

IN BOARD OF SELECTMEN  
MONDAY, DECEMBER 12, 1977

Present: Chairman John C. Powers, Ira M. Potell 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 7:30 p.m. by Chairman John C. Powers.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the special meeting of December 3, 1977, and the Town Fathers Forum of November 28, 1977. Approval of the regular and executive sessions minutes of December 5, 1977, was tabled until the Board's next meeting.

1978 Annual Town Meeting - Non-Monied Articles

Executive Secretary Richard E. Thompson informed the Board that three non-monied articles had been received for submission for the 1978 Annual Town Meeting from Fire Chief Josiah Frost relative to amending sections 20, 21 and 22 of Article V, "Public Safety" of the Town Bylaws.

After brief discussion of the articles, it was on motion unanimously

VOTED: To accept the above-mentioned articles to be included in the 1978 Annual Town Meeting Warrant.

Memorandum of Understanding - Assistant Town Counsel

On the question of approving a revision to the Memorandum of Understanding of January 22, 1976, with Assistant Town Counsel, Thomas M. French, Executive Secretary Richard E. Thompson reported that he had discussed the matter with the Finance Committee liaison person, Linda Glass, who indicated concurrence with the same.

It was on motion by Selectman Ira Potell unanimously

VOTED: To accept the recommendations of the Executive Secretary and Town Counsel and to authorize the Executive Secretary to prepare a new Memorandum of Understanding with Thomas M. French based on their recommendations stated in their November 16, 1977 memorandum.

Reserve Patrolman List

It was on motion unanimously

VOTED: To table consideration of the question of appointing Reserve Patrolmen from the Division of Personnel Administration list dated November 30, 1977, until the Board's next meeting.

MAPC Water Quality Project Preliminary Report for SuAsCo Basin

The Board reviewed reports of the Conservation Commission dated November 1, 1977; the Board of Health dated November 30, 1977; the

Engineering Department dated December 6, 1977; and the Planning Board dated December 7, 1977, relative to the Metropolitan Area Planning Council Water Quality Project for SuAsCo Basin dated September 1977; and directed the Executive Secretary to submit these reports to the Metropolitan Area Planning Council as a joint package, and in addition, to inform the MAPC that the Board of Selectmen will forward its own report as soon as possible.

#### Warrant Reports

Following review and discussion, it was on motion unanimously

VOTED: To approve the warrant reports for the Board of Selectmen non-monied articles as prepared by the Executive Secretary. It was also agreed that the article entitled, "Historical Commission/Historic Structures Commission" should be reworded to agree with the approved report.

#### Repurchase of Cemetery Lot

On the question of voting to repurchase cemetery lot 146A, graves 5 and 10, in Old Town Cemetery, from Gordon A. and Phyllis A. Sampson, under authority provided in Section IX, paragraph 3, of the Town of Sudbury Cemetery Rules and Regulations, it was determined that the purchase price should be the same as the original purchase price on May 1, 1962, which was Forty Dollars (\$40.00) for both graves. The Executive Secretary stated that the original deed or document relating to purchase of the lot should be returned and filed with the Town. Chairman Powers said that the money to purchase the lots should be taken from the Cemetery Funds.

It was on motion unanimously

VOTED: To repurchase Lot 146A, graves 5 and 10, in Old Town Cemetery, from Gordon A. and Phyllis A. Sampson, at the price of Forty Dollars (\$40.00), the money to be taken from the appropriate Cemetery Funds.

(Sale of Lot and Perpetual Care accounts as broken down in the original purchase subject to the concurrence of the Town Accountant.)

#### Talent Search Committee Appointment

On the question of making an appointment to the Talent Search Committee, as recommended by Chairman Eileen Todd, it was on motion unanimously

VOTED: To make the following appointment:

Nora Hall, 94 Pokonoket Avenue, to the Talent Search Committee for a term to expire April 30, 1978, replacing James Doyle.

#### Resignation of John R. Carter, Jr.

The Board received a communication dated December 1, 1977, from Pasquale Piscitelli, Chairman, Park and Recreation Commission, regarding John R. Carter, Jr., who tendered his resignation from the Park and Recreation Commission, effective December 1, 1977. Said correspondence also suggested a meeting for the purpose of filling this vacancy.

The Board accepted Mr. Carter's resignation with deep regret and directed the Executive Secretary to acknowledge Mr. Carter's letter and to express the Board's appreciation for his years of service on the Park and Recreation Commission. The Executive Secretary suggested a date of January 3, 1978, at 8:00 p.m. in order to interview candidates. Mr. Powers, however, suggested a meeting first be held between the Board and the Park and Recreation Commission for the purpose of discussing the replacement.

It was on motion unanimously

VOTED: To invite the Park and Recreation Commission to attend the next meeting of the Board for discussion relative to procedure and scheduling for filling the vacancy occasioned by the resignation of Mr. Carter.

It was on motion unanimously

VOTED: To recess the meeting for five minutes at 7:35 p.m.

Utility Petition #77-81

Present: Mr. Robert L. Blake, Boston Edison Company

In conformity with General Laws, Chapter 166, section 22, the Board considered the following petition:

UP #77-81 Concord Road - Petition of Boston Edison Company and the New England Telephone & Telegraph Company for

Concord Road - at and easterly from Thompson Road - a distance of about 36 feet - conduit

Executive Secretary Richard E. Thompson reported that all appropriate abutters and Town officials had been notified and that a report dated December 2, 1977, recommending approval, had been received from the Wiring Inspector.

Chairman Powers requested to Mr. Blake of the Boston Edison Company that the petitioners file as-built plans with the Sudbury Engineering Department as to its "underground" location, as recommended in said above-mentioned report from Francis E. White, Wiring Inspector.

It was on motion unanimously

VOTED: To approve Utility Petition #77-81 for Concord Road as described above and shown on a plan drawn by C. B. Damrell, dated September 14, 1977, for the Boston Edison Company, and a plan #3-77 for the New England Telephone and Telegraph Company.

It was on motion unanimously

VOTED: To recess for 25 minutes at 8:05 p.m.

Lincoln-Sudbury Regional High School

Present: Fire Chief Josiah F. Frost, Police Chief Nicholas Lombardi,  
Juvenile Officer William Carroll, Lincoln-Sudbury School  
Committeemen Richard Brooks and Richard Davison, School  
Superintendent David L. Levington

Chairman Powers thanked members of the Lincoln-Sudbury Regional School Committee, Fire Chief Josiah F. Frost, Police Chief Nicholas Lombardi and Juvenile Officer William Carroll for coming this evening to discuss matters concerning law enforcement and public safety at the High School. Chairman Powers then read the following prepared statement:

"Thanks for coming to discuss law enforcement and public safety.

1. For the benefit of those who don't understand why the Board of Selectmen are involved:
  - A. We are responsible for law enforcement and public safety in the Town of Sudbury - and for protection of property and persons within the limits of the Town - whether it be the First National parking lot or the Regional High School.
  - B. The Legislature gave us that responsibility. We took an oath, as did every public employee, including the police, the Regional High Committee, and every policeman, fireman and teacher, to uphold the laws of the Commonwealth of Massachusetts. We all, as employees, elected or appointed, non-salaried or salaried, took that oath. We are bound by it.
  - C. We owe a duty to every person in this community - whether citizen or stranger, parent or child, adult or student, teacher or policeman or maintenance worker - a duty to see that he or she is able to go about the quiet pursuit of life without being subjected to violations of his or her property, or person, or civil liberty or undue risk of injury or death by fire or explosion from any source whatever.
2. The Board of Selectmen is not, and I repeat, is not, involved in academic policy, school programs, petitions, or debates about free time and scheduled time. Those matters are the sole and exclusive prerogatives of the School Committee.
3. Several years ago this Board and the Regional Committee met and discussed procedures which would, it was thought, maximize cooperation between the Regional and the Town - and allow the Town to meet its responsibility most effectively. It has become increasingly apparent to us that these procedures, while a good improvement over what was, are not now meeting satisfactory performance standards, and aren't really working well.
4. The purpose of this meeting is to examine the particular areas of concern - to try to identify the weak spots, and to find, hopefully, new procedures which will meet everyone's concerns.
5. To do this, we have asked the Fire and Police Chiefs to report to us upon the problems as they see them. In doing so, we have asked

them to be frank and open and to say it the way they see it. Of course, no names of students will be used. That would be unfair and unproductive.

I would ask that both Chiefs be allowed to finish their opening remarks before questions from either the Selectmen or the Regional Committee."

Fire Chief Josiah Frost said that in 1975 a fire prevention program began at the High School and that considerable money had been spent for a fire alarm system. At that time things improved with the cooperation of the new Superintendent and the Building Coordinator, but that lately there is a definite lack of communication with the Fire Department. June of 1977 was the last of three fires which caused considerable damage and which were not reported until some time after the fires had been extinguished. The Chief stated that the Fire Department should be notified immediately by the High School when any fires occur.

Police Chief Lombardi defended his recent televised statements by telling of the problems at the High School and by supporting his statements by reading letters from parents describing these problems, such as: drinking on the school grounds, smoking pot in the classroom with the approval of the teacher, sex in empty classrooms, gambling, damage to property (including fires), all of which do not create an atmosphere conducive to education. Chief Lombardi said that he hears very little about the drug traffic at the High School; in the 34 complaints received so far this year, none were drug-related. Chief Lombardi suggested that messages should be left with the Police Department when Officer Carroll is not available at the time a complaint is called in.

Juvenile Officer William Carroll stated that he seldom hears from school officials with regard to juvenile problems, but admitted receiving 4-5 suspension notices, in which case, he did speak to the juveniles involved.

Mr. Potell commented that some of the problems could be hearsay; however, circumstances are such that everyone has a right to be concerned.

Chairman Powers commented that all was not hearsay; that there was quite a bit of substantial information, and that if there is a violation of the law, something has to be done about it. Mr. Powers asked Chief Lombardi to cite specific cases or incidences of cover-up.

Chief Lombardi commented that on one occasion involving a stolen musical instrument, High School officials knew of the theft and location of the same merchandise in a pawn shop in Cambridge, but did not inform the police. Later Sudbury police uncovered the instrument and prosecuted the case at much unnecessary expense to the Town because of the lack of cooperation by school officials.

On another occasion, Chief Lombardi continued, a police officer witnessed a student pulling a false fire alarm and school officials tried to squelch the incident to no avail...the student was prosecuted and found guilty.

Mr. Richard Brooks, Lincoln-Sudbury High School Committee member, spoke on behalf of the faculty, stating that the faculty members feel damaged by the recent publicity. In addition, Mr. Brooks said that Mrs. Wofford asked him to apologize for not attending this evening, but that she was committed to a teaching assignment. Also, Mr. Brooks stated that the Committee was miffed at being summoned to the Selectmen's meeting on such short notice and suggested that the Lincoln-Sudbury Regional High School would be a better forum or place to hold such a meeting.

Chairman Powers responded by saying that the Board of Selectmen in every community has the responsibility to uphold the law and provide its citizens with proper fire and police protection, and, in this case, since the High School is located in Sudbury and not Lincoln, we have jurisdiction; however, the Lincoln Board of Selectmen was invited to attend this evening.

Mr. Brooks continued by saying that the vast majority of students do not participate in any of the negative things going on at the school. He suggested a part-time Youth Officer at the school to help the situation. He sympathized with Police Chief Lombardi in his frustration with youth problems. Mr. Brooks suggested the following: 1. Establish a policy for reporting crimes to the Police Department, resolving whether Officer Carroll should be the sole contact. 2. Police and Fire Departments, along with the school officials, should have a procedure to follow--an agreement, in order to arrive at the solution to the problem. 3. A meeting with Lincoln-Sudbury Chairman Joan Wofford should be scheduled. He further suggested: 1. A meeting be held on an annual basis between all concerned Town and school officials to review youth problems at the school. 2. A meeting should be held with Police Chief Lombardi, Fire Chief Frost, Executive Secretary Thompson, Superintendent Levington, (a representative group, not an open meeting), for the purpose of settling the allegations of Chief Lombardi and to smooth over the very bad feelings that exist between Chief Lombardi and the faculty.

Committeeman Richard Davison stated that there is a good relationship between Officer Carroll and Mr. Sargent and that Chief Lombardi's statements were out of proportion. Mr. Davison also suggested the need for a system of better communication between the Selectmen, the School Committee, the Police and Fire Departments.

Selectman Toomey asked if the faculty of Lincoln-Sudbury were represented by counsel tonight since a letter dated December 5, 1977, and received by Chief Lombardi seemed to imply a libel suit being brought against him. Superintendent Levington responded in the negative.

Superintendent Levington further responded that a faculty member had mentioned bringing suit against Chief Lombardi, but that the idea has not been pursued. He further stated that his relationship with both the Fire and Police Departments was an "amiable" one, and that the school officials do adhere to established procedures for reporting on student misbehavior that requires police attention. Mr. Levington disagreed with the Police Chief and stated that 48 contacts have been made with the Police Department since the beginning of the school year, according to a previously agreed-on procedure, and that the members of his staff are doing everything in their power to keep the peace and uphold the law at the High School. Superintendent Levington expressed his opinion that severe action should be taken against any

teacher who is disobeying the law, and expressed the need for better communication. Mr. Levington expressed his wish that the previously arranged meeting between the Chief and faculty had taken place...it may have resolved the issues without the Selectmen's interventions and discussion of the subject in a public forum.

Chairman Powers responded that the Chief was directed not to attend a meeting with the faculty scheduled for earlier this day because of the reasons expressed earlier in his opening remarks. Mr. Powers added that it was also for the Chief's own personal benefit, to have to answer questions of the faculty over statements he made on Channel 7, when the letter inviting him, unsigned, was distributed to Superintendent Levington; Chairman Wofford, Regional School Committee; Executive Secretary Richard Thompson; South Middlesex News; Concord Journal; Sudbury Town Crier; Boston Globe; Boston Herald; WNAC-TV (Channel 7). This gathering would not lessen friction or improve communications.

Selectman Toomey recommended that the Building Inspector also be included in any meeting of the Chiefs, school administration and faculty.

At this time, Police Chief Lombardi expressed his disagreement with Mr. Levington's statements.

After further consideration and discussion, it was on motion by Selectman Potell unanimously

VOTED: To schedule a meeting with a representative group: namely, one representative each from the Lincoln-Sudbury Regional High School Committee and the Board of Selectmen, Fire Chief Frost, Police Chief Lombardi, Superintendent Levington, Assistant Principal Sargent, Building Coordinator Santella, Juvenile Officer Carroll, Executive Secretary Thompson, Building Inspector White and a representative of the faculty of the Lincoln-Sudbury Regional High School.

It was noted by Chairman Powers that a tape of the minutes regarding the above-captioned item will be kept on file at the Board of Selectmen's office.

Chairman Powers adjourned the meeting--thanking all those in attendance; especially, members of the Lincoln-Sudbury Regional High School Committee and Superintendent Levington.

At this time, it was on motion unanimously

VOTED: To recess for 5 minutes at 9:45 p.m.

#### Executive Session

At 9:55 p.m., it was on motion following a unanimous roll call

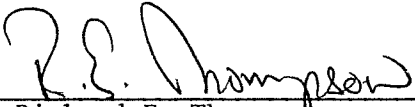
VOTED: To enter into Executive Session for the purpose of discussing fiscal year 1978-79 collective bargaining negotiations and discussing the reputation and character, physical condition or mental health rather than the professional competence of single individuals relative to reserve patrolmen appointments.

Chairman Powers announced that public session would reconvene following the executive session.

At 10:43 the executive session was recessed and the open meeting reconvened in order to inform the public that no further business would be conducted in open session this evening. Executive session was resumed.

Following the executive session, at 11:24 p.m., it was on motion unanimously

VOTED: To continue this meeting to Tuesday, December 13, 1977, at 8:00 p.m. in the Loring Parsonage.

Attest:   
Richard E. Thompson  
Executive Secretary-Clerk