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IN BOARD OF SELECTMEN
MONDAY, DECEMBER 10, 1990

Present: Chairman Judith A. Cope, David A. Wallace and John C. Drobinski.

The statutory requirements as to notice having been met, the meeting was convened by Chairman Cope at 7:30 p.m., at the Fairbank Senior Center.

Licenses - Annual Renewal

Executive Secretary Richard E. Thompson reported that a favorable inspection report for all licensees had been received from Deputy Building Inspector Earl Midgley; that the Fire Chief, by memo dated December 6, 1990, stated no objection to the renewal of licenses; and that Health Director Robert C. Leupold, by memo dated December 4, 1990, has stated his recommendation for renewal.

The Board further acknowledged receipt of memorandum dated December 5, 1990, from Town Treasurer and Collector Chester Hamilton listing five applicants for renewal of various licenses that are presently in arrears on taxes.

Executive Secretary Thompson noted that JFW Restaurant Group, Inc., d/b/a Joslyn's, has apparently discontinued its business.

Mr. Thompson recommended that although Colonial Auto Body has not yet submitted its application, the Board vote to approve same. Mr. Thompson informed that the business has been making progress in improvements and that a fence has been put up.

After discussion, it was on motion unanimously

VOTED: To renew the following licenses which expire December 31, 1990, for Calendar 1991, and to forward the appropriate renewal forms to the Alcoholic Beverages Control Commission where applicable; said licenses shall be held until payment of the required license fees, payment of any outstanding taxes and local charges pursuant to Article XVIII of the Town of Sudbury Bylaws, and compliance relative to any/all outstanding health, safety or zoning violations; said licenses shall also be subject to all previous restrictions:

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| YBF, Inc. d/b/a Kappy's Distributors 474 Boston Post Rd. | AA Package |
| Sudbury Super Market, Inc. d/b/a MacKinnon's Liquors 5 Concord Rd. | AA Package |
| Roche Bros. Supermarkets, Inc. d/b/a Sudbury Farms 439 Boston Post Rd. | W&M Package |
| Matt Garrett's of Sudbury, Inc. d/b/a Matt Garrett's 120 Boston Post Rd. | AA Restaurant Common Victualler Entertainment |

Ho-Tai Sudbury, Inc.
d/b/a Lotus Blossom
394 Boston Post Rd.

AA Restaurant
Common Victualler
Entertainment

99 West, Inc.
d/b/a "99"
694-8 Boston Post Rd.

AA Restaurant
Common Victualler
Entertainment

Philip Magiannis
d/b/a Philip's Pizza
447 Boston Post Rd.

AA Restaurant
Common Victualler
Entertainment

Wayside Inn Corp.
d/b/a Longfellow's Wayside Inn
72 Wayside Inn Rd.

AA Restaurant
Common Victualler/Innkeeper
Entertainment

Coach House Inn, Inc.
d/b/a Coach House Inn
738 Boston Post Rd.

AA Restaurant
Common Victualler/Innkeeper
Entertainment

Sierras, Inc.
d/b/a Sierras
470 North Rd.

AA Restaurant
Common Victualler
Entertainment

Bullfinch's, Inc.
d/b/a Bullfinch's
730 Boston Post Rd.

AA Restaurant
Common Victualler
Entertainment

Nickerson Theatres, Inc.
d/b/a Nickerson Theatre West
490 Boston Post Road

W&M Restaurant
Common Victualler
Entertainment

Joanne M. Frate, Owner/Manager
d/b/a Something Simple
385 Boston Post Rd.

AA Restaurant
Common Victualler
Entertainment

Papa Gino's of America, Inc.
d/b/a Papa Gino's
104 Boston Post Rd.

W&M Restaurant
Common Victualler
Entertainment

American Legion #191, Inc.
676 Boston Post Rd.

AA Club
Common Victualler
Entertainment
Automatic Amusement Devices

Alden Merrell Corp.
d/b/a Alden Merrell Cheesecake Co.
447 Boston Post Rd.

Common Victualler

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| Daniel and Bertha Oliveira d/b/a The Bagel Baker 621C Boston Post Rd. | Common Victualler |
| The Charcuterie, Inc. d/b/a The Charcuterie 525 Boston Post Rd. | Common Victualler Entertainment |
| D'Angelo, Inc. d/b/a D'Angelo Sandwich Shops 435 Boston Post Rd. | Common Victualler |
| Friendly's 457 Boston Post Rd. | Common Victualler Entertainment |
| Marrone's Bake Shop 418 Boston Post Rd. | Common Victualler |
| Sudbury Pizza 426 Boston Post Rd. | Common Victualler |
| Pastel Pizza 730 Boston Post Rd. | Common Victualler |
| Northeast Recreation Co. d/b/a Sudbury Bowladrome 136 Boston Post Rd. | Common Victualler Automatic Amusement Devices |
| Colony Leasing Corp. 103 Boston Post Road | Used Car Class II |
| Colonial Auto Body of Sudbury 430 Boston Post Road | Used Car Class II |
| Station Road Auto Body & Garage 40 Station Road | Used Car Class II |
| Automotive Diagnostic Ctr. 100 Boston Post Road | Used Car Class II |
| Mosher Auto Body 34 Station Road | Used Car Class III |

It was on further motion unanimously

VOTED: That with respect to any license being held for payment of outstanding taxes in an amount exceeding \$1,000.00, the taxpayers shall work out a payment schedule with the Tax Collector and Town Treasurer, which would obviate the necessity of the Town instituting any other measures.

1991 Annual Town Meeting - Articles

The Board reviewed memorandum dated December 7, 1990, from Assistant Town Counsel David J. Doneski, regarding articles for submission at 1991 Annual Town Meeting. Executive Secretary Thompson further provided the Selectmen with copy of a proposed article concerning purchase of voting machines, and it was concurred by the Board that this article would be a joint submission by the Selectmen and Town Clerk.

Following review, it was on motion unanimously

VOTED: To approve the following articles prepared for submission at 1991 Annual Town Meeting for discussion purposes only and not for taking any position at this time in support or in opposition thereto:

- Hear Reports;
- Temporary Borrowing;
- Street Acceptances;
- Reduce Term of Board of Appeals;
- Accept M.G.L. c. 90, §22B, subsections (b) through (k):
 - Non-criminal Disposition of Abandoned Motor Vehicle Offenses;
- Flood Plain Bylaw amendment as recommended by the Town Engineer;
- Flood Plain Bylaw technical amendment to change reference to provision of General Laws;
- Bylaw technical correction - Handicapped Parking penalty amount to conform to General Laws;
- Purchase Voting Equipment.

At the request of the Selectmen, Executive Secretary Thompson shall place the articles concerning handicapped fines, Revolving Fund Bill H5982, and FY91 budget supplements on their December 17, 1990 agenda for further discussion.

Council On Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$54.50 in miscellaneous donations for deposit into the Council On Aging Van Donation Account; and to authorize the Council On Aging to expend the same for purposes of operating and maintaining the Council On Aging van.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular and executive sessions of November 26, 1990, as presented; the regular session of December 3, 1990, as corrected; and the executive session of December 3, 1990, as presented.

Eagle Scout - Robert Kopf

The Board noted receipt of invitation to the Eagle Scout Court of Honor for Robert Kopf of 29 Firecut Lane, to be held December 19, 1990 at the Memorial Congregational Church.

Selectman David A. Wallace expressed his pleasure to accept the invitation on behalf of the Selectmen.

It was on motion unanimously

VOTED: To acknowledge with pride the achieving of the rank of Eagle Scout by Robert Kopf of 29 Firecut Lane; and to sign a letter of congratulations to Mr. Kopf commending his dedication and perseverance in obtaining the Eagle Scout Award.

Budget Hearing - Building Department

Present: Building Inspector John B. Hepting; Building Department secretary Bobbi Slomski.

At 8:00 p.m., Chairman Judith A. Cope convened a budget hearing with Building Inspector John B. Hepting, who submitted Building Department Budget dated December 4, 1990.

The public was reminded that this budget hearing, as with all of them, is for preliminary discussion of the budget only. The Board reiterated its procedure will be to review all budget recommendations without comment and to make recommendations after all presentations have been made.

Executive Secretary Thompson explained that since today is Mr. Hepting's first official day as Building Inspector, the budget was prepared in great part with the assistance of Temporary Building Inspector Earl Midgley and office assistant Bobbi Slomski.

Mr. Hepting informed that he has reviewed the budget and his general observation is that the former Building Inspector maintained a very tight budget. For this reason, Mr. Hepting cautioned that there may be needs of the department not accounted for in the budget. Mr. Hepting explained that this may present a problem, especially in the area of Expense Accounts, since the directive from the Finance Committee is to level-fund the budgets to last year's.

Mr. Hepting also feels an adjustment needs to be made because of the sharp increase of oil prices. In an attempt to keep the heating expenses down, Mr. Hepting expressed his concurrence with ideas proffered by Supervisor of Town Buildings Warren Boyce. These include:

1. If there is a Tuesday or Thursday holiday, make some trade-off with employees so that the Town offices can be closed Saturday-Sunday-Monday-Tuesday or Thursday-Friday-Saturday-Sunday;
2. Consideration of a four-day work week, 8½ hours per day. It is estimated that this would be a 20% savings in utility costs [Executive Secretary Thompson commented that he believes some communities are considering this shortened work week for winter months of the year].

Mr. Hepting informed that there is still no agreement as to how to finance the Fairbank building with regard to maintenance and heating; and thus, the utilities for Fairbank are not reflected in the budget. It is Mr. Hepting's

suggestion that it might be wise to consider taking all the pieces of expenses by all the small departments and put them into one big budget. This would not change the bottom-line of monies, but would make accounting easier if at one location.

With regard to the Fairbank building, Mr. Hepting reported that there is a meeting scheduled in Mr. Thompson's office on December 17, 1990, to discuss the matter of local "demand" electrical charges by Boston Edison.

There was a brief discussion concerning the fact that the schools may be withdrawing their share to the Fairbank expenses.

Town Accountant James Vanar suggested that perhaps it would make sense to put fuel oil, gas and utilities into the Unclassified Account, which would give flexibility in these changing times.

At the request of Chairman Cope, Mr. Hepting stated that he would give consideration to the appearance of the exterior of the Hosmer House.

Upon inquiry by Chairman Cope, Mr. Thompson informed that Budget and Personnel Officer Terri Ackerman is investigating the situation involving the carrying of insurance for part-time Town employees; i.e. in particular the Plumbing Inspector.

Upon inquiry by Chairman Cope, Mr. Thompson informed that Budget and Personnel Officer Terri Ackerman has issued a report on the use of automobiles by Town employees and it will be submitted to the Finance Committee.

The Selectmen noted that the Finance Committee has a meeting scheduled for Thursday, December 13, 1990, and they will each make every effort to attend.

Chairman Cope thanked Mr. Hepting and Ms. Slomski for their report and input.

Finance Committee - Conservation Efforts

The Board acknowledged receipt of letter dated December 5, 1990, from John J. Ryan, Chairman, Finance Committee, requesting the Selectmen to make conservation efforts to the extent possible in the areas of gasoline, oil and electricity in all aspects of Town business for Fiscal Year 1991.

The Board directed the Executive Secretary to forward a communication concerning this issue to all boards, departments and commissions.

Budget Hearing - Fire Department

Present: Fire Chief Michael Dunne.

Executive Secretary Thompson provided the Selectmen with copies of Proposed Budget Reductions dated December 10, 1990, prepared by Fire Chief Michael Dunne, which was reviewed together with proposed Fire Department Budget.

Chief Dunne suggested the implementation of a fire alarm user fee, and the Selectmen asked him to investigate this matter by conducting a survey of other

towns. It was the consensus of the Board that they may support a partial application of such a fee relative to false alarms.

Chief Dunne expressed his concern relative to having little or no control over deciding firefighters' time off, due to contract restrictions. At the request of the Selectmen, Executive Secretary Thompson will consult with Labor Relations counsel for a possible solution to this problem.

Chairman Cope thanked Chief Dunne for his presentation and input.

Budget Hearing - Police Department

Present: Police Chief Peter B. Lembo.

The Board reviewed Proposed Police Department Budget dated November 16, 1990, prepared by Police Chief Peter B. Lembo.

As reflected in the proposed budget, Chief Lembo believes that in order to make cuts in the amount of \$100,000.00, it would have to be in the area of decrease in dispatchers and by not filling the vacancy created by the retirement of Officer MacLean.

Chief Lembo further indicated that he had agreed to reduce out-of-state and in-state travel expenses by \$1,000.00 each.

After questions concerning the computer maintenance contract, the Board asked the Chief to review this matter with the Town Accountant to see whether it would be more prudent to cancel the contract and adopt the direct-call service.

Chief Lembo brought to the Board's attention the receipts that the Police Department brings into the Town General Fund approximately \$150,000.00 a year which is not credited to his budget. Chief Lembo also expressed concern in the area of traffic fines because the new State laws have caused a rise in costs of court time.

Chairman Cope thanked Chief Lembo for his presentation and input.

Budget Hearing - Accounting Department

Present: Town Accountant James Vanar.

Town Accountant James Vanar presented his proposed Accounting Department Budget. Mr. Vanar called attention to the fact that June Kelley will be retiring in August of 1991, and this will leave quite a void in the Department. Mr. Vanar informed that he plans to meet with Executive Secretary Thompson in order to discuss possible relocation and some form of replacement scheme.

Mr. Thompson called attention to the fact that the Finance Committee in recent meetings with the Town Accountant suggested that future audits necessary for schools federal funding should be placed in the Town Accountant's budget. Mr. Thompson recommends that the Finance Committee be re-visited to discuss this matter in greater detail; i.e., should the audit required for federal funds be part of the federal fund application or paid for by the schools. Mr. Thompson raised the question of whether a total town audit that would cost between

\$15,000-\$30,000 is necessary. It is Mr. Thompson's opinion that it is not necessary, especially with the incorporation of a general audit.

Land Management and Use Reports 1990

The Board acknowledged receipt of memorandum dated December 3, 1990, from the Park and Recreation Commission relative to land management and use.

At the request of the Selectmen, Executive Secretary Thompson will follow up on the report concerning Heritage Park by discussing with Town Engineer I. William Place and Highway Surveyor Robert Noyes the possible dredging of the east inlet of the pond, or draining and re-excavating the total pond.

Water District Annual Meeting

At the request of Chairman Cope, Executive Secretary Thompson will approach the Water District to recommend that they insert an article in their upcoming Warrant for future well exploration in accordance with the recommendations contained in Dr. Chiang's 1986 report.

Enterprise Funds

Executive Secretary Thompson reported that in response to the recent concerns expressed by the Assessors and Tax Collector relative to the Enterprise Funds, he met with the Park and Recreation Commission and Highway Department on the matter and will have a written report for the Board's consideration at their December 17th meeting.

Mr. Thompson commented that he believes the report will be positive for both funds.

Building Inspector - Physical Examination

Executive Secretary Thompson informed that he received an informal written recommendation by Dr. Melvyn Kramer dated December 7, 1990, indicating that Building Inspector John B. Hepting is medically cleared to assume his duties; and that a full report will follow.

Unisys

Executive Secretary Thompson distributed copies of communication dated December 7, 1990, from the Department of Environmental Protection concerning the Unisys property and contamination work plan.

Private Sewage Treatment Facilities

Chairman Cope gave Executive Secretary Thompson her written comments concerning the draft GEIR on Private Sewage Treatment Facilities.

Selectman Drobinski stated that he is in the process of reviewing same and will report back to the Board.

The Board noted the deadline for response is December 26, 1990.

Fire Department - November Report

The Board reviewed November Report dated December 6, 1990, from Fire Chief Michael Dunne.

Executive Secretary Thompson pointed out that the comments concerning the Historic Districts Commissions' desire not to use vinyl siding on the new fire station versus the Fire Chief's desire to so use it because of future maintenance costs relative thereto. After discussion, the Board suggested that Mr. Thompson speak directly with the Fire Chief and Historic Districts Commission in an attempt to resolve the matter. The Board indicated that it is not in favor of taking a position one way or the other.

Executive Session

At 9:50 p.m., it wa on motion by roll call unanimously

VOTED: To go into Executive Session to discuss litigation matters.

(Chairman Cope, aye; Selectman Wallace, aye; Selectman Drobinski, aye).

Chairman Cope announced that public session would not reconvene following Executive Session.

There being no further business to come before the Board, the meeting was adjourned.

Attest:

Richard E. Thompson
Executive Secretary-Clerk