

IN BOARD OF SELECTMEN
MONDAY, OCTOBER 27, 1980

Present: Chairman John E. Murray, Anne W. Donald and William J. Cossart.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:00 p.m. by Chairman John E. Murray.

Transfer Request - Engineering Department

Present: John H. Wilson, Town Accountant.

The Board was in receipt of Request No. 0886 dated October 21, 1980, for a transfer from Account 502-14, Temporary Engineering Aides, to Account 502-11, Engineering Salaries, in the amount of \$648.96.

Town Accountant John H. Wilson explained that the reason for this request was due to the re-classification of two members of the Engineering Department removing them from the hourly payroll to the salary payroll requiring the payment of six working days (each) that had been withheld by the Town.

On the recommendation of the Town Accountant, it was on motion unanimously

VOTED: To approve Request No. 0886, dated October 21, 1980, for a transfer from Account 502-14, Temporary Engineering Aides, to Account 502-11, Engineering Salaries, in the amount of \$648.96.

Account 501-81 Expenditure

Present: John H. Wilson, Town Accountant.

Executive Secretary Richard E. Thompson recommended that the Board authorize the expenditure of \$270.86 from Account 501-81, Selectmen's Surveys and Studies, to meet the expenses of the October 9, 1980, public meeting on the revaluation.

Selectman Murray expressed his opinion that it might be difficult to obtain approval from the Finance Committee for reimbursement once the expenditure from the Selectmen's Surveys and Studies account has been authorized by the Selectmen. Mr. Thompson suggested that the Selectmen authorize the payment and request the Board of Assessors to make a commitment from their budget for approximately 50% of the expenses. Mr. Wilson added that, with the approval of the Assessors, a journal entry could be made crediting the Surveys and Studies account and charging the Assessors' account, and agreed with Chairman Murray that the Finance Committee might be reluctant to return the money to the Surveys and Studies Account once the bill had been paid.

Subject to seeking partial reimbursement from the Assessors' budget, it was on motion by Selectman Cossart unanimously

VOTED: To authorize the expenditure of \$270.86 from Account 501-81, Selectmen's Surveys and Studies, to meet the expense of the October 9, 1980, public meeting on the revaluation.

Tax Anticipation Notes

Present: Chester Hamilton, Town Treasurer.

On the question of authorizing the Town Treasurer to borrow \$1,500,00 in Tax Anticipation Notes, Executive Secretary Richard E. Thompson stated that this would be in addition to the two million dollars which the Board had previously authorized, and referenced the Town Treasurer's October 24th communication to the Board for an explanation.

Following a brief explanation of the reason for this additional borrowing by Mr. Hamilton, it was on motion by Selectman Donald unanimously

VOTED: to authorize the Town Treasurer to borrow \$1,500,000 in Tax Anticipation Notes to mature in early January, as requested in his communication of October 24, 1980.

Donations - Edwin Barrett Hosmer Memorial Fund

It was on motion by Selectman Donald unanimously

VOTED: To accept, on behalf of the Town, eighteen checks totaling \$455, listed in a communication from the Town Treasurer, dated October 21, 1980, to be deposited to the Edwin Barrett Hosmer Memorial Fund.

Selectman Cossart stated that the Treasurer's letter listing the above-mentioned 18 checks should be modified so that it is understood that these are not the total checks received to date. (There have been checks previously accepted by the Board.) The Selectmen agreed that a list showing the date each check had been received would clarify the Treasurer's letter. Selectman Donald suggested that a total amount deposited to the Memorial Fund be reported by the Treasurer from time to time. The Executive Secretary was directed to amend the Selectmen's records to accommodate the above.

United Way Week in Sudbury

Present: Town Accountant John H. Wilson.

It was on motion unanimously

VOTED: To proclaim the week of October 26 - November 1, 1980, as United Way Week in the Town of Sudbury.

Town Accountant John H. Wilson stated that he is municipal chairman, and that he hoped to have a good participation among Town employees. On question from Selectman Cossart, Mr. Wilson stated he was United Way Chairman for Town employees only, not schools.

Durbin/Foisy Dog Complaint

Present: Barbara K. Durbin, Complainant; and James F. Cost, neighbor.

Chairman Murray acknowledged receipt of two communications following the Durbin/Foisy dog complaint hearing held on October 20: one from the Dog Officer dated October 23, which he read, stating that she had visited the Foisy dog, as requested by the Board, and found him to be well cared for, well behaved, obedient and friendly; and the other from Mr. Durbin dated October 21, summarizing comments made at the hearing and requesting that the dog be restrained at all times due to fear of injury to people and further destruction of pets.

Chairman Murray asked the Board if they had any comments, following which the Board would make a decision.

Selectman Cossart expressed his opinion that, based upon documentation in the record and from evidence given at the hearing, the Selectmen should take no further action beyond the requirements of the Sudbury Dog Control Law.

Selectman Donald concurred with Selectman Cossart.

Town Counsel confirmed this procedure and later, following Chairman Murray's concerns regarding the complaint that the dog had been bothersome at the school bus stop in the Foisy/Durbin neighborhood, Town Counsel added that it would be perfectly acceptable for the Board to have the dog restrained during the Town's Dog Control hours but extend those hours in the morning if the early arrival of buses is prior to the Dog Control hours.

Following further discussion, it was on motion unanimously

VOTED: To restrain the German shepherd dog (1980 license #1998) owned by Paul Foisy of 738 Boston Post Road, in accordance with the Town's Dog Control Bylaw, from 7:00 a.m. to 8:00 p.m., and, in addition, to restrain the dog commencing each morning before the arrival of the first school bus, and continuing throughout the morning school bus hour(s) if outside of the stated Dog Control hours.

The Executive Secretary was instructed to confirm the earliest hour that school busses run, believed to be 7:00 a.m., and to so notify Mr. Foisy.

Mrs. Durbin stated that of the thirty-eight homes in her neighborhood, about fifteen of them had been represented at the hearing on October 20th to voice complaints or support the contention that the neighborhood is being menaced by this dog, and requested the Selectmen to keep this matter under their close supervision.

Mr. Cost stated that if the Foisy dog appeared on his property and became a threat the Selectmen would not have to worry about any more hearings.

Chairman Murray assured Mrs. Durbin that it is the Selectmen's intention to have the Dog Officer monitor this situation very carefully. Selectman Cossart added that anybody who feels threatened by Mr. Foisy's dog should contact the Dog Officer or the Selectmen's office immediately.

State Public Hearing - State Plumbing, Fuel Gas Codes

Following discussion relative to a notice from the Division of Registration, State Examiners of Plumbers and Gas Fitters, of a public hearing on November 5, 1980, on the subject of their proposed amendment to the Massachusetts State Plumbing and/or Massachusetts Fuel Gas Codes to prohibit part-time plumbing and/or gas inspectors from engaging in the business of plumbing and/or gas fitting in the areas, cities or towns in which they have jurisdiction, it was on motion by Selectman Cossart unanimously

VOTED: To direct the Executive Secretary to prepare a letter in opposition to the above-mentioned proposed amendment.

Traffic Rules and Orders

1) Rescind July 9, 1979 Vote - Sudbury Centre Stop Sign Location

It was on motion by Selectman Donald unanimously

VOTED: To rescind the Board's vote of July 9, 1979, which amended the Town of Sudbury Traffic Rules and Orders by deleting two stop sign locations at the intersection of Concord Road, Hudson Road and Old Sudbury Road:

And it was further

VOTED: That said stop signs erected for the northeast and southwest bound drivers on Concord Road at Hudson Road and Old Sudbury Road shall be installed only during such times as the signal controls at that intersection shall not be operating.

2) Further Amendments

It was further on motion by Selectman Cossart unanimously

VOTED: That the Traffic Rules and Orders of the Town of Sudbury, adopted by the Board of Selectmen on September 12, 1941, and subsequent amendments thereto, be and are hereby further amended as follows:

Penalty, (1) In Article III, section 3, INTERFERENCE WITH SIGNS, SIGNALS
Art. III, 3 AND MARKINGS PROHIBITED, by striking out the words, "twenty (20) dollars", and inserting instead the words, "fifty dollars (\$50)".

2nd & 3rd (2) By deleting the next-to-last sentence in the first paragraph
Vehicles of Article VII, section 8, OBEDIENCE TO ISOLATED STOP SIGNS,
at Stop which reads as follows:
Sign

"In the case of a line of two or more vehicles approaching such 'STOP' sign, or flashing red signal indication, the drivers of the second and third vehicles in any group shall not be required to stop more than once before proceeding through the intersection."

- Right Turn (3) By striking out paragraph (d) of section 13 in Article VII,
on Red OBEDIENCE TO TRAFFIC CONTROL SIGNS, and inserting the following:
"(d) RED: Traffic facing a steady CIRCULAR RED signal alone shall stop at a clearly marked stop line, or if none before entering the crosswalk on the near side of the intersection, or if none then before entering the intersection, and shall remain standing until an indication to proceed is shown, except as allowed by Chapter 89, section 8, of the General Laws."
- Minimum (4) In Article VIII, section 1, DRIVERS MUST REPORT ACCIDENTS,
Damage for by striking out in the first sentence the words, "twenty-
Reporting five (\$25) dollars", and inserting instead the words,
Accidents "two hundred dollars (\$200)".
- Parking (5) In Article VIII, section 3, PENALTIES, by striking out the
Fines first paragraph and inserting the following:
Ch. 20C "Section 3. PENALTIES. Any person violating any provision of any rule, regulating the parking of motor vehicles made by anybody authorized to make same shall be dealt with as provided in Section 20C of Chapter 90 of the General Laws, as amended, and any person violating any of the rules and regulations applicable to State Highways made by the Department of Public Works, Commonwealth of Massachusetts, under authority of Chapter 85, section 2 of the General Laws, shall be subject to the penalty provided in said rules and regulations."
- Penalty, (6) In Article VIII, section 3, PENALTIES, by striking out in
Art. VIII, the second paragraph the words, "twenty-five (\$25) dollars",
S.3 and inserting instead the words, "fifty dollars (\$50)".

Donation to Charity Fund from Star Market

Present: Allen Hill of Star Market.

Following a presentation by Mr. Allen Hill of Star Market, it was on motion unanimously

VOTED: To accept, on behalf of the Town, a donation of Five Hundred Dollars from Star Market Company to be applied to the Town's Charity Fund.

Chairman Murray recessed the meeting at 7:55 p.m. for a coffee break; the meeting was called back to order at 8:10 p.m.

Town Fathers Forum

At 8:10 p.m. Chairman Murray convened the 136th session of the Town Fathers Forum, a summary of which is attached and is part of these minutes.

Remaining Appointments

The Board reviewed and discussed a list of remaining appointments for various Town committees/boards.

Due to recent legislation, the Board inquired as to whether there was any local option available to them relating to the term of appointment of the Board of Appeals.

Executive Secretary Richard E. Thompson informed the Board that Senator Atkins had contacted the Selectmen's office and requested to be notified of any recommendations for appointment to fill the vacancy on the Sudbury Housing Authority.

Responding to Selectman Donald regarding the requirements of a Public Weigher, Mr. Thompson stated that in the past there has been very little need for a person to serve in this capacity, and for this reason it had been more or less an honorary position.

Mr. Thompson stated that he would provide for the Board the pending application for the Insurance Advisory Committee.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of October 20, 1980, as amended, and the Executive Session minutes of October 20, 1980, as drafted.

Public Facilities Committee

Present: D. Bruce Langmuir, Chairman of the Permanent Building Committee.

Chairman Murray welcomed Chairman D. Bruce Langmuir of the Permanent Building Committee for discussion with the Selectmen regarding the establishment of a Public Facilities Committee.

Selectman Murray stated that he had given some thought to the membership of such a committee and felt that perhaps a member of the Permanent Building Committee (PBC) should be included, as well as a local realtor and businessman, an educator and/or the Town Engineer. (It was later suggested that perhaps a member of the Sudbury Housing Authority be involved.) Selectman Murray expressed his opinion that if such a committee were formed, we could better address the annexation of schools.

Chairman Bruce Langmuir of the PBC stated that PBC member Dan Woolley would be well qualified to serve on a Public Facilities Committee, and that he could see no problem with having a member of the PBC serve on that committee. Mr. Langmuir later suggested a member of the Planning Board should also participate. A committee of this type, Mr. Langmuir continued, would deal with the disposition of buildings (whether for municipal use or otherwise) and, accordingly, the cost involved. Mr. Langmuir later stated that the committee should also address long-range planning.

Executive Secretary Richard E. Thompson suggested elderly housing as a possibility for excess school buildings and looking into the availability of state and federal funds for the same as areas for the committee to address. Selectman Donald agreed that there were several different kinds of uses for the buildings. Mr. Langmuir pointed out that several possibilities had been examined by the PBC while working on the School Roofing and School Energy Conservation projects last year.

Selectman Cossart questioned the preparedness of the Board to discuss the formation of this type of committee, and suggested that before the Board takes any action regarding its membership, a charter should be prepared clarifying the duties expected of this committee. Selectman Cossart pointed out that the Building Services Group, a committee formulated to look into preventative maintenance and other aspects of Town buildings, appears to have fallen apart because of the apparent lack of direction. Mr. Langmuir concurred and added that very little was accomplished by the Building Services Group. Selectman Murray expressed his opinion that the Building Services Group came back with some very specific ideas on preventative maintenance.

Selectman Donald suggested that the Board should review a draft of such a charter at its next meeting, but that in the meantime, it would be beneficial to try and formulate a list of persons who may be qualified and/or have some interest in serving on such a committee.

Mr. Thompson commented that this subject was placed on the agenda at the direction of the Chairman of the Board of Selectmen. He stated that he did not submit to the Board a copy of the minutes of March 3, 1980, which very briefly related a previous discussion about the expansion of the Building Services Group's duties and membership, because he felt it would not be very helpful. Mr. Thompson also referenced the charter which had been prepared for the Building Services Group under date of February 8, 1979. Mr. Thompson stated that perhaps it would be more appropriate for the Board to address this subject further after the School Committee makes its final decision regarding which school buildings will be turned over to the Town. Mr. Thompson pointed out that one of the reasons the Building Services Group did not make much progress was because of two resignations on that committee (due to moves out of Town) shortly after the group was formed.

Selectman Cossart again questioned the appropriateness of this matter before the Board tonight, and commented that rather than appoint an outside group to evaluate future use of Town facilities, it might be better first addressed by in-house or staff personnel who have the most familiarity with such facilities.

At the conclusion of discussion, Mr. Thompson stated that he would draft a report for the Board for further discussion of this subject.

Current Items of Interest

Shrubs at Police Station

Chairman Murray informed the Board that the Permanent Building Committee had arranged to have the shrubs at the Police Station removed and stored for the winter; they will be re-planted in the Spring. Mr. Langmuir stated that the entire cost for this service by a local nursery will only be about \$130.

Brimstone Lane

Selectman Cossart reported that there is still a lot of concern regarding the wells on, and the future construction of, Brimstone Lane, and that the Selectmen should keep abreast of the situation through the Board of Health.

Meeting of Citizens for a Fatality Free Sudbury

Selectman Cossart reported that the meeting at the High School last week (October 21) with the Citizens for a Fatality Free Sudbury was very well attended and productive.

Proposition 2 1/2

At the direction of Chairman Murray, Mr. Thompson stated that he has drafted a response to the October 10 editorial in The Middlesex News on Proposition 2 1/2.

Massachusetts Municipal Association

Selectman Donald transmitted a message from the Massachusetts Municipal Association, after attending a weekend seminar, to encourage Town governments to solicit support for question 5 dealing with home rule.

Haynes Property

Mr. Thompson reported that work has begun on the Haynes property project.

Extended Community Calling Service

Mr. Thompson reported that Mrs. Estelle Simon had been notified that the Extended Community Calling Service order had been issued, effective November 1, 1980, and suggested that this information be referred to the Town Accountant for immediate attention regarding the availability of this service for the Town and schools. Chairman Murray commented on the possibility of changing the arrangement of the switchboard for better Town-wide service. Mr. Thompson responded that, in the near future, because of the re-organization of schools, there will most likely be many changes in the telephone arrangements for the schools and Town departments.

Communication from Judith Cope, Chairman of Conservation Commission

The Executive Secretary referenced requested responses on the subject of the letter to the Board from Judith Cope, dated May 2, 1980, relative to site plans, building permits and zoning violations.

The Board asked that Town Counsel's letter of July 11, 1980, be transmitted to the Board of Health with the request that the Health Department work with the Building Inspector to provide for each new building permit application a copy of the septic plan.

Massachusetts Selectmen's Association - Annual Statewide Town Meeting Warrant

The Executive Secretary gave a copy of the Massachusetts Selectmen's Association - Annual Statewide Town Meeting Warrant with notations from Selectman Donald, taken at the annual Massachusetts Selectmen's Association meeting this past weekend. Following discussion relative to Article 14 of the Warrant, Mr. Thompson stated that he would respond to the Town of Blackstone's request for data pertaining to Sudbury's cost for Police court time.

Removal and/or Storage of Police Department Equipment During Construction

Mr. Thompson asked for guidance from the Board relative to the disposition of certain equipment at the Police Department, which had to be removed for construction purposes, determined by the Police Chief to have no value. The Fire Chief had suggested that the Fire Academy might be interested in using the foot lockers but Mr. Thompson was not sure if, under the Town Personal Property Bylaw, it would be a proper procedure. Selectman Donald agreed with Selectman Cossart that perhaps there should be something in writing to the Board. Chairman Langmuir stated that the Permanent Building Committee is trying to coordinate the construction and storage of equipment, as required. Mr. Thompson pointed out that there is a large storage room available to the Police Department during construction at the Horse Pond School/Fire Academy. Selectman Cossart expressed his opinion that there should be the ability to make decisions regarding the disposition of equipment during construction; however, for the immediate future there was a general consensus that all equipment should be stored until construction is completed, rather than transferred, sold, or disposed of.

Town Fathers Forums

The Selectmen concurred that they would hold a Town Fathers Forum in November, but not have a December forum.

Confirming Signing of Agreement with Sudbury Supervisory Association

The Board acknowledged receipt of a communication dated October 23, 1980, from Carol Hull, Chairman of the Goodnow Library Trustees, relative to their withdrawal approval of the Sudbury Supervisory Association contract until they have met with Town Counsel.

It was on motion unanimously

VOTED: To confirm the signing of a Agreement between the Town of Sudbury and the Sudbury Supervisory Association for the period of July 1, 1980 - June 30, 1981.

The Board will think about and further discuss grid placement of the Building Inspector and the Town Engineer for the period of July 1, 1980 - June 30, 1981, at its next meeting.

There being no further discussion to come before the Board, the meeting was adjourned at 11:00 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk