

IN BOARD OF SELECTMEN  
MONDAY, MARCH 17, 1980

Present: Chairman William J. Cossart and John E. Murray.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 6:50 p.m. by Chairman William J. Cossart.

Appointment - Board of Assessors

Present: David G. Hubbard, Chairman, and William R. Duckett, Board of Assessors; and Marjorie Wallace, Finance Committee.

Chairman Cossart called to order a joint meeting with the Board of Assessors for the purpose of electing a third member to the Board of Assessors to fill the existing vacancy.

On motion by Chairman Cossart, seconded by Selectman Murray, it was on motion unanimously

VOTED: To appoint Richard E. Thompson, Executive Secretary, to serve as Clerk for the joint session of the Board of Selectmen and the Board of Assessors for the purpose of electing a third member to the Board of Assessors.

Executive Secretary Richard E. Thompson called attention to a communication dated March 11, 1980, from the Selectmen to the Board of Assessors confirming tonight's meeting to elect by roll call vote a third member to the Board of Assessors to serve until the next Town Election, in accordance with General Laws, Chapter 41, section 11, as amended.

Selectman Murray nominated Donald P. Peirce.

The nomination was seconded.

Chairman Cossart asked for other nominations and, there being none, he announced that nominations had closed and requested the Clerk to proceed with the roll call vote.

Mr. Thompson read the roll call alphabetically, and the following votes were cast:

William J. Cossart voted for Donald P. Peirce.

William R. Duckett voted for Donald P. Peirce.

David G. Hubbard voted for Donald P. Peirce.

John E. Murray voted for Donald P. Peirce.

At the completion of the roll call vote, the Clerk declared that Donald P. Peirce, having received the unanimous vote of the officers present and entitled to vote, was elected to fill the vacancy on the Board of Assessors, occasioned by the death of Frank H. Grinnell, until the next Town Election, in accordance

with Chapter 41, section 11 of the General Laws, as amended.

Chairman Cossart adjourned the joint session and thanked the members of the Board of Assessors for their attendance tonight.

Utility Petition #80-2 - Marlboro Road

Present: Robert A. Malis representing Boston Edison Company and New England Telephone.

In conformity with General Laws Chapter 166, sections 21 and 22, the Board considered UP80-2 of Boston Edison Company and New England Telephone and Telegraph Company for permission to erect or construct, and a location for, a pole, and other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, to be used in common by them, upon, along and across the following public way of the Town:

Marlboro Road, southeasterly side approximately 432 feet southwest of Morse Road, one (1) pole and one (1) guy wire and anchor.

Executive Secretary Richard E. Thompson reported that all appropriate Town officials and abutters had been notified and that a communication dated March 6, 1980, had been received from the Deputy Wiring Inspector recommending approval.

Following a brief explanation by Mr. Malis, it was on motion by Selectman Murray unanimously

VOTED: To approve Utility Petition #80-2, Marlboro Road, as described above, and as shown on a plan entitled "Plan of Marlboro Rd., Sudbury, Showing proposed pole location and guy wire and anchor", dated January 21, 1980.

Mr. Malis questioned the Board on the deletion of the last phrase of the petition and the Board directed his attention to Town Counsel's letter to Boston Edison Company dated March 11, 1980, (and gave him a copy of the same) wherein referencing the policy of the Board to delete such a clause in all future petitions.

Heritage Park Expenditure

The Board reviewed a communication dated March 7, 1980, from Town Engineer James V. Merloni relative to three outstanding bills in the total amount of \$208.59 for past Heritage Park projects. He noted too that waste receptacles, suitable for installation in the Park, would cost approximately \$100 each, and recommended purchasing four for a total recommended expenditure of \$600 from the Heritage Park account.

Following discussion it was on motion by Selectman Murray unanimously

VOTED: To authorize the expenditure of \$600 from the Heritage Park Account to pay three outstanding bills totaling \$208.59, and to purchase and install waste receptacles in Heritage Park, as recommended in a communication from the Town

Engineer dated March 7, 1980.

On recommendation of Selectman Murray, the Selectmen directed the Executive Secretary to approve, on their behalf, the choice of receptacles before they are installed, keeping in mind the aesthetics of Heritage Park.

Resignation - Insurance Advisory Committee

It was on motion by Selectman Murray unanimously

VOTED: To accept with regret a letter of resignation dated March 7, 1980, from John C. Naatz from the Insurance Advisory Committee, and directed the Executive Secretary to send a letter of appreciation, on behalf of the Board, to Mr. Naatz for his service on that Committee.

Appointment - Special Constable, Non-Paid, Traffic Duty Only at Raytheon Company

It was on motion by Selectman Murray unanimously

VOTED: To appoint Brian Stetson, 280 Hudson Road, Sudbury, as Special Constable, Non-Paid, for Traffic Duty Only at Raytheon Company for a term to expire April 30, 1980, to replace Steven K. Butler, in accordance with the request dated March 5, 1980, from Brian J. Wolfendale, Security Officer at Raytheon Company, and approval dated March 11, 1980, by Police Chief Nicholas Lombardi.

Juvenile Restitution Program Committee

Executive Secretary Richard E. Thompson stated that, at the Board's request, he had sent out applications to twenty suggested individuals relative to their interest in serving on a Juvenile Restitution Program Committee, and that twelve individuals had responded, including one response just received in the office today.

Chairman Cossart reviewed the criteria of selection - that being availability and a good cross section of people who are interested in our youth.

Selectman Murray expressed his feelings that the next sensible approach would be to invite those twelve people who expressed interest in serving on the committee to a joint meeting with the Selectmen, Juvenile Officer William Carroll and Town Counsel Paul L. Kenny - with a possible seminar to be conducted by Town Counsel for the purpose of discussing the program, how it will work, how the court expects us to proceed and what the duties of the Committee will be.

Following further discussion, the Executive Secretary was directed to set up a meeting according to Town Counsel's availability, keeping in mind Saturday, April 5th or 12th.

Selectman Murray suggested informing Judge DiCicco and Chief Juvenile Probation Officer Robert B. Clifford of the Town's on-going plans for the implementation of a juvenile restitution program in Town, and invite them to the above-referenced meeting in case they desire to attend.

Appointment - Temporary Acting Veterans' Agent and Veterans' Graves Officer

Chairman Cossart stated that the Selectmen are aware of three persons interested in being appointed Veterans' Agent and Veterans' Graves Officer - Col. Paul J. Leahy, Ronald J. Griffin and Guy L. Dietrich.

Executive Secretary Richard E. Thompson noted receipt of an application today from Adolf P. Bahlkow and a recommendation dated March 7, 1980, from John Lopes, Deputy Commission, Massachusetts Veterans' Services, to consider John F. Regan.

Selectman Murray recommended making the appointment on a temporary basis.

Following a brief discussion, it was on motion unanimously

VOTED: To appoint Col. Paul J. Leahy as a temporary Acting Veterans' Agent and Veterans' Graves Officer.

Chairman Cossart commented that this temporary appointment does not preclude Col. Leahy from being permanent, nor others from being considered, in the future.

Chairman Cossart recessed the meeting at 7:25 p.m. for a break; the meeting was called back to order at 7:35 p.m.

Formation of Local Arts Council - House #6861

Present: Barry Marchette, Office of Cultural Affairs; Lawrence D. Haworth, Sudbury Savoyards; Virginia Kirshner, LSRHS Theatre Department; Martha Clough, Museum of Fine Arts, Boston; Charlotte and John Goss, Sudbury Players; Joan Grathwohl, Exhibitions Chairperson, Sudbury Art Association; Nadine Wallack, Office of Cultural Affairs and Sudbury Art Association; E. Helene Sherman, Artist; Jean Copp, teacher of voice and piano, and Margaret Langmuir, Mastersingers (who appeared later in the evening).

Chairman Cossart stated that the Selectmen had extended an invitation to a number of organizations and individuals connected with the arts relative to the formation of a Local Arts Council, in accordance with the provisions of House Bill #6861.

Selectman Cossart referenced two communications from the State relative to establishing a Local Arts Council and a request to submit names of local people who have formed the Local Arts Council for participation in the mandated arts lottery. Chairman Cossart pointed out that the Statute provides for a five-member council, non-salary, two-year appointments.

Selectman Cossart stated that Executive Secretary Richard E. Thompson had been appointed by the Board to act as liaison between the Town and the State's Special Commission on the Performing and Visual Arts Division. Mr. Thompson later stated that, in that capacity, he serves until a local council is formed, at which point he would assist as requested and directed by the Selectmen.

Selectman Cossart continued to say that the Arts Lottery Council will provide communities with some guidelines for the program. It was noted that there would be no distribution of proceeds from the arts lottery until the summer of 1981.

Mr. Thompson responded to Selectman Murray's question by stating that everyone invited to attend this evening had received from the Selectmen's office a copy of House Bill #6861.

Chairman Cossart stated that it was the hope of the Board that those individuals and organizations who have been contacted might inform others who may be interested; that the Selectmen are not at the point of selection yet and would be happy to receive additional names.

Selectman Murray commented that if a local council of the arts is not formed, the Town may be placed in a regional council. Mr. Thompson added that, if that were the case, we would not be eligible for local funding.

Virginia Kirshner of the Lincoln-Sudbury High School Theater Department stated that she is active with the American Community Theater Association and reported that said Association had been invited to Ontario, Canada, where a similar program was being introduced which, she said, turned out to be enormously successful. She, therefore, expressed much enthusiasm for the Arts Lottery in Massachusetts.

Barry Marchette, Co-ordinator of Cultural Affairs in Sudbury, stated that Mr. Steve Gerritson, Massachusetts Council of the Arts, made a presentation in Sudbury last week on House Bill 6861. Mr. Marchette stated that Mr. Gerritson had expressed that many Arts groups lobbied against the bill because of the way it was written. However, now that it is mandated, Mr. Marchette recommended supporting a local council, as suggested, and suggested that it be combined with the Office of Cultural Affairs. Jean Copp, a local musician who was present, concurred that the two should be combined.

Martha Clough of the Museum of Fine Arts, Boston, commented about the timing of the passage of this bill at a time when the gas situation is such that people are more confined, and expressed great enthusiasm over the idea that money for the Arts would be returned to communities by the arts lottery, thus encouraging arts within the community.

Selectman Cossart commented that the idea of an arts lottery may not have been desirable to some people or groups, but he was glad to hear comments in support of it now.

Joan Grathwohl of the Sudbury Art Association expressed some scepticism in the combination of the local council of the arts and the Office of Cultural Affairs, stating that she could see it working better with a smaller group of people, as suggested by the State.

One interested person asked if anyone had investigated or estimated the amount of funds at the State level and allocations to the Town, and whether there would be any guidelines as to how the money should be used.

Mr. Marchette stated that, according to Mr. Gerritson, approximately \$25 would be allocated annually to the Town of Sudbury. Mr. Marchette also pointed out that there are different ways to obtain money for the arts, and stated that today he had received a check in the amount of \$400 from the Massachusetts Council of Arts. Mr. Marchette stated that the arts lottery is mandated and again recommended supporting it, but stated that he would continue to look for

other ways to obtain money for the Arts.

Chairman Cossart stated that guidelines for expending the money returned to the lottery would be forthcoming. Selectman Cossart also strongly urged that, "although the \$25 figure is a jolt to most of us", we should continue to do everything we can to support the lottery and be enthusiastic that it will catch on and continue to make gains for us in the future.

E. Helene Sherman stated that money will be allocated according to population in various communities. She also expressed her opinion that Mr. Gerritson did not seem to be very optimistic about the success of an arts lottery.

Mr. Marchette stated that on the contrary he felt that Mr. Gerritson was optimistic about such a program but was just very honest about the distribution of money, stating that it would be distributed according to receipts and income per capita. Mr. Marchette indicated that the arts lottery ticket would be \$5.

Selectman Cossart stated that the local committee would not be involved in the selling of tickets, but would handle the allocations of the revenue.

Responding to Charlotte Goss of the Sudbury Players, Selectman Murray stated that House Representative Finnigan had sponsored House Bill #6861. Mrs. Goss expressed scepticism with the program, especially in the breakdown of categories/allocations. Mrs. Goss later encouraged all arts organizations to support each other.

The Board requested that names be submitted the middle of April, and on the recommendation of the Executive Secretary, the Board directed him to send applications to everyone who was present tonight.

Mr. Marchette reported on upcoming events scheduled through the Office of Cultural Affairs and asked for volunteers, comments, ideas for future events.

#### Voting and Signing Street Layouts for 1980 Annual Town Meeting

Present: James V. Merloni, Town Engineer; Robert A. Noyes, Highway Surveyor; Martha and William W. Cooper, 11 Cedar Creek Road; Peter and Ruth Cialdea, 50 Allan Avenue; Roberta Cerul, 55 Forest Street; Aline Kaplan, 8 Oak Street; John A. and Roberta S. Vold, 8 Oak Street; and Sandy Gardiner, 37 Pokonoket Ave.

Chairman Cossart opened a public hearing to discuss with abutters street layouts for acceptance by the Annual Town Meeting.

Executive Secretary Richard E. Thompson referenced the various plans of street layouts which had been posted around the room. Mr. Thompson stated that a notice had been hand-delivered to every abutter shown on the Notice of Layout 1980. It was noted that the street layouts would be voted and signed by the Selectmen, if there was no concern expressed tonight by abutters, for acceptance by Town Meeting. Mr. Thompson pointed out that all the streets listed are to be accepted as public ways, whereby the Town would accept total liability for the road; said layouts do not include widening or takings. (Allan Avenue and Oak Street are separate articles.)

William W. Cooper of 11 Cedar Creek Road asked what provisions had been made

for drainage on Cedar Creek Road.

Mr. Merloni stated that as a private way the Town cannot do any maintenance work on the road, but that once it is accepted the Town will take on the liability and responsibility of maintaining the road, and will clean out catch basins.

Responding to Mr. Peter Cialdea, of 50 Allan Avenue, Mr. Merloni stated that the articles for both Allan Avenue and Oak Street include funds for paving the roads.

Mr. Cialdea stated that, in addition to no mail delivery on Allan Avenue, there is no catch basin at the end of the road, and that if it is paved, the water from the road will flow onto his property. Mr. Cialdea stated that the drainage problem should be corrected before the road is paved.

Mr. Merloni responded that before any repairs can be made to the road, it must be accepted by Town Meeting. Highway Surveyor Robert A. Noyes confirmed that there would be no money available in the budget for drainage on Allan Avenue for the next year or so. Mr. Merloni stated that he had not been aware of any drainage problem on Allan Avenue. The Board requested that both Mr. Merloni and Mr. Noyes inspect Allan Avenue prior to Town Meeting so that they will know how to proceed with that article.

Mrs. Sandy Gardiner of 37 Pokonoket Avenue stated concern with a drain presently located about 1½' from the road on her front lawn and the gradual narrowing of the road in certain areas causing dangerous conditions for pedestrians as well as drivers.

Mr. Merloni stated that while working on a new Official Town Map it had been discovered that a portion in the middle of Pokonoket Avenue had never been laid out as a public way, and consequently never accepted by the Town. The first step necessary in correcting any construction problems in the road is for the Town to accept it in toto to clear any inconsistencies in the records.

Chairman Cossart stated that it is helpful to receive comments from abutters to help formulate future plans for road construction.

Responding to Mr. Vold relative to the time frame, Mr. Murray stated that funds cannot be expended prior to the next Fiscal Year - July 1, 1980; plans have been prepared and paving will probably take place in late summer or early fall. Both Mr. and Mrs. Vold urged haste and said emergency circumstances exist on the road and are causing them great concern, such as: no mail delivery because of the amount of water in the road, 12" of water is a dangerous amount of water with respect to small children in the area, the effect of this deep water on car brakes.

Mr. Thompson stated that the Planning Board had expressed negative views regarding the Town's acceptance of both Oak Street and Allan Avenue due to the financial commitment to the Town, and urged abutters to contact the Chairman of the Planning Board, John C. Cutting.

Mrs. Vold stated that she planned to take pictures of the road tomorrow and bring them to Town Meeting for her presentation.

Mr. Cooper stated that he thought Cedar Creek Road had been accepted before by Town Meeting. Both Mr. Merloni and Mr. Noyes stated that they were not aware of it having been accepted before. The Board requested that they double check.

At the conclusion of discussion, it was on motion unanimously

VOTED: To approve and sign the Layouts for the following Town Ways: Ames Road, Cedar Creek Road, Clifford Road, Colonial Road, Deer Pond Road, Forest Street, Land's End Lane, Lee-Anne Circle, Maynard Farm Road, Patricia Road, Newton Road, Stone Root Lane, Whispering Pine Road, Woodberry Road, Allan Avenue, Oak Street and Pokonoket Avenue, as shown on the following plans: "Plan of a Portion of Ames Road, Sudbury, Massachusetts as Laid Out by the Town of Sudbury", dated December 28, 1979; "Plan of Cedar Creek Road, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury", dated December 26 and December 19; "Plan of a Portion of Clifford Road, Sudbury, Massachusetts, as Laid out by the Town of Sudbury", dated January 7, 1980; "Plan of Colonial Road, Sudbury, Massachusetts, as Laid out by the Town of Sudbury", dated December 5, 1979; "Plan of Deer Pond Road, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury", dated December 5, 1979; "Plan of Forest Street, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury", dated December 7, 1979; "Plan of Land's End Lane, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury"; dated December 26, 1979; "Plan of Lee-Anne Circle, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury"; dated December 5, 1979; "Plan of a Portion of Maynard Farm Road, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury", dated December 28, 1979; "Plan of Patricia Road, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury"; dated December 14, 1979; "Plan of Newton Road, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury", dated December 19, 1979; "Plan of Stone Root Lane, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury", dated December 6, 1979; "Plan of Whispering Pine Road, Sudbury, Massachusetts as Laid Out by the Town of Sudbury", dated December 14, 1979; "Plan of Woodberry Road, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury", dated January 2, 1980; "Plan of a Portion of Allan Avenue, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury", dated December 3, 1979; "Plan of Oak Street, Sudbury, Massachusetts, as Laid Out by the Town of Sudbury", dated December 3, 1979; and Plan #142 of 1936, Plan #463 of 1955, and Plan #380 of 1959, recorded with South Middlesex Registry of Deeds, all for Pokonoket Avenue.

#### Septage Facility Site Plan

Present: James V. Merloni, Town Engineer; and Robert A. Noyes, Highway Surveyor.

Following review of Septage Facility Site Plan and a brief discussion it was on motion unanimously

VOTED: To approve off-site grading and access road, as shown on a plan entitled "Septage Treatment Facility", dated January 16, 1980, and revised January 30, 1980, in accordance with the request dated March 10, 1980, from the Operational Review Committee and the recommendation of the Town Engineer dated March 11, 1980.

#### Public Hearing - Use of Revenue Sharing Funds for FY July 1, 1980 - June 30, 1981

Chairman Cossart opened a public hearing for discussion of possible use of Revenue Sharing funds for Fiscal Year July 1, 1980-June 30, 1981. Selectman



Cossart reported that we have no unappropriated funds at this point, and that we anticipate \$3,000 of unspent fiscal revenue by June 30, 1980, and an additional \$160,000 during the fiscal year.

Chairman Cossart continued to say that the Selectmen have voted to approve, on behalf of the Town, \$80,000 to be applied as an offset to fire salaries and an additional \$80,000 as an offset to Police salaries.

Selectman Murray added that, acting as Trustees of the Town, the Selectmen voted to approve \$3,000 from the Mt. Pleasant Cemetery, \$3,000 from the Mt. Wadsworth Cemetery, \$1,500 from the North Sudbury Cemetery and \$5,000 from the New Town Cemetery accounts for a total of \$12,500 to be applied as an offset in the FY1980-81 Highway Budget Account #400.

There being no further comments, questions and/or discussion, Chairman Cossart stated that the Public Hearing was closed and that the Selectmen would proceed as previously planned. Chairman Cossart noted for the record that no interested persons appeared at the hearing.

#### Minutes

It was on motion by Selectman Murray unanimously

VOTED: To accept the minutes of the Regular and Executive Sessions of March 10, 1980, and the work sessions with the Police Department on the subject of Civil Service held on February 27 and March 5, 1980, all as drafted.

#### Proclamation

It was on motion by Selectman Murray unanimously

VOTED: To sign a proclamation designating May 10 -17, 1980, as Sudbury Earth Week and further designating May 10, 1980, for the Annual Roadside Cleanup.

#### Memorial Day Fund - Frank H. Grinnell

It was on motion by Selectman Murray unanimously

VOTED: To establish a fund in the memory of Frank H. Grinnell, to be used for Memorial Day/Memorial Day Parade, and to be expended under the direction of the Memorial Day Committee, for the purpose of hiring a marching band;

and it was further

VOTED: To accept donations for the Frank Grinnell Memorial Day Fund established above, as follows:

- \$350 from anonymous contributors; and
- \$25 from Representative Ann C. Gannett.

Executive Secretary Richard E. Thompson commented that the hiring of a marching band for the Memorial Day parade is to be a yearly event.

Selectman Murray stated that the \$350 donated by anonymous contributors was collected at the church following Frank Grinnell's funeral, and that further contributions are still being accepted for the above-stated purpose.

Chairman Cossart recessed the meeting at 8:50 p.m. for a coffee break; the meeting was called back to order at 9:00 p.m.

Joint Meeting with Sudbury Police Association and Local 315, International Brotherhood of Police Officers

Present: Police Chief Nicholas Lombardi; John A. Longo, President Local 315, International Brotherhood of Police Officers; Sergeant Ronald Nix and Patrolmen Peter S. Langmaid, Bruce C. Noah and Richard J. Cannon.

Chairman Cossart convened a joint meeting with the Sudbury Police Association and Local 315, International Brotherhood of Police Officers (IBPO), for the purpose of continued discussion relative to procedures for a non-Civil Service Police Department, if Article 11 of the 1980 Annual Town Meeting is passed.

Selectman Cossart referenced a communication dated March 11, 1980, written to George J. Anelons, Jr., President of the Sudbury Police Association, and John A. Longo, President of Local 315, IBPO, inviting them to attend tonight's meeting.

Selectman Cossart reviewed the Wednesday afternoon sessions and other meetings with Town Counsel and Labor Relations Counsel, held to discuss the idea of Sudbury's Police Department withdrawing from Civil Service, as proposed by Article 11, Special Act, Civil Service for the upcoming 1980 Annual Town Meeting.

Officer Longo stated that he understood that several surrounding towns had received Civil Service lists, in spite of the fact that Sudbury has not been able to, which is the main issue in suggesting withdrawal from Civil Service.

Chairman Cossart stated that the Selectmen are aware that the Town of Watertown has received a Civil Service list and has been making appointments from it.

Executive Secretary Richard E. Thompson invited anyone interested in reviewing the Selectmen's file on Civil Service matters to do so, since it is substantiated in the files that the Selectmen have been requesting Civil Service lists since 1974. Mr. Thompson stated that the list had been frozen for over a year and a half at one time, and that when the Board finally received a reserve list, there were only two names on it, and both individuals were unwilling to accept the position. Mr. Thompson stated that the same list was received again with the same two names on it, at which time the Board requested an additional name, since the Selectmen do not have to appoint from the list unless there are at least three names on it.

Mr. Longo stated his opinion that names should be dropped from the list if people refuse to accept the position.

Mr. Thompson stated that the procedure now is that, if an individual refuses

three times, he is removed from the list.

Mr. Thompson stated the Selectmen have taken the only action possible by requesting an unofficial list to learn the names of persons who had indicated an interest in serving on the Sudbury Police force and who are expected to be on the Civil Service list once it is officially released.

Officer Langmaid stated that he was hired as a "temporary, part-time" employee, and that position would not be very desirable for new hires. Chief Lombardi stated he did not ever remember hiring anyone on the force as a temporary, part-time employee.

Selectman Cossart stated he had heard someone comment that the Selectmen had never requested a list from Civil Service and confirmed what Mr. Thompson had stated and requested that the men look at the files.

Selectman Murray stated that we are asking for three additional police officers this year at Town Meeting, and that it is questionable where we will be able to find them. If we do withdraw from Civil Service, the new men will have the same benefits as those officers in Civil Service, and those presently in Civil Service will not be removed from it.

Patrolman Nix questioned the approach that was taken to handle this and asked why an ad hoc committee had not been involved earlier. The issue of withdrawing from Civil Service keeps coming up, he said, and no one really knows what it is all about. Officer Nix further stated his opinion that it is a mutual feeling that responsible people be on the street, but again expressed concern that a more comprehensive approach should have been taken.

Selectman Murray stated that the Selectmen had the option of putting this on the ballot but chose to bring it to Town Meeting, to allow open and frank discussion.

Selectman Cossart stated that the Board was under the impression that the men did not object to the removal of Civil Service for future hires, but that the message is coming back clearly each time that there has been no progress made. Selectman Cossart suggested that tonight we should think about what we feel we are losing by withdrawing from Civil Service and what we should design into the replacement program.

Selectman Murray stated that the men are not fighting for themselves, because they will continue to operate under Civil Service; it is the new employees that are their concern. Selectman Murray further stated that ten years from now, there may be more non-Civil Service than Civil Service employees. Officer Longo stated that this was one of their concerns also.

Selectman Murray explained that it should not be, since all employees would be protected by contract, Civil Service or non-Civil Service.

Mr. Longo listed several surrounding towns and the number of recently hired police officers from the Civil Service list. He stated that a substantial number of men are taking the Civil Service test, but that Sudbury does not seem to be a first choice of many. He also stated that, according to information he

received from the Civil Service office, Sudbury had not requested a list with the exception of last Friday.

The Selectmen suggested that he or anyone else who is interested look at the files. Officer Longo stated that this information has caused great concern to the Department and suggested that, if the problem is not with Civil Service, it must be somewhere else.

Officer Langmaid suggested that we find out how these other towns obtain these lists since we have not been able to.

Selectman Cossart pointed out that the most recent communication received from Civil Service refers back to another of our requests in October of 1979.

Chief Lombardi responded to the question of how other jurisdictions receive lists and make appointments, when Sudbury does not appear to be able to do the same, by stating that a so-called ghost list is available in Civil Service, and that a mere telephone call will give you the placement of names. Thus, if a name/candidate is high enough on the list you want, you make a requisition --- if not, you wait!

Chief Lombardi continued by stating that a man who lives in Sudbury and who had taken the physical and expressed interest in serving in Sudbury, had not been placed on the current Reserve Civil Service list as he should have been.

Mr. Thompson stated that he felt the other towns are doing the same thing we are doing - requesting names for Reserves because the list had been frozen by Court Decree for the past year or so. Mr. Thompson further stated that four years ago a list had been received with over a hundred names on it, and only eight applicants appeared and that the same thing will probably happen again - it is just a matter of when.

Selectman Cossart stated that he has not yet formulated his own position on this article; Selectman Murray added that the Selectmen, as well as the Police Chief, wanted to make a decision with the cooperation of the department.

Mr. Thompson summed up by stating that the Selectmen and the Chief have taken this option, out of frustration over not being able to get Civil Service lists.

Selectman Cossart commented that at the first meeting on this subject, the Department's legal counsel pointed out some of the problems with Civil Service; he reviewed the fact that the Selectmen's files have a record of requests for Civil Service lists over a period of many years; he expressed his feeling that some of the confusion about lists arises because of the different "terms" for the list - official, reserve, ghost, etc.

On earlier recommendation of Officer Langmaid, Selectman Murray suggested that the Executive Secretary find out from some of the other communities what kind of list they have received.

Chairman Cossart suggested that perhaps Town Counsel could help everyone develop a better understanding of the Civil Service system and how it works,

and asked for other issues, if any. One patrolman stated his feelings that there were other issues to be further discussed. Selectman Cossart stated that he would not like to see Indefinite Postponement at Town Meeting and that he would like all parties to continue to try to work on it and agree that, if the Town does need another system, they will try to develop another that is the kind of system they would like to have.

One patrolman stated that it cannot be done in two weeks - Town Meeting is April 7.

Selectman Murray stated that Labor Relations Counsel was consulted because of the time constraint, since he was the most familiar with Civil Service laws, rules and regulations, and his response is a matter of record. Responding to Selectman Murray, Chief Lombardi stated that it was doubtful he could support withdrawal from Civil Service unless the Department supported the same.

Following further discussion, Chairman Cossart stated that he was still optimistic and suggested (and it was agreed later in the evening) to meet Wednesday at 3:00 p.m. to continue discussion. Chairman Cossart thanked everyone for coming; the meeting was recessed for a coffee break at 10:00 p.m. and called back to order at 10:10 p.m.

#### Current Items of Interest

##### Telephone Case #18153

On the question of responding to Mrs. Simon's request for services and reimbursement through the Selectmen's office relative to her personal appeal on Telephone Case #18153, the Selectmen agreed that, upon receipt of Town Counsel's recommendation, they would make a decision and respond to Mrs. Simon's letter of March 9, 1980.

##### Lincoln-Sudbury Regional High School Meetings Dealing with Budget

Selectman Murray stated that there will be a series of meetings at the Lincoln-Sudbury High School for the purpose of explaining its budget, and the Executive Secretary stated that he would see that the Selectmen receive a copy of the schedule.

##### Real Estate Advisory Committee to the Lincoln-Sudbury High School

Selectman Murray stated that at the last meeting of the Real Estate Advisory Committee at the Lincoln-Sudbury Regional High School, a motion was made to proceed to approach the Board of Appeals for a variance with the idea of leasing part of that building for a "like use" (office or school use).

##### Article 10 - Amend Bylaws Art. IX, IIC - Enlarge BD#6

Chairman Cossart referenced a communication dated March 10, 1980, from Alphonse J. Briand requesting an amendment to 1980 Annual Town Meeting Article #10. Executive Secretary Richard E. Thompson reported that Town Counsel will

review the request and make a recommendation as to the legality of such an amendment.

Fiscal Autonomy

Chairman Cossart referenced Town Counsel's opinion dated March 6, 1980, relative to fiscal autonomy and expressed interest in knowing how other communities are handling the issue. The Executive Secretary was directed to discuss the same with the Town Counsel and report back to the Board.

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

Attest:

\_\_\_\_\_  
Richard E. Thompson  
Executive Secretary-Clerk