

IN BOARD OF SELECTMEN  
MONDAY, SEPTEMBER 15, 1980

Present: Chairman John E. Murray, Anne W. Donald 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.

Revaluation - 1980

Present: Edward F. Moynihan, Albert St. Germain, residents.

Chairman Murray read a communication dated September 5, 1980, to the Board of Assessors from Edward F. Moynihan, 262 Old Sudbury Road, relative to the process of establishing real estate assessments.

There was some discussion regarding the senior citizen abatement on their taxes if the total estate values are in excess of \$40,000 resulting from the new reassessment - meaning the elimination of such abatements and a substantial tax increase for the elderly on fixed incomes.

There was also discussion and comparisons made regarding open land and the varying values for the same.

Chairman Murray explained that property in flood plains will be reassessed within the next 2-3 weeks, as the firm of McGee and Magane did not have flood plains indicated on the assessors' maps which they used. Those maps are being up-dated by the Town Engineer at this time.

Mr. Moynihan suggested that serious consideration be given to any options available under classification, such as the so-called "Residential Factor".

Selectman Cossart commented further as follows:

- 1) the Selectmen have discussed with the Assessors that an announced public meeting should be held on this subject, but that he would stress it again, as suggested by Mr. Moynihan.
- 2) the Selectmen will continue to pursue the answer regarding the abatements to senior citizens and would hope that the Assessors would come up with an alternative plan for that. Mr. Thompson commented that this is a state-wide statutory problem.
- 3) Selectman Cossart advised Mr. Moynihan not to sit back but to pursue the areas he questions. Mr. Moynihan stated that he felt this was a nicer way of doing it instead of getting a petition signed.

Chairman Murray referenced Mr. Moynihan's options relating to classification noted in his communication of September 5 and stated that the Selectmen would pursue the same.

Mr. Moynihan stated that the present reassessment appears to be an instrument to spread out the taxes among the people without taking into consideration people's ability to pay. This problem, it seems, has to be recognized by the Assessors; otherwise, there is nothing anyone can do.

Replying to Chairman Murray, Mr. Moynihan stated that he has received no response to date from the Board of Assessors or the firm of McGee and Magane on his letter under discussion.

One elderly lady stated that she would like to see the formula which was used so that she could have a better understanding of how her new reassessment was established. Chairman Murray stated that she could verify the information on her card in the Assessors' Office; also, that the formula used by the firm of McGee and Magane would be made public, according to them, after the reassessment is final. Mr. St. Germain of Peakham Road later added that it would have been helpful for people to have that information prior to receiving their notifications so that they could have understood the whole process.

Mr. Moynihan commented on the people in the medium tax range who would be paying 40-50% more. Mr. Thompson commented that the average is closer to 25-35%. Selectman Cossart stated that Mr. Moynihan's comments were correct on older homes which had not changed hands over a number of years.

Mr. St. Germain informed the Board that his small lot of land went up 500% at the rate of 66¢ a square foot and his neighbor's assessment on 2.8 acres was assessed at 30¢ a square foot. Also, Mr. St. Germain expressed his opinion that the maps in the Assessors' Office are not accurate enough to measure properly frontages on land, and that to his knowledge no one came out physically to measure his land. Mr. St. Germain cited other discrepancies he knew of.

Mr. Moynihan offered his assistance in helping to try and work out the problems connected with the reassessment. Chairman Murray thanked Mr. Moynihan for his interest and attendance tonight.

Utility Petition 80-15, New England Telephone - Willow Road

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered Utility Petition #80-15, Willow Road, of the New England Telephone Company, for permission to lay and maintain, and a location for, such a direct buried cable and manholes with the necessary wires and cables therein, under the following public way of the Town:

Willow Road: southwesterly side from existing pole 175/15 approximately 585 feet northwest of Hemlock Road extending northwesterly approximately 184 feet of buried cable.

Executive Secretary Richard E. Thompson reported that all appropriate Town officials and abutters had been notified.

It was on motion by Selectman Cossart unanimously

VOTED: To approve Utility Petition #80-15, Willow Road, as described above, and as shown on a plan entitled, "Plan for Proposed Buried Cable Location to Accompany Petition of New England Telephone and Telegraph Company", dated August 25, 1980.

Lease Agreement for Fairbank School

Present: Alan H. Grathwohl, Chairman Lincoln-Sudbury Regional School District Committee (LSRSDC).

Executive Secretary Richard E. Thompson commented that at the Board's September 8 meeting, several concerns had been raised relative to the Lease Agreement dated August 27, 1980, between the Town of Sudbury School Committee and the LSRSDC for the use of the Fairbank School by the Regional High School, which have now been answered satisfactorily, and the lease amended accordingly. Mr. Thompson stated that both School Committees have expressed willingness to sign the Lease Agreement with those changes. Mr. Grathwohl added that he and Mrs. Nelson of the Sudbury School Committee had already tentatively signed the lease under date of August 27, 1980. Responding to Selectman Cossart's concerns, the Board agreed to sign the Lease Agreement under date of September 15 (tonight's meeting) since it is the date of the Board's final approval of the lease.

Responding to Chairman Murray, Mr. Grathwohl brought the Board up-to-date on up-coming sports events at the High School, and explained that with the idea of community spirit in mind, the High School plans to donate profits from these sports activities to both the Hosmer House in Sudbury and the Pierce House in Lincoln.

Chairman Murray thanked Mr. Grathwohl for attending tonight.

Conditional Comprehensive Permit - Longfellow Glen Housing Project

Following discussion, the Board agreed that the entire package concerning the Longfellow Glen project, specifically the final draft of the Conditional Comprehensive Permit (C.C.P.) should go to Town Counsel for his review and comment.

In the Town Engineer's letter of September 10, 1980, to the Board of Appeals addressing inclusion of drainage restrictions to the C.C.P., the Board questioned whether or not a "0%" drainage run-off stipulation had been provided.

Later in the evening, when Mr. Merloni was present, he satisfied the Board's inquiry that a zero percentage drainage run-off from the property was incorporated in his report to the Board of Appeals.

The Executive Secretary was then directed to respond to the Board of Appeals' communication of August 26, 1980, stating the Selectmen's support of the Town Engineer's recommendations in his communication of September 10, 1980, and to further request that the Board of Appeals allow Town Counsel to review the final Comprehensive Permit prior to final approval and submission to McNeil and Associates.

Selectman Cossart commented for the record that a satisfactory traffic study had never been submitted by McNeil and Associates, along with other supporting data and documentation recommended by the Board of Selectmen to the Board of Appeals.

Survey of Licenses and Permits

Chairman Murray commended Student Intern, Larry Goldstein, and the Executive Secretary for their joint efforts in putting together the "Survey of Licenses and Permits, Town of Sudbury, May, 1980".

Responding to Chairman Murray, Mr. Thompson stated his recommendation that the Selectmen consider fee changes on only those permits/licenses within their purview, and informed the Board that the various committees/boards/departments had received a copy of their section of the report for informational purposes and also to consider changes in their fees and permits as necessary. Mr. Thompson asked the Board to evaluate the report over the next few weeks for a discussion and/or decision at some future time.

Selectman Cossart stated that the recommendations are good and that we should be moving towards them. He commented as follows:

- 1) it would be helpful to know the reasons for the variations in total General Receipts collected between 1972 and 1976.
- 2) the tennis recommendation on page 3 seems impractical.
- 3) the maximum fee by statute sometimes does not meet the administrative costs for permits (example: conservation commission, page 3). Mr. Thompson stated that this would require an amendment to the General Laws.
- 4) the Fire Chief's remarks on Page 3 are very valid regarding the 11 permits for which the Fire Department does not charge to insure that residents will continue to call for these inspection type permits. If they are charged they may be reluctant to call.
- 5) the Town Accountant should be aware of the Engineering Department's lack of records. The Selectmen had asked Mr. Wilson to address the records problem(s) within various departments in his evaluation.
- 6) the Board of Appeals collected only \$940 instead of \$1,150 for 46 permits at a twenty-five dollar fee. This should be verified. Selectman Cossart stressed the importance of keeping accurate records.

It was agreed that the Selectmen will further evaluate the report and take further action on its recommendations at a later date.

MDC Sudbury River Diversion

Present: Becky Ritchie member of Citizen's Advisory Committee (CAC) to MDC Sudbury River Diversion Project.

Chairman Murray welcomed Ms. Ritchie for a discussion, at her request, regarding a draft scope of services for the Sudbury Reservoir Water Treatment Plan Environmental Impact Report prepared by Parsons Brinckerhoff and IEP, Inc., and the question of sending a joint response from Town Boards to the Metropolitan District Commission (MDC).

In addition, the Board had received for review findings prepared by Dr. Jerome Carr for the Wayland Conservation in conjunction with the pending Environmental Impact Report with a cover memorandum from the CAC relative to the question of joining Wayland in its proposed study.

Following discussion, it was agreed that Executive Secretary Richard E. Thompson would have Ms. Ritchie's draft letter, responding to the MDC Draft Scope of Services and Level of Effort for the Sudbury Reservoir Water Treatment Plant Environmental Impact Report, re-typed and signed in the Selectmen's office and circulated to the Planning Board, the Board of Health, the Water District and the Conservation Commission for joint signing.

Mr. Thompson commented on the early posture of certain professionals in the field who have agreed on an amount to be drawn from the Merrimac River for Boston.

Chairman Murray commented on the amount of flow from the Connecticut River diverted into the City of Boston, and there was some discussion regarding this Northfield Water Supply project.

During discussion regarding the effect of the diversion on wells of downstream communities, such as Wayland, Ms. Ritchie responded to Selectman Donald that the well on the Beckett property on Lincoln Road is a low priority well, but a good well to explore the relationship of the River and well recharge.

Ms. Ritchie said that Wayland plans to use a consultant to evaluate the MDC forthcoming studies.

Ms. Ritchie informed the Board that Wayland Conservation Commission member and coordinator Margot Black has invited the Town of Sudbury to participate jointly in the Wayland study, but stated that some of the objectives may not be applicable/appropriate for Sudbury. Chairman Murray stated the importance of Sudbury sorting out its priorities in regard to the diversion project and funding for the same before consulting Wayland. Selectman Donald expressed concern regarding the gap in Wayland's proposed testing period of the river in relation to recharging of the wells.

Selectman Donald gave Ms. Ritchie a recommendation regarding a Sudbury couple who had expressed interest in helping to work on this project.

#### Stop Signs at Morse and Mossman Roads

In accordance with a request from (Mrs.) Benjamin A. Bonnet of 275 Morse Road and recommendations from the Juvenile/Safety Officer dated September 5, 1980, and the Town Engineer dated September 9, 1980, it was on motion by Selectman Donald unanimously

VOTED: In accordance with the provisions of Chapter 89, Section 9, of the General Laws, the following streets are designated as stop streets at the intersections and in the direction indicated as follows:

That the Traffic Rules and Orders of the Town of Sudbury, adopted by the Board of Selectmen on September 12, 1941, and subsequent amendments thereto, be and are hereby further amended by adding at the end of Section 8 in Article VII, OBEDIENCE TO ISOLATED STOP SIGNS, the following locations:

"Northbound drivers on Morse Road at Marlboro Road  
Southbound drivers on Mossman Road (turning right) at Marlboro Road  
Southbound drivers on Mossman Road (turning left) at Marlboro Road".

And it was further

VOTED: To authorize the Chairman of the Board of Selectmen to sign certification Form HED-889 for submission to the Department of Public Works of the Commonwealth of Massachusetts, along with a request for approval of the above action.

Personnel Board - Interview and Appointment

Present: Lawrence S. Faye, Chairman, Henry P. Sorrett and Alan B. Reichard, Personnel Board; and Robert B. Rowley, candidate.

Chairman Murray welcomed members of the Personnel Board.

Executive Secretary Richard E. Thompson introduced Mr. Rowley, who was present for an interview. Mr. Thompson commented that two other applicants for appointment to the Personnel Board had been expected tonight, and that, since they were not present, he would re-schedule interviews with them if they were still interested in the appointment.

Following Mr. Rowley's interview, it was on motion by Selectman Donald unanimously

VOTED: To appoint Robert B. Rowley of 102 Hudson Road to the Personnel Board to fill the vacancy resulting from the resignation of Lawrence S. Faye, for a term to expire April 30, 1983.

Chairman Murray assured the Personnel Board that the Selectmen will act as expediently as possible to fill the last vacancy on the five-member Personnel Board.

Act Relative to Qualification of Assessors

On the recommendation of the Executive Secretary, in accordance with a request of the Board of Assessors and information provided in a communication dated August 20, 1980, from the Massachusetts Association of Assessing Officers, Inc., it was on motion by Selectman Cossart unanimously

VOTED: To accept the provisions of Chapter 416 of the Acts of 1980, an Act Relative to the Qualification of Certain Assessors.

And it was further

VOTED: To authorize the Chairman of the Board of Selectmen to sign the summation to the State relative to the same.

Lincoln-Sudbury Regional High School Telephone Lines to Lincoln

Executive Secretary Richard E. Thompson stated that, following receipt of a communication dated September 9, 1980, from Estelle Simon concerning including the Lincoln-Sudbury Regional High School (LSRHS) lines to Lincoln in Expanded Community Calling Service (ECCS) as of November, 1980, he had been informed by Mrs. Simon by telephone on September 11 that, although Mr. Driscoll of Dept. of Public Utilities made assurances that LSRHS lines would be included, she requested the Board's support by letter to New England Telephone.

It was on motion by Selectman Cossart unanimously

VOTED: To direct the Executive Secretary to draft a letter for the Board's approval to be sent to Dept. of Public Utilities requesting including the Lincoln-Sudbury Regional High School lines to Lincoln to ECCS by November, 1980.

Fees and Use of Town Hall Facilities

Chairman Murray referenced a memorandum dated September 11, 1980, from the Executive Secretary dealing with the question of revising rental fees (partially due to rising energy costs) and the Selectmen's Policy for the Use of the Town Hall Facilities, and a consideration of a rental application from the United Presbyterian Church. Executive Secretary Richard E. Thompson also noted that surrounding churches rent hall facilities for private and public use in the range of \$40-60. Mr. Thompson also suggested that the Selectmen may want the option to be able to waive the rental fee in the case of non-profit, daytime use of the Town Hall facilities, such as in the case of the Garden Club, which sponsors an annual daytime garden show in the interest of an interchange of communication within the Town rather than as a fund raiser.

Chairman Murray suggested that persons using the Town Hall on a regular basis during the year should be notified of the Board's desire to raise rental fees for comment; otherwise, Selectman Murray expressed his concurrence with the recommended changes noted in the Executive Secretary's memorandum of September 11, 1980.

Selectman Cossart suggested the following recommendations with regard to the Executive Secretary's memorandum:

- 1) not to incorporate recommendation #1, 1.a. and 1.b., amending the Selectmen's policy for Use of Town Hall, because to do so, the original intent of the Policy would be lost;
- 2) therefore, leave Section 1.a. and 1.b. intact, but change the figures in section 1.b. as recommended by the Executive Secretary (\$10 for Lower Town Hall and \$20 for Upper Town Hall).

The Board concurred and on the recommendation of Chairman Murray the Executive Secretary was directed to draft the Selectmen's Policies and Procedures, Policy for Use of Town Hall Facilities, incorporating the Executive Secretary's recommended changes for rental fees in all sections, and forward the same to those persons/organizations using the Town Hall facilities on a regular yearly basis for comment.

The question of taking any action on the application of the United Presbyterian Church will be postponed until the finalization of the new rental fees.

Bid for Furnishing Heating Fuel Oil and Burner Service for Town Buildings

Executive Secretary Richard E. Thompson stated that two bids for furnishing heating fuel oil and burner service for Town buildings for the 1980-81 heating season had been received from Interstate Gas and Oil Corp. and from Atlas Oil Corp.

Responding to Selectman Donald, Mr. Thompson stated that an "increment" is a constant cost per gal., which is the oil company's profit.

Mr. Thomspon recommended that the Board award the bid to Interstate Gas and Oil Corp. on the Fire Chief's recommendation, based on the increment and good service in the past, and the Building Inspector's recommendation as well. Mr. Thompson added that going with the lower increment (Interstate, .065/Atlas, .076) would be more beneficial to the Town than to go with the lower tank car price, which is subject to change (Interstate, .839/gal./Atlas, .790/gal.).

Selectman Cossart recommended that no action be taken at this time for the following reasons:

- 1) he would like further clarification on the use of different tank car indexes;
- 2) he would like the Executive Secretary to provide him with a total list of the oil companies to whom requests to bid were sent; and
- 3) to award the bid to Interstate, in Selectman Cossart's estimation, would be awarding the bid to the highest bidder, and Selectman Cossart directed the Executive Secretary to consult Town Counsel on this.

At the conclusion of discussion it was on motion unanimously

VOTED: To table any action on bids for furnishing heating fuel oil and burner service for Town buildings for the 1980-81 heating season.

Temporary Licenses for Sale of Wine and Malt Beverages Only

It was on motion by Selectman Cossart unanimously

VOTED: To grant a Temporary License for the Sale of Wines and Malt Beverages Only, to be drunk on the premises to Russell P. Kirby, Fyfe-master, 244 Boston Post Road, Sudbury, Sudbury Ancient Fyfe and Drum Company, for their annual muster on the grounds of Longfellow's Wayside Inn, on September 27, 1980, from 10:00 a.m. to 5:00 p.m. (rain date: September 28, 1980), in accordance with his request of September 11 and subject to the provision of sanitary facilities, obtaining required building and wiring permits, and approval by the Fire Chief and Police Chief.



It was further on motion by Selectman Donald unanimously

VOTED: To grant a Temporary License for the Sale of Wines and Malt Beverages Only, to be drunk on the premises, to Victor Walsh, 60 Pokonoket Avenue, Sudbury, for the festivities in honor of the late Florence Hosmer's 100th birthday connected with the restoration of the Hosmer House, Concord Road, to be held in the Town Centre on October 18, 1980, from 8:00 p.m. to 11:00 p.m., in accordance with his request of September 11.

Review of Unlicensed Dogs

The Board tabled a review of the list of unlicensed dogs (as of September 8, 1980) forwarded from the Town Clerk's Office.

Goodnow Public Library Program through Title I

It was on motion by Selectman Cossart unanimously

VOTED: To approve a Goodnow Public Library program entitled, "Special Programming for Children - Grades 4-8", and the Board's acceptance on the Library's behalf of the allocation of \$6,815 in federal Library Services and Construction Act - Title I funds through the Massachusetts Board of Library Commissioners relative to the same.

Remaining Appointments

Conservation Commission

Executive Secretary Richard E. Thompson gave the Board copies of communications dated September 8, 1980, from Carolyn A. Woolley and Beverly D. Bentley confirming their interest in serving on the Conservation Commission following their observations of Conservation Commission matters.

It was on motion by Selectman Cossart unanimously

VOTED: To appoint Carolyn A. Woolley of 213 Old Sudbury Road to the Conservation Commission, for a term to expire April 30, 1981.

Board of Appeals Associates and Earth Removal Board

It was on motion by Selectman Donald unanimously

VOTED: To re-appoint MaryAnn K. Clark, Lawrence Blacker, Harvey R. Peters and Eileen C. Reutlinger as members of the Board of Appeals Associates and the Earth Removal Board, all for terms to expire April 30, 1981.

Executive Session

At 9:00 p.m. it was on motion by roll call

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

(Roll call vote: Chairman Murray, in favor; Selectman Donald, in favor; Selectman Cossart, in favor.)

Chairman Murray announced that Public Session would reconvene following the Executive Session.

#### Minutes

It was on motion by Selectman Donald unanimously

VOTED: To approve the minutes of the Special Meeting of July 16, 1980, and the Regular Session of September 8, 1980, (excluding one section regarding revaluation not yet drafted) both as amended.

#### Performance Review - Executive Secretary

Following an explanation by Chairman Murray that the Executive Secretary receive a 7% cost-of-living increase plus a merit increase of 3%, it was on motion by Selectman Cossart unanimously

VOTED: To approve the Fiscal Year 1980-81 Evaluation Sheet and salary of \$35,805 for Richard E. Thompson, Executive Secretary, effective July 1, 1980 through June 30, 1981.

#### Current Items of Interest

##### Letter from Assessor Donald Peirce

Chairman Murray noted receipt of a communication from Assessor Donald Peirce, dated September 12, 1980, and distributed copies of the same to the Board.

##### Traffic Fatalities - Juveniles

Selectman Cossart stated that he had attended the first of a series of meetings, to be held on the subject of juvenile vehicle accidents, last evening at Jim Healy's and extended an invitation to the Board to attend the next meeting to be held next Sunday evening, September 21 at 7:30 p.m. Following a lengthy discussion regarding various efforts which might be implemented to curb this problem, it was the consensus that the Board would try and attend this informal meeting, organized by a group of interested parents.

##### Bowker V Signs

Executive Secretary Richard E. Thompson informed the Board that Mr. Quirk had advised the office that the street signs at Bowker have been installed and, in answer to Selectman Cossart, Mr. Thompson said that he would verify the same.

##### Haynes/Town Properties

Mr. Thompson reported that the Town Engineer informed him that the work on the Haynes property, abutting the Flynn Building, will be completed within one month.

Heritage Park

On the recommendation of the Executive Secretary, the Board authorized the expenditure of \$200-500 as needed for Heritage Park maintenance to prepare for the Hosmer festivities in October.

Sudbury Landfill Inspection Report

Mr. Thompson referenced a communication to the DEQE from Town Engineer James V. Merloni dated August 26, 1980, relative to Inspection Report #35 for the Sudbury Landfill and the plan showing well locations to be used for monitoring at the Landfill. Mr. Thompson said that he will keep the Board informed of his discussions with the Board of Health regarding the testing of the wells, which they have agreed to monitor, and that it will be necessary to go to the Finance Committee for a transfer for testing purposes.

Sudbury Non-Profit Housing Authority

Mr. Thompson distributed a news report furnished by Selectman Donald dated September 12, 1980, from the Sudbury Non-Profit Housing Authority to all corporation members.

Coatings Engineering

Mr. Thompson distributed copies of an up-dated report on the status of pollution control at Coatings Engineering Co. as of September 15, 1980, as outlined verbally to the Selectmen's office by Thomas Craig.

There being no further business to come before the Board, the meeting was adjourned at 12:00 midnight.

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk