

IN BOARD OF SELECTMEN
MONDAY, DECEMBER 11, 1978

Present: Chairman John E. Murray and Robert J. Hotch.

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

Serving Hours: New Year's Eve

It was on motion by Selectman Robert J. Hotch unanimously

VOTED: To grant permission to extend the serving hours on December 31, 1978, New Years Eve, to 2:00 a.m. on January 1, 1979, to all holders of alcoholic beverages pouring licenses in Sudbury.

Award Gasoline Bid for Town Vehicles

Town Counsel explained that Atlantic Richfield Company holds the Town's allocation under federal regulations and is obligated to supply our requirements if so requested; however, under State law, a Town must go through the bidding process when expending in excess of \$2,000 a year, and it was his opinion that the Town is under obligation to accept a bid received unless it is in the best interest of the Town to repeat the bidding process. (The bid cannot be awarded to someone who did not bid.)

Town Counsel stated that the Town of Sudbury awarded the bid to furnish gasoline for Town vehicles to Union Petroleum Corporation last year, but that this year their bid (higher than that of Concord Oil) was received late, and he recommended that the Board award the bid to the only eligible bidder this year, Concord Oil Co., Inc.

Selectman Robert J. Hotch asked if it is unusual that the Town received one bid.

Executive Secretary Richard E. Thompson stated that other communications were received from Texaco, dated November 21, 1978, from Mobil Oil Corporation dated November 15, 1978, from Clene-Heat dated November 15, 1978, and from Exxon Company dated November 17, 1978, all indicating they were unable to bid at this time. Mr. Thompson continued to say that suppliers of gasoline are hesitant to bid due to the allocation commitment under the federal regulation.

The Executive Secretary recommended that the Board award the bid for furnishing gasoline for Town vehicles to Concord Oil Co., Inc., based on Town Counsel's recommendation.

Following further discussion it was on motion by Selectman John E. Murray unanimously

VOTED: To accept the bid of Concord Oil Co., Inc., of Concord dated November 29, 1978, for furnishing gasoline at a price of \$.5690/gallon including Massachusetts tax, based on Gulf Oil Posted Consumer Tank Wagon price of \$.4840/gallon, and unleaded gasoline at a price of \$.5940/gallon including Massachusetts tax, based on Gulf Oil Posted Consumer Tank Wagon price of \$.5090/gallon, to the Town of Sudbury for a period to expire December 31, 1979.

In answer to Selectman Hotch, Mr. Thompson said that last year's bids were opened on December 16th and Union Petroleum Corporation quoted \$.4030 for regular gasoline and \$.4280 for unleaded gasoline; Concord Oil Co., Inc., quoted \$.4510 for regular and \$.4760 for unleaded; (all quotations not including state tax) and Exxon did not bid.

100% Valuation and Classification Amendment

Town Counsel referenced a communication dated November 10, 1978, from John C. Powers on the subject of 100% valuation and the Classification Amendment endorsed under Question 1 of the 1978 State Election.

Regarding the same Town Counsel explained that previous state legislation and the Court order from the Sudbury case required that all cities reach 100% property valuation and, in his opinion, this still holds true before the Classification Amendment can be implemented; therefore, he recommended that the Town of Sudbury take no further legal action at this time.

Town Counsel stated that he has heard rumors that some individuals or groups are looking into the constitutionality of said Classification Amendment and the so-called "Shelf Bill".

It was the consensus of the Board to continue in the direction planned concerning the 100% valuation case for the Town of Sudbury and to respond to Mr. Powers in accordance with the recommendation and comments made by Town Counsel tonight.

Transfer Requests

Present: John H. Wilson, Town Accountant.

The Board considered a Request for Transfer (#0800) from the Reserve Fund in the amount of \$721.41, to Account 950-96, Retirement Fund, needed for the calendar year 1978.

Town Accountant John H. Wilson explained that the amount of said transfer is for Sudbury's share (or a portion) of a former Town employee's retirement fund for the calendar year 1978; the balance will be paid by the Town of Braintree where said former employee finished his employment.

Mr. Wilson further explained that the retirement began in June of 1977, and that an unpaid bill in the amount of \$360.71 will be submitted to the 1979 Annual Town Meeting for that portion of 1977; and that the payment for the calendar year 1979 will be made through the fiscal year 1979-80 unclassified account budget, line item 950-96, in the amount of \$770. (Future payments will also be made in this manner until further notice.)

Selectman Robert J. Hotch asked if the amount of payment would be the same each year; Mr. Wilson said that it was his opinion that they might increase slightly depending on how the legislature votes cost-of-living increases to retirees.

Following further discussion it was on motion by Selectman Robert J. Hotch unanimously

VOTED: To approve Request #0800 for a transfer from the Reserve Fund to Account 950-96, Retirement Fund, in the amount of \$721.41 for the purpose set forth in the numbered transfer.

The Board also considered a Request for Transfer (#0801) from the Reserve Fund in the amount of \$3,400, to Account No. 950-89, School Tuition, needed to pay the cost of tuition for two students from Sudbury who are attending agricultural school.

The Town Accountant explained that the above-referenced tuition is the financial responsibility of the Town of Sudbury under State statute, and recommended that the Board approve said transfer which includes a full year's tuition for both students for the 1978-79 school year. (Mr. Wilson said that the Town was obligated to pay \$935 last year for the second half of the school year, and that it was the first time since he has been Town Accountant that the Town has had to make this type of payment.) Mr. Wilson said that he will contact the school as to what year the students are in now, so that budgeting can be appropriately handled in the future.

Selectman Hotch asked whether this expenditure might be termed "emergency" or "unforeseen"; Mr. Wilson said it was his opinion that it definitely is an "unforeseen" expenditure. Mr. Wilson said further that the Superintendent of the Sudbury Schools was informed through Town Counsel in 1975 that the financial responsibility lies with the Town and not the School Department, and that Town Counsel recently advised him that the tuition bill should either be paid through a transfer from the Reserve Fund or submitted as an unpaid bill to the 1979 Annual Town Meeting, and recommended a transfer due to the delay in payment to the Norfolk Agricultural School if the latter method were used.

Following further discussion it was on motion by Selectman Robert J. Hotch unanimously

VOTED: To approve Request No. 0801 for a transfer from the Reserve Fund to Account #950-89 School Tuition, in the amount of \$3,400 for the purpose set forth in the numbered transfer.

Consideration of Appointments

Civil Defense Radio Operator:

Executive Secretary Richard E. Thompson explained that for many years the Board has appointed Howard Kelley as Civil Defense Radio Officer regularly, but that, due to other commitments, Mr. Kelley did not accept the appointment made in June of this year.

Mr. Thompson recommended that the Board appoint Mr. Marvis Fickett in accordance with Fire Chief Josiah F. Frost's communication of December 1, 1978, which states that Mr. Fickett is well qualified for and willing to accept this position.

Following a brief discussion it was on motion by Selectman Robert J. Hotch unanimously

VOTED: To appoint Marvis Fickett, 90 Indian Ridge Road, as Civil Defense Radio Officer, for a term to expire April 30, 1979, in accordance with a communication dated December 1, 1978, from Fire Chief Josiah F. Frost.

Talent Search Committee:

It was on motion by Selectman Robert J. Hotch unanimously

VOTED: To appoint Jack D. Heiser, 35 Canterbury Drive, to the Talent Search Committee, (replacing Nora Hall) for a term to expire April 30, 1981, in accordance with the recommendation of Chairman Eileen M. Todd dated December 5, 1978.

Joint Meeting with the Long Range Capital Expenditures Committee

Present: James A. Pitts, Chairman, Edward J. Mulcahy, Jr., Susan Smith, Beverly Brenner and Frederick P. Armstrong, III, Long Range Capital Expenditures Committee.

Chairman John E. Murray announced a joint meeting with the Long Range Capital Expenditures Committee relative to the 1979-84 Capital Improvement Program and welcomed the Committee members.

Relative to the same, Executive Secretary Richard E. Thompson stated that the Board had met previously with the Permanent Building Committee, and that a tour of police and fire headquarters has been scheduled for Saturday, December 16th, at 9:00 a.m.

Mr. Thompson summarized the consensus of the Board of Selectmen and the Permanent Building Committee to proceed to submit an article for the upcoming 1979 Annual Town Meeting in the amount of \$3,000 to update architectural plans for a police/fire facility, prepared in 1974, which if approved by Annual Town Meeting, will allow an opportunity to approach a future Annual Town Meeting with firm construction costs of a police/fire facility in the near future.

In response to the Long Range Capital Expenditures Committee's list of questions, submitted to the Selectmen prior to tonight's meeting, the following comments were made regarding the police/fire facility:

Mr. Thompson reported that he looked into five or six federal agencies relative to funding of the facility, but that none was available, and that in his opinion no funding will be available unless a new program becomes available.

Mr. Thompson stated that the original plans prepared in 1974 are available in the Engineering Department, and that recent meetings and conversations with the Fire and Police Chiefs have indicated that their needs have not changed - the plans are still adequate; but as Mr. Thompson pointed out there is a need to update the plans relative to energy conservation and changes in the State's building codes.

The Executive Secretary also pointed out that the 1974 Annual Town Meeting agreed to the need for the police/fire facility but was reluctant to expend the funds for the project at that time.

Mr. Thompson reminded those present that they are welcome to join the tour of the police/fire facilities this coming Saturday, December 16th, to begin at the Town Hall Fire Headquarters. He explained that a major problem of raw sewage backing up at the fire headquarters reinforces the need for updating the facility.

Mr. Thompson said that the Board had discussed the possibilities of keeping the

police station and adding to the existing fire station and/or building the fire portion only, and stated that the last position taken by the Long Range Capital Expenditures Committee (LRCEC) was to concentrate on Town Hall renovations and not tie them in with police/fire headquarters.

The Executive Secretary stated that the Board's projection of \$1.3 million was determined by using the LRCEC's inflation projection percentage, which is close to the amount arrived at by the architect who originally worked with the facility and who recently updated a projected cost.

Mr. Thompson said that when the question of closing the Horse Pond School came up, that building was considered for the police/fire facility, but extensive renovations to house the necessary equipment would have been required, and location was also a problem. (The Nixon School would be more compatible to the needs of the Town.)

In answer to the Committee's question, Mr. Thompson said that more detailed information regarding the projects is attainable at the Selectmen's office.

The following comments were made regarding the Town Hall renovations:

The Executive Secretary stated that a plan entitled, "Preliminary Design Report - Town Hall Renovations, Sudbury, Massachusetts", by A&H Browning Architects, was completed at the cost of \$8,000 at approximately the same time as the plans were drawn up for construction of the police/fire facility.

Mr. Thompson stated that one of the main problems is trying to separate this renovation project from the police/fire project. Also Mr. Thompson pointed out that it would be difficult to renovate the Town Hall with the fire headquarters taking up the area in the lower level, compounded by the constant use of the upper Town Hall for productions by the Sudbury Players, and other Town groups, schools and organizations. Mr. Thompson stated that it would be difficult to isolate these two projects as they are too interrelated.

The following comments were made regarding the Hosmer House restoration:

The Executive Secretary indicated optimism in receiving a future grant from the State for the restoration of the Hosmer House.

Mr. Thompson stated that once the will of the late Florence Hosmer is probated, it will become the Town's property, and the Town will proceed to follow through with the request that the Hosmer House be a memorial to the late Florence Hosmer's father, Edmund Hosmer.

Selectman John E. Murray said that the value/worth of the Hosmer House has not been determined. The Executive Secretary stated that it is the recommendation of the Historical Commission to secure the services of an Architectural Historian to help with the long-range plans for the Hosmer House at a cost of approximately \$8,000-\$10,000.

Selectman Robert J. Hotch indicated that the Board is very concerned with the welfare of the senior citizens and finding an adequate facility for them but agreed with Selectman Murray that the Hosmer House is not in any condition to be used by anyone at this point.

Selectman Murray stated that the Board will be receiving a report from the Historical Commission regarding plans for renovation, at which time the Board will decide priorities and a direction in which to proceed dealing with public viewing.

The Executive Secretary reminded those present that the files on the Hosmer House are a matter of public record.

Selectman Murray, in answer to Committee member Frederick P. Armstrong, confirmed that money appropriated and spent would be done so with a definite goal in mind.

Following further discussion, Committee member James A. Pitts stated that the Board had answered their questions, and stated that they are looking forward to the tour of the police/fire headquarters on Saturday.

Chairman Murray thanked the members for attending tonight.

Operating Budgets for 1979-80

The Board continued its review of the Operating Budgets for 1979-80 and reviewed a copy of the minutes of their joint meeting with the Finance Committee which was held on December 2, 1978.

Regarding the Police/Auxiliary budget, it was the consensus of opinion to isolate the Logging Recorder as a separate Town Meeting article; also, after reviewing last year's gasoline prices, it was decided to recheck the amount of money requested under the gasoline account for police vehicles and the amount submitted utilities.

Following a brief discussion it was on motion unanimously

VOTED: To approve the Police/Auxiliary Budget subject to completion and finalization mentioned in the minutes of December 2, 1978;

and it was further

VOTED: To direct the Executive Secretary to submit the Town budgets under their control to the Town Accountant on December 15 as required by the Town Bylaws, recognizing the fact that some budgets might need further revisions based on the Board's previous concerns expressed at budget review sessions.

Minutes

It was on motion by Selectman John E. Murray unanimously

VOTED: To approve the minutes of the special meeting of December 2, 1978, and the regular meeting of December 4, 1978, and the Town Fathers Forum transcript of November 27, 1978, as drafted.

Current Items of Interest

Zoning Bylaw Amendment - Cluster Development Provision Article

On the recommendation of Town Counsel it was on motion by Selectman John E. Murray unanimously

VOTED: To submit the above entitled 1979 Annual Town Meeting zoning amendment article to the Planning Board for its hearing and report required by General Laws Chapter 40A.

Wayland-Sudbury First Night

Executive Secretary Richard E. Thompson brought the Board's attention to a communication dated December 7, 1978, relative to "Wayland-Sudbury First Night" from Mary Antes, Chairman of the Committee. Mr. Thompson explained that the evening's celebration will be a take-off from the "First Night", Boston's New Year's Eve celebration idea, and that there will be several activities beginning during the day (December 31st) for all family members. Donations are being accepted through the West Newton Savings Bank, payable to "Wayland-Sudbury First Night".

The local press was encouraged to publicize the above information and communication.

South Middlesex Area Chamber of Commerce (SMACC)

The Executive Secretary informed the Board that the SMACC is holding an update meeting on the Standard Metropolitan Statistical Area (SMSA) on Thursday, December 14, 1978, at the Keefe Technical Vocational School at 3:00 p.m.

The Board directed the Executive Secretary to forward to SMACC a copy of the letter sent to the Secretary of Commerce indicating the Selectmen's strong support regarding the status of the formation of a separate Framingham/Marlborough SMSA.

Appointment - Town Historians

Chairman John E. Murray indicated the Board's interest in having a high school student help carry out some of the responsibilities of Town Historian.

Selectman Murray stated that the Board received a letter dated December 8, 1978, from Superintendent David L. Levington recommending a student candidate for Town Historian, David Murphy, a senior recommended by the History Department.

It was the consensus of the Board to invite David Murphy to attend the Board's meeting next week at 7:00 P.M. along with the Town Historians, Forrest D. Bradshaw and George D. Max, subject to mutual acceptance to attend the meeting.

Joint Meeting with Personnel Board and Finance Committee - 1979-80
Salary and Classification Plan

Present: Philip G. Felleman, Finance Committee; and Lawrence Faye, Alan P. Carpenter and John R. Williams, Personnel Board.

Executive Secretary Richard E. Thompson stated that tonight's joint meeting with the Finance Committee and the Personnel Board is to further discuss the ramifications of the implementation of the 1979-80 Salary and Classification Plan dealing with clerical salaries.

Personnel Board member Alan P. Carpenter presented data and statistics relating to the hourly wages and percentage salary increases in connection with the proposed new reclassification and salary scale, including several options relative to the same.

Mr. Carpenter indicated that option #1, as presented, is actually the same as the article being submitted for the upcoming Annual Town Meeting; and he suggested other options for consideration as follows:

<u>Option</u>	<u>Amount</u>	<u>Percentage Increase</u>
#1 105% of 1978 scale 35-hour rate of part-time	25,416	11.8
#2 105% of 1978 scale 40-hour rate of part-time	15,884	7.4
#3 1978 scale 35-hour rate of part-time	15,545	7.2
#4 1978 scale 40-hour rate of part-time	9,257	4.3

Mr. Thompson pointed out that one of the major changes is that part-time employees will now be paid at the same hourly rate as full-time employees within the same classifications.

Finance Committee member Philip G. Felleman expressed his concern regarding employees' holding two jobs, one full and one part-time working in different classifications but being paid at the rate of the higher classification; and suggested the Personnel Board review the matter and possibly send out a policy statement dealing with the same.

Following further discussion it was the consensus of the Board that more time would be required to analyze and absorb the options and corresponding rates of salaries and percentage increases. The Board indicated they would get back to the Personnel Board with their recommendation regarding the best option with which to proceed.

Executive Session

At 9:30 P.M. it was on motion following a unanimous Roll Call

VOTED: To enter into Executive Session for the purpose of discussing litigation where open discussion of the same may have a detrimental effect; and for the purpose of discussing the Discretionary Fund where open discussion may have a detrimental effect on the reputation and character of an individual.

(Roll call vote: Chairman Murray in favor; Selectman Hotch in favor.)

Chairman John E. Murray announced the the public session would not reconvene following the Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 10:10 P.M.

Attest:

Richard E. Thompson
Executive Secretary-Clerk

3290