

IN BOARD OF SELECTMEN
MONDAY, JUNE 25, 1979

Present: Chairman John E. Murray, Robert J. Hotch and William J. Cossart.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 6:30 p.m. by Chairman Murray.

Grievances of Local 315, International Brotherhood of Police Officers (I.B.P.O.)

Present: Nicholas Lombardi, Police Chief; Police Officers Vincent Patruno and Partick Manzo; Attorney Randy Cohen; and Local 315 I.B.P.O. President John A. Longo.

Officer Patruno

Executive Secretary Richard E. Thompson stated that the Selectmen received two grievances on May 30, 1979, both dated May 30, 1979, of Officer Vincent Patruno relative to Article XXII, Injury in the line of Duty and of Officer Partick Manzo relative to Article XIII, Career Incentive, Article XVIII, Holidays and Article XXII, Injury in the Line of Duty, from Local 315, I.B.P.O.

Mr. Thompson stated that a letter dated June 1 requesting postponing consideration of these greivances to June 25 was sent to Local 315 I.B.P.O. President John A. Longo and by a subsequent telephone conversation on June 7 between the Selectmen's office and President Longo the date was confirmed and the Selectmen's office informed that an additional grievance would be forthcoming.

Mr. Thompson stated that the Selectmen received a third grievance on June 7, 1979, dated June 7, 1979, of Officer Patrick Manzo relative to Article XXII/XIX, Injury in the Line of Duty/Vacations, from Local 315 I.B.P.O. Mr. Thompson stated that he forwarded a letter dated June 8, 1979, to President Longo confirming the date of June 25, 1979, for consideration by the Board of Selectmen of all three grievances.

Mr. Thompson stated that the Selectmen received these three grievances in accordance with Article VIII, Section 1, step 4 of the existing contract dated July 1, 1978-June 30, 1980, entitled "Grievance Procedure", of Local 315, I.B.P.O.

Mr. Thompson referenced a communication dated May 30, 1979, from the Personnel Board denying the grievance of Officer Vincent Patruno because of insufficient medical evidence to relate the April 1979, loss of time to the previous November 1978, duty-related accident. Mr. Thompson also called the Board's attention to a communication dated May 7, 1979, from Dr. Norman Wald indicating that Officer Patruno's eye problem in April could have been a recurrence of his November injury.

At the request of Chairman Murray, Officer Patruno explained that in November 1978, while on duty and driving his police cruiser easterly on Route 20, a foreign object blew into his left eye. Officer Patruno stated that he was then seen and treated by Dr. Stanley Taub at the Sudbury Medical Center and later that day returned to work.

Officer Patruno stated that it was necessary for him to receive medical attention for the same eye on November 21 at the emergency room of the Marlboro Hospital, and again on April 18 in the emergency room and also by a specialist, Dr. Norman Wald, who indicated that he would inform the Police Chief that he suspected Officer Patruno's current eye problem was related to his former eye injury. Officer Patruno stated that he was out of work for a total of three days and later learned that he had been charged three sick days. Officer Patruno said that the Police Chief had indicated to him that short-term disability did not entitle him to compensation in accordance with G.L. Chapter 41, section 111F, and suggested to him that he file a grievance and get ruling from the proper authority.

In answer to Attorney Cohen, Officer Patruno stated that the Town had paid for his medical bills.

Atty. Cohen referenced a letter dated June 18, 1979, received from Dr. Wald, which he read, and summarized the same by saying that, although it cannot be conclusively said that the recurring eye injury (in April) was the result of duty injury (in November), a good inference can be drawn that it was a result of the line-of-duty injury.

With permission of the Board, Atty. Cohen read, in part, section 111F relating to compensation for leave due to line-of-duty injury and stated that Officer Patruno should not be disqualified from this coverage because he was only out of work for three days rather than out on long-term disability.

Police Chief Lombardi stated that he had requested Officer Patruno to file a grievance because he wanted clarification of this specific State statute as it pertains to this case and others like it within the Department whereby police officers are repeatedly being compensated for time off under the provisions of Chapter 41, section 111F, for "leave" whether it be long or short term. The Chief stated that he interprets this section of the G.L. when referencing "leave", to mean long-term disability and not short-term, such as in Officer Patruno's case; therefore, he feels that Officer Patruno was rightfully charged three sick days.

Selectman Hotch requested Town Counsel to comment on how this situation inserts itself into section 111F.

Town Counsel commented that there are no time constraints on section 111F - it is specifically for injuries incurred in the line of duty; the other factor is whether the injury was in fact incurred in the line of duty.

Selectman Cossart stated that this situation is not the usual problem of an officer not reporting an injury incurred while on duty but that there seems to be a question of whether section 111F was designed to cover for time loss during line-of-duty injury or whether that is expected to come out of sick leave.

Selectman Cossart suggested, and Town Counsel concurred, that possibly this grievance would not have been denied by the Personnel Board if there had been sufficient medical evidence prior to May 30, 1979; since the receipt of Dr. Wald's detailed letter of June 18, 1979, lack of medical evidence does not appear at this time to be the question. Selectman Cossart repeated that the

question appears to be whether or not section 111F of Chapter 41 was designed to cover for time loss during line-of-duty injury or whether that time loss is to come out of an officer's sick leave entitlement.

Town Counsel agreed with Selectman Cossart that he does support what Atty. Cohen is saying -- that Chapter 41, section 111F, is specifically designed to allow police officers, injured in the line of duty, to take sick time which is in addition to the normal sick time for non-related, off-duty injuries -- and added that the time a police officer is out of work is not sick time, but is designated as "leave" under section 111F and the officer is paid as if he were on the payroll, as regular compensation - it is not taken out of a sick leave bank. Selectman Cossart stated that this explanation should answer the question Chief Lombardi came to resolve tonight. The Police Chief disagreed with Town Counsel's interpretation.

In answer to Selectman Hotch, Chief Lombardi stated that there is no question that the injury occurred in the line of duty.

On the recommendation of the Executive Secretary it was on motion unanimously

VOTED: To continue by mutual consent until July 9, 1979, grievance dated May 30, 1979, of Officer Vincent Patruno relative to Article XXII, Injury in the Line of Duty, from Local 315, I.B.P.O. for clarification in writing from Town Counsel of his interpretation of Chapter 41, section 111F, pertaining to compensation to police officers for short and/or long term disability in relation to tonight's discussion.

Officer Manzo

The Executive Secretary referenced a communication dated May 30, 1979, from the Personnel Board denying two grievances, dealing with three separate issues, of Officer Partick Manzo on the grounds that while on disability leave his pay should not exclude vacation, holiday, and career incentive pay.

At the request of Chairman Murray, Officer Manzo explained that due to an injury in the line of duty sustained in September of 1978 he has been unable to return to work but has earned college credits, by doing the assignments at home, he stated later, for which he has not received Career Incentive of 1½% in accordance with the present contract of Local 315, I.B.P.O. dated July 1, 1978-June 30, 1980, (under the same contract he received reimbursement for the college tuition) because he has been out of work on long-term disability; likewise Officer Manzo stated he has not received dollar benefits under said contract for holidays and vacation time.

Atty. Cohen directed the Board's attention to his interpretation of certain wording in section 111F, which he read, which refers to payment of regular compensation and quoted Article XIII, Career Incentive, of the present contract as it relates to percentage increases in regular compensation after obtaining college credits, such as in the case of Officer Manzo. Atty. Cohen also pointed out that it has been agreed to allow reimbursement of tuition and books for Officer Manzo under the present contract which appears to be inconsistent if at the same time he is denied his 1½% increase. (Atty. Cohen also referenced a Case Law from the Supreme Court - Carvalho vs. City of Cambridge.) Summing up, Atty.

Cohen stated that the issue is whether or not a police officer, who has been injured in the line of duty and is receiving section 111F benefits, should be allowed to have his compensation, which he is entitled to under the collective bargaining, reduced.

Police Chief Lombardi stated that he did not deny Officer Manzo his Career Incentive but that the Personnel Board had raised questions concerning the fact that Officer Manzo was out of work on total disability and was still able to complete these college courses.

Town Accountant John H. Wilson commented that Officer Manzo is being paid in accordance with present contract disability benefits and his step in the police force for regular compensation on a 52-week schedule each week budgeted on a yearly basis including vacation time. Mr. Wilson stated that these benefits do not accrue during disability and any additional compensation to any officer would be granted only if he worked a vacation or holiday. Mr. Wilson stated that he cannot understand what additional money a person on disability should receive over and above those that a regular employee receives in a year.

Atty. Cohen referenced the Case Law once again and stated that a police officer's vacation and holiday benefits under provisions 18 and 19 of the present contract cannot be substituted for "leave time" under section 111F, which they are also entitled to, and the fact that an officer is receiving 111F funds does not stop these contract benefits from accruing.

Town Accountant John Wilson responded to a comment made by Officer Manzo that only an employee with more than two weeks annual vacation is sometimes entitled to additional compensation received by working through his vacation time.

Town Counsel Paul Kenny commented that under this Case Law an officer who is entitled to vacation pay will receive something in lieu of vacation at the time of his retirement; it does not address holiday pay or career incentive.

On the recommendation of the Executive Secretary it was on motion unanimously

VOTED: To continue by mutual consent until July 9, 1979, two grievances, one dated May 30, 1979, of Officer Patrick Manzo relative to Article XIII, Career Incentive, Article XVIII, Holidays and Article XXII, Injury in the Line of Duty and the other dated June 7, 1979, of Officer Patrick Manzo relative to Article XXII/XIX, Injury in the Line of Duty/Vacations, from Local 315, I.B.P.O. for the purpose of making a decision following receipt of a recommendation from Town Counsel.

Site Plan #79-206 - Taylor Rental Center; 712 Boston Post Road

Present: Normand G. and Therese A. Martel, Taylor Rental; David Gadbois, Atty. for the Martels; Francis E. White, Building Inspector; Judith A. Cope, Chairman of Conservation Commission and members H. Rebecca Ritchie and Joan C. Irish; and several abutters.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered site plan application #79-206 of Normand G. and Therese A. Martel, Taylor Rental Center, for property located at 712 Boston Post Road, Sudbury, relative to a proposed addition to the existing building.

Executive Secretary Richard E. Thompson reported that all appropriate abutters and Town Officials had been notified, and that communications have been received as follows regarding the same:

- Board of Health under date of June 7, 1979, recommending approval as per plan submitted.

- Sign Review Board, by letter dated April 25, 1979, with no recommendation at that time.

- Planning Board, by report dated June 15, 1979, recommending approval with the following considerations:

1. no exterior parking of rental trucks on the property;
2. parking of non-motorized trailers to be within the fenced in area only - the same to be noted on the plan;
3. for better access parking spaces should be reduced to 12, nine-foot wide spaces, with all parking spaces in front of the building, and parking to the easterly side of the building to be for employees only.

- Building Inspector, by report dated May 30, 1979, recommending disapproval for the following reasons:

1. Board of Appeals variance necessary relative to set-back requirements of the existing building;
2. Board of Appeals variance also necessary for the set-back requirement for the proposed addition before a building permit is issued;
3. inadequate parking due to poor turning and approaches in the proposed parking area;
4. question of adequate number of parking spaces in relation to size of building and number of employees.

- Town Engineer, by report dated June 12, 1979, with information regarding parking as follows:

1. three spaces located on the west side of the existing building cannot be used without driving on abutting property;
2. one-two spaces located in front of the proposed building are in conflict with an overhead garage door entrance;
3. four spaces located on the easterly side of the proposed building will be difficult to enter and exit due to lack of pavement; therefore, 12 required spaces questionable; further indicating that drainage is sufficient, and that the proposed building does not have the required 50-foot set-back from Boston Post Road.

- Conservation Commission, by report dated April 30, 1979, requiring a Wetlands Protection Act hearing prior to any alteration in the parking lot.

In answer to Chairman Murray, the applicant, Normand G. Martel, stated that he had received copies of all the communications noted by the Executive Secretary, with the exception of that from the Conservation Commission.

During conversation with Conservation Commission Chairman Judith A. Cope and member H. Rebecca Ritchie, Atty. Gadbois learned that their communication of April 30th pertained to the original site plan (#79-204) not the revised site plan (#79-206) being discussed tonight. Atty. Gadbois commented that there is very little additional area which will be paved after the construction of the proposed addition on part of the existing paved area. Mr. Martel added that the newly-installed dry well will more than adequately handle the roof run-off from the proposed addition. Atty. Gadbois stated that there will be no parking in the rear of the building with the exception of an area between an 8-10' fence along the rear property line and the building where non-motorized equipment will be stored; this equipment will not be visible to abutters or Route 20. Conservation members present indicated they saw no objection to the revised site plan as submitted.

Atty. Gadbois further explained the proposed addition to the existing building, as shown on the site plan, to the Selectmen and to several abutters who were present.

Responding to Selectman Cossart's reference to both the Town Engineer's and the Planning Board's expressed concerns in their communications of June 12 and June 15, respectively, relative to parking, Atty. Gadbois stated that the parking spaces would be 10-foot wide rather than 9 feet as recommended by the Planning Board. Mr. Thompson clarified by stating that the Town Engineer was not aware that those parking spaces on the westerly side of the building were being omitted on the revised plan, and that this information became available at the Planning Board's meeting prior to their report of June 15.

Mr. White stated that 180 square feet are required per parking space and questioned the adequacy of the area proposed for parking to handle the required 12 spaces.

In answer to Selectman Hotch, Atty. Gadbois stated that the peak of the proposed addition would be higher than the existing building, subject to Board of Appeals approval, if necessary.

Abutter Edward A. Sokoloff of 3 Washington Drive stated that there is a law suit pending right now which he brought against the owners, Mr. and Mrs. Martell, contending that the use of the property at 712 Boston Post Road violates the zoning bylaws of the Town. Mr. Sokoloff stated that he had discussed with Atty. Gadbois, and sent a copy to Town Counsel, a proposed agreement that would eliminate the outdoor parking of equipment at said location, with the exception of enclosed parking. Mr. Sokoloff said that, unless this agreement was signed by both Town Counsel and Atty. Gadbois (for the Martels), he would strongly object to the site plan as submitted.

Town Counsel commented that he would recommend the signing of this agreement with the stipulation added that it would not impede the Selectmen's right to enforce the site plan requirements or the right to enforce the zoning by-laws of the Town.

Atty. Gadbois stated that he and his clients met with abutters on more than one occasion, and that Mr. Martel had made several changes on the site plan to accommodate certain objections voiced by some abutters. Atty. Gadbois further stated, on behalf of his clients, that he is willing to construct the new addition in accordance with the proposed agreement in accordance with the plans, and whatever the requirements of the Town might be.

Responding to abutter Janet M. Brennan of 7 Uplook Drive, Atty. Gadbois stated that it would be written into the agreement that no trucks will be used. He continued to say that trucks could be used only if they are parked inside the building, since there is no provision in the agreement and/or on the site plan for parking of trucks outside. Atty. Gadbois stated that Mr. Martel will be doing away with that part of the business.

Mr. Sokoloff requested that any approval of the site plan be conditioned upon execution of the proposed agreement.

Town Counsel stated to the Board that it would not be his recommendation that the Board condition the site plan approval on the execution of any proposed agreement drafted to settle pending court action that the Town is not directly a party to.

Following further discussion it was on motion by Selectman Cossart unanimously

VOTED: To approve site plan application #79-206 of Normand G. and Therese A. Martel, Taylor Rental Center, for property located at 712 Boston Post Road, Sudbury, subject to Board of Appeals approval, and further subject to compliance with recommendations of the Planning Board, the Town Engineer and the Building Inspector, in accordance with their communications dated June 15, June 12, and May 30, respectively; said site plan to be brought back to the Board of Selectmen for final signing on July 9, 1979, with all corrections noted.

Joint Meeting with U.S. Fish & Wildlife Service - Rice Property

Present: David L. Beall, Refuge Manager; John Powers, Acting Chairman, and Emmelou Eaton, Historical Commission; Louis H. Hough, Richard C. Hill, Joseph E. Brown, Janet H. Smith, H.P. Ritchie, Royce C. Kahler, Hilda A. Whitney, Sally B. Lukesh, W. James Lyons, Joyce L. Peavey, Russell P. Kirby and Forrest Bradshaw, Sudbury Historical Society; Bradley I. Reed, Historic Districts Commission; Shirley MacGregor, Friends of Library; Judith A. Cope, Chairman, and Joan C. Irish and H. Rebecca Ritchie, Conservation Commission; Fire Chief Josiah F. Frost; Alan H. Ross, abutter; interested Townspeople.

Chairman Murray welcomed David Beall, Great Meadows Wildlife Refuge Manager of the U.S. Fish & Wildlife Service.

Mr. Beall explained a new legislation whereby Federal agencies will make payments directly to towns in lieu of taxes, and stated that the U.S. Fish and Wildlife will be making payments directly to the Town of Sudbury for the Federal property on Water Row, formerly known as the Rice property.

Mr. Beall began the discussion of the Rice property by giving a brief history back to the middle 1960's when the land was purchased by the U.S. Fish & Wildlife from Mr. Marry Rice. At that time, Mr. Rice was granted a life tenure for use of the buildings and some of the fields. When the life tenure agreement was purchased in May, 1978, and settled by a sum of money to Mr. Rice, the U.S. Fish and Wildlife continued plans for the Wildlife habitat and administrative facility. Mr Beall stated that the house, built on 1787, is presently being nominated to the National Register of Historic Places, and suggested that, if they so desire, the Board of Selectmen and the historic commission of Sudbury could present plans for uses of the house to the U.S. Fish and Wildlife Service.

Historical Commission Chairman John Powers requested viewing the house in order to determine costs of possible renovations and expressed his support, on behalf of the Historical Commission, for the preservation of the house.

Mr. Beall stated that he would make a set of keys available to the Town for that purpose. Mr. Powers thanked Mr. Beall, on behalf of the Historical Commission and the Sudbury Historical Society, for cooperating with them in view of their plans for possible restoration of the Rice house.

Fire Chief Josiah F. Frost suggested to Mr. Beall, after his comments about a pile of lumber on the property which he is trying to dispose of, that possibly the Fire Department through his office could assist with disposing of the same.

Responding to Selectman Cossart, Mr. Beall, stated that the U.S. Management of Land and Wildlife would have control of the house unless a long-term lease is approved allowing the house to be operated by private group, if their personal funds had been used to renovate the house.

Mr. Beall also stated that there will be no application of peaticides on Federal Wildlife property unless the U.S. Public Health Service declares a human emergency directly attributed to mosquitos.

Responding to an abutter, Mr. Beall said that plans for the administrative facility should be settled by the end of October.

Executive Secretary Richard E. Thompson called the Board's attention to communications received from the Sudbury Woman's Club, dated Apri; 20, 1979, from the friends of the Goodnow Library, dated April 6, 1979, and from the Sudbury Garden Club, dated April 4, 1979, all supporting the restoration of copies of these communications to Mr. Beall.

Chairman Murry thanked Mr. Beall for his presentation and attendance tonight, and suggested the Board schedule a meeting in Concord sometime in late July to tour the U.S.

Chairman Murry recessed the metting at 7:30 p.m.; the meeting was called back to order at 8:40 p.m.

Sousa Oil Company, Inc. - Underground Storage License for Diesel Fuel

Present: Edwin W. Milstrey, Operations Manager of Sousa Oil Company; Josiah F. Frost, Fire Chief.

In accordance with Chapter 148 of the General Laws of Massachusetts, Chairman Murray convened a public hearing on the application, dated June 6, 1979, of Sousa Oil Company, Inc., for a license to store underground 8,000 gallons of diesel fuel, at property located at 475-7 Boston Post Road.

Executive Secretary Richard E. Thompson read the Notice of Public Hearing and stated that the same was advertised on June 14 in the Town Crier and abutters notified by certified mail. Mr. Thompson noted receipt of the following communications:

- from Josiah F. Frost, Fire Chief, dated June 14, 1979, recommending approval; and
- from the Building Inspector, dated June 19, 1979, recommending approval.

Mr. Thompson stated that this underground storage license for diesel fuel is in conjunction with the recently approved site plan application #79-205 of J.R.Sousa & Sons, Inc., for said above-mentioned property, recently approved by the Board at their June 4th meeting.

Following a brief discussion it was on motion by Chairman Murray unanimously

VOTED: To approve the application of Sousa Oil Company, Inc., for a license to store underground 8,000 gallons diesel fuel, at property located at 475-7 Boston Post Road, with construction/installation to be done under the direction of the Fire Chief; said license is in addition to the 18,500 gallons storage previously licensed, creating a total storage of 26,500 gallons at this location.

Chairman Murray stated that it is the intention of the Board, in conjunction with a letter received from the Governor regarding the energy crisis and the fuel oil crisis, to ask the various station operators in Town to cooperate by having at least one station at a time open so that gas services will be available to the Town between 7:00 a.m. and 10:00 p.m. daily, 7 days a week.

Nomination for Sudbury Housing Authority

Present: Dallas T. Hayes, Sudbury Housing Authority.

Following discussion, in concurrence with the recommendation of the Sudbury Housing Authority, dated June 21, 1979, it was on motion unanimously

VOTED: To nominate James E. Houston, 92 Barton Drive, Sudbury, for appointment to the Sudbury Housing Authority to succeed Dallas T. Hayes as the state-appointed member, and to submit said nomination to the Secretary of the Executive Office of Communities and Development, in accordance with his communication dated June 8, 1979.

Renewal of Taxi Business/Limousine Service Licenses

Following discussion it was on motion by Selectman Hotch unanimously

VOTED: To renew the taxi and limousine service license for Lincoln Town Cab, Carmin J. Spiro, President, and approve the rates of \$1.10 per mile, \$2.25 minimum, \$18.50 to Logan Airport, and \$10/hour waiting time, in accordance with his application dated June 21, 1979.

And it was further

VOTED: To renew the taxi and limousine service license for Sudbury Gulf Corporation Livery and Limousine Service, Edmund Brown, President, and approve the rates \$0.50/hour driving time - \$9/hour waiting time for limousine, as quoted in his application dated June 12, 1979.

The above licenses are granted and accepted upon the express condition that the licensees shall, in all respects, conform to all of the rules and regulations as made by the licensing authorities under the provisions of Chapter 40, section 22 of the General Laws, as amended, and shall expire June 30, 1980, unless earlier suspended, cancelled, or revoked. Approval is also subject to the Board's notification by the licensees of all changes in driver personnel, with character verification for the individual drivers to be determined by the Police Chief.

The Executive Secretary stated that Police Chief Nicholas Lombardi has given a verbal approval of both licenses before the Board tonight.

Authorization to Park Buses for Summer Swim Program

It was on motion by Selectman Hotch unanimously

VOTED: To allow the parking of two Big W Trans buses in the Town Hall parking lot, used in the swim program from June 18 through August 10, as requested by the Park & Recreation Commission in a letter dated June 18, 1979.

Sudbury Woman's Club Pie Sale on Town Green - July 4, 1979

It was on motion by Selectman Hotch unanimously

VOTED: To grant permission to the Sudbury Woman's Club to hold their Annual Pie Sale on the Town Green on July 4, 1979, in accordance with their request dated June 18, 1979.

1:00 a.m. Weekend Closing Time - Liquor Serving Establishments

Following discussion, it was on motion unanimously

VOTED: To extend the 1:00 a.m. closing time for restaurant/club alcoholic beverages license holders, provided that food is served and the kitchens remain open, on Friday and Saturday nights from July 1, 1979, to June 30, 1980.

Sudbury Supervisory Association

Executive Secretary Richard E. Thompson stated that he would get a clarification from the Sudbury Supervisory Association concerning "eligible voters" of the Association, as noted in the Labor Relations Commission Hearing Officer's Decision dated June 20, 1979.

Northern Farms

Following a brief discussion relative to the recent situation concerning a delicatessen selling sandwiches to take out at Northern Farms, it was on motion by Chairman Murray unanimously

VOTED: To direct the Executive Secretary to make a copy of Town Counsel's opinion regarding the sale of sandwiches by Lower East Side Deli - Northern Farms - available to their Counsel.

Transfer Requests from Reserve Fund

Present: John H. Wilson, Town Accountant; Josiah F. Frost, Fire Chief; and Joseph J. Slomski, Finance Committee.

Law General Expense - Following discussion it was on motion unanimously

VOTED: To approve a Request for Transfer No. 0831 from the Reserve Fund to Law - General Expense Account 503-21, for the balance of Labor Relations legal fees due Murphy, Lamere & Murphy, in the amount of \$4,550.

Fire Department Overtime - Following discussion it was on motion unanimously

VOTED: To approve a Request for Transfer No. 0829 from the Reserve Fund to Fire Overtime Account 310-12, to cover the unexpected overtime coverage for fiscal year 1978-79, in the amount of \$3,744, in accordance with a communication dated June 13, 1979, received from Fire Chief Josiah F. Frost.

Fire Department Tuition - Following discussion it was on motion unanimously

VOTED: To approve a Request for Transfer No. 0830 from the Reserve Fund to Fire Department Tuition Reimbursement Account 310-81, to meet the earned expenses of firefighters who have attended accredited colleges and passed accredited subjects with a grade of C or better as per the Town bylaws and the Union contract, in the amount of \$800.

Accounting Equipment - Following discussion it was on motion unanimously

VOTED: To approve a Request for Transfer No. 0838 from the Reserve Fund to Accounting Equipment Account 521-51, to replace a calculator, in the amount of \$150.

School Tuition - Following discussion it was on motion unanimously

VOTED: To approve a Request for Transfer No. 0809 from the Reserve Fund to School Tuition Account 950-89, for tuition for two Sudbury students attending Norfolk Agricultural School for the school year 1978-79, in accordance with General Laws, Chapter 74, section 8, in the amount of \$3,400.

Casualty Insurance - Following discussion it was on motion unanimously

VOTED: To approve a Request for Transfer No. 0837 from the Reserve Fund to Unclassified - Casualty Insurance Account 950-31, for increased insurance premiums for fiscal year 1978-79, in the amount of \$9,446.62.

Maintenance & Repair of Vehicles, Engineering - Following discussion it was on motion unanimously

VOTED: To approve a Request for Transfer No. 0836 from the Reserve Fund to Maintenance & Repair of Vehicles Account 502-31, for gasoline and vehicle repairs to June 30, 1979, in the amount of \$380.

Merit Review - Town Accountant

Present: John H. Wilson, Town Accountant.

The Board reviewed with the Town Accountant his performance review report which Mr. Wilson presented to the Board tonight. Mr. Wilson explained some of his accomplishments this past year, as well as some future objectives/plans of the Accounting Department to make interfacing with other departments more efficient. Mr. Wilson pointed out that one of his primary goals is to further consider a major change in the municipal accounting practice, that being a three-line item budget for presentation to Annual Town Meeting - the three basic categories being 1. salaries; 2. general expense; and 3. capital expense, subject to Board of Selectmen and Finance Committee approval.

Mr. Wilson responded to Selectman Cossart that he is conscious of cost-effective measures, and that one might be bulk purchases which was discussed during the budget planning.

Responding to Selectman Hotch, Mr. Wilson stated that internal audits are performed at random, and that he continues to do these on a yearly basis.

There was a brief discussion and agreement about Chairman Murray's suggestion that a yearly budget seminar for elected and appointed officials be conducted by the Town Accountant, the essence of the seminar to be to discuss and explain town procedures relating to purchasing, contracts, etc.

Following further discussion the Selectmen thanked the Town Accountant, John H. Wilson, for his conscientious past performance, his thorough performance review report and for attending tonight's meeting.

Merit Review - Fire Chief

Present: Josiah F. Frost, Fire Chief.

During a review of the Fire Chief's performance review report, Chief Frost stated that his chief objective is fire prevention and expressed the still present need for a full-time fire prevention officer. The Chief expressed his disappointment and frustration with the defeat of the 1979 Annual Town Meeting article for police/fire headquarters; he stated that as the fire prevention needs of the Town increase, his Department's needs also increase.

Chief Frost expressed his opinion that regionalization of fire facilities is the only way to handle the Town's fire suppression costs and addressed other comments by the Board relative to his performance review report and the operation of his Department.

Following discussion the Chief concluded by stating that his Department has accomplished a great deal this year. The Selectmen agreed and individually commended Fire Chief Frost for the manner in which he runs his Department; Selectman Hotch expressed his confidence in the Chief's ability to handle emergencies and stated he is glad to be part of the same administration.

Chairman Murray thanked the Chief for attending tonight's meeting.

Salaries - Individually-Rated

In accordance with the Selectmen's Performance Review Policy, following merit review meetings with individual department heads under its jurisdiction, and on the recommendation of the Chairman of the Board of Selectmen, it was on motion unanimously

VOTED: That the salary of Richard E. Thompson, Executive Secretary, be and hereby is established at the rate of \$32,550 per annum, effective July 1, 1979, through June 30, 1980;

and it was further

VOTED: That the salary of Nicholas Lombardi, Police Chief, be and hereby is established at the rate of \$28,248 per annum, effective July 1, 1979, through June 30, 1980;

and it was further

VOTED: That the salary of Josiah F. Frost, Fire Chief, be and hereby is established at the rate of \$27,820 per annum, effective July 1, 1979, through June 30, 1980;

and it was further

VOTED: That the salary of James V. Merloni, Town Engineer, be and hereby is established at the rate of \$25,725 per annum, effective July 1, 1979, through June 30, 1980;

and it was further

VOTED: That the salary of John H. Wilson, Town Accountant, be and hereby is established at the rate of \$22,470 per annum, effective July 1, 1979, through June 30, 1980;

and it was further

VOTED: That the salary of Francis E. White, Building Inspector, be and hereby is established at the rate of \$21,400 per annum, effective July 1, 1979, through June 30, 1980.

It was agreed that each department head would receive a copy of his composite evaluation sheet during the month of July.

The Board further directed the Executive Secretary to forward to the Personnel Board the foregoing votes together with the composite evaluation sheets, in accordance with Section 4 of the Personnel Administration Plan.

Warrant to the Dog Officer

As a result of the Board's action on June 18 to table until tonight the issuance of the Warrant to the Dog Officer for 1979, the Executive Secretary submitted a report, dated June 22, 1979, to the Board for their consideration in making a decision on the same.

Following discussion it was on motion unanimously

VOTED: To direct the Executive Secretary to proceed with notification to the approximate 700 owners of unlicensed dogs for 1979 that legal action will be pursued in the Framingham District Court if dogs are not licensed prior to December 31, 1979.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular session of June 11, 1979, as amended, and the minutes of the regular session of June 18, 1979, as drafted.

Local Energy Committee Establishment Request from Gov. Edward J. King

The Board noted receipt of a communication received June 1, 1979, from Gov. Edward J. King relative to the establishment of a local energy committee to coordinate community level programs relative to fuel conservation and directed the Executive Secretary to communicate back to the Governor's office that the Building Services Group in Sudbury will be asked to assume this as one of its duties.

Current Items of Interest

Opening and Closing of Retail Gasoline Stations - As a result of a communication dated June 20, 1979, from Governor Edward J. King relative to the opening and closing of retail gasoline stations in various communities,

the Board directed the Executive Secretary to arrange a meeting on Wednesday, June 27 at 8:30 p.m. with all gasoline station operators in the Town of Sudbury to discuss the schedule suggested by the Governor that gasoline be sold from 7:00 a.m. to 10 p.m., seven days per week.

Local Aid - The Board approved a letter prepared by the Executive Secretary to be sent to Senator Chester G. Atkins relative to local aid indicating the Board's support of local aid being restored to the 200 million dollar level.

Sign Bylaw Case Pending - Sudbury Real Estate - The Executive Secretary informed the Board that the Sign Review Board and Sudbury Real Estate have reached a mutual agreement regarding the pending case against Sudbury Real Estate by the Sign Review Board in connection with Sudbury Real Estate's sign.

Discretionary Fund - Summer School - The Board received a letter June 21, 1979, from the Sudbury Public Health Nursing Association, Inc., requesting that the Board consider providing funds for two children of families experiencing financial difficulties to attend Sudbury Summer School.

Following discussion it was on motion unanimously

VOTED: To authorize the expenditure of \$150 from the Discretionary Fund payable to the Sudbury Summer School, to provide scholarships for two children, as requested by the Summer School Director and the Sudbury Public Health Nursing Association, Inc., in a communication dated June 21, 1979.

Dutton Road - Selectman Hotch stated that he has been speaking with the Town Engineer relative to plans for the straightening of Dutton Road in the area of the Women's Federation where a very bad curve there has caused several accidents. Selectman Hotch informed the Board that Mr. Merloni has now completed the plans and suggested that an attempt be made to pursue this as quickly as possible.

CETA Complaints - Selectman Cossart called the Board's attention to several complaints he recently received relative to work habits of some CETA workers. The Executive Secretary stated that he would notify the Town Engineer relative to the same.

There being no further business to come before the Board, the meeting was adjourned at 11:15 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk