

IN BOARD OF SELECTMEN
MONDAY, SEPTEMBER 8, 1986

Present: Chairman Josiah F. Frost, Anne W. Donald and David A. Wallace.

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

Utility Petition 86-15 & 86-16 - Boston Post Road

Present: Edmund Kelly, Boston Edison Company, and David Gilkie of the Mugar Group.

In conformity with M.G.L. Ch.166, §21 and §22, the Board considered
Utility Petition 86-15: Boston Post Road - 1 pole location, and
Utility Petition 86-16: Boston Post Road - 10' conduit location.

Having received correspondence, dated August 26, 1986, from Wiring Inspector Warren E. Boyce and Building Inspector Joseph E. Scammon, recommending approval of the above petitions, and abutters having been properly notified, it was on motion unanimously

VOTED: To grant approval to Boston Edison Company and New England Telephone and Telegraph Company of the following petitions:

UP86-15 for permission to erect or construct and a location for, pole, and such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, to be used in common by them upon, along and across the following public way of the Town: Boston Post Road - northeasterly side approximately 326 feet southeast of Highland Avenue (1) one pole; as shown on Boston Edison Company Engineering and Construction Dept. "Plan of Boston Post Rd. Sudbury showing proposed pole location, dated February 10, 1986"; and

UP86-16 for permission to lay and maintain, and a location for, such a line of conduit and manholes with the necessary wires and cables therein, under the following public way of the Town: Boston Post Road - northerly approximately 326 feet southeast of Highland Avenue a distance of about 10 feet - conduit, as shown on Boston Edison Company Engineering, Planning and Research Dept. "Plan of Boston Post Rd. Sudbury showing proposed conduit location, dated April 2, 1986", and plan of New England Telephone and Telegraph Company "Plan for Proposed Conduit Location, Sudbury, dated August 22, 1986".

Tax Anticipation Notes

Present: Town Treasurer Chester Hamilton

It was on motion unanimously

VOTED: To authorize the borrowing of \$1,000,000 in Tax Anticipation Notes, to be due and payable on December 5, 1986, as requested by the Treasurer in a letter dated September 3, 1986.

The Treasurer stressed that the sufficiency of the above amount is totally dependent upon when the tax rate for the current fiscal year is set and tax bills are mailed.

Appointments/Sudbury 350th Anniversary Celebration Committee

it was on motion unanimously

VOTED: To appoint Jane Brown, 5 Homestead Street; Joan Lyle, 39 Raynor Road; and Barbara Frizzell, 4 Butler Road, to the Sudbury 350th Anniversary Celebration Committee.

Selectman Donald advised that Fran Walker has photographs of the 1939 300th anniversary celebration.

Fuel Oil Contract

It was on motion unanimously

VOTED: To accept a bid awarded by The Education Cooperative, for supplying #2 and #4 fuel oil for Town buildings during the 1986-87 heating season, commencing September 1, 1986, from The First Petroleum Corporation, 800 South Street, Waltham, Massachusetts, at the price per gallon on the date of delivery of the lowest posting of the Daily New York Journal of Commerce, Boston Terminal, plus \$.02439/gallon for #2 oil; and minus \$3.61/barrel for #4 oil (1% sulphur content) throughout the supply period.

Note: the Building Inspector recommends acceptance.

Memorandum of Agreement/MAGIC

The Board was in receipt of a Memorandum of Agreement forwarded to the Board under the date of August 28, 1986, by Nelda Hoxie, Project Manager, Metropolitan Area Planning Council.

It was on motion unanimously

VOTED: To endorse a draft Memorandum of Agreement among the communities of Acton, Boxborough, Carlisle, Concord, Hudson, Littleton, Marlborough, Maynard, Stow, and Sudbury, and the Metropolitan Area Planning Council, dated August 29, 1986, for the purpose of establishing an intercommunity growth management committee, named the Minuteman Advisory Group on Interlocal Coordination (MAGIC).

It was further noted that the Board had previously agreed to contribute \$2,000 to fund MAGIC and to allocate the Town's 75 hours of MAPC technical assistance to MAGIC.

MAPC Representative James McKinley will attend the next MAGIC meeting.

Amendment/Landfill Rules

To clarify the Board's vote of August 11, 1986 relative to the Landfill Rules and Regulations, Section 3, Permits and Fees, it was on motion unanimously

VOTED: To amend the Town of Sudbury Landfill Rules and Regulations, Section 3, Permits and Fees, effective October 1, 1986, to read as follows:

"Section 3. Permits and Fees

- A. All vehicles using the Sanitary Landfill shall have a permit.
- B. Permits are only issued at the Highway Department Office, 275 Old Lancaster Road, during normal business hours (Monday - Friday, 8:00 a.m. to 4:00 p.m.). Therefore, all permits for Saturday disposal must be obtained on Friday.
- C. A permit for normal residential or business use shall be issued at no charge, and shall consist of a decal to be affixed to the lower left (driver's side) corner of the windshield.
- D.1. A special permit for private contractors, commercial use or for materials requiring a permit shall consist of a slip for each load which shall be surrendered to the Landfill operator at the time of depositing material. Permits for multiple loads may be obtained in advance. The schedule of fees is as follows:

0 - 4 cu. yds.	\$10.00
5 cu. yds.	15.00
6 - 10 cu. yds.	30.00
11 - 15 cu. yds.	40.00
16 - 20 cu. yds.	60.00
21 - 25 cu. yds.	75.00
26 - 30 cu. yds.	100.00
31 - 35 cu. yds.	125.00
36 - 40 cu. yds.	150.00
41 - 50 cu. yds.	200.00

- 2. Contractors employed by the Town, when operating on Town business, will be required to obtain permits, but no fee will be charged.
- 3. No fee shall be charged for a permit to dispose of materials requiring a permit, which materials originated at a household and are disposed of by the owner or occupant thereof.
- E. Town departments, operating Town-owned equipment, may use the Landfill without permit or charge."

Development off Tall Pine Drive

Present: Frank DiPietro, BSC, Bedford; Laura Bremer, BSC, Bedford; Arthur Smith, Tall Woods; John Marlett, Tall Woods; Carver Daniels, Davenport Boyd West; David Bradley, Weston, Tall Woods; Kenneth Hoffman, Esquire, Attorney for Tall Woods.

Following a brief discussion, it was on motion unanimously

VOTED: To approve and accept the following interests in land given by Tall Woods Associates Limited Partnership Development on property off Tall Pine Drive, as shown on a plan entitled "Tall Pines Sudbury, Mass., Definitive Subdivision Plan of Land" dated May 19, 1986, revised July 9, 1986, by BSC - Bedford.

1. Conservation Restriction: Lots A and B in their entirety and a portion of Lots 1, 25, 18, 19 along Tall Pine Drive;
2. Walkway Easement: Lot A and same area as shown as 30' Conservation Restriction on Lots 1, 25, 18 and 19 along Tall Pine Drive;
3. Pedestrian Easement: 20' Drainage Easement on Lot 5 and 20' Pedestrian Easement on Lots 11 and 12;
4. Drainage Easement: 20' Drainage Easement on Lot 5 and 20' Pedestrian Easement on Lots 11 and 12;
5. Sight Easement: easterly side of Lot C.

Parcels A and B are to be deeded to the Conservation Commission at the completion of the subdivision.

The Board directed that Town Counsel be instructed that in the future all documents must be completely finalized and reviewed by him before being placed on the agenda, so that the Board may have notification and copies in advance for such signings.

Council on Aging Van

Present: Karl E. Clough, Council on Aging.

Mr. Karl E. Clough advised the Board of Selectmen that the Council on Aging has received its new van.

Following discussion it was on motion unanimously

VOTED: To sell the Council's old van to the Sudbury Housing Authority for \$1.00; subject to vote of approval of the Council on Aging, concurrence of Town Counsel and acceptance by the Sudbury Housing Authority.

Performance Review /Fire Chief Michael C. Dunne

Present: Fire Chief Michael Dunne.

In accordance with the Selectmen's Performance Review Policy, the Board met with Fire Chief Michael Dunne. Following discussion it was on motion unanimously

VOTED: To accept the letter of accomplishments and objectives prepared under date of June 5, 1986 and submitted to the Board of Selectmen by Chief Dunne.

Following additional discussion, and upon recommendation of Executive Secretary Richard E. Thompson, it was unanimously

VOTED: To set the FY87 salary, retroactive to July 1, 1986, for the position of Fire Chief Michael Dunne at the Grade 15, Step 5 rate of \$40,416, plus 5½% cost-of-living increase, for a base salary of \$42,639, plus 4% longevity and \$870 EMT stipend - the total annual compensation being \$45,215.

It was further unanimously

VOTED: To approve an annual Sick Leave Buy Back payment in accordance with terms of the Fire union contract.

The Board expressed that Chief Dunne has done a fine job this past year (including the accomplishment of purchasing the ladder truck).

Performance Review - Executive Secretary Richard E. Thompson

Present: Executive Secretary Richard E. Thompson.

In accordance with the Selectmen's Performance Review Policy the Board noted receipt of a July 29, 1986 communication from the Executive Secretary outlining the major activities and accomplishments of the office over the past year and listing objectives for the coming year.

Following discussion it was on motion by Chairman Frost unanimously

VOTED: To renew an employment contract (agreement) with Richard E. Thompson, Executive Secretary, for FY87, in accordance with G.L.c.41, §108N, with the following amendments:

- 1) An annual salary for 7/1/86 to 6/30/87 to be \$56,370.
- 2) In addition to an annual salary of \$56,370, an additional 3% (\$1,691), which shall be supplemental retirement benefits under the so-called ICMA Retirement Plan (ICMA Retirement Corporation).
- 3) A mileage allowance of \$125/month.

The Board expressed appreciation to Mr. Thompson for his accomplishments during the past year.

Performance Review - Director of Finance/Town Accountant

Present: Town Accountant James Vanar and Finance Committee Chairman Christopher F. Baum.

Following discussion, it was on motion unanimously

VOTED: To accept the letter of accomplishments and objectives prepared under date of June 20, 1986 and submitted to the Board of Selectmen by Mr. Vanar.

Following further discussion it was on motion unanimously

VOTED: To set the FY87 salary, retroactive to July 1, 1986, for the individually-rated position of Director of Finance/Town Accountant James Vanar at the Grade 14, Step 5 rate of \$37,078, with a 5½% cost-of-living increase, plus a 3% merit increase, for a base salary of \$40,292 with 2% longevity for a total annual compensation of \$41,098.

NOTE: See amended vote of September 15, 1986.

The Board expressed its appreciation to Mr. Vanar for the fine job that he has done especially on the back-tax issue.

Ratifying Memorandum of Understanding - Highway, Local 1156

It was on motion unanimously

VOTED: To ratify the Memorandum of Understanding between the Town and Highway Local 1156, dated August 28, 1986, relative to the contract for FY87 and FY88, as agreed to by the Board of Selectmen at its meeting of June 23, 1986; and ratified by the Local 1156 of the Laborers' International Union of North America on August 28, 1986, as follows:

- 1) All provisions in the 1984-86 contract unless otherwise modified by this Memorandum will be carried over into the next agreement.
- 2) The contract will be a two-year contract from July 1, 1986 through June 30, 1988.
- 3) Clothing, Article IX, Section 2, increased to \$400.
- 4) Vacation, Article XIV - add: ... "after 19 years of continuous service, five (5) weeks of vacation".
- 5) Bereavement, Article XVII - change from three days to five days.
- 6) Storm Rest, Article VIII, change 24 hours of continuous hours to 16 hours.
- 7) Wage Steps, Article XX - add to present salary step schedule, an additional two steps so that as of July 1, 1986, the schedule will read as follows:

	Step	Step	Step	Step	Step	Step
START	1	2	3	4	5	6
- The two additional steps will be in the same proportion as step four is to step three for the particular job title. Employees who have been on step four for more than a year will be considered to have an anniversary date of July 1.
- 8) Wages, first year 5½% increase
second year 5% increase
- 9) Page 8, Article VIII, OVERTIME. In the second paragraph, DISTRIBUTION OF OVERTIME, substitute the first sentence with the following sentence: "When overtime work is required on recall for emergencies, the order of recall shall relate to qualification and a 45-minute time response."
- 10) Page 11, Article XI, HOLIDAYS. At the end of the second paragraph beginning with the words "If any such holiday falls...", add the following sentence: "Employees must work the day before and the day after a holiday (unless he has prior approved vacation time) in order to be paid for the holiday."

11) Page 9, Article IX, UNIFORMS AND PROTECTIVE CLOTHING, Section 2. Add a last sentence to read, "Pro-rate uniform allowance on a semi-annual basis for employees with less than four years service."

12) Page 20, Article XX, SALARY PLAN. At the end of this Article, add the following paragraph: "Performance Review - Prior to any salary step increase being granted, all full-time Highway Department employees shall receive a satisfactory performance review by the Highway Surveyor who shall receive input from the immediate foreman. The review shall be in compliance with the Personnel Board's existing review plan."

Special Town Meeting

Present: Finance Committee Chairman Christopher Baum.

Positions: The Board agreed to support Article 1 through 16, 22 and 23; and held taking a position on Articles 17, 18 and 19 pending Planning Board hearing and recommendation, and held on Articles 20 and 21 pending input from the Rt. 20 Task Force.

Speakers: Chairman Frost will speak on Articles 1, 2, 3, 6, 7, 14 and 20. Selectman Donald will speak on Articles 4, 5, 12, 13, and 21. Selectman Wallace will speak on Articles 9, 10, 11, 15, 16, 22, and 23. The Executive Secretary will speak on Articles 3 and 7. The Town Accountant will speak on Article 8.

FY87 Tax Rate

Executive Secretary Richard E. Thompson advised the Selectmen that income from excise taxes and new construction is much higher than was anticipated. Currently we are \$617,000 under the levy limit because of these underestimates.

Following discussion the Board agreed to request the Board of Assessors to hold setting the tax rate until after Town Meeting so that Town Meeting will have the option of using the underlevy monies.

Mr. Baum suggested that next spring when the warrant is being prepared, the Selectmen consider giving the best possible positioning to the stabilization fund article if funds are available so that it doesn't remain available for use throughout the entire town meeting.

Also, on the matter of the pool, Mr. Baum stated that the Finance Committee could not make a favorable recommendation until they had some documentation regarding the financial operation of the pool. If the pool were to cost a half-million dollars to operate per year, that is something the voters should know about prior to making any decision regarding the purchase of the pool.

Highway Easement/Center Street

On the recommendation of Town Counsel, it was on motion unanimously

VOTED: To record the action by the Board on August 28, 1986, to approve and accept an Highway Easement granted by William J. Corcoran of Waltham, Massachusetts, for turnaround located on the easterly side of Center Street in Sudbury, as shown on a plan entitled "Plan of Land, Sudbury, Massachusetts, dated August 6, 1986 and drawn by MetroWest Engineering, Incorporated."

Final Advisory Report/Chapter 90

It was on motion unanimously

VOTED: To approve and sign Chapter 90 Final Advisory Report, Form HED-454, and Reimbursement Request relative to the paving of portions of Union Avenue and Concord Road, under MA 31647 and MA 31850.

Transportation Improvement Program/MAPC

The Executive Secretary brought to the attention of the Board a communication dated August 25, 1986 from Joel B. Bard, Acting Executive Director, Metropolitan Area Planning Council.

Mr. Bard advised that the inactive project of our four intersection improvements has been dropped from the Transportation Improvement Program. The Route 20 widening and the Sherman Bridge projects are still active.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of August 25, 1986, as amended, and the minutes of the Executive Session of August 25, 1986, as corrected.

Accept Donation/Sudbury Toddler Playground Committee

It was on motion unanimously

VOTED: To accept on behalf of the Town, a donation in the amount of eight thousand four hundred forty-eight dollars from the Sudbury Toddler Playground Committee, to be spent specifically for the construction of a toddler playground at Haskell Recreation Area and be expended under the direction of the Park and Recreation Commission.

Meeting Schedule

The Board agreed to cancel the October 13, 1986 meeting, unless a matter arises that requires a meeting.

It was further confirmed that a Special Meeting be scheduled on Wednesday, September 10, at 6:30 p.m. to interview candidates for the position of Budget Analyst.

Resignation/Lincoln-Sudbury Regional District School Committee

The Board noted receipt of communication dated August 25, 1986 from Raymond P. Clark, Chairman, Lincoln-Sudbury School Committee, advising that Mr. Alan H. Grathwohl has resigned from the Lincoln-Sudbury Regional District School Committee. Mr. Clark requests the presence of the Chairman of the Board of Selectmen at a meeting September 9 at 7:30 p.m. Selectman Donald will attend the meeting.

Article 30/Deed Powers Land

It was on motion unanimously

VOTED: To approve and accept premises off Peakham Road conveyed by deed of Betsey M. Powers and John C. Powers to the Town of Sudbury through its Conservation Commission under G.L.c.40 §8C, pursuant to Article 30 of 1986 Annual Town Meeting, consisting of a total of approximately 22.50 acres with house, shown as parcels 2, 3 and 4 on "Plan of Land in Sudbury, Massachusetts owned by John C. & Betsey M. Powers", prepared by The Town of Sudbury Engineering Department, dated June 20, 1986.

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