

12

IN BOARD OF SELECTMEN
MONDAY, JUNE 18, 1990

Present: Chairman Judith A. Cope and John C. Drobinksi.

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

Utility Petition 90-10 - Old Garrison Road

Present: Christine Cosby and Stephen Kane, representatives of Boston Edison Company; abutters Dr. Daniel F. Buttner and Patricia A. Buttner.

The Board reconvened a public hearing for Utility Petition 90-10 of Boston Edison Company and New England Telephone and Telegraph Company for permission to erect six poles along Old Garrison Road, which hearing was commenced June 4, 1990.

Executive Secretary Richard E. Thompson noted that all appropriate abutters had been notified. Mr. Thompson informed that he was contacted by Boston Edison Company representative Stephen Kane, who was advised by Mr. Thompson to contact abutter Dr. Daniel F. Buttner concerning this petition.

Mr. Kane introduced himself and reported that after discussion with Dr. Buttner, no agreement could be reached. Mr. Kane re-emphasized the absolute need for the work and explained that the intent of Boston Edison Company is to tie two primary circuits together. At present, he went on to say, there is a primary circuit "feed" that comes down Peakham Road to the junction of French Road; which in turn feeds down French Road to the new subdivision, Carding Mill, and others. The need for the work, Mr. Kane stated, is that in the event of an outage, the utility companies would have to shut off service to a much larger number of customers than if the "looping" of the circuits was in place.

In response to inquiry by Selectman Cope, Mr. Kane stated that Boston Edison Company does not believe there is an alternative location for the proposed poles because of the way the circuits exist. Mr. Kane pointed out that it is not only Peakham and French Roads that would be affected by this new work, but would allow the company, if there is an isolated outage on Dutton Road, to feed back down Old Garrison Road to that affected portion of Dutton Road; thereby minimizing the number of customers that would have to have their service interrupted.

Dr. Buttner opened his comments by noting that upon a recent visit to the Wayside Inn he and his wife were impressed with the beautiful improvement made by the removal of six telephone poles. In contrast, Dr. Buttner noted that Boston Edison Company wants to construct six "ugly" telephone poles in front of his house. Dr. Buttner expressed his disagreement with Mr. Kane's opinion that the work is needed for the area because of reliability, and pointed out that in the twenty-five years he has lived on Old Garrison Road, his area has suffered no greater outages than the rest of Town.

Dr. Buttner further pointed out that the nearby new developments will have no overhead "ugly" telephone poles, and commented that if the utility companies

feel so strongly that they must do this work in order to provide more dependable service, they can do this work underground.

Executive Secretary Thompson stated that it is his belief that most people dislike having telephone poles in front of their homes; but that where such poles are required in order to address the needs of the larger community, the work should be done. For that reason, Mr. Thompson recommended approval of the petition.

Selectman John C. Drobinski stated that since he was not in attendance at the June 4, 1990 hearing on this petition, he was not fully convinced of the need for this work based on what he has heard this evening. Mr. Drobinski asked Mr. Kane if any event precipitated this need, and Mr. Kane responded by stating that Boston Edison Company continually monitors its service and takes action to better the service when it can. The installation of the poles, Mr. Kane went on to explain, would obviate a problem from occurring in the future, anticipating the increased load due to new customers in that area.

Chairman Cope asked Mr. Kane about the difference in cost between overhead and underground installation; and Mr. Kane stated that although he did not know the exact figures, he did know that underground would be considerably more expensive. Mr. Kane further noted that the underground installations at the new developments were paid for by the developers.

Patricia Buttner of 54 Old Garrison Road stated that she believed it is ironic that for 20+ years this need has never come up until the new development. Mr. Kane stated that the need is not exclusively for the new development, but is for all of the areas he outlined above.

Expressing concern that the full Board was not present, and the need for additional input, it was on motion unanimously

VOTED: To take under advisement Utility Petition 90-10 for installation of six poles on Old Garrison Road in order to obtain underground cost estimates and comment from Town Counsel.

Town's Increased Moody's Credit Rating to AA

Executive Secretary Thompson provided the Board with memorandum he received June 5, 1990, from Town Treasurer/Tax Collector Chester Hamilton commenting on the financial significance of the Town's credit rating increase by Moodys from A to AA. Mr. Thompson noted that this rating increase has already saved the Town between \$40,000-\$50,000, and will favorably affect the Town in coming fiscal years.

Chairman Cope stated her belief that most of the credit goes to Mr. Hamilton and expressed the concurrence of the Board that the Town is very fortunate to have Mr. Hamilton's services.

Highway Reimbursement Anticipation Note

It was on motion of Selectman Drobinski unanimously

VOTED: To authorize renewal of highway reimbursement anticipation note in the amount of \$31,884.98, as set forth in letter dated June 14, 1990, from Town Treasurer/Tax Collector Chester Hamilton.

Fort Devens Annex Land

The Board acknowledged receipt of letter dated June 12, 1990, from P. Vaccaro, Director, Office of Real Estate Sales, Federal Property Resources Service, General Services Administration (GSA), advising that as the entire Fort Devens annex land has been designated a Superfund site requiring additional testing for possible contaminants, GSA will not proceed with any further disposal action until appropriate clearances are provided by the Department of the Army.

The Board further acknowledged receipt of notes from Conservation Coordinator Deborah Montemerlo from the June 11, 1990 meeting at the Fort Devens Annex. Chairman Cope submitted notes she had taken concerning this meeting as a supplement to those taken by Ms. Montemerlo.

Chairman Cope stated that she believes it is important for the Selectmen to speak with Board of Health Director Robert Leupold so that they may have a better understanding of what is happening with regard to this property.

It was on motion unanimously

VOTED: To re-confirm the Selectmen's position as set forth in its letter dated June 4, 1990, to Robert F. Gift, Chief, Department of the Interior, National Park Service, Environment and Recreation Assistance Division, wherein they informed that the Towns of Sudbury and Hudson and the Metropolitan Area Planning Council fully support the E.P.A. and the Department of the Army in their decision to conduct a complete and thorough investigation of the site; and that no portion of the Fort Devens Annex should be exsessed, for any use, until the investigation is concluded and the full extent and composition of any contamination is known.

1990 Annual Town Meeting - Action Required

The Board acknowledged receipt of memorandum dated June 13, 1990, from Executive Secretary Thompson setting forth follow-up items from the 1990 Annual Town Meeting that will require action by the Selectmen.

AAA Limousine, Inc. - Renewal of License

The Board reviewed application of AAA Limousine, Inc. for renewal of its Livery and Limousine Service License. Executive Secretary Thompson noted that the \$25 license fee has been received; and that the Police Department has approved all drivers' licenses and recommends approval, subject to inspection of vehicles.

Upon review, it was on motion unanimously

VOTED: To renew Livery and Limousine Service License of AAA Limousine, Inc., Edmund E. Brown, President, 39 Union Avenue; and to approve rates as set forth

below and in application dated May 25, 1990, for a term to expire June 30, 1991; subject to the vehicles passing inspection by the Police Department:

Sudbury to Logan Airport, Boston:

Limousine	\$65.00 Flat rate
Sedan	\$60.00 Flat rate
Van	\$50.00 Flat rate

Hourly Rates:

Limousine	\$55.00
Sedan	\$45.00
Van	\$40.00

Town Report Awards

At 8:00 p.m., Chairman Cope convened a presentation ceremony of Town Report Art Awards, and called upon Town Report Committee Chairman Ellen Given to assist in the presentation of same to the recipients.

It was noted that the recipients of this award were the Town's youth, whose artwork was judged worthy of being included in the 1989 Sudbury Annual Report.

Following the ceremony, Chairman Cope called a short recess of the meeting and invited all in attendance to enjoy conversation and refreshments.

Town Report Committee - Resignation

It was on motion unanimously

VOTED: To acknowledge receipt of letter of resignation from Town Report Committee Chairman Ellen Given, 60 Green Hill Road, dated June 18, 1990, effective this date; and to request that the Executive Secretary forward a letter of thanks to Ms. Given for her service to the Town.

The Board thanked Ms. Given, who was present, for her selfless contribution to the Town.

Fairbank Community Center - Asbestos Removal

Upon review of itemization of bids received, and recommendation of Briggs Associates, Inc., it was on motion unanimously

VOTED: To accept a bid received under the bid opening of June 14, 1990, for asbestos abatement and related work at Fairbank Community Center, of Bay Insulation Systems, 33 N. Montello Street, Brockton, Massachusetts 02401, in the bid amount of \$53,202.00, inclusive of Alternates 1, 2 and 3, as recommended by Michael Tibert, Project Manager, Industrial Hygiene Group, Briggs Associates, Inc., in his letter dated June 18, 1990; and to authorize Chairman Cope to sign the contract for same.

Warrant - Unlicensed Dogs

It was on motion unanimously

VOTED: To issue the Warrant to Dog Officer Betsey DeWallace relative to unlicensed dogs, authorizing her to proceed to file formal complaint with the District Court against the owner or keeper of every such dog, and to otherwise carry out the provisions of the Massachusetts General Laws and the Town Bylaws as they relate to unlicensed dogs.

Fairbank Community Center

The Board acknowledged receipt of communication dated June 8, 1990, from the Permanent Building Committee responding to the Park and Recreation Commission's May 21, 1990, memorandum regarding Fairbank building modifications.

Executive Secretary Thompson noted that the only material difference between the Committee's June 8th communication and the Commission's May 21st memorandum is that it will not be possible to place the window in the Recreation Director's office facing the auditorium, as requested by Park and Recreation Commission, but that one window may be installed facing the lobby corridor.

Mr. Thompson advised that he will be meeting tomorrow morning, June 19th, at 8:30 a.m., with Park and Recreation Commission Chairman Dr. Gerald Berenson in order to discuss this matter, as well as the grant of \$25,000 from the Sudbury Foundation to the Friends of the Teen Center, for refurbishing the cafetorium/gym floor and installation of basketball hoops, vis a vis public bid laws. It was Mr. Thompson's opinion that in all likelihood this may be accomplished in phases, since there may also be excess money available now that the asbestos removal figure is confirmed.

Mr. Thompson further advised that he will be meeting Friday, June 29, 1990, with Pauline Paste from Lincoln-Sudbury Regional High School and John Wilson from local schools to discuss the concept of shared services. Mr. Thompson cautioned, however, that the message he has been receiving is that there are no immediate plans of a shared superintendency.

Chairman Cope reaffirmed the Board's desire to accommodate Park and Recreation Commission as much as possible; and Mr. Thompson assured that everyone is trying to do so. Chairman Cope asked Mr. Thompson to speak to John Wilson one more time about the configuration and location of their proposed office space.

Mr. Thompson will report back to the Board following his meetings as outlined above.

American Legion Post 191 - Donation

It was on motion unanimously

VOTED: To accept a donation of \$1,000 from the American Legion Post 191 to be deposited in a segregated Police Donation account and used for police-related functions as authorized by the Police Chief, as requested in letter dated June 7, 1990, from Police Chief Peter B. Lembo.

Wood-Davison House Restoration Fund - Donation

It was on motion unanimously

VOTED: To accept miscellaneous donations in the amount of \$260.00 for deposit into the Wood-Davison House Restoration Fund.

Meeting With Personnel Board

Present: David M. Mandel, Chairman, Bradford J. Brown, Vice-Chairman, Rebecca R. Corkin, Wilfred J. Benoit, Jr. and Marilyn A. Tromer, Personnel Board; Highway Surveyor Robert Noyes; Budget and Personnel Officer Terri Ackerman.

At 8:30 p.m., Chairman Cope convened a joint meeting with the Personnel Board to discuss, with Highway Surveyor Robert Noyes in attendance, the issue of employee recognition.

Executive Secretary Thompson reminded that at a meeting a while ago among Chairman Cope, Robert Noyes and others a concern was raised relative to the frustrations being felt by department heads regarding recognition and recruitment policies of Town employees.

Chairman Cope commented that it is important that the Town get the best value for the money in terms of qualified and dedicated personnel. Mr. Thompson concurred, and added that in today's "down" economy, all avenues should be explored to attract the best-qualified individuals who will contribute to the best interests of the Town.

Personnel Board Chairman David Mandel stated that they have been confronted with a number of situations presented by department heads who wanted to reward a particular employee who, for one reason or other, had performed to a high degree of excellence and/or who performed beyond the call of duty. The Personnel Board thus began started looking at the issue, and Mr. Mandel outlined the major approaches considered, as follows:

1. the concept of a merit-rating system: although generally favored, the Board believes that because of the hierarchical structure of Town government, it seems that merit pay would be very difficult to enforce because it would be like comparing apples to oranges.
2. employee recognition, such as giving a double-step increase or lump-sum amount: the Board approached this with a positive attitude but believes the flaw is that it would prove to be very disproportionate among the various departments. Also, depending on the actual dollars involved, it could only be given to a very few employees each year.
3. employee recognition that would involve non-monetary but morale-lifting awards: the Board believes that since the Sudbury Chamber of Commerce has in effect its annual "Employee of the Year" award, the Town should not be duplicitous of this type of recognition and appear to be in competition with the Chamber of Commerce.

Vice Chairman Bradford J. Brown reiterated Mr. Mandel's assertion that the Personnel Board believes in the concept of merit rating. However, Mr. Brown added, it would be extremely difficult to come up with an equitable bell-shaped curve for the department heads to utilize.

Mr. Mandel further explained that a rating system might work with the larger departments, such as Police, Fire and Highway, where there are many employees; but the majority of Town offices only have a small number of employees (in some cases only one or two), which makes it almost impossible for the department head to formulate. An additional complication, Mr. Mandel stated, is the union contract.

Highway Surveyor Robert Noyes stated that he looks at this issue not only as a present department head, but as an employee, since he first started working for the Town in 1959. Mr. Noyes voiced his frustration at seeing very talented individuals leaving Town employment and believes political problems have added to the problem. As a department head, Mr. Noyes stated that he is further frustrated by the fact that although he can do evaluations and the like, he cannot actively recommend step raises or similar awards for exceptional service. Mr. Noyes concluded by asking that if he is able to work within his budget and somehow make money available through savings in other areas, why can he not fully manage his own department by having the authority to adequately reward his employees.

Chairman Cope expressed her concurrence with Mr. Noyes' thoughts and comments. Mr. Mandel reiterated that the Personnel Board is sympathetic to this issue and feels strongly that a pay-for-performance system is the better theory. But, he explained, the Town would either have to put extra money into the department so that extra monetary recognition can be given; or the Town would have to talk about the inability to give raises to some so that others can get more.

There was a discussion about what other communities are doing in this area and it was pointed out that the towns of Wellesley, Concord and Arlington are three communities that have some type of merit-rating system.

Mr. Thompson acknowledged the validity of Mr. Noyes' concerns and added that, on the positive side, he believes the Town has come quite a distance over the years in providing good employment; and he pointed out that Sudbury has put items in its personnel bylaws such as sick leave buybacks.

Budget and Personnel Officer Terri Ackerman opined that, although in an isolated situation as in Mr. Noyes' Highway Department the money may in fact be available, the Personnel Board needs to consider the effect on the small departments where there is no extra money.

Mr. Brown suggested for consideration the concept of taking a percentage of payroll from each department and setting it aside for the purpose of merit recognition. Mr. Noyes commented that he believes this would be difficult to do in this era of level-funded budgets.

Personnel Board member Wilfred Benoit stated that it is important to keep in mind that the salary levels for Town employees are fair and reasonable, and that it is not a question of the employees being underpaid.

Chairman Cope concluded the meeting by asking that the subject continue to be discussed, as the Selectmen concur that it would be important and desirable to reward the good, hardworking employees of Sudbury.

Executive Session

At 9:15 p.m., it was on motion by roll call vote unanimously

VOTED: To enter into Executive Session for the purpose of discussing matters relating to collective bargaining.

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

Chairman Cope announced that the regular session would reconvene immediately following executive session.

Whereupon the regular session reconvened at 9:45 p.m.

Supervisor of Town Buildings - Step Increase

Upon consideration of the Building Inspector's recommendation, it was on motion unanimously

VOTED: To approve step increase for the Supervisor of Town Buildings from Step 2 to Step 3, effective July 1, 1990, in accordance with the Sudbury Supervisory Association contract; subject to funding, if and when available.

Sudbury Housing Authority

The Board reviewed request dated June 5, 1990, from the Sudbury Housing Authority for participation of a Selectman on a task force to research the question of inclusionary or incentive zoning bylaws.

It was on motion unanimously

VOTED: To designate Chairman Judith A. Cope as Selectman representative on a task force of the Sudbury Housing Authority to research the question of inclusionary or incentive zoning bylaws.

At the request of Chairman Cope, Executive Secretary Thompson will contact Sudbury Housing Authority Chairman Jo-Ann Howe to request that she forward to Mrs. Cope copies of all incoming applications for membership to the Authority.

Planning Board - Resignation

It was on motion unanimously

VOTED: To acknowledge with regret the resignation dated June 3, 1990, of Russell P. Kirby, 244 Boston Post Road, from the Planning Board, effective June 5, 1990; and to request the Executive Secretary to draft a letter for signature by the Selectmen thanking Mr. Kirby for his extensive and contributory service to the Town.

Chairman Cope enthusiastically praised the best efforts of Mr. Kirby in all of his endeavors as a member and chairman of the Planning Board. Mrs. Cope stated her concurrence with many of the frustrations cited by Mr. Kirby in his letter of resignation; however, she stated she would probably not single out individuals as he did in the letter.

The Board next acknowledged receipt of letter dated June 18, 1990, from Town Planner Lee Newman, requesting a joint meeting with the Selectmen for the purpose of electing a new member to fill the vacancy created by the resignation of Mr. Kirby.

At the request of the Selectmen, Executive Secretary Thompson will immediately advertise for candidates to the Planning Board and will schedule a meeting with the Planning Board in a timely fashion.

Council On Aging - Resignation

It was on motion unanimously

VOTED: To accept the resignation dated June 11, 1990, from M. Priscilla Mesar of 3209 Longfellow Glen, from the Council On Aging, effective immediately; and to request the Executive Secretary to forward a letter of thanks to Mrs. Mesar for her service to the Town.

Annual Appointments

It was on motion unanimously

VOTED: To table consideration of remaining annual appointments until such time as all three Selectmen may be present.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular session of June 4, 1990, as presented.

It was on further motion unanimously

VOTED: To table the question of approval of the minutes of the regular and executive sessions of June 11, 1990, until such time as Selectman Wallace has had the opportunity to review and comment on same.

Fourth of July Activities

Executive Secretary Thompson reported that Town Counsel has responded to the Board's inquiry regarding liability of the Town for Fourth of July celebration activities organized and conducted by private volunteers.

It was on motion unanimously

VOTED: To rescind the vote of the Board taken on June 4, 1990, relative to endorsement of the Fourth of July parade and other activities organized by volunteer efforts.

It was further on motion unanimously

VOTED: To sponsor a Fourth of July Parade and other related celebration events and to establish a totally volunteer 1990 Fourth of July Committee, under the direction of Co-Chairmen Beverly Bentley and Roger Allan Bump, to organize such event, including the solicitation of other volunteers to carry out all Fourth of July activities.

The Board next discussed the matter of adding the Sudbury Chamber of Commerce under the Town's liability policy relative to its participation in the Fourth of July activities and Executive Secretary Thompson advised that there will be an additional cost to the Town of \$200 in order to accomplish this. It was the concurrence of the Board that this amount should be borne by the Sudbury Chamber of Commerce, and Chairman Cope stated that she would immediately contact Beverly Bentley relative to the Board's decision.

It was on motion unanimously

VOTED: To add the Sudbury Chamber of Commerce as an additional insured under the Town's liability policy relative to its participation in the Sudbury Fourth of July celebration activities, for July 4, 1990, only.

Building Inspector - Joseph Scammon

It was on motion unanimously

VOTED: To accept the resignation dated June 15, 1990, of Inspector of Buildings Joseph E. Scammon, effective July 26, 1990.

It was on further motion unanimously

VOTED: To approve Reserve Fund Transfer Request No. 90-30 to Sick Buy-back Account 340-151, in the amount of \$10,879.45, which represents unbudgeted Sick Leave Buyback for Inspector of Buildings Joseph E. Scammon.

Unisys Corporation

Executive Secretary Thompson noted that this evening's agenda called for an Executive Session to discuss the Unisys litigation matter.

The Board concurred that since Mr. Thompson has not had the opportunity to receive comment from the Town Planner, and since a meeting is scheduled for June 21, 1990, among Mr. Thompson, Town Engineer Place, Health Director Robert Leupold, Town Planner Lee Newman and Unisys representative Ralph Tyler, executive session would be tabled to a later date.

Schools - Shared Superintendency

Executive Secretary Thompson informed that a meeting is scheduled for June 29, 1990, involving the local and regional high schools to discuss shared services at a staff level.

Mr. Thompson will report to the Board following said meeting.

Hilco Supply, Inc.

Chairman Cope asked the Executive Secretary to remind Town Counsel's Office that the Selectmen wish to be advised concerning the Hilco liquidation matter; and she asked that a response be received by June 25, 1990, if possible.

Sherman's Bridge

Chairman Cope updated the Board concerning Sherman's Bridge and advised that Highway Surveyor Robert Noyes stated that he will be proposing an inter-Town agreement involving a 20' wide bridge with a horizontal 18" step-up, not to exceed \$230,000; and a further proposal that the bridge be constructed in such a manner to allow for a future walkway, if this is wanted and if funds become available.

Chairman Cope stated that her objective is to have a two-Town agreement with the foregoing and hopefully through Mr. Noyes some consensus could be reached by June 28, 1990.

Speed Curtailment Plan

Chairman Cope reported that she has spoken with Police Chief Lembo and that he is working on a plan to curtail vehicular speeding in the Town.

Mrs. Cope informed that Police Chief Lembo will report to the Board soon.

Route 20 Activities

Chairman Cope informed that Ed Bates of the Department of Public Works, Boston Office, suggested that if there are any questions or assistance is needed, the contact person in his office is Carol Blair.

Sudbury Chamber of Commerce - Village Project Meeting

Chairman Cope informed that the Sudbury Chamber of Commerce will be scheduling a meeting in September with the Traffic Management Committee (TMC) and the Village Project group, at which time the TMC and Sudbury Village Group will present their recommendations.

Moore Road Repaving

Chairman Cope asked the Executive Secretary to send the Planning Board a copy of Estelle Simon's letter dated June 7, 1990 concerning the reconstruction of a portion of Moore Road.

There being no further business to come before the Board, the meeting was adjourned at 10:45 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk