

IN BOARD OF SELECTMEN
TUESDAY, DECEMBER 13, 1994

Present: Chairman Lawrence L. Blacker, John C. Drobinski, and Maryann K. Clark.

The statutory requirements as to notice having been met, the meeting was convened at 7:30 p.m. at the Loring Parsonage by Selectman Drobinski. Chairman Blacker arrived at 7:45 p.m.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of December 5, 1994 as amended by Chairman Blacker, and the executive session minutes of December 5, 1994 as drafted.

D.A.R.E. Donation

In response to a communication dated December 5, 1994 from D.A.R.E. Officer Ronald B. Conrado, it was on motion unanimously

VOTED: To accept \$50 from Mary Joe Von Der Heyde of Marlboro, to be deposited into the D.A.R.E. Program account; and to authorize the Police Chief to expend said donations for the D.A.R.E. Program.

Surety Bond - Constable Samuel P. Gorfinkle

It was on motion unanimously

VOTED: To approve, under Section 92 of Chapter 51 of the General Laws, the surety of the constable's bond of Samuel P. Gorfinkle, Bond #1588196, The Hanover Insurance Companies, in the amount of \$5,000; and to approve the filing of the bond with the Town Clerk.

Historic Districts Commission - Resignation

Upon receipt of a communication dated December 6, 1994, from Burton H. Holmes, it was on motion unanimously

VOTED: To accept with regret the resignation of Burton H. Holmes from the Historic Districts Commission; and to send him a letter from the Board expressing the Town's appreciation for his long and valued service on this board.

1995 Annual Town Election

At the request of Town Clerk Jean MacKenzie, in a communication dated December 5, 1994, it was on motion unanimously

VOTED: Relative to the 1995 Annual Town Election and Annual Town Meeting:

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- 1 - To set the 1995 Annual Town Election for the four precincts in Sudbury for Monday, March 27, 1995, from 7:00 A.M. to 8:00 P.M., Precincts 1 and 2 at the Fairbank Facility and Precincts 3 and 4 at the Loring School;
- 2 - To establish that the Annual Lincoln-Sudbury Regional School District Committee Election shall be combined with and held as part of the Annual Town Election of Sudbury, and that the ballot for the Annual Lincoln-Sudbury Regional School District Committee Election shall be included with and prepared as part of the ballot for the Annual Town Election;
- 3 - To establish that the listing of the offices shall be the same as set forth in the Warrant for the Lincoln-Sudbury Regional School District Committee Election and shall be printed as the last office on the ballot;
- 4 - To set the opening session of the 1995 Annual Town Meeting for Monday, April 3, 1995, at 7:30 P.M., in the auditorium of the Lincoln-Sudbury Regional High School;
- 5 - To approve allowing the Board of Registrars to hold a special voter registration session prior to the Annual Town Election and Town Meeting in the Town Hall, on Tuesday, March 7, 1995 until 8:00 P.M., according to Chapter 475 of the Acts of 1993.

Surrendering of License to Store Inflammables - 378 Boston Post Road

In response to a communication dated December 6, 1994, from Constantine G. Scrivanos, Trustee of SUD Realty Trust, it was on motion unanimously

VOTED: To record the cancellation and surrendering of the License to Store Inflammables (Underground 4,000 gal. diesel fuel and 8,000 gal. gasoline - Document #80043 issued to Hilco, Inc.), for property located at 378 Boston Post Road.

Budget Review - Highway Department

Present: Highway Surveyor Robert A. Noyes, Assistant Highway Surveyor John Lindgren, Operations Assistant James G. Pianka, and Finance Committee Liaison Joseph Proud.

In reviewing the increases noted in the Highway budget, Mr. Noyes explained why the cemeteries portion has required an increase. He informed that the Department had decided this past year to contract the mowing and maintenance of the cemeteries rather than hire several college students during the summer. Since the lawn areas had not been fertilized in quite some time, the decision was made to do that this year which required more lawn mowings. Mr. Noyes stated that there are more than enough revenues in the cemeteries fund to cover the additional expenses.

Mr. Noyes noted that the Department is also requesting one heavy laborer and one light laborer, in an effort to accomplish more jobs that need to be done and because of increased demand on labor intensive services.

With regard to replacing equipment, Secretary Thompson stressed the need to maintain and replace equipment according to planned schedules. Mr. Thompson said he will be asking the Finance Committee to consider funding from the Stabilization Fund for such major expensive capital equipment items as the front

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end loader. Mr. Noyes reviewed the other capital items requested by the department with the Board. The option of leasing equipment was discussed and Mr. Noyes commented that everyone else wants the same equipment at the same time so availability is a problem; but he would investigate the same.

Selectman Clark asked about buying used equipment. Mr. Lindgren responded that good used heavy equipment is hard to find, but the Town has had good luck with it particularly for equipment for the landfill. Mrs. Clark asked that the difference between used versus new equipment be examined. Mr. Noyes said that you have to be in the right place at the right time to find good used equipment. He added that the budget for large capital items over the last few years has been increasing because of postponement of replacement schedules.

Selectman Clark expressed concern that there was duplication of snow removal. Mr. Noyes explained how it works with regard to what the Highway Department does and how many extra snow removal vehicles are hired outside.

With regard to the option of leasing equipment, Chairman Blacker responded that he thinks that municipal leasing should be considered for heavy equipment items. He said the interest is low, it is tax free, and the same amount is budgeted every year. Mr. Lindgren noted that future Finance Committees may not be committed to municipal leasing, although it has been done in the past. It was noted that there may be a question regarding the legality of the provisions for municipal leasing because it is subject to appropriations each year. Mr. Blacker remarked that a provision can be added to the lease that states subject to appropriation and the parties agree not to purchase any other equipment the same or similar.

Budget Review - Landfill Enterprise Fund

Secretary Thompson reported that he, Joseph Proud and Craig Blake and Mr. Noyes met with the Wayland Road Commissioners on Monday evening, December 12, and it turned out to be a very productive meeting. He said Wayland wants to meet with Sudbury's Resource Recovery Committee sometime in January of 1995 to discuss possible future joint recycling efforts.

Mr. Noyes reported that the major portion of the salary increases are for the landfill heavy equipment time to assist in the closing, and that there are no capital expenditures planned. The current sticker fees are \$85, added Mr. Noyes.

Selectman Drobinski asked who will be carrying the costs for the engineering for the landfill closure. Mr. Noyes said he would consult with the Town Engineer.

Mr. Thompson pointed out that the landfill has lost a few of its good clients and will have to tap reserves, but the positive side is that it extends the life of the landfill a short time longer.

Dudley Road - Traffic Concerns

Present: Police Chief Peter B. Lembo, and Robert Reed Lowry, 25 Dudley Road.

Chairman Blacker reported he received a call from a Dudley Road resident who had been given a ticket for making a left turn onto Dudley Road from Nobscot Road because he had not realized that the "Residents Only" sign had been removed. In light of all the confusion with the various signs that have been posted and removed, Mr. Blacker opined that he did not think that a ticket should have been given to a

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resident, when other offenders have received warnings instead of tickets. He added that he does not think residents should be asked to go down Nobscot Road and fight a left turn onto Route 20, and then fight another left turn onto Dudley Road off Route 20.

Chief Lembo explained that the "no left turn" had not been enforced for a period of time to allow everyone to get used to the new restriction. The Police Department began enforcing it around December 5, 1994, and he said it is left to the discretion of the ticketing officer as to who gets a warning and who gets a ticket. Chief Lembo reported that 100 warnings and 24 tickets were issued between 12/3 and 12/12.

After much discussion including the suggestion that the residents' vehicles contain a sticker for identification in making a left turn, or should the residents be forced to comply with the new restriction of no one being allowed to make a left turn, it was decided to continue to enforce the "no left turn", because in the long term it will eliminate the additional traffic concerns on Dudley Road that the residents were so opposed to.

Selectman Clark opined that a good solution to relieving the traffic jam at Route 20 and Nobscot Road might be to install signalization at Route 20 and Horse Pond Road. She referenced Town Counsel's letter of September 26, 1994, relative to the legality of prohibiting left turns onto Dudley road by the residents. Selectman Drobinski commented that the Board should not interfere with the business of conducting public safety.

In an effort to continue to establish a policy that the residents can accept, Secretary Thompson suggested that the residents send their opinions to the Board for evaluation. He also suggested giving the local residents a warning rather than a ticket at least for the first couple of weeks.

Chairman Blacker pointed out that the issue regarding the ticket issued to the resident is the discretion used by the officer. He opined that issuing a speeding ticket is different because there are varying degrees of speeding violations, but simply turning a corner is either allowed or disallowed in this case, which should require that everyone that violates the sign should receive a ticket--not some tickets and some warnings.

Budget Review - Police Department

Present: Police Chief Peter B. Lembo, and Finance Committee Liaison Joseph Proud.

Selectman Clark questioned the hours recorded in the budget for the different positions in the department. Upon review, Chief Lembo noted that there is an error and the 33 1/3 hours should be 37 1/2 for officers which are on a four and two schedule, meaning four days on and two days off.

Selectman Clark noted that traffic fines have decreased. Chief Lembo explained that the Town used to issue more citations, and it is not for lack of trained officers, or problems with radar, but that the Department has not been using the radar as much because of a shortage of manpower. Lately, however, noted Chief Lembo, because of the demand by the residents to monitor traffic on several streets, more radar patrol has been exercised, which has resulted in more overtime.

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With regard to overtime, Mr. Lembo discussed the new "Bail Reform Law" currently in effect, which requires that more officers make court appearances. He said this will impact the budget this year and next year. He added that the department will try to accomplish this on the day shift to reduce the overtime.

The Board reviewed the spending priorities for the department. Secretary Thompson reminded that the new "Crime Bill" has passed in Congress and the Town will need to keep up-to-date relative to how the Bill will affect funding to the Town for community policing and other related expenditures.

Chief Lembo noted that the cost of cruisers has increased by \$4,000 per car. He informed that he had planned in the budget for new cruisers, but because they have increased in price, it is reflected in the extra spending.

Selectman Clark asked why computer maintenance was so high. Mr. Lembo explained the magnitude of the system and said the department needs 24 hour maintenance to keep the system operable. A service contract will be in effect for 1996 because the warranty expires.

Upon review of the cruiser replacement sheet, Chairman Blacker asked why certain cars were to be traded or given to the Building Department. Chief Lembo explained that the mileage indicated on the sheet for certain cars will have increased quite a lot by July, 1995, and he added that the Building Department needs two cars. Mr. Blacker asked if certain police cars could be used for three years instead of two. After further discussion, Mr. Blacker suggested postponing giving the '91 Ford and the '89 Ford to the Building Department for one more year, thus postponing buying two more police cars. Another option discussed was to buy the Building Department two new cars. Mr. Thompson commented that they will be exploring it further, and he will be sending out a memo with recommendations.

Budget Review - Fire Department

Present: Fire Chief Michael C. Dunne.

Chief Dunne remarked that he is requesting a lesser amount for his personal car and would like to buy a Ford Taurus, which is less expensive than the full police package vehicles and a bit smaller than his current car which is a Crown Victoria and will be going to the Engineering Department.

Chairman asked why a salary contingency is shown in the budget summary under personal services. Mr. Thompson remarked that it is a cost cutting method of budgeting and a Finance Committee recommendation.

It was noted that the only salary increases included in the budget are for longevity because fire negotiations are not completed. As part of negotiations, Chairman Blacker asked about changing the shifts to include 24 hour days, which would mean the employees would work for a 24 hour period straight and then have three or four days off. He said it might eliminate people calling at the last minute because of appointments, etc. and requiring overtime. The one stipulation would have to be that an employee should not work another shift back to back with this one. Chief Dunne responded that such a shift (24 hours) is in place and working in several Mass. cities and towns.

The Board discussed Mr. Dunne's request for 2.5 civilian dispatchers, which would free time for the firefighters to do other things and help keep Station #3 open. There was a discussion on the importance of keeping Station #3 open year round for mainly emergency response. It was suggested that the Fire and

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Police Departments work together to eliminate unnecessary dispatcher positions during the least busy times and cover for each other. Secretary Thompson stated there is a need to examine the data further with regard to the number and location of the calls.

Regional dispatching was discussed briefly, and Chief Dunne remarked that the Fire Department and the Police Department have made major improvements toward their joint communications. Other towns have been approached relative to joint dispatching, but with an unfavorable response. Chairman Blacker opined that this should be something MetroWest should be working on. Mr. Thompson remarked that this is not a dead issue and that the Town will continue to work toward joint dispatching.

Budget Review - Dog Officer

Present: Dog Officer/Animal Control Officer Betsy DeWallace; Assistant Dog Officer Paula Adelson, and Finance Committee Liaison Jack Kelble.

The Board reviewed the Dog Officer Budget and Mr. Thompson remarked that since the change-over a year ago, the arrangement has worked out very well. He added that Paula and Betsy have worked out a good system of reporting.

Selectman Clark commented on the increased numbers of coyotes in the area.

Selectman Drobinski praised Ms. DeWallace and Ms. Adelson for their responsiveness and for the fine job they are doing.

Mass. Department of Revenue - Spending Requirements

The Board acknowledged receipt of documents presented for execution by the Board of Assessors, to be submitted to the Mass. Department of Revenue. Upon review and comment, it was on motion unanimously

VOTED: To sign the following documents presented for execution by the Board of Assessors, to be submitted to the Mass. Department of Revenue:

- a. School Spending Requirements, Local School Worksheet for FY95, and adding under No. 7 "Plus Retiree Insurance (5250) of \$57,000".
- b. School Spending Requirements, Lincoln-Sudbury Regional School District Data Sheet for FY95.
- c. Schedule A-2 - Pool Enterprise Fund - Revenues and Available Funds.
- d. Schedule A-2 - Landfill Enterprise Fund - Revenues and Available Funds.

Town Manager Position - Advertisement - MMA Beacon

Upon review, it was on motion unanimously

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VOTED: To approve the draft classified ad for the position of Town Manager in Sudbury to appear in the MMA Beacon.

Town Reorganization Blue Ribbon Committee

Due to the passage of the Town Manager form of government and the formation of a new Town Manager Screening Committee, it was on motion unanimously

VOTED: To dissolve the Town Reorganization Blue Ribbon Committee, its work being completed, and to thank members for the fine job done.

Loring School Repairs

Secretary Thompson reported that the tenants of the Loring School and the Town will be meeting in early January regarding an application by the tenants to the Sudbury Foundation to obtain a loan for funds to make the necessary repairs to the Loring School.

Health Insurance Trust Funds

The Board acknowledged receipt of a communication dated December 2, 1994, from Town Treasurer and Collector, Mary Ellen Normen Dunn, relative to a Financial Update of Health Insurance Trust Funds. The Board expressed confusion with its content. Mr. Thompson agreed to get a better clarification and report back to the Board.

Hamilton Property Gift - Flintlock & Starview Roads

In response to a communication dated December 7, 1994, from Conservation Coordinator Debbie Montemerlo, it was on motion unanimously

VOTED: To amend the Board's vote of December 5, 1994, to read as follows:

To approve acceptance by the Town of the gift of land from Fay W. Hamilton, being Lot 32 at the corner of Starview Drive and Flintlock Lane, for use by the general public, with the proviso that during the lifetime of Fay Hamilton the Town shall do nothing to change the current condition of the lot or the pond located thereon; said land to be designated as conservation land, subject to Chapter 40C; and further, to place a Conservation Restriction on the property.

The deed will be executed by the Board when finalized.

Sudbury River Designation Article

The Board acknowledged receipt of a communication dated December 12, 1994, from Julia Blatt, member of the Wild and Scenic River Study Committee, relative to the wording of the warrant article for the Sudbury River designation article.

It was on motion unanimously

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VOTED: To approve the draft warrant article and report for the Sudbury River designation article received December 12, 1994.

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

Attest: _____
Richard E. Thompson
Executive Secretary-Clerk