

IN BOARD OF SELECTMEN
MONDAY, JUNE 28, 1982

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

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

Lincoln-Sudbury West Proposal

Following discussion it was on motion by Selectman Murray unanimously

VOTED: To acknowledge receipt without further discussion of a communication received June 21, 1982, from Director of Administrative Services John H. Wilson, responding to concerns raised by the Selectmen relative to the Regional School's proposal dated May 26, 1982, to use Loring School for the location of Lincoln-Sudbury West, and furnishing a proposal for the alternative use of Fairbank School, until such time as the Board has met with the Permanent Building Committee to discuss the Loring and Fairbank facilities at 9:00 p.m. this evening.

The Board concurred with the recommendation of the Executive Secretary that, if a lease between the Town and Regional Committee is in order for the use of Fairbank or Loring School, the same is to be drafted by Town Counsel and forwarded to the Regional Committee for comment/approval.

Proposed 1982 Equalized Valuation Figure

Relative to appealing the proposed 1982 Equalized Valuation figure for Sudbury, as received in a communication dated June 1, 1982, from the Department of Revenue, Town Counsel Paul L. Kenny stated his opinion that the firm of McGee and Magane should be consulted since they will have to testify on the Town's behalf at any appeal hearing.

Mr. Kenny stated that the Town's last appeal resulted in a substantial reduction, but the Town had substantial grounds for appeal as well. Responding to Selectman Donald, Mr. Kenny stated that it would be possible to withdraw the appeal at a later date.

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

VOTED: To direct Town Counsel to consult the Board of Assessors regarding appealing the Town's 1982 Equalized Valuation figure within the August 10th deadline with the Department of Revenue.

Appointment - Sealer of Weights and Measures

Present: Richard C. Gleason.

The Board was in receipt of a status report dated June 20, 1982, from Richard C. Gleason indicating that, under his direction (appointed Temporary Sealer of Weights and Measures March 15, 1982), weights and measures in the Town had been legally sealed according to State law. In that report, Mr. Gleason

recommended that the Town increase its sealing fees, under the guidelines of the Massachusetts Sealer's Association, and indicated his interest in being reappointed, as his term expires June 30, 1982.

It was on motion by Selectman Murray unanimously

VOTED: To appoint Richard C. Gleason, 54 Baldwin Avenue, Framingham, as permanent, part-time Sealer of Weights and Measures for a term to expire April 30, 1983, and to request Mr. Gleason to revise the list of sealing fees to be charged by the Town, using guidelines of the Massachusetts Sealers' Association, for appropriate Town Meeting action, as recommended in his communication of June 20, 1982.

Christmas Sales Regulations

As directed by the Board at its November 30, 1981, meeting, Executive Secretary Richard E. Thompson presented a draft letter to be sent to Christmas tree sellers informing them of the regulations governing such sales, and following review and a brief discussion, the Board directed the Executive Secretary to proceed with mailing said notifications.

Flood Insurance

The Board acknowledged receipt of a communication dated June 18, 1982, from the Federal Emergency Management Agency informing the Town that Sudbury has met the requirements of Section 44 CFR 60.3 of the National Flood Insurance Program Regulations and that greater amounts of flood insurance are now available to Sudbury property owners.

In terms of notifying property owners accordingly, the Board directed the Executive Secretary to provide for review a copy of the previous notification letter sent to owners of property now classified as being in the Sudbury flood plain to determine if that was adequate notification.

Special Permit - Trailers at Wayside Inn

It was on motion by Selectman Donald unanimously

VOTED: To grant a special permit to Francis J. Koppeis, Manager, Wayside Inn Corporation, for the parking of 20-25 trailers in the East Field of the Wayside Inn on October 15, 16 and 17, 1982, for the purpose of a private Airstream trailer rally to be conducted by Rally Chairman John C. L. Shabeck, Jr., of the Wally Byam Caravan Club International, Inc., as requested by Mr. Koppeis and Mr. Shabeck in communications dated June 22 and June 7 respectively, subject to Board of Health approval of the facilities on-site and issuance of a building permit by the Building Inspector for a 20' X 30' tent, and notification to the Police and Fire Departments.

Renewal of Taxi Business/Limousine Service Licenses

It was on motion by Selectman Murray unanimously

VOTED: To renew the taxi and limousine service license for Sudbury Gulf Corporation Livery and Limousine Service, d/b/a AAA Limousine Service,

470 Boston Post Road, Sudbury, Edmund R. Brown, President, and approve the rates of \$4 minimum (first 2.5 miles), \$1.50 each mile thereafter, \$26 one way to Logan Airport by Taxi and \$30 one way by limousine; Limousine rental: \$75 minimum - \$30 per hour, as quoted in his application received June 23, 1982;

and it was further

VOTED: To renew the taxi and limousine service license for Lincoln Town Cab, Lincoln Road, Lincoln, Carmin J. Spiro, President, and approve the rates of \$1.60 per mile, \$4 minimum, \$26 to Logan Airport plus tolls (one way), \$16/hour waiting time, in accordance with his application dated June 20, 1982.

The above licenses are granted subject to written approval from the Police Chief, and accepted upon the express condition that the licensee shall, in all respects, conform to all of the rules and regulations as made by the licensing authorities under the provisions of Chapter 40, section 22 of the General Laws, as amended, and shall expire June 30, 1983, unless earlier suspended, cancelled or revoked. Approval is also subject to the Board's notification by the licensee of all future changes in driver personnel, with character verification for the individual drivers to be determined by the Police Chief.

Transfer Requests

a. Selectmen's Surveys and Studies, Account 501-81

It was on motion by Selectman Donald unanimously

VOTED: To approve Transfer Request No. 1058, dated June 28, 1982, from the Reserve Fund to Selectmen's Survey and Studies, Account 501-81, in the amount of \$474.38 for the purpose of paying Gale Engineering Company, Inc., for a comprehensive investigation and report of the Loring School roof, as noted on the numbered transfer.

b. Selectmen's Equipment Purchase, Account 501-51

Following an explanation by the Executive Secretary and review of a recommendation dated June 21, 1982, from Town Accountant James Vanar, it was on motion by Selectman Murray unanimously

VOTED: To approve Transfer Request No. 1057, dated June 28, 1982, from the Reserve Fund to Selectmen's Equipment Purchase, Account 501-51, in the amount of \$5,063, to replace the present 22-year-old postage machine, which is no longer reliable and it, therefore, qualifies as an emergency situation, subject to a commitment from Pitney-Bowes that their July 1 price increase will not affect their proposal to Sudbury dated June 16, 1982, in view of the fact that Finance Committee approval is required before the purchase can be made.

Industrial Revenue Bond Financing - Gold Star Wholesale Nursery, Inc.

The Board acknowledged receipt of a communication dated June 18, 1982 from the Massachusetts Industrial Finance Agency informing the Board of an application for industrial revenue bond financing, under Chapter 40D of the Massachusetts General Laws, by Gold Star Nursery to finance its development at 232 Codjer Lane, and requesting input/comment from the Board.

Following discussion and on the advice of Town Counsel relative to clarification, it was on motion by Selectman Murray unanimously

VOTED: To direct the Executive Secretary to inform the Massachusetts Industrial Finance Agency (MIFA) that the Board of Selectmen supports the proposed use of that land by Gold Star Nurseries and their above-mentioned application, which is to be considered by the Board of Directors of the MIFA at its next meeting on July 1, and to inform them that Gold Star Nursery site plan, which was approved by the Board on February 16, 1982, is subject to (requires) Board of Appeals action.

Coatings Engineering

At 8:00 p.m. Chairman Cossart announced that the scheduled meeting with Coatings Engineering had been cancelled by them based on a letter they received from the DEQE reiterating the Selectmen's feelings (expressed at their June 21 meeting) and the Board of Health's opinion that the June 10, 1982 report from Camp Dresser & McKee, Inc., was too general for immediate and long-term permanent improvements, and directing that Coatings attend a meeting with their consultants on June 30, 1982, at the DEQE offices.

Mr. Thompson stated that he had asked the Fire Chief to inspect the premises today, which he did and he confirmed that Coatings is still in compliance with its licensing for storage of inflammables.

Mr. Thompson informed the Board that he had received a complaint regarding burning at Coatings last Friday, June 25 from abutter Clifford Hughes; Chairman Cossart told Mr. Thompson to inform Mr. Hughes that he should file any further complaint immediately so that the situation can be monitored by the Health Director.

Chinmoy Day in Massachusetts

The Board acknowledged receipt of a communication dated June 12, 1982, from the President of the Sri Chinmoy Centre informing the Town of Governor King's declaration of July 10th as Sri Chinmoy Day in Massachusetts.

Appointments

Local Arts Council

Appointments to the Local Arts Council were tabled pending response/recommendations from the High School.

Sign Review Board

Executive Secretary Richard E. Thompson stated that he had asked Chairman of the Sign Review Board, Leon Zola, to make recommendations and the Board tabled any action pending the same.

Donation - Council on Aging

It was on motion by Selectman Donald unanimously

VOTED: To accept, on behalf of the Town, miscellaneous donations in the amount of \$45.30, to be used by the Council on Aging for their van.

Minutes

It was on motion by Selectman Murray unanimously

VOTED: To approve the minutes of the Regular Session of June 21, 1982, as amended, and the Executive Session of that date, as drafted.

Secretary Pro Tem

On the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To appoint Administrative Secretary Janet Silva as Executive Secretary Pro Tem during Richard E. Thompson's absence while on summer vacation.

Death

Chairman Murray expressed, on behalf of the Board and Town Officials, his heartfelt sympathies to Firefighter Gary Bardsley's family in the tragic death of their 3-year-old daughter.

Request for Dirt Bike Trails

The Board was in receipt of a communication dated June 19, 1982, from Phil St. Germain regarding a legalized area to ride dirt bikes in Sudbury. At the suggestion of Chairman Cossart, and following remarks by Selectman Murray regarding the past history of developing an area in Town for this purpose, the Board agreed to forward the letter to the Park and Recreation Commission and ask for their input/comments on the subject as soon as possible, and to forward a copy of the same to Mr. St. Germain.

With respect to liabilities on the part of the Town in having a dirt bike trail, Town Counsel Paul L. Kenny explained that, once the trail(s) is located, the next step would be to notify our insurance carrier and insurance coverage would be rated according to many safety factors.

Cable Television - Issue of Pornography

Present: P. Jeremy Smith, Cable Advisory Committee.

Chairman Cossart distributed to Selectmen Murray and Donald his draft response, on behalf of the Board, to the Cable Advisory Committee, who requested when they met with the Board on June 21 that the Selectmen retract their letter of May 18, 1982, requesting the Cable Advisory Committee (CAC) to consider the issue of pornography when reviewing the applications for cable television in Sudbury.

Selectman Donald commented as follows:

- that she believed the Selectmen were referring to X-rated films in their reference to pornography;
- that the locking device was new information to the Selectmen; and
- that the basic service should not include channels which offer pornographic, X-rated material.

Following amendments to that draft letter, it was on motion by Selectman Cossart unanimously

VOTED: To direct the Executive Secretary to forward said response to members of the Cable Advisory Committee.

Chairman Cossart read the response for the record, a copy of which is attached and made a part of these minutes.

Joint Meeting with Highway Surveyor and Town Engineer

Present: Highway Surveyor Robert A. Noyes; Town Engineer James V. Merloni; and Chairman William W. Cooper, Operational Review Committee.

a. Landfill Use Authorization

The Board acknowledged receipt of a communication dated June 22, 1982, from the Highway Surveyor noting accomplishments at the Landfill by the Highway Department for FY82 and listing proposed plans for FY83. Executive Secretary Richard E. Thompson suggested that Mr. Noyes add to his list the monitoring of the new private (effective 7/1/82) Wayland Landfill operation for future possible coordination with Sudbury in FY84. Mr. Noyes stated that project was in his plans but not listed.

Mr. Noyes showed a plan entitled "Town of Sudbury, Massachusetts, Sanitary Landfill, Pl. and Operational Plan, Number Five" (Sheet 3 of 3), dated August 12, 1980. Mr. Merloni stated that he would be completing preparation of Operational Plan #6, which would be put into effect in six months.

Mr. Thompson referenced a June 23 report from the State Department of Environmental Quality Engineering (DEQE) informing the Town Engineer that the Town's permit (Order of Conditions issued June 2, 1976) to fill the pond area had expired without any extensions requested; therefore, any work done in that area is in violation of the Department's regulations and requirements. Responding to that, Mr. Merloni stated that he had personally called the DEQE last Friday, June 25, and informed them that the Order of Conditions had been extended by the local Conservation Commission, as required, under date of April 15, 1982. Mr. Merloni stated that he would follow up on that.

Responding to Selectman Donald, Mr. Noyes stated that he could work the Landfill without a compactor with the use of a large shovel dozer (new purchase) and the bulldozer (present equipment); Mr. Merloni expressed a difference of

opinion, stating that compaction must be achieved for the best life of the Landfill (one year of life is lost each year by not compacting), and suggested an alternative to a compactor might be a "sheepfoot" roller which would be pulled by the bulldozer.

Chairman of the Operational Review Committee, Dr. William Cooper, explained to the Board that the purpose of his June 1 communication requesting that a one hundred foot strip of land at the landfill, which encompasses most of the current access road, be reserved for the abutting septage facility, was made with potential future needs of the plant in mind. Dr. Cooper stated that the Wayland Board of Selectmen had been contacted as well for a similar piece of land in Wayland abutting the plant. Dr. Cooper further stated that this piece of land was particularly valuable for this application and the ORC wanted to so inform the Town before other plans were made.

Mr. Merloni showed a plan entitled, "Town of Sudbury, Massachusetts, Sanitary Landfill Site", dated September 1, 1981, showing the area described by Dr. Cooper and during discussion, Mr. Merloni expressed agreement to the idea and pointed out that the area just west of the access road had already been used for dumping but that they can forego further fill and work around it. Responding to Selectman Murray, Mr. Merloni stated that there would be a 4-5 month loss to the Landfill be accommodating this project. There appeared to be a consensus of agreement to this point.

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

VOTED: To support the request dated June 1, 1982, as discussed above from the Chairman of the Operational Review Committee, subject to reservations expressed in the response report dated June 14, 1982, from the Town Engineer, and subject to a future determination by the Town Engineer relative to the amount of land involved.

At the conclusion of discussion, it was on motion unanimously

VOTED: To accept the Sanitary Landfill Agent's annual report dated June 22, 1982, and to authorize the Sanitary Landfill Agent/Highway Surveyor to use the Sand Hill site situated on the northerly side of the Boston Post Road for operation of a sanitary landfill and for brush and stump disposal, specifically excluding the stockpiling of salt unless preventative measures are taken to prevent leachate breakout, in accordance with a plan entitled, "Town of Sudbury, Massachusetts, Sanitary Landfill Plan, Operational Plan Number Five, Sheet 3 of 3", dated August 12, 1980, showing proposed 1982 disposal area, and subject to approval by the Board of Health; and to further authorize the use of a portion of the southeast quadrant for the Wayland/Sudbury Septage Disposal Facility; said uses subject to renewal on or before January 1, 1983.

b. Summer Projects

The Town Engineer listed the following future/summer projects:

- Wayland/Sudbury boundary change. Complete survey work of land in Sudbury to be swapped with Wayland and finalize plan.
- Complete Operational Plan #6 (within next six months) for the Landfill; pond area to be filled this summer; topographical survey to be completed and submitted to the State.

- Dutton Road walkway. Complete walkway construction engineering.
- Union Avenue drainage. Work on construction engineering.
- Flood Plain (82 ATM Article 22). In the process of identifying all properties located in Flood Plain. Submit to Assessors for adjustment of assessments.
- Powers and Powder Mill Roads. In the process of getting roads surveyed and updated on safety of those roads. (Mr. Thompson stated representatives of that area have requested to meet with the Selectmen July 26.)
- Town space needs. Will be working with the Executive Secretary.

Responding to Selectman Donald regarding to use of speed bumps/speed humps, the Town Engineer stated that responses from the two areas in Town to which notification for comment were sent have been positive to the idea. Mr. Merloni stated that there will be some related monetary obligations to the Town. He recommended proceeding on a limited, experimental basis. Chairman Cossart suggested that the Highway Surveyor include something in his next budget for this purpose.

The Highway Surveyor named the following summer/future projects;

- Dutton Road walkway. Once engineering is done they can start working on land takings.
- Union Avenue. Hoping to complete drainage from the brook to the railroad (forms have to be filed with State).
- Seal approximately ten miles of road.
- Normal maintenance.

At the conclusion of discussion, the Selectmen thanked Mr. Merloni and Mr. Noyes for their attendance and reports.

Computer Bid - Engineering Department

Present: Town Engineer James V. Merloni.

Responding to the Selectmen, Town Engineer James V. Merloni stated that two bids for a new computer for the Engineering Department had been received but that one did not conform to the specifications.

On the recommendation of the Town Engineer, dated June 25, 1982, it was on motion by Selectman Cossart unanimously

VOTED: To accept a bid, for one new personal-size computer, together with all the necessary software to complete a surveying computational system, to be used by the Engineering Department, from Hewlett Packard Company, Eastern Sales Region, 32 Hartwell Avenue, Lexington, Massachusetts, in accordance with their bid proposal, in the amount of \$5,364.78, to be expended from the 1982-83 Fiscal Year Equipment Purchase Budget.

Joint Meeting with Permanent Building Committee (PBC)

Present: Chairman Michael E. Melnick, D. Bruce Langmuir, PBC; Custodian Douglas Lewis; Town Treasurer Chester Hamilton; Highway Surveyor Robert A. Noyes; Town Engineer James V. Merloni; Chairman Richard F. Brooks, Lynn B. Donaldson, Alan H. Grathwohl, Lincoln-Sudbury Regional School District Committee (LSRSDC); Sandra Topalian, Director of Lincoln-Sudbury West; High School Principal Brad Sargent; and residents: Santa Jean DeSantis; Harold R. Cutler; Sandra Johnson and Patricia A. Siff.

Executive Secretary Richard E. Thompson informed the PBC that the Selectmen had approved earlier this evening the transfer request from the Reserve Fund for Gale Engineering for their report on the Loring School roof, and that the Board requested tonight's meeting with the PBC to discuss in more detail the proposals for the use of the Fairbank School as far as a community center was concerned and to tie that into discussion of possible use of the Loring School for the same.

Chairman of the PBC, Michael Melnick, showed a plan of the Loring School, and, relative to Lincoln-Sudbury West being located there, explained that their needs (six classrooms, the gymnasium, and the cafeteria) could be accommodated by using all but the back section of the building. There was discussion relative to the demolition of a portion of Loring and regarding which building would be more economically feasible to repair considering a long-term basis use and a possible community center for the Town in the same building. An April 21, 1982, communication from the High School Custodian of Buildings and Grounds, Richard Santella, was referred to. In that letter Mr. Santella stated that the estimated cost to repair Fairbank School is \$25,000; and at Loring School, the cost would be \$23,500. Mr. Brooks stated that that report had been written with a five-year maintenance plan in mind. (Mr. Grathwohl later broke down the figures in that report for each school, pointing out that it included an estimated \$4,000 to repair the roof at Loring School.)

Mr. Thompson referenced a report from Gale Engineering which indicates a cost of \$10,000-30,000 to repair the roof at Loring School. There was some discussion regarding the condition of the roof at Fairbank School compared to the condition of the roof at Loring School, during which Mr. Lewis stated that he knew professional roofers who could repair the Fairbank roof for \$3,000-4,000; these are repairs that will last approximately ten years. Mr. Lewis stressed the importance of ordering the panels right away, since it would take approximately three weeks for delivery. Approximately 10 panels are needed at a cost of approximately \$200 each, plus flashing.

Reference was made to the PBC's proposal, scheme 5, for the use of the Fairbank School and there was some discussion regarding demolishing the left wing of that school.

Responding to Selectman Donald, Mr. Melnick stated that, according to the Engineering report, it would cost approximately \$10,000 to do roof repairs at Loring School; Mr. Brooks expressed confusion as to the immediate need for this extensive work, stating there was no water on the floor at Loring after all the rain we had last week!

Chairman Cossart reviewed that there is approximately \$12,000 available July 1, 1982, for Loring or Fairbank school repairs under various Town and Lincoln-Sudbury Regional High School budget line items.

Mrs. Santa Jean DeSantis expressed her opinion that Loring School should not be repaired if the Selectmen are thinking about asking Town Meeting to raze the building; rather, money should be expended to repair Fairbank School.

There was some discussion regarding moving Lincoln-Sudbury West to another area in the Fairbank School if major renovations (i.e. a community center) are done within the building. Mr. Melnick stated that it would take some extensive cleaning if Lincoln-Sudbury West were to be moved into the left wing. On the other hand, Lincoln-Sudbury West could stay where they are and the roof could be repaired at Fairbank School for \$4,000, as suggested by Mr. Lewis, while a Special Town Meeting is called to address the whole issue.

Selectman Murray agreed and commented that a Special Town Meeting should be called.

Following further discussion, it was agreed that Mr. Grathwohl, Mr. Melnick and Selectman Murray would form a committee of three to discuss and report back on the financial first year costs to the Town and the District High School for the proposals discussed, i.e., relocate Lincoln-Sudbury West to Loring School for one year versus Lincoln-Sudbury West remaining at Fairbank School, taking into consideration the possibility of Fairbank School becoming a community center incorporating High School West in 1-2 years.

Mrs. Sandra Johnson strongly urged the Selectmen to consider the community center idea and expressed her opinion that since Fairbank School is in a better location than Loring School there is no comparison of the two buildings.

Voter Education Booth

At the request of the League of Women Voters of Sudbury, dated June 25, 1982, it was on motion by Selectman Donald unanimously

VOTED: To authorize permission to place a voter education table on the Town Common on July 5 before, during and after the parade, said table to be without overhead structure.

Briefing - Fort Devens

The Board was in receipt of a communication dated June 17, 1982, from the Department of the Army, Fort Devens, regarding a briefing and tour scheduled at 9:00 a.m., July 7, at Post Headquarters. This is in regard to Fort Devens recent ownership of the Sudbury Annex. Chairman Cossart stated he would not be able to attend; either Selectman Murray or Donald would try to attend.

Police Officer Advertisement for Employment

The Board approved a draft of an advertisement for employment - police officer, Town of Sudbury, prepared under date of June 23, 1982, by Acting Chief of Police Peter B. Lembo, as amended by the Executive Secretary.

Executive Session

At 10:25 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.

(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 11:30 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk