

IN BOARD OF SELECTMEN  
MONDAY, FEBRUARY 12, 1979

Present: Chairman John E. Murray, Robert J. Hotch and William J. Cossart.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:00 P.M. by Chairman John E. Murray.

Article 20, Amend Bylaws Art. XII, 1 - Town Property

Executive Secretary Richard E. Thompson stated that, at the request of the Board of Selectmen and the Finance Committee, he met with Town Historian Forrest D. Bradshaw and Finance Committee member Edward L. Glazer concerning the revision of the wording of Article 20, Amend Bylaws, Art. XII, 1 - Town Property.

Following a brief discussion it was on motion unanimously

VOTED: To accept the revised wording of Article 20, Amend Bylaws, Art. XII, 1 - Town Property, to include the amended change in the wording recommended by Town Counsel, as read by the Executive Secretary;

and it was further

VOTED: To place the above-mentioned article (Article 20, Amend Bylaws, Art. XII, 1 - Town Property) on the Consent Calendar of the 1979 Annual Town Meeting Warrant.

Article 4 - Personnel Administration Plan

Executive Secretary Richard E. Thompson called the Board's attention to proposed amendments to the Personnel Board's Personnel Administration Plan, Article 4, in Section 7 (2) Sick Leave, which he read. Mr. Thompson further stated that this addresses concerns expressed by Town Clerk Betsey M. Powers at the Board's joint meeting last week to discuss and arrive at a consensus on the new structure of the Classification and Salary Plan for clerical personnel.

In addition to stating its concurrence with the above-mentioned amendments, the Board confirmed its position that part-time personnel should be paid at the same rate as full-time personnel - equal pay for equal work; and further expressed its approval of an amendment to Section 4, Salary Plan, in Article XI of the Personnel Administration Plan (Article 4) as read by the Executive Secretary.

The Board agreed to discuss the vacation section of Article 4 - Personnel Administration Plan at their meeting next week in order to allow Town Counsel time to review the recommended changes on the same by Assistant Town Counsel Thomas M. French.

The Executive Secretary was requested to refer all amendments to the Personnel Board with copies to the Finance Committee in time for the joint meeting of the Personnel Board and Selectmen before the Finance Committee on February 15.

Police Equipment Account 320-51

The Board acknowledged receipt of a communication dated February 2, 1979, from Police Chief Nicholas Lombardi relative to the status of Account 320-51, Police Equipment account, and agreed to table further discussion of the same until the first meeting in April (after Town Meeting), in line with the recommendation of the Police Chief.

Sudbury Housing Authority - 15-unit Congregate Housing Facility

The Board acknowledged receipt of a communication dated January 30, 1979, from the Chairman of the Sudbury Housing Authority relative to the retaining by the Authority of the architectural firm, Community Resources Group of Cambridge, for developing plans for a 15-unit Congregate Housing Facility.

Executive Secretary Richard E. Thompson pointed out that the Sudbury Housing Authority is scheduled to meet with the Board on February 20th and suggested holding discussion of the above-mentioned communication until that time.

Selectman William J. Cossart stated that he attended a presentation by Robert Williams, Chairman of the Sudbury Housing Authority on the congregate housing project at a recent meeting of the Finance Committee, and asked if there would be representation from the CRG at the Board's February 20th meeting. Mr. Thompson said that he would request that representatives of CRG be present and that Robert B. Williams, Chairman of the Sudbury Housing Authority, be there.

Resignation

Executive Secretary Richard E. Thompson brought the Board's attention to a communication dated January 15, 1979, to the Sudbury Housing Authority from Anita E. Cohen tendering her resignation from the Authority.

On the recommendation of the Executive Secretary, the Board directed him to notify the Sudbury Housing Authority of its obligation by State statute to notify the Board of Selectmen within thirty days of receipt of said resignation, and to advise what action, if any, the Authority requests to fill the vacancy.

The Board further directed the Executive Secretary to send a letter to Mrs. Cohen expressing the Board's appreciation for her service on the Sudbury Housing Authority.

Utility Petition #UP79-89 Prides Crossing Road and UP79-90 Dudley Road

Present: Robert L. Blake, Boston Edison Company, and Joseph D. Bausk, New England Telephone and Telegraph Company.

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

1) Utility Petition #UP79-89 Prides Crossing Road - petition of New England Telephone and Telegraph Company for location and construction of approximately 12 feet of conduit: southerly, approximately 340 feet west of Bradford Road, a distance of about 12 feet, conduit; and

2) Utility Petition #79-90 Dudley Road - petition of Boston Edison Company and of New England Telephone and Telegraph Company for location and construction of approximately 46 feet of conduit: Dudley Road, at and southeasterly from Adams Road, a distance of about 46 feet, conduit.

Executive Secretary Richard E. Thompson reported that all appropriate Town officials and abutters had been notified and that a favorable report dated February 2, 1979, recommending approval had been received from the Wiring Inspector.

Mr. Thompson stated that the Board of Selectmen recently acted on a petition identical to UP#79-89 for Boston Edison Company.

Selectman William J. Cossart commented that Mr. White's report should be more clear and specific; Mr. Thompson stated that he would inform Mr. White of the same.

Mr. Robert L. Blake of the Boston Edison Company explained that the purpose of the above petition #UP79-90 is to supply electric power and telephone service to a new development (Adams Road) using an existing pole on Dudley Road to the private way; that he has a recorded easement to install electric power on Adams Road, and on private property.

Following further discussion it was on motion by Selectman John E. Murray unanimously

VOTED: To approve Utility Petition #79-89 Prides Crossing Road and Utility Petition #79-90 Dudley Road, both as described above, and as shown on plans by C. B. Damrell dated November 1, 1978, for UP#79-89 and dated November 10, 1978, for UP#79-90.

Printing Bid for 1979 Annual Town Meeting Warrant

Executive Secretary Richard E. Thompson referenced a communication dated February 8, 1979, from the Selectmen's Administrative Secretary, Janet Silva, relative to bid openings on February 7, 1979, for the printing of the 1979 Annual Town Meeting Warrant.

Mr. Thompson noted, as stated in the above-mentioned communication, that notice was published on January 24, 1979, and Assistant Town Counsel Thomas M. French was present, along with Mrs. Silva, when the bids were opened on February 7th. Nine bids were received ranging from \$13.25 to \$53.57 per page, and Mr. Thompson recommended that the Board award the printing contract to the low bidder, The Rene Press, Inc.

Mr. Thompson pointed out that the quoted price of \$13.25 per page by Rene Press has not changed from last year's; and in addition, Rene Press was awarded the contract, as low bidder, to print the 1979 Annual Town Report at the same price as last year.

Following a brief discussion it was on motion by Selectman Robert J. Hotch unanimously

VOTED: To accept the bid dated January 29, 1979, from The Rene Press, Inc., for the printing of the 1979 Annual Town Meeting Warrant at the cost of \$13.25 per page, in accordance with the Town's specifications dated January 18, 1979.

Building Services Group

Present: Francis E. White, Building Inspector; and Richard F. Brooks, Lincoln-Sudbury Regional School District Committee member.

Executive Secretary Richard E. Thompson stated that the Board's past concern dealing with the possible function of the Permanent Building Committee to perform annual evaluations of all Town buildings as a means of preventative maintenance prompted his communication dated February 8, 1979, dealing with the formation of a Building Services Group (BSG). As noted in said communication, Mr. Thompson suggested that the BSG consist of the Building Inspector, the Supervisor of Buildings & Grounds (Lincoln-Sudbury Regional High School), the local School Business Manager and two members of the Permanent Building Committee.

Mr. Thompson continued to say that upon the Board's endorsement of the same, he will contact the appropriate departments for comment and possible consensus.

Lincoln-Sudbury Regional School District Committee member Richard F. Brooks strongly supported the idea of forming a BSG, and made some recommendations regarding membership; i.e. to include construction and/or architectural specialists.

Selectman John E. Murray reviewed the background of some of the members of the Permanent Building Committee, and confirmed the capabilities of those suggested by the Executive Secretary to serve in the BSG.

Selectman William J. Cossart suggested that any long-range plans for Town building maintenance could be documented and submitted to the Long Range Capital Expenditures Committee for re-evaluation by them.

Mr. Thompson suggested revising his outline to include Selectman Cossart's recommendation by 1) adding under Function, following the word "implementation": "with copies of the same to the Long Range Capital Expenditures Committee."; and 2) amending the section, Purpose, as follows: a. change word "Twofold" to "Threefold", and b. add "C. where appropriate incorporate elements of long range planning by scheduling and listing priorities."

Building Inspector Francis E. White indicated that the BSG should work very closely with the Town's maintenance people since they are most aware of any maintenance problems.

In answer to Selectman Cossart, the Executive Secretary stated that the Town's participation with the Massachusetts Energy Office's recommendations (see letter dated November 10, 1978) will be addressed through this project (BSG).

Following further discussion it was on motion by Selectman Robert J. Hotch unanimously

VOTED: To accept, as amended, the Executive Secretary's report dated February 8, 1979, dealing with the formation of a Building Services Group; and to direct the Executive Secretary to contact the appropriate departments concerning membership in the BSG, and to schedule a meeting for further discussion in anticipation of getting this project underway as soon as possible.

Minutes

It was on motion by Selectman John E. Murray unanimously

VOTED: To accept the minutes of the regular session of February 5, 1979, as amended; and to accept the minutes of the executive session of February 5, 1979, as drafted.

Current Matters of Interest

Legislation to Increase Drinking Age

Selectman William J. Cossart referenced Police Chief Nicholas Lombardi's communication dated February 7, 1979, to Representative Ann Gannett urging her to support legislation to raise the drinking age to twenty-one.

Following a brief discussion it was on motion by Selectman William J. Cossart unanimously

VOTED: To express support of legislation to increase the drinking age to twenty-one in letters to Representative Ann Gannett, Senator Chester Atkins and Governor Edward King.

Site Plan #79-200 - Joseph C. DeFranco - 1 Union Avenue

Present: Francis E. White, Building Inspector; Josiah F. Frost, Fire Chief; Robert F. Dionisi, Attorney for applicant; and Donald J. Crupi, Northgate Construction Co., Inc.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered site plan application #79-200 of Joseph C. DeFranco of Witherell Drive, for property located at 1 Union Avenue, formerly owned by Peter Cam Realty Trust.

The Executive Secretary reported that all appropriate abutters and Town officials had been notified, and that the following communications have been received regarding the same: 1) a communication dated January 18, 1979, from the Building Inspector recommending approval and stating that the sign meets the size requirements but will have to be referred to the Sign Review Board for set-back; 2) a report dated February 6, 1979, from the Town Engineer recommending a ten-foot turning radius where the proposed drive meets Union Avenue; 3) a communication dated February 9, 1979, from the Planning Board concurring with the recommendation of the Town Engineer, suggesting relocation of the handicapped parking area, and recommending a landscape barrier between the driveway and the Northern Farms property to prevent conflicting traffic patterns between the two sites; 4) a communication dated February 9, 1979, from the Director of the Board of Health requesting additional engineering data in the final detailed design plan, indicating that ground water determinations and percolation tests shall be conducted during the period of the year when the ground water table is at its highest elevations, and that upon conformity of the plan to the requirements of the

State Code, Title 5, and Sudbury's Rules and Regulations for the disposal of sanitary sewage, approval of a permit to install the system will be given; and 5) a communication dated January 26, 1979, from the Conservation Commission expressing no concern.

Building Inspector Francis E. White addressed some of the concerns regarding site plan #79-200, which he displayed, as follows: 1) The new structure will replace the old one which will be torn down; 2) the new owner of the property is Joseph C. DeFranco of Witherell Drive; the property was formerly owned by Peter Cam Realty Trust; 3) the landscaped barrier suggested by the Planning Board appears to be restrictive of delivery trucks on the right-of-way located between the two properties; and 4) there is more than sufficient parking, according to the present Town bylaws.

In answer to Selectman John E. Murray, Attorney Robert F. Dionisi explained that the exterior elevations have not been completed; he stated that his client, Joseph C. DeFranco, intends to place a staggered, landscaped border for aesthetic purposes.

Selectman William J. Cossart raised a question concerning the validity of the easement between the properties since the barrier shown on the site plan is shown in the easement area.

Selectman Murray explained that the barrier was drawn on the plan only as a suggestion by the Planning Board; Attorney Dionisi stated that legally a barrier cannot be placed on an easement.

In answer to Selectman Robert J. Hotch, Mr. White said that the two-story building will require an electric lift for the handicapped, and that the use of an electric lift is more economical than an elevator.

Mr. Thompson stated that prior to the issuance of a building permit, Fire Chief Josiah F. Frost would like to review the final site plan. Mr. White agreed to provide for this.

In answer to Selectman Hotch, Attorney Dionisi said that Mr. DeFranco hopes to have the building constructed by November, 1979.

Following further discussion it was on motion unanimously

VOTED: To approve site plan application #79-200 of Joseph C. DeFranco of Witherell Drive, for property located at 1 Union Avenue (formerly owned by Peter Cam Realty Trust), subject to compliance to the Board of Health's letter of February 9, 1979; and further subject to the requirements of the Sign Review Board.

The Board directed the Building Inspector to include the ten-foot turning radius recommended by the Town Engineer on site plan #79-200 dated January 11, 1979, drawn by John G. Danielson, prior to distribution of the same to the various boards.

Joint Meeting with Coolidge Bank & Trust Company and Historic  
Districts Commission - Village Green

Present: Francis E. White, Building Inspector; Josiah F. Frost, Fire Chief; Donnilea S. Marshall, Chairman, Bradley Reed, Edwin A. Blackey, Burgess W. Warren and Burton H. Holmes, Historic Districts Commission; Raymond Johnson, President Coolidge Bank & Trust Company; and Carl Muce of K. M. G. Construction Company.

Chairman John E. Murray stated that the Board is meeting tonight with Mr. Raymond Johnson, President of the Coolidge Bank & Trust Company, and members of the Historic Districts Commission relative to the expired site plan (R#78-190) for the Village Green Shopping Center.

Executive Secretary Richard E. Thompson stated that the Board had voted on November 27, 1978, to grant an extension of the above-mentioned site plan to January 15, 1979, in accordance with an agreement between the Historic Districts Commission and Mr. Bulent Kastarlak, representative of the Coolidge Bank & Trust Company (at that time), that the Coolidge Bank & Trust Company would comply to certain requirements specified by the Historic Districts Commission.

Mr. Thompson said that a report from the Building Inspector, dated January 29, 1979, had been received stating that he had inspected the Village Green Shopping Center on January 24, 1979, and listing four unfinished items, two of which could not have been completed due to the weather conditions.

Mr. Thompson stated that at the direction of the Board he contacted the Coolidge Bank & Trust Company by letter dated January 30, 1979, regarding tonight's scheduled meeting with the Historic Districts Commission, and requesting that a representative from the Bank be in attendance.

Mr. Carl Muce of K.M.G. Construction Company stated he hoped to complete enclosures of the external sewerage vent pipes and the air-conditioning units by next week, weather permitting, but that completion of the ramps and landscaping could not be completed until spring.

Mr. Raymond Johnson, President of the Coolidge Bank & Trust Company, explained that there have been many problems hindering the completion of these items, and stated that most recently there has been an unexplained odor around the Shopping Center creating indecision as to whether or not to close in the external vent pipes.

Donnilea S. Marshall, Chairman of the Historic Districts Commission (HDC), stated that the Commission compromised with the Bank relative to the number of chimneys called for on the original plan in the shopping center, and that the chimneys have not been completed yet. She expressed uncertainty as to why compliance to the site plan was not accomplished within the extended period of time.

In answer to the Executive Secretary, Mr. Johnson confirmed the Bank's intention to conform with the requirements of the HDC (as formerly agreed by Bulent Kastarlak), and stated that Mr. Muce will be working as rapidly as possible according to weather conditions.

The Board stressed the importance of complying within a reasonable amount of time.

Mrs. Marshall asked Mr. Johnson to look into the unhealthy and unsightly situation of the pigeon droppings on the stairway to the balcony. Mr. Johnson agreed to do so.

Mr. William J. Cossart stated that it was his understanding, from the Board of Health, that a crack in the septic tank, which has now been repaired, caused sewerage to seep out into the soil and possibly into old drainage pipes, and that this was the reason for the odor pervading the Village Green Shopping Center.

Mr. Johnson stated that he was not aware of this information, and that he did not think it was current information, but said he would like to hear from the Board of Health relative to the same.

Selectman Cossart stated his opinion that there seems to be a lack of responsibility on the part of the Bank; that Mr. Johnson appeared to have come to the meeting unprepared, suggesting an unwillingness to solve the problems associated with the site.

Mr. Johnson stated that this project has been ongoing for approximately two years, and has involved large amounts of money and many problems, including the loss of his manager. He stated that bankers make poor contractors, but that should not reflect their unwillingness to try and work things out, and that he should be contacted directly regarding any future concerns.

Selectman Hotch strongly urged cooperation on the part of the Bank to complete all items at the site.

In answer to Selectman Murray, Mr. Muce again stated that he hoped to complete the vent and air-conditioning enclosures within two weeks, and that by the end of April the paving and landscaping would be completed.

Historic Districts Commission member Bradley Reed asked if the stone wall in front of the shopping center, damaged by a car accident, would be repaired, and he was reassured by Mr. Johnson that it would be.

Mr. Thompson stated that the unsightly front appearance of the shopping center, due to the accident involving the damage to the stone wall, and the use of the temporary sign which has been continually vandalized, is unfortunate, however, unavoidable.

Mrs. Marshall stated that the temporary sign has been an "eye sore" to the shopping center, and said that she was glad that the permit for the sign expires February 27th.

Chairman Murray suggested that the Executive Secretary communicate to the Board of Health requesting clarification of the problem of the septic system; and likewise, inform Mr. Johnson.



Fire Chief Josiah F. Frost requested the name and address of the new manager, once he is hired. The Chief stated that the fire alarm system is working but requested that it be tied into the Fire Station. The Chief added that the identification fire alarm lights on the outside of the buildings should now be in working order, and they are not; he further requested the name of the person in charge of the sprinkler system on a 24-hour basis. Mr. Johnson agreed to comply with the Chief's requests.

Mr. Thompson recommended that the Board request a revised time schedule from Mr. Johnson for compliance with the HDC requirements, and that, following receipt of official notification from the Board of Selectmen, the Bank should respond to the Selectmen, within seven to ten days, by submitting their revised time schedule. Mr. Thompson added that it would be beneficial to them to respond to Chief Frost's recommendations as well.

There being no further discussion, Chairman Murray thanked everyone for attending tonight.

#### Current Items of Interest cont.

##### Hunting

Chairman John E. Murray clarified recent newspaper publicity by stating that the Conservation Commission will be discussing the issuance of hunting permits on Conservation Land in the Town of Sudbury, and not the banning of hunting in Town.

##### School Safety Inspections

Responding to Selectman William J. Cossart, Executive Secretary Richard E. Thompson explained that "Safety Inspections" of schools are done on a three-month basis, and that he requested the Fire Chief to submit a report to the Board of Selectmen following his next inspection of Lincoln-Sudbury Regional High School and Curtis Junior High School.

##### Time of Meeting Change

It was on motion by Selectman Robert J. Hotch unanimously

VOTED: To change the beginning meeting time from 7:00 P.M. to 8:30 P.M. on March 5, 1979, since the Board has another meeting to attend that night prior to the Selectmen's meeting.

##### Dog Pound

Executive Secretary Richard E. Thompson responded to Selectman William J. Cossart regarding the proposed site for the dog pound at the Sudbury Landfill in the wood chips area by stating that he requested a plan from the Town Engineer for the new proposed location. Mr. Thompson pointed out that this parcel had been designated as part of the Wayland/Sudbury Septage Disposal Facility.

### Sign Reviews

In answer to Selectman Robert J. Hotch, the Executive Secretary explained that all businesses not in compliance with the Sign Review Board's regulations have been notified of their violation and of their 30-day time frame within which to correct any non-conformity. Mr. Thompson pointed out that about 50% of the businesses have responded, and that those who have not will receive legal notice from Town Counsel. Town Counsel agreed to report to the Board on the same at the meeting scheduled for February 20.

### House Bill #1493 and #309

The Executive Secretary brought to the Board's attention House Bill #1493 regarding commuter rail service between Boston and South Sudbury, filed by Representative Ann C. Gannett, on behalf of the Town of Wayland. On the recommendation of Selectman William J. Cossart the Board agreed to consult Clifford Hughes, Massachusetts Bay Transit Authority Designee, for assistance in forming an opinion on the legislation.

Mr. Thompson also brought to the Board's attention House Bill #309 regarding minimum standards for municipal financial officials for future comment from the Board.

### Conferences

The Executive Secretary stated that the first of several conferences dealing with "Tax Caps" limiting public spending will be held on February 23rd at the Sheraton, Boston. The Board directed that each attendee report to the Board on the substance of their meetings.

### Town Hall Rental

Following a brief discussion it was on motion unanimously

VOTED: To rent the lower Town Hall only on Saturday evening, March 10, 1979 to David Bentley for the Saturday Night Dance Committee, in accordance with his application dated February 1, 1979.

### Budget Review

Present: John H. Wilson, Town Accountant.

In reviewing the 1979 Annual Town Meeting Budget Article recapitulation, the Board raised several questions on the first page dealing with totals in columns; Selectman William J. Cossart questioned the additions and several dollar amounts in certain columns.

Town Accountant John H. Wilson responded that some of the figures had been changed and additions and offsets were included after his meeting this past Saturday with the clerk of the Finance Committee.

It was the consensus of the Board that they receive a new copy of the budget incorporating all correct final figures.

The Board suggested for use at Town Meeting a graph of the Debt Service account, principal and interest payments.

The Board directed the Executive Secretary to request a written report from all departments showing the impact and ramifications of the Finance Committee's action on their budgets.

Selectman William J. Cossart stated that he would like to establish the reason for the conspicuous flux in dollar amounts in the Highway's budget, line item 430-40, equipment.

Mr. Wilson responded that the Finance Committee had recommended a reduction in what the Highway Department had requested for fiscal year 1977-78, and the Town Meeting voted the Finance Committee's recommendation. However, the fiscal 1978-79 budget was voted at \$65,000.

Mr. Thompson stated that he and Mr. Wilson would prepare a breakdown of the Highway Department budget for the Selectmen.

It was agreed that the Board would again review the 1979 Annual Town Meeting Budget, at its next meeting on February 20th, with the corrected copy of the same, at which time the Board will take a position on the annual budget.

There being no further discussion to come before the Board, the meeting was adjourned at 11:15 P.M.

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk