

IN BOARD OF SELECTMEN
MONDAY, JANUARY 10, 1983

Present: Chairman William J. Cossart and Anne W. Donald.

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

Boston Edison Conservation Program

Present: Jack Goggin, District Manager, Community Relations, Boston Edison Company.

Chairman Cossart convened a meeting with Jack Goggin, District Manager, Community Relations, Boston Edison, at his request to inform the Board of Boston Edison's new conservation program.

Mr. Goggin stated that this is a 20-year energy conservation program. He distributed literature explaining how energy conservation can be achieved in the home with low cost services provided by Boston Edison and/or products which can be installed economically by the homeowner himself. He also mentioned a low cost home "energy survey" service, done in conjunction with many Massachusetts utilities through the non-profit, Mass.-Save program.

Mr. Goggin stated that Boston Edison is looking for feedback and invited all (Selectmen, the press, business and residential customers) to an open meeting at Framingham North High School, Monday, February 28, 1983.

Mr. Goggin further stated that 70% of all electricity generated throughout New England is by oil, and that with conversion to coal, which is their goal, they hope to get it down to 20% by 1990.

At the conclusion of discussion, Chairman Cossart thanked Mr. Goggin for an informative meeting.

Emergency Medical Services (EMS) System for Metropolitan Boston

On the question of supporting the Regional EMS Advisory Council (REMSAC), acting under the auspices of the Metropolitan Boston Hospital Council, in its application for designation as the Regional EMS Council in Metropolitan Boston, in accordance with the request dated December 28, 1982, from Richard E. Lee, Chairman, Regional EMS Advisory Council, Chairman Cossart commented and stated he had no interest in endorsing the same without further clarification or an explanation from the Fire Chief. Selectman Donald agreed.

Executive Secretary Richard E. Thompson stated that Fire Chief Frost would be out-of-town for the month of January but that he would try to obtain some information from his office relative to his endorsement of the same and the economics of the program and its benefits to the Town. (The Board was aware that there would be no cost to the Town but expected to know what additional services would be provided through a Regional EMS.)

The Board took the matter under advisement.

Vacancy - Sudbury Housing Authority

The Board was in receipt of a communication dated January 4, 1983 from the Sudbury Housing Authority notifying the Board of the vacancy on the Authority due to the death of Russell Loftus, and requesting the filling of said vacancy by joint election of the Board of Selectmen and the remaining members of the SHA rather than operate as a 4-member Board until the March Annual Election.

In view of the fact that there are early February deadlines for taking out and submitting papers stating the intention to run for election, the Board directed the Executive Secretary to schedule a joint meeting with the Sudbury Housing Authority for the election, as soon as possible.

Appointments - Forest Warden and Special Constable, non-paid

On the recommendation of the Executive Secretary, it was on motion by Selectman Donald unanimously

VOTED: To appoint Michael C. Dunne, Forest Warden and Special Constable, non-paid, both appointments effective February 1, 1983, in conjunction with his appointment as Fire Chief (also effective February 1, 1983), for terms to expire April 30, 1983.

Executive Secretary Richard E. Thompson relayed the recommendation of Fire Chief Frost that he remain Civil Defense Director, with Robert A. Noyes as Deputy, through the April 30, 1983 terms, and that Michael C. Dunne then be appointed to the position of Civil Defense Director, in his capacity as Fire Chief, and that Josiah F. Frost then be appointed Deputy. Mr. Thompson stated that Mr. Noyes is agreeable to this procedure.

The Board concurred.

Selectmen's Annual Report for 1982 Town Report

Following a brief discussion, it was on motion by Selectman Donald unanimously

VOTED: To approve, as submitted, the final (second) draft of the Selectmen's annual report for the 1982 Town Report, pending any comments from Selectman Murray, who was not present.

The Board discussed the inclusion of a separate, lengthy report which would itemize monies invested in trust funds (accepted by the Trustees of Town Donations - the Selectmen and the Town Treasurer). The Board concurred that there was no requirement for its inclusion, since, as Mr. Thompson pointed out, those records would be on file in the Selectmen's office and available to the public upon request. A summary is also provided in the Town Treasurer's report.

Reserve Fund Transfer - Veterans, General Expense

Present: Col. Paul J. Leahy, Veterans Graves Officer.

Following an explanation by the Executive Secretary and a brief discussion with the Veterans Graves Officer, Col. Paul J. Leahy, it was on motion by Selectman Donald unanimously

VOTED: To approve Transfer Request #1072, dated January 10, 1983, from the Reserve Fund, to Veterans - General Expense, Account #900-21, in the amount of \$2,743.55, to place the Vietnam and Korean War Memorial plaques in suitable monuments at the Wadsworth Cemetery and for the production of the Frank H. Grinnell Veterans Memorial Park plaque and its emplacement at the Park, named in his memory at the 1980 Annual Town Meeting.

Selectmen's Assignments 83ATM Articles

In the absence of Selectmen Murray, the Board concurred to table assigning 83ATM articles to Board members.

Minutes

It was on motion by Selectman Donald unanimously

VOTED: To approve the minutes of the Regular Session of January 3, 1983, as amended, and the Executive Session minutes of that date, as drafted.

Ordering Warrant - 83ATM

Present: J. Owen Todd, Town Moderator.

Following review of all the articles submitted for the 1983 Annual Town Meeting, the Board approved the following for the Consent Calendar: Temporary Borrowing, Unpaid Bills, Street Acceptances, Ambulance, Amend Bylaws - Handicapped Parking.

After further review and discussion, the Selectmen ordered the 27-article Warrant for the 1983 ATM.

Joint Meeting with Highway Surveyor - Articles/Equipment

Present: Highway Surveyor Robert A. Noyes; Assistant John Lindgren; Operations Assistant Steven Nystrom, and Fritz Steudel, Long Range Capital Expenditures Committee.

Chairman Cossart convened a meeting with the Messrs. Noyes, Lindgren and Nystrom of the Highway Department to discuss articles and equipment budget submissions for the 1983 Annual Town Meeting.

Articles: Reconstruct Portion Dutton Road

Present: Alton F. Clark and John E. Taft, Trustees of the Sudbury Foundation.

Highway Surveyor Robert A. Noyes stated that \$61,000 had been appropriated under 82ATM, Article 14, for the construction of a walkway along Dutton Road. Mr. Noyes further stated that the Sudbury Foundation, owners of the Atkinson property on Dutton Road, had expressed concern regarding the existing, dangerous curve on Dutton Road along their property line and requested that the road be

be constructed in conjunction with the construction of the walkway. Mr. Noyes further stated that the Trustees of the Sudbury Foundation had discussed with the Town Engineer the reconstruction of Dutton Road, and, in terms of anticipating Chapter 90 reimbursement funds, the Town Engineer had drawn up some plans for the reconstruction of the road. Mr. Noyes went on to say that his Department had held off work on the walkway in consideration of the Sudbury Foundation's request regarding the road reconstruction and also their concern that the walkway, as proposed, is only about twenty-three feet from the front door of the house. The Town Engineer's plans relocate six hundred feet of walkway, move the road over accordingly, and relocate the intersection of Moore Road making it a right angle to Dutton Road. Mr. Noyes explained that, since this is not a primary street, but a secondary road, the Town would be entitled to seventy-five percent reimbursement from the State.

Responding to Chairman Cossart, Mr. Taft indicated that the majority of the Trustees were present and in agreement to the concept of the walkway easement in conjunction with the road being relocated. He added that the Sudbury Foundation assures the land for the road and/or walkway reconstruction and is interested in a swap of land on the other side of the road.

Mr. Noyes stated that this article requests \$100,000 for drainage (into the brook), and road reconstruction and paving in conjunction with the walkway. Mr. Noyes mentioned that the construction of a retaining wall along the existing bank of the brook would be necessary and costly.

Mr. Taft briefly explained the background of the Sudbury Foundation, its effort to help with local student loans and its charitable contributions to the Town of Sudbury.

Reconstruct Portion Union Avenue

Mr. Noyes stated that he is requesting \$80,000 under this article to complete the drainage project on Union Avenue from the railroad tracks to Route 20 - approximately nine hundred sixty feet; this project is one hundred percent reimbursable with the exception of 1) police detail, 2) repaving ditch at Mullen property (which is still being negotiated with Mullen), and 3) cost of cast iron pipe under railroad track (easement from MBTA required).

Equipment

Mr. John Lindgren updated the Board on the status of the Highway Department equipment used for the Sanitary Landfill. He explained that the compactor which was purchased during FY73 is not designed to do the work they expected it to do, and it is expensive to maintain. Mr. Lindgren stated that they propose to trade in the front-end (CAT) loader (replacement cost, new is \$100,000) and the compactor (replacement cost, new is \$155,000), and replace them with a shovel dozer. This piece of equipment will provide adequate compaction with a sheeps-foot roller, which is a low maintenance piece of equipment. The cost of this item (sheeps-foot roller) new is \$40,000; however, one has been located, used, for \$6,500, and a used shovel dozer is available at a cost of \$125,000 (with trade-in) approximately. He suggested a three-year lease with the option to purchase - the life expectancy of the shovel dozer is thirteen years. Additionally, Mr. Lindgren stated that they plan to trade in a one-ton truck for replacement at approximately \$12,500.

Mr. Nystrom commented that most towns no longer use compactors but only use dozers; the gain is in repair costs.

Responding to the Selectmen, Mr. Noyes stated that the life of the Landfill is approximately ten to twelve years.

At the conclusion of discussion, it was on motion by Selectmen Donald unanimously

VOTED: To support the Highway Surveyor's submission of the above articles and the proposals relative to equipment.

Joint Meeting - Board of Assessors, Finance Committee

Present: Members of the Board of Assessors and Finance Committee.

Chairman Cossart convened a meeting with the Board of Assessors and the Finance Committee to 1) discuss the Finance Committee's communication dated December 20, 1982, recommending that the current FY83 levy limit be adjusted upward by \$100,000 in order to deal effectively with the budgets for FYs 84 and 85 by raising the overlay from \$350,000 to \$400,000, by dropping estimated receipts from \$350,000 to \$325,000, and by dropping motor vehicle receipts from \$425,000 to \$400,000, and 2) discuss the position of a fulltime assistant assessor.

Executive Secretary Richard E. Thompson added that the reason this meeting was being held was because of the fact of the lateness of getting the assessed valuation figures of the Town prior to the October 1982 Special Town Meeting, and, therefore, the Town did not have the option of voting funds to the maximum as allowed under Proposition 2 1/2 and was limited to a one percent increase in its ability to levy FY83 over FY82.

Chairman of the Board of Assessors, Donald P. Peirce, stated that the Assessors have not voted on the Finance Committee's recommendation but that he is personally opposed unless that amount of money for the overlay was actually needed to cover abatements in the ensuing year.

Assessors David M. Collins and Stefanie W. Reponen stated no opinion until such time as they know what the actual values are and have reviewed their data to determine if it appears they might have problems with abatements for 1982.

Finance Committee Chairman James A. Pitts replied that the Finance Committee was not trying to usurp the role of the Assessors but merely trying to support a way of increasing the levy limit of the Town and this was one way of doing so.

Mr. Peirce responded that one of the main reasons they were not able to have the assessed valuation figures was because of the time they spent in appealing the State's recent equalized valuation (which the Selectmen had supported them doing) and in which they were successful.

Mr. Thompson pointed out that there may not be any problem because in prior forecasting Mr. Peirce had indicated to him that he believed their need for the overlay was in the neighborhood of \$300,000-\$400,000 or the same amount used during

the previous full revaluation year. Mr. Thompson stated the hope is that the Assessors recognize the problem of the Town's underlevying for FY83, as pointed out, and that they would take that into consideration when determining the final overlay figure.

Chairman Cossart stated he felt it was in the Town's best interest that the Selectmen are asking the Assessors to increase the overlay to \$400,000. Also, he questioned Mr. Peirce on the ramifications of doing so and who would make judgement on the Assessors' actions. Mr. Peirce replied that the State Department of Revenue and their fellow assessors throughout the State would oversee the local Assessors' action, that the Assessors have never over-estimated intentionally.

Chairman Cossart questioned the Town Accountant as to whether or not he had any concern about adjusting the estimated receipts to increase the levy limit. Town Accountant James Vanar responded that he did not, and that he had discussed the same with the State Department of Revenue, who had indicated no concern and that it was a local decision, if things were done within reason, including, in his opinion, the requested action on the Assessor's overlay account.

At the conclusion of discussion and on the suggestion of the Executive Secretary, the Board agreed to pursue this discussion with the Assessors when they have final figures from McGee and Magane, and have started work on the recap sheet and the setting of the tax rate (prior to submission of the same to the State Department of Revenue).

Fulltime Assistant Assessor

Speaking on behalf of the Board of Assessors, Mr. Peirce stated that the Board supported by majority the position of a fulltime assistant assessor to be included in their fiscal 1983 budget. Speaking personally, Mr. Peirce stated his opposition for the following reasons:

- Hiring a fulltime assistant assessor will not eliminate the need of a certified consultant's services, i.e., McGee and Magane.
- Stipends for the Assessors have not been adjusted upward over the years as they have in other departments; additionally, the Assessors' budget is usually not supported by the Finance Committee as was an article several years ago to appropriate money for the hiring of a fulltime assistant assessor and Annual Town Meeting agreed.
- Sudbury's methodology is satisfactory without a fulltime assistant assessor as evidenced by the fact that Sudbury has been certified for 1981.

Mr. Peirce stated he personally did not see what the Town stands to gain by hiring of a fulltime assistant assessor.

Mr. Collins elaborated on the fact that there are not many candidates qualified (certified by the State) available and those who are would require a substantial salary - perhaps \$25,000-30,000; also, he felt that individual could not be retained for more that three years, and that no one would even consider the job given the physical condition of the present assessing office.

Following further discussion, Chairman Cossart thanked the members of the Assessors and the Finance Committee for attending this evening.

General Government Office Space

In the absence of Selectman Murray, the Board tabled consideration of a communication from the Executive Secretary and the Town Engineer dated December 16, 1982, relative to General Government office space and a communication dated December 14, 1982, from Town Hall elected officials on the same subject.

Credibility of Press

The Board acknowledged receipt of a memorandum dated January 5, 1983, from Atty. Jeanne S. Kangas requesting input from the Board on the subject of "The Credibility of the Press" in conjunction with her invitation to participate as a panelist during the annual convention of the New England Press Association. Selectman Donald agreed to respond.

Chairman Cossart commented he feels that, because there is such a turn-over of people covering the Town of Sudbury, reporters are sometimes not as knowledgeable as they could be, which makes the job a very difficult one. Selectman Donald added that, as the Selectmen learned recently from a member of the press, his articles are edited before they go to print and this sometimes reduces accuracy.

Water District Testing

Chairman Cossart referred to Mr. Thompson's note (January 10, 1983) regarding his conversation with Brad Mattsen of the Water District about the water testing in Sudbury (results to be completed during the month of January); he questioned where the samples would be collected and commented that, unless the source of the water is known, it would be pointless to collect samples. Mr. Thompson stated it was his understanding that the samples would be taken only from operating Town wells.

Site Plans (Project Management)

The Board was in receipt of a January 6, 1983, communication from Town Counsel Paul L. Kenny relative to site plans, specifically in conjunction with that of Project Management.

In the absence of Mr. Kenny, the Board directed the Executive Secretary to schedule discussion of the same at the Board's next meeting.

Donations

It was on motion by Selectman Donald unanimously

VOTED: To accept on behalf of the Council on Aging, as Trustees of Town Donations, \$180 in miscellaneous gifts, received in October, 1982, and deposited on Schedule S83-3, October 8, 1982, to be used for van transportation; and to accept a donation for van transportation from the Sudbury Senior Citizens Club in the amount of \$25.

Holiday Closing

Executive Secretary Richard E. Thompson announced that the Town Hall Offices would be closed, Friday, January 14, in observance of Martin Luther King Day.

Fort Devens Liaison Group Meeting

Mr. Thompson reported that a meeting with the Fort Devens Liaison Group had been tentatively scheduled for Tuesday, January 18; suggested times are 3:00 p.m. or 7:00 p.m.

Sudbury River Diversion Project Monies

Mr. Thompson reported that he will discuss with the Finance Committee the possibility of including in the Selectmen's budget, under the Surveys and Studies Account or as a separate article, an expenditure for the payment of services to a consultant relative to the Sudbury River Diversion project. The Board concurred.

Sudbury Variety

The Board directed Mr. Thompson to request the Building Inspector to forward a violation notice to Sudbury Variety to comply within seven days to the Town sign bylaws as it pertains to illuminated signs with the ultimatum of proceeding to District Court.

Computer Purchase - Accounting

The Board acknowledged receipt of a communication dated January 6, 1983, from Town Accountant James Vanar relative to the purchase of a computer in the amount of \$1,581 for the Accounting Office. Subject to agreement by Selectman Murray, the Board approved the expenditure.

Opposition to Closing of Hunting Land

The Board acknowledged receipt of a communication dated December 29, 1982, signed by eleven hunters opposing the closing of hunting land in Sudbury.

Planning Board Articles

In conjunction with the Board's meeting with the Planning Board on January 3 to discuss the zoning articles for the 83ATM Mr. Thompson had provided the Board with a copy of the minutes of a meeting with the Planning Board on October 10, 1981, to discuss the preparation of Warrant articles for the 82ATM.

There being no further business to come before the Board, the meeting was adjourned at 10:00 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk