

IN BOARD OF SELECTMEN
MONDAY, OCTOBER 15, 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.

Inflammable Storage License Extension/Coatings, 33 Union Avenue

Present: General Manager Thomas G. Craig and Technical Manager Albert J. Zaccone, Coatings Engineering Corporation; Fire Chief Michael Dunne; Michael W. Guernsey, Chairman, Board of Health, and abutter Mr. Clifford Hughes, 27 Concord Road.

Chairman Donald convened a public hearing on the application of Coatings Engineering Corporation, 33 Union Avenue, for extension of its license to store 2,000 gallons of inflammables aboveground (Methyl Ethyl Ketone, Methyl Isobutyl Ketone, Toluene, and Isobutanol).

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

- from the Fire Chief, dated October 11, 1984, stating no objection to extending the present license subject to compliance to all previous conditions requested by him, letter dated January 3, 1984, and listing two conditions which had not yet been fully complied with.

Note: The Fire Chief was present and stated that, subsequent to his October 11, 1984, letter to the Board, Coatings had satisfactorily this day complied with the two conditions noted therein.

- telephone approval from the Building Inspector.

General Manager Thomas G. Craig of Coatings Engineering requested an extension of his present license until the time that approval is granted by the State DEQE for the installation of a catalytic reactor. He talked about the difficulties he has had in getting this approval from the State since he last met with the Selectmen in February, but that he now has reason to believe that approval of the installation will take place this week. Mr. Craig stated that once approval is granted he can order the equipment, that the supplier has promised delivery by the end of the year, and that it will then take 8-10 weeks for installation. He, therefore, requested an extension date to April 3.

Reporting for the Board of Health, Chairman Michael W. Guernsey stated that the Board of Health has been meeting with Mr. Craig periodically since the February 13 hearing with the Selectmen and dealing with the State; that it is the position of the Board of Health that Mr. Craig should not be held responsible for the delays by the State; therefore, the Board recommends extension to a review date of April 3.

Mr. Guernsey commented on the following, adding that a lot of good faith has been shown by Coatings over the past 1-1½ years:

- Air pollution odors: The existing electric filter bed (EFB) unit is functioning and Coatings is waiting for final approval from the DEQE so that a second one can be installed.

- Water purification unit seems to be operating properly; water appears to be cleaned up.

Abutter Clifford Hughes stated that he has seen a big improvement - that there have only been a few days a month since June during which fumes from Coatings have given off bad odors. Mr. Guernsey commented that when the catalytic reactor is installed these offensive fumes from the raw materials will be burned off before the vapors go into the air.

Responding to questioning by Mr. Hughes relative to the quantity of toluene used, Mr. Zaccone stated that only 8/10 of 1% toluene is contained in a raw material used in the process and that they do not intend to go back to the former use which was 25-30% toluene in the process.

During further discussion on this subject, Selectman Fox suggested to Mr. Guernsey that when the license application comes up for renewal in April that the Board of Health consider, in its recommendation to the Selectmen, limiting the percentage of toluene which can be used by Coatings in their process. Mr. Guernsey stated the Board would do so.

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

VOTED: To grant Coatings Engineering Corporation, 33 Union Avenue, an extension of its license to store 2,000 gallons of inflammables aboveground (Methyl Ethyl Ketone, Methyl Isobutyl Ketone, Toluene, and Isobutanol), retroactive to October 1, 1984, to the earlier of April 3, 1985, or four months from receipt of approval for the catalytic reactor from the DEQE, subject to the following conditions and restrictions which are to be referenced or noted upon the document evidencing such license:

1. All employees working in the priming area shall be equipped with positive pressure respirators capable of eliminating pollutants from inhaled air.
2. The company shall permit and cooperate with inspection of its fire alarm system on a monthly basis and its sprinkler system on a monthly basis, to be done by representatives of the Sudbury Fire Department and Coatings' insurance company.
3. The company shall, at approximately six month intervals, submit verification from a licensed fire extinguisher company that the dry chemical and CO₂ fire suppression systems are operable and conform to then-current code requirements.
4. The company shall supply to the Sudbury Fire Chief and the Board of Health a complete list of the kinds and amounts of chemicals used or stored at the premises and the Material Safety Data Sheet for each chemical, and shall update forthwith such information as and when it changes.

Amend Landfill Rules and Regulations

The Board reviewed and discussed revisions to the Landfill Rules and Regulations as prepared by Assistant Town Counsel Thomas M. French under date of October 11, 1984, with particular discussion focussing on the following:

- the change in hours (8:00 a.m.-3:30 p.m.): 1. to accommodate people who want to use the Landfill on their way to work; and 2. to accommodate the work schedule of the new Landfill Monitor. During later discussion, Selectman Fox directed the Executive Secretary to inquire of the Highway Surveyor what the additional cost for having the Landfill open Sundays from 9:00 a.m. to 1:00 p.m. would be or some other alternative, such as, opening at 7:00 a.m. as some residents requested.

- display of decal on windshield: can be on person if using a different vehicle for transporting rubbish to dump.

- quantity of inflammables, explosives, combustible material requiring special permit: not to exceed five gallons. The Executive Secretary was directed to request the Board of Health to explore a program for allowing local residents to dispose of household hazardous waste materials other than one day a year.

- penalty of \$200 for each violation of the Landfill rules and regulations: Town Counsel was directed to give the Board his opinion as to whether or not it is necessary for Town Meeting to approve this change.

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

VOTED: To adopt the Town of Sudbury Rules and Regulations Governing the Operation of the Sanitary Landfill, prepared by Town Counsel's office under date of October 11, 1984, as amended, to be effective November 20, 1984.

Selectman Fox directed the Executive Secretary to include with the publicized rules and regulations an explanation of why the Selectmen have revised the rules and regulations - that the DEQE's landfill regulations have become more stringent, how expensive it will be to the residents when the landfill is filled to capacity and other means for disposing of refuse will be necessary; also, that a Landfill Monitor position has been approved by both the Selectmen and the Finance Committee as part of the effort in prolonging the life of the Landfill.

Site Plan Extension 83-258 - Patti/Orr, 215 Boston Post Road

Present: Applicants Charles W. Orr and John S. Patti and Developer Creighton Hamill; and Building Inspector Joseph E. Scammon.

Chairman Donald convened a public hearing on the application of John S. Patti and Charles W. Orr et al, for extension of Site Plan 83-258 for property located at 215 Boston Post Road, Business District #2, for an office and retail complex.

Executive Secretary Richard E. Thompson stated that all appropriate Town officials and abutters had been notified and noted receipt of the following communications all recommending approval with no conditions:

- from the Town Engineer, dated September 21, 1984;
- from the Board of Health, dated September 27, 1984;
- from the Conservation Coordinator, dated October 3, 1984;
- from the Building Inspector, dated October 12, 1984; and
- from the Fire Chief, dated October 11, 1984.

Mr. Thompson also noted receipt of a report dated October 12, 1984, from the Planning Administrator, listing five reasons why the Planning Board unanimously voted on October 1 to withhold recommending approval.

Selectman Fox interrupted the applicant's and developer's explanations of how they would deal with the concerns raised in the Planning Administrator's report and stated that the Board is aware that some of these concerns would require an explanation while others require action. Selectman Fox suggested that the Building Inspector not issue a certificate of occupancy until these conditions have been resolved.

Messrs. Patti, Orr and Hamill stated they would meet with the Planning Board, explained that they found during construction that some minor construction changes were necessary, and that they would be submitting an as-built plan.

The Building Inspector confirmed that minor changes to the original site plan were necessary and agreeable to him.

Responding to the Selectmen, Mr. Hamill stated that the patch in Route 20 would be repaved tomorrow morning.

Upon further discussion, the Selectmen directed Mr. Thompson to contact the Water District regarding a similar condition on Route 20, just west of the Orr/Patti property, which exists because of water installation, to assure it would be corrected.

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

VOTED: To approve the application of John S. Patti and Charles W. Orr et al, for a four-month extension to February 15, 1985, of Site Plan 83-258 for property located at 215 Boston Post Road, as shown on a plan entitled, "Site Plan for Bay Path Village in Sudbury, Mass.", dated May 23, 1983, revised June 15, 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:

- 1) all those conditions previously voted by the Board on July 11, 1983;
- and

2) resolution by the Building Inspector of those concerns raised in the Planning Board letter of October 12, 1984.

Utility Petition 84-38, Lafayette Drive

Present: Carole McManus, Boston Edison; and Building Inspector Joseph E. Scammon.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered Utility Petition 84-38 of New England Telephone and Telegraph Company and Boston Edison Company, for permission to install three poles in Lafayette Road on the westerly side from a point approximately 48 feet north of Boston Post Road with guy wires and anchor on the third pole; also, for permission to lay and maintain underground laterals, cables, and wires on the same side of the public way as the 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 Town officials and abutters had been notified and noted receipt of a joint communication from the Wiring and Building Inspector, dated October 9, 1984, recommending approval.

The Building Inspector stated he was seeing the plan showing the placement of the new poles for the first time tonight and that the Wiring Inspector probably had not seen it either, since the approval granted jointly by them was based on the plan showing the removal of poles - plan entitled, "Plan of Boston Post Rd. - Sudbury, Showing existing pole location", dated July 26, 1984. The Building Inspector expressed approval of the installation as shown on a plan entitled, "Private Property and Plan of Lafayette Rd. - Sudbury, Showing proposed pole locations, wires, guy wire & anchor", dated August 9, 1984.

Responding to Selectman Fox, Ms. McManus of Boston Edison stated that the poles would be installed approximately 3' off the paved public way. Selectman Fox reminded her of the concern expressed by the Board in the past that no utility poles should be placed in the public way so as to create an additional hazard on roads in Sudbury, most of which are already narrow and winding.

Following discussion, it was on motion unanimously

VOTED: To approve Utility Petition 84-38 as described above, subject to the approval of the Wiring Inspector.

Interview for Police Chief

Present: Sergeant Wesley M. Woodward.

The following is a summary of responses given by Sergeant Woodward during his interview with the Board:

- He would like to be the police chief because it is a goal he set for himself.

- He lives in Hudson and did not feel it was necessary for the police chief to live in Town.
- He felt night-shift sergeants should have access (keys) to records, equipment, and evidence rooms in order to carry out their responsibilities more effectively.
- He felt that it is generally not necessary to use force; that he had not had to use force in twenty-eight years as a policeman.
- In his opinion the present rules and regulations of the Department were obsolete - had not been updated for ten years, and that it would be difficult to even find a copy of them in the Department!
- Other changes he mentioned he would like to see in the Department were: manpower shifted, the elimination of certain specialists jobs, i.e., court co-ordinator.
- Regarding the chief's role in the community, he felt the chief should be out with the people; he should make himself visible and available to them.
- Relative to sergeants meetings, he felt they should be held monthly - that it is important to keep the lines of communication open between the sergeants and the chief; additionally, he felt the sergeants should meet every day with their individual shifts because it is impossible for the chief to listen to twenty-seven men in the department.
- He felt there would be a need in the near future for additional men especially because of the impact on the department because of Route 20 development.
- He had no concern regarding a woman being appointed to the department if she is qualified.
- Although he worked some overtime, he did not feel that he would be taking a cut in salary if he accepted the chief's position.
- With regard to a citizen complaint of a fellow officer, he felt all should be investigated, that it is a hard question to answer without having a specific example; however, he felt sure he could handle such a complaint fairly.
- Another change he would like to see is more authority given to sergeants with guidelines from the chief. He did not feel that if the chief should countermand a sergeant's order that there would be any loss of respect for the sergeant by his patrol, or for the chief by the sergeant;

At the conclusion of the interview, Executive Secretary Richard E. Thompson stated that he had provided the Board with copies of all material submitted by Sergeant Woodward, that he had reviewed Sergeant Woodward's personal files at the Police Station and at the Selectmen's office (he noted that the applicant could also review those files at any time); and that the Selectmen's question had been prepared ahead of time for their use during all of the interviews.

Mr. Thompson further explained that the Selectmen had not made a decision as to when the actual appointment would be made except that it would not be during the month of October.

The Board agreed to continue discussion on the police chief appointment at its meeting of October 29 - i.e., decide whether it is necessary to interview outside the department and decide whether it is necessary to call back any finalists of the five Sudbury sergeants interviewed.

Mr. Thompson requested that the individual Board members speak to him individually regarding the candidates during the interim.

Health Insurance Cost Control Services

The Board tabled consideration of a proposal dated August 22, 1984, from Claims Monitoring Services Inc., for cost control services for the Town's Blue Cross/Blue Shield Master Medical Plan because the Insurance Advisory Committee is not ready to make a recommendation at this time.

Groundwater Study

Present: Conservation Commission Chairman Gordon D. Henley; and Lael M. Meixsell, Planning Board.

At its October 11 meeting, and in conjunction with a communication dated October 4 from Mr. Meixsell of the Planning Board, the Board voted to endorse the Water Resource Project and seek work assistance (approximately 75 hours) from the MAPC for the same, subject to reviewing a scope of work, and to recommend to the MAPC that the official interfacing with Town be the Growth Advisory Group; further, to direct the Executive Secretary to convey the Selectmen's support to the MAPC Representative David Grunebaum, the Planning Administrator, and the Planning Board. It was the Selectmen's intention that, through their action, the MAPC would come back with adequate information on the Town's groundwater in order for the Town to prepare an aquifer protection zone article for the next Annual Town Meeting.

Subsequent to that meeting the Board was in receipt of a communication, dated October 4, 1984, from Conservation Commission Chairman Gordon D. Henley to all appropriate boards and committees suggesting a Town Meeting article be prepared to accomplish a groundwater study and requesting input from Town boards/departments/officials. Mr. Henley stated that had he known of the Selectmen's action last week he may not have sent his letter.

Mr. Meixsell commented that he felt people would support the article, especially those who felt the Mott's Study was inadequate; he thought it was a good idea to begin discussing and preparing an article now.

It was agreed that the Planning Board and the Conservation Commission should combine and coordinate their efforts and report back to the Selectmen on their final recommendations.

Mr. Meixsell continued to say that the Water District had previously applied for a grant under a program to acquire land to protect well sites, that

it had been submitted with incomplete information, and that the State DEQE is encouraging the Town to resubmit the application.

Following discussion, it was on motion by Selectman Fox unanimously

VOTED: To submit a joint grant application for aquifer protection funds with the Sudbury Water District, coordinated through the Executive Secretary's office, and to direct the Executive Secretary to schedule a meeting with the Water District Commissioners at the Board's meeting of October 29 to discuss the same.

Selectman Fox recommended that the Planning Administrator be consulted. He later suggested to the Executive Secretary that his personal suggestions be forwarded to the Planning Administrator relative to work priorities, i.e., water, traffic, future development, and inter-connected walkways. Mr. Thompson stated he had discussed priorities with the Planning Administrator and she had mentioned all of the above.

Additionally, Selectman Fox recommended to Mr. Henley that the Conservation Commission pursue self-help programs for the acquisition of conservation land.

Selectman Fox added his comments that he did not support the concept of a Land Bank tax, discussed with members of the Conservation Commission at the Board's meeting of September 10, that he supported, instead, a request for Proposition 2½ override, if necessary, to purchase conservation land. Selectman Frost agreed with Mr. Fox and added his opinion that he had problems with an override unless it was for a specific parcel (there was agreement that Town Meeting would be more likely to approve a land purchase if it were for a specific parcel); Chairman Donald added her concern that the percentage mentioned for a Land Bank tax - 2% of the property selling price - was too high.

Following further comments and discussion, Chairman Donald thanked Mr. Henley and Mr. Meixsell for their interest and attendance this evening.

Telephone System Change

The Board acknowledged receipt of a communication dated October 3, 1984, from New England Telephone advising that the Newton local telephone exchange is being upgraded to a DMS100 Electronic Switching System as of December 15, 1984, and that Sudbury must update its switching equipment, if necessary, so that it is compatible.

Executive Secretary Richard E. Thompson added that it was his understanding from talking to a telephone consultant that our system would be compatible with the DMS100 Switching System, however, American Telephone and Telegraph leased equipment cost in 1985 may increase drastically.

Mr. Thompson added that he has a proposal from a private telephone consultant to review the Town's whole system, including local schools, which will be brought to the Board next week.

Selectman Fox suggested that Mr. Thompson contact New England Telephone for more details and let the press know.

Sign - Sudbury Community Arts Center (SCAC)

The Board acknowledged an application for the placement of a sign at the Loring School building from the SCAC.

Executive Secretary Richard E. Thompson stated that the Building Inspector has no objection.

Selectman Fox suggested that the Building Inspector request an advisory opinion from the Sign Review Board whenever he receives requests for signs. In this case, Selectman Fox expressed his preference that the SRB hold a hearing so that the abutters would be allowed to give some input to the proposed sign.

Mr. Thompson explained that the Building Inspector had indicated that a Board of Appeals hearing would be required on this application, and through this hearing, abutters would be notified.

Selectman Fox stressed his opinion that the Building Inspector should always request an advisory opinion from the SRB before making his final recommendation on signs.

Selectman Fox stated that the SCAC, as sub-lessee, should also have the approval of B'nai Torah, the Lessee. The other members of the Board agreed.

Following discussion, it was on motion by Selectman Fox unanimously

VOTED: To approve the application of the Sudbury Community Arts Center for the placement of a sign at the former Loring School, designating "The Childrens Center" and "Sudbury Community Arts Center, Inc., subject to approval from B'nai Torah, the Board of Appeals, and the Sign Review Board.

Minutes

It was on motion unanimously

VOTED: To approve the transcript of the Town Fathers Forum of September 24, 1984, as corrected.

Invitations Received

The Board was in receipt of an invitation from the CG Investment Group, Inc., to attend the ribbon cutting ceremonies at Sudbury Crossing, Wednesday, October 24, 1984, at 9:30 a.m. The Selectmen plan to attend and directed the Executive Secretary to respond accordingly.

The Board was in receipt of an invitation from the Lincoln-Sudbury Student Exchange Committee to attend a potluck supper to welcome new foreign exchange students, Wednesday, November 7, 1984, at 6:30 p.m. at the Pierce House. Chairman Donald indicated she planned to attend, Selectman Fox could not, and Selectman Frost stated he would let Mr. Thompson know. Mr. Thompson will respond accordingly.

State Presidential Election

The Board signed the Warrant for the Presidential Election, Tuesday, November 6, 1984.

Vandalism/Fairbank School

Mr. Thompson briefly reported on recent vandalism at the former Fairbank School amounting to about \$1,500.

DPW Meeting/Traffic Light, Sudbury Crossing

Mr. Thompson informed the Board of a meeting Wednesday, October 17, at the State DPW Boston office relative to the traffic light at the Sudbury Crossing/Union Avenue intersection, and that Town Engineer James V. Merloni would attend.

There being no further business to come before the Board, the meeting was adjourned at 10:30 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk