

IN BOARD OF SELECTMEN
MONDAY, JANUARY 17, 1983

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.

Presentation of Girl Scout Cookies

Present: Cookie Sales Co-Chairman, Michael W. Guernsey; Girl Scouts Michelle Racicot and Caroline Martin.

Mr. Michael W. Guernsey stated that he and his wife are co-chairmen of Girl Scout Cookie Sales again this year. He introduced Girl Scouts Cadette Michelle Racicot, who he stated held the record for the highest sales last year, and fifth grader, Junior Scout Caroline Martin. Mr. Guernsey informed the Board that the Cookie Sale "kickoff" is Friday, January 21st, at 3:00 p.m. and that the goal is to have the 175 local Girl Scouts sell 10,000 boxes of cookies and beat last year's sales of 9,400 boxes. Mr. Guernsey further stated that the purchase price of a box of Girl Scout cookies is \$2 of which \$1.27 is tax deductible; proceeds of the cookie sales (which is the biggest fundraiser) goes to the Patriot's Trail Council and the individual troops.

The girls then presented the Selectmen with boxes of Girl Scout cookies, which Chairman Cossart stated he appreciated very much; he expressed congratulations on behalf of the Board to the Girl Scouts for their fine record and wished them luck in meeting their goal this year.

General Government Office Space

Present: Town Treasurer Chester Hamilton.

Executive Secretary Richard E. Thompson stated that, because of the Christmas holidays and in order to have a full Board in attendance, meetings to discuss the issue of general Government office space needs had been tabled until this evening.

Town Treasurer Chester Hamilton stated that he was present so that the Selectmen would be aware that there was not a lack of interest in the subject on his part. Mr. Hamilton expressed his opinion that great weight had been given to an October 27, 1982, letter to the Selectmen, signed by the Town Accountant (and written in conjunction with his assistant) which stated reasons why the Town Treasurer should remain in the Town Hall by utilizing the upper Town Hall, rather than be moved to the Flynn Building, as proposed by October 7, 1982 Special Town Meeting Article 2. Mr. Hamilton stated he had not been consulted before that letter was written and took offense to the manner in which it implied his consensus to the information/statements contained therein. Mr. Hamilton stated his position still remains the same - that he would be willing to have his office moved to the Flynn Building if that would allow other governmental offices, which need to remain in Town Hall for daily access to the vault, to expand their office space within the Town Hall with the utilization of the lower Town Hall.

Chairman Cossart summarized the situation:

- There is a long standing need for space; on the other hand, the Town is rich in unused space.
- Town officials/departments have been working on how those needs can be reached by what is available.
- The Selectmen expressed willingness to give up their space in the lower Town Hall and submitted a \$10,000 article for the October 7, 1982 Special Town Meeting, which was passed, which provided expansion of Fire Department space in the rear of Town Hall by relocating two offices to the Flynn Building, and relocating and adjusting space of other Town departments by utilizing the lower Town Hall.

(Chairman Cossart stated that the Town Treasurer had expressed willingness to move to the Flynn Building although it was not his primary desire and that the Accounting Department was also willing to do so but preferred to remain in the Town Hall.)

- Further discussions were held by the Executive Secretary and the Town Engineer, and a suggestion made by the Town Accountant (by letter mentioned earlier) that the upstairs of Town Hall could be used so that no one would have to move to the Flynn Building.
- The Board met with the Sudbury Players (primary users of upper Town Hall) and stated its final decision on future housing of the Players would be based on Town Government office space needs.
- The Town Engineer came back with his opinion that the heating system and electrical wiring would make the use of upper Town Hall prohibitive.

During discussion the Board reached the following consensus:

- 1) To provide temporary relief for the Fire Department now by giving it the space being used by the Accounting Department, the Treasurer, and the Tax Collector, recognizing that to develop that space adequately would require a large expenditure to be appropriated at a future Town Meeting.

(Mr. Thompson stated that he had discussed his and the Town Engineer's letter of December 16, 1982, to the Selectmen with the Acting Assistant Fire Chief, Michael Dunne; also, that Mr. Dunne was aware of the proposed 1983 Annual Town Meeting article to appropriate \$20,000 for a study on a more permanent move/plan for all Town offices.)

- 2) To prioritize use of the \$10,000 appropriated under Article 2 of the October 7, 1982 Special Town Meeting to accommodate space moves to the Flynn Building and the lower Town Hall as follows:

- The Town Accountant and the Town Treasurer would be moved to the Flynn Building, including computer room set up. (Mr. Thompson referenced the proposed expansion and/or moving of various departments presently located in the Flynn Building as shown on Exhibit II of his December 16 communication, and the Board directed him to update that plan reflecting the inclusion of the Town Treasurer and the Town Accountant.)

- The Town Clerk and the Tax Collector would be moved to the lower Town Hall including installation of partitions, telephones, and auxiliary heat.
- The Assessors would expand into the Town Clerk's present area. (Selectman Donald made the recommendation that the Town Clerk, rather than the Assessors, move to the lower Town Hall since that area would not provide the privacy needed by the Assessors' office. Mr. Thompson suggested that for better public access the Tax Collector remain in her present office and expand into the Treasurer's office, alongside the Assessors, and that Fire Service space be reduced by that amount; the Selectmen disagreed on the basis that the public could traverse back and forth without any great difficulty.)
- No further consideration should be given to the expanded use of the upper Town Hall because of the engineering considerations.

The Board acknowledged receipt of the December 14, 1982, communication from the Town Employees; namely, the Tax Collector, the Town Treasurer, the Town Clerk and the Assessors.

On the recommendation of Chairman Cossart, the Board directed the Executive Secretary to put everybody (in Town Hall offices and Fire Service) on notice of the Board's intention to consider the move of the Town Treasurer and the Accounting office to the Flynn Building and to consider the relocation of the Town Clerk and the Tax Collector to the lower Town Hall, and to allow the Assessors to take over the Clerk's office in addition to the counter space; additionally, the Fire Department would have available to them the space vacated by the Accounting Department, the Treasurer's office and the Collector's office.

With respect to the expansion of the Flynn Building, the Selectmen agreed to adopt the concept and directed the Executive Secretary to go back to the Town Engineer to update floor allocations for future discussion in more detail by the Selectmen, keeping in mind what the 1983 Annual Town Meeting article is proposing (\$20,000 for a more definitive plan for permanency of office space).

Personal Announcement

Chairman Cossart announced that his term as Selectman expires in March and that he would not be seeking re-election because of personal business commitments; he has been made President of his Company - Emanon, Inc. of Canton.

Chairman Cossart stated he very much enjoyed holding the office of Selectmen and was very proud to do so. He offered his assistance by way of talking about the job to anyone who might be interested in running for Selectmen in the March Annual Election. In conclusion, he expressed his appreciation to the Executive Secretary and the legal and office staff for their assistance.

Land Management-Reports & Reassignments

Present: Chairman Robert J. Myers, Jr., Jane A. Neuhauser and Nancy D. Lewis, Park and Recreation Commissioners; Chairman Richard O. Bell, Conservation Commission.

It was on motion by Selectman Murray unanimously

VOTED: To accept the Land Management Reports for the Haskell Land, Feeley Park (Raymond Land) and Heritage Park from the Park and Recreation Commission, received under cover letter dated December 2, 1982;

and it was further

VOTED: To accept the Land Management Reports for the Raymond Land, the Parkinson Land plus Pernice Land, and Surrey Lane (Tax Possession #188), all dated December 16, 1982, from the Conservation Commission;

and it was further

VOTED: To extend the assignment of management of the Raymond Land (38 acres on the easterly side and 72 acres on the westerly side) to the Conservation Commission from the expiration date of October 20, 1982, for three years, to October 20, 1985;

and it was further

VOTED: To extend the assignment of management of the Raymond Land (approximately 18 and 8.9 acres on the easterly side) to the Park and Recreation Commission from the expiration date of October 20, 1983, for two years, to October 20, 1985.

Appointment - Park and Recreation Commission

Present: Chairman Robert J. Myers, Jr., Jane A. Nuehauser and Nancy D. Lewis, Park and Recreation Commissioners; and candidate Rosalyn J. Drawas.

In accordance with the Park and Recreation Commissioners' notification, dated November 18, 1982, to the Selectmen of the letter of resignation received from Russell E. Gessner, effective November 19, 1982, tonight's joint meeting was scheduled for the purpose of holding a joint election to fill that vacancy by roll call vote until the next Annual Election (March 28, 1983).

It was on motion by Selectman Murray unanimously

VOTED: To appoint Executive Secretary Richard E. Thompson, Clerk, for the purposes of conducting said election.

Chairman Cossart opened nominations.

Commissioner Chairman Robert J. Myers nominated Rosalyn J. Drawas, 15 Colonial Road.

Commissioner Jane A. Neuhauser seconded the nomination.

There being no further nominations, Chairman Cossart announced that nominations were closed.

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

William J. Cossart voted for Rosalyn J. Drawas

Anne W. Donald voted for Rosalyn J. Drawas.

Nancy D. Lewis voted for Rosalyn J. Drawas.

John E. Murray voted for Rosalyn J. Drawas.

Robert J. Myers, Jr. voted for Rosalyn J. Drawas.

Jane A. Neuhauser voted for Rosalyn J. Drawas.

At the completion of the roll call vote, the Clerk declared that Rosalyn J. Drawas, having received the unanimous vote of the officers present and entitled to vote, was elected to fill the vacancy on the Park and Recreation Commission, occasioned by the resignation of Russell E. Gessner, until the next Annual Election.

Joint Meeting with Personnel Board - 83ATM Articles

Present: Chairman Stephen M. Golder, Cornelius S. Hickey, Jr., and Henry P. Sorett (arrived 8:50 p.m.), Personnel Board.

During review of the articles submitted by the Personnel Board for the 1983ATM, the Personnel Board explained the ramifications of the amendment to the Classification and Salary Plan and the amendments to the Personnel Administration Plan, and at the conclusion of discussion the Board of Selectmen did not take any positions on those articles on the basis that they would review them further.

Executive Secretary Richard E. Thompson commented that Town Counsel might want to contact the Personnel Board on any concerns he may have on the proposed amendments to the Personnel Administration Plan.

Regarding an amendment to the Personnel Administration Plan, Art. XI, 3&10 - Nepotism Definition/Policy, the Board, as well as others in attendance, offered comments which pointed out that the amendment was too broad and needed more thought and better clarification.

Regarding an amendment to Art. XI, 7(1) - Holidays, stating that "Non-union department heads will not be eligible for holiday pay. Any work of an emergency nature will be deemed as part of one's professional duties.", Personnel Board member Henry P. Sorett requested that the Executive Secretary or Town Counsel forward a copy of the statute which states that Fire and Police Chiefs cannot be included; (this was pointed out by Selectman Murray).

Regarding an amendment to Art. XI, 7(3) - Vacations, the Personnel Board explained that this would be a means for the Town to recover vacation money paid to an employee who quits his job before working the full amount of time required in order to earn said vacation pay - especially significant because of the Town's Fiscal Year beginning July 1 of each year. This amendment also establishes a differential in vacation entitlements between department heads and other employees.

The amendment to Art. XI, 7(6) - Bereavement Time, allows more flexibility by increasing the number of days from three to five.

An amendment to Art. XI, 9 - Physical Exams, provides for a periodic verification mechanism for the Town to assert itself in an area where it is possible for someone to take advantage of being paid while out due to an on-the-job injury.

There was a lengthy discussion regarding the amendment to Art. XI, 10 - Summer Hiring and the suggestion was that it was insignificant to post a summer job when there is the real possibility that last year's summer hire would most likely fill that same position again.

Designer Services Contracts (Hosmer House)

Present: Chairman John C. Powers, Emmalou Eaton, Royce C. Kahler, and Winifred C. Fitzgerald, Historical Commission.

Historical Commission Chairman John C. Powers stated that the Historical Commission had voted in accordance with the recommendations set forth by Town Counsel's office in a letter dated January 10, 1983, regarding the statutory procedures to follow in contracting for design services, in this case for the Hosmer House renovations (authorized by the 1982 Special Town Meeting under a \$50,000 appropriation article, #11), and submitted a signed copy of the Historical Commission's votes dated January 17, 1983. In accordance with those votes, Mr. Powers stated that Emmalou Eaton and Winifred C. Fitzgerald had been appointed by the Historical Commission to serve on the local Designer Selection Committee/Hosmer House and requested that the Selectmen appoint a third member to that Committee.

There was some discussion and agreement that the concept of this three-member Designer Selection Committee is that it would screen down to three candidates the number of designers, and the Historical Commission would then award a design contract with the advice and consent of the Selectmen.

At the conclusion of discussion, it was on motion unanimously

VOTED: To adopt the guidelines for local designer selection procedures, prepared by the Designer Selection Board of the Commonwealth, under the provisions of G.L.c.7, s.30L, included in the memorandum of June 10, 1982, signed by Stuart D. Lesser, Deputy Commissioner.

The Board concurred with and supported the Historical Commission's vote to approve the Request for Proposals Hosmer House Rehabilitation form accompanying Town Counsel's memorandum of January 11, 1983, and to authorize the Chairman of the Sudbury Historical Commission to fill out and mail the same and the "Central Register Invitation to Bid Design Services" form to the Central Register and to The Middlesex News for publication, as suggested - time allotted for completion to be on or before June 30, 1983, proposals to be submitted on or before February 16, 1983.

And it was further on motion unanimously

VOTED: That in connection with the requirements of Section 4 of the Guidelines for Local Designer Selection, the Selectmen hereby appoint Town Engineer James V. Merloni to serve on a local Designer Selection Committee/Hosmer House along with the two members appointed by the Sudbury Historical Commission.

Mr. Powers stated for the record that the Historical Commission confirms and approves the appointment of James V. Merloni to the Designer Selection Committee/Hosmer House.

Mr. Powers briefly explained their tentative schedule and expressed the hope that construction work would begin by March 1.

Site Plan Scale - The Mugar Group Incorporated

In accordance with a communication dated January 6, 1983, from Herrick H. Spicer, P.E., Division Manager, Anderson-Nichols (Engineers for The Mugar Group Incorporated), requesting that the Selectmen waive the site plan scale requirement, in accordance with the Selectmen's Policies and Procedures, I,1,c, and indicating that the request has the endorsement of the Town Engineer, it was on motion by Selectman Donald unanimously

VOTED: To grant permission to The Mugar Group Incorporated to submit a site plan with the scale of 1"=40', for Sudbury Plaza expansion (Star Market), Boston Post Road.

Executive Secretary Richard E. Thompson showed the plans for the proposed 29,625 square foot building addition (separate building) at the Star Market/Sudbury Plaza.

1983 Annual Town Meeting Articles - Assignments and Position

The Board concurred that it should think about who should be invited as honorary guest speaker to read Article 1 of the 83ATM.

During further discussion, it was on motion unanimously

VOTED: That the 1983 Annual Town Meeting Articles would be addressed as follows:

1) Chairman of the Board of Selectmen at the time of Annual Town Meeting:

- # 2 Temporary Borrowing
- 3 Classification and Salary Plans
- Personnel Administration Plan:
 - 4A Amend Art. XI,3,10 - Nepotism Definition/Policy
 - 4B Amend Art. XI,7(1) - Holidays
 - 4C Amend Art. XI,7(2) - Sick Leave
 - 4D Amend Art. XI,7(3) - Vacations
 - 4E Amend Art. XI,7(6) - Bereavement Time
 - 4F Amend Art. XI,9 - Physical Exams
 - 4G Amend Art. XI,10 - Summer Hiring
- 6 Unpaid Bills
- 7 Street Acceptances
- 9 Ambulance

2) Selectman Donald:

- # 8 Accept. Ch. 545 of the Acts of 1982 - Automatic Sprinklers
- 11 Amend Bylaws - Handicapped Parking
- 14 Amend Bylaws, Art. IX, II, C - Rezone areas to Residential
- 15 Create Historic District - Concord and Boston Post Roads
- 23 Reconstruct Portion Union Avenue
- 24 Reconstruct Portion Dutton Road

3) Selectman Murray:

- #17 Town Office Facilities - Study/Plans
- 18 Disposition of Loring School
- 19 Community Center

4) Town Accountant:

- #10 Retirement Pension Fund

5) To speak as individuals on the following articles:

- #13 Amend Bylaws, Art. IX, I - Basic Requirements; Environmental Impact
- 25 Amend Bylaws, Art. IX, II, C - Rezone LID #2
- 26 Discontinue Portion of Powder Mill Road

And it was further on motion unanimously

VOTED: To take the following positions on the following articles:

1) To support:

- # 6 Unpaid Bills
- 7 Street Acceptances
- 9 Ambulance
- 11 Amend Bylaws - Handicapped Parking
- 17 Town Office Facilities - Study/Plans
- 23 Reconstruct Portion Union Avenue
- 24 Reconstruct Portion Dutton Road

2) To take no position on the following articles at this time:

- #25 Amend Bylaws, Art. IX, II, C - Rezone LID #2
- 27 Stabilization Fund

3) To oppose the following article:

- #15 Create Historic District - Concord and Boston Post Roads

And it was further on motion

VOTED: To oppose the following articles:

#13 Amend Bylaws, Art. IX, I - Basic Requirements: Environmental Impact

(Chairman Cossart, in favor; Selectman Murray, in favor; Selectman Donald, abstained.)

The remaining articles will be discussed at some future time for assignment and positions.

Minutes

It was on motion

VOTED: To approve the minutes of the Regular Session of January 10, 1983, and of the Special Meeting of December 28, 1982, both as drafted.

(Selectman Murray abstained in voting approval of the minutes of January 10th, as he was not present at that meeting.)

Sanitary Landfill

Selectman Donald suggested that, to avoid future confusion on the part of residents during holiday closings of the Town's landfill, a notice of that closing should be publicized well in advance. Executive Secretary Richard E. Thompson stated that he would speak to Highway Surveyor Robert A. Noyes about Selectman Donald's concern, which was precipitated by several complaints about the Landfill's closing in observance of Martin Luther King day.

Coatings Engineering

The Board acknowledged receipt of a January 13, 1983, communication from Thomas G. Craig, General Manager of Coatings Engineering Corp., enclosing a check in the amount of \$5,000 payable to the Town of Sudbury. Mr. Craig indicated in his letter that Coatings made this payment to the Town in conjunction with a revision of the Agreement for Judgement (dated December 15, 1982) between Coatings and the DEQE as evidence of the fact that it is endeavoring in good faith to rectify the water quality problems.

It was on motion by Selectman Murray unanimously

VOTED: To accept a \$5,000 payment from Coatings Engineering Corp., as noted above, to be spent under the direction of the Board of Health;

and it was further

VOTED: To direct the Town Accountant to set up an account accordingly.

Executive Secretary Richard E. Thompson informed the Board that late today Coatings Engineering had submitted an application for additional storage of inflammables, and that they are scheduled to meet with the Board of Health, Wednesday, January 19.

Chairman Cossart questioned what Coatings had done with respect to correcting the vapor problems - that there appeared to be no resolution to that problem. Mr. Thompson responded that it is his understanding that the DEQE had explained to Coatings how to make improvements in that area. Chairman Cossart indicated that when the application comes before the Selectmen for approval, the issue of both the vapor and effluent would have an effect on the decision. Selectman Murray commented that these are areas for the Board of Health and suggested that the Selectmen act only after hearing from that Board.

State Board of Education Legislation

Executive Secretary Richard E. Thompson reported that Frank Romano had called responding to the Selectmen's letter regarding the State Board of Education legislation. The message to the Board is that they are now in the process of reviewing the same with an eye to local aid and are working on a new position.

Communication from Laury Hammel, Longfellow Tennis Club

The Board referred to Town Counsel a communication received January 12, 1983, from Laury Hammel of the Longfellow Tennis Club requesting consideration be given to the proposal that land known as the "Training Field", abutting his property, be leased for recreational purposes; it is now being illegally used as a dumping ground.

Fort Devens

Executive Secretary Richard E. Thompson informed the Board that a meeting had been confirmed with the liaison group/Fort Devens, for Tuesday, January 18, at 3:00 p.m. at Fort Devens.

The Board acknowledged receipt of an invitation to attend a "get-acquainted" dinner at the Fort Devens Officers Club, Wednesday, January 19, at 6:30 p.m., and following discussion, directed Mr. Thompson to respond with regrets that the Selectmen are unable to attend due to previous business commitments and previously-scheduled meetings.

Police Sponsored Programs

Executive Secretary Richard E. Thompson informed the Board that, in conversation today with Police Administrative Assistant Peter Lembo, he was informed that the Police Department will sponsor two programs in the near future:

1. Officer Phil Seminar, for grades K-4.
2. Exploring Law Enforcement - Boy Scout program for ages 14-20.

After a brief discussion, Chairman Cossart asked the Executive Secretary to provide the Board with more information by the next meeting.

Teen Center

The Board requested the Executive Secretary to attend the Park and Recreation Commission meeting on January 19 to support the Teen Center in its request for financial support from the Commission, because all Board members had prior commitments, Selectman Murray stated he planned to attend the Finance Committee meeting to address the Commission's budget, Monday, January 24 (during the Selectmen's meeting) on behalf of the Teen Center.

Executive Session

At 10:25 p.m. it was on motion by roll call

VOTED: To enter into Executive Session for the purpose of discussing litigation 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.)

There being no further business to come before the Board, the meeting was adjourned at 10:40 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk