

IN BOARD OF SELECTMEN
MONDAY, AUGUST 17, 1981

Present: Chairman Anne W. Donald, William J. Cossart, and John E. Murray.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Chairman Donald.

Bond Anticipation Notes

Present: Town Clerk Betsey M. Powers.

It was on motion by Selectman Murray unanimously

VOTED: To sign Bond Anticipation Notes (renewal), effective August 28, 1981, and expiring November 10, 1981, for \$540,000, relative to funding of the Police Station alterations/addition, in accordance with the request of the Town Treasurer, dated August 13, 1981, as follows:

Bay Bank Middlesex	9.48%	250,000
Bay Bank Middlesex	9.68%	290,000

Utility Petition #81-10 - Nobscot Road

Present: Carole Clinton, Boston Edison Company.

In conformity with General Laws, Chapter 166, Section 21 and 22, the Board considered Utility Petition #81-10 of Boston Edison Company for permission to lay and maintain, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way of the Town:

Nobscot Road, easterly approximately 975 feet north of Dudley Road
a distance of about 43 feet - conduit.

Executive Secretary Richard E. Thompson reported that all appropriate Town officials and abutters had been notified and that a favorable report had been received from the Wiring Inspector dated August 13, 1981.

It was on motion by Selectman Murray unanimously

VOTED: To approve Utility Petition #81-10, as described above and as shown on a plan entitled, "Plan of Nobscot Rd. - Sudbury", dated July 10, 1981, confirming the emergency vote of the Selectmen on June 16, 1981, granting the location of approximately 43 feet of conduit in Nobscot Road to provide electric power for the new Water District pumping station #7.

Permanent Police Officer - Allan C. Houghton

Executive Secretary Richard E. Thompson informed the Board that, since submitting a requisition for a certification list for the appointment of one permanent patrolman on July 10, 1981, to the Division of Personnel Administration (DPA), we have learned that the DPA will instead, allow the procedure of reinstatement to facilitate the appointment of Allan C. Houghton to fill the position held by Richard Cannon.

It was on motion by Selectman Cossart unanimously

VOTED: To approve and sign a request for the reinstatement of Allan C. Houghton to the position of Permanent Police Officer, effective January 19, 1981, to be submitted to the Department of Personnel Administration for approval.

(NOTE: Effective date of January 19 was amended to July 12, 1981, following recommendation by DPA.)

Responding to Selectman Cossart, Mr. Thompson stated that the matter of Officer Houghton's pay rate is before the Personnel Board, but that the Personnel Board is holding action until such time as Officer Houghton's appointment is approved by the Division of Personnel Administration. During discussion there was a consensus that Officer Houghton be reinstated at his former salary level. Mr. Thompson commented that there is no provision in the police contract dealing with a salary level for reinstatement. Town Counsel Paul L. Kenny added that it would be appropriate to have Officer Houghton reinstated at his former salary level, and that once he is appointed full time, he will receive all rights and benefits under the police contract.

It was on motion by Selectman Murray unanimously

VOTED: To direct the Executive Secretary to communicate to the Personnel Board, on behalf of the Board, that the reinstatement of Allan C. Houghton to the position of Permanent Police Officer had been approved and a requisition had been signed by the Board for submission to the Department of Personnel Administration for approval; accordingly, the Board recommends to the Personnel Board that Officer Houghton be reinstated at his former salary level and with any other benefits which might accrue to him.

Planting/Landscaping Police Station

Executive Secretary Richard E. Thompson stated that, in accordance with the Board's previous request to review and/or comment (and not necessarily to participate in the selection of a landscaping contractor) on any landscaping plans submitted for the Police Station, two proposals, including design sketches, had been received in the Selectmen's office through the Permanent Building Committee (PBC) and/or Kubitz & Pepi Architects, one from Sudbury Nurseries 281 Maynard Road, Sudbury, in the amount of \$1,480, and the other from Landscape Design, 15 Intervale Road, Sudbury, in the amount of \$1,461.

Mr. Thompson informed the Board that both Kubitz & Pepi and the PBC have recommended Sudbury Nurseries, mostly because of the flexibility in the design plan in the type of plantings that will be available to us.

Following a brief discussion it was on motion by Selectman Murray

VOTED: To accept a landscaping design plan for the Sudbury Police Station, for landscape work to be completed by Sudbury Nurseries, 281 Maynard Road, Sudbury, as described and illustrated in a communication dated July 23, 1981, from Kubitz & Pepi in the amount of \$1,480.

(Selectman Murray and Cossart, in favor; Selectman Donald, present.)

Police Station Alterations/Addition

On the question of authorizing the Permanent Building Committee (PBC) to make certain expenditures relative to the Police Station alterations/addition, as recommended in its communication dated August 3, 1981, and following discussion, the Board directed the Executive Secretary to schedule a joint meeting with the PBC on August 31 to discuss the following concerns of the Board:

- The Board requires accurate figures regarding the balance of the original appropriation for this project (under Annual Town Meeting 1980, Article 25), which should include deductions for any remaining bills and/or claims (which must be made within a 45-day period from the date of substantial completion), before it can determine whether or not authorization for expenditures can be given for the PBC's recommendations to:

1. purchase and install the exterior television camera to complete the monitoring system, approximate cost - \$2,000; and

2. purchase and install detectors to complete the fire alarm system, approximate cost - \$1,500.

- There was a tentative consensus of approval by the Board on the above two items, however, the Board requires firm quotations, not approximate cost figures for the same.

- The Board feels there should be some discussion with the PBC regarding the credit of \$379 to the Town's insurance account and the return of any remaining contingency to the Town's General Fund.

At the conclusion of discussion it was on motion by Selectman Murray unanimously

VOTED: To authorize the payment of a telephone bill, dated June 22, 1981, in the amount of \$46.15, to move a teletype machine, to be expended from an appropriation under Article 25 of the 1980 Annual Town Meeting for the Police Station addition/alteration project.

Proclamation - Women's Equality Day

Present: Joan Ramsey, 97 Thunder Road.

Upon receipt of a request dated August 3, 1981, from Joan Ramsey of the National Organization for Women, South Middlesex Chapter, Framingham, and following a brief presentation by Ms. Ramsey, it was on motion by Selectman Murray unanimously

VOTED: To sign a proclamation naming August 26, 1981, as Women's Equality Day and endorsing ratification of the Equal Rights Amendment.

Dog Hearing: Simon, 26 Silver Hill Road

Present: Mr. and Mrs. Stephen K. Ellis; and Dog Officer Betsy M. DeWallace.

Chairman Donald convened a Public Hearing under General Laws, Chapter 140, section 157, based on complaints received in the Office of the Board of Selectmen concerning the dog, King, a German Shepherd, owned by Mr. and Mrs. Kenneth E. Simon of 26 Silver Hill Road, to consider what action may be taken regarding the disposition of the dog, in accordance with the Board's vote of May 31, 1978. Briefly stated, that vote required the owners to permanently restrain their dog at all times; if the dog is loose, the Dog Officer is to pick him up and the owners will be entitled to another public hearing before the Board of Selectmen.

Executive Secretary Richard E. Thompson stated that the Simons (the owners of the dog) and the Ellises (the complainants), had been notified by certified mail, dated August 11, 1981, of tonight's hearing. The Simons, however, had informed him by telephone that they would be unable to attend because they had planned to be out-of-town. Mr. Thompson stated that he told the Simons to contact Town Counsel's office to arrange another date, when he was able to set up a meeting that was satisfactory to them.

Relative to the question of proceeding with tonight's hearing in the absence of the dog's owners, Town Counsel Paul Kenny suggested that the allegations be heard at this time. Town Counsel further recommended that the Simons receive a copy of the minutes of this hearing and be given an opportunity to be heard at a subsequent meeting, perhaps within the next two weeks. All those who intended to speak were sworn in by Atty. Kenny.

Selectman Murray stated his opinion that the owners should be notified immediately to comply with the Board's vote of May 31, 1978.

Dog Officer Betsy M. DeWallace stated that the dog, King, is at home to the best of her knowledge; that she did not see aggressiveness in the dog - she did not think he was vicious; and that she had not received any recent complaints about the dog other than those from the Ellises.

Mr. Ellis stated that he expected the action taken by the Board in 1978 would take care of the situation, but it did not. Mr. Ellis further stated that the dog is constantly out loose and on his property and stressed the point that the dog was erratic/unpredictable and, therefore, he and his wife do not trust the dog. Mr. Ellis stated that he had documentation of the dog's habits of being loose and bothersome, and expressed his opinion that some definitive action of the Board should be taken concerning this dog since, in his opinion, an appropriate period of time had elapsed since the last hearing.

Mrs. Ellis agreed with her husband regarding the dog's erratic/unpredictable personality, stating that he is a big dog and frightens her when he charges at her. Mr. Ellis stated that he has to be prepared for an attack when he goes to his mailbox across the street.

Selectman Cossart suggested that the Ellisses should contact the Dog Officer immediately if they see the dog unrestrained, that the Dog Officer should pick up the dog immediately, and the Simons notified that the dog would be retained until a hearing with them has been held, and also, that, if the hearing is not held within one month, the dog would be destroyed.

The Dog Officer stated that she had made two attempts in the past to pick up the dog, but was unsuccessful.

Selectman Murray stated that he felt the Dog Officer should patrol the area routinely, rather than wait to get a call regarding the dog being unrestrained.

The Selectmen inquired as to the enforcement of dog fines if the dog is unrestrained. Town Counsel stated that a dog fine may be enforced through a District Court proceeding.

Following further discussion, it was on motion unanimously

VOTED: To request the Dog Officer to strictly enforce the Board's vote of May 31, 1978, specifically, to pick up and hold the Simon's dog, King, if found to be unrestrained;

and it was further

VOTED: To continue tonight's hearing on September 14, 1981.

The Executive Secretary was directed to notify Mr. and Mrs. Kenneth Simon of the above action of the Board, requesting their presence on September 14.

Performance Review: James V. Merloni, Town Engineer

Present: Town Engineer James V. Merloni.

In accordance with the Selectmen's Performance Review Policy, the Board met with Town Engineer James V. Merloni and reviewed with him his report dated July 23, 1981, summarizing the major activities and most significant accomplishments completed by the Engineering Department during the past year.

Executive Secretary Richard E. Thompson reviewed with the Board Mr. Merloni's evaluation sheet for FY1980-81, stating that most of the items had been addressed/resolved, and requested the Board to submit to the office any comments it might have for Mr. Merloni's evaluation sheet for FY1981-82, which will be prepared following tonight's meeting.

Selectman Cossart asked Mr. Merloni if he had anything to add to his report.

Mr. Merloni stated that he is concerned that most of the equipment in the Department is out-dated and/or has fairly expensive maintenance costs. He also noted that the van, formerly used by Engineering, is now being used by the building/maintenance department; this second vehicle is no longer needed in Engineering because the Department is down one man under Proposition 2 1/2 restraints, which stopped the formation of a second field crew.

Responding to Selectman Donald, Mr. Merloni stated that he considers the Dudley Road layout and the sanitary landfill to be the most important projects this year.

Responding to Selectman Murray, Mr. Merloni stated that he had completed the review process for all the personnel in his Department and forwarded the information to the Personnel Board.

Mr. Merloni stated that there has been an increase in subdivisions among small landowners who are trying to squeeze small lots of land out of their properties to sell as house lots. All of these plans must be reviewed by the Engineering Department, in conjunction with other Town Departments, and these marginal developments create problems and extra work for the Engineering Department. Mr. Thompson suggested that the Town Engineer forward copies of these plans as he receives them to the Selectmen's office, so that the Selectmen will be more aware of these things as they come through our office.

The Town Engineer stated that he anticipates no problems relative to the 117 gravel site for the Landfill. Mr. Merloni mentioned that the compactors at the landfill are "down" again and will be for 2-3 weeks. Responding to the Executive Secretary, Mr. Merloni stated that for every week the compactor is down, the life expectancy of the landfill is reduced by one week.

Street Acceptance Plan - Dudley Road

Present: Town Engineer James V. Merloni.

Executive Secretary Richard E. Thompson referenced a 3-page street acceptance plan for Dudley Road, which was prepared by the Engineering Department, entitled, "Plan of Dudley Road in the Town of Sudbury", dated July 1, 1981, for acceptance by the next Special or Annual Town Meeting. Based on the concerns raised by the neighborhood regarding an acceptance plan and any changes made to Dudley Road, the Executive Secretary was directed to inform Mr. Richard Vanderslice, as spokesman of the Dudley Road residents, that copies of the street acceptance plan for Dudley Road were available in the Engineering Department.

Site Plan #81-233, Robert Aron, Union Avenue

Present: Town Engineer James V. Merloni.

The Board briefly reviewed with the Town Engineer a communication dated August 14, 1981, from Schofield Brothers, Inc., Engineers, regarding site plan #81-233 for Robert Aron, Lots 2A and 2B, 29-31 Union Avenue, received as a result of the site plan hearing on August 3, 1981, and which satisfied the concerns raised by the Town Engineer. On the recommendation of the Town Engineer, the Board signed the above-referenced site plan entitled, "Site Plan of Land in Sudbury, Massachusetts", dated June 11, 1981, revised August 3, 1981 and August 14, 1981.

Site Plan #81-232, The Game Room, 416 Boston Post Road

Present: Building Inspector Joseph E. Scammon; Fire Chief Josiah F. Frost; Town Engineer James V. Merloni; Mario Giovane and Rodney DeMille, applicants; Frank R. Sherman, Atty. for applicants; Robert Drake, Engineer; and approximately 20 residents.

Chairman Donald reopened a hearing on the Site Plan Application #81-232 of Antonio Giovane, Rodney DeMille, and Mario Giovane, for property located at 416 Boston Post Road, for an arcade to be named The Game Room.

Executive Secretary Richard E. Thompson stated for the record that the above-mentioned hearing was continued from August 3 by mutual consent, and that subsequent to that hearing, a communication dated August 6 had been received from Francisca and Roger L. Freeman opposing the concept of a game room.

Selectman Murray stressed that tonight's discussion should be limited to the site plan only - not the license for the proposed game room. Atty. Sherman, for the applicants, expressed his concurrence, commenting that the site plan now complies to all the Town By-laws and to the recommendations of the Town Engineer.

Applicant Rodney DeMille proposed that, anticipating approval of the site plan, the Selectmen work with them in establishing The Game Room as a family entertainment center, with a review by the Selectmen at the end of a trial period. Mr. Thompson responded that Mr. DeMille's proposal is good, but that it would be more appropriately addressed following the site plan approval.

At the request of Chairman Donald, Mr. Robert Drake of Drake Engineers, explained the site plan, and the alternate scheme site plan, which eliminates the center opening onto Route 20. This alternate plan was favored by the Town Engineer, but presented a problem for the owner of the property due to the elimination of one opening which was a main access to his property.

During discussion it was mutually agreed that Engineer Robert Drake would revise the alternate scheme plan to show two 24' openings (by reducing one from 48' and widening the other from 20') onto Route 20 from the site owned by Saul Westelman, 424 Realty Trust.

Chairman Donald asked if there were any further comments.

Mr. Ray West expressed his concern regarding the possibility of added congestion on Route 20 with the game room being situated in an already busy shopping area in Town. Later, Mr. Norman Shapiro of 95 Warren Road questioned adding another business in an already congested area.

Mr. DeMille responded that, with that concern in mind, he is working closely with the Building Inspector and his vendor, so that only the proper number of machines would be installed to avoid over-crowding. The Town Engineer later responded that there would be no drastic effect on the Route 20 traffic.

At the request of one resident, the site plan was displayed and explained by Mr. DeMille, who pointed out that there will be 5 additional parking spaces, for a total of 87, with the elimination of the grassed area in front of Marrone's Bakery.

Mrs. Arlene Epstein expressed her opinion that, by reducing the larger opening onto Route 20 to 24', we would be creating a more dangerous intersection. Mr. DeMille pointed out that the State curb cut requirement is 24'. Atty. Sherman added that a smaller opening is actually safer because people had to wait their turn.

Responding to a question regarding the safety factor of bicyclists, Mr. DeMille stated that bicycle racks would be provided along the side of the building, and that the revised parking pattern would achieve a safer traffic flow within the complex.

Chairman Donald stated that those questions pertaining to the licensing of The Game Room will be addressed if and when a special permit or variance is issued by the Board of Appeals and the applicants come before the Selectmen with a license application.

Town Counsel explained that site plan approval is based on items, such as proper traffic flow, adequate parking, certain health requirements, and other Town By-law requirements.

Mr. Jay Atlas of 49 Raymond Road asked about the Board's moral obligation in regard to their license application, if the site plan is approved. Both Selectman Donald and Murray agreed that they would not feel committed to approve a license application for The Game Room if they approved the site plan. Selectman Cossart stated that he had expressed his opposition to the concept of a game room in Sudbury and his opinion is unchanged.

During further discussion regarding the volume of traffic involved in a business such as a game room, Chairman Donald stated that there is a business presently in that building, and that whatever the business a certain amount of traffic will be generated from it.

Mrs. Penny Kapin asked if the Fire Chief has approved the access/egress as proposed. Mr. Thompson stated that he had reviewed the plan.

Following further discussion it was on motion by Selectman Murray

VOTED: To approve Site Plan #81-232 of Antonio Giovane, Rodney DeMille, and Mario Giovane, for property located at 416 Boston Post Road, as shown on a plan entitled, "Alternate Scheme Site Plan in Sudbury, Mass.", dated July 27, 1981, revised August 17, 1981, by Drake Associates, Inc., subject to a variance or a special permit from the Board of Appeals.

(Chairman Donald, in favor; Selectman Murray, in favor; Selectman Cossart opposed.)

Police Grievance - Daniel T. Fitzgerald - Executive Session

Present: Police Chief Nicholas Lombardi; Police Officer Daniel T. Fitzgerald; John R. MacLean, Jr., President, Local 315, International Brotherhood of Police Officers (IBPO); and Mark Miller attorney, IBPO.

In accordance with Article VIII, Section 1, Step 4 of the union contract grievance procedure, Chairman Donald convened a hearing on the grievance of Police Officer Daniel T. Fitzgerald, dated May 26, 1981.

At the suggestion of Selectman Cossart that this matter be discussed in Executive Session, and with the approval of all those present, at 10:00 p.m. it was on motion by roll call unanimously

VOTED: To enter into Executive Session for the purpose of discussing the reputation and character, physical condition or mental health rather than the professional competence of a single individual.

(Chairman Donald, in favor; Selectman Cossart, in favor; Selectman Murray, in favor.)

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

MBTA - Governor's Veto

Based on a communication dated August 6, 1981, from Michael J. Gianotis, Administrative Assistant, Town of Maynard, explaining that due to a break in communications, it will be impossible to file a brief on time, it was on motion by Selectman Cossart unanimously

VOTED: To rescind the Board's vote of August 3, 1981, to authorize an expenditure of up to \$300 from the Selectmen's Surveys and Studies Account #501-81, to retain an attorney jointly with twenty-two other cities and towns affected by the Governor's veto of an outside section of the fiscal '82 state budget which would have allowed those cities and towns to withdraw from the MBTA, as suggested in a July 22, 1981, communication from Lucile P. Hicks.

Resignation - Lawrence L. Blacker

The Board accepted a letter of resignation from Lawrence L. Blacker dated August 6, 1981, from the Board of Appeals Associates and Earth Removal Board, due to his appointment as a full member of the Board of Appeals, and directed the Executive Secretary to send a letter of appreciation to Mr. Blacker for his service as a Board of Appeals Associate and a member of the Earth Removal Board.

Appointments

Constable Vacancy

The Board tabled taking any action to appoint a constable.

Juvenile Restitution Program Committee Alternate

The Board concurred that the Juvenile Restitution Program Committee could operate with the two alternates we presently have, and therefore agreed not to appoint a third alternate.

Accepting Gifts

It was on motion by Chairman Donald unanimously

VOTED: To accept, on behalf of the Town, those items on an invoice dated August 4, 1981, from Western Electric, a corporate gift of materials/office equipment for the Sudbury Police Station, and to authorize the Executive Secretary and the Police Chief by mutual consent to determine the most appropriate use and disposition of the same.

The Executive Secretary was directed to arrange to store the above items in the Horse Pond School until they are used by the Sudbury Police Department, the Library, and or other town departments in accordance with the above vote; and it is further directed that the Executive Secretary send a letter of appreciation to Western Electric.

And it was further on motion by Selectman Cossart unanimously

VOTED: To accept, on behalf of the Town, \$100 for the Council on Aging donated from the proceeds of a golf tournament sponsored by the Kaffestuga.

Temporary Trailer - 23 Stone Root Lane

It was on motion by Selectman Cossart unanimously

VOTED: To confirm the Board's telephone vote of August 12, 1981, to grant a special permit for dwelling purpose use of an automobile trailer at 23 Stone Root Lane, for a period of six months commencing August 12, 1981, to Jiri and Marie Palek, subject to the applicants obtaining a building permit and subject to Board of Health approval, if required.

FORSCOM Environmental Quality Award for 1980 - Ft. Devens

The Board acknowledged receipt of a communication dated August 12, 1981, from Richard J. Kattar, Colonel, Infantry Commanding Officer, Fort Devens, notifying the Board of its having earned the FORSCOM Environmental Quality Award for 1980, in competition with all other U. S. Army Forces Commands, and directed the Executive Secretary to send a letter of congratulations to Colonel Kattar and copies of the communication to the local press.

MDC Sudbury River Diversion Project - Report by Chairman Donald

Chairman Donald informed the Board that the Sudbury River Diversion Subcommittee had interviewed and received proposals from the consultant firms of Perkins Jordan, Inc., (and supplemental letter dated August 13, 1981) and

Whitman and Howard, to study the effects on the Town of the proposed MDC Sudbury River Diversion Project, in accordance with funding for the same under Article 26 of the 1981 Annual Town Meeting, and that the members of the Sub-Committee who were present at the interviews (Olga P. Reed, Hugh Caspe and herself) recommend retaining the firm of Whitman and Howard, since their plan was more specific and because Perkins Jordan appears to have limited experience in the water supply field.

From a memorandum dated August 17 from the Executive Secretary, the Chairman reported comments received from Water District Commissioner Milton Bartlett on the same subject, as follows:

- The Water District will probably select Whitman & Howard for its own related study at their meeting on August 18; then they will write work specifications.

- He recommends one contact from the Town to Coordinate the work of the consultant. One person should administer the contract. (The Selectmen agreed.)

- He suggests Town and District work together and develop specifics for work order specifications after consultant is picked. We should draft a letter to tell the consultant what we want or expect before he starts working.

- We should try to expedite statement from the consultant on behalf of the Town prior to September 23, 1981, meeting sponsored by Citizens' Advisory Committee (Dr. Wenstrup) on the MDC Sudbury River Diversion proposal.

After further disucssion it was on motion unanimously

VOTED: To retain the consultant firm of Whitman and Howard, 45 William Street, Wellesley, Massachusetts, to study the effects on the Town of Sudbury of the proposed MDC Sudbury River Diversion project, in accordance with funding for the same under Article 26 of the 1981 Annual Town Meeting, on the recommendation of the Sudbury River Diversion Sub-Committee;

and it was further

VOTED: To request Town Counsel's office to draft an agreement and/or develop work order specifications, in conjunction with the Sudbury Water District Commissioners, pursuant to the above vote.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular and Executive Sessions of August 3, 1981, as drafted.

Sperry Research Center

In conjunction with Site Plan #81-231 of Sperry Research Center, for property located at 100 North Road, Selectman Cossart reported that he and Health Director John Sullivan had visited the site on August 11, 1981, and discussed the disposal system with Mr. Herman W. Josephson, Manager, Technical Services. Selectman Cossart indicated that Mr. Josephson was totally ill-prepared and unqualified to speak on the disposal system currently in use at Sperry, and indicated further that he felt there was a very serious problem there in that it appears Sperry has only one person apparently qualified to speak on the disposal of hazardous waste on site - a junior staff chemist.

Selectman Cossart stated that he also spoke to Dr. Arthur J. Schneider, Staff Vice President and General Manager the next day, and told him that he and Mr. Sullivan would like to return, but that, due to the serious nature of the many chemicals used, they should put together a complete presentation and explanation of the current and proposed industrial waste disposal plans in conjunction with the conditional site plan (#81-231) approval granted on July 6, 1981. Selectman Cossart listed some of the toxic chemicals which are being discharged, such as, arsenic, saline, lead, heavy metals and cyanide, explaining that these go into a holding tank, the overflow goes into another tank which flows through a bed of marble chips and flows out through a septage leaching system no different from a residential one! (The feeling at Sperry is that the marble chips render everything harmless!) Selectman Cossart stated that he learned about another process at Sperry where they deironize water; also, that some toxic waste is placed in hazardous waste containers and hauled out.

Selectman Cossart stated that it is imperative that we communicate back to Sperry that they do not have approval to proceed with their disposal of hazardous waste on site, and further stressed his strong feeling that the Selectmen should discontinue the practice of giving conditional approval on site plans because it is too casual a procedure.

Executive Secretary Richard E. Thompson referenced a draft of a communication prepared by Selectman Cossart dated August 17, 1981, written to Dr. Arthur J. Schneider of Sperry, amended by adding final wording stressing that the site plan does not achieve an approved status until the Board of Health's approval is received on the same; said letter will be signed by Mr. Sullivan and Selectman Cossart and forwarded immediately. The Board of Selectmen supported the contents of the letter and its intended purpose to resolve the issue.

Current Items of Interest

Agricultural Preservation Restriction

Executive Secretary Richard E. Thompson distributed to the Board a communication dated August 17, 1981, from Town Counsel's office attaching a copy of the Agricultural Preservation Restriction under 1981 Annual Town Meeting Article 29 (Parcel 4 - Concord and Pantry Roads), a copy of a Co-Holders Agreement

(between the Commonwealth of Massachusetts for its Commissioner of Food and Agriculture and the Town of Sudbury) for the purchase of such a Restriction in the sum of \$11,800, and other related material. The Board took the matter under advisement for further clarification from Town Counsel.

Communications Received

Mr. Thompson noted receipt of the following communications:

- to the Selectmen from Dr. Joseph D. LoPresti, Superintendent of the Sudbury Public Schools, dated August 13, 1981, explaining why the School Committee had decided not to act on a request for space at the Nixon School for the Sudbury Teen Center;

- to Wayside Package Store from the Building Inspector, dated August 14, 1981, placing Wayside Package on a 7-day notice with regard to its recent violation of the Zoning By-law involving expansion of the retail sales area in the rear of the building which is in an Industrial District where retail sales are not permitted;

- an August 12 communication from the Massachusetts Municipal Association relative to the new authority and responsibility of the Middlesex County Advisory Board over County Budgets and related data;

- a communication with attachments, dated July 6, 1981, from Dorchester Mutual Fire Insurance Company regarding the Town's insurance coverage. The Board expressed specific concerns regarding item #7 of the Liability Recommendations attachment - use of asbestos, and directed the Executive Secretary to follow this up with the Health Director before the communication is distributed to the appropriate Town Departments/Boards.

- a communication from Michael Callahan, President of Local 2023, International Association of Fire Fighters, dated July 30, 1981, relative to his concerns regarding safety and working conditions in view of the fact that, at times, there is only one man on duty at Station III. The Selectmen discussed the same and took the matter under advisement.

Incidental Information

Mr. Thompson informed the Board of the following:

- that two out of three of our police officers who need training have been enrolled at the Police Academy in Framingham. Selectman Cossart asked Mr. Thompson to find out which police officers will be attending the academy.

- the meeting relative to the proposed MDC Sudbury River Diversion project has been re-scheduled by the Citizens' Advisory Committee to September 23.

There being no further business to come before the Board, the meeting was adjourned at 11:55 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk