

IN BOARD OF SELECTMEN
MONDAY, JULY 26, 1993

Present: Chairman Judith A. Cope and Lawrence L. Blacker.

The statutory requirements as to notice having been met, the meeting was convened by Chairman Cope at 8:00 p.m. at the Fairbank Senior Center. Selectman Drobinski was absent and Selectman Blacker arrived at 8:35.

Senior Housing Advocacy Group

Present: Virginia Howard, Chairman, Senior Housing Advocacy Group.

The Board acknowledged receipt of a communication received by the Board of Selectmen on May 2, 1993, from Virginia Howard, and accompanied by a communication and proposal dated January 11, 1993, from Action for Boston Community Development, Inc. (ABCD) with regard to technical assistance and training on how to plan for and develop appropriate elderly housing alternatives.

Administrative Assistant to the Board, Janet Silva, summarized the purpose of the joint meeting with Mrs. Howard in a communication dated July 14, 1993 to the Board, stating that the Senior Housing Advocacy Group wants to discuss with the Selectmen two aspects:

1. Status of their group.
2. Funding for a housing training program run by the Action for Boston Community Development, Inc. (ABCD).

Mrs. Howard stated her purpose in meeting with the Board is to receive some direction and support for the training program offered by ABCD. She explained that the seniors in Town are divided between wanting (a) a retirement community, and (b) Town housing for 55+, similar to an area in Acton called Audubon Hill. She believes that their Advocacy Group would be better represented if it included members of other Boards or Committees, i.e. Planning Board.

Several retirement community settings were mentioned in other towns. Mrs. Howard stated she would like the Group to apply for a grant to conduct the training session offered by ABCD to determine what possibilities exist in Sudbury with regard to land availability and to determine what type of facilities are wanted/needed. Chairman Cope suggested starting with Health Director Robert Leupold to determine what the site limitations will be. It was noted that representation from the Planning Board and Sudbury Housing Authority would be helpful. Mrs. Howard stated that the Sudbury Housing Authority has nothing to do with the Senior Advocacy Group, as this is not related to affordable housing.

Chairman Cope asked if the Town has heard back from Cummings Properties, and Mr. Thompson responded that he believes they are waiting for the Selectmen to report back to them with regard to what type of housing will be allowed on the Unisys site. It was suggested by Mr. Thompson that an article be constructed that allows housing on the Unisys property.

The problem in many towns, continued Mr. Thompson, is the scarcity of land. In Sudbury, the land is (1) very expensive and (2) requires septic. Mrs. Cope suggested the possibility of taking a vacant

The problem in many towns, continued Mr. Thompson, is the scarcity of land. In Sudbury, the land is (1) very expensive and (2) requires septic. Mrs. Cope suggested the possibility of taking a vacant office building in Town and converting it for housing. Because there is a need for housing for people over 55 who want to sell their large homes and remain in Sudbury, Mr. Thompson urged Mrs. Howard to continue her efforts and those of the Senior Housing Advocacy Group to convince Town Meeting of this need.

Because she feels it is important to get something started, Mrs. Howard stated she would like the Selectmen to authorize the Senior Housing Advocacy Group to apply for assistance and training from the ABCD. Mr. Thompson suggested that the Group apply to the Sudbury Foundation to pay at least half of \$750 fee, and talk with Town Planner Jody Kablack for further help and information. He added that he would talk with Mr. Leupold, and also involve the Planning Board.

With regard to use of the Unisys site for a different kind of development other than that proposed by Cummings Properties, it was decided to enlist Mr. Leupold's help in determining what the property can accommodate in terms of septic capacity. Mrs. Howard expressed that she is not sure the Town is in need of a "Retirement Community", but rather housing for independent seniors.

Personnel Board - Appointment

Present: William A. Clarke, Applicant.

Following a brief interview and upon recommendation by the Personnel Board in a communication dated July 21, 1993, it was on motion by Chairman Cope unanimously

VOTED: To appoint William A. Clarke, 21 Woodmere Drive, to the Personnel Board for a term to expire April 30, 1996, replacing David M. Mandel, and to send a letter of thanks to Mr. Mandel for his service to the Town.

Executive Session

At 8:40 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session for a personnel grievance hearing.
(Chairman Cope, aye; Selectman Blacker, aye.)

Chairman Cope announced that public session would reconvene immediately following Executive Session.

At 9:05 p.m. open session resumed.

Performance Review - Robert A. Noyes, Sanitary Landfill Agent, Street Lighting Agent, Superintendent of Cemeteries, and Tree Warden

Present: Robert A. Noyes.

The Board noted receipt of the report prepared by Robert A. Noyes relative to his accomplishments and objectives as Sanitary Landfill Agent, Superintendent of Cemeteries, Tree Warden and Street Lighting Agent dated July 22, 1993.

Mr. Thompson remarked that he and Mr. Noyes met last week and reviewed the objectives outlined in Mr. Noyes' report. He added that Mr. Noyes has good ideas and believes he has done a good job this past year.

Mr. Thompson remarked that he would like to help Mr. Noyes achieve his objective as Landfill Agent to construct an on-site golf driving range to offset closure costs.

In response to Mr. Noyes' objective of a book swap area in the old monitor building, Mr. Blacker asked Mr. Noyes to consult with the Library Director.

In explanation of Mr. Noyes' objective of eliminating the Landfill Enterprise Fund, Mr. Noyes stated he receives complaints from people because they cannot deduct the landfill fee from their taxes. Complaints are also received with regard to paying \$10 for a sticker for a second car.

Selectman Blacker asked about the status of the Howe Property. Chairman Cope noted that there are still many legitimate problems outstanding and nothing has been resolved yet.

Chairman Cope asked about old cemetery monument repairs. Mr. Noyes responded that the cost of repairs is the problem, and that qualified people need to be hired for the repairs because it is an art. Mr. Noyes stated that a list of repairs is being compiled, and the department is working on it. Many of the entrances to the cemeteries are in need of repair and signs to identify them are also needed according to Mr. Noyes. The lawn areas of the cemeteries are in need of fertilizer, lime, etc. to make them look better. Mr. Noyes stated he will try to accelerate accomplishing some of these tasks and try to obtain funds from the Finance Committee.

Vandalism in the cemeteries was discussed, with no clear solution given. Chairman Cope stated she received a complaint about the mowing in one of the cemeteries. Mr. Noyes commented that since the contract mowing program, they have received no complaints, but that it could be that because of the hot, dry weather, the mowing has decreased and there could be some areas that need to be mowed more frequently.

With regard to tree trimming and the evaluation of the overall appearance of the Town's cemeteries needing to be done, Chairman Cope stated that this may be included in the management study that will be taking place soon.

As the street lighting agent in the Town, Mr. Noyes noted that residents should report a non-functioning light because the Town pays for the light whether or not it is working.

Mr. Noyes reported that a shelter for the "put and take" area is in the works. The Resource Recovery Committee is investigating curbside pick-up and has given Mr. Noyes recommendations for different signs for posting at the landfill.

After commending Mr. Noyes for his job over the past year, it was on motion unanimously

VOTED: To accept the report of Robert A. Noyes, Sanitary Landfill Agent, Superintendent of Cemeteries, Tree Warden and Street Lighting Agent.

Dudley Road - Traffic Concerns

Present: Highway Surveyor Robert A. Noyes.

The Board acknowledged receipt of the following communications:

1. Communication dated July 23, 1993, from Safety Officer Ronald B. Conrado with regard to complaints being registered for the proposal to make a "no left turn" onto Rt. 20 from Dudley Road, and suggesting instead a "no right turn" off Rt. 20 onto Dudley Road.

2. Communication dated July 23, 1993, from Caryl and David Portney accompanied by approximately 65 signatures from Sudbury residents opposing the current plan that calls for a "no left turn" restriction from Dudley Road onto Rt. 20.

Selectman Blacker commented that much of the high-speed traffic on Dudley Road is a result of traffic maintaining Rt. 20 speeds when turning right onto Dudley Road, and that Officer Conrado's suggestion of eliminating this right turn might alleviate some of the traffic concerns related to speed.

Chairman Cope raised concerns over the placement of the signs notifying traffic of the elimination of this turn onto Dudley Road.

On the recommendation of the Executive Secretary, and Safety Officer Ronald B. Conrado, it was on motion unanimously

VOTED: To put on hold the decision to make a "no left turn" onto Boston Post Road (Route 20) from Dudley Road, and to implement the recommendation of Safety Officer Conrado to try the "no right turn" off Boston Post Road (Route 20) onto Dudley Road for a 6-month trial period, and ask the Town Engineer to present a plan for implementation to the Board.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of July 12, 1993 as amended by Chairman Cope.

MGL, Ch. 51, Section 92 -- Curtis P. Donelan

It was on motion unanimously

VOTED: To approve, under Section 92 of Chapter 51 of the General Laws, the surety of the constable's bond of Curtis P. Donelan, bond #09 100814204, the Aetna Casualty & Surety Company, in the amount of \$5,000; and to approve the filing of the bond with the Town Clerk.

Election Officers

It was on motion unanimously

VOTED: To appoint Election Officers for the year commencing August 15, 1993, as recommended by the Democratic and Republican Town Committee Chairmen in communications dated July 13 and May 28, 1993, respectively, and by the Town Clerk.

Because of the tedious task of signing these appointment forms on a frequent basis, Selectman Blacker suggested that election officers be appointed either for a number of years, i.e. 10 years, or remain appointed until the Board is notified of a request for a successor.

Town Engineer Vehicles - Disposal

At the request of Town Engineer, I. William Place, in a communication dated July 19, 1993, it was on motion unanimously

VOTED: To authorize the Town Engineer to dispose of a 1984 Ford Crown Victoria and a 1982 Ford Bronco, by advertising and sale.

Sherman's Bridge Project - Re-funding

In response to a communication dated July 22, 1993, from Town Treasurer and Collector Mary Ellen Normen Dunn, it was on motion unanimously

VOTED: To approve an interfund advance of funds in lieu of borrowing, in anticipation of receiving revenue from the State Highway Department for the Sherman's Bridge project, in the amount of \$131,368, to pay off existing loan; to be repaid to the General Fund by September 1, 1993.

FY94 Revenue and Cash Flow Projections

On motion by Chairman Cope, it was unanimously

VOTED: To acknowledge receipt and approval of a report dated July 16, 1993, from Town Treasurer and Collector Mary Ellen Normen Dunn, relative to FY94 Revenue and Cash Flow Projections.

Workers' Compensation Self-Insurance Program - Proposals and Property Liability Insurance

The Board acknowledged receipt of a communication dated July 23, 1993, from Budget and Personnel Officer Terri Ackerman, relative to Town insurance policies and her recommendation concerning self-insuring the Workers' Compensation.

With regard to the Town considering self-insuring for Workers' Compensation, Selectman Blacker reported that he had attended a meeting with the Finance Committee at which Town Counsel Paul Kenny was present. He stated that it was the feeling of the Finance Committee that the Town institute self

insurance immediately notwithstanding the fact that the Trust Fund could not be established until Town Meeting. The Finance Committee would support the funding of the Trust Fund, with the exact amount left open. There was discussion as to where the funds would come from--unexpended funds from 1993, or budgeted funds for 1994.

Another issue discussed at this meeting related to Stop Loss Insurance. Mr. Kenny was asked to look into whether or not the amount of stop loss insurance coverage of \$300,000 was based on per occurrence or per individual. Selectman Blacker explained that he told the Finance Committee that he felt uncomfortable setting up a self-insurance program without a trust fund being in place. There was some feeling that money would be saved by going self-insured now, but Mr. Blacker explained that because the Town will need to continuously budget an amount of money to build up a fund, it would not really be saving money now by going self-insured.

In a conversation with insurance consultant Arthur Bomengen, Mr. Blacker stated that he learned the Town will be liable for every accident, or every individual in the amount of \$300,000 each time an accident occurs. The Town does not have the numbers to support this and suggested that the Town join with other towns for funding. One member of the Finance Committee stated that he did not want to go with other towns because the control and risk factors no longer belong to one town.

Mr. Blacker expressed that he would like to concur with Budget and Personnel Terri Ackerman's recommendation outlined in her communication of July 23, 1993. He believes the prudent action to take would be to have Town Meeting agree to setting up a Trust Fund before moving ahead. Selectman Blacker noted that Town Counsel concurs with his opinion; and in the interim, it would be a good idea to investigate what other towns' experiences have been.

On motion by Chairman Cope, it was unanimously

VOTED: To postpone consideration of proposals, received from the following, for providing a Workers' Compensation Self-insurance Program for the Town, opened June 28, 1993, and to aggressively pursue self-insurance of Workers' Compensation, with the aim to implement it within the next 11 months:

1. Buckler, Irvin & Graf
2. Fred C. Church; Safety National Casualty Corp.
3. MIIA; Rollins Hudig Hall
4. CRC Administration; Employers Reinsurance Corporation
5. Conducted in-house by Paul Kenny & Staff

And it was further on motion unanimously

VOTED: To award insurance for FY94 to the following companies:

Murphy/Great American Commercial Package Policy, Including:	\$79,250
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Property/Liability; Auto; Boiler; Public Officials; Law Enforcement; Umbrella	
Ambulance Attendants - Hall Insurance Co.	\$ 1,848
School Board Liability - Hall Insurance Co.	\$ 3,167
Police & Fire Accident - Hastings Tapley	\$ 9,000
Workers' Compensation Premium - MIIA	\$123,591
Total	\$216,856

Town Management and Organizational Study

Pursuant to a Request for Proposals dated June 7, 1993, and received June 30, 1993, to perform a Town Management and Organizational Study, Chairman Cope announced that after interviewing all three candidates, MMA Consulting Group, Inc. is being recommended by the Steering Committee to perform this study because they are best suited to work with the Town and all of their references checked out well. Subject to the Board's vote, the Steering Committee for this study will meet with MMA Consulting Group on Thursday, July 29, 1993.

The Board acknowledged receipt of a communication dated July 5, 1993, from Sudbury Foundation Trustee Richard Davison to Sudbury Foundation Administrator Derry Tanner. Mr. Davison expressed his concerns about the study with regard to the scope, schedule, mission of Town Government and his recommendations, but indicated he would support the project. It was noted that a copy of Mr. Davison's letter will be given to the consultants.

On motion by Chairman Cope, it was unanimously

VOTED: To accept a proposal from MMA Consulting Group, Inc. to perform a Town Management and Organizational Study, as outlined in its proposals dated June 24, 1993 (non-price proposal), and June 30, 1992 (price proposal) and in the Request for Proposals dated June 7, 1993; and to sign a contract therefor prepared by Town Counsel.

Small Towns Against Repression (S.T.A.R.)

In response to a communication dated July 8, 1993, from the Small Towns Against Repression (S.T.A.R.) Committee, it was on motion unanimously

VOTED: To support a group named Small Towns Against Repression (S.T.A.R.) concerning opposition to State reductions in payments-in-lieu-of-taxes.

Treasurer/Collector - Response to Selectman Blacker

With regard to the issues of "Check Free" and Tax Title issues that have been questioned by Selectman Blacker, the Town Treasurer/Collector, Mary Ellen Normen Dunn, responded with a communication dated July 23, 1993 addressing these issues.

Selectman Blacker responded that he still has questions with regard to "check free" and asked how receiving a check from "check free" is any different from receiving a personal check from a resident of the Town without any other information--would Mrs. Dunn turn down a personal check for lack of information? Mr. Blacker questioned what the difference might be.

Sick Leave Bank

The Board discussed and noted receipt of a memorandum from Town Counsel Paul L. Kenny, dated July 22, 1993, to Mary Ann Courtemanche concerning the Town's Non-Union Sick Leave Bank. Town Counsel recommended that an Article be placed on the Warrant for Town Meeting to remove the Cap. The Board took no action at this time, and asked the Executive Secretary to review with Town Counsel and report back to the Board.

Town Dog Confinement - Edward Kreitsek Letter

Chairman Cope reported she had a conversation with Buddy Dog Humane Society Trustee Mr. Edward Kreitsek offering a possible solution for the confinement of Town dogs on land off of Old Framingham Road. According to Mrs. Cope, Mr. Kreitsek is interested in helping the Town place its cages on concrete pads on this property.

Recodification Notification

Chairman Cope stated that, as a result of the newspaper article asking for volunteers for the recodification of the bylaws, more than one person has responded with an interest in working on this project. Mr. Thompson remarked that he hopes these volunteers will meet with the Selectmen in the near future.

Speeding Tickets

Chairman Cope asked Safety Officer Conrado at what speed over the limit does one get ticketed. The response by Officer Conrado was 10 mph over the posted speed limit. Chairman Cope asked if the Board felt this was too generous, and Selectman Blacker concluded that it was not--that every street is posted 10 mph less than what it can be safely physically driven. Mr. Blacker added that he believes a warning is as good as a ticket because it too makes people more cautious.

White Pond

Chairman Cope explained that in a meeting with the Concord White Pond Group and the Conservation Commission, she remarked that there is a lot of pressure on the Sudbury side to allow swimming. This comment got their attention, and she is hoping some progress will be made soon.

Bills Payable Warrant

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

VOTED: To sign the Bills Payable Warrant dated July 29, 1993, with the addition of payment to Edmund Skulte in the amount of \$1,400.00 to pay for roofing work on the Hosmer House.

Executive Session

At 10:20 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss collective bargaining matters.
(Chairman Cope, aye; Selectman Blacker, aye.)

Chairman Cope announced that public session would not reconvene.

Attest: _____
Richard E. Thompson
Executive Secretary-Clerk