

IN BOARD OF SELECTMEN
MONDAY, JANUARY 21, 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.

Building Department - Line Item 340-17 - Plumbing and Gas Inspector

Present: Howard P. Porter, Plumbing and Gas Inspector.

On the question of considering a change in the Building Department line item 340-17, Retainer for Plumbing and Gas Inspector, the Board reviewed a communication dated January 14, 1980, from the Executive Secretary.

Executive Secretary Richard E. Thompson noted that Mr. Porter was present and had received a copy of the above-mentioned communication.

Selectman Murray commented that the data submitted was late since this had already been discussed at the Board's meeting on December 10, 1979, when the Board discussed Operating Budgets - Building Department. Selectman Hotch questioned changing figures related to budgets and articles at this point.

Mr. Thompson stated that budget figures can be changed at any time prior to the budget approval hearings with the Finance Committee and, if approved, can be changed in the Warrant also.

Selectman Cossart stated that the data submitted was difficult to work with; he reaffirmed his previous position taken on December 10, 1979, when the Board agreed to pay Mr. Porter 100% of the fees collected and a retainer of \$1,000.

Mr. Porter stated his preference that he be paid a higher retainer to be assured of a certain amount each year, rather than 100% of unpredictable fees. Selectman Cossart pointed out, however, that conversely, less pay for less work might be a more sensible way of handling the situation.

Mr. Porter pointed out some of the reasons why he should receive a higher retainer:

- it costs personal time and money to make inspections;
- the Wiring Inspector is being paid \$5,200 annually;
- Mr. Porter is doing two jobs - plumbing and gas inspections; and
- ever-rising costs of living and gasoline.

Selectmen Murray and Cossart expressed agreement. It was on motion by Selectman Murray

MOVED: To increase the retainer of the Plumbing Inspector and Inspector of Gas Piping & Gas Appliances, Building Department line item 340-17, from \$1,000 to \$2,000 and to pay him 100% of the fees collected.

Following further discussion, Selectman Cossart pointed out that an increase from \$1,000 to \$2,000 plus 100% of fees received would be an increase of \$2,000, and he said he did not feel comfortable with that much of an increase.

It was on motion by Selectman Cossart

VOTED: To increase the retainer of the Plumbing Inspector and Inspector of Gas Piping & Gas Appliances, Building Department line item 340-17, from \$1,000 to \$2,000, and to keep his fee at 75% of the fees received, to be so noted in the Personnel Classification and Salary Plan and budget line item 340-16.

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

Accepting Bid for 3 Police Cruiser Sedans

On the question of accepting a bid for furnishing three police cruiser sedans under the bid opening date of January 16, 1980, the Board reviewed the five bids received on said date ranging from \$13,712.44 to \$15,579.00.

Executive Secretary Richard E. Thompson noted that the Police Chief recommends the low bidder: Main Street Auto Sales & Service, Inc. for the price of \$13,712.44.

The matter was tabled until later in the evening to confirm with the Town Accountant, when he arrived, whether enough had been appropriated in the Police Department Budget for the Fiscal Year 1979-80 to accommodate this purchase.

When Town Accountant John H. Wilson arrived he confirmed that there was \$16,000 in the account for equipment purchase, and that the account could, therefore, handle the purchase of three police cruiser sedans at the low bid, as recommended by the Police Chief.

It was on motion by Selectman Cossart unanimously

VOTED: To accept a bid for furnishing three police cruiser sedans submitted under the bid opening date of January 16, 1980, in accordance with specifications dated January 3, 1980, by the low bidder: Main Street Auto Sales & Service, Inc., 1040 Main Street, Waltham, Massachusetts, for a net cost after trade-ins of \$13,712.44.

M.D.C. Sudbury Reservoir Water Treatment Plant

The board reviewed communications concerning the proposed M.D.C Sudbury Reservoir Water Treatment Plant, as follows:

1. from the Town of Concord to the Office of Environmental Affairs, dated December 14, 1979;
2. from Representative Ann Gannett, dated January 12, 1980, enclosing her letter of January 7 to the Office of Environmental Affairs; and
3. from Teresa N. Lukas of the Conservation Commission, dated January 14, 1980.

Executive Secretary Richard E. Thompson pointed out that there has been no definitive action taken on the part of the state yet.

The Board reaffirmed its position and on the recommendation of Selectman Murray, the Executive Secretary was directed to express to the MDC the Selectmen's support of Representative Gannett's letter of January 7 and to forward copies of the above listed communications and request comments on this matter from MAPC Designee Joan C. Irish, the Sudbury Water District and the Town Engineer. Selectman Murray also suggested that the Town be represented at the next MDC meeting/hearing by Mrs. Irish and one other Town Official.

Chairman Hotch stated that he would open discussion on this matter at the Town Fathers Forum next week and would reference Ann Gannett's letters of January 12 and January 7 referenced above.

Operating Budgets Under Jurisdiction of Selectmen

Present: Fire Chief Josiah Frost.

Executive Secretary Richard E. Thompson stated that the Finance Committee will take its final vote on the Operating Budgets under the jurisdiction of the Board of Selectmen on Saturday, January 26, and commented as follows:

- under the Selectmen's budget the Surveys and Studies account was decreased by \$500.
- under the Police Department the overtime budget was decreased.
- under the Fire Department budget, the Finance Committee is recommending disapproval of the Fire Prevention Officer.
- the Building Department budget will be heard Thursday, January 24th;
- the Highway Department Cemetery overtime budget was reduced.

Mr. Thompson asked for comments/recommendations on these budgets which he said he would bring back to the Finance Committee.

Chief Frost stated that he met with his captains to discuss the Finance Committee's recommendation to delete the Fire Prevention Officer. It was a consensus that, in addition to the amount approved by the Finance Committee, \$5,000 be requested for the 310-12 overtime account to allow firemen to conduct some of the fire prevention, usually handled by a fire prevention officer, with schools, civic groups, scouts, training of captains, etc. This addition would mean a total decrease of the Fire Department budget in the amount of \$5,000 rather than \$10,000 as recommended by the Finance Committee. The Chief stated that he spoke to Finance Committee liaison Ronald A. Stephan, who indicated that he would move that addition on Saturday at the Finance Committee budget hearing. Chief Frost requested and received assurance of the Board's support at that meeting if Mr. Stephan does not follow through as planned. Responding to the Selectmen, the Chief stated the bottom line of the Fire Department budget is \$493,865.

Relative to the Highway Department budget, the Board directed the Executive Secretary to contact Robert A. Noyes and offer the Board's support if he wished to pursue the reinstatement of these funds at the Finance Committee budget hearing on Saturday.

Later in the evening, in discussing the Dog Officer's budget, the Board requested Town Counsel to draft a long term (5-year) lease for the Board's approval at their meeting on January 28 and an application to the Board of Appeals, both in connection with the use of the Dakin Road property for a Town Dog Pound.

Following further discussion it was on motion unanimously

VOTED: To request an increase in the Dog Officer's Budget to \$5,000 for the care of dogs, based on the recommendation of Deputy Building Inspector Earl D. Midgley, dated January 17, 1980, at the Finance Committee's budget hearing on Saturday, January 26.

Route 117 - Tourist Route

The Board acknowledged receipt of a communication dated January 26, 1980, from the Commissioner of the Department of Public Works informing the Board that Mr. Davis of the Maynard Chamber of Commerce had been advised that, since Sudbury has opposed the designation of Route 117 as a tourist route, the Department will not be endorsing the same.

MBTA's Service Proposals for Calendar 1980

The Board reviewed a communication dated January 11, 1980, from the MBTA Advisory Board relative to the MBTA's Service Proposals (views on service levels and costs) for calendar 1980.

Executive Secretary Richard E. Thompson stated that there is a copy of the MBTA's budget available in the Selectmen's office. Mr Thompson pointed out that the budget has been approved by the Advisory Committee at the \$300,000,000 level, which includes certain reductions in service; he noted that an additional \$40,000,000 is still needed, and still with reduced service.

Selectman Murray commented that the \$40,000,000 the MBTA states it needs is a 14.4% increase, and that it feels a 31.5% increase would be necessary to maintain the level of service that they had two years prior.

House Bill No. 6861 - Lottery for the Arts

The Board acknowledged receipt of a copy of House Bill No. 6861, An Act Establishing A Lottery for the Arts, and an associated press release, forwarded by the Special Commission on the Performing and Visual Arts.

Executive Secretary Richard E. Thompson pointed out his interpretation is that to be eligible for the lottery, you must have a local lottery council for the arts, and suggested that the Board might want to consider this in the future.

Selectman Cossart asked if the Massachusetts Municipal Association (MMA) had given any consideration to establishing the same.

Mr. Thompson responded that in the past the MMA took a position in opposition to the lottery; that a meeting is coming up in February, and that he will report back to the Board following that meeting.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of January 14, 1980, as amended; and the minutes of the Executive Session of January 14, 1980, as drafted.

Current Items

Letter of Resignation from Chairman Hotch

Chairman Hotch read a statement of resignation, effective March 31, 1980, and expressed his deep regret for having to take this action, explaining that personal and business commitments made it necessary for him to do so. The Selectmen expressed their regret, stating that his contributions to the Board would be missed.

Town Counsel Paul L. Kenny stated that he would advise Chairman Hotch as to a possible change in the effective date of his resignation to accommodate any candidates who may want to run in the upcoming 1980 Town Election on March 31st.

Later in the evening Chairman Hotch announced his resignation would be effective January 29.

Meeting with Police Chief Lombardi

At the suggestion of Selectman Cossart, the Executive Secretary was directed to invite Police Chief Nicholas Lombardi to the Board's meeting of February 4th to explain the above average increase, as compared to other communities of Massachusetts, in the rate of serious crimes within Sudbury over the last 12 months and to present his plans for improving these statistics in the future.

Wayland/Sudbury Septage Disposal Facility

The Executive Secretary informed the Board of an Operational Review Committee's meeting to be held at the Flynn Building on January 23 at 8:00 p.m. relative to the Wayland/Sudbury Septage Disposal Facility. Mr. Thompson stated that, at that time, a portion of the federal grant will be presented and that Wayland Selectmen will be present. The Selectmen indicated that they would be present at that meeting.

Fire and Vandalism at the High School

Executive Secretary Richard E. Thompson reported that he and both the Fire and Police Chiefs met with Superintendent Levington at the High School on Friday

and were updated on the schools new program dealing with combating vandalism which had already been reported in the press. Mr. Thompson informed the Board that provisions have been made to eliminate the chaining of doors and that Chief Frost has complete inspection scheduled in the immediate future.

Youth Restitution Program

At the request of Selectman Murray, the Executive Secretary was directed to contact the Probation Officer at the Framingham District Court relative to the Youth Restitution Program.

The meeting was recessed at 8:05 p.m. for a break; Chairman Hotch called the meeting back to order at 8:10 p.m.

Town Audit

Present: Town Treasurer William E. Downing; Assistant Town Treasurer Loretta Bigelow; Town Accountant John H. Wilson; and Town Clerk Betsey M. Powers.

Chairman Hotch presented the Board with a report from the Audit Selection and Review Committee relative to its review of the audit for FY 1978-79, performed by the firm of Laventhol & Horwath, under Article 8 of the 1979 Annual Town Meeting.

Chairman Hotch reported that copies of the audit report have been forwarded to the Bureau of Accounts in accordance with Chapter 44, section 42 of the General Laws, and that a report has been prepared for issuance to the School Committee on the financial status and purchasing systems for the school department and on the school lunch program. Chairman Hotch further reported that \$7,700 will be turned back to the Town; this is the balance of the appropriation for a Town Audit under Article 8 of the 1979 Annual Town Meeting.

Chairman Hotch noted the following recommendation of the Audit Selection and Review Committee:

- the need for an in-house implemented cash management program, recommended by Laventhol & Horwath, should be pursued at this time;
- a Study Committee should be appointed to look into the expansion of our existing data processing system for the purpose of more complete computerizing;
- an evaluation of Town Buildings to determine amount of insurance coverage;
- that the Town should conduct a private audit every two years.

Following discussion it was on motion unanimously

VOTED: To leave Article 24 "Town Audit" in the 1980 Warrant marked "withdrawn" with a statement explaining the details of the Town Audit, completed under Article 8 of the 1979 Annual Town Meeting and explaining that unexpected funds in the amount of \$7,700 will be returned back to the Town.

It was noted that a copy of the completed Town Audit is available in the Selectmen's office for public review.

And it was further

VOTED: To send a letter of thanks to the Audit Review Committee members for their work and to respond in the negative to the proposals from the firm of Laventhol & Horwath relative to a new audit and a cash management study.

Following further discussion, on the recommendation of Town Counsel the Selectmen agreed to submit the audit for Fiscal Year 1978-79, performed by the firm of Laventhol & Horwath under Article 8 of the 1979 Annual Town Meeting to the Town Clerk for her submission of a summary report of the same for publication in the Town Report, in accordance with G. L. Chapter 44, section 40.

Town Clerk Betsey M. Powers briefly outlined how she would summarize the Town Audit. The Selectmen were in concurrence with her suggestions.

Chairman Hotch recessed the meeting at 8:30 for a five-minute break; the meeting was called back to order at 8:35 p.m.

Current Items of Interest

Massachusetts Municipal Association Conference

Both Selectmen Cossart and Murray indicated that they would attend the Massachusetts Municipal Association conference on Saturday, March 1.

Officer John R. MacLean - Change in Position

Town Counsel Paul L. Kenny stated his opinion that it would be necessary for the Board to vote to rescind their previous vote appointing Officer John R. MacLean Acting Sergeant in the absence of Sergeant Peter G. Sullivan, now that Sergeant Sullivan has returned to duty; and further to specify in its vote that proper notification be made to Officer MacLean, indicating that he will resume the position of Patrolman.

The Board requested Town Counsel to review his position in this matter and report back to the Board at their next meeting on January 28. The Executive Secretary was directed to redraft a letter of notification to Officer MacLean, subject to the Board's approval next week.

Appointment - Inspector of Buildings/Zoning Enforcement Agent

Following a brief discussion, it was on motion unanimously

VOTED: To appoint Joseph E. Scammon, 25 Crescent Street, Wellesley, to the position of Inspector of Buildings/Zoning Enforcement Agent, effective March 1, 1980, for a term to expire April 30, 1981, at the salary of \$21,500 per annum.

It was noted further that Mr. Scammon would have the use of a Town vehicle from port to port and a three-week vacation.

The Executive Secretary was directed to submit a job description and a complete listing of employment benefits and conditions recommended by Mr. Thompson to the Board for its review at the next Selectmen's meeting on January 28, 1980.

Review of Permanent Building Committee/Selectmen Annual Town Meeting Articles

Present: D. Bruce Langmuir, Chairman, Edward P. Rawson, and Franklin R. Davis, Permanent Building Committee; James A. Pitts, Chairman, Long Range Capital Expenditures committee; Lee A. Young, owner of abutting land; and Robert F. Dionisi, Esq. representing Mr. Young.

Chairman D. Bruce Langmuir of the Permanent Building Committee commented on Annual Town Meeting Articles submitted jointly by the PBC and the Selectmen, as follows:

Proposed Police Facility

Mr. Langmuir showed a plan of the proposed Police Facility and explained a few of the features of the addition. Mr. Langmuir showed a plan of the leaching system for the proposed police facility which is to be located under the parking lot on the west side of the building - the land is to be raised sufficiently to bring it 4' above the high water table. The entrance to the juvenile unit will also be raised similarly so that all entrances of the building will be at the level of the parking lot. Mr. Langmuir gave the details of the layout and area of the leaching field, and indicated that the DEQE and the local Board of Health were accommodating in helping to work out the septic systems requirements. Mr. Langmuir stated that it would no longer be necessary to ask for an easement on the Vana property, abutting the Police station. Mr. Langmuir gave the Board a copy of the plan for the proposed leaching system.

Police Facility Articles 1980

There was some discussion relative to how the presentation of the articles should be made to the Town Meeting. The PBC recommended the Selectmen make the initial presentation. Chairman Hotch stated that the Selectmen would be glad to give the background but that the PBC should handle the technical aspects of it.

Following further discussion it was on motion by Selectman Murray unanimously

VOTED: To withdraw Articles 26A Police Station - Land Acquisition (B) and 27A Joint Police/Fire Facility from the 1980 Warrant.

Selectman Cossart commented that Town Meeting should be informed that the fire facility is still a consideration for future Town Meeting. Mr. Langmuir added that the intention of the PBC is to make a brief presentation on both facilities, and then to focus the majority of the presentation on the police facility.

Fire Facility Study

Mr. Langmuir stated that the PBC has requested, through Mr. Thompson, an increase of \$500 in the Surveys and Studies Account, for an independent estimate for the fire station. Mr. Thompson reported that the Selectmen requested \$2,500 in the Surveys and Studies Account, and that the Finance Committee only approved \$2,000.

Chairman Hotch recessed the meeting at 9:08 p.m.; the meeting was called back to order at 9:20 p.m.

Executive Session

At 9:20 p.m. it was on motion by roll call

VOTED: To enter into Executive Session for the purpose of discussing transactions in real property where open discussion may have a detrimental effect of such transactions. Chairman Hotch announced that Public Session would not reconvene following Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 9:55 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk