

OK

IN BOARD OF SELECTMEN
MONDAY, SEPTEMBER 17, 1990

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

The requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m., at lower Town Hall.

Reserve Fund Transfer Request No. 91-7 - Police

Present: Police Chief Peter B. Lembo.

The Board considered the question of approving Reserve Fund Transfer Request No. 91-7 for Account 320-210, Police General Expense, in the amount of \$2,064.50.

Police Chief Peter B. Lembo explained that stenographic services which were mandated by law in the matter of the Civil Service Disciplinary hearing before the Board of Selectman commenced March 28, 1990, and continued on July 9, 1990, and July 23, 1990, far exceeded the normal budgetary estimations made for such services. Chief Lembo explained that the total bill was in the amount of \$2,464.50, of which \$400.00 was applied from the normal appropriation in the Police Department's budget. Although the entire bill has been paid out of the Police Department's current budget, Chief Lembo anticipates that by year's end his budget will show a shortfall due to the balance of \$2,064.50 paid. In conclusion, Chief Lembo stated that he was requesting this transfer so that he does not have to present the Finance Committee with any great surprises next June.

Chairman Cope expressed her extreme displeasure with the Town having had to incur such a great expense. However, the Board concurred that the laws mandated use of the stenographer's services and the cost for same under the circumstances is fair.

It was on motion unanimously

VOTED: To approve Reserve Fund Transfer Request No. 91-7 for Account 320-210, Police General Expense, in the amount of \$2,064.50, with recommendation to the Finance Committee that the sum be earmarked and not actually transferred until year's end; when all expenditures under this account are known, the necessity for the entire transfer can be reviewed.

Wiring Inspector/Supervisor of Town Buildings

The Board considered the question of taking action relative to memorandum dated September 7, 1990, from Town Counsel to the Personnel Board concerning combining the positions of Wiring Inspector and Supervisor of Town Buildings.

Upon inquiry by Chairman Cope, Executive Secretary Richard E. Thompson stated that allowing one individual to serve as Wiring Inspector and Supervisor of Town Buildings will be of great financial advantage to the Town, not only in the amount of salary paid, but the savings with regard to health insurance and other employee benefits as well.

It was on motion unanimously

VOTED: To approve recommendations of Town Counsel regarding consolidation of the positions of Town Wiring Inspector and Supervisor of Town Buildings, as outlined in his Memorandum dated September 7, 1990, to the Personnel Board; and to request the Executive Secretary to take whatever steps are necessary in order to implement same.

Landfill - Job Descriptions

The Board considered the question of giving authorization to proceed with implementing Part I-Landfill of the Executive Secretary's memorandum of August 1, 1990; and they reviewed the proposed new job descriptions.

Executive Secretary Thompson stated that implementation of the recommendations, especially as they relate to new landfill sites, will be a very complicated and lengthy process.

In answer to inquiry by Chairman Cope, Mr. Thompson stated that Highway Surveyor Robert Noyes and Town Engineer I. William Place were an integral part of the process of developing the suggested new job descriptions and they therefore endorse same.

Selectman Drobinski expressed his concern that the qualifications for Operations Assistant only require an associates degree in civil engineering, and wondered whether such an individual would be able to be responsible for the complex and detailed computations and calculations that will have to be made as part of that position. Mr. Thompson assured that only the Town Engineer can sign any documentation involving calculations, and that all supervisory and inspectional services to the Landfill will be done by the Engineering Department. In conclusion, Mr. Thompson pointed out that in order to hold the title of Town Engineer, that individual must be a registered engineer.

Chairman Cope asked if the State's position with regard to finding new landfill sites is known. Selectman Drobinski stated that although no official word has been made public, it is his opinion that the move is on to close the landfills and go to transfer stations. However, he further stated that he does not believe they have the facilities or resources to do this at this time. Thus, he believes if it were to come to a choice between an incinerator or a new landfill site, the State would choose the landfill site. Mr. Drobinski added that the great push for recycling is obvious and has been working on the community level.

It was on motion unanimously

VOTED: To support the Memorandum dated August 1, 1990, from Town Counsel recommending the following:

1. new job descriptions for the positions of Landfill Supervisor, Operations Assistant, Landfill Recycling Monitor, and Landfill Monitor;
2. exploration of new landfill sites.

And it was further on motion unanimously

VOTED: To request the Executive Secretary to draft a letter for the Selectmen's signatures thanking Town Engineer I. William Place for his extraordinary efforts in acquiring cover material for the Town's Landfill.

Handicapped Access To Public Meetings

Executive Secretary Thompson updated the Board concerning handicapped access to public buildings and meetings.

Mr. Thompson advised that he has been in communication with Kathy Gips, Assistant Director for Community Services of the Commonwealth of Massachusetts Office of Handicapped Affairs; and the Board acknowledged receipt of and reviewed letter from Ms. Gips to Mr. Thompson dated September 13, 1990. Mr. Thompson informed that he has since verbally responded to Ms. Gips that the Town has no problem with compliance.

Mr. Thompson further informed that he and Robert Williams conducted a productive meeting last week on the issue of public access and establishment of an advisory committee. As a result of said meeting, Mr. Thompson is in the process of having his office assemble a list of all suggestions and actions taken with regard to these issues a number of years ago.

Chairman Cope reiterated the Board's strong support for achieving equal access to all citizens, and asked Mr. Thompson which alternate locations are available for the Selectmen's meetings. Mr. Thompson responded by stating that following a preliminary informal discussion with Marjorie Van Houten of the Council On Aging, it seems that the most viable location for not only the Selectmen's meetings, but the public meetings of the School Committee and Finance Committee as well, would be at the new Senior Citizen's Center at the Fairbank Building.

It was noted that people have already started calling to volunteer their services on the advisory committee, and all expressed a continuing commitment to this matter.

It was on motion unanimously

VOTED: Unless otherwise posted, commencing Monday, November 5, 1990, all regular meetings of the Board of Selectmen shall be held at the Senior Citizens Center meeting room located at the Fairbank Community Center.

Legislative Update

The Board reviewed various pending legislation that they believe may have impact on the Town.

It was on motion unanimously

VOTED: To request the Executive Secretary to forward letters to the Town's appropriate representative in the Legislature, regarding the following bills:

1. S-390, Emergency 911: the Board continues to support;
2. H-6148, Health Benefits: the Board supports;

3. H-5954, Public Records Law: the Board opposes;
4. H-2092, Day Care: the Board opposes;
5. H-1947, Fines: the Board supports;
6. S-1182, Public Records: the Board opposes.

Performance Review - Police Chief

Present: Police Chief Peter B. Lembo.

The Board reviewed Annual Performance Review dated June 25, 1990, from Police Chief Peter B. Lembo, which addressed his objectives and short and long term goals outlined in his last year's Performance Review.

Executive Secretary Thompson suggested that the Chief share information and opinion regarding the communications system. Mr. Thompson gave a brief history of the communications system presently in use by the Police Department and stated that in going over a very old report (perhaps fifteen years old or more), it reminded them about the antenna in use. Chief Lembo explained that at present the Police Department has a "hot line" with the Fire Department, and that antenna should probably be moved to a new location once the Fire Department moves into its new headquarters.

Chief Lembo stated that the Motorola Corporation is coming to Sudbury next week to do a complete study of the Department's needs. It is Chief Lembo's opinion that Motorola probably has the best state-of-the-art radio system around, and he pointed out that Motorola has serviced neighboring communities with positive results.

One of the greatest problems with the present system, Chief Lembo explained, is that the Department is on a low-band frequency rather than a high-band frequency. The Fire Department is also on a low-band frequency; and Sudbury is one of the few communities around that has this low-band. Chief Lembo also suggested the possibility of he and Fire Chief Dunne sitting down and discussing the feasibility of a joint operation.

Although needs and costs will not be known until Motorola completes its study, Chief Lembo did note that Marlboro has a three-channel system that cost in the vicinity of \$168,000.00. Since it is Chief Lembo's initial opinion that Sudbury will require only a two-channel system, he guesstimates that such a system will cost in the area of \$100,000.00.

Chief Lembo stated that other options will also be explored, such as purchasing a small, basic system that can be added to or upgraded as financial conditions improve and the Town expands. Another possibility is a lease arrangement, which would be substantially less expensive than an outright purchase.

Selectman John C. Drobinski stated that he personally has generally been very pleased with Chief Lembo's performance and that of the Police Department as a whole. Mr. Drobinski acknowledged his dissatisfaction with the situation involving certain police officers and their conduct with regard to two incidents

with neighboring homeowners; and he expressed his firm hope that the Town will not find itself in that situation again. Mr. Drobinski stated that the Selectmen want the police officers to know that they expect better from them. Mr. Drobinski concluded his comments by stating that he has generally received favorable comments about the Town's police officers.

Chief Lembo stated that although it is the bad situations that get the most attention, he can attest to the fact that his Department receives eight or nine letters a week praising the Department and particular officers. Chief Lembo stated that the Town can be especially proud of its Detective Division, and cited the selfless activities of Detective Todd Eadie just recently that led to the arrest of two individuals allegedly growing marijuana on State Preservation land.

Chairman Cope stated that she was pleased with Chief Lembo's report. However, she has received communications from townspeople with specific complaints and wished to cite them to the Chief:

1. the off-handedness of the officers' telephone courtesy;
2. the malingering of some officers while on duty. Chairman Cope stated that she herself observed two police cruisers one evening parked together with lights off in a parking lot in the vicinity of the Fairbank Community Center, apparently talking together;

In addition, Chairman Cope stated that while she is pleased to see the Department is catching a lot more vehicle speeders, she would like to see more offenders caught on the back roads of Town. Chief Lembo responded by stating that a comparison in the number of tickets written in July and August of this year compared with last year shows an increase of about one hundred tickets. And, he added, this is in spite of the fact that he has had to run one less officer per shift.

Chairman Cope cautioned Chief Lembo, as she states she cautions all department heads, against the townspeople getting any sense that a decrease in Town finances will adversely impact the quality of service each department is capable of delivering.

Selectman Wallace concurred with the thoughts of the other Selectmen, and added that in spite of that one negative incident, he believes it was a very good year for the Police Department. Mr. Wallace stated that he has received no personal complaints against Chief Lembo and he wishes to reconfirm the Selectmen's firm backing of him.

At the conclusion of the discussion, Chief Lembo wished to state that he believes Lt. Ronald Nix has done an excellent job regarding the investigation and follow-through on that negative incident. Chief Lembo opined that Lt. Nix had to tackle a very distasteful situation and the Town is very fortunate to have him in the Department.

It was on motion unanimously

VOTED: To endorse the Annual Performance Review Report dated June 25, 1990, submitted by Police Chief Peter B. Lembo, subject to comments made as outlined above.

Transportation Improvement Program

Chairman Cope and Executive Secretary Thompson updated the Board relative to inclusion of the Route 20 improvement project in the five-year Transportation Improvement Program (TIP).

Executive Secretary Thompson informed that he went in place of Chairman Cope last Tuesday to the Metropolitan Area Planning Council (MAPC) meeting, at which Rosalyn Delores, representing Metro West Growth Management Committee, was also present. Mr. Thompson stated that thanks to Chairman Cope's groundwork, he was able to give a meaningful presentation on the Town's concerns and desires. Mr. Thompson was pleased to report that with the support of MAPC it appears that the State will place the Route 20 project in the "Future Element" category; thus keeping our project alive in the current TIP.

It was on motion unanimously

VOTED: To concur with recommendation of the Metropolitan Area Planning Council that the Route 20 Sudbury project remain in the Future Element of the Transportation Improvement Program; and to request the Executive Secretary to forward a letter of thanks to the MAPC Policy Committee for giving Sudbury its attention and recognizing the seriousness of the Town's concerns.

Mr. Thompson further reported that Franklin G. Ching, President of MAPC came into the meeting late, but specifically mentioned Chairman Cope's letter and spoke on the Town's behalf. In conclusion, Mr. Thompson stated that he believed things went very well for Sudbury.

As a point of procedure for future dealings with the State, Mr. Thompson stated that it had come out during the discussions that the Sudbury Board of Selectmen never officially notified the Department of Public Works about the Town's official position regarding the desired layout for Route 20 and the Route 20 Bypass; and that it will be good to remember that written verification is required from the Board of Selectmen.

It was therefore on motion unanimously

VOTED: To request the Executive Secretary to draft a letter for signature by the Board of Selectmen prepared in conjunction with the Town Engineer and Town Counsel, specifying the Town's proposal for Route 20 traffic improvement measures in the area of Union Avenue and Nobscot Road, to include design for Route 20 and a Route 20 Bypass, and containing a vote of endorsement by the Board of Selectmen.

Mr. Thompson cautioned that even with such a letter by the Selectmen, it will be a rough road ahead, and that it will all come back to the Federal design issue. The Board concurred that the Town will have to attempt to provide an alternative design which would comply closely with the standards. At the request of the Selectmen, Mr. Thompson will discuss this matter with Town Engineer I. William Place and report back to the Board.

Maintenance/Snow Removal - Portion of Route 20

The Board acknowledged receipt of copy of letter dated September 10, 1990, from Town Engineer I. William Place to District Highway Engineer Peter J. Donahue enclosing the Selectmen's request for a permit to construct a walkway from station 150+50 to station 160+00 Boston Post Road (Route 20). The Selectmen further confirmed the signing by the Board on September 11, 1990, of an agreement relative to maintenance and snow removal for such requested walkway, which agreement was forwarded to Mr. Donahue with the request.

Executive Secretary Thompson informed the Board that representatives from Raytheon Company and Chiswick Park have indicated their willingness to assume the costs of snow removal for the proposed walkway.

Loring School Sublease

Upon review, it was on motion unanimously

VOTED: To approve Sublease Agreement between Congregation B'nai Torah, the Town's lessee, and sublessee Woods Edge Childcare, Inc., as submitted by attorneys for the Congregation, Testa, Hurwitz & Thibeault, under cover letter dated September 10, 1990 to Woods Edge Childcare, Inc.; subject to comment by Town Counsel.

Fair Labor Standards Act

The Selectmen commended the wonderful job done by Budget and Personnel Officer Terri Ackerman and Assistant Town Counsel David J. Doneski relative to investigation and recommendations for matters related to Police Department personnel and the Federal Fair Labor Standards Act.

It was on motion unanimously

VOTED: To re-establish, commencing and effective April 15, 1986, a twenty-eight (28) day work period for all police department employees, for purposes of complying with the Fair Labor Standards Act, 29 U.S.C. §201, et seq., as amended by Public Law 99-150.

Executive Secretary Thompson advised that he will report back to the Board additional recommendations as they become necessary.

Building Inspector

The Board reviewed Confidential Memorandum dated September 14, 1990, from the Executive Secretary relative to list of preliminary applicants for the position of Building Inspector.

The Selectmen will communicate any comments or recommendations to the Executive Secretary.

Special Speed Regulation No. 7495

Upon review, it was on motion unanimously

VOTED: To sign Town of Sudbury Special Speed Regulation No. 7495, establishing the following speed limits at which motor vehicles may be operated in the areas described:

Pelham Island Road - Eastbound: Beginning at Landham Road, thence easterly on Pelham Island Road, 0.64 miles at 30 miles per hour ending at the Wayland Town Line; the total distance being 0.64 miles.

Pelham Island Road - Westbound: Beginning at the Wayland Town Line, thence westerly on Pelham Island Road, 0.64 miles at 30 miles per hour ending at Landham Road; the total distance being 0.64 miles.

Plympton Road - Eastbound: Beginning at a point 120 feet from Concord Road, thence easterly on Plympton Road, 0.96 miles at 25 miles per hour ending at Water Row; the total distance being 0.96 miles.

Plympton Road - Westbound: Beginning at Water Row, thence westerly on Plympton Road, 0.99 miles at 25 miles per hour ending at Concord Road; the total distance being 0.99 miles.

Nickerson Theatre West

Upon review of letter request dated September 7, 1990, from Nickerson Theatre West Marketing Director Luke M. Bandle, it was on motion unanimously

VOTED: To grant permission to Nickerson Theatre West to use kleig lights (sky lasers) to point out its location at 490 Boston Post Road (Chiswick Park) from the hours of 7:00 p.m. to 10:00 p.m., on its opening night only, September 21, 1990.

Sudbury Visiting Nurse Association, Inc.

The Board acknowledged receipt of letter dated September 6, 1990, from Community Social Worker Martha Lynn, regarding issues raised by residents at Longfellow Glen, specifically in the areas of (1) lack of a sidewalk between Longfellow Glen and Star Market Plaza; (2) transportation; and (3) ability to access/participate in town recreational programs.

At the request of Executive Secretary Richard E. Thompson, it was on motion unanimously

VOTED: To endorse the Executive Secretary's offer to work with the Tenants' Organization at Longfellow Glen and the Sudbury Visiting Nurse Association, Inc., in resolving issues of concern to the residents.

Handicapped Signs - Post Road Apothecary

Selectman John C. Drobinski requested the Executive Secretary to follow up with the Temporary Building Inspector's efforts to enforce the laws with regard to handicapped access to parking spaces in front of Post Road Apothecary on Route 20.

Executive Secretary Thompson stated that every effort is being made to see that the laws are complied with. However, he pointed out that communication with the landlord has been difficult since the landlord is a bank and not an individual. Mr. Thompson further pointed out that, in addition to local fines imposed, there are State and Federal penalties for non-compliance as well.

Plumbing Inspector

Chairman Cope asked the Executive Secretary if there is any information regarding the situation involving health insurance coverage of the Plumbing Inspector, to which Mr. Thompson responded that he is putting together all the information that is needed by the Board to make a decision on the matter.

MetroWest

Chairman Cope advised that she attended a presentation by MetroWest on Wednesday night concerning Open Space, and a discussion about the Green Belt. Mrs. Cope informed that MetroWest has indicated that they are investigating all lands in MetroWest area.

Chairman Cope further informed that MetroWest has scheduled a meeting for October 10, 1990, at the Flynn Building to discuss the Shopper's World plan.

In conclusion, Mrs. Cope stated that there was a discussion concerning the third Harbor Tunnel and the dumping of soils.

Brimstone Lane Bus Stop

The Board requested that a letter of thanks be sent to the Town Engineer and Highway Surveyor for their work in creating a safe bus stop for Brimstone Lane students.

There being no further business to come before the Board, the meeting was adjourned at 9:00 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk