

IN BOARD OF SELECTMEN
THURSDAY, NOVEMBER 15, 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 8:00 p.m. at the Loring Parsonage.

Site Plan 84-283/Waltham Savings Bank, 439 Boston Post Road

Executive Secretary Richard E. Thompson informed the Board that a communication dated November 12, 1984, had been received today from Financial Building Corporation withdrawing its request for approval by the Board of Selectmen of site plan 84-283.

Ephraim's/Amend Weekday Entertainment License

Present: Robert Lyons, Ephraim's Restaurant.

It was on motion by Selectman Frost unanimously

VOTED: To amend the Weekday Entertainment License held by Ephraim's Restaurant, 8 Village Green, to include a television set in the lounge, weekdays between the hours of 6:00 p.m. to midnight, Monday through Thursday and Saturday, and Friday between the hours of 6:00 p.m. to 1:00 a.m.

FY85 TIP Draft Document

The Board was in receipt of a communication dated October 29, 1984, from the Metropolitan Planning Organization enclosing a draft of the FY1985 Transportation Improvement Program for review and comment by November 14, 1984.

Executive Secretary Richard E. Thompson stated he had telephoned Jean Christensen at the Metropolitan Area Planning Council and had updated her on what has been happening in Sudbury with regard to Route 20, i.e., anticipated widening, the new installation of signalization at the intersection of Union Avenue, Raytheon's agreement to implement road improvements - widening of Route 20 and signalization at the intersection of Nobscot Road, and a \$45,000 commitment from the State to improve the railroad crossing at Nobscot Road.

On the recommendation of Mr. Thompson, it was on motion by Selectman Fox unanimously

VOTED: To direct the Executive Secretary to communicate to the MAPC, on behalf of the Selectmen, their strong objections to the Consolidated Primary project (described as Route 20/Boston Post Road at Nobscot Road and Union Avenue, widening, channelization, signals) being listed in the 2-5 year element instead of the annual element.

Chapter 90 Construction Funds

It was on motion unanimously

VOTED: To sign a Memorandum of Agreement with the Massachusetts Department of Public Works for the reimbursement of documented expenditures under the provisions of General Laws Chapter 90, section 34, for approved projects on qualified public ways, up to the amount of \$60,097.

Joint Meeting in Acton/MAPC Assistance

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

VOTED: To participate in joining twelve other area towns in requesting the Metropolitan Area Planning Council (MAPC) to conduct a sub-regional study, as recently prepared for the eight-town area called MetroWest, in accordance with a communication dated October 31, 1984, from the Town Manager of Acton, and to have the Board represented at a meeting scheduled in Acton on November 29 at 8:00 p.m. with representatives of the various towns and the MAPC.

Chairman Donald tentatively planned to attend; otherwise, Selectman Fox will attend.

Amend Traffic Rules and Orders

It was on motion by Selectman Fox unanimously

VOTED: To approve an amendment to the Town's Traffic Rules and Orders for the location of two stop signs: Pheasant Avenue at Meadow Drive; and Meadow Drive at Old Lancaster Road.

Note: Board received letter of concurrence from Town Engineer, dated November 2, 1984; and verbal concurrence of Juvenile/Safety Officer William Carroll, November 6, with the recommendation that the suggested third stop sign on Meadow Drive as it intersects with Pheasant Avenue be reviewed at a later date after evaluating the situation after the installation of the first two signs.

Chairman Donald suggested that when it is reviewed, perhaps a "no left turn" sign could be used rather than another stop sign. Selectman Frost agreed.

H6262/Education Reform Bill

The Board was in receipt of information from the Massachusetts Municipal Association, under date of November 7, 1984, relative to H6262, The Education Reform Bill.

It was on motion by Chairman Donald

VOTED: To direct the Executive Secretary to communicate to Representative Lucile Hicks, Senator Chester G. Atkins, and Senator-Elect Argeo Paul Cellucci the Board's strong opposition to H6262, The Education Reform Bill, and to direct the Executive Secretary to keep abreast of the status of this bill.

(Selectman Fox did not take part or vote on the above; his wife is a teacher in the Sudbury School system.)

FY86 Non-Union Salaries

On the recommendation of the Executive Secretary for the purposes of budget preparations for presentation to the 85ATM, it was on motion unanimously

VOTED: To establish the salary levels for non-union employees, exclusive of elected and individually-rated positions, for FY86 at a 6% increase, with the exception of Park and Recreation Department Laborers-Heavy and Light, whose salary increase shall be 50¢ per hour as voted by the Selectmen on July 23, 1984, subject to the concurrence of the Personnel Board.

Study and Specifications for New Town/School Telephone System

It was on motion by Selectman Frost unanimously

VOTED: To authorize the acceptance and signing by the Chairman of a proposal dated September 14, 1984, from Nelson Communications, Inc., of Brookline, Massachusetts, to provide a study and prepare specifications for a new telephone system for Town Hall and the Sudbury Schools.

Mr. Thompson stated that the Finance Committee voted to authorize him to expend funds out of the telephone account for this purpose. Also, that the Schools will share the cost equally with the Town.

IDM Computer Contract

It was on motion by Selectman Fox unanimously

VOTED: To authorize the Chairman to sign License Agreement No. 503 for a Software Program Process with Information Design and Management, Inc., (IDM) of Shrewsbury, Massachusetts, dated May 29, 1984.

The Board directed the Executive Secretary to so notify the Town Accountant.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of November 8, 1984, as corrected.

Governor's MetroWest Economic Development Conference

Chairman Donald stated she would attend the Governor's MetroWest Economic Development Conference, November 28, at 8:30 a.m. Responding to Selectman Donald, Mr. Thompson stated he would check to see if Lee Newman, Planning Administrator, had received notification of this meeting.

Stone Tavern Farm

Responding to Selectman Fox, Mr. Thompson stated that there have been no further developments with regard to trail easement access to the Stone property, but that he had updated the Chairman of the Conservation Commission, Gordon Henley, of the Board's action last week to approve and sign related documents with opposition by Selectman Fox until something is submitted in writing regarding agreement that trail easement access will be available to the public.

Honorary Fire Chief's Badge/Innkeeper Frank Koppeis

The Board supported Chief Dunne's request dated November 15, 1984, regarding the Central Massachusetts Fire Chief's Association interest in presenting an honorary Fire Chief's badge (to read Honorary Fire Chief - Town of Sudbury) to Wayside Innkeeper Francis Koppeis for his support of the Fire Chiefs and Firefighters of Central Massachusetts. The presentation will be made December 12.

Late Submission of Articles

Mr. Thompson informed the Board that the Planning Board had indicated to him that it will need some extra time in order to prepare articles for submission to the Board of Selectmen beyond the December 1 deadline. Mr. Thompson pointed out that, another alternative would be a petition article, which only requires ten signatures, and can be submitted any time before ATM.

The Selectmen agreed to allow submission of finalized articles by the Planning Board on December 31, 1984, provided a vote of the Planning Board identifying the articles they intend to submit is filed with the Selectmen's office by December 3.

Fort Devens Excess Land

Following an explanation by the Executive Secretary relative to the excessing of land owned by Fort Devens, 289 acres, it was on motion by Selectman Frost unanimously

VOTED: To support any attempt by the State in acquiring surplus land for passive recreational use, currently owned by Fort Devens, on the South side of Hudson Road, subject to support from other appropriate Town boards and commissions.

NOTE: Mr. Thompson stated that further contact on this subject should be to Marie Healy (223-2650) of the Federal General Services Administration, Boston.

Right-to-Know Legislation

Selectman Frost updated the Board on two proposals received to assist the Town in complying with recently enacted Right-to-Know Legislation.

On the recommendation of Selectman Frost, it was on motion by Selectman Fox unanimously

VOTED: To inform both Health Director Michael Sullivan and Fire Chief Michael Dunne, the Town's Municipal Coordinator and alternate for the so-called Right-to-Know legislation, that the Board recommends the hourly-rated proposal for work under said legislation, and that no money should be expended until the "up-front" money is received from the State under this State-mandated program; that the Town would not be in violation of the Right-to-Know legislation if nothing is done before receipt of State money.

Interviews/Police Chief:

Present: Sergeants Peter B. Lembo, Ronald J. Nix and Peter G. Sullivan - each met with the Selectmen individually without the other candidates present in the room.

During individual interviews with each of the above-listed Police Sergeants for the position of Police Chief, the following questions and responses were recorded:

1. Selectman Frost asked: The 1984-85 Police Department budget was \$900,000, of which approximately \$800,000 was salaries. In preparing your 1985-86 budget, tell us how you intend to: Stay within the 2½ framework which allows you an increase of approximately \$22,500 when your contract provisions for police salaries mandate a 5% increase of \$45,000 plus normal operating cost increases.

Sergeant Lembo stated that it would be difficult to stay on a 2.5% budget without cutting personnel because police service and equipment are increasing by approximately 10% (he stated the chairman of the Finance Committee supports increasing the number of men on the force), that 90% of his budget is for salaries, and that he is working with \$100,000 for expenses and capital equipment purchases. Some of the problems he sees this year are increases in the cost of uniforms, of replacing cars (this year five need to be replaced versus four last year), and the salary of the new lieutenant position which would probably be about 10% higher than the highest-paid sergeant, or approximately \$36,000. Another direction would be to cut down the number of cruisers; cut down the services to the residents, i.e., alarm systems (both in stores and private homes) and insist on central alarm systems only.

Sergeant Nix stated that with the re-allocation of personnel, overtime could be reduced; that he would rather eliminate a person than a service and that there is a need to change the approach to service; for example, alarms should not be tied into the station to reduce manpower/response time to false alarms.

Sergeant Sullivan stated that most of the costs have been built in and accounted for; he felt any other money would be for new cruisers. Also, he suggested taking a good look at the overtime budget for reductions without cutting short on coverage. Most of the expenses, he stated, are mandated by contract.

2. Selectman Frost asked: During the previous interviews, all candidates spoke of increased training, which we all agree is necessary. Please explain how you intend to finance the training given the restraints of 2½.

Sergeant Lembo did not see this as a problem since there is in-house training available. At the State Training Council, training is covered by the State, and, he added, when men attend the State academy, he does not cover them except on Friday or Saturday night.

Sergeant Nix felt the administration would have to be more resourceful - he felt more training would have to be done in house to the extent possible. Also, he suggested soliciting Framingham instructors. He felt the department had to be creative in its approach, and stressed the importance of the department keeping abreast of what is happening.

Sergeant Sullivan stated that the yearly 40-hour week course is mandated by the State and working out well; that there are times during the year when the Chief can cut back on coverage without jeopardizing safety and this is when men could attend, for example, 3-day seminars. He said that some men in the department have indicated to him they would be willing to attend a one-day seminar or their own time. There can also be training within the department, i.e., policies of the department, goals, which can be started through shift commands. He felt 5-10 minutes at the beginning of each shift is better than no training at all. He felt there should be policies for all men in the department, and that they should be familiar with them so that each shift is consistent in handling police matters. The State academy is excellent, he stated, and is self-funded; coverage for men attending the State academy is generally only needed on Friday and Saturday nights.

3) Selectman Fox emphasized that this position would be a one-year appointment; that the Selectmen have voted the salary at \$35,000-36,000; that there will be no paid details, no 1.8 ratio rule, and no additional credit for education. Knowing the above, and realizing that as a sergeant, each candidate would probably make more money than if appointed Police Chief, he asked each of the candidates if they were still willing to accept the position, if offered to him.

Sergeant Lembo stated he would because having a police vehicle is worth an additional \$5,000-6,000; also, retirement is based on base pay - the average salary over the last three years; it would not be based on a sergeant's salary which includes overtime.

Both Sergeants Nix and Sullivan responded in the affirmative.

4) Selectman Fox asked for an opinion on the following three items in terms of saving money under Proposition 2½: 1) cut back in service; 2) user fees, i.e., charge for service provided relative to responding to fire alarms, police escorts; and 3) smaller patrol cars.

Sergeant Lembo felt there could be some legal problems with user fees - that the department provides this service more as a public relation function. He stated that smaller patrol cars did not have the heavy duty equipment necessary for police vehicles - that he only gets about

10,000-12,000 miles out of tires now on the larger cars, whereas in the past they used to get about 40,000 miles; also, he felt because of the condition of the roads in Sudbury, smaller cars would not handle properly; also there are a lot of men on the force who are over 200 pounds and would not be comfortable in a smaller car.

Sergeant Nix had no objection to smaller cars if they are cost-effective; he did not think speed and power were the answer. He felt user fees might be a viable alternative to 2½ restraints; felt user fees should be charged now for responding to false alarms because there are so many - it has become a serious problem.

Sergeant Sullivan stated it was his understanding that other departments in the area which have gone to smaller cars have had problems. Thinking of the comfort of the patrolmen who have to spend so many hours in their cars, he felt the preference would be the size car they now use. He added that smaller cars may require more money for repairs. On the subject of user fees, he stated that alarms are a real big problem and that 98% of them are false; therefore, the idea of charging user fees is appealing to him. However, other departments which have tried it, he stated, have run into problems, particularly in collecting the money - the controversy of determining whether it is justified as a false alarm; in other words, administrating user fees might be difficult.

5. Selectman Fox asked about the use of a civilian in the department in non-police functions, i.e., parking clerk, civilian dispatcher.

Sergeant Lembo said that the department does not have a mechanic and, since Officer Houghton is willing to do the maintenance, which is so expensive otherwise, he is removed from police functions to do so; he does daily tire checks and all the oil changes on all the police vehicles.

Sergeant Nix thought it was a good idea under proper supervision and control, especially in the dispatching area; also, he stated, auxiliary police could be used.

Sergeant Sullivan was in favor of it; he was against police officers doing non-police duties, such as the mechanic. A civilian dispatcher could be utilized in the department if he were properly trained and this would be a way, he stated, to cut down because he would not be part of the police unit without affecting the efficiency of the department.

6. Chairman Donald asked: On a scale from 1 to 10, rate yourself as a leader. Please tell us why you deserve that rating.

Sergeant Lembo gave himself a 10 as a police officer and a 5 as Acting Police Chief. He stated the reason for the "5" is because, as Police Administrative Assistant/Acting Police Chief, he was still part of the union, and had to handle himself very carefully. If he had been Chief for the past three years, he would have done a lot of things differently.

Sergeant Nix gave himself an 8. He said that he has the respect of the men he works with, has been controversial in his police career and

probably will be again as is expected if one is active; has not made all the right decisions, but the ones which were wrong were used as a learning experience. He said it is important to him that his men respect him and important for them to know that he has things under control. He stated that he started young as a police officer and considered himself lucky to have been able to work with the caliber of people on the force and to have the opportunity to advance in education and in position and feels capable of accomplishing tasks at hand.

Sergeant Sullivan gave himself a 9 based on his leadership ability - he reviewed his leadership roles in High School, the Army, and at Northeastern University, as Administrative Assistant to the Police Chief for 8½ years and as Acting Chief of Police in his absence on many occasions over the years, in the National Police Association (Chairman of the Region); he concluded by stating that he never had any serious problems during any of the times that he was in these leadership positions.

7. Chairman Donald asked: What criteria would you use to evaluate how the Police Department is doing in years to come?

a. ratio of Officers to citizens?

Lembo, no; Nix, no; Sullivan, no.

b. staying within the budget? All responded in the affirmative.

c. low crime rate or high arrest rate?

Lembo, no; Nix, no; Sullivan, yes.

d. quick response time? All responded in the affirmative.

e. high department morale?

Lembo, no; Nix, yes; Sullivan, yes.

f. other?

Lembo, supervision of department; Nix, interfacing with other agencies, Town Board/committees/departments; Sullivan, stated no others.

8. Chairman Donald asked: Do you have any plans for your retirement?

All responded they did not.

9. Selectman Frost asked: Would you consider yourself a Democratic, Autocratic, or Abdicratic leader.

Sergeant Lembo said democratic - he never gives assignments without explaining.

Sergeant Nix said he hoped at times to be a piece of them all, but if he had to choose, he would say democratic.

Sergeant Sullivan said democratic - that this is how he runs his shift. All agreed that input from the men was important - that it should be a "team" effort.

10. Chairman Donald asked: What weaknesses in the Police Department do you see that your particular strengths will enable you to correct or improve? Please explain.

Sergeant Lembo felt the biggest problem is that the department's best detective is up for a promotion (to sergeant) and he will be difficult to replace.

Sergeant Nix felt it was the lack of participation on the part of the sergeants - that there is no input from them because it is not solicited, and he felt the sergeants should be brought back into the leadership role.

Sergeant Sullivan felt having a strong understanding of management concepts is important, and he believes that everybody on each given shift should understand the rules and regulations of the department, and that there should be consistency on all shifts in affecting police work.

11. Selectman Fox stated: We are all in agreement to update our police manual and make sure every officer reads it and follows it. With that in mind, what is your opinion on high speed chases - under what circumstances would you authorize them to be used if you were chief?

All responded that they did not believe in high speed chases. Sergeant Nix stated when something endangers the lives of the public or the officer, it should be stopped; he said he might condone a high speed chase if he knew there was a murder about to be committed.

12. Chairman Donald asked: If you are not chosen as Chief, will you apply for the proposed Lieutenant's position?

Sergeant Lembo stated he would not; Sergeants Nix and Sullivan stated they would.

Following discussion on the merits of each of the sergeants interviewed, it was on motion unanimously

VOTED: To appoint Peter B. Lembo, 45 Powder Mill Road, to the position of Chief of Police for the Town of Sudbury, effective November 16, 1984, to expire April 30, 1985, at an annual salary of \$36,000 to include 4% longevity and without regard to the ratio of 1.8% which is no longer law, conditioned upon passing a physical exam on the sole opinion of the Town Physician, the Town Physician to be selected by the Executive Secretary.

There being no further business to come before the Board, the meeting was adjourned at 11:30 p.m.

Attest: _____
Richard E. Thompson
Executive Secretary-Clerk