

IN BOARD OF SELECTMEN
TUESDAY, SEPTEMBER 14, 1976

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

The statutory requirements as to notice having been fulfilled, the special meeting was called to order at 7:00 p.m. by Chairman William F. Toomey.

Executive Session

At 7:00 p.m., after convening an open session, following a unanimous roll call vote, it was on motion further unanimously

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

Chairman Toomey announced that the regular meeting would reconvene after the executive session.

At 8:50 p.m. the regular, public session was reconvened by Chairman Toomey.

Award Bids - Fuel Oil and Service for Town Buildings

Following review of Town Counsel's opinion dated September 14, 1976, which stated that contracts for fuel oil and service may be awarded to other than the lowest bidder, it was on motion unanimously

VOTED: To award the bid for supplying No. 2 fuel oil to Town buildings during the 1976-77 heating season, to expire September 1, 1977, to Gibbs Oil Company, 40 Lee Burbank Highway, Revere, Massachusetts, for the net delivered price of \$.3336 per gallon, including a constant increment of \$.0136 per gallon, in accordance with their proposal dated September 3, 1976; and it was further

VOTED: To award the bid for servicing and cleaning burners and boilers of Town buildings during the 1976-77 heating season, to expire September 1, 1977, to Interstate Gas & Oil Corporation, 239 Nobscot Road, Sudbury, for \$8.50 per hour from 8:00 a.m. to 5:00 p.m. on weekdays and \$11.50 per hour on nights, weekends and holidays, in accordance with their proposal dated August 27, 1976.

Selectman Potell reminded the Board of his comments at the meeting of August 23 at which time he recommended that no verbal or written contact take place, in advance of town bid awards, between department heads and prospective bidders. Selectman Potell added that his recommendation was made in connection with the procedure in which Chief Frost solicited bids for the recent purchase of a truck cab and chassis for the Fire Department and pointed out that Chief Frost had agreed with his aforementioned recommendation at that time. In this same connection, Selectman Potell brought to the attention of the Board the Fire Chief's letter dated August 18 on the subject of fuel oil supplies, in which he recommended a local fuel oil vendor on a public bid award and, by the same action, sent a copy to the recommended local vendor. Selectman Potell suggested that the Fire Chief's recent administrative actions concerning local public bidding warranted a letter of reprimand.

After further consideration and discussion, it was on motion unanimously

VOTED: That the Board of Selectmen reprimands Josiah F. Frost, Sudbury Fire Chief, and expresses its deep concern for the manner in which he, a public official, conducted himself in matters dealing with public bidding, by demonstrating a preference and prejudice toward certain vendors, which was not in good taste in the opinion of the Board, and unbecoming a Town official, and therefore, directs that all future such dealings or activities shall cease immediately.

Town Legal Services

The Board discussed the Executive Secretary's communication dated September 13, 1976, dealing with Town legal services and certain recommendations contained therein.

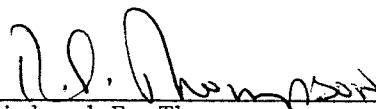
After further consideration and discussion, it was on motion unanimously

VOTED: To authorize the Executive Secretary to begin searching for a replacement for the present Town Counsel and to so inform Mr. David Lee Turner, Esquire, that the target date for completing the same is November 15, 1976.

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

VOTED: To adjourn the meeting at 10:00 p.m.

Attest:


Richard E. Thompson
Executive Secretary/Clerk