

IN BOARD OF SELECTMEN

MAY 14, 1973

Present: Chairman William F. Toomey and John C. Powers

The statutory requirements as to notice having been complied with, the regular meeting was called to order at 7:30 p.m. by Chairman William F. Toomey.

Proposed Police/Fire Headquarters

Present: William Bell, Robert Hotch, and Craig Parkhill of the Permanent Building Committee.

Members of the Permanent Building Committee met with the Board to discuss the report, dated May 8, 1973, from John T. Hughes, Jr., of Hughes and MacCarthy, which listed and commented on the reduction of certain space items agreed to on May 2, to further reduce the cost of the proposed police/fire headquarters building.

Chairman Toomey stated that the May 8 report was written as a follow-up to a meeting held on May 2, 1973, among members of the Board of Selectmen, the Police and Fire Chiefs and Police and Fire Associations, the Permanent Building Committee, and a representative from Hughes and MacCarthy. Chairman Toomey and Selectman Powers stated that Mr. Hughes' personal remarks in his report, relative to adequate future Police space needs, did not reflect the consensus of the May 2nd meeting, as to program reduction possibilities, which were discussed and agreed upon by all parties present at the same May 2nd meeting.

Likewise, the Board expressed its strong exception to the comments of Mr. Hughes relative to the impact upon future police services, if further reduction were made in police office space allocations, especially in view of the fact that no concessions or reductions have been made without full knowledge of all police and fire groups involved.

Chairman Toomey summarized the discussion by stating that all space reductions, made to date, in the police and fire department proposed new headquarters, were done so with two major factors in mind: a) that the Selectmen in their capacity as administrators of the police and fire departments, must be the final arbitrators in projecting the next 10-20 year needs of each department, from information and data submitted, and b) at the same time, attempt to determine what the Town can afford that will be acceptable to gain favorable Town Meeting action.

The Selectmen requested the Permanent Building Committee to authorize the preparation of a final program document from Hughes and MacCarthy based on all previous meetings and agreements as to square footage and space allocation, and to commence design work.

As to the remaining areas of concern between the Selectmen and the Permanent Building Committee, namely, the firing range area versus additional police administration area, the central maintenance bay

area, and the common lecture area off the entrance lobby, the Board requested that the Permanent Building Committee direct the architect to allow for alternate bids on these items to permit some flexibility in determining their ultimate inclusion or exclusion. In addition, the Selectmen requested that the Permanent Building Committee pay particular attention to the architect's provision for the central vehicle maintenance bay area; this being of utmost importance to the Board since its use will be for other Town vehicles in addition to Police and Fire.

Site Plan Renewals - Robert D. Quirk

Present: Robert D. Quirk, Bruce Quirk; Bulent Kastarlak, Kastarlak Associates, Architect; George Hanow, Mr. and Mrs. Thomas Campbell, and Mr. and Mrs. Hubert Thomas, abutters

In accordance with the bylaws of the Town of Sudbury, the below-named site plan renewals and new site plan were considered by the Board. Chairman Toomey announced that the owner, Mr. Robert D. Quirk, and all abutters had been notified of the site plan applications.

No. 73-109, 29 Hudson Road, Limited Business District #5 - The Board received a communication dated May 2, 1973, from the Planning Board, which recommended approval, and a report dated April 26, 1973, from the Zoning Enforcement Agent, which stated that no changes had been made to the plan since previous approval.

It was on motion unanimously

VOTED: To renew Site Plan Application No. 73-109 of Robert D. Quirk, for property at 29 Hudson Road, Limited Business District #5, as shown on a plan by Colburn Engineering, dated December 2, 1969.

No. 73-110, 50 North Road, Shopping Center District #1 (easterly portion) (renewal) - The Board received a communication dated May 2, 1973, from the Planning Board, and a communication dated April 26, 1973, from the Zoning Enforcement Agent, both of which recommend approval of site plan #73-110 renewal.

Discussed at the same time was site plan application

No. 73-111, 50 North Road (Shopping Center District #1) (westerly portion) - The Board received a communication dated May 8, 1973, from the Planning Board, which recommended approval with modifications concerning location of the sign and lighting, and a communication dated May 3, 1973, from the Zoning Enforcement Agent, which recommended approval subject to the restriction that the under-building parking not be enclosed, and which noted the necessity of Board of Appeal approval of sign setback.

The site plan and a model of the proposed building were presented, and there followed a discussion of the parking areas, driveway openings, internal traffic flow, and local traffic conditions.

After discussion and consideration it was on motion unanimously

VOTED: To continue consideration of the renewal of site plan No. 73-110 and the approval of site plan No. 73-111, until 7:30 p.m. Wednesday, May 30, 1973, and to request that the Planning Board be present at that time.

As the only traffic information available for this area at the present time is several years old, the Executive Secretary was requested to contact the Police Chief concerning the installation of traffic counters on Route 117, at the site location, in order to obtain current traffic data before the continuation of the hearing.

Dog Complaint - Driscoll, Enos/Fischer

Present: Dog Officer Francis E. White; Mr. William E. Driscoll,
Mr. and Mrs. Martin Fischer

Chairman Toomey read the complaint, dated April 30, 1973, filed by Mrs. Marilyn D. Fischer, 11 Hop Brook Lane, against the Shepherd dog named "Lucky", owned by Mr. William E. Driscoll, 5 Spring Street, and the Shepherd dog named "Brandy", owned by Judith H. Enos, 38 Poplar Street. The complaint stated that the dogs were nuisances by reason of vicious disposition.

The Selectmen received a report, dated May 4, 1973, from the Dog Officer, forwarding information on record with his office concerning the subject dogs, and recommending that the dogs be placed on permanent restraint.

Chairman Toomey reported that he had received a telephone call earlier in the evening from Mr. Judith Enos, that she had stated that her dog "Brandy" had been put to sleep, and that she would be unable to attend tonight's hearing due to illness.

Mr. Fischer stated that, at midday on April 29, 1973, he had been attacked by the two dogs while riding his bicycle, and that one of the dogs had bitten him.

Mr. Driscoll stated that his dog had in the past chased cars, but had never been known to bite anyone.

It was the decision of the Board that the dog "Lucky" be restrained during the hours set forth in the dog control law, and that any future incident be dealt with upon its report.

Permanent Sergeant - Appointment

Present: Wesley Woodward, Acting Sergeant, Sudbury Police Department

On the recommendation of the Chief of Police, in a communication dated April 26, 1973, it was on motion unanimously

VOTED: To appoint Acting Sergeant Wesley Woodward of the Sudbury Police Department to the position of Permanent Sergeant, effective May 14, 1973.

Brush Fires - Town-Owned Land

Present: Margaret E. Langmuir, Peter Scott, Eric Lind, and Olga Reea of the Conservation Commission; Police Chief, Fire Chief, and Richard Cutler, Chairman of the Park and Recreation Commission

The Selectmen met with members of the Conservation Commission, the Fire Chief, the Police Chief, and the Chairman of the Park and Recreation Commission, at the request of the Conservation Commission in a communication dated May 7, 1973, for the purpose of arriving at a definite course of action for preventing the rising incidence of brush fires, which have recently burned more than 80 acres within the Town.

Mrs. Langmuir stated that her Commission has made up, and will make available to any department that wishes, a map outlining the areas of conservation land (358 acres), school land (205 acres), Park and Recreation land (163 acres), Federal-owned land (205 acres), State-owned land (395 acres) and Town-owned land (655 acres) for a total of 1981 acres or 20% of the total land area of the Town.

Mrs. Langmuir stated that there is evidence that all of this land is being used by recreation motor vehicles, although such use is prohibited, and that there is an increasing amount of vandalism, including arson, associated with this use.

In response to a question from Selectman Powers, the Fire Chief stated that there had been evidence of deliberate arson in several brush fires in the area of Pride's Crossing Road and the southerly end of Dutton Road and in the Military Reservation, where three fires occurred almost simultaneously several weeks ago. Chief St. Germain stated that the jurisdiction of fire fighting in the section of the Federally-owned military reservation located in Sudbury, had reverted, around 1967, to the Sudbury Fire Department, although no official agreement had ever been made.

There followed a discussion of patrolling the Town land, whether by an auxiliary or special duty police officer, and the funding for such a service. It was the Selectmen's suggestion that, at this time, Conservation funds could be used, as no funds are presently available within any other departmental budget for such application.

Mention was made that application could be made to the Massachusetts Division of Marine and Recreational Vehicles for manpower to patrol public lands, and the Board suggested that, if such manpower were available, the Town should investigate further.

It was the consensus of the meeting that a trail system for patrol be established, and that a patrolling officer be radio equipped for contact with the police station to enable the officer to request police backup when needed.

The Police Chief stated that his department would cooperate with the Conservation Commission, but that he would have to determine priorities at times of police backup requests.

The Fire Chief stated that he would be willing to post men for patrol duty in the Hop Brook area during extended periods of dry weather, within the limitations of his budget.

Chairman Toomey requested that the Conservation Commission check with the Police and Fire Chiefs concerning barriers and any necessary trail cutting.

It was the recommendation of the Executive Secretary that the Board request the attending groups to continue, on their own initiative, to find a permanent solution and that the Board indicate its support for this temporary solution.

The Conservation Commission requested that Town Counsel give them a written opinion as to whether the Commission can expend its funds for protection of conservation land, and requested of the Selectmen that, in the future, such protection be funded by a line item in the budget, once it is discerned as a necessary expenditure.

It was agreed, that as soon as Town Counsel's opinion on fund expenditure is received, the Conservation Commission will investigate the possibility of hiring a conservation officer. The Police Chief indicated his willingness to help train a conservation officer if so employed by the Conservation Commission.

Fire Captains David Weir and James Devoll, II - General Discussion

Fire Captains David Weir and James Devoll, II met with the Board for a general discussion relative to future aspects of the Fire Department operation in view of the upcoming retirement of Chief Albert St. Germain, on December 31, 1974.

Fire Captain David Weir's Comments

Captain Weir stated that he had been a call firefighter since 1953, that he became a full-time firefighter in April 20, 1959, and that he was appointed Lieutenant (title later changed to Captain) on December 18, 1966. Captain Weir stated that in addition to this experience he had served with military fire service and with the State conservation fire service.

In response to a question from the Board, Captain Weir expressed a definite interest in being appointed as Chief upon the retirement of Chief St. Germain.

When asked for his opinion of the present Sudbury/Concord fire coverage contract arrangement, Captain Weir stated that there are some problems, which could be attributed to the birth of a new regionalized system, but that regionalization was a good thing and that costwise, to the Town, it would be beneficial.

Captain Weir stated that, in his opinion, the Town has needed a new fire headquarters location for ten years, and expressed concern that recommended reductions in fire department space had been made. Captain Weir stated that he thought that appointment of a Deputy Chief, as soon as possible, to assume the position of Chief upon Chief St. Germain's retirement, would help to avoid any difficulties arising from the projected move to a new fire headquarters location.

Captain Weir does not favor the institution of Civil Service in the Fire Department and stated that, in his opinion, the Town has no need for its establishment. Captain Weir stated that he favors continued cooperation between the Selectmen and the Fire Chief relative to department appointments, with the appointments being made by the Chief. Captain Weir further stated that he believes the trend toward regionalization may eventually lead to Sudbury's having a deputy chief under a County chief, and that other than this appointment, there would be no local control over the department.

Fire Captain James Devoll, II's Comments

Captain Devoll stated that he had been an auxiliary firefighter with the department beginning on April 26, 1960, a call firefighter as of July 26, 1960, a full-time firefighter on April 9, 1961, and appointed Captain on May 5, 1968. In response to a question by the Board, Captain Devoll stated that he was definitely interested in being considered for the position of Fire Chief, if not at the time of Chief St. Germain's retirement, then at some future time.

Captain Devoll stated that he does feel there are problems with the current Sudbury/Concord fire coverage contract arrangement, but that towns find it increasingly difficult to cover the cost of fire-fighting budgets, and that a regional system was a cost advantage. Captain Devoll stated that the Fire Department, in his opinion, was handicapped by its present facilities and saw a definite need for the proposed headquarters building, provided that the new facility provides adequately for their needs.

Captain Devoll stated that he thought that the institution of Civil Service would be both bad and good--that to the men it would give security in their jobs, but that its institution would hamper the Chief of a department. Captain Devoll stated that, in his opinion, the Chief's appointing authority should continue.

Captain Devoll stated that with the proper administrator, he foresees no problem during the transition period of the projected move to a new fire headquarters location, with proper administrative direction.

In response to a question from the Board, Captain Devoll stated that he does not favor the passage of legislation which shifts the management of police and fire departments from the local governments to Beacon Hill.

Order of the Warrant - Special Town Meeting, June 13, 1973

Present: Moderator Frank R. Sherman

The Selectmen reviewed, ordered and signed the warrant for the Special Town Meeting, June 13, 1973, as it will be printed.

Minutes

The Board voted unanimously to accept the minutes of the regular meeting and the executive session of May 7, 1973, as submitted.

Insurance Advisory Committee

The Board received a communication dated May 7, 1973, from the Insurance Advisory Committee, which made recommendations relative to renewal of insurance coverage of Town employees.

It was the recommendation of the Executive Secretary that the Board adopt the recommendations of the Insurance Advisory Committee subject to the condition that there is no conflict with the union contracts and that copies of the vote be sent to the fire and police associations for any comments, with any objections to be worked out between the Insurance Advisory Committee and those two groups.

It was on motion unanimously

VOTED: To refer the above-mentioned communication from the Insurance Advisory Committee to the Executive Secretary for clearance by Town Counsel as it deals with the negotiating contracts and to report back as soon as possible.

Heritage Park Plans

The Executive Secretary reported that he had met with the Highway Superintendent and his foreman relative to the cleaning up of the Heritage Park site.

Town Counsel reported that he had met this past week with representatives of the Conservation Commission and the Town Surveyor relative to the Conservation Wetlands Hearing on Heritage Park.

Tax Possession Properties

It was agreed by the Board to defer hearing the reports of Town Counsel and the Town Surveyor on tax possession properties until the Selectmen's meeting scheduled for Wednesday, May 30, 1973.

Application for Incorporation

Following a review by the Selectmen of the below-named application for incorporation, on motion, it was unanimously

VOTED: To send a favorable report to the Secretary of the Commonwealth on the application of Roger Allen, known to the Board as Roger Allen Bump, 9 Wilson Road, for incorporation of the National Center for Attitude Change, Inc., to be located in the City of Boston.

Sudbury River Watershed - South Middlesex Area Chamber of Commerce

The Board received a communication, dated May 4, 1973, from members of the South Middlesex Area Chamber of Commerce relative to Sudbury's representation on a citizen's advisory committee concerned with a study on the upper Sudbury River Watershed by the Metropolitan District Commission. The Board agreed with the recommendation of the Executive Secretary that the Chairman of the Regional Concerns Committee would best serve in this capacity for the Town of Sudbury.

Sudbury Bloodmobile

The Selectmen received a communication, dated May 9, 1973, from Mrs. Nancy Taft, Community Coordinator for the Sudbury Bloodmobile, which requested that the Selectmen grant Town employees time off to donate blood during the blood drive on June 13 and 14, 1973.

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

VOTED: To grant the above-named request, with an appropriate communication to be sent to all departments by the Executive Secretary.

Memorial Day Parade

The Board received a communication, dated April 27, 1973, from Frank Grinnell, Chairman of the Memorial Day Committee, inviting the Selectmen to participate in the Memorial Day parade on May 28th.

Memorial Day Parade - Parking

The Board received a communication dated May 1, 1973, from Frank Grinnell, Chairman of the Memorial Day Committee, which requested that all parking on Concord and Hudson Roads in the vicinity of the Town Hall along the parade route be prohibited during the Memorial Day celebration. Chairman Toomey reported that he had met with the Memorial Day Committee and that this request had been discussed. The Board requested that the Executive Secretary work with the Police Chief, Mr. Grinnell, and the Highway Department to accomplish Mr. Grinnell's request.

Outdoor Advertising Board

The Board received a communication dated May 4, 1973, from Town Counsel relative to a hearing on Tuesday, June 5, 1973, to be held by the Outdoor Advertising Board concerning the renewal of three outstanding permits for billboards within the Town.

It was the recommendation of the Executive Secretary to request Town Counsel, with the full cooperation of the Building Inspector, to appear and be heard in opposition to said renewal. The Board was in accord.

Hearing - Article 1 (elect Town Treasurer/Tax Collector), June 13, 1973
Special Town Meeting

The Board received a communication dated May 10, 1973, from the Finance Committee, inviting the Board to attend a hearing on Tuesday, May 22, 1973, at 8:00 p.m. in the White Building, relative to the Special Town Meeting petition article concerning the election of Treasurer/Tax Collector.

Appointments

Following discussion, it was on motion unanimously

VOTED: To make the following appointments:

Paul Buxbaum as MBTA Designee, for a term to expire April 30, 1974.

James W. Doyle

Priscilla T. Harding to the Talent Search Committee, for terms to expire April 30, 1976.

Cheryl Rogers to the Talent Search Committee, for a term to expire April 30, 1975.

June Allen

Clayton Allen

Susan Platt

Joseph Clementi

Bradley Stroup to the 1973 Town Report Preparation Committee, for terms to expire April 30, 1974.

Francis E. White as Dog Officer, for a term to expire April 30, 1974, with the recommendation that the duties of the office be reassigned from the Building Inspector's Office.

Betsy M. Lawson as Assistant Dog Officer, for a term to expire
April 30, 1974.

Treasury Warrants

The Selectmen signed a payroll warrant in the amount of \$152,123.01
and a bills payable warrant in the amount of \$45,584.63.

Executive Session

It was on motion unanimously

VOTED: To enter into executive session for the purpose of discussing,
deliberating or voting on matters which, if made public, might adversely
affect the reputation of any person.

There being no further business to come before the Board, it was
on motion unanimously

VOTED: To adjourn the meeting at 10:15 p.m.

Attest: R.E. Thompson
Richard E. Thompson
Executive Secretary-Clerk