

IN BOARD OF SELECTMEN  
MONDAY, JANUARY 25, 1993

Present: Chairman John C. Drobinski, Judith A. Cope and Lawrence L. Blacker (arriving at 8:15 p.m.).

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

Firefighter James F. Kane - Leave of Absence

Present: James F. Kane.

The Board was asked to consider a request, dated January 19, 1993, from Firefighter James F. Kane for a leave of absence commencing February 1, 1993, for a period of one year, in order for him to accept a position with the Commonwealth of Massachusetts, in the Governor's office.

Executive Secretary Richard E. Thompson submitted a letter from Fire Chief Michael Dunne supporting Firefighter Kane's request, stating he had no objections to the leave of absence and noting that the Town should be pleased, and that this opportunity speaks highly of one of its employees. Mr. Drobinski and Mr. Thompson expressed their congratulations, adding how this opportunity exemplifies the quality of firefighters in the Town and hoped he would return in the future.

On motion by Chairman Drobinski, it was unanimously

VOTED : To grant Firefighter James F. Kane one year's leave of absence, commencing February 1, 1993, without pay or benefits, and in accordance with Article XXIX of the current Fire Fighters Contract, Local 2023.

Council on Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$45.89 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 vans.

Memorial Congregational Church Missions Committee - Donation

It was on motion unanimously

VOTED: To accept \$500 from the Memorial Congregational Church Missions Committee for deposit into the Interfaith Fuel Assistance Account for expending by the Social Worker and Executive Secretary.

Minutes

It was on motion unanimously

VOTED: To approve the January 19, 1993, regular session minutes as amended, and the executive session as drafted, subject to the Selectman Blacker's approval.

Street Acceptance

It was on motion unanimously

VOTED: That the Board intends to lay out the streets known as Atkinson Lane, Babe Ruth Drive, Perry Circle, Petersen Circle, Whitetail Lane, Run Brook Circle and Stagecoach Drive at its meeting on March 15, 1993, for their acceptance at the 1993 Annual Town Meeting, and to refer same to the Planning Board for its report and recommendation prior to the March 15th hearing date.

Algonquin Oaks Subdivision

Selectman Cope expressed her interest in monitoring the response from Mr. Kenneth Moore to Assistant Town Counsel's letter of January 20, 1993.

Snow Removal

Selectman Cope expressed her concern relative to the budget letter from the Highway Department to the Finance Committee and calls she had received regarding the lack of funds for snow removal so early in the season, and that possibly the Town was not budgeting accurately.

Executive Secretary Thompson explained that this item is level funded, and that the Finance Committee is looking to cut it back even more, but allow the Highway Department to obtain additional monies when needed, through emergency means. He stated that many towns are running out of money for snow removal because the storms of this year have not been the norm for the past five or six years, when fewer funds were needed. Not only have we had the two major storms, but also many mornings of "black ice" when the streets have had to have been sanded. The residents expect this to be done immediately. If we were not to sand, because the ice is gone by the morning's end, there arises the question of the Town's liability.

Chairman Drobinski agreed that it seems early to be running out of funds and the Selectmen should perhaps look at the budget for this item, compare it to last year and see how much has been expended to date. Mr. Thompson offered to obtain a breakdown of cost by storm from the Highway Surveyor.

Contract Mowing of Cemeteries

Selectman Cope expressed concern regarding the reference to outside contract mowing of cemeteries and that there might be an increased cost. She noted that perhaps the Highway Surveyor has not gotten bids in the past and that maybe he should get verbal bids to get an idea of a more accurate cost, as she was sure there were some young contractors who might do it for less than the \$9,000+ quoted last year. Mr. Thompson stated that this was not possible and the only option available to the Highway Surveyor is to go out to bid for costs which may be over \$10,000, or optionally, if costs are certain to be under \$10,000, to obtain three quotes.

Landfill Dumping Fees

Although this item was not on the agenda for this evening, Selectman Cope stated that she would like to have in advance of any discussion, the data as to the number of people who are receiving reduced fees or free landfill stickers. The Executive Secretary responded that he has already asked the Highway Surveyor for that breakdown and his recommendation regarding the same.

Vocational School Payments

Selectman Cope asked Mr. Thompson if he knew how many people were involved in the vocational school payments program and what the cost to the Town was. Mr. Thompson advised that in past years there were only two or three involved at a cost of approximately \$8,000 total. He stated that this cost is budgeted in the Unclassified Account as necessary. The program comes into effect when a student wishes to take a course not available at a district school and the Town then becomes obligated to pay a portion of their tuition so they can attend another vocational school.

Drilling Report - Verrill Property

Selectman Cope requested that a copy of the drilling report from Leggette, Brashears & Graham, ground-water consultants, relative to the Verrill property on Route 117 be forwarded to Jack Braim (Park & Recreation) and Lawson Williams (Water District Attorney).

Inclusionary Zoning

Chairman Drobinski asked for the status of the Inclusionary Zoning Article and Selectman Cope stated that the committee, as well as Counsel, is having problems firming up the presentation. Selectman Cope mentioned that she was unhappy with the 30% bonus and the committee has spoken with Hasty Evans and Bob Durand. Although all parties want to come to some workable solution, it appears that this matter will continue to be investigated right up to the eleventh hour, at which time it may have to be withdrawn.

Kappy's Distributors - Donation

Executive Secretary Thompson recommended that the Board accept a \$500 contribution for the D.A.R.E. program from Kappy's Distributors.

On motion by Chairman Drobinski, it was unanimously

VOTED: To accept the donation of \$500 from Kappy's Distributors for deposit into the D.A.R.E. account and to authorize expenditure of the same under the direction of the Police Chief. The Board directed the Executive Secretary to send a thank you letter for this most welcome donation on behalf of the Town and Police Department.

Resignation - Patrolman John J. Skinnion

Executive Secretary Thompson submitted a letter of resignation from the Sudbury Police Department by Patrolman John J. Skinnion and recommended that the Board accept same.

Selectman Cope, wishing to curb or monitor personal use of Town cars, asked how many vehicles were involved. Although it was thought there were only three or four, the exact number is being verified.

Selectman Blacker asked what changes have been made to the existing policy. Executive Secretary Thompson advised that the policies and procedures in hand, were those recently made by the Selectmen and are what is being operated under.

Selectman Blacker stated that in his opinion the first issue to be settled is, do the Selectmen want a policy whereby no Town cars are allowed to leave Sudbury? Should it be decided that that will be the policy, then it is possible to make any necessary exemptions i.e., the Police Chief, Fire Chief, etc. where there is a position requiring emergency response or a "24 hour on call" situation, or any other criteria decided upon. Realizing that there are current contract situations, contracts could be changed as they come up, if so desired. Assuming that that is the basic premise, the question then becomes what is the cost to the Town, for allowing the use of vehicles for commuting? Executive Secretary Thompson stated that a detailed report of the number of vehicles and cost analysis is available from the Long Range Planning Committee.

Selectman Blacker, agreed in principle with Selectman Cope, in that it should not be a situation where people take their allocated vehicle home for no apparent necessity. On the other hand, he continued, if the Town is only saving \$500 - \$1,000 per year, it seems time consuming worrying about which vehicles are involved, which contracts are coming due, etc. In particular, the use by the Highway Department of vehicles for commuting seems to be an abuse. There probably would never be an emergency situation involving those people and it would be cheaper to pay them \$.28 per mile for work-related in-Town travel when a situation arises.

Executive Secretary Thompson stated that there are minor and major issues involved. A minor issue for example, is the concern someone may have over Ron Nix driving a Town car to and from work. The Selectmen will have confrontation from the Police Chief because he has ordered Ron Nix to do so. This type of confrontation could arise in the case of the Highway Department because the Highway Supervisor is responsible for his equipment and his personnel. There is also the question of the other group using cars, i.e. the Town Engineer, Building Inspector and Health Director. These positions were negotiated with a vehicle for travel to and from home regardless of the distance.

As a point, Mr. Thompson stated that the Building Inspector was no longer driving his vehicle home. Selectman Cope asked why, as he has a vehicle in his contract, and Mr. Thompson explained that he does not want to because of the issue and the IRS requirements. Chairman Drobinski stated that, although the Selectmen can and will resolve the issue, his decision because of the IRS requirements is separate.

Selectman Blacker returned to the point of cost, adding that if Town cars were to be left within the Town, what is the savings? Is it 4,000 miles a year? Selectman Cope added that if the Selectmen are to be responsible for vehicles, then they should take the responsibility and control it.

Mr. Thompson stated it seemed that the desires of Long Range Planning Committee is what Selectman Cope is trying to fulfill, i.e. if an employee is not contracted with a vehicle, or does not hold a response to emergency position (police and fire), they should not be driving Town vehicles home.

On motion by Chairman Drobinski, it was unanimously

VOTED: To accept the resignation letter of Patrolman John J. Skinnion from the Sudbury Police Department effective February 1, 1993, with regret, and to send a letter of appreciation to Mr. Skinnion for his service to the Town.

Caucus of Suburban, Rural and Cape Legislators

Executive Secretary Thompson submitted a letter from the Massachusetts Senate regarding a proposed organization of a Caucus of Suburban, Rural and Cape Legislators, adding that he is prepared to attend at the State House to find out more about the organization. Selectmen Cope questioned its value and Mr. Thompson stated that it should be looked into, in view of the number of representatives supporting the program.

Employee Performance Evaluation

Selectman Cope wanted to know if the Personnel Board was receiving copies of employees' performance evaluations. Mr. Thompson will check the requirement of the Bylaw as Selectman Cope wants to send a letter to all department heads asking that it be done, if it is not already.

205th Town Forum

At 8:00 p.m. Chairman Drobinski convened the 205th Session of the Town Forum.

Following reports by various Boards and Departments, Town Forum was adjourned, and refreshments and conversation were enjoyed by those present. This Town Forum was televised over the local Cable network and a copy of the video tape is available by contacting the Selectmen's office.

Medex

Selectman Blacker reported that he had received a telephone call from Melody Barlow of Cook & Company, who is implementing the Town's Medex program. She held a meeting last week to which about 13-14 people attended to explain the program. There was some comment as to why this was being done and she explained that it would save the Town and those enrolled money.

Chairman Drobinski mentioned that he had spoken to Tom Spencer, a local resident with John Hancock Insurance who knows benefit insurance programs and who offered his help in advising the Town on health insurance. He mentioned that Selectman Blacker may want to contact him for any input he may have. Selectman Blacker agreed to contact Mr. Spencer.

Town Vehicles

Chairman Drobinski opened the discussion of policy regarding allocation and use of Town vehicles and advised that the Town had adopted a policy and procedure, a copy of which the Selectmen had received. He stated one remaining issue is what is to be done about the Town vehicles being driven home.

Chairman Drobinski stated the two main points needing clarification were: 1) What is the cost/benefit ratio, if there is one? and 2) Obtain an explanation from Bob Noyes as to what the situation is at the Highway Department, or send him a suggestion that he pay them the mileage rate, although he (Chairman Drobinski) understands that the Board may not have control over the Highway Department, as the Highway Supervisor is an elected position. In answer to Selectman Cope's query, Mr. Thompson stated that the vehicles at the Highway Department are not under the jurisdiction of the Selectmen. Selectman Cope stated that they should be as they are Town vehicles, purchased through Town budget.

Selectman Blacker posed a question: Being aware that the Building Inspector uses a Town car to do inspections during the day, what do the two people at the Highway Department who take vehicles home, use the Town cars for during the day? Mr. Thompson stated that the mechanic uses the vehicle during the day to go to the landfill or out to the field to repair vehicles. Selectman Blacker stated that a possible consideration is to make a policy that there be no Town cars and any people who do Town business by way of vehicle during the day, be paid \$.28 per mile or whatever the IRS rate is at that time. Selectman Cope agreed that that seemed like a very feasible idea. However, Selectman Blacker did not know whether or not that was a practical solution. Chairman Drobinski added that if he were a mechanic with a brand new car, he did not know if he would want to load it up with tools necessary for maintaining heavy equipment. Selectman Blacker added that the Chairman had a valid point and both agreed that it all comes back to what does it cost? Selectman Blacker stated that if the Selectmen determine that the Town vehicles should not be taken home, then the next question becomes, how is this to be implemented?

Mr. Thompson explained that there are employees who are concerned over this whole issue of cars. Selectman Cope said those under contract should not be concerned because total use of a vehicle was part of their contract. However, the issue is with those employees who do not have contracts, or the value of a car is not taken into consideration of their salary, but who are being granted the benefit. It then becomes an unfair situation and an abuse. Mr. Thompson stated that if these people in question have been given permission to drive the cars home, then there is no abuse.

Mr. Thompson suggested that a statement be issued by the Selectmen stating that the Board is evaluating the vehicle situation, that it is the Board's intent there be no Town vehicles driven to or from home, and that the Board will continue to work to this goal until it is achieved, the exceptions to this intent being the Police and Fire Chief's personal cars and contract employees with cars. This will be for all vehicles under the jurisdiction of the Selectmen. They also hope that those with jurisdiction over vehicle allocations will do so as well.

There being no further business, the meeting was adjourned at 9:45 p.m.

Attest: \_\_\_\_\_

Richard E. Thompson  
Executive Secretary-Clerk