

IN BOARD OF SELECTMEN
MONDAY, OCTOBER 17, 1977

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

The statutory requirements as to notice being fulfilled, the meeting was called to order at 7:30 p.m. by Chairman John C. Powers.

Special License - Sale of All Alcoholic Beverages - Sudbury Youth Hockey Association

In response to his request, it was unanimously

VOTED: To grant a special license for the sale of all alcoholic beverages to Arthur Babigian for a Sudbury Youth Hockey fund-raising event to be held in the Parish Hall of Our Lady of Fatima Church, 160 Concord Road, on Friday, November 4, 1977 from 5 p.m. to 12 midnight.

Ambulance Operations - Policies and Procedures

Present: Fire Chief Josiah F. Frost; Police Chief Nicholas Lombardi; Captain James Devoll, and Firefighters George Abrahamson, Peter Devoll, David Frost, John Young, and George Place; Town Accountant John H. Wilson.

Executive Secretary Richard E. Thompson reported that the Board, at its meeting on October 3, 1977, after a brief review of the ambulance operations relative to policies and procedures, voted to continue the review until October 17 to allow correlation of Police/Fire data on ambulance responses and to request that members of the Ambulance Task Force attend as well as the Fire and Police Chiefs. Mr. Thompson reported that, although the members of the ambulance task force had been invited, none had responded.

Fire Chief Josiah F. Frost and Police Chief Nicholas Lombardi were now in attendance and Chairman Powers requested their comments and suggestions.

Fire Chief Frost stated that the ambulance service had begun and was running with less trouble than anticipated, that the EMT's are giving the best care, that the unit is working very well, and that the cooperation between the Fire and Police Departments is excellent. Chief Frost stated that call-back time is down to a minimum and that he was quite pleased with the operation.

Police Chief Lombardi stated that he was very pleased with the procedure, that there were a few personnel problems which must be ironed out, that a few complaints have been received about the number of fire vehicles, but that the service is fine and that he could see nothing wrong with the present handling.

The composite chart of the Police and Fire logs was reviewed, and Chairman Powers stated that it was the Board's opinion that at times too many vehicles respond to a single call, which seemed especially true in the beginning of the service. Chairman Powers cited a particular case which indicated that seven vehicles had responded, and he asked whether this procedure was becoming less frequent.

Chief Frost stated that normally three fire and one or two police vehicles respond to accidents.

Chairman Powers asked whether it was necessary that the Captain attend each emergency scene.

Chief Frost stated that the Fire Captain is in charge of a group of men, that his responsibility is to see that his men do the job. and that, if the Captain must answer to him as Chief, it is the Captain's prerogative to attend. Chief Frost stated that, if the Board was strongly opposed to this practice and would put that opposition in writing, he would give it due consideration, but that it is present policy that the Captain attend all emergency calls.

Chief Frost stated that, in his opinion, the Captain is a very valuable asset to allow the EMT's and the police to attend the medical emergency.

Other cases were discussed, and Chairman Powers, noting that when two EMT's were in one particular location, it seemed to keep the vehicles down, asked Chief Frost whether there was any virtue in scheduling two EMT's together.

Chief Frost stated that he could not so schedule without additional men, and he further stated that there is no way to anticipate where the emergencies will occur and that also to be considered is the practice of the immediate dispatch of an EMT from the nearest station because of the value of getting medical aid to the scene as soon as possible. Chief Frost stated that the Fire Department's goal is to be able to reach any location in Town within four minutes.

Chief Frost stated that because of the criticism of the number of vehicles at the scene he will run the smaller brush truck, which will be equipped with medical supplies, from District 2 rather than an engine and that the rescue truck will respond in District 1.

Selectman Toomey stated that, in his opinion, the Board's concern is the total amount of moving equipment. He congratulated the Fire and Police Chiefs for compiling the data for the review tonight, but stated that it was felt that too many people and too much equipment are responding to ambulance calls --that the decision concerns protection of persons and property, that the Board wants adequate response, but that too much money is being spent. Selectman Toomey asked why, in cases when a police EMT was present on the scene, he could not go along in the ambulance with the Fire EMT.

Chief Frost responded that the present procedure was the recommendation of the Ambulance Task Force, that he had reduced his call-back from two men to one man, but thought it unwise to have a Firefighter in the ambulance working with a police EMT over whom he has no control. Chief Frost stated that the Fire Department has worked very cooperatively with the Police Department and that call-backs are less than budgeted for.

Referring to the Standard Operating Policy for the Use of the Sudbury Ambulance, which was set forth in a communication dated June 27, 1977 from Chief Frost to all Fire personnel, Chairman Powers stated there is nothing

in the procedure that says it is impossible or improper for one of the EMT's to be a police officer regardless of who controls, and he asked whether either departmental control would make any difference as to what kind of apparatus arrives at the emergency scene or whether there would be some other problem.

Chief Frost stated that the amount of Fire apparatus would not change no matter who drove the ambulance because they send the nearest EMT. Chief Frost stated that an EMT is sent because it is not known whether he will be necessary, and that he (Chief Frost) is responsible for the three vehicles that respond -- the nearest EMT, the ambulance, and the Captain's car.

Chairman Powers asked whether it had been determined in what time period most medical emergencies occur.

Chief Frost responded that the highest incidence occurs between 3 p.m. and 6 p.m. and that fifty-three of the eighty-nine emergencies have occurred during the day shift.

Chairman Powers suggested that perhaps the EMT's could be scheduled to the best advantage during these hours.

Chief Frost stated that these calls are scattered throughout the Town and that it would be impossible to anticipate scheduling in this way.

In response to the Board's question, Fire Chief Frost stated that there are presently thirteen EMT's in the Fire Department and four men presently being trained, and Chief Lombardi reported that his Department has sixteen EMT's, and he reaffirmed his earlier statement to the Board that, in his opinion, spending money to train EMT's in the Police Department was a waste if the ambulance was going to be run by the Fire Department.

Chief Lombardi suggested that the Board inform the Chiefs in writing what their problems were and let them work them out.

The Board asked whether the EMT first on the scene could clarify the situation and call by radio for the necessary equipment.

Chief Frost stated that there has been, on occasion, recall of the ambulance in this manner.

Selectman Potell stated that the purpose of the procedure is to get aid to the people as quickly as possible, and he noted that there were some medical aid responses which were not also covered by the Police and questioned whether this was a problem of communication.

Chief Frost stated that they are aware of Police calls through their radio, but do not respond unless asked, and that when the Fire Department is called they in turn notify the Police.

Captain James Devoll stated that 99% of the calls are received by the Police Department and that usually the person receiving the call asks whether personal injury is involved.

Chairman Powers noted that the number of responding vehicles seemed to decrease from July 1 to the present time, and he again suggested that it might be possible for the Fire Chief to position and schedule his EMT's as experience would indicate. Chairman Powers stated he also thought it an improvement to use the rescue truck and small brush truck rather than ladder trucks, but that the Board would still like to reduce the three responding vehicles.

Finance Committee member Anne Donald stated that it was her recollection at previous discussions with regard to operating procedures that it had been the consensus that the policeman's duty is to remain in Town so as not to reduce police protection, and she stated that, in her opinion, this was an important point.

Selectman Toomey stated that before the present procedure was adopted, it was understood that the responding police would pick up a man on the way to the scene.

Chairman Powers stated that with the arrival of the ambulance, the number of transport calls has seemed to escalate in Sudbury and in some other towns, and he asked for the percentage increase.

Chief Frost stated that the number last year ran about 365 and that the first 89 days of ambulance service had indicated 73 calls.

Selectman Potell asked what success there had been in billing.

Town Accountant John H. Wilson stated that the billing process is working well, that collections are coming in fairly well, that the original bills went out quite late and that, once the bills are out for 60 days, in his opinion, the collection rate will improve and should hit the 60% mark by next Spring.

The Executive Secretary distributed updated billing and collection figures (dated October 17, 1977) to the Selectmen.

Selectman Potell stated that the ambulance figures did not indicate the cruiser runs which would raise the total number of runs to 104, confirming Chairman Powers' earlier remark relative to the increase in the number of hospital runs.

In response to the Board's question, Chief Lombardi stated that the nature of the injury determines transport in the cruiser.

Selectman Potell asked whether the Police would dispatch a cruiser for transport if it were determined that it was not necessary to use the ambulance.

Chief Lombardi assured the Board that this would be possible, but that in his opinion, a cruiser would most likely already be on the scene.

Chairman Powers again asked Chief Frost to consider the question of trying to alter his scheduling of EMT's during the period of the biggest drain in an effort to determine whether this would result in a reduction of vehicles.

Chief Frost stated that he would run for a month without the Captain's car, but that he could not alter his schedule of EMT's as there is only one on each shift at each station.

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

VOTED: To schedule another review of the ambulance operations relative to policies and procedures in three months.

Selectman Potell suggested that the Board act on Police Chief Lombardi's suggestion to put in writing the Board's objections in this matter for resolution by the Chiefs.

Chairman Powers expressed his opinion that a written memorandum was not necessary as they were now aware of the Board's objections, but that the Board would await their report.

Fire Chief and Police Chief's Reports - July 15, 1977 Motor Vehicle Accident

The Board noted receipt of the July 26, 1977 report from Fire Chief Josiah F. Frost, and the July 19, 1977 report from Police Chief Nicholas Lombardi relative to a motor vehicle accident on July 15, 1977 at Boston Post Road and Stone Road.

Insurance Advisory Committee - Town Insurance

Present: Town Accountant John H. Wilson, Chairman, William Reed and John Naatz of the Insurance Advisory Committee; Charles Hall, Hall's Insurance Agency; Police Chief Nicholas Lombardi, and Fire Chief Josiah F. Frost.

The Board, at its meeting on September 26, 1977, following a lengthy discussion of recommendations made by the Insurance Advisory Committee relative to Town Insurance, voted to purchase Ambulance Attendants Malpractice Insurance and Indemnification of Municipal Employees Insurance immediately, authorizing an expenditure from Account 950-31 therefor, and to request the Hall Agency to further research the question of indemnifying all EMT's against malpractice in the performance of their duties as EMT's and to report back to the Board in this regard as soon as possible.

Executive Secretary Richard E. Thompson reported that the Board had received a response dated October 14, 1977 from Town Accountant John H. Wilson and this report was discussed.

The report addressed the following subjects:

Ambulance Attendants Errors and Omissions Insurance - In accordance with the Selectmen's above-referenced vote, Ambulance Attendants Errors and Omissions insurance with limits of \$100,000 for each claim and \$300,000 in the aggregate had been purchased at a cost of \$375 per year, but this policy does not provide all the necessary coverage and should be increased to \$300,000/\$500,000 and should cover all police and fire vehicles that are likely to be called upon to respond to an emergency and which provide emergency medical technician coverage, the cost of which would probably exceed \$2,000.

Mr. Charles Hall stated that the costs for an increase in limits and the additional vehicles are on a sliding scale, and that anyone treating an emergency victim must respond in a insured vehicle.

Selectman Potell stated that the Board also wants coverage for all EMT's who respond in case of possible malpractice suits.

Mr. Wilson stated that this policy covers the ambulance and those who respond in the ambulance.

Mr. Hall was asked to research costs of available insurance for malpractice suits for all EMT's.

Public Official Liability Insurance - Final data have been gathered for the Public Official Liability Insurance (School Committee and school personnel excluding as they must be insured under a separate Board of Education Liability policy), and this coverage will be purchased as soon as possible in accordance with the Selectmen's vote of September 26, as referenced above, total cost for which should not exceed the most recent estimate of \$3,600. Mr. Hall stated that there is no present coverage of this type.

Town Buildings - Insurance Advisory Committee recommends that the value of Town buildings be reduced to the 80% level and that the amount of the deductibles be increased to \$25,000, with the exception of the Hosmer House and the Loring Parsonage which should be revalued upward to \$75,000 each. The Committee also requests the Selectmen's approval to include the estimated costs of an appraisal in the FY1978-79 insurance budget.

Chairman Powers asked that the Hosmer barn be removed from the policy, and after discussion, it was on motion by Selectman Potell unanimously

VOTED: To adopt the recommendation of the Insurance Advisory Committee with regard to Town Buildings, as set forth above.

Selectman Potell suggested that because Sudbury Center had been placed on the National Register of Historic Places, there might be some type of Federal insurance available for these buildings of which the Town could avail itself.

Mr. Thompson stated that he would look into this possibility.

Automobile Physical Damage Policy Deductibles - Insurance Advisory Committee recommends acceptance of automobile physical damage policy deductibles of \$1,000 for all vehicles with the exception of police vehicles which could carry a deductible of \$200, as the frequency of accidents by types of vehicle substantiate this recommendation.

Mr. Wilson stated that the last two pages of his report indicated the type of losses and the amount paid since 1974--figures which bear out that a reduction in cost should be realized.

After discussion, it was on motion by Selectman Potell unanimously

VOTED: To authorize the adoption of the Insurance Advisory Committee above-referenced recommendation relative to automobile physical damage policy deductibles.

Senator Chester Atkins, who was present in advance of a later meeting with the Board, advised the members of the Insurance Advisory Committee that several years ago the State Supreme Court gave the Legislature a specific time period in which to come up with legislation specifying governmental immunity. Senator Atkins stated that the bill which resulted would extend the protection of the Good Samaritan Law to EMT's and has limited the liability relative to EMT's to \$100,000. Senator Atkins stated that he plans to vote in favor of the legislation, as, in his opinion, if it is not passed, there will be no limits.

Town Accountant John Wilson expressed his opinion that, whatever limit was voted, suit would probably be brought at or above that limit, and he suggested that perhaps something less than the \$100,000 level might be acceptable.

Compulsory and Binding Arbitration Legislation

Present: Senator Chester G. Atkins.

Senator Chester G. Atkins met with the Board to discuss legislation relative to compulsory and binding arbitration. Senator Atkins reported that Senate Bill No. 1924, an Act providing for the establishment of a joint labor-management committee to oversee municipal police and firefighter collective bargaining and arbitration proceedings, is purported to be a compromise of understanding signed by the Massachusetts League of Cities and Towns (MLCT), the Massachusetts Selectmen's Association, the Association of Town Finance Committees, Massachusetts Municipal Managers Association, the Massachusetts Association of Mayors, the International Brotherhood of Police Officers, the Massachusetts Police Association, and the Professional Firefighters of Massachusetts. Senator Atkins stated that, in his opinion, the bill provides a very healthy opportunity to try something different in the area of arbitration, that the law will be in effect only until 1979 and will provide a data base to look at for a permanent solution to this problem.

Senator Atkins reported that John Dunlop, former Labor Secretary and presently a professor at Harvard, partially authored the bill which is largely the result of a committee which he chaired and is expected to continue as the

Chairman of a thirteen-man committee made up of six union members--three representing firefighters and three representing police officers--and six members nominated by local government officials. If the Committee determines that an impasse exists, it would specify the issue or issues to be arbitrated, nominate the panel of neutral arbitrators, and determine the form of arbitration.

Senator Atkins stated that he was meeting with the Selectmen tonight to answer questions and to lobby for the Board's support for this legislation.

Selectman Toomey stated that he had resigned from the Board of Directors of the MLCT a week before the telephone vote regarding this proposed bill was taken, and he expressed his concern that the vote was not taken at a meeting duly called at which a quorum was present. Selectman Toomey also expressed his concern with the manner in which the bill was proposed, stating that the matter should have been discussed at the upcoming Annual Meeting of the MLCT, and he further objected to the timing of the bill as the cities and towns are trying to get a local control initiative petition drive under way which would amend the present compulsory arbitration law by providing for local voter approval of an arbitration award. Selectman Toomey stated that, in his opinion, the proposal should have been delayed until it could receive the vote of the membership of the MLCT.

Chairman Powers stated that there is a very strong feeling that the procedure set forth to the Directors and leadership and Legislature was simply not voted, which may cloud the issue. Chairman Powers stated that members of the Legislative Committee knew nothing about the bill procedure, and he further stated that the Sudbury Selectmen took the Legislation and ran it through the Town's Labor Relations Counsel, Richard W. Murphy, and had since received his report (dated October 13, 1977), which he then read. The letter stated that each attorney (eight in number) in the law firm of Murphy, Lamere and Murphy had independently analyzed the proposed law dealing with the institution of a Joint Labor-Management Committee and it was the unanimous opinion of all concerned that the proposed law is detrimental to the public good, is putting enormous unbridled power in one individual and, rather than streamlining collective bargaining, is adding another layer to the process resulting in further delays and greater expenses.

Chairman Powers stated that the Board had not yet had the opportunity to discuss the bill with Mr. Murphy, but that it would appear that the Boston Police Patrolman's Association's position is similar to that of the Murphy, Lamere and Murphy firm. Chairman Powers reported that no vote on the matter had yet been taken by the Selectmen and that he would wait with an open mind until the Annual Meeting in Hyannis. Chairman Powers further stated that what bothered him was that the point of the petition was aimed at the proposition that either party could take the matter to the tax-paying public by placing it on the ballot to accept or reject, and if the public voted no, it would send the parties back to the negotiating table for further bargaining, which would return to the public the right to control expenditures; he further stated that the Board would try to register its opinion at the Hyannis meeting.

Senator Atkins recommended that the Selectmen attend and address their concerns to a panel on which he will sit with John Dunlop, and he offered the Selectmen the services of Senate Counsel if the Selectmen or the Town's Labor Relations Counsel have specific technical questions regarding the right to control what is in the collective bargaining agreements.

Selectman Toomey stated that he attended a meeting of the Walpole Selectmen last week and he reported that that Board is very concerned with the proposed legislation and had received 800 signatures on their petition. Selectman Toomey further reported that it is the general feeling that the timing of the legislation was horrendous and that a bargain was struck by a staff person.

Chairman Powers stated that the Local Government Advisory Committee (LGAC) was the arm directing the legislation, along with subcommittee members of the LGAC working with Mr. Dunlop and one Selectman, and he further stated that, unfortunately, the procedure is a different matter than whether the legislation is a good or bad compromise and, when voted, in his opinion, those issues might not be separated as they perhaps should be. Chairman Powers stated that the Board and Counsel are of the opinion that the legislation places the vote in the hands of Mr. Dunlop; he mentioned Mr. Dunlop's comment that the proposal is good because it gets both sides, top management and the union together.

Senator Atkins informed the Board that Mr. Dunlop will address the Hyannis meeting.

Special Police Bill - House Bill 6170

Present: Senator Chester G. Atkins.

Senator Chester G. Atkins met with the Board to discuss House Bill No. 6170 relative to the appointment of Special Police in the Town of Sudbury. The Board had earlier received his communication on the subject dated October 7, 1977.

Senator Atkins reported that sometime in May the Board filed a bill pursuant to the 1977 Annual Town Meeting to clarify the procedure of appointing Special Police, as there is no statutory authority for such an appointment. Senator Atkins stated that, at that time, everyone assumed the bill was an innocuous piece of legislation and it was reported out favorably by the Public Service Joint Committee, that he had some question about the bill at the time, but had not said anything, and, subsequently, the bill was ordered to a third reading in the Senate with problems of Senate Counsel as to the bill's constitutionality. Senator Atkins reported that he had spoken with Assistant Town Counsel Thomas French and Executive Secretary Richard E. Thompson last week when they met with Senate Counsel on the matter, and he further stated that a similar bill had been filed by North Reading.

Senator Atkins reported that the proposed appointment of special police would be of questionable legality in light of the Wyzanski decision in the Castro vs. Beecher case on police appointments and that opposition from the Counsel of the Division of Personnel Administration and from several police

organizations had been expressed because of the question of constitutionality. Senator Atkins stated that he had suggested to Mr. French that an advisory opinion on the constitutionality of the bill be requested from the Supreme Judicial Court before action by the legislature; he further reported that he had functioned on behalf of the bill and would take whatever action the Board now wished in the matter.

Chairman Powers stated that special police have been appointed for over 100 years, that they have nothing to do with the regular, full-time police department--have never had and probably never will have. Chairman Powers stated that there is statutory authority for making such appointments, that the Board's question has nothing to do with appointment power, but only with trying to keep the special police officer from being subjected to liability if a problem involving one of these individuals ever arose.

Senator Atkins stated that a number of people who have a substantial amount to do in this area have indicated that the proposed bill is unconstitutional and that there is substantial opposition which leads him to believe, that 1) from advice of the Department of Division of Personnel, the Governor will veto the legislation if it passes, and 2) that he cannot put together the votes for this piece of legislation. Senator Atkins stated that he would carry this bill through if that is the wish of the Board, but, because it is not a technical bill, he would again suggest that to obtain an advisory opinion from the SJC would perhaps be the prudent way to proceed.

Mr. Thompson expressed his opinion that no unanimity as to the bill's unconstitutionality had been expressed in the earlier meeting with Senate Counsel and, in response to the letter, dated October 6, 1977, from the Legal Counsel for the Division of Personnel Administration to Senator Atkins, as Chairman Powers had earlier indicated, the Board cannot appoint special police as regular patrolmen.

Senator Atkins stated that he wishes to receive direction from the Board in the matter of the bill, again stating that he thought it unwise to proceed without the advisory opinion.

Discussion continued as to the time delay that such an opinion would cause and the fact that receipt of the opinion could not be assured before the court adjourned, which might preclude action on the bill during this session.

Selectman Toomey stated that the Town Meeting had voted to file the legislation in this session of the Legislature and for this reason it should be presented at this time.

Chairman Powers expressed the Board's hope that Senator Atkins would put the bill on the floor and, if it turns out that it does not pass, the Board would try something in the future to assure its passage.

Senator Atkins stated that it would be unwise to proceed into "utter defeat" and again suggested that the Board obtain an opinion from the SJC as to the bill's constitutionality.

Chairman Powers stated that he had no difficulty with the bill's constitutionality.

Selectman Potell agreed that Senator Atkins should proceed, stating that the Board only wishes to protect the Town's special police officers in an area the General Court has overlooked, and that thousands of people in the Commonwealth are now unprotected.

Senator Atkins again advised the Board to wait for an opinion, that it would be a question of weeks before an opinion would be received, but that it was his belief that the bill would be brought back in some form and that the Legislature has indicated its willingness to put a priority on it.

Selectman Toomey stated that it was his opinion that Senator Atkins should proceed.

Chief Lombardi stated that, if this issue is creating a big problem with the Board, reserve patrolman could be appointed, that he had asked the Massachusetts Policemen's Institute for an opinion as to liability, and that they had responded that the special police officers were never treated any differently than regular police officers and that there was no problem with liability.

Mr. Thompson expressed his opinion that there is a problem with liability.

Chief Lombardi stated that there was an opinion from the Massachusetts Policemen's Institute in 1898 which stated that there was no distinction between the special and regular police officers.

Town Counsel Paul Kenny stated that on two occasions he had been requested by the First District Court of Essex County to assist the District Attorney and the Police Prosecutor when the question had come up-- that in one case the charge held and in the other it had not. Mr. Kenny stated that he had also read the opinion referred to by the Chief and, in his opinion, it is not definitive.

Selectman Potell agreed that Senator Atkins should proceed, and Chairman Powers stated that the Senator had his direction. Chairman Powers further stated that the legislation had been a command from the Town Meeting to present a bill and that the Board is of the opinion that it is important to the principle of home rule.

Senator Atkins stated that he would carry out the Board's wishes, but that, in his opinion, such action was the height of folly.

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

VOTED: To direct Senator Atkins to proceed with the presentation of the Board's petition (House Bill No. 6170) relative to the appointment of special police officers to the General Court of the Commonwealth of Massachusetts.

Sudbury Auxiliary Police - Five-Year Plan

Present: Lt. Edward Murphy, Barry Real, and several other members of the Auxiliary Police; Police Chief Nicholas Lombardi; Patrolman Alan Houghton.

The Board, at its meeting October 11, voted to continue consideration of the Sudbury Auxiliary Police's request to deviate from that unit's five-year plan by the purchase of a patrol vehicle in FY1978 rather than FY1979 until Selectman Toomey was present. The Board, also at that meeting, voted to refer several matters to Town Counsel relative to 1) what statute authorizes the Auxiliary Police to patrol Town-owned lands, 2) the Town's liability if any arrest, accident, or other event happens on the part of or caused by an Auxiliary Police Officer, and 3) whether Auxiliary Police training, as referenced in State statute, is defined as supervised training or could it be unsupervised training.

The Board had since received a report dated October 14, 1977 from Town Counsel Paul Kenny, which addressed the above issues, and the report was reviewed. Mr. Kenny stated that the Auxiliary Police have the full power and duties of police officers if so empowered by the Police Chief.

Chairman Powers stated that, at the Board's October 11 meeting, the Executive Secretary had recommended that the Board support the purchase of the patrol vehicle at this time, with the concurrence of the Finance Committee and the approval of the Town Accountant.

Selectman Potell stated that he had been called prior to tonight's meeting and informed that there will be a letter forthcoming from the local police union, indicating a vote on this question; their position being in opposition to the proposal (15 members opposed; one in favor; 3 abstentions).

Selectman Toomey commented that tonight's discussion is the third on this issue during the last month, and he questioned why there had been no previous input.

Police Chief Lombardi, in response to the Board's question, expressed his strong support of the Auxiliary's proposal.

After further discussion, it was on motion

VOTED: To authorize the expenditure of \$750 for a vehicle for the purpose of patrol by the Auxiliaries to be used under the direction of the Chief of Police in accordance with the Auxiliary's communication on the subject, dated August 19, 1977. (Chairman Powers and Selectman Toomey in favor; Selectman Potell opposed).

Chairman Powers again urged the Auxiliary unit to discuss the matter with the Finance Committee, and Mr. Murphy stated that they would be very happy to accept Chairman Powers' suggestion.

Obsolete Town Machinery

Executive Secretary Richard E. Thompson requested the Board's authorization to dispose of obsolete machinery in various Town Departments. Mr. Thompson stated that he had received inquiry in this regard from the Town Engineer, dated October 17, 1977, the Board of Assessors, dated October 14, 1977, and the Treasurer, dated October 14, 1977.

After a brief review of the above-referenced requests, it was on motion by Selectman Toomey unanimously

VOTED: To authorize the Executive Secretary to dispose of a check signing machine and one adding machine belonging to the Treasurer's office in the manner he sees fit;

and it was further

VOTED: To table further requests of this nature until all departments can be contacted for any similar requests and subsequent receipt of the same.

Receipt of Communications Relative to the Lincoln-Sudbury Regional High School

Chairman Powers stated that a recent item in the South Middlesex News suggested that a Town resident received a letter from persons unknown which threatened not only his home but his family with violence. Chairman Powers stated that he felt an immense sense of shock and sorrow that a point has been reached where a citizen has been subjected to this type of action and, in his opinion, the Townspeople should look around and exercise a little speaking up in the matter of morality.

Chairman Powers stated that, in his opinion, the Board should express shock, that it should send a copy of the offending letter to the press and to the members of the clergy of this Town. He stated that the letter has gone to the Police Chief and that he would assume it has gone to the Lincoln-Sudbury Regional District Superintendent.

Selectman Toomey expressed his opinion that the Board should first contact the recipient of the letter and his associate, who was also mentioned, as to their feeling in the matter, that he had happened to meet the individual for the first time and that it was his impression that he would rather the matter not be made public.

Chairman Powers stated that, in his opinion, it is something that must be said as a statement from the Board of Selectmen.

Selectman Potell stated that he had a tremendous sense of shame that this could happen in this community.

Selectman Toomey suggested that the Chairman contact the two individuals mentioned in the letter, informing them what the Board would like to do in the matter, asking them if such action would meet with their approval, and, if so, ask the Chairman to prepare a formal statement for referral to the press and the clergy.

Selectman Potell was in agreement.

Also received was a copy of an informational letter dated October 7, 1977, relative to the Regional High School, which had been sent to a Regional High School Committee member.

It was noted that a copy had been sent to Police Chief Lombardi and it was suggested that a copy be forwarded to Superintendent Levington for his comments.

Town Warrant Schedule - Budget Submission Schedule

After discussion, during which Selectman Potell asked the Executive Secretary to check the Bylaws relative to the recipient of articles on the warrant closing date in advance of possible correction of the 1978 Town Warrant Schedule, it was on motion unanimously

VOTED: To approve the Town Warrant Schedule (1978 Annual Town Meeting) and the 1978-79 Budget Submission Schedule as prepared by the Executive Secretary, dated October 17, 1977.

Minutes

It was on motion by Selectman Potell

VOTED: To approve the minutes of the regular session of Tuesday, October 11, 1977, as submitted.

Appointments

It was on motion unanimously

VOTED: To defer the Board's consideration of the Board's remaining 1977 appointments until the next meeting.

Rail Rehabilitation

Chairman Powers informed the press that notice dated October 12, 1977 had been received from Peter J. Metz, Assistant Secretary, Executive Office of Transportation and Construction, that the Commonwealth has completed a contract for \$385,940.25 with Railcon Corporation of New Jersey to rehabilitate the Lowell Secondary Line to Class I track standards from South Sudbury to Chelmsford, the work to be funded in part by a grant from the FRA (90%) and the remaining 10% to be funded by the State.

Compulsory and Binding Arbitration Petition Drive

The Board, at its meeting on October 11, 1977, voted to designate Selectman Ira M. Potell as the voting delegate for the Town of Sudbury at the Massachusetts League of Cities and Towns' (MLCT) Annual Business Meeting, commencing at 4 p.m. on October 21, 1977 in Hyannis.

Selectman Potell now asked the Board's guidance as to what further action the board would like him to take at that meeting relative to Senate Bill No. 1924, compulsory and binding arbitration legislation.

It was the consensus of the Board that Chairman Powers' informational memorandum to the Board of Selectmen dated October 11, 1977 should be distributed to the Executive Board of the MLCT.

Sign Review Board

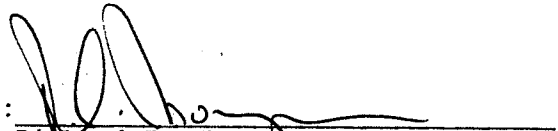
On the subject of unauthorized signs at the Shell station and "99" Restaurant and unregistered junk cars at a location on Maynard Road which had earlier been referred to the Zoning Enforcement Agent for disposition, Selectman Potell reported that, as of this date, none of these problems had been resolved. Selectman Potell asked that a report from the Zoning Enforcement Agent be requested.

Chairman Powers and Selectman Toomey were in agreement.

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

VOTED: To adjourn the meeting at 10:35 p.m.

Attest:


Richard E. Thompson
Executive Secretary-Clerk