

IN BOARD OF SELECTMEN  
TUESDAY, JANUARY 16, 1979

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.

Public Hearing - Dog Complaint

Present: Francis E. White, Dog Officer; Betsy M. DeWallace, Assistant Dog Officer; Mr. and Mrs. Donald Russell, complainants.

Chairman John E. Murray convened a Public Hearing under G.L. Chapter 140, s.157 on the Dog Complaint dated December 8, 1978, of Mr. and Mrs. Donald Russell, 30 Surrey Lane, against two dogs owned by Estelle Simon, 27 Surrey Lane, (1978 License #1161 and #1160), "Big Boy" and "Little John", both German Shepherd/Collies; said complaint states that, in addition to the dogs having vicious dispositions and barking excessively, other disturbances have included scattering garbage and killing another dog (the Russells state fear for their 4-year old son).

Executive Secretary Richard E. Thompson stated that the complaint was filed in the Town Clerk's office on December 8, 1978, and that both parties were notified of the public hearing by certified mail. The Executive Secretary stated that Estelle Simon could not be in attendance tonight, but that she had prepared a statement for the hearing, which was received at the office of the Board of Selectmen today.

Mr. Thompson said that the following reports relative to the same have been received: 1) a report dated December 28, 1978, from Betsy M. DeWallace, Assistant Dog Officer, which stated that the two dogs owned by Estelle Simon are penned close to the road; that in 1977 the two dogs were loose in their yard and attacked a neighbor's dog, and the dog died a few hours later; that the two dogs are both older, but in her opinion, are nice dogs; and that there have been no prior complaints; 2) a report dated December 29, 1978, from Francis E. White, Dog Officer, stating that he has nothing further to add to the December 28th report of the Assistant Dog Officer; 3) a report dated January 11, 1979, from the Chief of Police, Nicholas Lombardi, stating that the Police Department has responded to 10 complaints on the dogs owned by Estelle Simon; 4) a report dated December 10, 1978, from Ben Selling, M. D., which states that Estelle Simon has recently been discharged from the hospital (12/23/78), and in an effort to stabilize her condition, she must avoid stressful situations; and 5) a 5-page testimony dated January 15, 1979, from Estelle Simon, prepared by her to be read at the hearing in her absence.

Chairman Murray asked Mr. Russell if he had anything to say at this time.

Mr. Russell stated he has had difficulties with Ms. Simon's dogs for about one and a half years, and that he has been trying to resolve these difficulties for about a year. Mr. Russell said that Ms. Simon appears unresponsive, and that, in continuing his efforts, he asked the Assistant Dog Officer for assistance, and she was asked to leave Ms. Simon's property. Mr. Russell further stated that when he tried to talk with Ms. Simon, she informed him that she would report him to the police and accused him of obscene telephone calls and other things. Mr. Russell said that he gave up trying to handle this situation on a personal basis

and contacted the Police Department, on the advice of the Assistant Dog Officer. The Police Department suggested that he place calls to them to register an official complaint, and each time he called them, Mr. Russell said that the police came and verified the disturbance. Mr. Russell said that many times the police had no more luck discussing this matter reasonably with Ms. Simon than he did. Finally, at the advice of the Chief of Police, Mr. Russell said that he filed an official complaint with the Board of Selectmen.

Mr. Russell stated his regret that Ms. Simon is not present tonight, and that he sympathizes with her health problem. He said that he does not expect any satisfaction here tonight; that he didn't know what the Selectmen could do about resolving the problem; and that perhaps a civil proceeding should follow this Town proceeding.

Chairman Murray stated that, as he understood it, the dogs (owned by Ms. Simon) are housed close to the road, and asked if this has continued to be the case through the last week to ten days.

Mr. Russell recalled that for the past week or two he has not seen or heard the dogs; he said that he had previously requested that Ms. Simon keep her dogs in the barn since she no longer uses the barn for horses.

Mr. Thompson stated that it could be verified that Ms. Simon's dogs have been kept in the barn for the past two weeks. Continuing, Mr. Thompson addressed Mr. Russell's concerns by stating that the Selectmen have several forms of action, which they can choose to take, including taking no action at all, or having the dogs disposed of.

Mr. Russell assured the Selectmen that he did not want the dogs disposed of.

Mr. Thompson referenced Ms. Simon's statement, dated January 15, 1979, (and said that there were many comments dealing with Ms. Simon's relationship with the Police Department and Mr. Russell) and the following enclosures: 1) a letter dated January 10, 1979, from Postman Joseph R. Cetrone, supporting Ms. Simon; 2) a similar communication from Kenneth V. Adametz, 18 Lillian Avenue; and 3) a letter dated January 14, 1979, from Stanley Kanakaris, 36 Surrey Lane, stating his opinion that the complaints against the Simon dogs are unfounded.

Mr. Thompson recommended that the Board take the matter under advisement, and to request the Simon family to keep the dogs in the barn as much as possible to help alleviate the excessive barking situation.

Mr. Russell was prepared to give the Board names of others who fear Ms. Simon's dogs, and said that these people would be willing to testify; he also said that on two occasions, on his own property, the dogs had turned on him and that they are not lovable dogs! Mr. Russell further stated that when Ms. Simon's dogs are out of the pen at the same time that his son is out in their yard, he feels that he must take his son in.

Assistant Dog Officer Betsy M. DeWallace stated that Dr. Wiles, of the Sudbury Animal Hospital, had called her (at the request of Ms. Simon) and stated that when he is working with her dogs, they are fine. Mrs. DeWallace continued to say

that, in spite of her remark that "the dogs are nice" (see communication from her dated December 28, 1978), she strongly expressed her astonishment at the condition of the dog (labrador retriever) who died following its abuse (in 1977) by Ms. Simon's two dogs.

Selectman Murray suggested that the dogs be housed in the barn and restrained in accordance with the Town's leash law.

Dog Officer Francis E. White recommended that in the daytime, the dogs could be in the pen (where they are normally confined), but stated that in the evening they should be kept in the house, perhaps in the basement, rather than in the barn where there stands a chance that someone will open the barn door. Mr. White said that, in this way, Ms. Simon would still have the protection she seeks.

Mr. Russell concurred with both Selectman Murray and Mr. White, and said that he is only concerned when the dogs are in the pen (near the road) at night and loose during the day.

Mr. Thompson asked for a recommendation from Town Counsel relative to the Board's vote and/or action in this matter, taking into consideration the circumstances of its effect on Ms. Simon's health and the rightful fear of the petitioner(s) based on the record of the dogs' capabilities.

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

VOTED: To permanently restrain the two dogs owned by Estelle Simon, 27 Surrey Lane, (1978 License #1161 and #1160), "Big Boy" and "Little John", both German Shepherd/Collies, to the dogs' run (in the penned area) during the day, and to the house or barn in the evening;

and it was further

VOTED: To allow Ms. Estelle Simon a re-opening of tonight's public hearing at her convenience and request.

Appointment - Special Constable (non-paid), Raytheon Company

It was on motion by Selectman John E. Murray unanimously

VOTED: To appoint Alfred L. Bianchi, 72 Waltham Street, Maynard, as Special Constable (non-paid) for traffic duty only at Raytheon Company as a replacement for Joseph A. DiPietro, for a term to expire 4-30-79, in accordance with the request dated January 4, 1979, from Raytheon Company, and the recommendation dated January 11, 1979, from the Police Chief.

Bids for Police Vehicles

It was on motion by Selectman John E. Murray unanimously

VOTED: To table the bid acceptance for furnishing a. two sedan vehicles to be used as Police Cruisers; and b. one station wagon to be used as a Police Cruiser

and back-up ambulance, on the recommendation of the Executive Secretary, and the Police Chief, in order that they may evaluate the bids received in more detail.

Utility Petition #79-88 of Boston Edison Company, Prides Crossing Road

Present: Robert L. Blake, Boston Edison Company.

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

UP#79-88 Prides Crossing Road - Petition of the Boston Edison Company for the southerly side, approximately 340 feet west of Bradford Road, a distance of about 12 feet of conduit.

Executive Secretary Richard E. Thompson reported that all appropriate abutters and Town officials had been notified, and that a report dated January 3, 1979, recommending approval and indicating that the requested installation had already been made, had been received from the Wiring Inspector.

Mr. Robert L. Blake of the Boston Edison Company reported that the petition for 12 feet of conduit in Prides Crossing Road is for the purposes of supplying electric power to a residence now under construction. The conduit will run from an existing pole to the property line, and the extension will also be utilized by the Telephone Company.

It was on motion by Selectman John E. Murray unanimously

VOTED: To approve Utility Petition #79-88, as described above, and shown on a plan entitled "Plan of Prides Crossing Road", by C. B. Damrell, dated November 1, 1978.

Selectmen's Annual Report

The Executive Secretary gave the Board a draft, which he had prepared for the Selectmen's Annual Report, and requested their comments as soon as possible.

Minutes

It was on motion by Selectman Robert J. Hotch unanimously

VOTED: To accept the minutes of the regular sessions of January 3, 1979, and January 8, 1979, as amended.

Tax Anticipation Notes

Executive Secretary Richard E. Thompson stated that he spoke to Town Treasurer William E. Downing, and that Mr. Downing is requesting that the Board authorize him to borrow \$1,000,000 in Tax Anticipation Notes, to be due May 10, 1979, in accordance with his request dated January 10, 1979.

Mr. Thompson further stated that Mr. Downing has requested that the signing of the notes take place by the end of this week, as he would like to proceed with

obtaining bids for the same.

Selectman Robert J. Hotch questioned the Town Treasurer's comment (in his communication dated January 10, 1979) that the interest rate on Tax Anticipation Notes is double that of a year ago, in relation to how this will affect Mr. Downing's budget.

Mr. Thompson stated that he would at the next meeting provide the Selectmen with a breakdown of the interest figure in the Treasurer's budget.

Selectman Hotch also suggested that the Executive Secretary check with Mr. Downing as to what effect this will have on his budget for next year, and if he has allowed for increased interest rates.

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

VOTED: To authorize the Town Treasurer to borrow \$1,000,000 in Tax Anticipation Notes, to be due May 10, 1979, in accordance with his request dated January 10, 1979.

#### Current Items of Interest

##### 1979 Warrant Report - Personnel Administration Plan

It was on motion by Selectman John E. Murray unanimously

VOTED: To approve the Personnel Board and the Board of Selectmen's Report on the Personnel Administration Plan for the 1978 Town Meeting Warrant dated September 8, 1978, subject to any additions and/or deletions any individual member of the Board would like to make at a later time.

Executive Secretary Richard E. Thompson said that he will review the report again before the final printing.

#### Miscellaneous

Mr. Thompson announced that the Board will be scheduling a reception for Mr. William F. Toomey on either February 4th or 11th, subject to confirmation of a facility on one of those dates.

The Executive Secretary confirmed with the Selectmen that the Board's regularly scheduled meeting on January 22, 1979, as well as the Town Fathers Forum on that date, will be held as planned despite the fact that it is election day.

##### Confirming Board's Vote of January 3, 1979

It was on motion by Selectman Robert J. Hotch unanimously

VOTED: To confirm the Board's previous action/vote of January 3, 1979, to appoint Janet Silva, Executive Secretary Pro Tem, for that evening.

##### Minuteman Regional School Entitlement for 1978-79

Mr. Thompson brought the Board's attention to a communication dated January 10, 1979, from Ronald J. Fitzgerald of the Minuteman School Committee recommending that

Board support their position on the matter of full funding of vocational schools, especially of Minuteman Regional Vocational Technical School, by forwarding a letter of support to the State Board of Education. Mr. Thompson said that the Board has taken a previous position on this, and asked that the Board confirm their position, by authorizing him to do so.

The Board confirmed their support of Mr. Fitzgerald's position expressed in his communication dated January 10, 1979, and directed the Executive Secretary to send a letter of the Board's support to the State Board of Education.

#### Site Plan Procedures - Joint Meeting

Present: Francis E. White, Building Inspector; Lynne H. Remington, Chairman; H. Rebecca Ritchie and Joan C. Irish, Conservation Commission; John V. Sullivan Health Director, William W. Cooper and E. Lawrence Gogolin, Board of Health; Edward W. Connors, Jr., Chairman, William R. Firth, Olga P. Reed and John C. Cutting, Planning Board.

Chairman John E. Murray announced a joint meeting, for discussion of the procedure for submission and approval of site plans, with any and all individual boards related with the site plan process.

Executive Secretary Richard E. Thompson further defined the purpose of tonight's meeting by referencing the Board's communication dated January 11, 1979, to all individual boards involved with the site plan process; said letter expressed the Board's concern with facilitating the coordination and identification of areas of concern with various departments and the site plan applicant prior to the date of the Board of Selectmen's consideration; and enclosing a copy of the Zoning Bylaw and the Selectmen's Policies and Procedures relating to site plan approval.

Mr. Thompson expressed his opinion concerning an apparent "gap" in time between receipt of the site plan application by the Zoning Enforcement Agent/Building Inspector and the channeling of the same through the various boards before consideration by the Selectmen; and said that there does not seem to be sufficient time for the applicant to be notified by mail of the requirements, if any, requested by some of the boards.

Also, Mr. Thompson stated that some larger businesses have hired professionals, and, therefore, are aware of possible areas of concern, and handle the steps involved before appearing before the Selectmen; on the other hand, those businesses not in a position to, or unwilling to, invest those monies for advice on how to approach site plan approval, usually handle it themselves, and problems arise due to apparent lack of knowledge of procedures for site plan approval.

Selectman Murray suggested that guidelines for site plan procedures be printed and readily available; such as, the Conservation Commission's wetlands map, which could be useful in determining whether or not the site plan application is for property which might have a concern in this area.

Selectman Murray further suggested the use of a map displayed in the Building Inspector's office delineating general areas of concern, along with presenting the

applicant a card, with the word "warning" on it; this card would specify those areas of concern which all applicants should be aware of in approaching the site plan approval. (Selectman Murray said that perhaps the map could be color-coded to help clarify different areas.) Selectman Murray went on to say that an applicant, finding his property to be in one of those problem areas, would then go one step further, and that would be to the Engineering Department where confirmation of his concerns will be verified, or otherwise, and the applicant will be referred, if necessary, to the appropriate board, such as the Board of Health or the Conservation Commission, where the site plan process would be further defined.

Building Inspector, Francis E. White stated that if, when a site plan application is filed with him, he has any doubts concerning Conservation approval, he immediately refers the applicant to them.

Selectman Robert J. Hotch indicated that a written step by step site plan approval process should be spelled out to all applicants; adding that such a punch list type of hand-out should be available in the Building Office. Mr. Hotch also suggested this might be done in other areas such as with a Building Permit and the like.

Mr. White said that he has a set of guidelines for site plan approval in use now, but that, in his opinion, there seems to be a problem with some of the boards not getting their reports completed before the Board of Selectmen's scheduled hearing.

Selectman Murray stated that scheduling on a timely basis is difficult for some boards, such as, the Board of Health which meets bi-weekly.

Health Director John V. Sullivan recommended that requirements for site plans be more accurate in their design specifications and include such things as specific location of and size of septic system; he stressed the importance of these details - the size, for example, relates to the number of people who are using the building.

Board of Health member, William W. Cooper, stated that he sympathized with Mr. White's position; and amplified Mr. Sullivan's statement, saying that there are times when it just is not clear, by looking at the site plan, what the applicant plans to do; and he added that the was not just referring to the septic system details.

Mr. Cooper suggested that, with cooperation from all boards involved in the site plan approval process, a fixed schedule could be set up, perhaps on a monthly basis, where, for example, all boards would know that the Selectmen will hear site plans on the second Monday of every month and arrange their schedules accordingly.

Selectman Murray responded by saying that perhaps the Selectmen should require all applicants to contact, or obtain comments, from the various boards involved before appearing before the Selectmen.

Mr. Cooper indicated that he would like to see the site plan approval process simplified for the applicants, and that the schedule he suggested would make it easier for them.

Mr. White suggested representation from each board at the Planning Board's hearing so that each board will be aware of what is required.

Edward W. Connors, Chairman of the Planning Board, expressed the Board's concern regarding inadequate details on site plans. Also, Mr. Connors questioned when those recommendations made by the Planning Board are applied to the site plan once the site plan is approved by the Selectmen; he suggested that possibly the original site plan has not been conformed to in some cases.

Mr. Thompson said that the Selectmen no longer approve site plans unless all the requirements requested by all boards have been applied to the original site plan at the Selectmen's meeting before it is finally approved; or, in some cases, the site plan has been denied without prejudice.

Selectman Murray indicated that the Board became aware of the problem Mr. Connors mentioned, and are avoiding this situation, as Mr. Thompson so indicated.

Mr. White said that to avoid the embarrassing situation where the Board of Selectmen is trying to approve a site plan, while, at the same time, some boards are expressing their areas of concern, letters should be sent to the Board of Selectmen, as well as to the applicant, so that everyone is aware of what requirements have to be complied with before the site plan can be approved by the Selectmen.

Conservation Commission Chairman Lynne H. Remington indicated that the Commission has had past concerns regarding the site plan approval process, and questioned the uniformity of site plans used by the various boards. Mrs. Remington especially expressed concern with renewal of site plans which do not conform to original site plans voted by the Board of Selectmen.

Mr. Thompson stated that everyone should have a copy of the same final document.

Mr. Thompson continued by saying that the Engineering Department has indicated their willingness to assist in every way possible, that they have professional staff and engineers available all day, and that this would be a good way for applicants to proceed following filing with the Zoning Enforcement Agent/Building Inspector.

Selectman Murray stated that, taking into consideration tonight's comments, perhaps there could be another joint meeting where some of these proposals could be agreed on. Selectman Murray asked, if anyone had any further comments, that they might send them to the office, to be included with the suggestions and comments offered tonight.

Board of Appeals member, MaryAnn Clark, requested that the Zoning Enforcement Agent forward a copy of the final site plan to the Board of Appeals, if it appears that a variance is required, and that he include copies of any previous variances.

Mr. White said that when the site plan is submitted to him, he sends a copy of that site plan to the boards with copies of any and all permits and variances; that if the site plan has to go before the Board of Appeals for a permit or a variance, he would also send a letter of denial to the applicant, with a copy to



the Board of Appeals; that the only thing lacking is sending a final plan to the Board of Appeals.\*

Following further discussion, the Board directed the Executive Secretary to record the comments and suggestions made tonight and to send a copy of the same to each of the participating boards requesting any additional comments and suggestions from them; this matter to be the subject of further discussion at a later meeting.

Chairman Murray thanked all those present for their attendance.

Chairman John E. Murray recessed the meeting for a ten-minute coffee break at 9:05 P.M.; the meeting was called back to order at 9:15 P.M.

Joint Meeting to Discuss Town Meeting Article - Police-Fire Headquarters Plan

Present: James A. Pitts, Chairman, Edward J. Mulcahy, Jr., Susan Smith, Beverly Brenner and Frederick P. Armstrong, 3rd, Long Range Capital Expenditures Committee; John L. Reutlinger, Chairman, D. Bruce Langmuir, Michael E. Melnick, James F. Goodman, Permanent Building Committee.

Chairman John E. Murray opened a joint meeting with the Permanent Building Committee and the Long Range Capital Expenditures Committee relative to the Annual Town Meeting article concerning Police/Fire headquarters plans.

Executive Secretary Richard E. Thompson stated that following a joint tour of the Police/Fire facilities on December 16, 1978, of these committees with the Board of Selectmen, it was mutually agreed that a meeting would be scheduled to further discuss the same.

Mr. Thompson explained that the Board has accepted a draft of this article, on a tentative basis, subject to advice from the Permanent Building Committee (PBC) and the Long Range Capital Expenditures Committee (LRCEC).

PBC Chairman John L. Reutlinger expressed the Committee's uncertainty that the best way to proceed with this matter is to appropriate \$3-4,000 to update a four-year old plan for a joint facility, so that it meets new State codes; and spoke about looking into some of the original alternatives or options to a joint Police/Fire headquarters. Mr. Reutlinger did not recommend spending any money to update the plans right now.

LRCEC Chairman James A. Pitts said that, although the Committee has not formally discussed the matter, it is his opinion that the general feeling is in concurrence with the PBC. He said that, although everyone who went on the tour agrees to the need, the main problem seems to be lack of space; he stated that there does not seem to be any evidence of real economics in a combined operation and also spoke of alternatives, such as raising the roof on the police station on Route 20, and updating plans for the present North or South fire station to be used as a central headquarters on that property. He concluded by saying that although appropriating money for updating the four-year old plans would buy another year, it would also buy another year of inflation - "It is not a clear choice or an easy choice".

\*The Selectmen's Office does send a copy of all final site plans to the Board of Appeals.

PBC member D. Bruce Langmuir said that he spoke to some of the people on the original committee, and that originally they had discussed purchasing adjoining land to the police station to provide additional parking and for the need of an inside area for cars. He went on to say that it was his understanding that the original committee had looked into six different serious alternatives, one of which was separate fire and police facilities, which at the time was approximately 20-30% more in cost than a combined facility. He expressed the need for an update on this particular information and suggested looking into the original study to avoid repetitive studies.

Selectman Robert J. Hotch confirmed the Board's agreement for the need of a new and/or improved Police/Fire facility, but expressed his feeling that the Townspeople do not seem to support the expenditure. He said that he did not want this issue to die, especially now as the Town's indebtedness is being drastically reduced.

Selectman John E. Murray commented that a review of cities and towns in receipt of Federal money would probably show those most successful were cities and towns building joint facilities.

Mr. Thompson stated that through the years, a large contingent of the Townspeople have worked on this project, and people are still interested because of the need which still exists.

Mr. Thompson indicated that the Board is requesting assistance and cooperation from the PBC and the LRCEC, at this time, and that the Warrant article could be amended to reflect their recommendations.

Mr. Thompson said that there were studies completed with monies appropriated from past Town Meetings that addressed many of the questions being raised tonight. In addition, an extensive Communications Study was completed several years ago which addresses a possible joint Police/Fire facility.

Mr. Thompson suggested that the PBC would need a certain amount of money to evaluate and update all the prior studies, data and information dealing with options or alternatives relative to a new Police/Fire facility.

Dr. Donald Oasis commented that the Town has had two opportunities to accept or reject the joint facility, and they did not support it for a variety of different reasons, such as location, combination Police/Fire, and design - not just the money factor.

Selectman Murray said that one of the considerations that went into the joint facility was the vehicle and building maintenance problem and another was the idea of having one dispatcher. Selectman Murray also stated that many people were concerned about the aesthetics of the proposed building, contrary to Dr. Oasis's comments.

Mr. William W. Cooper expressed his opinion that Town Meeting must be convinced of the need before they will support the article. He said that he has no doubt

that the Townspeople want to provide the proper facilities for the Police and Fire Departments.

Selectman Murray agreed that Townspeople need to know what the basic needs are, and that a decision has to be made as to the type of facility which should be recommended to the Town Meeting (joint, separate or to extend the present facilities).

Mr. Reutlinger commented that discussion and agreements in the past of renovating the lower Town Hall were tied directly into the recommendation of a joint Police/Fire structure, in that the Central Fire Headquarters was located in the basement of the Town Hall.

Mr. Pitts suggested that an appropriation of \$3,000 would cover the cost of investigating construction alternatives costs.

Mr. Langmuir disagreed by saying that \$3,000 would not be enough, but that the Town Meeting should have a cost figure for the alternatives presented to them.

Selectman Hotch said that he would prefer to present clear-cut facts (one suggestion mutually agreed upon beforehand) to the Town Meeting, rather than several options, including a small appropriation.

Edward J. Mulcahy, LRCEC, said that unless someone does a lot of homework, no proposal can be put before Town Meeting.

Mr. Thompson indicated that it would not be difficult to update the PBC's proposals, which had been updated three years ago for presentation by Mr. Craig Parkhill to Town Meeting at that time.

Following further discussion, it was agreed to refer the matter to the Permanent Building Committee and Long Range Capital Expenditures Committee for their recommendation to the Board as soon as possible as to the amount of money to be requested and revised wording for the Article, taking into consideration that we should also address possible options or alternatives to a new Police/Fire facility; it being understood that the Board intends to proceed with the Article.

#### Current Items of Interest Continued

The Executive Secretary brought to the Board's attention a communication dated January 12, 1979, from the Town Clerk addressing the Board's "oversight" relative to a decrease in pay for an employee in the Town Clerk's office in the Board's recommendation to the Personnel Board regarding the Personnel Classification and Salary Plan (option #3 with suggested changes).

Chairman John E. Murray stated that it was an "oversight", and that the Selectmen have reviewed the Personnel Classification and Salary Plan following their recommendation to the Personnel Board on January 8, 1979, and are working along with the Town Accountant to adjust the salary schedule in the best interest of all employees, and will so recommend the same to the Personnel Board as soon as possible.

The Executive Secretary also brought to the Board's attention the Massachusetts Municipal Associations Fourth Annual Joint Legislative Conference scheduled for March 10th at the State House.

Petition Articles - Zoning Bylaw Amendment and Zoning Exemption re Congregate Housing Project

It was on motion by Selectman Robert J. Hotch unanimously

VOTED: To accept two petition articles to be placed on the Warrant for the 1979 Annual Town Meeting, listed below:

- 1) Amend Zoning Bylaw, Art. IX, I, B - Basic Requirements; and
- 2) Congregate Housing Zoning Exemption;

and it was further

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.

Committee on Town Administration (CTA) Report for Town Meeting

The Board received a report from the CTA on the petition article to abolish the CTA for printing in the 1979 Town Warrant, and on the recommendation of the Executive Secretary, the Board directed him to communicate to the CTA that their report would not be printed in the Warrant, in that it would set a precedent to do so and suggest that they present this report, if they care to do so, at Annual Town Meeting.

"Caps" - Fiscal Year Budgets and Tax Levy

Present: J. Owen Todd, Town Moderator.

The Board acknowledged receipt of a communication dated January 10, 1979, from Byron J. Matthews, Secretary, Executive Office of Communities and Development, informing the Board that "caps" on local spending will be introduced by the Governor to the General Court, and recommending that FY 1979-80 budgets be prepared with the assumption that the "caps" on the property tax levy and local expenditures will be set at the FY 1978-79 level.

The Board discussed this in relation to the timing of Town Meeting and as to whether the final guidelines would be enacted by the Legislature before April 2nd. It was suggested to the Moderator by the Board that it might become necessary to recommend the Town Meeting postpone consideration of the Budget Article if these guidelines were not yet defined.

Ordering of the Warrant for the 1979 Annual Town Meeting

Present: J. Owen Todd, Town Moderator; Betsey M. Powers, Town Clerk.

Chairman John E. Murray read the list of 1979 Annual Town Meeting articles, and

the Board, along with the Town Moderator, suggested those which might be considered to be consent calendar articles, as follows: Hear Reports; Temporary Borrowing; Unpaid Bills - \$2,383.51; Street Acceptances - \$750; Transfer Tax Possession Parcel 164 to Conservation; Amend G. L. Ch. 111, Sec. 31D - Septage Facility, Billing and User Fees; Purchase Microfilm Printer/Reader - \$4,200; Electrical Services - Landfill & Salt Storage Shed - \$1,200; Summer School; Community Use of Schools - \$20,000; Amend Bylaws, Art. V - Public Safety; Amend Bylaws, Art. XII, 1 - Town Property; and Amend Bylaws, Art. V(A) - Removal of Earth.

After further review and discussion, in conjunction with the Town Moderator, the Selectmen ordered the 43-article Warrant for the 1979 Annual Town Meeting.

There being no further business to come before the Board, the meeting was adjourned at 10:30 P.M.

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk