

IN BOARD OF SELECTMEN
MONDAY, DECEMBER 19, 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.

Vacancy - Park and Recreation Commission

Present: Mr. Pasquale Piscitelli, Chairman, Park and Recreation Commission

The Board of Selectmen met with Mr. Pasquale Piscitelli, Chairman of the Park and Recreation Commission, for the purpose of discussing procedure and scheduling for filling the vacancy on the Commission occasioned by the resignation of John R. Carter. Mr. Piscitelli said that because he will be ending his term of office this year (Spring, 1978) the candidate filling the position should be a good administrator and particularly budget minded.

Executive Secretary Richard E. Thompson recommended 1) that the public be notified as to the vacancy, and that anyone interested in the position should contact the Board of Selectmen's Office for an application; 2) that a cutoff date of January 9, 1978 be set for the filing of applications with the Board of Selectmen; 3) that interviews and election be scheduled for the Selectmen's agenda on January 17, 1978.

Selectman Potell commented on the effectiveness of a newly-appointed person, in that he will only be available for approximately eight weeks before the election.

It was on motion unanimously

VOTED: To set a cutoff date of January 9, 1978, for the filing of applications with the Board of Selectmen; and to schedule interviews and hold an election for filling the vacancy on the Park and Recreation Commission at the Selectmen's regular meeting on January 17, 1978.

Reports from Town Counsel - Non-Monied Articles

a. In regard to the article "Town Officers/Time of Taking Office", Executive Secretary Richard E. Thompson referred to a letter dated December 7, 1977, to the Board of Selectmen from Town Counsel. The Executive Secretary further reported that the Finance Committee had reviewed and disapproved the article. Following discussion it was on motion unanimously

VOTED: To withdraw the article "Town Officers/Time of Taking Office" from the 1978 Annual Town Meeting Warrant.

b. In regard to the article "Increase Membership - Goodnow Library Board of Trustees", Executive Secretary Richard E. Thompson and Town Counsel reviewed with the Board of Selectmen the statute requiring that the Goodnow Library Board of Trustees have a number of Trustees which is divisible by three, and the preference of the Goodnow Library Trustees to increase membership to six, rather than nine.

c. Town Counsel Paul L. Kenny reviewed the Planning Board Articles and the Petition Articles with the Board of Selectmen. Selectman Toomey requested that Mr. Kenny submit to the Board of Selectmen, before the Annual Town Meeting, a written review in layman's terms of the Planning Board Articles and the Petition Articles.

Review of Remaining Budget Questions

Present: Paul L. Kenny, Town Counsel, and Francis E. White, Dog Officer

a. Law Budget 1978-79 - Executive Secretary Richard E. Thompson recommended that the Board increase Town Counsel's hourly rate (for court fees) from twenty-five dollars (\$25.00) to thirty-five dollars (\$35.00) and establish the amount of twelve thousand five hundred dollars (\$12,500.00) for his retainer. Chairman Powers requested a memo from Mr. Thompson in regard to his recommendation.

b. Dog Officer Budget 1977-78 - The Executive Secretary referred to a report from Dog Officer Francis E. White dated December 15, 1977, to the Board of Selectmen's Office and suggested that the Board approve the amount of expenditures called for in said report for the remaining six months of fiscal year 1977-78. Following discussion it was on motion unanimously

VOTED: To limit expenditures for Dog Control during the next six months (through June 30, 1978) to the amount of three thousand six hundred twenty-five dollars (\$3,625.00).

c. Dog Officer Budget 1978-79 - It was on motion unanimously

VOTED: To table approval of the 1978-79 budget for the Dog Officer until December 27, 1977.

d. Fire Department Budget 1978-79 - It was on motion by Selectman Potell unanimously

VOTED: To table consideration of the Fire Department budget question until later in the meeting.

Later in the evening, the matter of the Fire Department budget was taken off the table. The Board reviewed a memorandum dated December 16, 1977, from Fire Chief Frost, and the following items of concern were discussed: 1) house receivers for additional firefighters, 2) approval of providing overtime coverage while firefighters are taking courses.

Selectman Toomey disagreed that firefighters should be "covered" in order to take the listed courses and expressed his opinion that it was a set policy that such courses be taken in their spare time. The Executive Secretary was requested to check on said policy and obtain further explanation relative to the courses outlined in the Fire Chief's December 16, 1977, communication.

In connection with a statement made by Selectman Potell, "If the Selectmen cut a budget, a Department Head should not go to the Town Meeting with its original request," Chairman Powers referred to Mr. Potell's concern regarding "policies and procedures" having such a reference to avoid the same by saying that a behavioral code is not

Selectman Potell said "the attendance of the Town Planner at the Metropolitan Area Planning Council meetings" should be in the job description.

It was agreed by the Board of Selectmen to support the Planning Board in its inclusion of the position of Town Planner in the Classification Plan and Salary Plan for the 1978 Annual Town Meeting.

Board of Assessors - Revaluation Article

Present: Mr. Frank H. Grinnell, Mr. Arthur A. Babigian and Mr. Donald P. Peirce of the Board of Assessors

The Board of Selectmen met with members of the Board of Assessors to discuss the preparation of an appropriation article relative to revaluation. Proceedings under the 1977 Annual Town Meeting, Article 38, were reviewed, and it was the consensus of the Board of Selectmen and the Board of Assessors that the following article would be submitted by the Board of Assessors for the 1978 Annual Town Meeting, with the amount of appropriation to be determined by the Board of Assessors:

"To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$, or any other sum, to be expended under the direction of the Board of Assessors for updating property values in the Town of Sudbury in order to comply with the Massachusetts Supreme Judicial Court ruling requiring all property in the Commonwealth of Massachusetts to be valued at a full and fair cash value; or act anything relative thereto."

The Board of Assessors agreed to submit the preceding article for the 1978 Annual Town Meeting. Mr. Arthur A. Babigian requested that this article be at the beginning of the Annual Town Meeting warrant when there will be a good "cross-section" of people present and where the article will receive attention. The Board of Selectmen was in agreement.

MAPC 208 Water Quality - SuAsCo Basin

The Board considered the matter of sending a report to the Metropolitan Area Planning Council (MAPC) relative to the MAPC Preliminary Report on the 208 Water Quality Project for SuAsCo Basin.

Following discussion, it was on motion unanimously

VOTED: To authorize the Executive Secretary to prepare and submit, on behalf of the Board of Selectmen, an "Action Handbook" response on the above subject matter concurring with the Town Engineer's report dated December 6, 1977, with the exception of the following changes:

- 1) Page 96, item 1: eliminate the words "impact zoning".
- 2) Page 97, item 3: check "Disagree".
- 3) Page 99, item 4: check "Disagree".
- 4) Page 100, Implementation - strike items 1-4 (respond that the Town has already implemented items.)

VOTED: To adopt the following special speed regulation in accordance with the provisions of Chapter 90, Section 18, of the General Laws (Ter. Ed.) as amended:

"The following speed limit is established at which motor vehicles may operate on Warren Road,

Eastbound and westbound, between Lands End Lane and Clifford Road, a distance of approximately 0.17 miles; twenty (20) miles per hour."

Unpaid Taxes - Land Given to the Town by Maude Clark

It was on motion by Selectman Toomey unanimously

VOTED: To request the Board of Assessors to petition the Department of Corporations and Taxation to allow abatement of unpaid taxes, interest and penalties on a parcel of land given to the Town by Maude Clark, and accepted by the Town in 1967.

Serving Hours - New Year's Eve

It was on motion unanimously

VOTED: To grant permission to extend the serving hours on December 31, 1977, New Year's Eve, to 2:00 a.m. on January 1, 1978, to all holders of alcoholic beverages pouring licenses in Sudbury.

On a related subject, the Executive Secretary recommended that the question of reviewing the 1:00 a.m. closing time for restaurant/club alcoholic beverages license holders on Friday and Saturday nights only be placed on the agenda for the Selectmen's meeting on December 27, 1977. The Board was in agreement, and the subject was scheduled as above stated.

Bids for the Supply of Gasoline

The Executive Secretary suggested that the Board table the issue on gasoline supply since the ARCO Company (Atlantic Richfield), the Town's present supplier, is two cents lower per gallon than competitive bids received from Union Petroleum Corporation and Concord Oil Company; however, the Board has not received a renewal agreement from ARCO, and the question is whether or not the price will be the same for the coming year. It was on motion unanimously

VOTED: To table the issue of Town Gasoline Supply, until the Board's next meeting on December 27, 1977.

Resignation of Eunice H. Secatore, Board of Appeals

The Board received a communication dated December 14, 1977, from Eunice H. Secatore, who tendered her resignation from the Board of Appeals, effective immediately.

The Board accepted Mrs. Secatore's resignation with deep regret and directed the Executive Secretary to acknowledge Mrs. Secatore's letter and to express the Board's appreciation for her years of service

meeting on Decmeber 27, 1977.

Executive Session

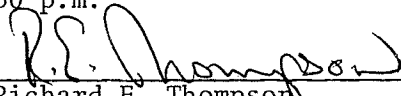
At 10:15 p.m. it was on motion following a unanimous roll call

VOTED: To enter into Executive Session for the purpose of discussing the question of approving gifts from the Discretionary Fund for the holiday season and discussing the reputation and character, physical condition or mental health rather than the professional competence of a single individual.

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

VOTED: To adjourn the meeting at 10:30 p.m.

Attest:


Richard E. Thompson
Executive Secretary-Clerk