

IN BOARD OF SELECTMEN
MONDAY, AUGUST 31, 1981

Present: Chairman Anne W. Donald and John E. Murray.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Chairman Donald.

Tax Anticipation Notes

Present: Town Treasurer Chester Hamilton.

At his request, the Board met with Town Treasurer Chester Hamilton to discuss his recommendation to borrow in Tax Anticipation Notes on a short-term basis to cover current expenses. Mr. Hamilton referenced his communication dated August 27, in which he explained the necessity of the same.

Following discussion relative to the probability that there will be a delay to the middle or end of October in sending tax bills out, and also a savings in interest could be realized under the current tax rates, on the recommendation of the Town Treasurer, it was on motion by Selectman Murray unanimously

VOTED: To authorize the Town Treasurer to borrow up to \$2,000,000 in Tax Anticipation Notes, effective September 23 and due December 15, 1981.

Appointment - Town Report Preparation Committee

Present: Linda Krusinski, applicant.

Chairman Donald welcomed Linda Krusinski, and following an interview and discussion regarding the duties and the time commitment of the Town Report Preparation Committee, it was on motion unanimously

VOTED: To appoint Linda Krusinski of 39 Mossman Road to the Town Report Preparation Committee, for a term to expire April 30, 1982.

Remaining annual appointments were not discussed.

Accept Bid - Town Buildings Fuel Oil

It was on motion by Selectman Murray unanimously

VOTED: To accept the following bids awarded by the Wellesley School Committee, acting as the agent for the Educational Cooperative, for supplying fuel oil for the Town buildings during the 1981-82 heating season, commencing September 1, 1981, and to authorize the Chairman to sign a bid acceptance letter for the same:

1) From Alan Corporation, 290 West Boylston Street, Worcester, Massachusetts, for supplying No. 2 fuel oil at the price per gallon on the date of delivery of the low posting of the Daily New York Journal of Commerce minus \$.0046/gallon throughout the supply period (bid based on tank car price of \$1.033 per gallon, creating a net delivered price of \$1.0284/gallon); and

2) From Pickering Oil Heat, Holyoke Square, Salem, Massachusetts, for supplying No. 4 fuel oil at the price per barrel on the date of delivery of the low posting of the Daily New York Journal of Commerce minus \$1.55/barrel throughout the supply period (bid based on tank car price of \$33.34/barrel, creating a net delivered price of \$31.79/barrel or \$.7569/gallon).

Service for Boilers and Burners - Town Buildings

Executive Secretary Richard E. Thompson referenced a communication dated August 28 from Administrative Secretary Janet Silva enclosing offers for servicing heating equipment for Town buildings for the 1981-82 heating season. Based on information contained therein, it was on motion by Selectman Murray unanimously

VOTED: To accept the offer for servicing and cleaning #2 oil burners and boilers of Town buildings during the 1981-82 heating season, from Interstate Gas and Oil Corp., Sudbury, at the rate of \$16 per hour from 8:00 a.m. to 5:00 p.m. weekdays, and \$24 per hour on nights, weekends and holidays, commencing September 1, 1981; and further, to accept the offer of Combustion Service Company of New England, Cambridge, to service #4 oil burners and boilers at Loring School, Woodside Road, and Horse Pond School, Horse Pond Road, during the 1981-82 heating season, commencing September 1, 1981, at the rate of \$19 per hour from 8:00 a.m. to 4:30 p.m. weekdays, and \$28 per hour on nights, weekends and holidays, as stated in their quotation dated August 26, 1981.

NOTE: The above note was amended on September 14, 1981, increasing Interstate Gas and Oil Corp. rates.

Police Cruiser Purchase

Because no bids for a police cruiser under the Governor's Highway Safety Bureau program were received at the bid opening on August 19, and with confirmation from Town Counsel Paul L. Kenny that the Town had fulfilled its bidding obligation, it was on motion by Selectman Murray unanimously

VOTED: To authorize the Executive Secretary to enter into negotiations to purchase a Highway Safety Cruiser under the Governor's Highway Safety Bureau grant award dated May 14, 1981, through a collective purchasing program of the Greater Boston Police Council.

Utility Petition #81-11 - Union Avenue

Present: Carole Clinton, Boston Edison Company.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered the joint Utility Petition #81-11 of the Boston Edison Company and the New England Telephone and Telegraph Company for permission to alter the location of existing poles, together with such 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:

Union Avenue, southeasterly side from a point approximately 98 feet northeast of Station Road.

Three (3) poles (Three existing J.O. poles to be removed.).

Union Avenue, southeasterly side from a point approximately 540 feet northeast of Station Road.

Three (3) (Three existing J.O. poles to be removed.).

Union Avenue, southeasterly side from a point approximately 137 feet southwest of Codjer Lane.

Three (3) poles (Three existing J.O. poles to be removed.).

Executive Secretary Richard E. Thompson reported that all appropriate Town officials and abutters had been notified, and that a favorable report had been received jointly from the Wiring and Building Inspectors, dated August 14, 1981.

It was on motion by Selectman Murray unanimously

VOTED: To approve Utility Petition #81-11 of Boston Edison Company and New England Telephone and Telegraph Company, as described above and as shown on a 2-page plan entitled, "Plan of Union Ave., Sudbury, Showing proposed pole relocations", dated April 6, 1981.

Bond Release - Dakin Farms

Present: Olga P. Reed, Planning Board.

Executive Secretary Richard E. Thompson stated that the Planning Board had voted on August 24, 1981, to release a bond with Peerless Insurance Company relating to the Dakin Farms Corporation. Town Counsel Paul L. Kenny stated that it was necessary for the Board of Selectmen to authorize this release since there is a law suit pending between the Town of Sudbury and the Dakin Farms Corporation, Middlesex Superior Court, C. A. #70-2135.

It was on motion by Selectman Murray unanimously

VOTED: To authorize the Chairman of the Board of Selectmen to execute a release for #S 62-32-93 with the Peerless Insurance Company relating to Dakin Farms Corporation, in conjunction with the August 24th vote of the Planning Board.

Parking Fines/Enforcement - MMA Alert

Executive Secretary Richard E. Thompson referenced a Massachusetts Municipal Association (MMA) alert, received August 18, to take action under sections 115 and 121 of the Massachusetts FY1982 budget relative to parking enforcement/revenues. The deadline for action on the same is September 1. Mr. Thompson explained that these outside sections of the budget allow cities and towns to receive 100% of the revenues on parking fines. Mr. Thompson pointed out that a problem with section 121 appears to be the indication that cities and towns must have a clerk in order to make a local request to the district court for

all outstanding parking tickets, who should be appointed within the September 1 deadline. The Board concurred to have the Executive Secretary return the suggested form letter requesting the transfer to the Town of all outstanding parking tickets issued in Sudbury for local processing within the September 1 deadline, directing Mr. Thompson to deal with the clerk appointment at a later date and to keep the Board up-to-date on the same.

Mr. Thompson further explained that in connection with this new legislation, the Town must accept sections 20A or 20A 1/2 (Chapter 90) of the General Laws, and that Town Counsel's office has agreed that these two sections require clarification. Additionally, section 20A would revert back to our former operations regarding parking fines, prior to our acceptance of section 20C (Article 10 of the June 24, 1980 Special Town Meeting). Mr. Thompson noted that the MMA plans to file corrective legislation, and recommended that no consideration be given at this time to holding a Special Town Meeting in order to accept the statute within the January 1, 1982 deadline. The Selectmen concurred.

Mr. Thompson commented that the Clerk of the Middlesex District Court has contacted all the area chiefs and will sponsor a meeting to discuss this statute and to explain how he would recommend we should proceed to implement it.

Sanitary Landfill Emergency

Executive Secretary Richard E. Thompson reported to the Board that, according to conversations today with the Highway Surveyor and Highway Department personnel, equipment problems at the Landfill, and recommendations to correct the situation, remain as explained in reports received from the Highway Surveyor, dated August 19 and August 28, and from the Town Engineer, dated August 28, 1981. It will cost approximately \$7,000 to repair the compactor and approximately \$14,000-18,000 depending on whether it is an outright purchase or a lease/purchase arrangement to purchase a used HD-16 Dozer, which would be a more efficient piece of equipment in the long run.

It was a consensus of the Board to proceed on an emergency basis to purchase this piece of equipment, at a discounted rate of \$14,000 under the emergency provisions of Chapter 40, section 4G; subject to review and comment by Town Counsel.

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

VOTED: To take the matter of resolving the equipment problems at the Landfill under advisement pending review of further information from the Highway Surveyor, which is expected in the office tomorrow, evaluating the dozer for final purchasing.

The Executive Secretary was directed to up-date the Selectmen by Wednesday of next week.

Hawker's and Pedler's License - Marvin Tarves, 684 Boston Post Road

It was on motion by Selectman Murray unanimously

VOTED: To confirm the action of the Board taken by telephone vote on August 19, 1981, to approve a Hawker's and Pedler's License for Marvin Tarves, 327 Chestnut Street, Hudson, to sell farm produce on property owned by Dingley Contracting Company, 684 Boston Post Road through September 30, 1981.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of August 17, 1981, as amended, and the Executive Session of the same date, as drafted.

School Zone Traffic Signals

In accordance with the recommendation of the Town Engineer, dated August 28, 1981, it was on motion by Selectman Murray unanimously

VOTED: Subject to reaching agreement upon a contract completion date, to accept a bid dated August 27, 1981, of Signal Systems, Inc., 54 Westborough Street, Worcester, in the amount of \$8,930, for the installation of school zone traffic signals at two schools (Noyes and Haynes), in accordance with specifications and the invitation to bid dated July 29, 1981, and authorization by the June 15, 1981 Emergency Special Town Meeting under Article 2.

(Bids were opened on August 19, and Signal Systems, Inc. was the low bidder.)

Annual Performance Review - Fire Chief

Present: Fire Chief Josiah F. Frost.

In accordance with the Selectmen's Performance Review Policy, the Board met with Fire Chief Josiah F. Frost and reviewed with him his report dated June 12, 1981, summarizing FY1980-81 operations of the Fire Department.

Selectman Murray commented that he read the Chief's report with interest and complimented him on a job well done. Selectman Murray expressed his opinion that a public performance review is fine from the standpoint of achievements/accomplishments; however, the true value of a performance review is zero in terms of speaking out in any derogatory/critical manner at an open meeting. Selectman Murray clarified his remark by stating that this is only a general comment pertaining to all performance reviews.

The Chief agreed and expressed his opinion that it would be a good idea to have two valuations, one with the Executive Secretary and later with the Selectmen, if we could do so without violating the open meeting law.

Selectman Murray suggested that annual performance reviews begin with an interview between department heads and the Executive Secretary; whereby, the Executive Secretary would report back to the Board, Chairman Donald stated her opinion that this procedure would be beneficial to both parties.

The Chief added his feeling that department heads should meet routinely with the Executive Secretary, however, for constant reassurances on both their parts that things are going in the right direction, especially where new department heads are concerned.

At the suggestion of the Executive Secretary, the Board agreed that this suggestion would be pursued as a future agenda item when Selectman Cossart could be present.

Following some discussion with the Chief on certain areas of his report, Chairman Donald acknowledged his involvements as President of the Fire Chief's Association of Massachusetts, a member of the Executive Committee of the Board of Directors for the Regional Emergency Medical Action Committee of Area IV, and Chairman of the Transportation Committee for the 128/495 EMS Association.

Current Items of Interest

Middlesex County Selectmen's Association (MCSA) Meeting

Executive Secretary Richard E. Thompson informed the Board of the Fall meeting of the MCSA, scheduled for September 23, and reminded the Board that the meeting with the MDC regarding the Sudbury River Diversion project was scheduled on that date. The Board directed the Executive Secretary to notify the MCSA that they had a serious conflict on the 23rd, and that they would be unable to attend the MCSA meeting.

Surplus Equipment Purchase - Assessors

Upon review of a request dated August 17, 1981, from Assessor Donald P. Peirce, to purchase for Seventy Dollars and Adler typewriter, which is presently being declared excess equipment in the Assessor's office, and which was quoted by IBM to have a trade-in value of Seventy Dollars towards the purchase of an IBM Selectric, it was on motion by Chairman Donald unanimously

VOTED: To allow Assessor Donald P. Peirce to purchase the surplus typewriter, as noted above, for Seventy Dollars, subject to comment from Selectman Cossart and a written estimate of the trade-in value from IBM.

Insurance Coverage - Town Buildings

Mr. Thompson referenced the communication dated August 19, 1981, which he had sent to Hall's Insurance Agency, concerning the most cost-effective way to proceed with insurance coverage for the Loring, Horse Pond and Fairbank Schools, and the South Annex, which are now under the control of the Selectmen (by vote of the June 15, 1981, Special Town Meeting), having been excessed by the local Sudbury School Committee.

Selectmen's Actions - 1981 Special and Annual Town Meeting Articles

The Board had previously received and reviewed with the Executive Secretary a July 13, 1981, communication listing actions to be taken by the Board in conjunction with the passage of ten articles at the 1981 Annual and Special Town Meetings. Mr. Thompson brought the Board up-to-date once again, noting that most of the required action has been completed and/or is in the works, and that he would up-date the Board again as required.

Completion Items - Police Station Addition

Present: Michael E. Melnick, Permanent Building Committee.

Executive Secretary Richard E. Thompson stated that the Board had discussed at its meeting of August 17 a communication dated August 3 from Bruce Langmuir, Chairman of the Permanent Building Committee (PBC), recommending some final purchases and expenditures for the Police Station, to be taken from the contingency fund, which will have a remaining balance of approximately \$10,000 after contractual obligations. The Board had tabled taking any action regarding the requested authorization for these expenditures pending a joint meeting with the PBC to discuss certain concerns and in order to question the PBC regarding more accurate, rather than estimated, figures for the suggested purchases and expenditures, as well as for the remaining balance in the contingency fund.

PBC member Michael Melnick stated that the two purchases recommended by the PBC (noted in Mr. Langmuir's above-mentioned communication), 1) to purchase and install the exterior television camera to complete the monitoring system, approximate cost - \$2,000; and 2) to purchase and install detectors to complete the fire alarm system, approximate cost - \$1,500, will be submitted to the Selectmen through change orders from Hugo Construction, which will show the exact cost of these two items. Mr. Melnick stated that he expected to receive these change orders within a week's time.

Mr. Thompson stated that there is an outstanding telephone bill in the amount of \$212.69, and that there is an insurance credit of \$379, which must be returned to the General Fund, rather than to the Town's insurance account, as suggested by the PBC.

Responding to Selectman Murray, Mr. Melnick stated that there are no claims which need to be satisfied.

Mr. Thompson commented that, for the duration of the Police Station project, a small contingency fund had been provided out of the available funds (Article 25, 1980 Annual Town Meeting), and it was monitored very closely. The intention was to use this contingency for certain options at the completion of the project. In addition to the two purchases recommended by the PBC, another was furnishings. Mr. Melnick commented that the PBC would like to be able to turn some money back to the Town upon completion of the project; at the same time, the PBC agrees it is necessary to purchase a certain amount of furnishings.

Following a brief discussion, the Selectmen agreed that the matter of furnishings should be addressed again at length in conjunction with the requirements/recommendations of the Police Chief. Mr. Thompson commented that there is wording in the article which allows for furnishings, and that they can be purchased at a reasonable cost through the Department of Correction.

There was a brief discussion regarding holding an open house for the completed Police Station addition and regarding the type of plaque which should be purchased for the dedication of the same. It was decided to hold the open house either the first week of October or the first week of November.

At the conclusion of discussion, the Board agreed to meet the PBC after receiving the change orders and the figures requested.

Executive Session

The Executive Session scheduled for tonight dealing with collective bargaining was canceled due to the receipt of an August 28, 1981, communication from John E. Schromm, President, Local 105, Association of Engineers, Architects and Draftsmen, accepting the standing offer of the Board for a 7% increase in wages and no career incentive.

There being no further discussion, the meeting was adjourned at 9:20 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk