

IN BOARD OF SELECTMEN
MONDAY, JULY 26, 1982

Present: Chairman William J. Cossart, Anne W. Donald, 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 Cossart.

Executing Deeds - Sudbury Water District

Chairman Cossart asked if the Selectmen's office had received any response from the Water District to the July 6 letter to them enclosing proposed deeds for their approval which convey property from the Town to them. (These properties are Tax Possession Parcels 175-182 off Cutler, Clifford and Wright Roads, and Easements to parcels off Raymond Road.)

Executive Secretary Pro Tem Janet Silva stated that there had been no response; the Selectmen agreed that was indication of the District's satisfaction.

It was on motion by Selectman Donald unanimously

VOTED: To execute a deed conveying land shown as lots 18, 19, 20, 21, 22, 23, 34, and 35 on a plan entitled, "Plan of Woodside Acres - A Subdivision in Sudbury, Mass.", dated November 25, 1958, drawn by Schofield Brothers, Registered Civil Engineers, to the Sudbury Water District of Sudbury, in accordance with the vote of the 1982 Annual Town Meeting under Article 18; said lots being Tax Possession Parcels 175-182 off Cutler, Clifford and Wright Roads.

And it was further on motion by Selectman Murray unanimously

VOTED: To execute a deed conveying easements to the Sudbury Water District, shown as Parcels A and B on a plan entitled, "Plan of Land in Sudbury, Massachusetts Showing Land to be Conveyed to the Sudbury Water District", drawn by the Town of Sudbury Engineering Department, dated May 21, 1981, in accordance with the vote of the 1982 Annual Town Meeting under Article 19; said parcels being adjacent to Pumping Stations 6 and 7 off Raymond Road.

Accept Bid - Postage and Mailing Machine

On the question of accepting a bid for the purchase of an automatic postage/ mailing machine, received under the bid opening date of July 23, the Board reviewed the only bid received - from Pitney Bowes.

Responding to Selectman Murray, Executive Secretary Pro Tem Janet Silva stated that the bid price was without trade-in; Selectman Murray stated that the School Committee had indicated an interest in the old postage machine and directed Mrs. Silva to contact them.

Selectman Donald raised the question of the bid having been submitted in proper form since there was no mention of the service/maintenance policy, section 1. B. of the Town's bid specifications. Town Counsel Paul L. Kenny advised that the bid was acceptable in its present form.

It was on motion by Selectman Murray unanimously

VOTED: To accept the bid dated July 19, 1982, from Pitney Bowes, Waltham, Mass., for a Model 6100 Automatic Mailing Machine - purchase price \$5,063; and for an EMS - 10 Electronic Postage Scale - purchase price \$1,373, for a total purchase price of \$6,436 without trade-in, in accordance with the Town's bid specifications, subject to clarification from the Town Accountant regarding the service/maintenance policy.

Cohen Amendment

The Board was in receipt of a communication dated July 14, 1982, from the South Middlesex Area Chamber of Commerce, requesting support of the Cohen Amendment, a constitutional limitation on taxation affecting state and local governments, to be placed on the November ballot.

Selectman Murray commented that the amendment is tied to the seventeen largest industrial states, and if the economy of those states goes up, Massachusetts might be obligated to raise taxation, contrary to the intent of the original amendment.

At the suggestion of Chairman Cossart, the Board directed the Executive Secretary Pro Tem to inform the South Middlesex Area Chamber of Commerce that the Selectmen were in receipt of their above-mentioned communication and are pursuing further investigation of the Cohen Amendment.

Reschedule Meeting

It was requested and on motion by Selectman Murray unanimously

VOTED: To reschedule the Board's meeting of August 9, 1982, to Tuesday, August 10, 1982.

Donation - Edwin Barrett Hosmer Memorial Fund

It was on motion by Selectman Donald unanimously

VOTED: To accept, on behalf of the Town, a donation to the Edwin Barrett Hosmer Memorial Fund, in the amount of \$1,699.09, which represents the proceeds of the Sudbury Historical Commission's Yankee Doodle Yard Sale, held at Heritage Park on July 5, 1982.

Appointments - Election Officers

It was on motion by Selectman Donald unanimously

VOTED: To appoint Republican and Democratic Election Officers for the year commencing August 15, 1982, in accordance with recommendations from the Republican and Democratic Town Committees, dated May 12 and May 20, respectively, and two communications from the Town Clerk dated May 25 and July 12, 1982.

Appointment - Town Report Preparation Committee

It was on motion by Selectman Donald unanimously

VOTED: To appoint Rita M. Colantonio, 10 Autumn Street, to the Town Report Preparation Committee, for a term to expire April 30, 1983.

One-Day Licenses - M.S.S. Indulgence Society

It was on motion by Selectman Murray unanimously

VOTED: To confirm the Board's telephone vote of July 21, 1982, to issue a one-day License for the Sale of Frozen Desserts, Ice Cream Mix, Confectionery, Soda Water or Fruit on the Lord's Day and a one-day License for the Sale of Wines and Malt Beverages Only, to be Drunk on the Premises, to the M.S.S. Indulgence Society, Costantino Arpino, Treasurer, for Sunday, July 25, 1982, from 11:00 a.m. to 10:00 p.m. at the Mossman Road Sanctuary.

Reserve Fund Transfer

It was on motion by Selectman Murray unanimously

VOTED: To confirm the Board's telephone vote of July 14, 1982, approving Reserve Fund Transfer No. 1065 dated June 30, 1982, for Account 950-99, Telephone, in the amount of \$888.21, as noted on the numbered transfer.

Minutes

It was on motion by Selectman Murray unanimously

VOTED: To approve the minutes of the Regular and Executive Sessions of July 12, 1982, and the Special Meeting of July 13, 1982, all as drafted.

Powers and Powder Mill Roads - Citizens Committee Meeting

Present: Town Engineer James V. Merloni; Chairman Olga P. Reed, Planning Board; Atty. Laura Judith Goldin for abutters; Bob Hidell of Hidell-Eyster and Associates, Inc.; Gregory Rochlin, Project Management, Inc.; Sandra Bell and Dr. M. J. Robinson, Steering Committee Chairpersons; and approximately fifty abutters and residents.

Chairman Cossart convened a meeting requested by the Powers and Powder Mill Road Citizens' Committee for Safety of Our Streets, a committee formed to address the safety concerns on those roads, precipitated by a site plan application which came before the Board in September, 1981, by Project Management, Inc., Lots 3 and 4 Powder Mill Road.

Spokesperson for the group Sandy Bell explained that Project Management's site plan was for one 50,000 square foot building with a plan for five buildings or a total of 300,000 square feet, and that several area residents had objected to any site plan approval before a traffic study could be done. Mrs. Bell stated that the "SOS" committee had meet on several occasions and introduced the professionals they had asked to assist them, Laura Goldin of Choate, Hall & Stewart, a zoning and land use planning attorney, and Bob Hidell, Associate of Hidell-Eyster and Assoc. Inc., a land use planner.

Atty. Goldin stated that this issue is of grave concern to the people in the Powder Mill Road area, and that the purpose of tonight's meeting is to try and engage the Selectmen, the Planning Board, the Town Engineer and all of the Boards in Town which have an interest on how land is used in the Town in a planning process at an early stage prior to the next submission by Project Management, Inc. of another site plan for approval.

Regarding the site plan approval procedure, Atty. Goldin pointed out that section V.A. of the bylaw provides specific standards and guidance for the Board of Selectmen, such as the requirement to assure that the adjoining districts are protected against "serious detrimental or offensive uses on the site" and "the convenience and safety of vehicular and pedestrian movement", which, she stated, are the primary concerns of this group with respect to the total build-out of Project Management even with modifications and conditions to plans that might be proposed. Atty. Goldin commented that Powder Mill Road is a narrow, scenic roadway which is an access through a neighborhood to the Powder Mill Road industrial site. Atty. Goldin stressed the importance of early planning and suggested working out some alternative use for that land which might be financially feasible for the developer but not create the type of problems which are not only serious but irreversible. Atty. Goldin pointed out the long-range problems in approving one individual site plan at a time without having an overview of the entire 38-acre development.

Mr. Bob Hidell stated that traffic remains the primary concern of the Powers/ Powder Mill Roads abutters, and that he examined it in light of the approved site plan for development and in light of the projected, completed development.

Mr. Hidell talked about the varying widths of Powder Mill Road: as he measures it, approximately 16 feet with more constricted areas being slightly less; as the Town Engineer suggests, between 18-20 feet; and as measured by abutters, approximately 14 feet.

Mr. Hidell addressed the traffic and road safety issue as follows. One solution would be to widen Powder Mill Road which would require many takings of private property to bring the road to a level of safety. The areas of constriction create shallow/short-distant sight lines, and in its present condition the road cannot be traversed by pedestrians. He noted particularly the current traffic problems at each end of Powder Mill Road. Furthermore, it will suffer physical, accelerated deterioration as cars move off one side or the other to make way for one another - the edge of the road begins to crumble. This is one of the issues which has to be addressed since the road cannot physically handle the anticipated additional traffic generated from the development of Powder Mill Road. Long range planning is required to eliminate future problems he predicted for Sudbury.

Mr. Hidell pointed out that the traffic counts on Routes 117 and 62 are near stress levels and, adding possibly 3,600 trips per day (based on total square footage of the proposed buildings of Project Management) divided between those two roads, will mean 1,800 cars coming back onto already congested roads.

The stress points on Routes 62 and 117 begin to occur at 8,000 cars a day, and right now they are running approximately 8,000 and 9,000 cars per day, Mr. Hidell stated. He added that he would like to see the Selectmen, the citizens, and the proponents approach the real traffic issues.

Responding to Selectman Murray, Mr. Hidell stated that the above-figures were compiled by the DPW based on the average daily traffic taken over a 24-hour period over many weeks in 1980: Route 62, 9,680 ADT at Acton/Concord line; and Route 117, 7,300 ADT at East Maynard/Sudbury line.

The Town Engineer expressed his opinion that the difficulty is the solution to these problems - mainly, funding; that he is willing to work with the committee and Project Management to resolve the problems; and that these roads are not unique in this Town - that there are several serious traffic problems in Sudbury, including Route 20.

Planning Board Chairman Olga P. Reed presented some background information regarding this industrially-zoned land and the Planning Board's involvement. She explained that a subdivision plan for house lots is presently before the Planning Board, and that had the committee contacted the Planning Board to work with them, perhaps the traffic study could have incorporated projected counts on the residentially-zoned portion of the land owned by Project Management. Later, Mrs. Bell stated that the traffic study did not include normal growth in Town because that information was difficult to assess.

Mrs. Reed offered the cooperation of the Planning Board to the Committee.

Gregory Rochlin of Project Management, Inc., stated he was present tonight to work in a constructive way to help the Town develop successfully what they have zoned Limited Industrial. One of the things Project Management is doing, Mr. Rochlin stated, is spending approximately \$80,000 to put water lines along Powder Mill Road, and they hope that they can work in a joint effort with the Town on the road itself, but that they need the cooperation of the Town.

Responding to Chairman Cossart, Mr. Rochlin stated that the most likely uses are a combination in each building of 1/4-1/2 office space and the remaining space for light assembly.

Regarding Project Management's residential development, Mr. Rochlin stated that they are in the preliminary stages - that there are possibly 26 house lots, and that those lots will most likely be sold to builders for development.

Responding to Selectman Murray, Mr. Rochlin stated that they would be putting a road into the subdivision and explained where the property was located - most of it fronting Powder Mill Road.

One abutter questioned the light assembly, specifically the assembly of PC boards and the effect on the water table, the source of water to be used, and whether Sudbury's water supply can support the same.

Mr. Rochlin stated that this was a good point. He stated that they were negotiating with several firms, and that one of the firms they are negotiating with stated that they would have need for the use of a small amount of acid within their company's operations. Mr. Rochlin explained that Project Management would not negotiate further with this particular company until they had total approval by the Town for their business.

Responding to Mrs. Sandy Gorgone, 51 Powers Road, regarding the tenants who will rent the buildings, Selectman Donald stated that the Selectmen and the Board of Health are keeping very close tabs on what is going on and will be keeping closer tabs in the future. Selectman Murray added that, for example, on a previous site plan on Powder Mill Road the Selectmen, in accordance with the Board of Health's recommendation, required monitor wells installed on site, to be monitored by the Board of Health, since the location was near Town wells. Chairman Cossart added that the Selectmen, through the Conservation Commission, had developed a list of restrictive covenants on that same site plan approval, which incorporated no salt to be used in snow removal and other such things.

Atty. Goldin stated that the bottom line is that this kind of high intensity development just may not be possible even with conditions such as road widening, etc., and that ultimately a zoning change may be required.

Mr. Steve Robinson, 142 Powers Road expressed his opinion that Powers Road widens on the Concord end and, therefore, would be used all the way to Concord rather than the traffic flowing from Powder Mill Road to Route 62 or Route 117 to Concord.

Mrs. Janet Monahan, 147 Powers Road, stated that two cars cannot pass each other when there is snow on the road, and added that that portion of Powers Road, as it widens in Concord, is where people really speed, making the point that if the length of the road is widened it will really accommodate fast-moving traffic.

Regarding snow pile ups at the corners and the difficulty motorists have in seeing children waiting for school buses, Mr. Gorgone questioned the Town's liability - whose responsibility it would be if a child is hurt. Selectman Cossart stated, and Town Counsel confirmed that, it would not be the Town's responsibility.

Chairman Cossart commented and concluded that, while the Selectmen would like to protect the residents, it should not be done at the expense of another. (Selectman Cossart stated that the property had been zoned limited industrial and purchased in good faith.)

Responding to the Selectmen, the Town Engineer said that the layout plans for Powers and Powder Mill Road would be completed in the fall of next year and therefore would not be ready for the acceptance of the 83ATM.

Vacancy - Board of Assessors

Present: Chairman Donald P. Peirce and David M. Collins, Board of Assessors;
Secretary Mary Walsh.

The Board was in receipt of a July 15, 1982, communication from the Board of Assessors notifying the Selectmen of the resignation of Assessor Elizabeth M. McClure, effective August 1, and requesting a meeting to discuss the filling of said vacancy. (The Selectmen had acknowledged receipt of a July 2 letter of resignation from Mrs. McClure at their meeting of July 12, 1982.)

Mr. Donald Peirce, the Chairman of the Board of Assessors, stated that he knew of individuals in the community who were qualified for the position of Assessor and who had expressed interest in serving, but that it is a question of whether or not there was a willingness to perform now that there is a vacancy.

The Selectmen indicated they had no candidates in mind to fill the position. Chairman Cossart suggested that an advertisement be placed in the "Bentley" for one week and that Mr. Peirce pursue those individuals he feels might be willing to serve. The two boards agreed.

Chairman Cossart directed that Executive Secretary Pro Tem Janet Silva proceed with preparation of an advertisement with the assistance of the Board of Assessors to be published in the "Bentley" as soon as possible.

It was agreed that the Board of Assessors would meet with the Selectmen at their September 13 meeting, or sometime prior to that regularly scheduled meeting as required, to discuss and/or appoint an Assessor.

Mr. Alan Grathwohl of the Lincoln-Sudbury Regional School District Committee was present and suggested that, since August is not a good time to reach many people because of vacation schedules, it may be better to wait until the end of the summer before making the appointment.

Selectman Murray stated that there is that latitude but, if in the meantime a qualified person is willing to serve, the vacancy should be filled as soon as possible.

Joint Meeting with SPHNA - Use of Flynn Building

Present: Val Mager, President and Gerry Diehl, Sudbury Public Health Nursing Association (SPHNA); and Alan Grathwohl, Lincoln-Sudbury Regional School District Committee (LSRSDC).

Mrs. Gerry Diehl stated that, when SPHNA had approached the Selectmen with a request for space for a day-care center, they had also approached the LSRSDC and Sudbury Schools for space. Mrs. Diehl further stated that SPHNA is presently negotiating with the LSRSDC for an infant and toddler day-care center to begin in September, and that SPHNA would like the Selectmen to consider allowing them to use the lower floor (basement wing) of the Flynn Building for an after-school program for children in kindergarten through the fifth grade, beginning in January.

Responding to questions, Mrs. Diehl gave the following information:

- the maximum number of children would be forty-five - that they expect to have at least thirty.
- the hours of use would be approximately 3:00-6:00 p.m., which hopefully will not interfere very much with the offices in that building - some of which are not open after 4:00 p.m.
- toilet facilities would be installed but no research has been done regarding costs. (The Town Engineer stated that when that building had been used as a school there were toilets in the basement which have since been closed off, but that the pipes are there and could be used again; also, the Flynn Building is not tied into the new septic system.)
- there are no State regulations regarding safety because it is an after-school program, but SPHNA would be sure that the area used would be safe for the children.

- although the basement area is not attractive, it has potential.
- SPHNA would contact the Board of Health regarding their arrangements, particularly relative to the sewerage system and possible plumbing assistance.
- Responding to Chairman Cossart, the Town Engineer stated that the area requested by SPHNA is not located near the power distribution box or boiler, and that those areas could be locked off.

Selectman Donald suggested that SPHNA check with the Building Inspector and the Fire Chief relative to any related concerns.

Following discussion during which Chairman Cossart expressed reservations concerning the compatibility of the operation with existing departments in the Flynn Building, the Selectmen mutually agreed that SPHNA should contact the plumber for estimates as well as pursue estimates for necessary renovations.

Lincoln-Sudbury West

Selectman Murray informed the Board that a time schedule for completion of work to be done at Fairbank School for Lincoln-Sudbury West would be forthcoming this week from Director of Business Administration, John H. Wilson.

Auction - Loring School Parking Lot

The Board was in receipt of a request, dated July 23, 1982 from Curt Garfield, Advisor, Explorer Post 2, Sudbury, to use the Loring School parking lot for attendees at an auction at 106 Woodside Road, to be held on Saturday, July 31.

Responding to the Selectmen, Town Counsel stated that there would be no liability to the Town as far as the shuttle bus between the school to the auction was concerned; the usual liability connected with persons using Town land would be covered under the appropriate Town liability insurance coverage.

It was on motion by Selectman Donald unanimously

VOTED: To approve the July 23, 1982, request from Curt Garfield, Advisor, Explorer Post 2, Sudbury, to use the Loring School parking lot, Saturday, July 21, starting at 10:00 a.m., for the Explorer Post 2 auction at 106 Woodside Road.

Marlborough Parade

Following a brief discussion with respect to the information and request from the City of Marlborough regarding participation by Sudbury in their fifth consecutive Labor Day Parade, the Board directed that the request be referred to the Park and Recreation Department.

Industrial Revenue Bond Program

Executive Secretary Pro Tem Janet Silva stated that a letter (dated July 23) had been sent from the Selectmen's office, following the telephoned consensus of a majority of the Board (Selectman Cossart and Murray in favor), to Representative Barney Frank in Washington indicating that the Town is interested in the industrial revenue bond program continuing.

Frank H. Grinnell Memorial Park Sign

Executive Secretary Pro Tem Janet Silva informed the Board that Col. Leahy has been working on a sign for the Frank H. Grinnell Memorial Park and showed the Board a sketch he had prepared. The Board agreed that the entrance arbor-type plaque was slightly out-of-character for Sudbury's Town Center, where the park is located, and suggested that Mrs. Silva pass along the Board's recommendation that the plaque be more in the traditional style - perhaps mounted on a stone or wood plaque to be set into the ground or stone wall.

Collective Bargaining

At 9:40 p.m. it was on motion by roll call

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

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

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 10:35 p.m.

Attest: _____

Janet Silva
Executive Secretary Pro Tem