

IN BOARD OF SELECTMEN  
MONDAY, JANUARY 7, 1980

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

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:00 P.M. by Chairman Robert J. Hotch.

Grievance - IBPO - Officer Daniel Fitzgerald

Present: John A. Longo, President of International Brotherhood of Police Officers, Local 315; Officer Daniel Fitzgerald; and Police Chief Nicholas Lombardi.

Executive Secretary Richard E. Thompson stated that on December 17, 1979, the Board addressed a grievance dated December 7, 1979, submitted by John A. Longo, President of the International Brotherhood of Police Officers, on behalf of Officer Daniel Fitzgerald relative to Article XXII, Injury in the Line of Duty, as it pertains to Sick Leave, at which time, the matter was tabled, by mutual consent, for lack of sufficient medical information.

Mr. Thompson stated that today Officer Fitzgerald had delivered letters from John D. Nicholson, M.D., dated December 28, 1979; from Paul L. Newton, M.D., dated December 21, 1979; from John D. Nicholson, M.D., dated April 6, 1973; and from former Police Chief John F. McGovern, dated December 27, 1979.

It was a consensus that the Selectmen would need some time to review these letters, and it was on motion by Selectman Murray unanimously

VOTED: To table, by mutual consent, the matter of responding to the above-mentioned grievance, until the Board's January 14th meeting, following the Board's review of the above-mentioned communications.

Agreement - Hosmer House Historic Structures Report and Feasibility Study

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

VOTED: To designate the Chairman of the Board of Selectmen to sign an agreement with David McLaren Hart & Associates for furnishing the Hosmer House Historic Structures Report and Feasibility Study, forwarded to the Board from David M. Hart, under letter dated December 27, 1979, subject to the deletion of Articles 4 and 9 of the Agreement.

Transfer Request - Dog Officer, General Expense

Executive Secretary Richard E. Thompson explained that the purpose of Reserve Fund Transfer Request No. 0853, dated December 28, 1979, for Account 350-21, Dog Officer General Expense, in the amount of \$1,800 is based upon the fact that we have not built the dog kennel, and this transfer will provide care of the dogs and will replace some of the money which has been taken out for expenses related thereto.

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

VOTED: To approve Reserve Fund Transfer Request No. 0853, dated December 28, 1979, for Account 350-21, Dog Officer General Expense, in the amount of \$1,800 for the purpose set forth in the above-mentioned transfer.

Payment Statement for Construction of Landham Road

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

VOTED: To approve and sign a payment statement for the period November 1, to December 6, 1979, relating to construction of Landham Road by R. Bates & Sons, for submission to the Department of Public Works for reimbursement.

Selectmen's Annual Report for 1979 Town Report

The Board accepted the Selectmen's Annual Report for the 1979 Town Report, subject to receipt of the final copy incorporating Chairman Hotch's suggestions, as submitted this evening.

Current Items of Interest

Ordering of Warrants

The Executive Secretary notified the Board that the Moderator will be out of Town and consequently unable to attend the Warrant Ordering scheduled for January 14th. On the recommendation of the Executive Secretary, in concurrence with the Town Moderator, the Board agreed to go ahead with ordering the Warrant as scheduled.

Executive Internship Program

The Executive Secretary informed the Board that a Lincoln-Sudbury Regional High School student, Larry Goldstein of Munnings Drive, will begin working in the Executive Internship Program on February 4, 1980.

Annual Report from the Senior Citizens

The Executive Secretary reported that the Senior Citizens had submitted an annual report, and that in the past it has been the practice to include in the Town Report only the report from the Council on Aging, since it is a Town committee. The Board directed the Executive Secretary to notify the Senior Citizens group that their report may be incorporated with the Council on Aging if they so agree to do so.

Great Meadows Wildlife Refuge

The Executive Secretary confirmed that a letter dealing with the

Great Meadows Wildlife Refuge from H. Rebecca Ritchie to Howard L. Larson of the Department of the Interior, dated December 27, 1979, had been written with the endorsement of the Conservation Commission. The Board directed the Executive Secretary to send a letter to the U.S. Fish and Wildlife expressing the Board's concurrence and support of Ms. Ritchie's letter.

Building Inspector Position

The Board acknowledged receipt of a letter dated January 2, 1980, from Earl Midgley, Deputy Building Inspector, indicating his willingness to continue in his present capacity for another six months to a year, if the Board so desires, and the possibility of his future availability on a full-time basis, and took the matter under advisement.

Letter to Mr. Raymond Clark

The Board approved and signed a letter, prepared by the Executive Secretary, responding to Mr. Clark's communication of December 14, 1979, relative to the Board's expressed position on the recent vandalism and arson at the High School.

Meeting - Sealer of Weights and Measures

Present: Harold L. Lingley, Sealer of Weights and Measures.

Mr. Lingley introduced himself to the Board of Selectmen and confirmed receipt of the notification of his appointment by the Selectmen to the position of Sealer of Weights and Measures on December 17, 1979.

Executive Secretary Richard E. Thompson confirmed with Mr. Lingley that \$1,000 per year has been allocated for his services as Sealer of Weights and Measures, and that a transfer in the amount of \$500 for the first six months of 1980 has been approved by the Finance Committee.

Responding to the Selectmen, Mr. Lingley explained that standard containers and weights are used for testing pumps and scales, and that measurements and weights would have to be within certain amounts; otherwise, the pump or scale would be condemned and required to be repaired within three days, at which time, if it still were not in compliance, all pumps and scales in the establishment would be condemned. Mr. Thompson responded to Mr. Lingley by stating that we do have scales and weights available in the Building Department for him to use.

In answer to Selectman Hotch, Mr. Lingley stated that he performs three tests on each pump or scale before approving or condemning the same; that the State requires one test per year per unit but that upon suspicion and/or complaint that one is faulty, the Sealer of Weights and Measures can make as many tests as he feels are necessary per year.

Also responding to the Executive Secretary, Mr. Lingley stated that gasoline stations would probably be a priority; that the High School scale used in the wrestling program is not required to be sealed according to State regulations, but indicated that he would be willing to test it as a convenience to the School.

Mr. Lingley asked if the State report for last year had been filed. Mr. Thompson stated that it had been prepared, but needed Mr. Lingley's signature. Mr. Lingley assured Mr. Thompson that he would sign the report if he could verify it by looking at the books for last year. At Chairman Hotch's suggestion, Mr. Thompson stated that he would schedule a meeting with Mr. Lingley as soon as possible to look over Mr. White's records (former Sealer of Weights and Measures), so that the State report can be filed.

The Selectmen thanked Mr. Lingley for attending the Selectmen's meeting tonight.

#### Review of Selectmen's Articles

The Board discussed and reviewed certain Selectmen's articles, which were held at the Board's last meeting on January 2, 1980 and took the following action:

##### Town Report

On the basis that Midge Zola of the Town Report Preparation Committee was aware of the Selectmen's recommendation on January 2, 1980, to withdraw this article unless the Town Report Preparation Committee would be willing to sponsor the same, it was on motion unanimously

VOTED: To accept an article entitled "Town Report", sponsored by the Town Report Preparation Committee, and to request that Committee to prepare and submit a report relative to this article; unless the one prepared by the Executive Secretary are satisfactory to them.

##### Amend Zoning Bylaw, Art. IX, III, X, 1 and Amend Zoning Bylaw, Art. IX, III, B, 2

During a discussion of these two articles, the majority of the Selectmen agreed that it remains unclear whether these amendments accomplish what the Selectmen had set out to do. It was on motion by Selectman Murray

VOTED: To withdraw two articles submitted by the Selectmen under the December 30 closing date - Amend Zoning Bylaw, Art. IX, III, C, 1 and Amend Zoning Bylaw, Art. IX, III, B 2.

(Selectman Hotch and Murray, in favor; Selectman Cossart, opposed.)

Special Act - Civil Service, Police and Special Act - Civil Service,  
Plumbing, Gas, Sealer

It was on motion by Selectman Cossart unanimously

VOTED: To approve the report submitted relative to two articles - Special Act - Civil Service, Police and Special Act - Civil Service, Plumbing, Gas, Sealer.

Flynn Building Grounds Improvements

Following a brief discussion, it was on motion unanimously

VOTED: To approve the article entitled "Flynn Building Grounds Improvements" with the inclusion of the figure of \$5,000, confirmed by the Town Engineer to be the amount required for the improvements, and to approve the warrant report as prepared.

Town Audit

Following a brief discussion, it was on motion unanimously

VOTED: To approve the article entitled "Town Audit", and a report submitted therewith with one amendment.

Town Supply of Gasoline for 1980

Present: Fire Chief Josiah F. Frost.

Fire Chief Josiah F. Frost up-dated the Board in the matter of the Town's 1980 supply of gasoline, in accordance with the Board's request at its meeting of January, 1980.

Chief Frost stated that he verified with Union Oil that they have our allocation through October, 1980. Their price for unleaded gasoline is six tenths of a cent under the price of Concord Oil's and the price for regular gas is four cents under. Chief Frost stated that he did not understand the differential between Atlantic-Richfield (who was ten cents lower) and the other two companies.

Based on the information provided by the Fire Chief and his recommendation, it was on motion by Selectman Murray unanimously

VOTED: To have Atlantic-Richfield supply the Town with gasoline through January 1980 and Union Oil (Union Petroleum Corporation) through October 1980, in accordance with Federally regulated allocations.

Clarifying confusion concerning the change in Federal allocation from Atlantic-Richfield to Union Oil (in February 1980), Chief Frost stated that at the time the Federal Government reestablished Federally-regulated gasoline allocations, (based on a November through October year), the Town had a contract with Union Oil, and the Chief said that was probably the reason for the government's partial change to Union Oil from Atlantic-Richfield. (Atlantic-Richfield would not relinquish the November, December, January allocation to Union.)

Responding to Selectman Hotch relative to installation of larger storage tanks, the Chief stated that it is costly to install tanks, and that there are so many changes in petroleum products that it is quite possible the Town may be forced to switch to diesel fuel or something else in the near future. The Chief stated that he would be willing to look into the cost of this project, if the Board so desires. The Selectmen agreed that this might be something to look into in the future.

There being no further discussion, Chairman Hotch recessed the meeting for a coffee break at 8:15 p.m.; the meeting was called back to order at 8:30 p.m.

Joint Meeting with Permanent Building Committee (PBC) and Long Range Capital Expenditures Committee (LRCEC)

Present: D. Bruce Langmuir, James F. Goodman, Edward P. Rawson and Dan A. Woolley, Permanent Building Committee; James A. Pitts, Chairman Beverly F. Brenner and Frederick P. Armstrong, III, Long Range Capital Expenditures Committee.

Chairman Hotch opened a joint meeting with the PBC and the LRCEC for the purpose of:

- finalizing four 1980 Annual Town Meeting articles pending before the Selectmen relative to Police and Fire facilities and to reach a consensus on which of the articles should remain for inclusion in the Warrant;

- the question of requesting a transfer from the Surveys and Studies Account for professional estimating; and

- an update on the septic system situation as the same pertains to the proposed police station addition.

PBC Chairman D. Bruce Langmuir distributed a seven-page report dated January 7, 1980, and displayed and explained architectural plans, by Kubitz and Pepi Architects, Inc.; this project was done in conjunction with the PBC's commitment to the 1979 Annual Town Meeting vote for a feasibility study for a new fire and/or police headquarters. Mr. Langmuir explained that following professional consultations, tours of various police and fire facilities, and numerous meetings with both the Fire and Police Chiefs and other Town Officials, the following consensus was reached:

Articles Mr. Langmuir stated that the PBC and the Selectmen concur that articles dealing with new fire and police headquarters should be presented to Annual Town Meeting independently and at two consecutive Town Meetings, the Police Station being the priority. Therefore, an article dealing with an addition to the present police station will be submitted at the 1980 Annual Town Meeting with anticipation of submitting an article to the 1981 Annual Town Meeting for a new fire facility to be located on Hudson Road on Town-owned land next to the Musketahquid Village. Later in the evening, Chairman James A. Pitts of the LRCEC agreed, on behalf of that Committee, with this course of events. Mr. Langmuir stated that both Chiefs are in concurrence.

Mr. Langmuir went on to say that in order to go before Town Meeting with the article for the addition to the present police station it would be absolutely essential to have an independent professional cost estimate to verify construction costs to be presented to Town Meeting.

In answer to Selectman Murray relative to a new police facility, Mr. Langmuir stated that the committee looked into two approaches - that of raising the roof for a two-story police facility; and the extension to the present building creating a one-story addition. From an architectural standpoint for efficiency of departmental operations and economically speaking, it was a consensus to go with the one-story addition. Also, in answer to Selectman Cossart, Mr. Langmuir stated that the Committee is prepared to be challenged on Town Meeting floor relative to design changes as they relate to construction costs.

Surveys and Studies Account. Following a brief discussion and on the recommendation of the Executive Secretary, it was on motion by Selectman Hotch unanimously

VOTED: To authorize the expenditure of \$300 from the Surveys and Studies Account 501-81 for a professional estimate for construction costs for the Police station addition to be expended under the direction of the Permanent Building Committee.

Police Facility Septic System. Mr. Langmuir up-dated the Board on a new development relative to the septic system for the new police facility. Mr. Langmuir reported that the article dealing with the combined police/fire facility was submitted because there was a question as to whether the proposed addition to the present police station could be built on that property with the required changes to the septic system. Mr. Langmuir explained that since that time, the PBC has met with the local Board of Health and on the State level with D.E.Q.E. and it looks as if the local Board of Health may issue a variance which will enable building the septic system at the present location. Mr. Langmuir stated that the PBC will meet with the Board of Health next week, January 16th, and try to finalize these plans. Mr. Thompson recommended that a member of the Board of Selectmen be at that meeting.

After further discussion it was on motion unanimously

VOTED: To table until the Board's next meeting on January 21st any further discussion of these four articles dealing with Police/Fire facilities; until the PBC has had an opportunity to meet with the Board of Health.

Chairman Hotch commended the PBC for a good job well done with limited funds to work with. Mr. Langmuir stated that the PBC is a good Committee and that he received tremendous cooperation from both Chiefs. Chairman Hotch thanked members of both the PBC and LRCEC for attending tonight's meeting.

The meeting was recessed at 9:00 p.m. for a coffee break; Chairman Hotch called the meeting back to order at 9:15 p.m.

Executive Session

It was on motion by roll call

VOTED: To enter into Executive Session for the purpose of discussing strategy for collective bargaining.

(Chairman Hotch, in favor; Selectman Cossart, in favor; Selectman Murray, in favor.)

Chairman Hotch stated that Public Session would not reconvene following the Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 9:45 p.m.

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk