\$50,000
Lincoln-Sudbury Regional High School	50,000
Conservation Fund	48,000
Fire Overtime	20,000
Police Overtime	10,000
Town Building Maintenance	2,000
Engineering	12,000
Casualty Insurance	12,000
Unemployment Compensation	20,000
Walkways	75,000 (Appropriate \$25,000)
Pantry Road	12,000 (Defer)
Property Values	40,000 (Appropriate funds 1/2 this year & 1/2 in FY 79-80)

Chairman Powers stated that this third option shows a reduction of \$350,000 in this year's budget, and that if the departments and boards can concur as a cooperative venture, the result would show only a twenty-six cent increase over last year's tax rate. Mr. Powers commended Mr. Wilson on his work in preparing the report, and said that there will be further discussion at the Board's meeting on March 20, 1978.

Mr. Thompson stated that he and Mr. Wilson will go into more details on the options, as presented by Mr. Wilson tonight, at the meeting on March 20th. Mr. Thompson further stated that this report was presented in an attempt to give the local taxpayer a little relief for one year.

Mr. Thompson further stated that he is on the Committee of Municipal Associations, which is currently reviewing the State budget, and that he will be able to distribute copies of the report, showing statistics relative to tax rates and other information in communities similar to Sudbury, prior to the March 20th meeting.

It was on motion by Selectman Potell unanimously

VOTED: To direct the Executive Secretary to send a copy of Mr. John H. Wilson's (Town Accountant) communication dated February 28, 1978, relative to the budget options and financial affairs of the Town of Sudbury, to the Finance Committee and the other boards and departments affected, along with notification as to a meeting with the Board of Selectmen on March 20, 1978.

Public Hearing -- Buckley Heating, Inc.

The Board convened a public hearing in accordance with the provisions of General Laws Chapter 148, notice having been advertised in a local newspaper and abutters notified by certified mail.

Due to the lack of anyone appearing on behalf of the applicant, it was on motion by Selectman Potell unanimously

VOTED: To deny without prejudice the application of Buckley Heating, Inc., d/b/a Sudbury American (Amoco Station), for a license to increase storage of gasoline on premises located at 440 Boston Post Road, owned by Camseth Family Trust of Westford, Massachusetts.

It was on motion unanimously

VOTED: To recess at 8:45 p.m. for fifteen minutes.

Chairman Powers reconvened the meeting at 9:00 p.m.

Executive Session

It was on motion following a roll call unanimously

VOTED: To enter into Executive Session for the purpose of litigation where open discussion of the same may have a detrimental effect.

Chairman Powers announced that the public meeting will reconvene after the executive session.

Signing the Warrant for the 1978 Annual Town Meeting

It was on motion unanimously

VOTED: To sign the Warrant for the 1978 Annual Town Meeting, subject to any changes received from the Finance Committee relative to Article 24.

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

VOTED: To adjourn the meeting at 10:25 p.m.

Attest: \_\_\_\_\_

Richard E. Thompson  
Executive Secretary-Clerk