

IN BOARD OF SELECTMEN
MONDAY, JULY 12, 1982

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

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

Appointment - Conservation Commission

Present: Chairman Richard O. Bell, Conservation Commission; candidate Gordon D. Henley.

The Board was in receipt of a communication dated July 9, 1982, from Chairman Richard O. Bell of the Conservation Commission recommending the appointment of Mr. Gordon D. Henley to the Conservation Commission, and responding to Chairman Cossart, Mr. Bell stated that four of the six Commission members had been reached and so recommend.

Mr. Bell introduced Mr. Henley who indicated his willingness to continue the management of the community gardens and expressed his interest in land management.

It was on motion by Selectman Murray unanimously

VOTED: To appoint Gordon D. Henley, 23 Spring Street, to the Conservation Commission, replacing H. Rebecca Ritchie, for a term to expire April 30, 1984.

Site Plan 81-233, Lots 2A and 2AB, 29-31 Union Avenue

Present: Building Inspector Joseph E. Scammon; Fire Chief Josiah F. Frost; Ted Pasquarello and James E. Spertmen, Chiswick Trading, Inc., and David Williams, Marci Ravech Williams and Atty. Barry Ravech Williams, gymnastic school.

On the question of amending Site Plan 81-233, Lots 2A and 2AB, 29-31 Union Avenue, to reflect a change in use, as requested by Ted Pasquarello of Chiswick Trading, Inc. (lessee), in a communication dated July 8, 1982, Mr. Pasquarello explained the following:

- that he is requesting the original site plan approval (on August 3, 1981) be amended to allow the use of a 7,200 square foot area in Building #2 for a gymnasium; and
- that his plans include the installation of one exterior front door on Building #2; and
- that a fire wall will be built to set off that portion of the building.

Following some discussion, it was on motion by Selectman Murray unanimously

VOTED: To modify the August 3, 1981, approval of the Robert Aron/Mutual Bank for Savings Site Plan 81-233, for property located at 29-31 Union Avenue (Lots 2A and 2AB), Sudbury, now owned by R & L Realty, Inc., of Framingham, on the present application of Chiswick Trading, Inc. (lessee), to include the addition of one door at the front of Building #2 and the proposed building use as a gymnasium,

on site plan entitled, "Site Plan of Land in Sudbury, Massachusetts", dated June 11, 1981, revised August 14, 1981, subject to the condition that the requirements listed in a communication dated August 3, 1981, and a subsequent letter dated August 14, 1981, from Schofield Brothers Inc., reflecting concerns raised by the Town Engineer and the Board of Health, shall be completed to the satisfaction of the Town Engineer prior to implementation of the present modification and use of the premises.

Resignation - Cable Advisory Committee

Present: Chairman Roger Allan Bump; P. Jeremy Smith, and William H. Eburn, Jr., Cable Advisory Committee; R. Goldman, Community Cablevision of Framingham; and W. Henchy, Adams-Russell.

Following comments by Chairman Cossart, it was on motion by Selectman Murray unanimously

VOTED: To accept the letter of resignation, dated July 8, 1982, from the Sudbury Cable Advisory Committee, and to direct the Executive Secretary Pro Tem to convey a letter to the Committee expressing the Board's regrets and accepting their offer to turn over the facts and materials collected to date, and thanking them for their help.

When Chairman Bump asked if he could read the letter for the record, Chairman Cossart replied that it was sufficient for the Board to accept the same and that it was the Committee's prerogative to give a copy to the press. Chairman Cossart directed the Executive Secretary Pro Tem to schedule some time on a future agenda - recommending the July 26th meeting - to discuss how the Selectmen will proceed from here and to forward any material/information received from the Cable Advisory Committee to Town Counsel for review.

Transfer Requests

Present: Building Inspector Joseph E. Scammon.

Plumbing and Gas Fees #340-16

The Building Inspector briefly explained the reason for the requested transfer, following which it was on motion by Selectman Donald unanimously

VOTED: To approve Transfer Request No. 1062, dated June 30, 1982, from Custodial Account 340-15 to Plumbing and Gas Fees Account 340-16, as requested by the Building Inspector, in the amount of \$356, to pay the final bill for FY82 for the period May 17 to June 30, as indicated on the numbered transfer.

Vehicle Maintenance #340-31

It was on motion by Selectman Donald unanimously

VOTED: To approve Transfer Request No. 1063, dated June 30, 1982, from Custodial Account 340-15 to Vehicle Maintenance Account 340-31, as requested by the Building Inspector, in the amount of \$204.78, to pay for gas and a four-wheel brake job, as indicated on the numbered transfer.

Letter of Resignation - Assessor

At the request of Chairman Cossart, it was on motion by Selectman Murray unanimously

VOTED: To acknowledge a letter of resignation from the Board of Assessors from Elizabeth M. McClure, dated July 2, 1982, effective August 1, 1982.

Sudbury Annex - Fort Devens

Present: Fire Chief Josiah F. Frost.

Regarding a tour and briefing by Fort Devens in conjunction with their recent acquisition of the Sudbury Annex, which Selectman Donald attended on July 7 at Post Headquarters, she reported that Fort Devens had taken over the Sudbury Annex as of Tuesday, July 6, and reported on some of their projected plans contained in materials which were distributed to the Board, as follows: individual skills training, engineer's training, movement techniques, small airport operations for helicopters. Groups would average approximately 50 military personnel. Long Range plans include: non-commission officers school (in present buildings), reserve officers training school, storage for reserves, small parachute drop zone (not large numbers), Air Force Weather Station will continue, replacement of fencing to keep dirt bikes, etc. off the premises, education of children throughout local schools regarding dangerous materials.

Selectman Donald also informed the Board that five-year plans for use and manning were being prepared, which would take approximately six months to formulate, a security survey was being done, and an environmental assessment would be required under federal regulations. She further noted that the July 7th meeting was to be followed up with other regularly scheduled meetings of Fort Devens with area Selectmen.

Selectman Murray pointed out that it was his understanding that ammunition and/or explosives may be used on site, contrary to the understanding expressed by Selectman Donald that there would be no firing of guns. The Board directed the Executive Secretary Pro Tem, under the direction of Selectman Donald, to send a letter questioning the extent and further details regarding the same; in addition, the Fire Chief's concerns regarding fire protection and emergency medical services and the need to resolve this issue are to be addressed in the letter.

It was agreed by the Board that Selectman Donald would continue to act as liaison with Fort Devens on its behalf.

Chairman Cossart later pointed out that there had been some concern regarding the use of ammunition, noise, and access, from abutters stemming from recent publicity of possible development of the military site, and that they should be kept informed as information develops.

Municipal Bonds - Curtis and Noyes School Roofs - 82ATM Articles 30 and 31

Present: Town Treasurer Chester Hamilton; George Cox, Vice President, Bay Bank Middlesex.

Town Treasurer Chester Hamilton introduced Mr. George Cox of Bay Bank Middlesex, the Town's certifying bank. Mr. Hamilton explained the 82ATM had authorized borrowing of \$432,000 to finance repairs, etc., of the Curtis and Noyes School roofs, and that

under State statute Selectmen's approval is required. Mr. Hamilton requested that, since the bid opening will take place in Boston, July 13, at 11:00 a.m., and the bidders would expect an immediate answer, the Selectmen give approval for him to accept the lowest bid for the sale of Municipal Bonds, in accordance with Chapter 44, s. 22, using his judgment as to the acceptability of the interest rate.

Mr. Hamilton talked about the interest rates to be expected - stressing he expected they would be no more than 10 1/2% and no less than 9 1/2%. The last Municipal Bonds sold at 9 1/2% in October, 1981.

Mr. Hamilton explained that he was planning to bond \$2,000 less than authorized by ATM, since bonds are issued in \$5,000 units and it might not be necessary, due to investment, to borrow further, and noted that a \$2,000 short-term bond could be negotiated later if necessary.

Responding to Chairman Cossart, Mr. Hamilton stated that, according to Permanent Building Committee Chairman Michael Melnick, approximately \$100,000 would be required by August 15 and approximately \$250,000-\$300,000 would be required by September 15th for the contractors involved.

Mr. Hamilton also responded negatively to the question of bonding for a shorter term than five years.

It was mutually agreed that the Selectmen would meet with Mr. Hamilton tomorrow evening, at 6:30 p.m., at the Loring Parsonage for final approval of the bond offering and signing of documents.

Following the explanation by the Town Treasurer, it was a consensus of the Board to authorize the Town Treasurer to accept the lowest bid for the sale of Municipal Bonds in the total amount of \$430,000, in accordance with Chapter 44, s. 22, at the bid opening on Tuesday morning, July 13, 1982, using his judgment as to the acceptability of the interest rate.

Amend Traffic Rules and Orders

Following a brief explanation by Executive Secretary Pro Tem Janet Silva that, following action by the 82ATM, it was necessary to correct the G. L. reference under which violations of parking regulations are handled, it was on motion by Selectman Murray 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:

By striking out the reference to Section 20C of Chapter 90 of the General Laws and inserting in its place, "Section 20A 1/2", in Article VIII, Section 3, PENALTIES.

Form HED-077 Notification to State DPW - Highway Costs

It was on motion by Selectman Donald unanimously

VOTED: To sign the State Department of Public Works Form HED-077 furnishing notification to them that the actual cost of \$727,162 will be incurred during Fiscal Year 1983 under Chapter 81, Section 31, of the General Laws (constructing, maintaining and policing of the Town streets or roads), as prepared by the Town Accountant.

Flood Plain Notification to Property Owners

The Board acknowledged a communication sent under the Executive Secretary's signature on May 18, 1982, as sufficient notification to owners of property newly placed in the Flood Plain as a result of Article 22 of the 1982 ATM.

Miscellaneous Donations - Council on Aging

It was on motion by Selectman Donald unanimously

VOTED: To accept, on behalf of the Town, miscellaneous donations totaling \$86.75, to be used by the Council on Aging for van transportation.

Resignation - Council on Aging

It was on motion by Selectman Murray unanimously

VOTED: To accept the resignation dated June 30, 1982, from Rev. Shephard S. Johnson from the Council on Aging, effective immediately, and directed the Executive Secretary Pro Tem to forward a letter of appreciation expressing sincere thanks and best wishes for his new assignment in Connecticut.

Joint Meeting - Committee on Town Administration

Present: Chairman Eric F. Menoyo, Anne D. Bigelow and Lois Y. Fink, Committee on Town Administration; Fire Chief Josiah F. Frost.

Chairman Cossart convened a joint meeting with the Committee on Town Administration for the purpose of continuing discussion held on March 8, 1982, and an opportunity for the Selectmen to be updated on the CTA's studies relative to a Public Safety Commissioner (in view of the fact of the Police Chief's upcoming retirement in October and the Fire Chief's, on January 1, 1983) and scheduling completion of the same.

Chairman of the CTA, Mr. Eric Menoyo, stated that the Committee had focussed on a combination Police/Fire Public Safety Commissioner as an administrator, not the combination of the two departments, and met with both department heads - Fire Chief Josiah F. Frost and Acting Police Chief Peter Lembo - for their input. Mr. Menoyo further stated that the Fire Chief had provided them with much information, being very vocal on the subject, and that it was through their meeting that he learned of the complexity of the Fire Department and the problems with this approach.

Mr. Menoyo went on to say that, although several cities/towns had made this transition, or combined departments, they were not comparable to the Town of Sudbury.

Chairman Cossart, speaking for the Board, stated that their interest in a joint safety commissioner was from a financial standpoint, and asked that the CTA continue its studies if they feel there is a strong financial incentive to do so.

Selectman Murray expressed his opinion that, especially in the area of dispatching, a combined service for both police and fire might be a financial incentive to the Town. This dispatcher would be working under the public safety officer.

Chairman Cossart asked if the CTA could find a way of working the question of a dispatcher into the study with or without a public safety officer.

The Fire Chief commented on, and expressed his support of, the idea of a Regional (or consolidated) Emergency Dispatch Center - beginning first with Fire, then adding Police, explaining that the dispatchers would be civilians and not subject to the varying Police and Fire shifts. It was the Chief's view that Sudbury should look into the regional approach first since the cost involved in terms of equipment to combine fire and police dispatching within the Town was prohibitive, (Wayland and Concord had spent approximately \$150,000 and \$200,000 respectively).

Chairman Cossart asked that the CTA develop a real clear, comprehensive comparison, financially speaking, of creating the position of a public safety officer versus the present two-chief system.

Selectman Donald suggested that the CTA should look into a regional dispatch system, as well, especially since the present financial climate may now make the idea more appealing to area towns.

Chief Frost stated that he would be willing to assist, and added that a few of the towns that initially were not interested in the regional emergency dispatch center (discussed a few years ago) are now showing some new interest in the same - Maynard being one now interested. The Chief recommended that the CTA contact counterparts in surrounding towns to determine interests in studying regional dispatching.

The Chief expressed his opinion that Sudbury is situated in an ideal area to form such a region. He further commented that Wayland's and Concord's equipment might be incorporated into it.

Regarding research information available through the Selectmen's office, Mrs. Bigelow stated that the CTA had reviewed it but that it was mostly out-of-date. Mr. Menoyo further commented that most of the material from other sources researched by them did not appear to be applicable, since it mostly dealt with the idea of combining the two departments.

Following further discussion, it was mutually agreed that the CTA would report its recommendations back to the Selectmen at their meeting of September 20 with the idea that, if an annual Town Meeting article were required, it could be prepared this fall for the 1983 Annual Town Meeting. The CTA was offered the assistance of the Selectmen's office as needed.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of June 28, 1982, as amended, and the Special Meeting of July 7, 1982, and the Executive Sessions of June 28 and July 7, 1982, all as drafted.

Communications Received

Selectman Donald passed along to Chairman Cossart a copy of the "Public Manager's Notebook" (vol. 2, no. 2), which she had received, concerning principles to govern state and municipal personnel systems.

Chairman Cossart referenced a communication received July 6, 1982, from the Chairman of Lincoln, Committee for Education about Nuclear Arms, relative to an informational meeting scheduled for August 9. Executive Secretary Pro Tem Janet Silva confirmed that Fire Chief Frost was planning to attend.

Mrs. Silva distributed information to the Board from both Coatings Engineering and the local Board of Health, written to the Department of Environmental Quality Engineering, relative to how Coatings is planning to proceed, and reaffirming the Board of Health's position.

Lincoln-Sudbury West

Selectman Murray informed the Board that he will be meeting with Mr. Santella and Mr. Lewis to go over respective responsibilities relative to Lincoln-Sudbury West at Fairbank School, and that he would report back to the Board following that meeting, hopefully with some recommendations, as well, relative to work to be done at Fairbank School.

Proposed 1982 Equalized Valuation Figure

Executive Secretary Pro Tem Janet Silva reported to the Board that Town Counsel Paul L. Kenny had met with the Board of Assessors, as directed by the Board at its June 28th meeting, and that it had been agreed to go forward with the appeal of the proposed 1982 Equalized Valuation Figure for the Town.

Local Arts Council

Appointments to the Local Arts Council were tabled by the Board at its June 28th meeting pending response/recommendations from the High School. Executive Secretary Pro Tem Janet Silva reported that the only recommendation from the High School was Virginia Kirshner, who is already a member; there were no student recommendations.

Mrs. Silva stated that, in addition to the three persons who expressed interest in serving on the Council (the Board had received their applications upon request), there were a couple of other persons with musical background who might possibly be interested and asked for direction from the Board in terms of contacting these people. The Board was in favor and directed that Mrs. Silva contact them accordingly and report back to the Board.

Executive Session

At 9:05 p.m. it was on motion by roll call

VOTED: To enter into Executive Session for the purpose of discussing collective bargaining, where open discussion of the same may have a detrimental effect.

(Roll call vote: Chairman Cossart, in favor; Selectman Murray, in favor; Selectman Donald, in favor.)

Chairman Cossart announced that Public Session would not reconvene following the Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 10:05 p.m.

Attest:

Janet Silva
Executive Secretary Pro Tem