

IN BOARD OF SELECTMEN
MONDAY, SEPTEMBER 15, 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.

Emergency Utility Petition/Center Street

Present: Contractor William Corcoran.

In accordance with a request from contractor William Corcoran, and upon receipt of written approval from all abutters, it was on motion unanimously

VOTED: To grant approval to Boston Edison Company and New England Telephone and Telegraph Company to proceed immediately, in advance of receipt of petitions and public hearing, to install approximately 100 feet of conduit with wires and cables therein in the public way, extending northerly from Pole 88/4 along the northwest side of Center Street, as an emergency measure to allow occupation of a new home.

Dog Complaint Hearing - Saraglow/Mullin

The Board of Selectmen had scheduled a public hearing to consider the September 3, 1986 complaint of Alex Saraglow, 51 Dawson Drive, against the Husky/Shepherd dog owned by George Mullin, 17 Wagon Wheel Drive.

A written report, dated September 12, 1986, had been filed by Dog Officer Betsy DeWallace, which included information that the dog in question on September 12th had run down and attacked a baby deer, which later died.

Executive Secretary Richard E. Thompson advised the Board that the Dog Officer had reported by telephone today that the owners of the Husky, Mr. & Mrs. George Mullin, have turned over the dog, without conditions, to the Dog Officer; therefore, there is no longer any need for the hearing.

On advice of Town Counsel it was on motion unanimously

VOTED: To accept the surrender of the dog, without conditions, to the Dog Officer.

Bay Circuit Planning Grant Agreement
Massachusetts Department of Environmental Management

It was on motion unanimously

VOTED: To execute the grant agreement between the Massachusetts Department of Environmental Management and the Town under the Massachusetts Bay Circuit Planning Grants Program, relative to an award of \$1,895 approved June 26, 1986; and it was further

VOTED: That the Chairman of the Sudbury Conservation Commission, acting on behalf of the Town of Sudbury, is hereby authorized to enter into a grant

agreement on behalf of the municipality and receive funds pursuant to the Department of Environmental Management's Bay Circuit Program (M.G.L. Chapter 233 of the Acts of 1984 and Chapter 631 of the Acts of 1956) and subject to the conditions, restrictions and limitations of the grant; and it was further

VOTED: That the Chairman of the Sudbury Conservation Commission, acting on behalf of the Town of Sudbury, is hereby authorized to enter into and expend funds relative to financial agreements with those contractors and subcontractors necessary to the execution of the Bay Circuit Program (M.G.L. Chapter 233 of the Acts of 1984 and Chapter 631 of the Acts of 1956) grant agreement between duly authorized representatives of said municipality and the Department of Environmental Management, acting on behalf of the Commonwealth of Massachusetts.

Medicare Ambulance Reimbursements

The Selectmen received a memorandum from Frank Keslof of the Executive Office of Human Services, Department of Public Health, and a copy of a communication dated September 11, 1986 from Fire Chief Michael Dunne to the Health Care Financing Administration regarding Medicare Ambulance Reimbursements. The Health Care Financing Administration proposes to reduce payments for ambulance services from 75% to 25% for Medicare beneficiaries. Chief Dunne protested the proposed regulation.

It was on motion unanimously

VOTED: To support the position taken by Chief Dunne in his September 11, 1986 communication, and to so notify the Health Care Financing Administration, the Massachusetts Department of Public Health, and congressional representatives.

Polls/November State Election

Present: Town Clerk Jean M. MacKenzie.

Following discussion with the Town Clerk, it was on motion unanimously

VOTED: To set the time and place of the polls for the November State Election at 7:00 a.m. to 8:00 p.m. on November 4, 1986, in the Peter Noyes School for all four precincts.

The Town Clerk concurred with the 7:00 a.m. starting time.

Voter Registration - November State Election

Present: Town Clerk Jean M. MacKenzie.

It was on motion unanimously

VOTED: To set special voter registration sessions for the November State Election at the Town Hall, on the following dates:

Saturday, October 4 at 12 Noon to 8 p.m.
Tuesday, October 7 at 5 p.m. to 10 p.m.

in accordance with GLc51,\$28 and GLc53,\$24 as requested by the Town Clerk in a letter dated September 8, 1986.

Minutes

It was on motion unanimously voted to accept the minutes of the Regular Session of September 8, 1986 as drafted.

FY87 Salary - Town Accountant

Executive Secretary Richard E. Thompson brought to the Board's attention that, under the Personnel Administration Plan, Mr. Vanar is not eligible for a longevity increase until completion of six years of employment.

Following further discussion it was on motion unanimously

VOTED: To amend the Board's vote of September 8, 1986 to read as follows:

"To set the FY87 salary, retroactive to July 1, 1986, for the individually-rated position of Director of Finance/Town Accountant James Vanar at \$40,682 (Grade 14, Step 6), incorporating a 5½% cost-of-living increase and a merit step increase from Step 5 to Step 6."

License/Sudbury Companies of Militia and Minute and Sudbury Ancient Fyfe and Drum Corps

It was on motion unanimously

VOTED: To grant a one-day license to Joseph D. Bausk, Sudbury Companies of Militia and Minute and Sudbury Ancient Fyfe and Drum Corps, to sell wine and malt beverages only, to be drunk on the premises, on September 27, 1986, from 9:00 a.m. to 5:00 p.m. (or in the alternative, a rain date of September 28, 1986) on the grounds of the Wayside Inn, subject to the provision of sanitary facilities for attendees, obtaining required building and wiring permits and health permits, and approval by the Fire and Police Chiefs.

Exemption/Sanitary Landfill Dumping Fee Sudbury Housing Authority

It was on motion unanimously

VOTED: To exempt the Sudbury Housing Authority from Sanitary Landfill dumping fees - only permits shall be required.

Donation/Council On Aging

It was on motion unanimously

VOTED: To accept, on behalf of the Town, \$65 in miscellaneous donations to be deposited in the Council on Aging Van Donation Account, and authorize the Council on Aging to expend the same for purposes of operating and maintaining the Council on Aging van.

Tax Anticipation Notes

It was on motion unanimously

VOTED: To authorize the Town Treasurer to borrow an additional \$500,000 in Tax Anticipation Notes, to be due and payable on December 12, 1986, as requested by the Treasurer in a letter dated September 11, 1986, thus increasing the \$1,000,000 borrowing authorized on September 8, 1986, to \$1,500,000.

The Treasurer's letter explained that the \$500,000 increase in borrowing is necessary because the tax rate will not be set until after the September 25, 1986 Special Town Meeting. This will delay the issuance of tax bills for at least two weeks.

Transfer Request - 87-17

It was on motion unanimously

VOTED: To approve Request No. 87-17, dated September 12, 1986, for a transfer of \$4,500 from Reserve Fund to Account 320-71, Uniforms.

The transfer explained that a cleaning allowance of \$150 was given to each police officer as a result of a collective bargaining agreement. The uniform account will be amended and titled Uniform/Cleaning Account. The total allowance for each man for FY87 and FY88 will be \$600 per officer.

Trash Disposal Forum

The Board requested that Highway Surveyor Robert A. Noyes delegate an attendee with pay for the forum on Trash Disposal, Saturday, September 20 at Clark University in Worcester.

STM/Stabilization Fund

Present: Town Clerk Jean M. MacKenzie.

The Board discussed the funding of Article 2 of the September 25, 1986 Special Town Meeting (FY87 Budget - Validate Votes), 310-510 Fire Equipment \$125,000 and 410-510 Highway Equipment \$44,000. The Executive Secretary stated that in view of the Town's changed monetary situation it would be desirable to fund this article from available funds; however, the warrant states that, "...said sums to be raised by transfer from the stabilization fund, or act on anything relative thereto...".

Town Clerk Jean M. MacKenzie expressed her opinion that in Article 2, we are validating a vote; therefore, we should validate the exact motion.

Following discussion it was on motion unanimously

VOTED: To direct Executive Secretary Richard E. Thompson to provide Town Meeting with a motion exactly as stated in the warrant.

Public Hearing/Tax Levy

Present: Chairman Linda Z. Buxbaum, Patrick Delaney, John T. Hannan, Assistant Assessor Daniel A. Loughlin, Office Supervisor Mary Walsh, Board of Assessors; Town Accountant James Vanar; and Janet W. Cares, 18 Singletary Lane, and Jessie Cunningham, 17 Singletary Lane.

Chairman Frost convened a public hearing in accordance with Chapter 369 of the Acts of 1982 for the purpose of receiving public input on the subject of determining what percentage of the local tax levy will be borne by each class of real and personal property relative to setting the Fiscal Year 1986-87 tax rate.

The Executive Secretary stated it was the Board's intention not to adopt a residential factor tonight, thus delaying the setting of a tax rate, so that the Special Town Meeting of September 25, 1986 has the option of using the \$617,000 by which we are under the Proposition 2½ levy, to fund the swimming pool and other monied articles.

The Board of Assessors provided the Board of Selectmen with factor sheets in connection with the various alternatives:

1. A minimum residential factor of .916225 (150%) - greatest tax rate for C.I.P., (Commercial/Industrial/Property) smallest tax for residential.
2. Equal % of change - both residential and C.I.P. experience the same % change in tax rate ±.
3. 0% change for C.I.P. - no change in C.I.P. rate, increase residential rate.
4. Single tax rate of 1.0000 (100%) - large decrease tax rate for C.I.P., large increase in residential rate.
5. Maximum 1.0063 - greatest tax rate for residential, smallest tax rate for C.I.P.

After Chairman Buxbaum's presentation, the Selectmen thanked the Assessors for their efforts and stated they needed to further study the different options presented tonight.

Resident Janet Cares and Town Clerk Jean MacKenzie stated they would prefer to see the 1.4331 as in Alternative 2, C.I.P. (Commercial/Industrial/Property) levy share ratio used as it maintains the same percentage increase for both C.I.P. and Residential tax bills, and also that the Town should maintain two separate tax rates for residential and commercial industrial.

The Board asked Ms. Buxbaum, if the Selectmen were to set the residential factor tonight, would the Assessors be able to get the tax bills out on time. Ms. Buxbaum stated that they would be able to.

Chairman Buxbaum further stated that the delay in setting the tax rate would postpone getting the tax bills out by about one month and cost the town approximately \$9,120 in interest.

The Board asked Town Clerk MacKenzie if she would be able to certify the action from the Special Town Meeting by Friday if town meeting were to end on Thursday, September 25. Ms. MacKenzie advised the Board that she would not be able to provide the necessary certificates until the following Tuesday, because she has to do the work manually and is very busy on other projects.

At the conclusion of discussion, it was on motion unanimously

VOTED: To continue this Public Hearing to the night of September 25 following the Special Town Meeting for the purpose of setting the residential factor for FY87; or, if all Special Town Meeting appropriation articles are not yet voted, to continue the Hearing until the close of the next evening of the STM at which all appropriation articles are voted.

Performance Review/Town Engineer James V. Merloni

Present: Town Engineer James V. Merloni.

In accordance with the Selectmen's Performance Review Policy, the Board met with Town Engineer James Merloni.

Mr. Merloni outlined his objectives for the Engineering Department for FY87, as follows:

1. Work toward some future means of solid waste disposal.
2. Improvements on major intersections first, where accidents are most likely to occur; then improve the minor intersections.
3. Improve the department, both physically and personnel-wise; i.e., desks, files, etc., and hiring of civil engineer to fill long standing vacancy. He said it has become very difficult to hire civil engineers because they can earn a higher wage in the private sector.
4. Keep up with on-going projects, site plans, subdivisions, highways, walkways, drainage, etc.

Mr. Merloni also expressed that he would like to see the coop program reactivated.

Following discussion it was on motion unanimously

VOTED: To accept the letter of accomplishments prepared under date of August 8, 1986 and the above-stated objectives submitted to the Board of Selectmen by Town Engineer James V. Merloni.

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

VOTED: To set the FY87 salary, retroactive to July 1, 1986, for the individually-rated position of Town Engineer James V. Merloni at the Step 6 base rate of \$43,732, which includes a 5½% cost-of-living increase by union contract, plus a 3% longevity \$1,312 increase, the total annual compensation being \$45,044.

The Board expressed that Mr. Merloni has done a fine job this year.

Performance Review/Police Chief Peter B. Lembo

Present: Police Chief Peter B. Lembo.

In accordance with the Selectmen's Performance Review Policy, the Board met with Police Chief Peter Lembo. Following discussion it was on motion unanimously

VOTED: To accept the letter of accomplishments and objectives prepared under date of June 9, 1986 and submitted to the Board of Selectmen by Chief Lembo.

During discussion, Chief Lembo advised the Board that he would be moving to Framingham for one year, and then would return to Sudbury.

The Board reviewed a communication dated July 21, 1986, from Chief Lembo setting forth his requested salary and benefits. The Board agreed to new salary figures, sick leave buy-back, and paid detail as stipulated in said communication.

It was on motion unanimously

VOTED: To set the FY87 salary, retroactive to July 1, 1986, for the individually-rated position of Police Chief Peter B. Lembo at the Grade 15, Step 6, base rate of \$44,345, plus 4% longevity of \$1774, plus 10% Quinn Bill career incentive of \$4435, the total annual compensation being \$50,554; (the longevity pay is subject to amendment of the Personnel Administration Plan).

And it was further unanimously

VOTED: That Police Chief Peter B. Lembo shall receive 50% annual sick leave buy-back in accordance with terms of the Police union contract, effective July 1, 1986; and may perform Paid Details in accordance with the following conditions:

- 1) Compliance with the guidelines established by the State Ethics Commission Advisory No. 10.
- 2) Payment at the Paid Detail rate as established by the Police Department union contract.
- 3) Details will only be performed on weekends or after 5:00 p.m. on weekdays.
- 4) Eligible only for Paid Details refused by union members and usually given to special police officers or police officers from surrounding towns.

Setting FY87 Salary/Police Lieutenant Position

Present: Police Chief Peter B. Lembo.

Following discussion and upon recommendation of Executive Secretary Richard E. Thompson and Police Chief Peter Lembo, it was on motion unanimously

VOTED: To set the FY87 salary, retroactive to July 1, 1986, for the position of Police Lieutenant Ronald Nix, at the base rate of \$32,181 (which provides a 5½% increase), plus 4% longevity of \$1,287, plus 25% career incentive of \$8,045 the total annual compensation being \$41,513; the salary increase shall apply retroactively to July 1, 1986, to overtime payments.

Performance Review/Building Inspector Joseph E. Scammon

Present: Building Inspector Joseph E. Scammon.

In accordance with the Selectmen's Performance Review Policy, the Board met with Building Inspector Joseph Scammon. Following discussion it was on motion unanimously

VOTED: To accept the letter of accomplishments dated September 12, 1986 and objectives prepared under date of September 15, 1986 and submitted to the Board of Selectmen by Building Inspector Joseph E. Scammon.

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

VOTED: To set the FY87 salary, retroactive to July 1, 1986, for the individually-rated position of Building Inspector Joseph E. Scammon at the Step 6 base rate of \$36,377 which includes a 5½% cost-of-living increase by union contract, and a 3% merit step increase, plus 2% longevity of \$728, the total annual compensation being \$37,105.

Amendment/Proposed Personnel Board's Administration Plan

The Board agreed to request the Personnel Board to propose an amendment to the Personnel Board's Administration Plan at the Special Town Meeting to eliminate the provision prohibiting individually-rated personnel from receiving longevity increases.

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