

IN BOARD OF SELECTMEN
THURSDAY, NOVEMBER 8, 1984

Present: Chairman Anne W. Donald, Myron J. Fox and Josiah F. Frost.

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

CATV Provisional License

Following a brief discussion and on advice of Town Counsel, it was on motion by Selectman Fox unanimously

VOTED: To approve and sign amendments, dated November 5, 1984, to the Cable Television Provisional License granted to Adams-Russell CATV Division, in accordance with the findings of the Massachusetts Community Antenna Television Commission, letter dated September 25, 1984, relative to underground service installation charges.

Stone Tavern Farm Documents

During review of documents relative to the Stone Tavern Farm transaction (84ATM Article 31), Executive Secretary Richard E. Thompson explained that Mr. Gordon Henley, Chairman of the Conservation Commission, and Mr. William Stone had a gentlemen's agreement providing for trail easement access on the Stone Farm property. Selectman Fox felt that the agreement should be documented and for that reason was not in favor of approving the Agricultural Preservation Restriction or signing the Co-holders Agreement until there was something in writing.

Selectman Frost felt, on the other hand, that Town Meeting had voted to purchase the agricultural rights, and the vote was not contingent on any particular issues, i.e., that trail easement access be provided. Also, he felt it was unfair to hold up the paperwork since the Stones had borrowed the money in good faith and because there is a payment due on this loan in December.

It was on motion by Chairman Donald

VOTED: To approve the acceptance of an Agricultural Preservation Restriction granted to the Town of Sudbury by William P. and Olive T. Stone on a portion of the so-called Stone Tavern Farm, 554 Boston Post Road, containing 56 acres, more or less, and to sign a Co-holders Agreement with the Massachusetts Department of Food & Agriculture for the same.

(Chairman Donald, in favor; Selectman Frost, in favor; Selectman Fox, opposed.)

Bonds - Agricultural Preservation Restriction/Stone Tavern Farm

It was on motion by Selectman Fox unanimously

VOTED: To authorize the Treasurer to borrow \$295,567 in five-year bonds, at an annual interest rate of 4%, for acquisition of an Agricultural Preservation Restriction granted to the Town of Sudbury by William P. and Olive T. Stone on a portion of the so-called Stone Tavern Farm, 554 Boston Post Road, containing 56 acres, more or less, in accordance with the vote under Article 31 of the 84ATM.

Municipal Services Via Private Sector

The Board tabled discussion on the subject of municipal services via the private sector.

Selectmen's Meeting Policy

It was on motion by Selectman Fox unanimously

VOTED: To approve a revision to the Selectmen's Policies and Procedures, section A. Meeting Policy, 4.a., to add the words "as practicable" at the end of the paragraph.

Projects/Friends of Sudbury Park & Recreation

The Board acknowledged receipt of a communication dated October 25, 1984, from Joseph C. DeFranco, on behalf of the Friends of Sudbury Park & Recreation, concerning projects they intend to support.

The Board supported the projects, but regarding the project which included repair of an area across from Feeley Park, the Board questioned whether it was on land belonging to the Sudbury Water District. Therefore, the Board directed the Executive Secretary to consult the Town Engineer regarding this particular project, and to request his recommendation if it is Town land, and/or approval of the Sudbury Water District, if it involves their land rather than Town land.

Note: This project involves filling a depression approximately 100X40 feet and the removal of approximately five trees.

Water Quality Standards

On the question of reviewing the Town of Falmouth's Subdivision Regulations and Bylaw relative to setting standards of water quality by limiting nutrients generated by subdivisions, forwarded from the Falmouth Planning Board under cover letter dated October 31, 1984, for the purposes of developing a 1985 ATM article dealing with protecting the quality of Sudbury's water supply, the Board concurred with the recommendation of Assistant Town Counsel that the matter be referred to the Board of Health and Planning Board for their input. The Executive Secretary was so directed.

Fire Local 2023 Contract

Present: Fire Chief Michael Dunne.

Executive Secretary Richard E. Thompson explained three final items agreed upon during Fire Contract negotiations, as follows:

- 1) The union requested 210 hours of vacation after 20 years. The Town offered 192; 200 hours were agreed upon.
- 2) EMTs will be recertified at the Town's expense.
- 3) Regarding the sick bank, days already contributed will be worth twelve hours and henceforth a sickday will be calculated at ten hours.

Following a brief discussion, it was on motion unanimously

VOTED: To sign an Agreement between the Town and The Sudbury Permanent Fire-Fighters Association, Local 2023, International Association of Fire-Fighters, AFL-CIO, for the period July 1, 1984, through June 30, 1986.

On question by Fire Chief Michael Dunne regarding overtime pay, and following a brief discussion, during which Mr. Thompson explained that by past practice only base pay has been retroactive for Police, the Board stated that the effective date of the contract shall prevail and the Executive Secretary should resolve the matter.

Note: Selectman Frost excused himself from the room during the above discussion and vote because his sons are employed by the Fire Department.

Minutes

It was on motion by Selectman Fox unanimously

VOTED: To approve the minutes of the Regular Session of October 29, 1984, as corrected.

At 8:15 p.m. Chairman Donald recessed the Selectmen's meeting to attend the Finance Committee's meeting.

Joint Meeting/Finance Committee

Present: Chairman Marjorie Wallace, John T. Hannan, Christopher F. Baum, Dan A. Wren, and Carmine L. Gentile, Finance Committee.

The Selectmen met with the Finance Committee and jointly discussed the following issues:

- 1) Salaries of (four) individually-rated personnel - timing, now and when they are set in relation to salaries voted in the budget at Annual Town Meeting. Explanation of why these are set after Town Meeting after contract negotiations have been completed.
- 2) Salary Adjustment Account - how to educate the public on the purpose

of this account before and on Town Meeting floor so that Town Meeting fully understands the salary budgeting process. Explanation of change in the process/amount in the account on the "off" year (second year of contract).

3) Bourne Rule - explanation of the Bourne Rule should be publicized prior to Town Meeting and the Moderator should explain at Town Meeting.

4) Complete Disclosure Policy - all school/Town salaries (administrative levels) should be printed in the Warrant; inequities exist because Town salaries printed in the Warrant are usually singled out for discussion at Town Meeting while comparable salaries of school personnel are seldom mentioned.

At 9:00 p.m. Chairman Donald reconvened the Selectmen's meeting.

Discussion/Police Chief Interviews

The Selectmen discussed questions they would ask during interviews scheduled for November 15 with three Police Sergeants for the position of Police Chief. They agreed that each sergeant would be asked exactly the same questions.

Selectman Frost stated he would ask one question on budgeting and one on leadership.

Chairman Donald submitted to the Selectmen a list of questions she had prepared which she stated she would prioritize and use as time permits (interviews are scheduled one-half hour apart). Chairman Donald had also prepared a second list of questions, compiled as a result of the initial interviews, some of which had been partially, some fully, answered by the various sergeants. It was agreed that if any of these were used, they should be addressed to each of the three sergeants, regardless of their previous (full or partial) response.

Selectman Fox mentioned that his questions would focus on 1) specific rules and regulations of the Department, and 2) budgeting procedures.

The Selectmen agreed that during interviews other applicants would be asked to wait outside the room so that there would be no unfair advantage.

Communications Received

The Board noted receipt of the following communications:

- from the Executive Committee, Lexington Town Meeting Members Association, dated October 29, 1984, regarding the precedent set for commercial use of residentially-zoned school properties by State legislation filed at the request of the Minuteman School and passed last June; and

- from the Massachusetts Industrial Finance Agency, dated October 25, 1984, relative to inquiry from the Paris Trust for the issuance of industrial revenue bonds under M.G.L., c.40D, for property located at 31 Union Avenue (Chiswick Trading, Inc.); (Mr. Thompson stated site plan application is expected).

"The Beacon"/October, 1984

Chairman Donald referred the article "The Quest for Excellence, (A Personnel Practices Checklist)" in the above-noted issue of "The Beacon" to the Executive Secretary. Also, regarding the "Legislative Update", the Board agreed that, while Representative Lucile Hicks is aware of the Board's positions, newly-elected Senator Argeo Paul Cellucci should be contacted and likewise informed. The Board directed Mr. Thompson to confirm that the Board had officially taken positions on the bills listed and to inform Senator Cellucci accordingly.

At Selectman Frost's recommendation, the Board directed the Executive Secretary to send Senator Cellucci a communication expressing the Board's congratulations on his election and offering its support; likewise asking Senator Cellucci's support and help in the future.

Meeting Notices

- Chamber of Commerce meeting, Framingham office, 651 Concord Street, Wednesday, December 12, at 7:30 p.m.; Selectman Frost will attend. Chairman Donald will attend the Middlesex County Advisory Board meeting (on supplemental budget) on the same date.

- Department of Revenue meeting at the Gardner Auditorium, Wednesday, November 14, at 9:30 a.m.; the Selectmen are unable to attend.

- Middlesex County Selectmen's Association Annual Meeting, Marriott Hotel in Burlington, Wednesday, November 14, 1984, at 6:30 p.m.; both Selectmen Donald and Frost will attend.

Thank-you to Dr. Cooper

At the suggestion of Selectman Fox, the Board directed the Executive Secretary to forward a letter of appreciation to Dr. Cooper for his many years of service on the Operational Review Committee for the Wayland/Sudbury Septage facility, offering congratulations on the official opening.

Traffic/Route 20

Selectman Frost reported that he has done some traffic checks on Route 20 and expressed his opinion that, other than the traffic congestion because of the installation of the traffic signal light, there appears to be no problem - that the traffic seems to be working well with and without a traffic police officer. The Selectmen agreed that the earlier traffic problem was due to the grand opening of T. J. Maxx.

Regionalization

Selectman Frost expressed his disappointment in the regionalization seminar at the Massachusetts Municipal Association (MMA) Annual Meeting he attended (Oct. 26-28). Selectman Frost suggested that a letter be sent to the

MMA, expressing his opinion, and asking if they would consider putting some real thought into the subject and spending some time looking at communities which already have established police and fire regionalization; also, regionalized dispatching - what the drawbacks might be, what regionalization requirements will be, etc. Selectman Frost stated "economics are forcing us into it (regionalization)". Selectman Frost went on to say that, supposedly they (MMA) are the people who can get the money to get these answers, and when we, as Selectmen, go into a workshop and they do not have any answers, it is very disappointing.

IDM Computer Contract (software)

Present: Town Accountant James Vanar.

Town Accountant James Vanar explained that, because of a disagreement between Town Counsel and counsel for Information Design and Management, Inc. (IDM), regarding some of the terms of the computer contract, the contract has not been signed, resulting in delay in receiving the necessary equipment (software) to operate the Accounting Department's new computer. He stated that the matter needs immediate attention as it has been necessary for his staff to use Minuteman's system, that it is inconvenient for his staff, and his last telephone bill was \$600 because of this situation.

Mr. Vanar said that he anticipates Town Counsel will recommend the Selectmen sign the contract with the understanding that there are some calculated risks in doing so. He stated his opinion that these risks are minimal or non-existent; also, that Town Counsel had the best interest of the Town in mind. Mr. Vanar stated he understands the practical implications of each consideration in the contract, but he felt, because his was a simple operation and because he did not plan to service bureau out, it is unlikely that the Town would need, for example, third party protection, one of the controversial areas of the contract.

Selectman Fox stated he would like to have a broad idea of Town Counsel's objections. Mr. Vanar commented that IDM refuses to change the contract for Sudbury as they have the exact contract in place with so many other communities.

Selectman Frost felt that, if Wayland and so many other communities have signed it, it would seem that it is a standard type contract; that, although he would like to hear Town Counsel's objections to it, he felt it would not change his feeling toward bringing this matter to conclusion promptly.

It was agreed Selectman Fox would contact Town Counsel and report back to the Board on November 15.

Wayside Package

On the advice of the Executive Secretary, it was on motion by Selectman Fox unanimously

VOTED: To appeal the decision of the Alcoholic Beverages Control Commission, dated October 31, 1984, relative to the reappeal of Wayside Package Store,

Inc., remanding the matter to the Selectmen with the recommendation that they renew the license of Wayside Package Store, Inc., (119 Boston Post Road) and allow the licensee 90 days to effectuate a transfer; said vote subject to advice of Town Counsel.

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