

IN BOARD OF SELECTMEN
MONDAY, OCTOBER 19, 1981

Present: Acting Chairman 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. in the Loring Parsonage by Acting Chairman William J. Cossart.

Executive Session

At 7:30 p.m. it was on motion by roll call

VOTED: To enter into Executive Session for the purpose of discussing deployment of security personnel or devices.

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

Acting Chairman Cossart stated that Open Session would convene in the lower Town Hall following the Executive Session.

Meeting with Operational Review Committee

Present: Chairman William W. Cooper, Operational Review Committee (ORC).

Chairman William W. Cooper of the ORC briefly updated the Board on the status of the Wayland/Sudbury Septage Disposal Facility, mentioning that the public bids came back at almost twice the price anticipated due to errors made by the Engineers in the cost estimate.

Dr. Cooper stated that a revised grant application, increased by \$1,346,675, was submitted approved by the Environmental Protection Agency (EPA), because of recent public bidding which exceeded the estimates; \$155,797 will be received from the State.

Dr. Cooper stated that, following formal approval by the Department of Environmental Quality Engineering (DEQE) of the Cumberland Construction Company as the low bidder, construction can begin and will take approximately one year.

Responding to Selectman Cossart regarding how we can insure proper monitoring of waste composition, Dr. Cooper stated that there are three control factors built into the plan: 1) billing back to the actual homeowner; 2) samples will be taken from the trucks as they come in which will be kept for approximately thirty days or more - these can be analyzed at a later time, if necessary; and 3) we have a large equalization plant.

Selectman Cossart expressed some question regarding the accuracy of samples taken from the trucks since the layers would be stratified. Dr. Cooper agreed that there are risks.

Selectman Cossart stated that he believes the Planning Board is interested in becoming involved with this monitoring program. Dr. Cooper did express his agreement, and stated that former Planning Board member, Albert St. Germain is their appointee and has been attending meetings very regularly.

Responding to Selectman Cossart, Dr. Cooper stated that the facility will be Wayland staffed. Regarding the budget for the facility, 50% of the budget will be from Sudbury in a line item in the Board of Health's budget. Each year, the percentage will be corrected depending on the volume per town from the preceding year. The facility will cost the two towns approximately \$250,000.

Dr. Cooper stated that all the bills have been paid as they go along, and that there are approximately \$15,000 in outstanding bills for the two towns at the present time, Dr. Cooper also stated that there is approximately \$70,000 available which has been appropriated over the years for this purpose, and that will cover all of the out-of-pocket costs up to the point that construction begins and will cover our share of the debt service until we have another Town meeting.

Responding to Selectman Cossart, Dr. Cooper stated that he does not expect to have an article in the Warrant for the 1982 Annual Town Meeting for any appropriation for this facility, only a line item in the Board of Health's budget.

Dr. Cooper stated that, if all goes according to schedule, completion will be a year from now, and we will have to have an operator on board before construction is complete, and have a salary for him for a good portion of the next Fiscal Year.

Relative to comment from Selectman Cossart that he had heard rumors that the proposed facility was undersized, Dr. Cooper explained that every attempt had been made by the ORC, in terms of requesting input from pumpers and consulting other towns (Wayland, Marlborough, Shrewsbury), to provide a facility that would adequately handle the volume of waste from the towns of Wayland and Sudbury.

Also responding to Selectman Cossart, Dr. Cooper stated that control is obviously a matter of concern in a facility such as this, but pointed out that there are safeguards built in so that only authorized pumpers will use the facility.

Relative to expenses, and responding to Selectman Murray, Dr. Cooper stated that in order to prepare a recommended budget for the Board of Health for next Fiscal Year, the ORC will have to estimate the cost of operations and user charges to cover those costs.

Responding to Selectman Cossart, Dr. Cooper stated that they have all the manpower they need at the moment, and that he felt the most important thing was to stay on top of the accounts and Federal paperwork. Also, Dr. Cooper stated that a Clerk of the Works, being the engineer for the contractor, will be on site at all times during construction.

Long Range Capital Expenditures Committee Chairman Frederick Armstrong was present and asked about future capital expenditures. Dr. Cooper stated that the projected capital expenditures for the septage facility will probably be increased due to the fact that bids received came in at almost twice the anticipated amounts.

Dr. Cooper again stated that there is sufficient money appropriated to pay for engineering fees until construction begins, that there will be bonding during construction for expenses incurred then.

Responding to Selectman Murray, Dr. Cooper stated there would be a 5% contingency on new appropriations or grants we receive.

At the conclusion of discussion, Acting Chairman Cossart thanked Dr. Cooper for all his work and attending tonight.

Meeting with Long Range Capital Expenditures Committee

Present: Chairman, Frederick P. Armstrong, III, James A. Warner, Jr., and James R. Becker, Long Range Capital Expenditures Committee (LRCEC).

Acting Chairman William J. Cossart welcomed members of the LRCEC for a general meeting with the Board relative to the preparation of this year's Capital Improvement Program.

Table 5 (p.8) of last year's Capital Improvement Program (CIP) report (submitted by the LRCEC under date of March, 1981) was discussed, and a consensus reached, as follows:

- Conservation Commission (Land Acquisition, Purchase Development Land) items will be eliminated from the CIP, since these land acquisitions are being handled in a different manner;

- Board of Health - Septage Disposal Facility - LRCEC will pursue further with the Board of Health/Operational Review Committee;

- Highway Department-

Equipment. The equipment item will remain: however, Selectman Cossart stated that there may be some requirements from the Highway Surveyor beyond what was previously submitted.

Landfill expansion. This is no longer required because Article 28 of the 1981 Annual Town Meeting passed; fill will be taken from the North Sudbury site.

- Planning Board - Walkways - will carry over.

- Fire Department-

Service Life Extension - Engine #1. Since this is an item which is less than \$20,000, it will most likely be eliminated from the CIP.

Aerial ladder truck. Possibility of elimination after discussion with Fire Chief.

Relative to the reconsideration item - Hosmer House, which is the responsibility of the Selectmen, Acting Chairman Cossart stated that the Selectmen's Office would get a direct answer to the LRCEC on this method for financing future reconstruction/repair. The Selectmen will address this issue with the Historical Commission soon.

Responding to Selectman Cossart, Mr. Armstrong stated that the LRCEC would be sending out request forms for capital expenditures to the various boards and commissions this week. Also, responding to, and agreeing with, Selectman Cossart, Mr. Armstrong stated that he was thinking about doing something with the forms, since they are old and needed review - he would like to try to make them more interesting in order to provoke response. Selectman Cossart suggested that perhaps the term be shortened since it is difficult to forecast a 5-year period. Mr. Armstrong agreed to review this suggestion with his whole Committee.

Selectman Cossart thanked the members of the Long Range Capital Expenditures Committee for attending.

Meeting with Planning Board

Present: Chairman William R. Firth, Bradley I. Reed, Olga P. Reed, Robert F. Dionisi and Theodore P. Theodores, Planning Board.

Acting Chairman William J. Cossart welcomed members of the Planning Board for a general meeting with the Selectmen, to include discussion relative to the preparation of Warrant articles for the 1982 Annual Town Meeting.

Chairman William R. Firth opened discussion stating that the Planning Board feels strongly about cluster zoning, landscaping, walkways, and a stronger bylaw to control hazardous waste.

Mr. Theodore P. Theodores listed the areas which concern the Planning Board, as follows: (The Planning Board has not necessarily decided to adopt any of the following as articles to date.)

1) Methods of hazardous waste disposal - need a bylaw for monitoring; expressed his position that little monitoring is being done at Sperry, Union Carbide or Raytheon.

2) Siting of future hazardous waste - determine how we would deal with possible State intervention of locating a hazardous waste plant in Sudbury.

3) Long-range plans relative to the condition of Route 20 in the area from Raytheon to Landham Road, which the Planning Board feels is the worst piece of Route 20 from Marlborough to Waltham.

4) Consultant to help with long-range issues.

5) Cluster zoning. This would be an appropriate response to requests from land owners to subdivide as a result of the new tax reclassification.

6) A landscaping bylaw.

7) Walkways, especially Dutton Road.

8) MDC water proposal - effects on the Town and how to deal with it.

9) Open land assessments. Mrs. Olga P. Reed referenced a previous discussion with the Selectmen and Assessors on this subject on March 12, 1981.

10) Railroad abandonment. Members of the present Planning Board noted that the Planning Board back in 1974 was right on target with its Article 26 of the April 16, 1974 Annual Toan Meeting to add railroad corridors to the Official Town Map by use of an addendum.

Mr. Thompson pointed out that our hazardous waste coordinator is John V. Sullivan; Selectman Cossart is the alternate. There will be a November 9 regional meeting, sponsored by the Town of Hudson, dealing with hazardous waste problems - controlling hazardous waste through bylaws and siting hazardous waste.

Selectman Cossart stated that many of these concerns are also the concerns of other Town boards and commissions and that substantial interest has been demonstrated in the areas of:

a. current hazardous waste: Selectman Cossart stated that Health Director James V. Sullivan has audited all businesses and has received responses from the bulk of them as to what chemicals they are using, and that there have been several on-going meetings and discussions with Coatings (which has been a constant aggravation because of their attitude towards compliance), as well as Sperry - a second meeting is scheduled with Sperry on October 21, 1981, at 8:00 a.m.;

b. future siting of hazardous waste;

c. Route 20 design and traffic control;

d. MDC River Diversion;

e. land assessments; and

f. to a lesser extent - railroad abandonment.

Selectman Cossart continued to say that he did not feel there had been very much Planning Board participation with other boards in these areas in the past and encouraged the Planning Board to join forces in order to deal with these mutual concerns now.

With reference to the Executive Secretary's October 13 communication to the Planning Board suggesting an evaluation of commercial zones and reconsideration of the same with respect to protection of residential zones, Selectman Cossart asked about the possibility of the Planning Board addressing this now for the 1982 Annual Town Meeting. Selectman Cossart stated that the Selectmen are really powerless when it comes to putting any control on the development of a piece of property in an industrial zone; that the Town's zoning was done at a time when it was fashionable to encourage industry to come into the Town; and that a lot of people would probably be willing to forego whatever that broader tax base would mean. Selectman Cossart turned this over as an issue to the Planning Board for study and response.

Mrs. Reed stated that the Town needs bylaw restrictions to monitor our industrial zones which are more stringent than the present ones and thoroughly enforced. Mrs. Reed expressed her dissatisfaction that current laws of the

Town are not being enforced and questioned whether we should try to change the bylaws or try to better enforce them. Mrs. Reed suggested that industrial parcels be reconsidered.

Selectman Cossart suggested that there be a total reconsideration of all the zones; further suggesting that possibly there should be the creation of buffer zones between commercial and residential zones.

The Selectmen briefly updated the Planning Board on their earlier meeting with Dr. Cooper of the Operational Review Committee regarding the Wayland/Sudbury septage facility.

At the conclusion of discussion, Acting Chairman Cossart thanked members of the Planning Board for their attendance tonight.

Classification - Tax Rate

Present: Town Accountant John H. Wilson; Assessors Donald P. Peirce, Chairman, and William R. Duckett; Mary Walsh, Secretary to Assessors.

Acting Chairman William J. Cossart opened general discussion relative to classification and setting of the tax rate for Fiscal Year 1982.

Town Accountant John H. Wilson recapped information in his report on the subject, dated October 16, 1981, as follows:

- total property valuation by Classification has been established by the Assessors to be \$474,787,336;
- the maximum estimated tax levy is \$11,869,683.40;
- under the new legislation, the Assessors, with the approval of the Selectmen, have the option of reclassifying each year and adopting a new residential factor.

Mr. Wilson referenced three tax recapitulation sheets - one being for Fiscal 1981; one being an example showing a \$25 (100% ratio of 1) tax rate for classifications of property, and the last being an example of Fiscal 1982 tax rates under classification using the same levy ratio (two separate tax rates) as last year.

Mr. Wilson stated that this year's figures show an increased valuation for residential property of 10% and a lower tax rate. Mr. Wilson also said it appears valuations will increase by 10% in future years. Assessor Donald Peirce later disagreed saying it would be much less.

Mr. Wilson expressed a sense of urgency in setting the tax rate as soon as possible, stating that the Town will be paying more on borrowings if our tax bills are not sent out by November 1.

Mr. Peirce stated that the Assessors do recommend changing the tax levy borne by each property class this year by using a single tax rate, adding that the valuation figures were submitted to the State October 14th by the Assessors.

Selectman Cossart asked what would be done about the question of establishing an Open Space classification. Mr. Peirce expressed his opinion that a referendum question would probably be the best way to handle it - to hear from the Town. Mr. Peirce commented that making an allowance in the tax rate for open space increases residential rates.

Mr. Peirce stated that the Selectmen should meet with the Assessors as soon as possible so that a decision can be made as to how the tax rate should be set (determine the percentages of local tax levy to be borne by each class of property and set the residential factor). On behalf of the Assessors, Mr. Peirce stated that they feel they have assessed property at the full and fair market value, that their position has never changed, and that they support an equal tax rate (one rate), based on 100% for all classes of property.

The Town Treasurer was present and expressed an urgency in the tax bills going out by November 1.

On the recommendation of the Executive Secretary, it was on motion by Acting Chairman Cossart unanimously

VOTED: To make every effort, through telephone calls, letters, telegrams, to communicate to the State the urgency in hearing from them in approving our new valuation figures so that we can set a tax rate for the Town of Sudbury for Fiscal Year 1982 immediately.

Bond Sale

Present: Town Treasurer Chester Hamilton.

Following an explanation by the Town Treasurer, it was a consensus of the Board to authorize the Town Treasurer to accept the lowest bid for the sale of municipal bonds, in accordance with Chapter 44, s. 22, at the bid opening on Tuesday morning, October 20, using his judgment as to the acceptability of the interest rate.

Town Treasurer Chester Hamilton stated that he would be back next week requesting official approval of the same from the Board.

Mr. Hamilton highly commended a presentation given by Town Accountant John H. Wilson on October 6, 1981, on the Town's behalf, at Moody's Investors Service, New York City, for a determination or updating of our credit rating.

Proclamation - Emergency Medical Services Week

In accordance with a request dated September 24, 1981, from Arleen Silverlieb, Assistant Director of the State Department of Public Health, it was on motion by Selectman Murray unanimously

VOTED: To sign a proclamation declaring the week of November 8 through 14, 1981, Emergency Medical Services Week in Sudbury.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of October 14, 1981, as amended.

Current Items of Interest

Employees Garage Sale

Upon request by Town Hall employees dated October 15, 1981, it was on motion by Selectman Cossart unanimously

VOTED: To grant permission to Town Hall employees to hold a garage sale on October 31, 1981, in the Town Hall parking lot, or in the lower Town Hall if it rains, from 10:00 a.m. to 4:00 p.m.

Ten percent of the profit will go to the Town Hall coffee fund.

MDC River Diversion

Mr. Thompson relayed information received today from Becky Ritchie relative to a field trip to the Southboro Treatment Plant and Nyanza Chemical Plant dump site, which has been planned by Representative Lucile Hicks for October 23. On Ms. Ritchie's behalf, Mr. Thompson stated that he had notified the Health Director and the Water District. Selectman Cossart stated that he would not be able to attend.

1982 Annual Town Meeting Articles

Executive Secretary Richard E. Thompson referenced a list of articles for consideration by the Selectmen by the December 1 deadline for the 1982 Annual Town Meeting, prepared under the date of October 15, 1981. Three of the suggested articles on the list (nos. 8, 9 and 10) were eliminated by mutual agreement.

Selectman Cossart questioned whether the Selectmen should consider a street acceptance/layout article dealing with Powers and Powder Mill Road, in accordance with any promises made in conjunction with the discussion and their vote at the September 28 site plan hearing for Project Management. Mr. Thompson recalled that the Town Engineer had stated at that hearing that it would be impossible for him to prepare an acceptance/layout plan and hold the required public hearings for those roads and meet Warrant and Town Meeting deadlines.

Selectman Murray suggested a survey of the area residents could be conducted, through the Selectmen's office, as to their opinions on the best way to deal with the traffic problems on those roads; i.e., widening, one-way, etc.

The Selectmen agreed that the Executive Secretary should review the minutes of that hearing and consult with the Town Engineer before proceeding with further consideration of an article on this matter and report back to the Board.

Mr. Thompson stated that an article had been drafted by Town Counsel to accept G. L. Chapter 90, s. 20A 1/2 relative to parking fines and administration.

Relative to an article dealing with the adjustment of the Neelon property line and/or the Wayland/Sudbury boundary line, Mr. Thompson showed the Board the Town's engineering plan of the same and relayed the Town Engineer's recommendation that the Wayland/Sudbury boundary line be staggered to allow an even exchange - of fairly large tracts of land - between the two Towns, rather than staggering only the Neelon property line, which apparently is a more difficult adjustment to make.

The Selectmen agreed to discuss this above subject at a later date in more detail; possibly in joint session with the Wayland Board of Selectmen. Mr. Thompson emphasized that the required statutory procedures to change town boundary lines are time consuming and not possible to accomplish by the 1982 Annual Town Meeting, time deadline for Warrant articles.

Executive Session

At 10:45 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.

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

Acting Chairman Cossart announced that Public Session would not reconvene following the Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 11:05 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk