

IN BOARD OF SELECTMEN
MONDAY, MAY 11, 1987

Present: Chairman Anne W. Donald, David A. Wallace and John C. Drobinski.

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

Fire Dept. Order 87-3 - Grievance Re: Time-Off Regulations

Present: Fire Chief Michael C. Dunne.

The Board reviewed memorandum dated May 6, 1987, from Fire Chief Michael C. Dunne relative to a recent Personnel Board grievance decision concerning Dept. Order 87-3 on the subject of time off regulations.

Executive Secretary Richard E. Thompson jointly recommended with Chief Dunne that the Board of Selectmen request a re-hearing by the Personnel Board, which will enable a more-detailed discussion including Richard Murphy, Labor Relations Counsel. Chief Dunne explained the decision as it now stands will be costly to the Town; and Mr. Thompson expressed his opinion that perhaps the Personnel Board was not fully aware of the ramifications of the decision.

In response to inquiry by Selectman Wallace, Chief Dunne explained the contract clearly states that two officers cannot be on vacation at the same time; however, he pointed out that one can be on vacation while the other may be on paid holiday. If there are more than four people off duty, Chief Dunne explained, he cannot allow that fifth one to take the time off.

Mr. Thompson stated the Board has the right to request the rehearing, and it is his belief that the Personnel Board will grant it. He further opined that Richard Murphy would be able to advise both the Board of Selectmen and the Personnel Board on the legitimacy of the grievance decision which, in effect, revoked those applicable provisions in the contract. It is Mr. Thompson's opinion that this action was improper; that the Personnel Board cannot rule contrary to the contract.

After further discussion, it was on motion of Chairman Donald unanimously

VOTED: In accordance with the memorandum dated May 6, 1987 from Fire Chief Michael Dunne, the Board of Selectmen request a rehearing and joint meeting with the Personnel Board concerning Dept. Order 87-3 on the subject of time off regulations, with Labor Relations Counsel Richard Murphy present, to determine if there has been a skewing of the collective bargaining contract.

Summer Meeting Schedule

The Board reviewed the draft summer schedule prepared by Executive Secretary Thompson.

After discussion, it was on motion of Chairman Donald unanimously

VOTED: To approve a summer meeting schedule for the Board as follows:

May 4, 11, 18; June 1, 15, 22(Forum); July 6, 20;
August 3, 17, 31; September 14 (Start of weekly meeting schedule).

Recision of Vote Concerning Sale of Dog Officer's Pickup Truck

On May 4, 1987, the Board voted to authorize the sale by sealed bid of the Dog Officer's 1976 Dodge pickup truck. Executive Secretary Thompson explained that after Town Meeting he learned from Mr. Loughlin the Assessor's vehicle appropriation of \$7,000 would be somewhat short. Mr. Thompson therefore recommended that the Board transfer this vehicle to the Board of Assessors, subject to its acceptance of it, and then they may use it as a trade-in.

It was on motion of Chairman Donald unanimously

VOTED: To rescind that portion of the Board's vote of May 4, 1987 authorizing the sale by sealed bid of the Dog Officer's 1976 Dodge pickup truck; and further, to authorize the transfer of said vehicle to the Board of Assessors, subject to its acceptance, for use as a trade-in.

Disposition of Obsolete Equipment by Town Engineer

The Board reviewed letter dated May 6, 1987, from Town Engineer I. William Place requesting that he be authorized to dispose of two calculators and a typewriter.

Executive Secretary Thompson described the three pieces of equipment as either extremely old or having become obsolete. Mr. Thompson explained that he ordinarily sends out notices to various town departments asking if anyone is interested in the item being disposed of. Although in this case Mr. Thompson believes the items are of no use to anyone, he will contact the high school to see if they have a use for the Wang 600 series program calculator.

Upon inquiry by Selectman Wallace, Mr. Thompson explained that any department possessing an item owned by the Town must obtain permission from the Board of Selectman prior to disposing of it. Articles contained in the Hosmer House and those having possible historic significance must be first presented to the Historical Commission and Ancient Documents Committee for their information. Property to be sold deemed to have historic significance or having an aggregate value in excess of \$1,000 must be sold by public bid.

It was on motion of Selectman Wallace unanimously

VOTED: To authorize the Town Engineer to dispose of the following obsolete equipment, as requested in his letter of May 6, 1987: (1) Wang 600 series program calculator; (2) Olivetti Editor 4C Typewriter; and (3) Monroe 770 Calculator.

James O'Loughlin, III - Eagle Scout

The Board acknowledged and congratulated, in absentia, James O'Loughlin, III, of 78 Willis Lake Drive, on attaining the rank of Eagle Scout. Selectman Wallace will attend the Court of Honor and dinner in honor of Mr. O'Loughlin, on Wednesday, June 17, 1987 at 6:30 p.m. at Memorial Congregational Church, and will present a letter of congratulations from the Board of Selectmen.

MetroWest Meeting

Chairman Donald reminded the Board that the MetroWest meeting will be held in Sudbury Town Hall on Thursday, May 14, 1987, at 7:30 p.m., and that all eight towns comprising the MetroWest Growth Management Committee are invited to attend. Mrs. Donald presented a copy of the agenda to the Board for its perusal and noted that State Transportation and Planning Secretary Frederick Salvucci will be attending and will be accepting questions from the floor. Selectman Drobinski opined that this will be a unique opportunity to talk directly with Mr. Salvucci on transportation issues.

Joint MAGIC/MetroWest Meeting

Chairman Donald reminded the Board that a joint meeting between MAGIC and MetroWest is scheduled for Thursday, May 21, 1987, at Sudbury Town Hall. Mrs. Donald suggested to Selectmen Wallace and Drobinski that this would be an excellent opportunity for them to familiarize themselves with the aims and objectives of these groups.

Establishment of Committee to Review Town's ByLaws

Chairman Donald commented that she became aware at and following Town Meeting that many statements have been made concerning the appropriateness of bylaws that cover Town Meeting procedures. Mrs. Donald suggested that the Board consider appointing some kind of committee to study the bylaws with regard to the major concerns of the townspeople.

Executive Secretary Thompson indicated that in his opinion there are four principal areas of concern regarding procedures and the bylaws relative to Town Meeting: (1) time for speakers to be heard; (2) the matter of Resolutions; (3) the issue of reconsideration of Town Meeting votes; and (4) having the meeting on a Saturday instead of weekday evenings. Mr. Thompson suggested that a small working group (consisting of the executive secretary, the town moderator, a selectman and a representative from the League of Women Voters) could meet between now and the end of September.

After discussion, it was on motion of Chairman Donald unanimously

VOTED: To direct Executive Secretary Thompson to speak with Town Moderator Thomas Dignan concerning formation of a small working group to study the bylaws relating to town meeting; more specifically, (1) the time allotted for speaking; (2) the matter of resolutions; (3) the issue of reconsideration; and (4) holding town meeting on a day other than Monday, Tuesday and Wednesday.

Joint Meeting - Sudbury Historical Society/Historical Commission

Present: Sudbury Historical Society: Chairman Albert M. Weatherby, Dorothy Emmons, Richard Hill; Historic Districts Commission: Louis Hough, Burton Holmes; Sudbury Historical Commission: Chairman Lyn MacLean, Winifred Fitzgerald, Anna McGovern, Subcommittee member; and Alexander Frisch, 308 Concord Road.

It being 8:00 p.m., Chairman Donald called to order a meeting with the Sudbury Historical Society and the Sudbury Historical Commission relative to locating a site for the Society's museum which contains the Harry Rice Collection.

Since this meeting was arranged at the request of the Sudbury Historical Society by letter dated April 28, 1987, Chairman Donald requested to hear from its representative, whereupon Sudbury Historical Society Chairman Albert M. Weatherby spoke. Mr. Weatherby stated that it is his opinion that this meeting was meant to be strictly exploratory in nature; that the Society had no specific location in mind, but wanted to explore possible sites for its museum, which presently is in storage on the second floor of Loring Parsonage. Mr. Weatherby pointed out that its current location is not a good one, since school children and the elderly have a difficult time maneuvering the narrow, steep stairs. Because a ground-floor location is preferable, the Society requested input on the possibility of locating its museum within the Hosmer House.

Winifred Fitzgerald of the Sudbury Historical Commission asked why the Society is being moved out of Loring Parsonage, and Executive Secretary Thompson explained that additional office space was needed on the ground floor of the Parsonage and therefore, the museum was being temporarily housed on the second floor. Mr. Thompson expressed his opinion that the items should be located at a place where they may all be placed in view for enjoyment by the public. In the fifteen years Mr. Thompson has lived in Sudbury, the only time these items are available for viewing is when Richard Hill devotes one of his days (April 18) to sitting in the room so people may visit.

In addition to locale and publicity problems, Mr. Thompson explained that the Estate of Harry Rice has been in probate and the terms of the will must be looked into and complied with in order to utilize the monies bequeathed by the late Mr. Rice. Mr. Thompson informed those present that he has been told that the Town will be receiving such monies within the next week. He was unable to state with certainty the amount, but he believes it is less than \$100,000.

Mr. Thompson stated that the Town has received some very nice gifts from Sudbury, England, and there are a number of items currently being stored in the vault, and there is no safe place to display them. He had looked into the possibility of adding glass display cases on the ground floor of Loring Parsonage, but it was determined the area would not be workable from a traffic or safety perspective.

Historical Commission Chairman Lyn MacLean stated that she felt discussion of a location for the Rice Collection comes at a poor time for the Commission and its ongoing problems with Hosmer House. She reported that the Commission has had to rent storage space for eight months and has been selling the cup plates to pay for such rental. Mrs. MacLean stated all rooms are packed full and there are 455 paintings the Commission would like to move back to Hosmer House in order to sort them. Mrs. MacLean further reported that the store room has just been completed and the Commission is hopeful that it may now place some items in that room for display, pursuant to the terms of the contract with the Town and as directed by Miss Hosmer in her Will.

Mrs. MacLean informed those present that Hosmer House is without a bathroom and kitchen. Although the ballroom is completed and available for renting, until those two rooms are renovated, rentals will be minimal.

Executive Secretary Thompson informed Mrs. MacLean that the Commission should be receiving soon a letter from the Long Range Planning Committee, which is conducting a comprehensive study for Town needs for space. Mr. Thompson urged Mrs. MacLean to address the Commission's needs to that Committee. Mr. Thompson stated that his

and the Board's part in this meeting is to bring everyone together and assist all parties in resolving their problems.

Inquiries were made concerning the terms of Harry Rice's Will. Although Mr. Thompson did not have a copy of the Will at the meeting, he suggested that anyone desiring a copy come to his office and pick one up.

Mr. Weatherby asked Mrs. MacLean what the possibilities were for use of the Alice Room at the Hosmer House. Mrs. MacLean indicated that the room was very small and that the fireplace needs to be shored up. Also, the pipes burst in that room this past winter, which necessitated the pipes being removed. These pipes need to be replaced before next winter.

Mrs. MacLean pointed out that there is a large shed which may be a possibility. She stated that much money needs to be put into restoring it and there is no cellar, which is a problem.

Of primary concern to Mrs. MacLean is the fact that there is no alarm system at the Hosmer House. She stated that it is her belief that insurance cannot be obtained until a good working system is in place.

An abutter to the property, Alexander Frisch, voiced his agreement with Mrs. MacLean's concern about an alarm system. He further pointed out that the parking situation should also be a consideration.

Executive Secretary Thompson reminded those present that restoration of the Hosmer House suffered a set-back due to damage caused by the former tenant.

Selectman Wallace expressed his hope that the Society and Commission can work something out. He pointed out that the Society has some monies; thus, it has money but no building. Conversely, the Commission has a building, but requires additional money to complete restoration. Mr. Wallace suggested the two may be able to work something out that can be beneficial to all.

Dorothy Emmons asked what would happen if there is not enough money from the Estate of Harry Rice to carry out the terms of his will with regard to construction of a museum. Selectman Wallace explained that the Town would have to go into Court under the Cy Pres doctrine, which means the Town would ask the court for permission to change the exact terms of the will to something the Town can do, without changing the ultimate intent of Mr. Rice.

Executive Secretary Thompson stated it was his desire to eventually construct a Town Vault, similar to what was done in Wayland. The Vault is a walk-in room which is, in essence a storage room, and could possibly be used to centrally store local historical artifacts not on display.

Lyn MacLean stated that it is her belief that Loring Parsonage is under the Commission's rule as a historical building, and that it was the intention of many that the Loring Parsonage would be for the Historical Society's use. Mrs. Anna McGovern, a Sudbury Historical Commission subcommittee member, feels it was taken away from the Commission for Town offices by the Board of Selectmen. Mrs. McGovern therefore feels the Parsonage is another possibility, because she feels that building is conducive to what the Historical Society is displaying.

Mr. Thompson made a brief reply that "all" Town buildings are under control of the Board of Selectmen; and specifically the Loring Parsonage and the Hosmer House.

Mr. Weatherby stated his immediate concern was that some plan be decided and in place by next year, so that the exhibit will be open for view on the occasion of the 350th Anniversary. All present expressed their understanding of this concern, and Mrs. MacLean assured Mr. Weatherby that for that purpose, she would help work something out.

Mr. Thompson suggested that the Historical Society select a member to attend and monitor all Historical Commission meetings to better coordinate matters of mutual concern.

The meeting concluded on a positive note, with all present agreeing that it is important the antiquities of the Town be preserved for future generations. Executive Secretary Thompson urged those individuals who may be interested to carry this message to the townspeople so that it is not forgotten. Selectman Wallace suggested a further meeting be scheduled when there is a final determination as to the monies due from the Harry Rice Estate and the terms of his Will.

The joint meeting was concluded at 9:05 p.m. Chairman Donald thereupon called a five-minute recess; the meeting was reconvened at 9:10 p.m.

Design Services Contract - Rte. 117 Fire Station/Highway Garage Roofs

The Board reviewed communication dated May 8, 1987 from Michael E. Melnick, Chairman of the Permanent Building Committee concerning proposals for the design contract for roofing - Noyes School (portion), Rte. 117 Fire Station, and Highway Garage.

After discussion, as recommended by letter dated May 8, 1987, from Michael E. Melnick, Chairman, Permanent Building Committee, it was on motion of Chairman Donald unanimously

VOTED: To award design services contract to LEA Group, 75 Kneeland Street, Boston, Massachusetts 02111, for the following projects and fees: Noyes School roof, \$13,600; Highway Garage roof, \$3,000; and Rte. 117 Fire Station roof, \$1,500.

American Legion Post #191 - Sale of Poppies

Executive Secretary Thompson proffered to the Board a verbal request of Ronald Griffin of the American Legion Post #191 to sell poppies.

On motion of Selectman Wallace it was unanimously

VOTED: To grant permission to the American Legion Post #191 of Sudbury to sell poppies on May 21, 22 and 23, 1987, at Sudbury Plaza, Sudbury Crossing and MacKinnon's shopping centers, with the permission of the owners of said sites.

Mass. Municipal Association Meeting

Executive Secretary Thompson reported that there will be a meeting of the Massachusetts Municipal Association on November 6, - 8, 1987. Selectmen John C.

Drobinski and David A. Wallace and Chairman Anne W. Donald indicated their interest in attending, and Mr. Thompson will remind them of the meeting as the date nears.

DEQE Meeting With Resource Recovery Committee

Executive Secretary Thompson reported that DEQE will be at Lower Town Hall on Thursday, June 4, 1987, to speak with the Resource Recovery Committee.

Hazardous Waste Day

Executive Secretary Thompson reported that he attended the Wayland-Sudbury Hazardous Waste Day and was impressed with the procedures implemented to dispose of such materials.

Clean-Up Day

Executive Secretary Thompson was pleased to report a very successful Clean-Up Day on May 9, 1987, and informed the Board that he will be sending out letters of thanks to those who participated.

Planning Board and Conservation Commission Vacancies

Selectman Wallace informed the Board that he has heard that the Conservation Commission is seeking candidates for the Commission, and suggested Carmine Gentile, who is an applicant for a position on the Planning Board, be approached also for a Conservation Commission position.

On motion of Chairman Donald it was unanimously

VOTED: To request Executive Secretary Thompson to meet with Lee Newman and Morton Brond of the Planning Board to discuss how best to proceed with the meeting for interviewing applicants to fill the vacancy on the Planning Board.

Housing Authority

Chairman Donald commended the Sudbury Housing Authority for a first-class presentation at Town Meeting. Selectman Wallace recommended that the Housing Authority be encouraged to continue to work toward its goal for affordable housing, and suggested that the Selectmen continue its public support for the same.

After discussion it was on motion of Chairman Donald unanimously

VOTED: To reaffirm the support of the Board of Selectmen to Sudbury Housing Authority in its efforts to seek a location for affordable housing; and further, to request Executive Secretary Richard E. Thompson to arrange a joint meeting with the Sudbury Housing Authority to discuss 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