

IN BOARD OF SELECTMEN
MONDAY, JANUARY 19, 1976

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

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Chairman John E. Taft.

Police Grievance - Vacations Procedure

Present: Peter Lembo, President, Local 315; I.B.P.O.; Police Chief Nicholas Lombardi

Chairman Taft announced that the Board was tonight meeting with Sergeant Lembo and Police Chief Lombardi relative to the grievance, filed by Patrolmen Jeffrey F. Gogan and Mark R. Gainer, relative to vacation procedure. Chairman Taft referred to the following correspondence on this matter: a communication dated October 31, 1975 from Police Chief Lombardi to Peter B. Lembo, President, Local 315, I.B.P.O., which conveyed the Labor Relations Counsel's verbal opinion that vacation time off could not be given on a daily basis and from that time on he could not honor requests for vacation time off one day at a time; a communication dated November 16, 1975 to the Personnel Board, which submitted Patrolmen Gainer's and Gogan's grievance that this interpretation was not consistent with the intent expressed during the collective bargaining negotiations; communications dated December 1, 1975 from the Chairman of the Personnel Board to Town Counsel and the Labor Relations Counsel, requesting their written opinion as to interpretation of vacation time; communications from the Chairman of the Personnel Board to Sergeant Lembo, notifying him of the Personnel Board's requests to Town Counsel and the Labor Relations Counsel; a communication dated January 3, 1976 from Sergeant Lembo to the Selectmen, requesting a hearing before the Selectmen relative to the grievance; a communication dated January 3, 1976 to the Selectmen from Patrolmen Gogan and Gainer, submitting the grievance; a memorandum dated January 6, 1976 from the office of Town Counsel, which set forth his opinion that a "shift at a time" means a "day at a time", with which the Labor Relations Counsel, by telephone on January 6, 1976 concurred; and a communication dated January 7, 1976 from the Executive Secretary to Sergeant Lembo, acknowledging receipt of Patrolmen Gogan's and Gainer's grievance.

Chairman Taft reported that the Board had tonight received a communication of this date from the Personnel Board, which stated the Personnel Board's opinion that Chief Lombardi may allow a "shift at a time" to be taken as a "day at a time" and which stated that all vacations are subject to the approval of the Chief of Police at his discretion.

In response to Selectman Toomey's questions, Sergeant Lembo and Chief Lombardi stated that the grievance had been resolved.

After further discussion, it was on motion by Selectman Powers, unanimously

VOTED: In regard to the grievance of Patrolmen Jeffrey F. Gogan and Mark R. Gainer, to adopt the interpretation of the words, "a shift at a time" as determined in the report of Town Counsel dated January 6, 1976 and concurred in by the Personnel Board under date of January 19, 1976.

Award Bid - Police Cruiser -- Reserve Fund Transfer Request

The Executive Secretary reported that invitations to bid for replacement of Car #2 had been advertised and mailed to the bidders list and that bids had been opened on January 2. Mr. Thompson recommended that the bid be awarded to West End Chevrolet, the low bidder, for the net delivered price of \$3,493.00. Mr.

Thompson also recommended that a reserve fund transfer be requested in an amount to cover the balance of the cost of car replacement.

Selectman Toomey commented on the fact that invitations to bid had been mailed to twenty-two car dealers and that only two bids had been received.

After discussion, it was on motion unanimously

VOTED: To award the bid for the purchase of one police car, as received on January 2, 1976, to West End Chevrolet for the net delivered price of \$3,493, which includes an allowance of \$650 for the present car in trade, subject to approval from the Finance Committee of a transfer from the Reserve Fund to Account 320-51, Equipment Purchase, for the difference between the purchase price and the present balance in the account, which is \$3,168;

and it was further

VOTED: To request a transfer (#0652) in the amount of \$325 to Account 320-51, Equipment Purchase, in order to trade in the Police Department's Chevrolet Bel Air sedan, which is experiencing a high degree of repair costs, and to replace it with a new sedan.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular meeting of January 12, 1976.

Rules, Regulations, and Specifications Governing Work on Public Shade Trees

The Board, on November 24, 1975, voted to approve the Highway Commission's "Rules, Regulations, and Specifications Governing Work on Public Shade Trees in the Town of Sudbury", subject to the rewording of Section 7 to reference Article V, Section 4 of the Sudbury Bylaws.

The Board received a communication dated January 7, 1976 from the Highway Commission, which advised the Selectmen that the Highway Commission had retained the existing wording under Section 7 as it had been presented to the Board on November 24, but had incorporated Article V, Section 4 of the Sudbury Bylaws, as requested by the Selectmen.

After discussion, on the recommendation of Town Counsel, it was on motion unanimously

VOTED: To affirm the Board's November 24, 1975 vote on the matter, with the provision that the second paragraph under Section 7, "Signs and Marks", as set forth in the copy of the rules attached to the Highway Commission's January 7, 1976 letter, be deleted, as it is in conflict with Paragraph 7 of the Town Bylaw, which is controlling.

104th Session of Town Fathers Forum

At 8:00 p.m. Chairman Taft convened the 104th session of the Town Fathers Forum, a summary of which is attached hereto and is a part of these minutes.

Data Processing Facility Article - 1976 Annual Town Meeting

Present: John Wilson, Town Accountant

The Town Accountant met with the Board to discuss his proposed article for a data processing facility.

Mr. Wilson stated that he is proposing, in cooperation with several other departments, a basic data processing system which could be used to perform, in addition to other functions, the payroll, tax bills and appropriation accounting, which are now done separately as outside services, recordings and analyses of tax receipts, which are done manually, and his monthly reports, which are done manually.

Mr. Wilson stated that he had spoken with the Superintendent of the Sudbury Schools on the matter of joint usage of such a facility.

Chairman Taft asked whether Mr. Wilson had made an analysis of the capabilities of the proposed equipment and the time saved by the proposed method over the present methods and whether he had chosen an area for placement of such equipment, as well as estimated the costs of bringing in power to operate the equipment and air conditioning the area.

Mr. Wilson stated that he did not have such information as yet, but would obtain it.

Selectman Powers suggested that Mr. Wilson's analyses also include training costs vs. savings costs as well as the cost of any arrangement which might be made with the School Department for their appropriation accounting.

In response to further questions from the Board, Mr. Wilson made the following statements:

- The cost of outside service work for the tax bills and the Assessors is \$3,100, for payroll \$4,200, for Town Clerk \$600+, but that he had no estimate for the School Department.

- A lease-purchase agreement for the equipment would run approximately five years at a cost between \$55,000 - \$60,000.

The Board requested that Mr. Wilson compile information containing the analyses stated above as well as space requirements, length of time for entering the data, School Department needs, whether or not it could handle bus routing, and advantages to the Town for having its own facility.

Ambulance Purchase Article - 1976 Annual Town Meeting

Present: Fire Chief Josiah Frost and Police Chief Nicholas Lombardi

Fire Chief Frost and Police Chief Lombardi met with the Board to discuss the Fire Chief's proposed article for the purchase of an ambulance in connection with the implementation of G.L. c111C, which regulates ambulances and ambulance service.

The Executive Secretary summarized Chief Frost's June 13, 1975 letter relative to the operating procedure, which was then discussed.

In response to the Board's question, Police Chief Lombardi reported that his department had made 356 emergency runs to hospitals during the past year, and Fire Chief Frost reported that his men had been involved in 112 of these runs.

Police Chief Lombardi stated that he was disturbed that the article had not been submitted by the Ambulance Task Force Committee, of which he was a member, along with the Fire Chief and other Town officials. Chief Lombardi expressed his opinion that the Police Department should no longer supply emergency transportation to hospitals and that he would like to see the Ambulance Task Force Committee come up with some type of leasing arrangement for this purpose. Chief Lombardi also expressed his opinion that the requests for emergency transportation would be decreased if a charge were made for this service.

The Executive Secretary suggested that the Committee be convened to consider the alternatives.

Selectman Powers stated that this matter is a policy judgment for the Town and should be put before the Town for its decision.

The Board requested that an analysis be made by the Police and Fire Chiefs of the reason for each call during the past year in order to determine how many were true emergencies and further requested that he check with surrounding towns who have instituted ambulance service for which a charge is made as to whether the charge had seemed to reduce the number of calls. The Board also requested that local ambulance services be called to determine what costs would be involved in Town vs. private coverage.

It was agreed that when the above information is received, the Ambulance Task Force Committee would be reconvened.

Road Guarantee Bonds

It was on motion unanimously

VOTED: To table, until 8:30 p.m., January 26, 1976, consideration of communications dated January 6, 1976 from the Planning Board relative to taking deposit funds or bonds held by the Treasurer for completion of certain subdivision streets.

Official Town Bulletin Board

The Executive Secretary reported that the Town Clerk was in accord as to the designation of the official bulletin board for the Town, which was discussed earlier at the Town Fathers Forum, and it was on motion unanimously

VOTED: In accordance with G.L.c39, §23A, to define the bulletin board located behind the reception desk in the Town Clerk's offices at the rear of the Town Hall as the principal official Town bulletin board for use by the Sudbury boards for posting meeting notices.

1976 Annual Town Meeting - Withdrawal, Co-Sponsorship, Status, and Ordering of Warrant Articles

Present: Frank R. Sherman, Moderator; Paul McNally, Chairman, Eben Stevens, and Edward Connors of the Planning Board

Withdrawal of Certain Warrant Articles - Chairman Taft announced that the Selectmen on January 5, 1976 had voted to withdraw their proposed article to accept General Laws Chapter 147, §10F - Parking Control Officers.

Chairman Taft stated that the Board was in receipt of a letter dated January 6, 1976 from the Planning Board, which requested withdrawal of their proposed article relative to acceptance of layout of ways, as it had been also submitted by the Highway Commission.

Chairman Taft stated that the Board had received a letter dated January 9, 1976 from the Committee on Town Administration, requesting withdrawal of their proposed article to rescind the 1963 vote establishing the Highway Commission and their article to establish a Department of Public Works.

Chairman Taft stated that in view of the fact that Town Counsel and the Planning Board will review the Sudbury Bylaws in connection with the new Zoning Enabling Act, Town Counsel had requested that his article for an amendment to the Bylaws be withdrawn and that the Planning Board, at its meeting of January 12, 1976, had unanimously voted to withdraw their articles to amend the bylaws relative to site plan approval and zoning enforcement.

Mr. McNally stated that he would like to bring up reconsideration of the Planning Board's vote to withdraw their articles referenced above, as one of their members had not been present.

Messrs. Stevens and Connors commented that withdrawal of the articles had been by unanimous vote of the four members in attendance and should not be reconsidered.

Two Highway Commission articles (Amend XIV, Section 2 - Perpetual Care of Burial Places and Lots and Cemetery Commissioners Rules and Regulations), which were ruled illegal by Town Counsel, were briefly discussed and left in the warrant.

Co-Sponsorship of Town Clerk's Fees Articles - Chairman Taft stated that the Town Clerk and the Committee on Town Administration had requested that the articles relating to the Town Clerk's fees be co-sponsored.

Revision of Auxiliary Police Article - Chairman Taft reported that Town Counsel had received a letter dated January 12, 1976 from William Bonwitt of the Sudbury Auxiliary Police Unit, which requested revision of the wording of their warrant article.

It was agreed that a revised article would be accepted following affirmation, by signature, to Mr. Bonwitt's above-referenced letter and to the new article by those persons who had signed the original petition article.

Planning Board Article for Professional Planning Services - The Board, at its meeting on January 12, discussed with the Planning Board the question of whether the Selectmen had received the Planning Board's proposed article for funding for professional planning services by the December 31 deadline and had decided that the status of the article would be determined following a report from the Executive Secretary.

The Executive Secretary reported that his office had no record of its submittal and that he had not seen it prior to January 12.

Chairman Taft suggested that this request might be handled through a line item in the Planning Board's budget.

Mr. McNally stated that it was a sensitive article and that the Planning Board had told the Town that funding for the Town Planner would be handled through an article rather than a line item. Mr. McNally stated that the Special Town Meeting had funded this man, who is not a Town employee, and that it was the opinion of the Planning Board that his funding should continue through an article and that he be hired by contract.

It was the consensus of the Board that it had been the intent of the Planning Board to include this article in the warrant for the Annual Meeting and that it had been lost in procedural channels, and the article was accepted.

Ordering of the Warrant - In conjunction with the Town Moderator, the Board ordered the thirty-five article warrant for the 1976 Annual Town Meeting.

Printing of the Annual Town Report and Town Proceedings

It was on motion unanimously

VOTED: To table consideration of the question of awarding the bid for the printing of the Annual Town Report and Town Proceedings until January 26.

Sudbury Growth Policy Committee -- Appointments

In response to a communication dated January 12, 1976 from the Massachusetts Growth Patterns Commission relative to appointment of citizens for a local growth policy committee, after discussion, it was on motion unanimously

VOTED: To appoint the following persons to the Sudbury Growth Policy Committee:

John E. Taft, Chairman, Board of Selectmen

Paul H. McNally, Chairman, Planning Board

Lorraine L. Bauder, Chairman, Sudbury Housing Authority

Joseph Tratnyek, Chairman, Conservation Commission

William W. Cooper, Chairman, Board of Health

Emmanuel Tiliakos, Town Planner

The Chairman listed above are appointed to this Committee by virtue of their office and their appointments will be effective until their successors are named.

Appointments

It was on motion unanimously

VOTED: To table consideration of the remaining 1975 appointments until January 26.

Sudbury Housing Authority - Annual Contributions Contract

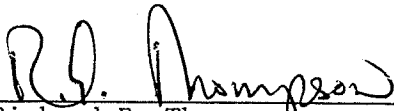
On the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To authorize the Chairman of the Board to sign the Master Section 8 Annual Contributions Contract No. MA 06-E102-001 between the U.S. Department of Housing and Urban Development's Section 8 Housing Assistance Payments Program and the Sudbury Housing Authority.

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

VOTED: To adjourn the meeting at 11:50 p.m.

Attest:


Richard E. Thompson
Executive Secretary-Clerk