

IN BOARD OF SELECTMEN  
MONDAY, MARCH 3, 1975

Present: Chairman John C. Powers, John E. Taft, and William F. Toomey

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The statutory requirements as to notice having been complied with, the meeting was called to order at 7:00 p.m. by Chairman John C. Powers.

Executive Session - Labor Relations Counsel

At 7:00 p.m., it was on motion unanimously

VOTED: To enter into executive session to discuss 1975-76 collective bargaining negotiations with the Labor Relations Counsel, Richard Murphy.

Sudbury Players, Inc. - Stage Extension (8:00 p.m.)

Present: Francis E. White, Building Inspector

The Board received a communication dated January 29, 1975, from Albert G. Berberian, President of the Sudbury Players, Inc., which requested permission for the installation of a stage extension in the upper Town Hall during their production of the musical "1776".

Following discussion, it was on motion unanimously

VOTED: To permit the Sudbury Players to erect a stage extension for use from now until the end of their Spring production (May 3) similar to the one they used during their 1974 Fall production, with the understanding that said construction will be under the control of the Building Inspector to insure proper construction load distribution.

Proclamation - Girl Scout Week

Present: Girl Scouts Donna Courtemanche and Karen Bowers of Troop 438; Girl Scout Leaders Mrs. Mary Ann Courtemanche and Mrs. Barbara Bowers

The Board signed a proclamation relative to the celebration of the 63rd anniversary of the founding of the Girl Scouts of the U.S.A. on March 12, 1975, which proclaimed March 9 - 15, 1975 as Girl Scout Week in the Town of Sudbury.

Building Inspector - Fee for Reinspection of Vacated Dwelling Units

Present: Francis E. White, Building Inspector

Mr. White reported that Section 111.43 of the new Massachusetts State Building Code states that when any dwelling unit is vacated, the Building Inspector shall be notified by the owner before the unit is reoccupied and that the Building Inspector may determine that the unit be inspected to determine whether it conforms to the basic building code.

Mr. White stated that he concurs with the intent of the reinspection as he has already found three hazardous conditions that were corrected for the new owner.

As fees for all other types of inspections are presently charged, Mr. White recommended a \$20.00 fee, which would include a reinspection certificate, to cover the cost of building, wiring, gas, and plumbing inspections.

Following discussion, it was on motion

VOTED: To amend the Building Inspector's fee schedule to provide a fee of \$20.00 for reinspection and an occupation certificate as called for under Section 111.43 Changes of Occupants - Dwelling Units of the new Massachusetts State Building Code.

(Chairman Powers and Selectman Taft voted in favor; Selectman Toomey abstained.)

#### Assistant Town Engineer

Present: James V. Merloni, Town Engineer

The Board received a communication dated February 11, 1975, from James V. Merloni, Town Engineer, which requested that Bruce A. Kankanpaa be designated Assistant Town Engineer.

The Executive Secretary stated that Mr. Merloni did not wish to amend the Personnel Board's salary plan, but wished the Board's concurrence in the above designation for administrative purposes. Mr. Thompson further stated that Mr. Kankanpaa will receive no extra compensation and that this request will not go to the Personnel Board, but that Mr. Merloni wishes that this designation be forwarded to the other Town agencies.

Following discussion, it was on motion unanimously

VOTED: To approve the request of the Town Engineer to designate Bruce Kankanpaa as Assistant Town Engineer for the purpose of providing administrative coverage when Mr. Merloni is not present in the department, with the understanding that there will be no change in classification.

#### Minutes

It was on motion unanimously

VOTED: To approve the minutes of the executive session of February 20, 1975 as submitted; the regular meeting and the executive session of February 24, 1975, the former as corrected; the special meeting of February 25, 1975, as submitted; and the special meeting and executive session of February 26, 1975, the latter as corrected.

#### Capital Improvement Program

Present: William Rynne, William Reed, Marjorie Huse, and Saul Nathan of the Long Range Capital Expenditures Committee; Frank Gleason, researcher

Chairman Powers reported that in August 1974 the Board had started discussing the necessity of the development of a capital improvement program for the Town and that since that time a tremendous amount of hours have gone into this project

by the Long Range Capital Expenditures Committee, the Town Accountant, Frank Gleason, and a number of Town boards and committees.

Mr. Rynne presented to the Board copies of the Long Range Capital Expenditures Committee's five-year capital improvement program and commented that the information was compiled from data received from Town boards and committees from whom he had received outstanding cooperation.

There followed dialogue between the Board and the Committee as the program was reviewed section by section, and comments and recommendations were made by the Board, which will be incorporated into the report by the Committee, following which they will again meet with the Selectmen for its final acceptance.

DPU - New England Telephone Co. Petition Hearing

Present: Mr. and Mrs. Robert Simon, petitioners

Chairman Powers read the decision of the Department of Public Utilities hearing which had been favorable in the matter of the petition of certain residents of the Town of Sudbury for expanded toll-free calling area of the Town.

Chairman Powers congratulated Mr. and Mrs. Simon for their efforts in connection with their petition.

Town Counsel reported that the New England Telephone Company has, as yet, made no determination in the matter of appeal to the decision and that an appeal can only be taken from a final decree, which may not be the interpretation of this present order.

Sudbury Housing Authority - Access Road

Town Counsel reported that the Sudbury Housing Authority has not yet purchased that portion of the Oliver land designated for the construction of the housing for the elderly development and that said purchase will be delayed until the project is approved by the Department of Community Affairs. Town Counsel further reported that once the wording of the easement is approved, the easement will be kept on file with the deed for the property until such time as the Department of Community Affairs approval has been granted.

Discussion followed relative to the possible discrepancies between topographical contour figures of the Housing Authority's plan as drawn by WM Design Group and that for the proposed police/fire headquarters plan as drawn by Hughes and MacCarthy. The Executive Secretary was directed to request the Town Engineer to recheck the two plans in this regard.

It was on motion unanimously

VOTED: To approve the easement of land to the Sudbury Housing Authority, as submitted by Town Counsel on December 2, 1974, with the provision that the Town Engineer examine the elevations on Sheet L10 entitled, "Access Road" of the Sudbury Housing Authority's plans and specifications dated February 18, 1975, for the purpose of determining that the elevations shown would not preclude the future construction of a fire and police headquarters as previously designed and sited by Hughes and MacCarthy.

Hughes and MacCarthy - Outstanding Bill

The Board, at its meeting of January 27, 1975, voted to request the Town Accountant to withhold payment of a bill for \$6,201 for professional services rendered by architects Hughes and MacCarthy on a contract dated September 1, 1972, and to direct the Town Accountant, Town Counsel, and the Executive Secretary to do a background check on the bill relative to its appropriateness. The Board at that time further voted to request a copy of the minutes of the Finance Committee at which the transfer was approved for the Board's review and to request a meeting with the Permanent Building Committee for further discussion of the matter.

Town Counsel, referring to his communication dated February 28, 1975, on the matter, stated that the basic contract calls for payment at the end of certain phases: that at the conclusion of the first phase, schematic design, 15% of the architect's fee, or \$7,500 was due, that at the end of the second phase, design development, \$18,125 additional payment was made, and at the end of the third phase, construction document, 75% or 10.1% of the project cost was due. Mr. Turner stated that the latest statement he could find relating to the architect's fees was mentioned in the architect's letter to the Permanent Building Committee, dated October 2, 1974, and that at this time the fee percentage claimed was 80% (\$48,722) rather than 75% (\$45,677). Mr. Turner further stated that this amount was in addition to separate payments for colonial studies of \$3,177 and for perspective renderings of \$800. Town Counsel stated that the architect had calculated the basic fee at \$60,903 and that it would appear from the records that the bidding or negotiation phase had not been completed and that, therefore, the total fee due at this time should be something less than 80% of the architect's basic fee.

Town Counsel reported that there was no indication in the records that the additional colonial design study and perspective rendering were separate work projects which would entitle him to additional sums under the contract.

The Executive Secretary read the justification for the transfer request of \$6,521.23, which stated that the overrun in the account is partially due to the inclusion of a Civil Defense Emergency Operation Center in the design.

There followed a discussion of the inclusion of the civil defense communications center in the original plans, and the Board asked that the records again be checked in this regard.

Following further discussion, it was on motion unanimously

VOTED: To accept Town Counsel's interim report and to refer it back to him with the request that he and the Town Accountant further review the records.

The Board directed the Executive Secretary to forward a copy of Town Counsel's interim report to the Permanent Building Committee.

Selectmen's Accounts

In response to the Board's earlier request, the Executive Secretary had prepared, on February 27, 1975, a statement of Selectmen's accounts which indicated anticipated overruns, and the Town Accountant prepared a list, dated February 28, 1975, which indicated the status of budget accounts and expected transfers.

The Executive Secretary reported that he and the Town Accountant had consulted the other departments and that these figures are estimates.

There followed a discussion of the lists, and the following agreements were reached:

1. The estimates should be forwarded to the Finance Committee with an explanatory letter of transmittal.
2. Requests for Reserve Fund Transfers should be initiated for the following accounts: #950-94, Copy Service; #950-98, Postage; and #950-99, Telephone.
3. Recommendations should be requested for the following Accounts: #310-31, Fire; #310-71, Fire; #310-12, Fire; #320-31, Police, and #521-41, Accounting.

The Executive Secretary was directed to schedule a time on a future agenda for further discussion of the Selectmen's and Budget Accounts with the Executive Secretary and the Town Accountant.

#### Industrial Development Commission

It was on motion unanimously

VOTED: To invite the members of the Industrial Development Commission to meet with the Board on March 10 to assist them in their reorganization and to request that they study Article 33, the proposed abandonment of a portion of Codjer Lane, to determine whether or not they should take a position on this issue prior to Town Meeting.

#### Sudbury Police Department - Towing Procedures

The Board noted receipt of a communication dated January 23, 1975, from Station Road Auto Body, Inc., which requested a meeting among that company, Colonial Auto, Mosher Auto Body, the Police Chief, and the Board of Selectmen to discuss towing procedures of the Sudbury Police Department.

#### Laurence L. Winship

Chairman Powers announced the death on this date of Laurence L. Winship, 38 King Philip Road, who for many years had been the editor of the "Boston Globe", and had once served the Town of Sudbury as a Library Trustee between 1923-31. Chairman Powers expressed, on behalf of the Board, condolences to his family and sorrow upon his passing.

#### Executive Session

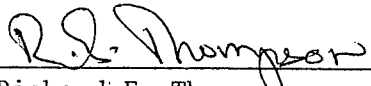
At 9:50 p.m., it was on motion unanimously

VOTED: To enter into executive session for the purpose of discussing Police Department personnel matters with the Chief of Police.

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

VOTED: To adjourn the meeting at 11:15 p.m.

Attest:

  
Richard E. Thompson  
Executive Secretary-Clerk