

IN BOARD OF SELECTMEN
MONDAY, AUGUST 5, 1985

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

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

1985 State Census

Present: Census Supervisor Carole Clark.

Following a brief discussion with Census Supervisor Carole Clark, during which the Executive Secretary commended her for a job well done, it was on motion by Selectman Frost unanimously

VOTED: To accept and authorize the Chairman to sign the 1985 State Census results for submission to the State Census Director.

A precinct summary sheet prepared by LHS Associates, Inc., under date of July 12, 1985, showed the population of Sudbury, which is to be certified by the State, as 13,736; for Town requirements this total increases by the 717 "non-residents"/college students not living at home to a total population of 14,453.

Special Town Meeting (September 9, 1985)

Present: Finance Committee Chairman Marjorie Wallace; and Fire Chief Michael Dunne.

During review and discussion of articles which had been ordered for the September 9, 1985, Special Town Meeting Warrant at the Board's last meeting of July 22, and those subsequently submitted in accordance with the Warrant closing deadline of August 2, it was on motion unanimously

VOTED: To accept the following articles in the following order:

- Article 1 - FY86 Budget Adjustment, Blue Cross/Blue Shield
- Article 2 - FY86 Budget Adjustment, Casualty Insurance
- Article 3 - FY86 Budget Adjustment, Retirement Fund
- Article 4 - Study: Non-Union Positions
- Article 5 - Study: Department Head/Managerial Salaries
- Article 6 - Unpaid Bills
- Article 7 - Accept Legislation, Liens: Septage Billings
- Article 8 - Ladder Truck
- Article 9 - Paint Hosmer House
- Article 10 - Accept Certain Provisions of Chapter 188 of the Acts of 1985
- Article 11 - Free Cash

Articles 8, 9 and 10 were submitted subsequent to the ordering of the Warrant on July 22.

Article 8 - Ladder Truck - The Board agreed that Article 8, to appropriate \$10,000 in order to bid on a ladder truck which has become available through the Town of Maynard, is a unique situation and falls into the category of unforeseen. The ladder truck would no longer be available for the 86ATM next April. Questions raised by Chairman Fox were answered by Fire Chief Dunne as follows: 1) repairs to put it on the road and keep it there would be minimal - it would probably only be on the road a couple of times a month; 2) the probable improved insurance rating from Class 5 to Class 4 to the Town with the purchase of a ladder truck; and 3) the improved insurance rating could save the Town in reduced insurance rates (there should also be a savings to all homeowners). The Chief stated he would have the dollar savings before the presentation of this article to the Special Town Meeting. There was some discussion regarding the use of the Stabilization Fund for this article; agreement was reached that the Town can borrow for used equipment meaning that the Stabilization Fund could be used, but there was a question as to whether or not the Stabilization Fund could be used for a Special, rather than Annual, Town Meeting other than by a regional school district. Town Counsel was directed to confirm the answer to that question.

Article 9 - Paint Hosmer House - Chairman Fox questioned this article being of an emergency/unforeseen nature, it being his opinion that waiting 8-9 months until the Annual Town Meeting would not be a detriment to the Hosmer House. Selectman Frost stated that he had received a couple of telephone calls regarding this article and it was felt that waiting any longer to paint would cause further rot from the moisture effect on the wooden structure. A question was put to Town Counsel as to whether or not the Selectmen were bound to accept all articles which are submitted to which he responded that the Town Bylaw is silent in that regard but that it has been the past practice of the Selectmen to accept them and that there is nothing to bind the Selectmen except past practice. Selectman Donald referenced the communication from the Chairman of the Sudbury Historical Commission, John C. Powers, dated July 31, 1985, which indicated a reserve fund transfer being the most prudent course and that if such a transfer is granted any warrant article would be withdrawn; she expressed her opinion that Town Meeting should have an opportunity to speak on this issue. Selectman Fox suggested that, on the basis that the Finance Committee will not meet again until September 3, the article should be accepted for the Special Town Meeting; the Board agreed.

Article 10 - Accept Certain Provisions of c.188 of the Acts of 1985 - This being the so-called Public School Improvement Act of 1985, Chairman Fox raised the conflict of interest question because his wife is a Sudbury school teacher; Town Counsel stated that no conflict of interest exists because the Selectmen are only accepting an article for the Warrant, not the Act itself. There was a lengthy discussion regarding the ramifications of the acceptance of this Act; some of the concerns were: that if the article passed it should apply to the local schools and the Minuteman Vocational School, as well as the regional high school; that subsequent amendments to this Act would be superseded by the provisions accepted under this article and that raises the question of cost to the Town; the effect on future bargaining with the acceptance and possible loss of control to the Town. The Board agreed to accept the article for inclusion in the Warrant but requested clarification before taking a position on the same.

And it was further on motion unanimously

VOTED: To approve the Selectmen's Warrant reports for all of their articles subject to the Town Accountant and the FinCom Chairman consulting with Town Counsel regarding clarification of the wording of the report for Article 11, and reporting back to the Selectmen's Office for possible amendment.

Relative to Article 1, FY86 Budget Adjustment, Blue Cross/Blue Shield, Chairman Fox requested that he be provided with the following information prior to the Special Town Meeting: a report setting forth the Selectmen's efforts to reduce health insurance costs which can be presented to the Special Town Meeting and a verbatim transcript of the 85ATM on this subject.

And it was further on motion unanimously

VOTED: To designate speakers for Selectmen's articles, as follows:

- Chairman Fox: Article #1 along with the Executive Secretary and the Town Accountant (motion by Finance Committee); Article #7 along with Board of Health Chairman Michael Guernsey; Article #11 along with the Town Accountant (motion by Finance Committee).

- Selectman Frost: Article #2 along with the Town Accountant - need to substantiate the increased cost figures in report (motion by Finance Committee); Article #5; Article #8;

- Selectman Donald: Article #4; Article #6 - (9/10 vote required), Town Accountant to speak, if necessary.

Article 3 - Town Accountant will speak - report as printed in the Warrant (motion by Finance Committee).

And it was further on motion unanimously

VOTED: To support all of the above-listed articles with the exception of Article 9, Paint Hosmer House, which was not supported unanimously (Chairman Fox was opposed for the reason he expressed earlier); also, Article 10, Accept Certain Provision of c.188 of Acts of 1985 - no position at this time pending clarification of the same.

Fire Insurance Rating

In accordance with a May 31 request to Insurance Services Office (ISO) from the Fire Chief to re-evaluate the Town's fire classification for the purpose of obtaining a better rating/classification which would lower the fire insurance rates to the Town and residents, based on measures taken by the Town to improve its fire protection, the Board was in receipt of a July 22 response from ISO.

The Board directed that said response from ISO be referred to the Fire Chief for an appropriate report and response by him to ISO detailing

justification for change in the Town's fire rating to level 4 (1982 rating was level 5 and the response from ISO indicated no change).

Appointment - Long Range Capital Expenditures Committee

Present: Chairman Robert J. Cusack, Long Range Capital Expenditures Committee; and applicants Theodore A. Barten and Robert D. Abrams.

Following introductions and brief interviews, it was on motion unanimously

VOTED: To appoint Theodore A. Barten, 160 Mossman Road, and Robert D. Abrams, 48 Chanticleer Road, to the Long Range Capital Expenditures Committee, to replace Richard J. Maloney and John J. Ryan, Jr., both for terms to expire April 30, 1988.

Executive Session

At 8:40 p.m. it was on motion by roll call

VOTED: To enter into Executive Session for the purpose of discussing transactions in real property where open discussion may have a detrimental effect on such transactions.

(Roll call vote: Chairman Fox, in favor; Selectman Frost, in favor; Selectman Donald, in favor.)

Chairman Fox stated that public session would reconvene following the Executive Session.

U.S. Fish and Wildlife/Inflammable Storage License

Present: Lloyd A. Culp, Jr., Refuge Manager.

Chairman Fox convened a meeting on the application of the U.S. Fish and Wildlife Service for the storage of 1,000 gallons of inflammables on property located on Weir Hill Road in Sudbury.

Executive Secretary Richard E. Thompson explained that federally-owned property is exempt from the requirement of an advertised public hearing with notice to abutters but that Mr. Culp had been most cooperative and concerned about working in harmony with the Town.

Selectman Frost appreciated the fact that, although it is a government installation, the Fire Chief had been kept informed about the specifics of the installation, which, he stated, makes the Chief's job easier (see Sudbury Fire Department underground tank inspection report dated July 22, 1985).

Mr. Culp submitted a plan to the Board which showed the location of the new underground storage tank.

It was on motion by Selectman Donald unanimously

VOTED: To issue a License to Store Inflammables to the U.S. Department of Interior Fish and Wildlife Service for the underground storage of 1,000 gallons of gasoline at Great Meadows National Wildlife Refuge, Weir Hill Road, as shown on a plan prepared by the United States Department of Interior, Fish and Wildlife Service, Division of Engineering, dated September, 1984, sheets 1, 2 and 13 of 14.

U.S. Fish and Wildlife/Agreement with Fire Department

Present: Lloyd A. Culp, Jr., Refuge Manager.

The Board was in receipt of a communication dated July 23, 1985, from the Fire Chief recommending that the Town enter into an agreement with the U.S. Government for reimbursement of costs incurred fighting fires on national wildlife property and a copy of the recommended agreement.

Mr. Culp explained that he would provide the Town with a list of fire suppression (and related) equipment which, although limited, would be available to the Town for fire suppression on this and other property in Town, and stated that their personnel would also be available for fire suppression on the refuge property. Mr. Culp stated that, if the Town entered into this agreement, he would provide the Town with the list of equipment and update it annually.

Following questioning by Chairman Fox regarding certain items in the agreement, it was on motion by Selectman Frost unanimously

VOTED: To enter into a Fire Control Cooperative Agreement with the Fish and Wildlife Service, United States Department of the Interior, for reimbursement to the Town of costs incurred while fighting fires on National Wildlife property, subject to comment from the Fire Chief and Town Counsel in regard to the questions raised (recommended changes) by Chairman Fox.

Waive Cemetery Rules/Norman Matheson

In accordance with a request from Col. Paul J. Leahy, Chairman of the Council on Aging, and on the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To waive, under section 14 of the Cemetery Rules and Regulations, the excavation fee of \$125 (grave opening and closing), because of hardship, for Norman Matheson, World War II veteran and 18-year Sudbury resident.

Appointment/Temporary Fulltime Police Officer

Following review of three applications received and on the joint recommendation of the Executive Secretary and the Police Chief following interviews of the three applicants all from Sudbury, it was on motion by Selectman Donald unanimously

VOTED: To appoint Todd Fraser Eadie, 68 Winsor Road, Sudbury, as a Temporary Fulltime Police Officer from Certification List dated July 9, 1985, Requisition Number 84-4462, at a salary of \$20,240, subject to a satisfactory

physical examination report' also, subject to his appointment date at the Massachusetts Training Academy unless a waiver is obtained by the Police Chief based on Mr. Eadie's past attendance at a New Hampshire police academy.

Temporary Fulltime Police Sergeant

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

VOTED: To direct and authorize the Executive Secretary to respond to the Division of Personnel Administration relative to Certification List dated July 24, 1985, Requisition Number 85-1947, that the Town's request for one Temporary Fulltime Police Sergeant is no longer valid because of the return to duty of the injured officers (see communication from the Police Chief dated July 18, 1985).

MAPC Region/Economic Development District

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

VOTED: To direct the Executive Secretary to respond to a letter dated July 22, 1985, from the Metropolitan Area Planning Council (MAPC), supporting the designation of the MAPC Region as an Economic Development District by the United States Department of Commerce, Economic Development Administration, using wording suggested by Chairman Fox.

Performance Review/Building Inspector

Present: Building Inspector Joseph E. Scammon.

In accordance with the Selectmen's Performance Review Policy, the Board met with Building Inspector Joseph E. Scammon and reviewed with him his report dated July 31, 1985, summarizing the operations of the Building Department over the past year and setting forth his objectives for the coming year.

Executive Secretary Richard E. Thompson noted for the record that he had held a performance review with Mr. Scammon on August 1, and he reviewed with the Board Mr. Scammon's evaluation sheet which he had prepared as a result of that meeting. The evaluation included objectives for the coming year - the major objective being to tighten up on sign and zoning violations along Route 20. Other objectives include: 1) an evaluation and written report by Mr. Scammon (to be submitted to the Board for review with the FY87 budgetary process) relative to relieving his workload; for example, by budgeting more time for the Deputy Building Inspector in order that he may perform routine inspections of public buildings and those required for liquor license renewals to be issued; and 2) close monitoring of the Building Maintenance Account to avoid over-runs in building repairs.

Chairman Fox asked Mr. Scammon if he had received a copy of the Town Accountant's (July 15, 1985) communication regarding devising an accounting

system for all departments to alleviate certain budgetary problems.
Mr. Scammon responded that he had.

Chairman Fox questioned the comments about Mrs. Slomski accepting electrical, plumbing and gas applications and issuing the respective permits. Mr. Scammon confirmed that she did not issue permits until he had conducted a formal review, that she simply accepted the applications insofar as all of the technical information had been included.

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

VOTED: To accept the evaluation sheet, prepared under date of August 1, 1985, and to set the FY86 salary, retroactive to July 1, 1985, for the individually-rated position of Building Inspector, at \$33,477 plus 2% longevity effective March 1, 1986.

Schedule Meeting

It was on motion unanimously

VOTED: To schedule a meeting of the Board of Selectmen on Monday, September 9, 1985, prior to the Special Town Meeting, in the Library of the Lincoln-Sudbury Regional High School, at 7:00 p.m.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular and Executive Session minutes of July 22, 1985, both as amended.

Sign Warrant

Noting that the Warrant signing previously scheduled for this evening at 8:00 p.m. will not take place, it was on motion by Chairman Fox unanimously

VOTED: To schedule the signing of the Warrant, on Wednesday, August 7, in the Selectmen's office.

Space/Drop-in Center

Selectman Donald stated that, following the recent publicity about the controversial need for a new senior citizen drop-in center, she had been contacted by a Mrs. Roberta Henderson offering space for the senior citizens at the Sudbury Pines Nursing Home.

Following a brief discussion and on the recommendation of Selectman Frost, the Board directed Mr. Thompson to forward that information along to the Council on Aging.

Binding Arbitration

Selectman Frost referenced the July/August 1985 issue of The Beacon, specifically an article relative to the legislative commission studying binding arbitration.

Following discussion the Board directed the Executive Secretary to send a personal letter to both Representative Lucile Hicks and Senator Argeo Paul Cellucci expressing their strong opposition to the same.

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

Attest: _____
Richard E. Thompson
Executive Secretary-Clerk