

IN BOARD OF SELECTMEN  
MONDAY, MAY 12, 1986

Present: Chairman Josiah F. Frost, Anne W. Donald and David A. Wallace.

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

Stone Farm Chapter 61A Conversion

It was on motion unanimously

VOTED: To notify Mr. & Mrs. William Stone that the Selectmen choose not to exercise the Town's sixty-day first refusal option under Chapter 61A s.14 of the Massachusetts General Laws with respect to a notice of the intent of the Stones to transfer ownership of approximately two acres, more or less, to their daughter for purpose of conversion to residential use, said parcel being a portion of the 4.3± acres excluded from the Agricultural Preservation Restriction in the northwest corner of the Stone property, said action subject to concurrence by the Conservation Commission.

Note: Concurrence by the Conservation Commission was received by letter dated May 13, 1986.

Transfer Request/Account #340-160

It was on motion unanimously

VOTED: To approve Transfer Request #86-23 to transfer \$3,500 from the Town's Reserve Fund to the Building Department's account #340-160, Plumbing, as requested by the Building Inspector, Joseph E. Scammon.

Richard E. Thompson advised the Board of Selectmen that this account is utilized to pay the Plumbing Inspector an amount equivalent to that collected by the department in fees for plumbing and gas permits. The request for supplemental funds is a result of the continued high level of activity of construction in the Town.

Special Fall Town Meeting

It was on motion unanimously

VOTED: To call a Special Town Meeting to be held on Thursday, September 25, 1986 at 8:00 p. m. in the Lincoln-Sudbury Regional High School Auditorium.

Possible subjects pending for Special Town Meeting articles include:

- 1) FY87 Budget: 310-510 Fire Equipment (\$125,000 from Stabilization Fund), 410-510 Highway Equipment (\$44,000 from Stabilization Fund).
- 2) Widening of Route 20.
- 3) Special Legislation for Town Pool.

- 4) Bonding appropriation for Town Pool (Special Election ballot question to exempt bonding from Proposition 2½ limits).
- 5) Special Legislation to allow Conservation Commission to directly use rental fees from Powers House.
- 6) FY87 Budget: 360-900 Conservation Fund - create working balance in depleted fund.
- 7) Unpaid bills.
- 8) Accept Ch. 640 of the Acts of 1985 - allows Town to deny, revoke or suspend local licenses or permits if local taxes are not paid.
- 9) Accept Ch. 308 of the Acts of 1985 - allows Town to regulate dog licensing and dog control, and to keep all related fees instead of turning over to the County, which in turn will no longer provide services or funds.
- 10) Abolish Committee on Town Administration and Long Range Capital Expenditures Committee and create a Long Range Planning Committee to combine the functions of the two committees.

11) Historical Commission Article.

The Board set a Warrant closing date of June 20, 1986.

Selectmen's Summer Meeting Schedule

It was on motion unanimously

VOTED: To approve the summer meeting schedule as follows:

May 5, 12, 19, 28 (Forum)  
June 2, 23 (Forum)  
July 7, 21  
August 11, 25  
September 8 starts weekly meeting schedule

Minutes

It was on motion unanimously

VOTED: To approve the Minutes of the Regular Session of April 28, 1986 and the Executive Session of April 28, 1986, as drafted.

Automatic Amusement License, Papa Gino's

Based upon concerns of public safety, it was on motion unanimously

VOTED: To deny the application, dated May 5, 1986, of Papa Gino's for an automatic amusement device at 104 Boston Post Road.

The Selectmen have received letters from the Building Department, Police Department and the Fire Department recommending this license not be issued, and a report from the Board of Health indicating no concern.

State Primary Election

In accordance with a request from the Town Clerk, dated May 2, 1986, it was on motion unanimously

VOTED: To set the time and place of the polls for the State Primary Election at 7:00 a.m. to 8:00 p.m. on September 16, 1986 in the Peter Noyes School for all four precincts, by groups, in accordance with Chapter 53, section 42.

American Legion Post #191

It was on motion unanimously

VOTED: To grant permission to the American Legion Post #191 of Sudbury to sell poppies in Sudbury for three days, May 22, 23 and 24.

Con Rail - Obstruction of Route 20 Crossing

The Executive Secretary and The Board of Selectmen reviewed correspondence from Police Officer William B. Carroll regarding excessive obstruction of traffic at the Route 20 railroad crossing by Con Rail trains. Chairman Frost requested Executive Secretary Thompson to research into a situation that the Town of Framingham experienced which was very similiar to this situation. The Selectmen felt there may have been some precedent established that would assist us. Mr. Thompson advised that the Town had received a brief reply from Con Rail, that they were investigating the matter, and that he would follow up on the problem.

Resignation - Sudbury Housing Authority

It was on motion unanimously

VOTED: To acknowledge receipt of a letter of resignation from Clifford Askinazi, a member of the Sudbury Housing Authority, effective August 1, 1986, and to hold a joint meeting of the Selectmen and the remaining Housing Authority members on August 25, 1986, for the purpose of appointing a replacement for this position.

Donation for Council on Aging

It was on motion unanimously

VOTED: To accept on behalf of the Town, \$89 in miscellaneous donations to be deposited in the Council on Aging Van Donation Account, and authorize the Council on Aging to expend the same for purposes of operating and maintaining the Council on Aging van.

Middlesex County Courthouses

The Board discussed a proposed draft letter to be sent by towns to state legislators, which was received from Diane Norris of the Middlesex County Advisory Board, relative to monies that the State owes Middlesex County for the rental of Courts which amounts to twenty-six million dollars. The Board authorized the Executive Secretary to send the letter as drafted, on its behalf to Sudbury's state legislators.

1987 Insurance Costs

Selectman Anne Donald asked Mr. Thompson if the raises mentioned in the letter of April 30 from the Massachusetts Interlocal Insurance Association (MIIA) were covered in our budget. Mr. Thompson replied that we had allowed for an increase but not that large. He further stated that a meeting was being scheduled on the agenda for May 19 with the Insurance Advisory Committee to discuss whether or not we should consider utilizing the method of self-insurance.

Hazardous Waste Day

Michael Guernsey of the Board of Health reported to the Board that during the May 10th collection of household hazardous wastes, the Board of Health collected 55 gallon drums of wastes for safe disposal.

Coatings Engineering/Storage of Inflammables

Present: Albert J. Zaccone, Ross Perry, Edward J. DeAngelo and Paul Gossling, representing Coatings Engineering Corporation; and Board of Health Chairman Michael Guernsey.

Chairman Frost opened a public hearing regarding the consideration of an application of Coatings Engineering Corporation, 33 Union Avenue, Sudbury, for a license to store 2,000 gallons of inflammables (Methyl Ethyl Ketone, Methyl Isobutyl Ketone, Toluene and Isobutanol) aboveground for a term to expire July 27, 1986. (See action of the Board of Selectmen of April 28, 1986, which rescinded a former license approval for the same storage.)

Board of Health Chairman Michael Guernsey reported as follows:

- #3 flat bed has been shut down; #1 flat bed will cease operation by July 27. The final flat bed and the operations of Coatings Engineering Corporation in Sudbury will shut down on or before August 31, 1986. Also, if tonight there is a license issued to store the 2,000 gallons of inflammables, there will have to be a stack test done on the catalytic oxidizer by Coatings Engineering prior to May 16. An operations and maintenance manual, if not already drafted, will have to be done for the Department of Environmental Quality Engineering (DEQE). If the shutdown of the #3 and #1 flat beds is not adhered to, Coatings Engineering will be subject to a fine by DEQE of \$25,000 per diem. If the operations and maintenance manual requirement is not adhered to, Coatings Engineering is subject to a fine of \$2,500 per diem.

Mr. Guernsey also stated that on April 30, 1986, Coatings Engineering did sign the Administrative Consent Order prepared by the DEQE, thus waiving any

right to an administrative hearing or judicial review of the terms and conditions of the Order.

Following discussion among attending residents, the Executive Secretary and the Board of Selectmen, it was on motion unanimously

VOTED: To approve the application of Coatings Engineering Corporation for a license to store 2,000 gallons of inflammables (Methyl Ethyl Ketone, Methyl Isobutyl Ketone, Toluene and Isobutanol) aboveground for a term to expire July 27, 1986, subject to conditions stated in the letter submitted by Fire Chief Michael Dunne to the Board of Selectmen dated May 12, 1986.

Drainage Problem/Belcher Drive

Selectman David A. Wallace updated the Board on the meeting and on-site inspection he had had with Mrs. Briggs and Mrs. DeAngelo regarding a drainage problem situation on Belcher Drive and Suffolk Road, the subject of 1986 Annual Town Meeting Article 33. Following development of this subdivision, residents have had a serious problem with water collecting and forming a small, swampy area. The Board directed Executive Secretary Thompson to request Town Engineer James V. Merloni to look further into the matter and advise whether or not anything could be done to alleviate the problem.

Chiswick Trading, Road Race

It was on motion unanimously

VOTED: To approve the request by Chiswick Trading, Inc. to hold a race on June 1, 1986 in memory of a recently deceased employer, James E. Spertner, subject to notification of the Police Chief of the same.

Financial Aid/Hurricane Gloria

Mr. Thompson announced that the Town received reimbursement in the amount of \$32,801 from the Federal Civil Defense office, to assist in meeting the costs incurred by the Town due to damage caused by Hurricane Gloria. This was made possible due mainly to the efforts of Highway Surveyor Robert Noyes and the Civil Defense Director Michael Dunne in keeping records of the work the Town performed and associated costs during that time. The Board requested that a letter of appreciation be sent to Messrs. Noyes and Dunne with a copy to the Finance Committee, to be signed by the Selectmen.

Historic Districts Commission

Present: Chairman Burton H. Holmes, W. B. Warren, Edwin A. Blackey and Sally B. Lukesh, Historic Districts Commission.

Chairman Frost convened a meeting with the Historic Districts Commission (HDC). The Commission expressed its concern regarding the lack of authority by any Board to preserve and protect landscapes within districts of historic significance. Of major concern was the cutting of trees and landscaping, particularly in the Wayside Inn district. Chairman Frost understood the concern of the Commission but was not aware of any means to control further what a homeowner or landowner does with his land. Town Counsel and Selectman

David A. Wallace discussed the fact that statutes relative to preservation of an historic "site" refer to an historic building but not the land. Executive Secretary Thompson mentioned some of the situations wherein the Town can control what does happen with the land, and pointed out that, generally, if we do not own the land, we can not control it. Selectman Donald suggested to the Commission that they try to prepare a bylaw that would allow regulation of landscaping. Chairman Frost agreed and advised that the Planning Board would assist in the drafting of this bylaw, with particular attention to providing protection of the approximate 300 foot strip bordering Route 20 in the Wayside Inn Historic District.

A second item of concern to the Historic Districts Commission was the chimneys and loading dock at Village Green. Executive Secretary R. E. Thompson and Town Counsel Paul Kenny brought the Board up-to-date with the efforts of the Town to reach the owner of the property. Chairman Frost thanked the Historic Districts Commission for their dedicated work on this frustrating situation.

Historic Districts Commission Chairman Holmes requested that in the future the Commission receive assistance from Town Counsel in a shorter timeframe.

Route 20 Citizens Advisory Committee

Present: Chairman Katherine S. Abrams, Irwin Abrams, Susan LaTour, Peter Anderson, Judith Cope, Henry Sorett and several other members of the Route 20 Citizens Advisory Committee (CAC); Russell Kirby and Lael Meixsell, Planning Board.

The Selectmen met with the Route 20 Citizens Advisory Committee, at its request, to discuss the Committee's request that the Selectmen defer any positive action on Route 20 until a Task Force has been appointed and an alternative plan presented along with the waiver at the Special Town Meeting. Chairman Katherine S. Abrams read and presented a letter to the Selectmen along with a request that the Selectmen advise the State that they will not proceed with any action on Route 20 until the Town has heard from the Task Force which is to be formed for the purpose of seeking any alternatives to the Route 20 situation. The Citizens Advisory Committee's letter proposed a Task Force made up of nine members with an Advisory committee of seven members from various town boards and others, as follows:

<u>Task Force</u>	<u>Advisory</u>
Selectmen (1)	Town Planner
Conservation Commission (1)	Town Engineer
Chamber of Commerce (1)	Police/Fire
Citizens Advisory Comm. (4)	Underground Utilities Comm.
Planning Board (1)	Health Director
Finance Committee (1)	Water District
	Citizens Advisory Comm.

The Board was also in receipt of communications from the Town Engineer, dated May 2, 1986; the Planning Board, dated May 8, 1986; the Conservation Commission, dated May 5, 1986; and Judith Cope, 80 Plympton Road, dated May 5, 1986.

Chairman Frost advised the Citizens Advisory Committee that the Selectmen will appoint a Task Force within the next two weeks and will be discussing the matter with various boards and comprise a list of people who would like to serve on the same. This Task Force will report back to the Selectmen prior to the September Special Town Meeting.

Selectman Anne Donald felt that people who were already serving on a Town Board should not be expected to serve on the Task Force. Selectman David Wallace felt that the Task Force would be more productive if there were fewer members than nine. Executive Secretary Thompson asked the press if they would publicize that the Selectmen would like persons interested in serving on the Task Force to contact the Selectmen's Office by Monday, May 19.

Following discussion, it was on motion unanimously

VOTED: To form a Task Force of citizens to study and evaluate any alternatives to the State's plans for widening Route 20 for approximately 9/10 of a mile from Hop Brook westerly to a point 700 feet east of Dudley Road; said Committee to report its findings prior to a Fall Special Town Meeting.

In response to the request that the Board notify the State that they will take no action until after the Special Town Meeting in September, the Selectmen agreed to have the Executive Secretary notify The Honorable Chester Atkins, Representative Lucile P. Hicks and Senator A. Paul Cellucci of what the Town is attempting to do. Mr. Thompson advised that he would draft the letters and have them ready for the next meeting of the Selectmen.

#### Annual Appointments

During discussion, it was on motion unanimously

VOTED: To make the following annual appointments (all appointments are subject to acceptance):

- Mary McGovern to the Council on Aging for a term to expire April 30, 1989;

- Lawrence L. Blacker to the Board of Appeals for a term to expire April 30, 1991;

- Nancy D. Lewis and George D. Max to the Archeological Advisory Committee (Haynes Garrison Site), all for terms to expire April 30, 1987;

- Joseph E. Scammon as Inspector of Buildings for a term to expire April 30, 1987;

- Earl D. Midgley as Deputy Inspector of Buildings for a term to expire April 30, 1987;

- Margaret A. Ward, Roger A. Bump, Anthony Kreisel, Laurie A. Laba, Mildred A. Chandler and Frederick G. Walker to the Cable Television Committee for a term to expire April 30, 1987;

- Robert A. Noyes as Superintendent of Cemeteries for a term to expire April 30, 1987;

- Michael C. Dunne as Director of Civil Defense for a term to expire April 30, 1987;

- Robert A. Noyes as Assistant Director of Civil Defense for a term to expire April 30, 1987;

- Marvis M. Fickett as Civil Defense Radio Operator for a term to expire April 30, 1987;

- Betsy M. DeWallace as Dog Officer for a term to expire April 30, 1987;

- Michael Leighton as Assistant Dog Officer for a term to expire April 30, 1987;

- Richard E. Thompson as Executive Secretary for a term to expire April 30, 1987;

- David A. Wallace, Josiah F. Frost and Anne W. Donald, as Fence Viewers, for terms to expire April 30, 1987;

- Michael Dunne as Fire Chief and Fire Warden for a term to expire April 30, 1987;

- Marvis M. Fickett and Harriet T. Ritchie to the Historical Commission for a term to expire April 30, 1989;

- Richard E. Thompson as Town Agent to the Industrial Accident Board for a term to expire April 30, 1987;

- Robert A. Noyes as Local Superintendent of Insect Pest Control for a term to expire April 1989;

- Rev. John E. Hartigan and N. J. West as Alternates to the Juvenile Restitution Program Committee, both for terms to expire April 30, 1987;

- Michael Freundlich, Rosalind R. Gurtler, Nancy Schaffer, Frank M. Vana and Arthur A. Walker to the Juvenile Restitution Program Committee, all for terms to expire April 30, 1987;

- Peter B. Lembo, Keeper of the Lockup, for a term to expire April 30, 1987;

- Murphy, Lamere & Murphy as Labor Relations Counsel for the FY86-87 bargaining year.

- Marcia J. Smith, Barry R. Marchette, Maxine J. Yarbrough and Marilyn S. Goodrich to Local Arts Council for a term to expire April 30, 1988;

- Robert J. Cusack and Robert G. Johnson to Long Range Capital Expenditures Committee for a term to expire April 30, 1989;



- Clifford J. Hughes as Mass. Bay Transit Authority, Designee for a term to expire April 30, 1987;
- Winifred C. Grinnell, Prescott Ward, and William R. Duckett to Memorial Day Committee for a term to expire April 30, 1989;
- Jeffrey F. Gogan as Parking Clerk for a term to expire April 30, 1987;
- Bruce Ey to Permanent Building Committee for a term to expire April 30, 1989;
- Julia R. Barker to Permanent Landscape Committee for a term to expire April 30, 1989;
- James V. Merloni as Planning Board General Agent for a term to expire April 30, 1987;
- Peter B. Lembo as Police Chief for a term to expire April 30, 1987;
- Samuel L. Reed as Pound Keeper for a term to expire April 30, 1987;
- Irving E. Place as Public Weigher for a term to expire April 30, 1987;
- Stephen Shugrue to the Board of Registrars for a term to expire April 30, 1989;
- Robert A. Noyes as Sanitary Landfill Agent for a term to expire April 30, 1987;
- Courtney W. Atkinson as Sealer of Weights and Measures for a term to expire April 30, 1987;
- Robert E. Verville to Sign Review Board for a term to expire April 30, 1989;
- Robert A. Noyes as Street Lighting Agent for a term to expire April 30, 1987;
- Anne W. Donald as Representative to the Sudbury Visiting Nurses Association for a term to expire April 30, 1987;
- Ralph W. Stone, Jr. as Surveyor of Lumber & Measurer of Wood, for a term to expire April 30, 1987;
- James Vanar as Town Accountant/Director of Finance and Administration for a term to expire April 30, 1987;
- James A. Dyrek as Assistant Town Counsel for a term to expire April 30, 1987;
- James V. Merloni as Town Engineer for a term to expire April 30, 1987;
- Melvyn W. Kramer, John D. Nicholson and Z. Stanley Taub as Town Physicians, for terms to expire April 30, 1987;

- Edith A. Creter, Mary Jane Hillary, Elizabeth A. Agarwal, Rosemary Treacy, June E. Allen, Clayton F. Allen to the Town Report Preparation Committee, for terms to expire April 30, 1987;

- Barbara L. Miller as U. N. Day Chairman for a term to expire April 30, 1987;

- Mary Jane Hillary, Catherine B. Greene, James F. Greenawalt and Cletus A. Terwiske to the Veterans Advisory Committee for terms to expire April 30, 1987;

- Col. Paul J. Leahy as Veterans' Agent/Director of Veterans Services for a term to expire April 30, 1987.

- Col. Paul J. Leahy as Veterans' Graves Officer for a term to expire April 30, 1987;

- Robert A. Gottberg to the Wayland-Sudbury Septage Facility Operational Review Committee for a term to expire April 30, 1987;

- Warren E. Boyce as Wiring Inspector for a term to expire April 30, 1987;

- Clinton H. Mills as Deputy Wiring Inspector for a term to expire April 30, 1987; and

- Joseph E. Scammon as Zoning Enforcement Agent for a term to expire April 30, 1987.

It was further on motion unanimously

VOTED: To accept the following resignations, effective April 30, 1986:

- Forrest D. Bradshaw from the Archeological Advisory Committee - Haynes Garrison House;

- Katherine Masiello, Richard H. Pettingell and Gerd O. Haeberer from the Insurance Advisory Committee;

- Robert B. Rowley from the Personnel Board;

- Henry Tarbi from the Youth Commission;

- Linda Krusinski from the Town Report Committee;

Following discussion, it was on motion

VOTED: To dissolve the Sudbury Employees Group Insurance Advisory Committee effective April 30, 1986.

Executive Secretary Richard E. Thompson advised the Selectmen and the press that there are some new committees that will be established as follows:

1) 350th Anniversary Celebration Committee

2) Fair Housing Committee

3) Water Resources Committee

There being no further business to come before the Board, the meeting was adjourned at 10:15 p.m.

Attest: \_\_\_\_\_

Richard E. Thompson  
Executive Secretary-Clerk