

IN BOARD OF SELECTMEN
MONDAY, NOVEMBER 8, 1976

Present: Chairman William F. Toomey, John C. Powers, and Ira M. Potell

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

Provisional Patrolman Tayno V. Hyden, Jr.

Present: Police Chief Nicholas Lombardi and Provisional Patrolman Tayno V. Hyden, Jr.

The Board, at its meeting on October 26, 1976, voted to approve the recommendation of Police Chief Nicholas Lombardi and appointed Tayno V. Hyden, Jr., as a Provisional Patrolman, subject to the approval of the Massachusetts Division of Personnel Administration.

Chief Lombardi now introduced Patrolman Hyden, who, at the request of the Board, briefly informed those present of his background.

The Selectmen thanked Patrolman Hyden for meeting with them tonight and welcomed him to the Sudbury Police Department.

Sudbury Police Department - Regional Communication Program

Present: Police Chief Nicholas Lombardi

At the request of the Board, Police Chief Lombardi updated the Selectmen on the progress of his regional communication program. Chief Lombardi reported that the regional radio base station has been installed, with a remote panel at the Police Station, that one radio has been installed in the detective car, and that the remaining four car radios will be received in the Spring.

Award Bid - Repowering Sudbury Fire Department's Engine #2

Present: Robert Hotch, Chairman of the Finance Committee

Executive Secretary Richard E. Thompson reported that the Board, on October 4, 1976, had reluctantly approved a Reserve Fund transfer request in the amount of \$11,000 to repower and repair or replace certain parts of the Fire Department's Engine #2 and that the Finance Committee had subsequently reluctantly approved the transfer, subject to the bid price.

Mr. Thompson reported that bids had been opened on November 1, that he had discussed the low bidder's cost figure with Robert Hotch, Chairman of the Finance Committee, and that approval had been given by the Finance Committee.

Mr. Hotch again expressed the Finance Committee's reluctance in approving the Reserve Fund transfer for this purpose.

After further discussion, on the recommendation of the Executive Secretary and the Fire Chief, as set forth in his report dated November 2, 1976, it was on motion unanimously

VOTED: To accept the low bid of Continental Fire Trucks, Inc., Hopkinton, Massachusetts, in the amount of \$10,874.00, to repower and repair certain components of Sudbury Fire Department's Pumper, k/a Engine #2, in accordance with that firm's letter dated October 29, 1976.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular and executive session of November 1, 1976.

Cemetery Study Committee

Present: Reverend Homer Goddard, Chairman, and Norman Pollock, M.D. of the Cemetery Study Committee

Reverend Goddard and Dr. Pollock, representing the Cemetery Study Committee, met with the Board to discuss that Committee's proposal set forth in their communication dated November 2, 1976 relative to giving the first right to buy land (45 lots) contiguous to Section 11 in the New Town Cemetery, as it becomes available, to the members of the Jewish community.

Reverend Goddard reported that it was the Committee's opinion that the needs of the Jewish community could best be served in this manner and that this could be accomplished by agreement of the Board. Reverend Goddard further reported that it was the opinion of the Committee that an answer to their proposal was necessary in order that they could continue their work on an article relative to cemetery rules and regulations for acceptance at the 1977 Annual Town Meeting.

Reverend Goddard suggested that, as those sections contiguous to Section 11 become available, the Jewish community be notified in order that they be given first option of purchase. Reverend Goddard stated that the Committee did not wish this proposal to come before Town Meeting and that the Jewish community is of the opinion that their needs would be satisfied if the proposal is agreed to by the Selectmen.

Chairman Toomey stated that there could be no assurance that next year's Board of Selectmen would remain the same and that this Board could not make an agreement which would be binding on a future Board.

In response to the Board's question, Reverend Goddard stated that the Committee would be prepared to submit suggested rules and regulations to the Board within the week.

Selectman Powers expressed his opinion that the proposal and the rules and regulation interconnect, and he stated that he would prefer that the Board withhold its judgment on the request until the regulations have been reviewed by the Board and have been screened by Town Counsel.

Selectman Potell stated that it was his opinion that the Board could agree to the Committee's request at this time.

Chairman Toomey stated that, in his opinion, he would have to accept the November 2, 1976 letter as an interim report of the Committee and that it was necessary that the whole report be before the Board before a judgment could be made. Chairman Toomey requested that the Committee submit its report and allow the Board and Town Counsel a week to review it before further consideration of their option request.

The Board agreed that changes to the article prepared for submission by December 1 could be made up until the time of the Board's signing of the Warrant in January.

Dr. Pollock stated that the Committee feels that there should be no sectarian issue in the general rules and regulations and that it had been the unanimous vote of the Committee that this problem should be treated separately by the Selectmen.

Chairman Toomey stated that he could not accept even the full report without a publicized hearing to which the public would be invited for their comments, prior to the Board's possible preparation of an article for the Annual Town Meeting. Chairman Toomey further stated that the Superintendent of Cemeteries should also be in attendance at the hearing to present his long-range plan.

After further discussion, Reverend Goddard stated that the Committee would complete the rules and regulations on Thursday, November 11, and would submit them soon after, and he asked that the Selectmen also keep the Committee's November 2 letter before them. The Board agreed to do so.

Chairman Toomey thanked Reverend Goddard and Dr. Pollock for their attendance.

(Selectman Powers left the proceedings at this time to attend another meeting.)

One-Day Auctioneer License - Axel Sorenson - Senior Class Auction

In response to a request dated October 29, 1976 from Deborah Grace, Class Advisor, it was on motion unanimously

VOTED: To grant a one-day auctioneer license to Axel Sorenson for the purpose of conducting an auction for the Lincoln-Sudbury Regional Senior Class on Saturday, November 13, 1976 at the Regional High School.

Schedule of Revenue Sharing Proposed Use Hearings

Present: Robert Hotch, Chairman, Philip Felleman, and Alan Grathwohl of the Finance Committee

Executive Secretary Richard E. Thompson reported that, due to the recent enactment of the amended Federal Revenue Sharing Bill, changes have been made in the public participation formula and that, in order that the Town comply with the law as it now stands, it was his recommendation that the Board adopt the schedule of Revenue Sharing Proposed Use Hearings proposed by Town Accountant John Wilson in his letter dated October 15, 1976.

Chairman Toomey supplied Robert Hotch, Chairman of the Finance Committee with a copy of the schedule referenced above, and the proposal was reviewed.

After further discussion, it was on motion unanimously

VOTED: To approve the Schedule of Revenue Sharing Proposed Use Hearings dated October 15, 1976, as prepared by the Town Accountant;

and it was further

VOTED: To announce the scheduling of a Proposed Use Hearing for Monday, December 13, 1976, during the Selectmen's regular meeting on that date.

Governor's Highway Safety Bureau-Approval of Funding Assistance

Executive Secretary Richard E. Thompson reported that the Selectmen had received a letter dated October 29, 1976 from the Director of the Governor's Highway Safety Bureau, informing them that their request for funding assistance for the purchase of a pavement striper had been approved by Governor Dukakis in the amount of \$2500.

Mr. Thompson reported that the cost of the striper for which application for 100% reimbursement had been made was \$4600 and that his purpose in bringing this item to the Board's attention was to request direction as to whether a cheaper model should be purchased or whether this \$2500 should be applied to the originally proposed equipment and supplemented with money in the Highway Equipment Purchase account. Mr. Thompson stated that he would recommend that the funding be accepted as partial reimbursement of the originally proposed equipment.

Selectman Potell suggested that the Highway Surveyor discuss the situation with the Finance Committee and, at the same time, prepare specifications in order to proceed with a bid for the equipment.

After further discussion, it was agreed that the Highway Surveyor should proceed with a bid, and it was on motion by Selectman Potell unanimously

VOTED: To accept reimbursement in the amount of \$2500 for a pavement striper, in accordance with the Board's application dated June 9, 1976.

Massachusetts Department of Public Works -- Extension of Route I-495

The Board noted receipt of a communication dated October 28, 1976 from the Massachusetts Department of Public Works relative to extension of Interstate Route I-495 and resulting revisions to existing exit and mile marker numbers.

In response to the Executive Secretary's suggestion, the Board requested that he refer the communication to the local press and to the local Business Advisory Committee for their information.

Energy Conservation and Policy Act - Proclamation, Public Hearings

In response to a request dated October 15, 1976 from Governor Michael S. Dukakis relative to the Energy Conservation and Policy Act, it was on motion by Selectman Potell unanimously

VOTED: To sign a proclamation designating the month of November 1976 as Energy Savings Month in Sudbury and to urge all citizens of the Town to take cognizance of this event and to participate appropriately in its observance.

The Executive Secretary indicated his intent to attend an area public hearing on the matter in the near future, if possible.

Trailer Permit - Walter F. Strong

The Board received a communication dated November 1, 1976 from Mr. and Mrs. Walter F. Strong, 58 Pierce Road, Watertown, which requested that they be allowed to temporarily park a trailer on their property known as Lot 1A on Hudson Road to serve as temporary shelter for workers during construction of their home on that site.

Executive Secretary Richard E. Thompson stated that the applicant had been issued a valid building permit in this regard.

Following discussion, it was on motion by Selectman Potell unanimously

VOTED: To grant permission to Mr. and Mrs. Walter F. Strong, 58 Pierce Road, Watertown, MA, to park a trailer on property known as Lot 1A, Hudson Road, across from Saxony Drive, in accordance with their request dated November 2, 1976 and in accordance with provisions of Article IX, Section V, D of the Sudbury Bylaws, for a period of five (5) months, effective November 8, 1976.

November 2, 1976 State Election

At the request of Town Clerk Betsey M. Powers, it was on motion by Selectman Potell unanimously

VOTED: To sign ballot certificates of the November 2, 1976 State Election to be filed with the Secretary of State.

Executive Session Guidelines - Town Counsel's Opinion

The Board, at its meeting on November 1, 1976, requested an opinion from Town Counsel concerning whether or not the Board can meet in executive session to review applications for an discuss the appointment of Town Counsel.

Town Counsel David L. Turner, referring to his response dated November 4, 1976, stated that the review process would involve discussions of the reputation and character of applicants in addition to their professional competence and that such a discussion could take place in executive session under the provisions of G.L.c.39, §23B.

November 11, 1976 - Veterans Day

The Executive Secretary announced that the Sudbury Town Hall would be closed on Thursday, November 11, 1976, in observance of Veterans Day.

Public Hearing - Marlborough - Sewage Treatment Discharge - December 6, 1976

The Executive Secretary announced that a public hearing will be held on Marlborough's request to modify its sewage treatment discharge emptying into Hop Brook at 7:00 p.m. on December 6, 1976, in the conference room of the Marlborough Easterly Advanced Wastewater Treatment Plant.

Pending Litigation - Report from Town Counsel

Town Counsel reported that several Appellate Tax Board cases would be reviewed next week and that current litigation was proceeding smoothly at this time.

At 8:50 p.m., it was on motion by Selectman Potell unanimously

VOTED: To recess the meeting until 9:00 p.m.

(Selectman Powers returned to the meeting during the recess.)

Interviews, Appointments - Long Range Capital Expenditures Committee

Present: Paul J. Remington, Chairman, and William P. Reed of the Long Range Capital Expenditures Committee; Benjamin Goodwin, Jr., and Gregory Malkasian, candidates

Benjamin Goodwin, Jr., and Gregory Malkasian met with the Board and members of the Long Range Capital Expenditures Committee for the purpose of being interviewed concerning their interest in and qualifications for serving as members of the Long Range Capital Expenditures Committee.

Later in the evening, after discussion, it was on motion by Selectman Potell unanimously

VOTED: To appoint Benjamin Goodwin, Jr., 172 Peakham Road, and Gregory Malkasian, 59 Tanbark Road, to the Long Range Capital Expenditures Committee, each for a term to expire on April 30, 1979.

Old Lancaster Road Petition - One-Way Traffic

Selectman Powers stated that the subject of a review of the question of making Old Lancaster Road one way from Concord Road to Peakham Road had been scheduled on tonight's agenda at his request, but that he would now ask that this item be tabled until such time as a decision to widen that portion of Old Lancaster Road might be considered, in order that a thirty-day, one-way traffic trial period could be undertaken as an alternate.

It was on motion by Selectman Powers unanimously

VOTED: To table this item at this time.

Budget Submission Schedule

Following its review by the Board, it was on motion unanimously

VOTED: To approve a budget submission schedule for Fiscal Year 1977-1978, dated November 1, 1976, as prepared by the Executive Secretary.

Executive Session

At 9:15 p.m., following a unanimous roll call vote, it was on motion further unanimously

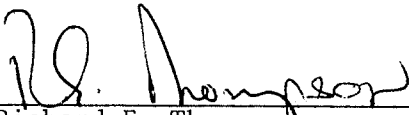
VOTED: To enter into executive session for discussion of the reputation and character, physical condition or mental health rather than the professional competence of a single individual.

Chairman Toomey announced that the public meeting would not reconvene following the executive session.

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:


Richard E. Thompson
Executive Secretary/Clerk