

IN BOARD OF SELECTMEN
MONDAY, AUGUST 13, 1984

Present: Chairman Anne W. Donald, Myron J. Fox and Josiah F. Frost.

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

Utility Petitions

Present: Robert Malis, Boston Edison; abutters Louis H. Hough, 3 French Road, and Jacqueline S. and Burton Daitch, 100 Indian Ridge Road.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered the following Utility Petitions of Boston Edison Company and New England Telephone and Telegraph Company:

1) UP84-29 - 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:

French Road - southerly approximately 882 feet northwest of Old Garrison Road, a distance of about 10 feet - Conduit, and

2) UP84-30 - for permission to erect or construct, and a location for, poles, and other such fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, to be used in common by them, upon, along and across the following public way of the Town:

Indian Ridge Road - easterly side approximately 28 feet south of Old Lancaster Road, One (1) pole.

Also for permission to lay and maintain underground laterals, cables and wires on the same side of the public way as poles, for the purpose of making connections with such poles and single-residence buildings as each of said petitioners may desire for distributing purposes.

Executive Secretary Richard E. Thompson stated that all appropriate abutters had been notified and that favorable recommendations had been received jointly from the Deputy Building and Wiring Inspectors dated July 20, 1984, for UP84-29 and from the Building and Wiring Inspectors dated July 30, 1984, for UP84-30.

Mr. Louis H. Hough, 3 French Road, stated that he had some doubts about UP84-29 - 10' of underground conduit infringing on the right of way, French Road, but that he spoke to Mr. Malis just before the hearing and those doubts had been resolved.

It was on motion by Selectman Fox unanimously

VOTED: To approve Utility Petition 84-29 of Boston Edison Company and New England Telephone and Telegraph Company, as noted above, and as shown on a plan entitled, "Plan of French Rd., Sudbury, Showing proposed location of customer conduit", dated June 21, 1984.

Relative to UP84-30, Mr. Thompson further noted receipt of a communication received August 6 from the Blackwells, 92 Old Lancaster Road, indicating they had made the request for removal of the guy wire and anchor on their property which resulted in this petition; thus, they urged approval.

Mrs. Jacqueline S. Daitch, 100 Indian Ridge Road, objected to UP84-30 for the reason that it would impose on her property aesthetically and she felt there were alternatives for the placement of the proposed guy wire.

Mr. Malis stated that, on the basis of the abutter's objection, he would take the petition back to Edison's Engineering Department.

Therefore, it was on motion by Selectman Fox unanimously

VOTED: To deny without prejudice UP84-30 as noted above, and as shown on a plan entitled, "Private Property And Plan of Indian Ridge Rd., Sudbury, Showing proposed pole location & guy wire & anchor", dated June 7, 1984.

Selectman Fox expressed his feeling that, generally speaking, utility poles should not be placed so close to the road that they might interfere with the traffic and directed the Executive Secretary to discuss this issue with the Town Engineer, questioning whether the Town Engineer should review such petitions in the future.

Tax Anticipation Notes

Present: Town Treasurer Chester Hamilton.

In accordance with a request dated August 9, 1984, from the Town Treasurer and following a brief review of that communication by the Treasurer, it was on motion by Selectman Fox unanimously

VOTED: To authorize the Town Treasurer to borrow \$3,000,000 in Tax Anticipation Notes, to be effective September 10, 1984, and due December 14, 1984.

Blue Cross Blue Shield Agreements

It was on motion by Selectman Fox unanimously

VOTED: To approve and authorize the Chairman to sign agreements with Blue Cross Blue Shield of Massachusetts for 1) Master Medical program for the term May 10, 1984 through May 9, 1985 (see Attachment A which lists changes), and 2) Medex III program (Medicare extension) for the term May 1, 1984 through April 30, 1985.

Responding to Selectman Fox, Mr. Thompson noted that the rates have gone up 40% over last year. Also, on the problem of some employees having double coverage, Mr. Thompson stated that he and the Town Accountant will be working on this issue and would report back to the Board as soon as possible.

Draft Environmental Report/Water Treatment Plant

The Board acknowledged receipt of a statement dated July 16, 1984, from James S. Hoyte, Secretary of the Executive Office of Environmental Affairs,

concerning the Draft Environmental Impact Report for the Sudbury Reservoir Water Treatment Plant, EOE A No. 3641, MDC project.

Upon recommendation by Chairman Donald, it was on motion by her unanimously

VOTED: To direct the Executive Secretary to suggest to the Conservation Commission that a new designee to the MDC Sudbury River Citizens Advisory Committee be recommended for appointment as soon as possible in view of the fact that the present designee, Frank A. Scofield, has recently resigned from the Commission.

Ford's Folly

The Board noted receipt of a communication from Town Counsel, dated July 26, 1984, in response to the Board's questions concerning acceptance of the gift of "Ford's Folly".

On the recommendation of the Executive Secretary, the Selectmen tabled discussion of the same until the Town Engineer has had a chance to respond.

At the direction of Selectman Fox, Executive Secretary Richard E. Thompson stated he would look into whether or not liability insurance coverage would need to be increased if the parcel is accepted and would ask for an opinion from the Town Engineer relative to whatever costs would be involved in safety-related improvements to the property.

Site Plan 84-282 - Raytheon, 528 Boston Post Road

Present: Facilities and Administration Manager H. F. Sweitzer, Jr., Project Manager Steven Fugarazzo, Traffic Consultant Norman A. Abend, Architect Bruce Tyson of John Crowe Associates, all representing Raytheon; Building Inspector Joseph E. Scammon; and Fire Chief Michael Dunne.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered Site Plan 84-282 of Raytheon Company, for property located at 528 Boston Post Road, Limited Industrial District #1, for a building expansion.

Executive Secretary Richard E. Thompson stated that all appropriate Town officials and abutters had been notified, and noted receipt of the following communications:

- dated August 10, 1984, from Curt Garfield, 106 Woodside Road, explaining his personal reasons for urging Selectmen support of the above-noted site plan;

- dated July 27, 1984, from the Board of Health submitting comments and recommendations for the Board's perusal;

- dated August 3, 1984, from the Conservation Commission relative to the Wetlands Protection Act Public Hearing which was continued to August 6;

- dated August 10, 1984, from the Building Inspector, recommending approval;

- dated July 23, 1984, from the Fire Chief, recommending conditional approval;

- dated July 30, 1984, from the Town Engineer, not recommending approval of the site plan until some definitive proposal is submitted to reduce the impact of the additional traffic on the Boston Post Road, and until the storm drainage system and the existing downstream drainage system are adequate to handle the additional flows from the site, and

- dated July 3, 1984, from the Stones at Stone Tavern Farm, abutters, supporting the expansion.

Mr. Thompson went on to say that two additional documents which the Board should consider are:

- one from the Planning Board, dated July 31, 1984, recommending a thirty-day extension (to September 24th) of the review process, and

- a communication from Raytheon, dated August 9, 1984, identifying two principal alternatives to generally improve the traffic situation and mitigate any impact that Raytheon's project will have on Route 20 traffic, as follows:

#1 - at the intersection of Route 20 and Nobscot Road, the establishment of a left-hand turning lane (approx. 60 feet in each direction of the intersection) on the west-bound lane of Route 20 to permit the queuing of vehicles waiting for a left-hand turn onto Nobscot Road; and

#2 - a public access from Raytheon directly onto Union Avenue, which will re-route traffic generally exiting to Route 20 and turning in a northerly direction onto Union Avenue.

Facilities and Administration Manager H. F. Sweitzer, Jr., confirmed Raytheon's request, dated July 31, that an extension to September 24 be granted for the site plan approval process for additional interaction with the various Town boards and agencies as suggested by the Planning Board.

During a brief presentation, Mr. Sweitzer mentioned some of the concerns raised by the various Town departments/boards, as follows:

- One concern of the Conservation Commission is that a portion of land determined by Raytheon's architect to be isolated land subject to flooding may be considered by the Commission to be bordering vegetated wetland. This will be discussed next Monday with the Conservation Commission.

- A common concern of the Conservation Commission, the Planning Board and the Town Engineer is the question of down-stream runoff. Raytheon has stated that there will be no additional runoff with the new addition but will continue to work with the Town Engineer to study and calculate the same. Any calculations done by Raytheon will be submitted to the Town Engineer.

- The Board of Health indicated that they wanted some ground water tests done around the six monitoring wells and those samples have been submitted to an outside firm for results and those results shall be forthcoming shortly.

Letter forwarded to the Health Director, dated August 8, 1984, from Raytheon Company addressed concerns raised by the Board of Health.

- The Planning Board is mainly concerned with the issue of traffic on Boston Post Road and looking to Raytheon to alleviate this problem, which is addressed, as noted above, in a communication dated August 9, which he summarized. On questions from Selectman Fox Mr. Sweitzer confirmed Raytheon's willingness or meaning of their August 9 letter is to totally fund alternate #1 plus alternative #2 is to be funded up to a maximum of \$200,000.

The Board agreed to refer Raytheon's August 9, 1984, communication to the Town Engineer and Town Counsel for review and recommendation so that the Selectmen might accept Raytheon's generous offer to fund in its entirety Alternative No. 1 and/or Alternative No. 2, not to exceed \$200,000 - alternatives to improve traffic which would be impacted by Raytheon's site plan 84-282, as set forth in said August 9, 1984, communication from R. Gene Shelley, Senior Vice President, Raytheon Company.

Architect Bruce Tyson showed several architectural renderings and plans of the overall site and briefly explained some of the details - the building will contain approximately 132,000 square feet and will be a 2-story building; the new parking area will be connected to the existing parking area by a roadway and the existing parking area will be redone so that the two parking lots will be more or less parallel to each other. Mr. Tyson commented on some of the areas of concern already briefly mentioned/discussed raised by the Conservation Commission, the Town Engineer, and the Board of Health, and expressed Raytheon's desire to continue to work with the Town in everyone's best interest. Mr. Tyson continued to say that the combined square footage of all the buildings on the property would be 533,000; total population is projected at 2350, which equals 227 square feet per individual. The parking area is the major expansion since they have to add for the new building as well as for those spaces which are displaced because of the location of the new building. There will be a total of 1969 spaces. This provides one space for every 1.19 individual(s). The building will be a pre-cast concrete structure; it will match the existing in texture and color but will have a different window system.

Responding to Chairman Donald, the Building Inspector stated that the site plan does not encroach on the abutting residential area.

Selectman Fox expressed his opinion that in the future when applicants bring in new plans to accompany site plans they should provide the Board with copies for the record.

Mr. Tyson stated that he would provide the Selectmen with the most updated set of plans so that they will have the most current information.

At the suggestion of Selectman Fox, the Board directed Mr. Thompson to contact Tom Phelps, Planning Board Chairman, relative to the Planning Board's recommendation that a joint meeting for a general discussion of the Raytheon site plan be scheduled. Representatives of the Planning Board, the Conservation Commission and the Board of Health, as well as, neighbors, the Executive Secretary and the Town Engineer, should be in attendance. Mr. Thompson stated he would get back to the Board with a date.

Selectman Fox asked representatives from Raytheon to talk to Police Administrative Assistant Peter Lembo regarding the Town Engineer's recommendation to have Raytheon provide a police officer at the Nobscot Road intersection during rush hours, since in the past he has expressed the opposite view.

It was on motion by Selectman Fox unanimously

VOTED: To table by mutual consent site plan 84-282 of Raytheon Company to September 24, as requested by the applicant, for 9:30 p.m.

Note: The number of the site plan, as recorded in the Board of Selectmen's minutes of this meeting, has been corrected to read #84-282 instead of #84-281.

Inflammable Storage License/Precourt Realty, 46 Union Avenue

At its meeting of July 23 the Selectmen voted to approve the application of Precourt Realty Association for a license to store 10,000 gallons inflammables (diesel fuel) underground at 46 Union Avenue, subject to confirmation from the Health Director that 1) the underground storage tank is not in an aquifer protection zone, and 2) the increase in storage to 10,000 gallons to be used by Precourt and his neighbor, E. H. Perkins Construction, Inc., meets with his approval; and confirmation from Town Counsel that Precourt Realty Association can sell gasoline at this location under Town Bylaws and without further permit.

Subsequent to that meeting, the Board was in receipt of the following:

- a verbal report on August 3 from the Health Director stating that, for the purposes of the Board of Health, this area is not in an aquifer protection zone; the Health Director is agreeable to the Precourt application for the installation of a 10,000-gallon tank to hold diesel fuel to be used by both Precourt Realty Association and E. H. Perkins Construction, Inc. (PROVIDED that there be no large capacity storage tank installed in the future on the Perkins property in the event the arrangement is broken off between the two companies, thereby limiting the two properties to one 10,000-gallon tank for storing and dispensing diesel fuel). An earlier statement on July 20 from the Health Director recommended removal of the old storage tanks and replacement with a fiberglass tank equipped with a deflector plate;

- a verbal report on August 3 from Town Counsel confirming that there is no zoning question relative to the arrangement of another company using the Precourt diesel fuel pumps. This is an Industrial Zone where gasoline stations are an allowed use and there would be no licensing requirement. However, the site plan should show the two pumps which will dispense the diesel fuel, and this could be handled with an as-built plan; and

- a verbal agreement on August 8 by Mr. Michael Precourt to a restriction on his storage license that the diesel fuel be used only for Precourt's own use and by Perkins Construction.

Selectman Fox referenced the communication from the Conservation Commission, dated August 7, expressing concern about the proliferation of fuel storage in Town. Executive Secretary Richard E. Thompson stated that the Board of Health has expressed the same concern in the past. Selectman Fox stated he would be cognizant of these concerns in considering any future licenses for the

storage of underground inflammables, and that the Fire Chief should so inform future applicants.

It was on motion by Selectman Fox unanimously

VOTED: To confirm the Board of Selectmen's vote of July 23 approving the application of Precourt Realty Association to store 10,000 gallons of inflammables underground (diesel fuel) at 46 Union Avenue subject to the following:

- the conditions in the Fire Chief's letter of July 12 with the exception of #5 which states "the fuel is only for the occupant's use and not for resale";
- comments by the Health Director on July 20 and August 3, defined above;
- the site plan shall show the two pumps which will dispense the diesel fuel and an "as-built" plan submitted; and
- the restriction that the diesel fuel be used only for Precourt's own use and by E. H. Perkins Construction, Inc.

Revised Site Plan 83-251, Mobil Oil Corp., 432-4 Boston Post Road

Present: Atty. John C. Powers; Building Inspector Joseph E. Scammon; and Fire Chief Michael Dunne.

The Board acknowledged receipt of an August 7 communication from Atty. John C. Powers for Mobil Oil Corporation, 432-4 Boston Post Road requesting approval of a revised plan updated to show the removal of a 4,000 gallon steel gasoline storage tank and the location of a new 6,000 gallon fiberglass gasoline storage tank (already taken place); the plan also shows the location of a new sign to be submitted to the Board of Appeals for approval. On February 13, 1984, the Board of Selectmen had agreed to handle this site plan revision under an informal procedure. For clarification of the record, this location is licensed for 30,000 gallons of gasoline, however, tanks installed hold only a total of 26,000 gallons.

Atty. John C. Powers stated that, with approval from the Selectmen, he can proceed to the Board of Appeals requesting a variance for the set back of the sign from the Post Road, and a variance from the Bylaw provisions which prohibit any self-illuminated signs.

Following a brief discussion, it was on motion unanimously

VOTED: To approve, but sign at a later date revised site plan 83-251 for Mobil Oil Corporation, 432-4 Boston Post Road, plan entitled, "Plan of Land in Sudbury, Mass., Owned by - Mobil Oil Corporation", dated December 22, 1982, revised April 5, 1984.

Note: Atty. Powers is to locate the original mylar at which time the plan will be signed, subject to the addition on the plan of the capacity (6,000 gallons) of the new tank.

Sale of Audubon Books

Relative to the disposition of proceeds for a sale of Audubon books by the Goodnow Library Trustees, discussed by the Selectmen on June 25, the Board tabled the subject pending a written report from Town Counsel. Town Counsel earlier referenced Mr. Max's letter, dated August 4, 1984, and indicated if the back-up material substantiated the contents of his letter, then in his opinion the proceeds from the sale of the Audubon book should go into the Library trust fund.

Amend Traffic Rules and Orders

On the subject of approving an amendment to the Town's Traffic Rules and Orders to add the designation of four stop sign locations on Austin Road, Fox Run Road, Marked Tree Lane and Whispering Pine Road at intersection with Peakham Road, it was on motion by Selectman Fox unanimously

VOTED: That the Traffic Rules and Orders of the Town of Sudbury, adopted by the Board of Selectmen on September 12, 1941, and subsequent amendments thereto, be and are hereby further amended as follows:

By adding at the end of Section 8 in Article VII, OBEDIENCE TO ISOLATED STOP SIGNS, the following locations:

"Southeastbound drivers on Austin Road at Peakham Road
Southbound drivers on Fox Run Road at Peakham Road
Northbound drivers on Marked Tree Lane at Peakham Road
Northbound drivers on Whispering Pine Road at Peakham Road"

The above vote was taken subject to concurrence by the Town Engineer as to location of stop signs.

Fuel Oil Supply

Present: Building Inspector Joseph E. Scammon.

It was on motion by Selectman Frost unanimously

VOTED: To accept a bid awarded by the Wellesley School Committee, acting as agent for The Education Cooperative, for supplying #2 and #4 fuel oil for Town buildings during the 1984-85 heating season, commencing September 1, 1984, from First Petroleum Corp., 1 Washington Street, Wellesley, Massachusetts, at the price per gallon on the date of delivery of the low posting of the Daily New York Journal of Commerce, Boston Terminal, plus \$.0085/gal. for #2 oil and minus \$3.26/barrel for #4 oil throughout the supply period.

Appointment - Board of Registrars

In accordance with a verbal communication on July 27, 1984, from Robert Wood, Chairman of the Republican Town Committee, furnishing recommendations resulting from a vote of said Committee, as required by G.L.c.51, s.15, for making an appointment to the Board of Registrars, it was on motion by Chairman

Donald unanimously

VOTED: To rescind the Board's vote of June 4, 1984, appointing Jean R. Griffin to the Board of Registrars for a term to expire April 30, 1987;

and it was further

VOTED: To appoint Alan P. Thayer, 19 Barbara Road, to the Board of Registrars for a term to expire April 30, 1987.

Police Chief Appointment

It was on motion unanimously

VOTED: To authorize the Executive Secretary to initiate the process leading to the appointment of a Police Chief and approved a letter drafted by the Executive Secretary to be sent to each Sudbury Police Sergeant soliciting application for the position.

Site Plan 83-262 Extension - Doyle, 321 Boston Post Road

Present: Applicant Steven F. Doyle; Building Inspector Joseph E. Scammon; and Executive Secretary Winthrop H. Fairbank, Sudbury Water District.

Chairman Donald convened a public hearing on the application of S. F. Doyle and Co., Inc., for an extension of Site Plan 83-262, for property located at 321 Boston Post Road, owned by Ona I. Fellows, BD#2, Mill Brook Park Phase II.

Executive Secretary Richard E. Thompson stated that all appropriate abutters had been notified, return receipts requested, and noted receipt of the following communications:

- from the Building Inspector and the Town Engineer, dated August 10 and July 30, respectively, both recommending approval;

- from the Planning Board, dated July 31, requesting an extension to August 13 to review the site plan;

- from the Fire Department, dated July 31, requiring the three proposed buildings to be fully sprinklered, that the sprinkler connection not be located greater than 100 feet from a fire hydrant, possibly requiring an additional hydrant near Building III, and that fire alarm cable to connect to the municipal alarm system (if Mr. Doyle chooses to do so) be in conduit, i.e., with telephone cable, during the construction phase; said cable to be shown on the final plan;

- from the Board of Health, dated July 31, conditioning approval on the installation of Town water and that the buildings will be used for office space only; also, any pipe used in an area subjected to vehicle traffic must be capable of withstanding an H-20 loading; and

- from the Conservation Commission, dated August 7, with no official recommendation due to a lack of a quorum at its last meeting.

Mr. Doyle stated there are no changes on the plan, and expressed his agreement to comply with the Chief's and the Health Director's requests.

Mr. Doyle further stated that he met with the Planning Board earlier this evening and after some general discussion the Planning Board voted unanimously to approve the renewal subject to the above-noted conditions of the other Town boards/officials.

On the subject of a walkway between this site and adjacent properties, Mr. Doyle agreed to install a walkway to his adjacent property in the rear, stating that the grading is not conducive to a walkway being put in along Route 20.

Water District Executive Secretary Winthrop H. Fairbank stated that a copy of the site plan should be reviewed by the Water Commissioners and initialed for their own records. He stated it is the policy of the Commissioners to do so with all new plans.

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

VOTED: To grant a one-year extension of Site Plan 83-262 of S. F. Doyle and Company, Inc., for property located at 321 Boston Post Road, owned by Ona I. Fellows, Business District #2, Mill Brook Park - Phase II, for three office buildings, as shown on a two page plan entitled, "Site Plan for Mill Brook Park - Phase II in Sudbury, Mass.", dated May 27, 1983, revised June 14, 1983, subject to compliance with all governmental laws and regulations including, but not limited to zoning, building, and health laws and regulations, and further subject to the following conditions:

- those listed in the Fire Chief's letter of July 31;
- those listed in the Board of Health's letter of July 31;
- Conservation Commission approval of the extension under the existing Order of Conditions;
- unconditional approval by the Planning Board;
- that the developer construct a walkway to his adjacent property at 327-329 Boston Post Road, subject to final approval by the Town Engineer with further evaluation by the Selectmen if the Town Engineer feels it is not feasible, and
- subject to all restrictions of the Board's approval of August 2, 1983.

Note: The board signed the site plan.

Architectural Rendering - Sudbury Farms, 439 Boston Post Road

Present: Building Inspector Joseph E. Scammon.

It was on motion by Selectman Frost unanimously

VOTED: To approve and sign an architectural rendering entitled "Exterior Elevations Project Title: Proposed Store Addition and Alterations to the Sudbury Farm Supermarket Route 20 Sudbury, Mass." dated April 5, 1984, submitted by Roche Bros., d/b/a Sudbury Farms, 439 Boston Post Road, relative to Site Plan approval 84-281.

Appointment - Insurance Advisory Committee (IAC)

Present: William P. Reed, IAC member, and applicant Katherine Masiello.

Insurance Advisory Committee member, William P. Reed, introduced Katherine Masiello, who is interested in being appointed to the Insurance Advisory Committee.

Following conversation with Mr. Reed and Ms. Masiello, it was on motion unanimously

VOTED: To appoint Katherine Masiello, 6 Ledge Road, to the Insurance Advisory Committee, for a term to expire April 30, 1985, replacing William P. Reed, who did not wish to be reappointed.

And with the agreement of Mr. Reed, it was further unanimously

VOTED: To appoint William P. Reed, Ex-officio member of the Insurance Advisory Committee, for a term to expire April 30, 1985.

Executive Secretary Richard E. Thompson distributed to the Board an application to serve on the IAC, received August 13, from Wendy K. Roberts, 15 Wake Robin Road. The Board directed Mr. Thompson to schedule an interview with Ms. Roberts, at which time the Board will also discuss the possibility of increasing the number of members on the IAC.

Executive Session

At 9:30 p.m. it was on motion by roll call

VOTED: To enter into Executive Session for the purpose of discussing collective bargaining.

(Roll call vote: Chairman Donald, in favor; Selectman Fox, in favor; Selectman Frost, in favor.)

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

CATV

The Board acknowledged receipt of a communication dated July 30, 1984, from the State Community Antenna Television Commission, relative to its decision not to intervene in the Adams-Russell/Town of Sudbury CATV Provisional License process.

Resignation - Conservation Commission

It was on motion by Selectman Fox unanimously

VOTED: To accept with regret the resignation of Frank A. Scofield, dated July 19, 1984, from the Conservation Commission, and to direct the Executive Secretary to send an appropriate letter of appreciation to Mr. Scofield for his service on the Commission.

Transfer Request

Following a brief discussion, it was on motion by Selectman Fox unanimously

VOTED: To approve Request for Transfer No. 1, dated August 7, 1984, in the amount of \$2,300 from line item 320-12, Police Overtime, to line item 320-41, Travel, to pay for mileage for police officers to attend the Northeast Regional Police Institute, and as further explained on the numbered transfer.

Appointment - Board of Appeals Associates/Earth Removal Board

It was on motion by Selectman Fox unanimously

VOTED: To appoint Eben B. Stevens, 11 Middle Road, to the Board of Appeals (Associate Member) and the Earth Removal Board, to replace Jeremy M. Glass, for a term to expire April 30, 1985.

Donation - Council on Aging

It was on motion by Selectman Fox unanimously

VOTED: To accept \$146.29, on behalf of the Council on Aging, from Bay Path Senior Citizens Services, Inc., as partial payment of Grant 3B-84-02 for van transportation.

Salary Survey/Elected Town Officials

The Board directed the Executive Secretary to forward communications received from various Town officials, responding in opposition to a June 25 request from Personnel Board Chairman H. Sorett for information relative to salaries and fringe benefits of elected officials in order for the Personnel Board to conduct a salary study, to the Finance Committee for its comment relative to the usefulness of the requested information before proceeding.

Minutes

It was on motion

VOTED: To approve the Town Fathers Forum minutes of June 25, 1984, as drafted.

(Chairman Donald abstained from voting as she was not present at the Board's June 25 meeting.)

It was further on motion unanimously

VOTED: To approve the minutes of the Regular and Executive Sessions of July 23, 1984, as corrected;

Union Contracts

It was on motion unanimously

VOTED: To sign collective bargaining agreements for FY1985 and FY1986 with a.) the Sudbury Supervisory Association and b) Association of Engineers, Architects and Draftsmen, Local 105.

Executive Secretary Richard E. Thompson informed the Board that today Police Local 315 had ratified the union contract, approved by the Board at its July 23 meeting, which would make those money items, which are not retroactive to July 1, 1984, effective as of August 13, 1984. The Board agreed.

Longfellow Glen Contract for Grant Money

At its meeting of June 25, the Board voted to authorize Chairman Donald to sign a Section 8 Annual Contributions Contract between the United States Department of Housing and Urban Development and the Massachusetts Housing Finance Agency (NO. B-1692) relative to Project Number MA06-0021-003, ACC/HAP Contract List Number and date B-82-477, September 29, 1982, for the Longfellow Glen development, Boston Post Road, subject to final approval by Town Counsel, with signing to take place thereafter.

Following a brief explanation by Town Counsel Paul L. Kenny, it was on motion unanimously

VOTED: To direct the Chairman to sign the above-noted document with the notation "approved but not as a party to the contract" inserted at the signature line, as recommended by Town Counsel.

Hydrogeologic Study/Contract No. EN-12-84

At its July 23 meeting, the Board voted to accept a proposal for services to perform a hydrogeological study of the Sand Hill Sanitary Landfill Site (authorized by the 1984 ATM under Article 12), from Anderson-Nichols, Boston/Clinton, Massachusetts, dated June 27, 1984, in the amount of \$19,300.

Following a brief discussion, it was on motion unanimously

VOTED: To approve and sign a contract for professional services between the Town of Sudbury and Anderson-Nichols & Company, Inc., 55 Green Street, Clinton, Massachusetts, relative to the Sand Hill Sanitary Landfill, Hydrogeologic Study/Contract No. EN-12-84, received under cover letter dated August 8, 1984, from Anderson-Nichols, as amended by Town Counsel under paragraph 6 - Termination (page 2 of 2); said change to be initialed by Peter T. Silbermann, Senior Vice President of Anderson-Nichols, who had already signed said contract.

Affirmative Action Program

It was on motion by Selectman Fox unanimously

VOTED: To adopt a Policy Statement of the Board of Selectmen - Sexual Harassment in the Workplace, Attachment 3 to the Affirmative Action Program for the Town of Sudbury, dated August 13, 1984;

and it was further on motion by Selectman Frost unanimously

VOTED: To adopt an Affirmative Action Program for the Town of Sudbury, dated August 13, 1984, as amended.

The Selectmen praised the Affirmative Action Program which had been prepared. The Executive Secretary recommended that the official record show that Elaine L. Jones of the Selectmen's staff had compiled the report and is responsible for the commendable job.

Donation/Council on Aging

It was on motion unanimously

VOTED: To accept on behalf of the Council on Aging miscellaneous van donations totaling \$199.40.

HMO Health Plans

Selectman Fox brought to the Board's attention an article in The Middlesex News, dated July 22, 1984, on the subject of HMO's.

Selectman Frost commented on a problem he has been experiencing with his HMO (Tufts) Health Plan in not being able to continue using the local pharmacy because of the restrictions placed on subscribers as to which pharmacies they can use in order to be covered by their Tufts plan.

MAPC Assistance

Selectman Fox brought up the subject of seeking MAPC assistance and suggested that, following review of the Master Plan update by the Selectmen, the Town Planner and the Planning Board, the MAPC should be consulted in terms of delineating Aquifer Protection Zone(s) and preparing a related article for the next Annual Town Meeting.

Executive Secretary Richard E. Thompson suggested that as soon as the update has been submitted to the Selectmen they meet with the Planning Board for some consensus on the subject. The Board concurred.

NOTE: A letter was received from MAPC Representative David Grunebaum dated June 18, 1984, which recommended that the two weeks of free time MAPC would give us could be best utilized after receiving the Master Plan Update. On June 25 the Board agreed to this approach and discussed the possibility of using MAPC to help draft an Aquifer Protection Bylaw. The minutes of June 25 were conveyed to Mr. Grunebaum with an inquiry as to how much time MAPC will commit to a project.

Fire Academy Work Release Program

Relative to the State Fire Academy's work release program with the Massachusetts Penal Institute, and the recent incident in Sudbury of a convict escaping from the Fire Academy property, and following discussion, the Board agreed that the Director of the Fire Academy should advise the Police Department whenever work is being performed on the premises through this program in the future.

Selectman Frost stated he would follow up with Director Stephen Coan.

Barton Land Donation

The Board noted receipt of a communication to Assistant Town Counsel Thomas F. French from Deborah Montemerlo, Conservation Coordinator, relative to the draft restriction concerning the Barton-Sisson-Ames (Barton) property being donated to the Town (with a repurchase option to the Barton family). Selectman Fox expressed some concern with the language of the draft and agreed to have Town Counsel Paul L. Kenny carefully review the same.

Complaint of Junk Cars

The Board requested clarification from the Building Inspector relative to a anonymous communication received under date of August 6 regarding junk cars, junk shop, etc., at a residential property.

B'nai Torah Lease

On the subject of the Loring School lease with B'nai Torah and a communication dated July 30 from President Harvey S. Tall, the Board directed the Executive Secretary to respond to the same indicating the Town's position on each item, as follows:

- Item 1. The Town agrees that the term of the lease shall run from August 1, 1984, to June 30, 1989, both dates inclusive;

- Item 2. Repair of the backup boiler - this will be done in accordance with the recommendation of the Supervisor of Town Buildings, Douglas Lewis;

- Item 3. Repair of glass - the Town will do so again on the recommendation of the Supervisor of Town Buildings, i.e., approximately four to be replaced now and possibly four later. Those large panes of glass containing only BB holes or small fractures will be replaced at a later date at the Town's expense, if necessary, however, B'nai Torah's list has been noted for the record.

Lieutenant Examination

On the subject of requisitioning the State Department of Personnel Administration for a Lieutenant Civil Service examination, Executive Secretary Richard E. Thompson explained that there are two alternatives - either to restrict the promotional exam to sergeants only (M.G.L.c.31,s.9) or that it be open to those ranking lower than sergeant who have certain experience, education or training (M.G.L.c.31,s.10). Mr. Thompson stated that Police Administrative Assistant Peter Lembo recommends requisitioning in accordance with s.10.

Following discussion, it was on motion unanimously

VOTED: To support Police Administrative Peter Lembo's recommendation that the Executive Secretary requisition the State Department of Personnel Administration for a Lieutenant Civil Service examination in accordance with M.G.L.c.31, s.10.

Wayland/Sudbury Septage Facility

Executive Secretary Richard E. Thompson reported that he had spoken to Edward N. Perry, Executive Secretary for the Town of Wayland, who informed him that the arbitration case relative to the Wayland/Sudbury Septage Facility is not going forward.

There being no further business to come before the Board the meeting was adjourned at 11:45 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk