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IN BOARD OF SELECTMEN
MONDAY, DECEMBER 17, 1990

Present: Chairman Judith A. Cope and David A. Wallace.

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.

Trailer Permit - 63 Willis Lake Drive

Present: Kathryn Barry.

On the petition of Kathryn Barry requesting permission to utilize a travel trailer for living purposes while her home is being restored subsequent to vandalism making it unfit for living, Selectman Cope ascertained that the neighbors have voiced no objections and satisfied herself that the trailer was of such quality that it would not be a detriment to the neighborhood. Therefore, on the recommendation of the Executive Secretary it was on motion unanimously

VOTED: To grant a special permit for use of a house trailer for dwelling purposes at 63 Willis Lake Drive subject to approval by the Building Inspector and issuance of a building permit for the restoration work, and subject to Board of Health approval involving connection of the trailer to septic system and water, said permit to commence January 1, 1991 for a period of six months.

The Board expressed its intent to renew said permit for an additional six-month period if progress has been demonstrated.

Council on Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$66.00 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 December 10, 1990.

Reserve Fund Transfer Request

On inquiry of Selectman Wallace, Executive Secretary Thompson explained the salary items listed in Police Department Reserve Fund Transfer Request No. 91-12, dated November 20, 1990: \$3,160 is required to pay a Police Officer who reversed his decision to retire in FY91; \$2,669 is required to pay a Police Officer under the Quinn Bill resulting from accelerated educational achievement; \$4,391 is required for transfer of the step and longevity increases for Union members from money earmarked for this purpose

under a procedure adopted by the Finance Committee. Mr. Thompson indicated that the request is in order and should be passed on to the Finance Committee for discussion; however, he stated his recommendation that the request be funded later in the year after a determination as to the availability of funds within the current budget resulting from attrition.

After discussion, it was on motion of Selectman Wallace unanimously

VOTED: To approve Police Department Reserve Fund Transfer Request No. 91-12, dated November 20, 1990, in the amount of \$10,220.00.

Mr. Thompson expressed his intent to discuss his recommendation relative to this transfer with the Finance Committee.

Sunday Entertainment Licenses

It was on motion of Selectman Wallace unanimously

VOTED: To renew the Sunday Entertainment License for use of a jukebox for Papa Gino's of America, Inc., 104 Boston Post Road, for calendar 1991.

The question of renewing the 99 Restaurant Sunday Entertainment License was tabled until receipt of application.

Gasoline Contract - Calendar Year 1991

On the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To award the contract for supplying the Town of Sudbury with premium unleaded gasoline for the calendar year 1991 to the low bidder, C.K. Smith Company, 99 Crescent Street, Worcester, Massachusetts, in accordance with the Town of Sudbury specifications and bid of C. K. Smith Company, dated December 11, 1990, at .0200 per gallon increment over the tank car price throughout the supply period, with the understanding that payment of the Federal gasoline tax and filing for reimbursement for such payment shall be the responsibility of the vendor.

The Board noted that the contract was bid in concert with the Town of Lincoln. Ms. Jones responded to Chairman Cope that the joint bidding procedure had been in place for several years at the request of Lincoln, and that inquiries relative to extending to a larger group of towns had been made.

Perambulation of Town Bounds

Having reviewed reports of Town Engineer I. William Place, dated February 5 and December 11, 1990, it was on motion of Selectman Cope unanimously

VOTED: To approve and sign letters to abutting towns certifying perambulation of all town bounds, pursuant to M.G.L. c.42, §2.

Fire Department - Acceptance of Donation

It was on motion unanimously

VOTED: To accept with gratitude on behalf of the Town \$369 donated by the Raytheon Company to be used for the purpose of purchasing a Telephone Device for the Deaf for installation at the Fire Department's dispatch center.

Land Management Reports - Conservation Commission

As the Conservation Commission reports were unavailable at this time, the Board agreed to table the subject until submission of same.

Final GEIR, Private Sewage Treatment Facilities

Executive Secretary Thompson distributed Conservation Coordinator Deborah Montemerlo's December 17 draft comments, which is before the Commission this evening for review, on the Final Generic Environmental Impact Report (GEIR). Mr. Thompson expressed his intention to provide these comments to Selectman Drobinski who had indicated that he had not yet completed his written comments. Mr. Thompson suggested that the Board review the Commission's comments and forward any additional comments of Selectman Drobinski, upon receipt, to the Executive Office of Environmental Affairs, MEPA Unit.

Traffic Study - Parkinson Land

The Board acknowledged receipt of the completed traffic study for the Parkinson Land development prepared for the Sudbury Housing Partnership Committee by HMM Associates, Inc. under a grant. Chairman Sokol, by letter dated December 7, 1990, informed that the report indicates there will be no "appreciable impact on the immediate roadway system" as a result of the proposed project, and recommends that a better line of sight be developed from the exit eastward.

It was noted that the report recommends that improved signal phasing at Rt. 27 and Concord Road be instituted for peak hours. Mr. Thompson informed the Board that the Town Engineer had looked into this issue and nothing can be done at this time.

Unisys - Public Meeting

The Board acknowledged receipt of a communication dated December 14, 1990, from Richard J. L'Ecuyer, Real Estate Asset Management, Unisys Corporation, concerning arranging a public meeting to discuss Unisys' environmental remediation program and additional studies. Selectman Cope suggested that January 9, 1991 would best meet her schedule; Selectman Wallace agreed.

Tax Classification Hearing - FY91 Tax Rate

Present: Chairman Fred N. Haberstroh, and members Thomas H. Hillery and David E. Tucker, Board of Assessors; Assistant Assessors Daniel A. Loughlin and Mary H. Walsh; Town Accountant James Vanar; Town Treasurer and Collector Chester Hamilton; Town Clerk Jean M. MacKenzie.

Chairman Cope convened a public hearing jointly with the Board of Assessors to determine what percentage of the local tax levy will be borne by each class or real and personal property in setting the Fiscal Year 1991 tax rate.

Executive Secretary Thompson informed that compliance has been made with M.G.L. c.40, §56 with regard to publication of notice of said hearing. Mr. Thompson invited the Board of Assessors forward and, upon introductions, introduced Assistant Assessor Daniel A. Loughlin for the purpose of making the Assessors' presentation.

Assistant Assessor Loughlin distributed an informational handout entitled "Fiscal 1991 Sudbury Classification Hearing", dated December 17, 1990, setting forth the considerations for setting the tax rate, which he explained in detail. Mr. Loughlin informed that Sudbury needs to raise approximately \$20,826,852 in order to cover Fiscal 1991 expenses resulting from the 1990 Annual Town Meeting determination of expenditures, the subsequent override vote, and prior years' debt.

Mr. Loughlin explained that use of the minimum residential factor allows for an almost equal increase in both the residential and commercial, industrial and personal property (CIP) rates and represents the maximum percentage tax allowed on commercial property over the flat rate which is 175%. Mr. Loughlin informed that while residential values have increased by about 1%, the CIP values have decreased. Mr. Loughlin reported an excess levy capacity of \$17,426.59 resulting from new construction.

It was, on recommendation of the Executive Secretary, on motion unanimously

VOTED: To compute the Fiscal Year 1991 tax rate based on the minimum residential factor, .905547, which will result in a tax rate of \$11.63 for residential (+6.8%) and a tax rate of \$22.48 for commercial, industrial and personal property (+6.5%); to assess no Open Space exemption and to assess no residential exemption.

The Board signed the Bureau of Accounts form certifying the classification which will be forwarded by the Board of Assessors with the recap sheet to the Department of Revenue. After thanking the Assessors and Mr. Loughlin for his presentation, the hearing was adjourned at 8:20 p.m.

Budget Hearing - Treasurer and Tax Collector

Present: Chester Hamilton, Treasurer and Collector

With regard to the Debt Service budget, Town Treasurer and Collector Chester Hamilton remarked that the amount related to Line Item 200-205, Other Bond Principal, is an accurate figure and that all others are subject to change. Mr. Hamilton indicated that there has been a large saving realized with the quarterly tax billing procedure and noted that 95% of FY91 first-half taxes have been collected. It was also noted that the Debt Service budget reflects that the Stone Tavern debt has been paid off.

Noting the changes from the FY91 appropriations in the Treasurer/Collector budget, Mr. Hamilton explained that the overtime funding estimated for the quarterly billing process had, in practice, proved to be overestimated; therefore, this amount has been reduced from \$7,000 to \$2,000. The amount stated for the clerical account has been increased to reflect a well deserved reclassification of an employee by the Personnel Board. The requested amount for Line Item 505-521, Service Bureau, reflects increases in fees and inclusion of tax title work.

On the recommendation of Executive Secretary, it was on motion

VOTED: To approve the budgets as submitted for Account 200, Debt Service, and Account 505, Treasurer/Collector.

Budget Hearing - Pool Enterprise Fund

Present: Park and Recreation Commission Chairman Gerald B. Berenson and member Patricia H. Burkhardt; Recreation Director Thomas Haggerty; Finance Committee Liaison Suzanne Strouse.

Executive Secretary Thompson informed the Board that the Assessors had forwarded his letter, dated December 12, 1990, with regard to the current financial situation at the Pool and the Landfill vis a vis the Enterprise Funds to the Department of Revenue (DOR), which was followed by a letter of confirmation from Town Accountant James Vanar. Mr. Thompson informed that the DOR appeared to be satisfied.

Recreation Director Thomas Haggerty informed the Board that his salary is divided between the Pool budget and the Park and Recreation budget; insurance and benefits show an increase as does the maintenance account. Employee benefit costs are being revised downward and new numbers will be presented as soon as possible. Also, efforts are being initiated to increase membership, e.g., corporate flyer, gift certificates and discount memberships. Mr. Haggerty expressed his belief that raising membership fees would be desirable, since the Pool must be competitive in order to attract members.

Noting that the numbers were being refined by Mr. Haggerty in conjunction with the Budget and Personnel Officer, Mr. Thompson recommended that the Board hold on taking any action with regard to this budget until its January budget discussions.

The Board agreed and thanked Mr. Haggerty for his presentation.

1991 ATM - Warrant Articles

Executive Secretary Thompson remarked that the budget adjustment articles involving the Reserve Fund, Retirement Fund, and the Salary Adjustment Account and certain reductions and/or transfers of funds between accounts have been combined into a single appropriation article for flexibility; and that the amount required to provide back pay for Officer Chaffee will be considered under the Town Accountant's Unpaid Bills article. Relative to the Article previously submitted to Amend Bylaws, Art. V, Section 27(d) - Handicapped Parking Penalty Amount, Mr. Thompson clarified that the current

fine is \$25 in accordance with statute, and that this article represents a technical correction to the Town's Bylaws.

After consideration, it was on motion

VOTED: To approve the following Warrant articles and/or reports prepared for submission for 1991 ATM consideration, with no positions either in support or in opposition implied relative thereto:

- FY91 Budget Adjustments and report thereunder
- Flood Plain Bylaw amendment report
- Flood Plain Bylaw technical correction report
- Accept M.G.L. c.90, §22B, subsections (b) through (k) report
- Amend Bylaws, Handicapped Parking Penalty report

At the request of Chairman Cope, Executive Secretary Thompson will redraft the report under the article to reduce the term of the Board of Appeals for the Board's further consideration.

Ms. Jones informed that the Revolving Fund Bill, H5982, had been signed by the Governor, but that Town Counsel had not yet received the copy requested in order to determine whether an acceptance article was mandated.

Sherman's Bridge

Mr. Thompson reported that he had released the Board's vote requesting withdrawal from the Federal Aid Bridge Replacement & Rehabilitation Five Year Federal Aid Projects Program as Wayland had also voted to do so.

Budget Hearing - Landfill Enterprise Fund

Present: Highway Surveyor Robert A. Noyes; Operations Assistant James Pianka.

Highway Surveyor Robert Noyes described the management organization he is proposing for the Landfill: addition of 14% of Operations Assistant James Pianka's time achieved by reduction of Assistant Highway Surveyor John Lindgren's and Foreman Walter Bent's time allocation to the Landfill; working under the Union contract to establish the position of Landfill Supervisor, but not fund the position for FY 92, keeping instead the Heavy Equipment Operator position to provide maximum flexibility in the workplace and allowing utilization of the funds associated with the new position to be spent on hazardous waste or benefits/insurance.

Mr. Thompson indicated that the latter would be the subject of continuing discussion with the full Board.

Operations Assistant James Pianka and Highway Surveyor Noyes described the ideas under discussion to encourage more recycling, noting that Wayland is proposing that rubbish for landfill disposal be weighed and charged accordingly.

All gave credit to Recycling Monitor Drew Goodwin for his enthusiasm and excellent work. Mr. Noyes reported that we are getting the highest dollar return for the recycled glass, whereas the cost of recycling newspapers is

\$25/ton. It was noted that the new trailer is providing new storage to take up the overflow, since one trailer is filled in four days.

On the recommendation of Executive Secretary Thompson the Board took no action on the Landfill Enterprise Budget, since the numbers are still changing, and will discuss it further in January.

The question of voting new Landfill sticker fees and new Landfill commercial permit rates effective July 1, 1991 was held for further review.

Mr. Thompson informed Mr. Noyes that his memo, dated December 13, 1990, presented to the Board this evening is a change from what had been agreed upon previously in relation to Supervisor and control at the Landfill. Mr. Thompson will provide a copy to the Town Engineer to allow him to comment.

Budget Considerations

The Board reviewed Budget Form XIV, Additional Sums Necessary for Essential Operation, proposed for submittal to the Finance Committee with the Selectmen's budget totalling \$9,815 to provide for additional hours for the Budget and Personnel Officer and for the Recording Secretary to accommodate a new hire, and travel expenses to facilitate attendance at various informational, regional, planning and professional meetings.

Chairman Cope expressed her belief that these items are not necessarily essential; however, she agreed with Selectman Wallace that they should be supported if funds were available in the future.

Relative to the Executive Secretary's budget memorandum of December 14, 1990, setting forth recommended departmental budget reductions to comport with current available revenue forecasts, Mr. Thompson reported that Selectman Drobinski had indicated his support of going forward with the letter. Selectman Drobinski had further expressed his desire that the Board communicate with the department heads before finalizing any budget cuts.

Commenting on Options A & B for the Fire Department, Mr. Thompson noted that these could be added back on a prioritized basis.

Relative to the Highway budget reductions, Chairman Cope stated her preference that the amounts required not be taken from maintenance or services.

With regard to capital equipment funding, Mr. Thompson suggested that these items be prioritized for further discussion. Mr. Thompson informed that the balance of the Stabilization Fund is \$492,000 and is to possibly be augmented by a reversion of unused planning funds from the Long Range Capital Expenditures Committee.

On inquiry as to the Town Hall heating system repair/replacement, Mr. Thompson informed that the problem had been related to a failed heat exchanger which would be replaced under the Building Department budget, and that until the building's future use was determined it was the opinion of the Permanent Building Committee and the Building Inspector, replacement should not be considered. However, both the Permanent Building Committee and the Executive Secretary recommend, in keeping with the Fire Chief's overall recommendations

regarding Town underground fuel tanks, that the cost of converting the system to gas supply be investigated.

Selectman Cope expressed her strong preference in keeping the Engineering budget intact. Mr. Thompson explained that the position of Assistant Town Engineer was saved last year only by the ability of the Landfill Enterprise Fund to share in the expense. The Board held on the item until Selectman Drobinski could be present to discuss the issue.

Relative to the Building budget proposed reductions, it was noted there was a \$300 increase in the retainer of the Plumbing Inspector which needs to be investigated and possibly added to the list.

In regard to the Legal Services budget reduction proposed, Mr. Thompson stated that since three-year negotiations were recently completed, in his opinion, the Labor Relations Counsel line item should be reduced by the amount indicated.

Chairman Cope suggested that the position of Legal Secretary currently charged to the Selectmen's budget should, in fact, be provided as part of Town Counsel's retainer. Chairman Cope stated that she had ascertained through her personal legal services survey that this is done in other towns. Selectman Wallace commented that the Legal Secretary's salary is no doubt almost equal to the retainer and that a small firm could not support that expense even if it was so in other towns. Ms. Jones stated that the Selectmen's Office had also performed legal service surveys and had determined that with comparable service arrangements that was not so. Further, she responded that there is a great deal of overlap between the duties involving the Law Department and the Selectmen's Office and that there was no clear delineation of many of the services provided by the Legal Secretary. Mr. Thompson stated, and the Board indicated its concurrence, that he would investigate the matter further.

On the recommendation that certain items be looked at with regard to possible cost savings, the Board agreed that combining the Planner and Conservation Coordinator positions was not feasible.

On query of Selectman Cope, Executive Secretary Thompson explained how the contracted item of uniforms was allocated in each department and expressed his opinion that there were no opportunities for further savings in that area.

Selectman Cope stated her belief that the negotiated settlements should have provided for a change in insurance with regard to utilization of HMO's and increasing the deductibles. Mr. Thompson explained that health insurance is a complicated issue which has legal ramifications and he and the Budget and Personnel Officer continue to spend a lot of time working on the issue with the intent to go back and reopen the contract, if necessary.

Annual Town Election and Annual Town Meeting

At the request of Town Clerk Jean M. MacKenzie under date of December 14, it was on motion unanimously

VOTED: 1. To set the 1991 Annual Town Election for the four precincts in Sudbury for Monday, March 25, 1991 from 7:00 a.m. to 8:00 p.m. at the Peter Noyes School;

2. To establish that the Annual Regional School District Election shall be combined with and held as part of the Annual Town Election of Sudbury, and that the ballot for the annual Regional School District 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 sessions of the 1991 Annual Town Meeting on Monday, April 1, 1991 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 special voter registration sessions prior to the Annual Town Election and Town Meeting in the Town Hall, in accordance with Chapter 51, §30 of the General Laws.

Pursuant to request of Town Clerk MacKenzie dated December 12, it was on motion unanimously

VOTED: To waive holding precinct special voter registration sessions for the forthcoming Annual Town Election in compliance with M.G.L. c.51, §30.

Ft. Devens Black History Month

The Board acknowledged the December 7 communication from Major James D. Bridges, Operations Officer, First Intelligence Training Army Area School, Ft. Devens, in his capacity as a member of the Ft. Devens Black History Month Steering Committee, requesting sponsorship or assistance in obtaining sponsorship for the variety of activities planned by Ft. Devens to celebrate Black History Month.

On the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To provide support for the activities planned by the Committee in any way feasible, excluding financial aid, including use of facilities.

Carding Mill Lease

Executive Secretary Thompson reported that the majority of work items on the Carding Mill building intended to be completed through June have already been completed by Mr. Carroll.

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