

IN BOARD OF SELECTMEN  
MONDAY, JANUARY 9, 1995

Present: Chairman Lawrence L. Blacker, and Maryann K. Clark.

The statutory requirements as to notice having been met, the meeting was convened at 7:30 p.m. at the Fairbank Senior Center by Chairman Blacker.

Utility Petitions #95-1, #95-2, #95-3, #95-4, and #95-5

Present: Ralph Tyler, 1 Deacon Lane.

Secretary Thompson informed that all appropriate abutters had been notified and approval recommended by the Inspectors of Building and Wiring under date of January 3, 1995.

**Utility Petition #95-1 - Dutton Road**

The Board convened a public hearing to consider Utility Petition 95-1 from New England Telephone and Telegraph Company and Boston Edison Company for permission to install approximately 18 feet of conduit in Dutton Road, Sudbury, to provide electric service to a new house.

It was on motion unanimously

VOTED: To approve Utility Petition 95-1 from New England Telephone and Telegraph Company and Boston Edison Company for permission to install approximately 18 feet of conduit, shown on Boston Edison Company "Plan of: Dutton Road, Sudbury", dated November 28, 1994, and New England Telephone and Telegraph "No. 94-17, Sudbury, Plan for Telephone Conduit", dated December 21, 1994, under the following public way of the Town:

Dutton Road - southwesterly approximately 996 feet  
southwest of Tanbark Road  
a distance of about 18 feet - conduit

**Utility Petition #95-2 - Willis Road**

Present: Abutters Mr. and Mrs. George D. Thome, 218 Willis Road.

The Board convened a public hearing to consider Utility Petition 95-2 from New England Telephone and Telegraph and Boston Edison Company for permission to install approximately 48 feet of conduit in Willis Road, Sudbury to provide electric service to a new subdivision on Briant Drive.

Mr. Thome, abutter, asked for an understanding of the work to be done as he said it was not very clear in the letter he received. Chairman Blacker reviewed a map with him and explained the work to be done. Mr. Thome said he wanted to see if there was something more being requested than that which was done within the past month, which included digging up the road. He added that he has a concern with Boston Edison about a tilted pole in the same area. He said that a new pole has been erected, but there is nothing attached to it as yet and the tilted pole looks unsightly. In addition, Mr. Thome expressed

concern over the existing lines in the area, saying that they appear to be very heavy as they are drooping more and more over time. He stated he believes Boston Edison should be correcting this situation. Mr. Thompson said he would check with Boston Edison.

It was on motion unanimously

VOTED: To approve Utility Petition 95-2 from New England Telephone and Telegraph Company and Boston Edison Company for permission to install approximately 48 feet of conduit, shown on Boston Edison Company "Plan of: Willis Road, Sudbury", dated December 5, 1994, and New England Telephone and Telegraph Company "No. 94-15, Sudbury, Plan for Telephone Conduit", dated December 14, 1994, under the following public way of the Town:

Willis Road - On the east side, beginning approximately 535 feet south of Loker Road, at existing Pole No. 133/88, southerly 8 feet, thence westerly 40 feet to proposed road Briant Drive, place conduit.

The Board requested a response from Boston Edison Company concerning the tilted pole that was pointed out by Mr. Thome.

**Utility Petition - #95-3 - Maynard Road**

Present: Abutter Rebecca Cutting, 381 Maynard Road.

The Board convened a public hearing to consider Utility Petition 95-3 from New England Telephone and Telegraph Company and Boston Edison Company for permission to install approximately 60 feet of conduit in Maynard Road, Sudbury, to provide electric service to a new subdivision, Wyman Drive.

It was on motion unanimously

VOTED: To approve Utility Petition 95-3 from New England Telephone and Telegraph Company and Boston Edison Company for permission to install approximately 60 feet of conduit, shown on New England Telephone and Telegraph Company "No. 94-16, Sudbury Plan for Telephone Conduit", dated December 14, 1994, and Boston Edison Company "Plan of: Maynard Road, Sudbury", dated December 5, 1994, under the following public way of the Town:

Maynard Road - northeasterly approximately 2132 feet northeast of Fairbank Road, a distance of about 60 feet - conduit

**Utility Petition #95-4 - Concord Road**

The Board convened a public hearing to consider Utility Petition 95-4 from New England Telephone and Telegraph Company and Boston Edison Company for permission to install approximately 24 feet of conduit in Concord Road, Sudbury, to provide electric service to 460 Concord Road.

It was on motion unanimously

VOTED: To approve Utility Petition 95-4 from New England Telephone and Telegraph Company and Boston Edison Company for permission to install approximately 24 feet of conduit, shown on New England Telephone and Telegraph Company "No. 95-02, Sudbury, Plan for Telephone Conduit", dated January 3, 1995, and Boston Edison Company "Plan of Concord Road - Sudbury", dated December 7, 1994, under the following public way of the Town:

Concord Road - southeasterly approximately 350 feet  
northwest of Morse Road  
a distance of about 24 feet - conduit

**Utility Petition #95-5 - Hawthorne Drive**

The Board convened a public hearing to consider Utility Petition 95-5 from New England Telephone and Telegraph Company and Boston Edison Company for permission to install approximately 13 feet of conduit in Hawthorne Drive Sudbury, to replace existing overhead service with new underground service at 19 Hawthorne Drive.

It was on motion unanimously

VOTED: To approve Utility Petition 95-5 from New England Telephone and Telegraph Company and Boston Edison Company for permission to install approximately 13 feet of conduit, shown on New England Telephone and Telegraph Company "No. 95-01, Sudbury, Plan for Telephone Conduit", dated January 3, 1995, and Boston Edison Company "Plan of Hawthorne Drive, Sudbury", dated December 8, 1994, under the following public way of the Town:

Hawthorne Drive - westerly approximately 524 feet  
north of Pelham Island Road  
a distance of about 13 feet - conduit.

Mr. Tyler expressed his concerns that the Town continues to have a procedure that requires that all underground utility petitions be reviewed, but that there still exists no regulations for overhead poles and wires which are required by the Town Bylaw. He pointed out that the Bylaw specifically states that there shall be regulations that relate to minimum safety, environmental and aesthetic standards for the placement and number of poles, wires, and associated structures.

Mr. Tyler explained that he had received a letter from Town Counsel Paul Kenny, in which Mr. Kenny requested input from Mr. Tyler regarding the Bylaw. Mr. Tyler said he returned his input to Mr. Kenny some time ago and has not heard that anything has been done with regard to the Bylaw.

Chairman Blacker informed that Boston Edison does come to the Board for approval of the work they do. With regard to the rules and regulations referenced by Mr. Tyler as they relate to the issues at Town Meeting, Mr. Blacker noted that the Board has the authority to approve or disapprove the issues brought before them.

Mr. Tyler responded that the Bylaw says that there will be regulations issued for even existing poles, and he mentioned the fact that snow removal vehicles have to weave around several poles that are too close to the road. The Bylaw, he added, concerns replacement and upgrading--not just new installations.

Mr. Blacker commented that the last thing he wants the Board to do is make decisions regarding whether or not the utility companies should be putting new cables or wires on poles. He added that he does not think the Town is concerned about these types of issues.

Selectman Clark suggested that perhaps the Board should review the correspondence that took place between Mr. Kenny and Mr. Tyler--take another look at what has transpired.

Borrowing - General Obligation Bonds

In response to a communication dated December 23, 1994, from Town Treasurer and Collector, Mary Ellen Normen Dunn, it was on motion unanimously

VOTED: To authorize the Town Treasurer and Collector, Mary Ellen Normen Dunn, to sell \$3,875,000 of General Obligation Bonds for the purposes of:

1) 1994ATM/62	Nixon Addition and Remodeling	\$3,530,000
2) 1994ATM/61	Curtis Roof Repair	200,000
3) 1994ATM/40	Feeley Tennis Courts	70,000
4) 1994ATM/39	Fairbank Center Paving	75,000

Mr. Tyler questioned why the Town has postponed bonding of the above and waited until now when the interest rates are much higher than last spring when they were passed at Town Meeting.

Mrs. Dunn responded that it took from April until November of 1994 to put the official statement for the bonding together. She also mentioned that there was no need to borrow money until it was needed, and that the full authorization may not have been needed, but it took some time to determine. She added that the Town will still probably be borrowing at a lower rate than in the past--it will be less than 6%. In response, Chairman Blacker stated that the Town is paying attention to these issues, and that consideration needs to be given to practical matters of time, paperwork, etc.

**Note:** The sale date for the bonds is February 2, 1995. The Board must sign the appropriate documents on February 6, 1995 in the Town Clerk's office.

Advance of Funds in Lieu of Borrowing

Upon review of a letter dated January 3, 1995, and five reports of Advance of Funds in Lieu of Borrowing, dated January 9, 1995, from Town Treasurer and Collector Mary Ellen Normen Dunn, it was on motion unanimously

VOTED: To approve the following Advances of Funds in Lieu of Borrowing, as proposed by the Town Treasurer.

Hudson Road Repairs - Renewal	\$ 55,000.00
Sherman's Bridge Construction - Renewal	5,035.50
Pavement Management Program - MA33304	68,848.00
Pavement Management Program - MA34577	36,821.00
Feeley Tennis Courts	51,698.05

Retirement Fund

The Board acknowledged receipt of a communication dated December 29, 1994, from Town Treasurer and Collector Mary Ellen Normen Dunn regarding a proposal to use current unfunded Retirement money reserves as a self-funding program for sick leave buy back obligations.

As explained by Ms. Dunn, the fund will be utilized to pay for the Town's non-contributory retirement obligations, retirement sick leave buy back, and other benefits an employee receives at retirement out of investment income.

It was the recommendation of Ms. Dunn to reduce the Town's contribution in the Retirement Fund from \$20,000 to \$5,000 a year. Secretary Thompson informed that Selectman Drobinski, in absentia, recommended splitting the difference and appropriating \$10,000.

Ms. Dunn explained that recently the Middlesex County Retirement Fund received approval from the State Legislature for fully funding the liability for current active employees by the year 2028, and retirees by 2014--the funding schedule was approved and unless the law is changed, it will not change.

Following discussion and clarification, it was on motion unanimously

VOTED: To support Town Treasurer and Collector Mary Ellen Normen Dunn's recommendations contained in her letter of December 29, 1994, with the exception of maintaining an additional appropriation of \$10,000 to help cover future sick leave buy back obligations.

MetroWest Bicycle Committee

Present: Dr. and Mrs. Daniel Buttner.

The Board acknowledged the notes received from the Central Mass Branch Bikeway Meeting held on October 19, 1994. Dr. Buttner informed he attended this meeting in Waltham along with representatives from several other surrounding towns in central Massachusetts. He said they met to discuss the feasibility of converting the abandoned Central Mass. railroad bed that runs from Waltham to Hudson to a bicycle path.

Dr. Buttner explained that the representatives agreed that the next step is to request a feasibility study by the Metropolitan Area Planning Committee (MAPC). He said this study will result in a determination as to its feasibility and if it is feasible, the proposal will then be presented to the different towns.

The Board reviewed a draft letter of request for a feasibility study, to be submitted by the Town, showing support. The letter had been revised with the help of the Conservation Coordinator in a meeting with Dr. Buttner. Dr. Buttner remarked that he would be happy to continue as the local contact for the MetroWest Bicycle Committee.

On motion by Chairman Blacker, it was unanimously

VOTED: To send a letter of support to the MAPC to conduct a feasibility study for a bike path on the MBTA (Central Massachusetts Branch) railroad tracks.

#### Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes and executive session minutes of December 19, 1994, as amended.

#### Council on Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$135.44 in miscellaneous donations for deposit into the Council on Aging Van Donation Account and to authorize the Council on Aging to expend the same for purposes of operating and maintaining the Council on Aging vans.

#### Grants - Acceptances

##### **Hop Brook Protection Association**

It was on motion unanimously

VOTED: To accept on behalf of the Town a grant of \$9500 received July 11, 1994, from the Executive Office of Environmental Affairs to the Town and the Hop Brook Protection Association for conduct of a Grist Mill Pond project consisting of the construction and evaluation of a pilot scale phosphorus removal facility using constructed wetlands.

##### **Council on Aging**

It was on motion unanimously

VOTED: To accept on behalf of the Town a grant of \$5200 received July 1, 1994, from the Executive Office of Elder Affairs - a Formula Grant award to the Council on Aging for fitness and nutrition activities, clerical support, temporary van driver, volunteer recognition, spirituality and intergenerational programs, dues, conference and training costs and site maintenance.

**Town of Sudbury - History**

Upon receipt of a Grant Acknowledgment, dated October 8, 1994, from The Sudbury Foundation and a communication dated December 23, 1994, from The Sudbury Foundation Executive Director, Derry Tanner, it was on motion unanimously

VOTED: To accept on behalf of the Town a grant of \$8,000 from the Sudbury Foundation to the Town as the first half of a two-year grant to help the Town Historian research and write a comprehensive history of Sudbury for the period 1889 to the present.

Wadsworth Cemetery - Repurchase Lot

At the request of the Superintendent of Cemeteries, Robert A. Noyes, in a communication dated December 23, 1994, it was on motion unanimously

VOTED: To approve the sale back to the Town of one grave in Wadsworth Cemetery, Lot 77, Deed #585 (Sale of Lots \$37.50; Perpetual Care \$112.50) from Ilene D. Whelpley.

Edwin Barrett Hosmer Memorial Fund - Expenditures

Upon receipt of invoices, it was on motion unanimously

VOTED: To approve an expenditure of \$5,805.50 from the Edwin Barrett Hosmer Memorial Fund to pay for cup plates, cup plate cards, cup plate ad, and gutter repair.

Conservation Restriction to Sudbury Valley Trustees - Wolbach Road

The Board reviewed additional information regarding this Conservation Restriction that was discussed and tabled at the Board's December 19, 1994 meeting.

On motion by Chairman Blacker, it was unanimously

VOTED: To confirm approval and signing by the Board on December 22, 1994, of a Conservation Restriction dated December 8, 1994, granted to Sudbury Valley Trustees, Inc., by Robert A. Newton and Marian W. Newton on a parcel of land comprised of approximately 11.76 acres on Wolbach Road, shown as Lot B on a plan entitled, Definitive Subdivision Plan, Newton Farm in Sudbury, Mass., dated August 25, 1993, and revised December 9, 1993, drawn by Aneptek Corporation.

Access Easement - Wolbach Road

The Board reviewed additional information regarding this Access Easement that was discussed and tabled at the Board's December 19, 1994 meeting.

On motion by Chairman Blacker, it was unanimously

VOTED: To confirm acceptance and signing by the Board on December 21, 1994, of an Access Easement on Wolbach Road granted by Robert A. Newton and Marian W. Newton, shown as .24 acres +/- adjacent to Lot B on the above described plan.

Database License Agreement - Boston Edison Company

Upon review of the Database License Agreement, Selectman Clark asked if Boston Edison would be delivering all database that shows aerials.

Secretary Thompson informed that the database information is worth around \$50,000 to the Town, and that it consists of a "Gentlemen's Agreement" with Boston Edison without any dollar amount attached. In turn, continued Mr. Thompson, the Town will accommodate Boston Edison at hearings.

On the recommendation of Town Counsel, Paul L. Kenny, in a communication dated January 4, 1995, it was on motion unanimously

VOTED: To sign a Database License Agreement with Boston Edison Company concerning the Town's use of certain computerized digital data and mapping information owned by Boston Edison Company subject to a change in Schedule C, paragraph 2

**(e) Notwithstanding the foregoing, any public hearings under (c) above, at which there is opposition or questions, shall require an Edison representation to attend a continued hearing.**

Minuteman Advisory Group on Interlocal Coordination (MAGIC) - Support for Hanscom Air Force Base

In response to a communication dated December 22, 1994, from MAGIC Chairman Dick Downey, it was on motion unanimously

VOTED: To send letters, as a member community of MAGIC, to the area's congressional delegation to thank them for their support in seeking to keep Hanscom Air Force Base open.

Police Department - Request for Sergeant

At the request of Police Chief, Peter B. Lembo, in a communication dated December 27, 1994, it was on motion unanimously

VOTED: To authorize the Executive Secretary to file a requisition with the Department of Personnel Administration for appointment of one Permanent Full-time Sergeant to replace Sgt. Peter Langmaid, who has retired.

1995 Annual Town Meeting

**Article - Town and School Facilities Parking Lots**

It was on motion unanimously



VOTED: To confirm the Board's submission and wording of article/report entitled, Town and School Facilities Parking Lots.

**Article - Voting Equipment**

Upon further review and further changes, it was on motion unanimously

VOTED: To approve the Article - Voting Equipment in its final amended form.

**Articles**

Upon review and discussion, it was on motion unanimously

VOTED: To accept 43 articles submitted for the Warrant for the 1995 Annual Town Meeting taking into consideration the requests for changes made by Selectman Clark to the following two Articles: 1) Chapter 90 Highway Funding--adding traffic signalization, and 2) Department of Public Works Building--to be submitted and presented by the Highway Department.

Mr. Tyler asked the Board to support his Petition Articles concerning zoning: 1) Amend Zoning Bylaw - Delete Business District 10, and 2) Amend Zoning Bylaw - Establish Residential Historic Limited Business District.

Chairman Blacker responded that he supports Mr. Tyler's article to delete Business District 10, but does not understand why Mr. Tyler has another article establishing a Residential Historic Limited Business District. Mr. Tyler explained that he thought it was very logical in that if the first one does not pass Town Meeting the second one is a compromise. Mr. Blacker said he thinks this weakens his position and suggested that he choose one or the other.

**Zoning Articles**

It was on motion unanimously

VOTED: To refer all zoning articles to the Planning Board for its hearings and reports in accordance with G.L. Ch. 40A, s.5.

Operating Budgets

The Board reviewed a position paper prepared by the Executive Secretary dated January 5, 1995, which includes departments beyond the scope of jurisdiction of the Board of Selectmen, but which will be included under the Town Manager form of government.

Secretary Thompson mentioned that Selectman Drobinski queried the plan to reduce the number of new Police cruisers to one, with the money saved to go toward buying two late model vehicles for the Building Department. Mr. Thompson stated he would like to stop transferring some of the police vehicles, because of the numerous problems that occur on these vehicles after trading down.

With regard to the Planning Department, Secretary Thompson stated he does not know why they have requested a vehicle. He opined that the Town needs a full-time planner and will recommend it.

Selectman Clark commented that the various committees that have been appointed i.e. the Wastewater Disposal Strategy Task Force, called for under the new Sewer Grant Application, should be meeting to research outstanding issues for recommendations to the Planning Board.

The School Department Long Range Planning submission was discussed briefly and the Board questioned why they have requested four vehicles.

It was on motion unanimously

VOTED: To concur with the Executive Secretary's position paper regarding the overview of the Town budgets, with the exception of the Planning Department and the School Department, pending further information by Mr. Thompson to clarify questions that remain.

#### Town Clerk - Resignation

The Board acknowledged receipt of a communication dated January 3, 1995, from Town Clerk Jean M. MacKenzie concerning her resignation as Town Clerk effective Thursday, March 2, 1995.

It was on motion unanimously

VOTED: To accept the resignation of Town Clerk, Jean M. MacKenzie, dated January 3, 1995, and to send a letter of gratitude and thanks for her many years of service to the Town.

With regard to finalizing the resignation of the Town Clerk, Ms. Marjorie Wallace questioned the General Laws regarding an elected official and their benefits such as sick leave buy back and asked if there was a job description for the Town Clerk's position. Chairman Blacker stated that elected officials are not entitled to vacations, holidays or sick leave--they set their own hours.

Selectman Clark queried why the Town Clerk's resignation does not coincide with her term of office.

#### Continental Healthcare VI Limited Partnership - Signing of Site Plan Special Permit #94-319

Upon final review, it was on motion unanimously

VOTED: To sign the site plans for Site Plan Special Permit (Application #94-319) of Continental Healthcare VI Limited Partnership, for construction of "Wingate at Sudbury", 136 Boston Post Road.

#### Sudbury Crossing/T.J. Maxx Expansion

The Board acknowledged receipt of a communication dated December 6, 1994, from Town Engineer I. William Place concerning the proposed expansion of T.J. Maxx at Sudbury Crossings. Mr. Place expressed that the repair of the detention basin has not been completed, and suggested that the Town make this a condition of the T.J. Maxx extension.

After a brief discussion, the Board asked Mr. Thompson to check if this may have already been included as a condition of approval of the Site Plan Special Permit because Sudbury Crossing Associates Realty Trust was on the agenda for a Board of Appeals meeting.

1994 Town Report - Selectmen

Upon review, it was on motion unanimously

VOTED: To approve the revised Selectmen's Report for the 1994 Town Report as presented.

Highway Department - Violations of Wetlands and Water Quality Laws

The Board reviewed a communication dated December 27, 1994 from Conservation Commission Vice Chairman Stephen M. Meyer to Highway Surveyor Robert A. Noyes, concerning serious violations of federal, state, and local wetlands and water quality laws observed by Mr. Meyer at the Highway Department site.

Secretary Thompson informed that he had a meeting with Conservation Coordinator, Debbie Montemerlo, Conservation Commission Vice Chairmen Mr. Meyer and Cheryl Baggen, and Mr. Noyes to discuss a plan, in conjunction with new construction at this site, to protect the surrounding wetland. Mr. Thompson stated there will be a delineation line drawn and a berm constructed to protect the buffer area. He added that he has also met with the Water District who has agreed to transfer property adjacent to the Highway garage for Town use and it will be included in the May Warrant of the Sudbury Water District.

"COPS FAST Application"

At the request of Executive Secretary Thompson, it was on motion unanimously

VOTED: To confirm the signing of the "COPS FAST Application" submitted by Police Chief Peter Lembo, to the U. S. Department of Justice under the federal Violent Crime Control and Law Enforcement Act of 1994, to pay for a portion of the salary and benefits for three new police officers.

Town Manager Screening Committee

Present: Chairman Roy Sanford, and James Vanar, Town Manager Screening Committee; and Marjorie Wallace, Negotiating Advisory Committee.

Mr. Sanford explained that because there is so much to accomplish in a short period of time, the Screening Committee will need to meet every Wednesday. He said they divided the Committee into three working subcommittees: 1) Committee to develop the job description and profile, 2) Committee to work on recommendations and compensation package, and 3) Committee to develop policy and procedures that the Committee as a whole will follow after applications are received.

The job description and the compensation package are ready for the Board to review tonight, but the procedures and process were not discussed at their meeting last week, so they will have to be presented at a later date, added Mr. Sanford.

Mr. Sanford informed that three ads are currently running in three different publications: The Sunday Boston Globe on January 8, 1995; MMA Beacon, and ICMA.

With regard to the job description, Mr. Sanford explained that it is basically an expansion on what is included in the ads and that the Committee looked at two options in writing up the job description:

1. To write it like other towns have done.
2. To be more expansive in the ad and list specifics on Sudbury.

He said the Committee opted for the latter and then would supply the second sheet entitled *Job Priorities* to those candidates that inquire about the position. Mr. Sanford said he wanted the Selectmen's opinion of the Job Priorities that are listed.

Chairman Blacker asked why a list of Job Priorities would be included at all. He asked why you would not ask the applicants what they want to know about the Town, and questioned why the Town would be telling the applicants what the priorities are when; in fact, we are not sure what they are. He opined that perhaps a Town Manager may want to determine what the Town's priorities are after being on the job for a few months.

Mr. Sanford responded that, during the Town's transition period, it may be important to talk in terms of where the Town is now and where it wants to be or go in the future. He said you can tell the applicants nothing or you can give them enough information and have them follow up.

Mr. Blacker commented that he sees a problem with the wording in that he does not like the term *Priorities* and suggested that this term be replaced by *Perceived Areas of Need or Consideration*. He added that by changing the title, the applicants can add to the list and choose which ones may be more important than others. Mr. Sanford said that the Selectmen should decide if they even want this second page included.

Mr. Blacker said he wants to include it but would like it reworded. He suggested that maybe the question to ask the applicants would be for them to give their reaction to a list of initiatives. Mr. Blacker stated that the Town is looking for a dynamic person who has ideas and can get things done. He does not believe these "initiatives" should be "etched in stone", rather have the applicant review the possibilities, such as the creation of a Finance Department or a Public Works Department, that have been discussed by various committees in the past. He said the Title and the Body should include more general statements and Selectman Clark opined that more of an effort should be made to encourage creativity. Mr. Sanford explained that the Committee was trying to give enough information to get the applicants to give them as much information as possible about themselves.

Included in the packet that will be sent to applicants requesting more information, will be the two pages discussed here tonight--the job description and the second page entitled initiatives or considerations; a copy of the Statute for the Town Manager Act; a copy of the EOCD profile, and a work chart showing the Town's goals that have been accomplished and those that the Town Manager might want to see

accomplished. Mr. Sanford continued that another thing the Committee will be examining closely is how applicants ask for additional information and he added that an information packet will be supplied to the final 20 or so applicants.

With regard to the compensation package developed by the Committee, Mr. Sanford noted that the subcommittee that worked on it obtained information from other towns and compared a number of items. It is based on other towns as well as collective ideas by the Committee. Chairman Blacker commented that it is a good guide and gives him a lot of information. He said it does not ask the applicants what their salary requirements are or what benefits they expect, rather it tells them all of this information.

Upon reviewing the spreadsheet that compares the different towns regarding salaries, population, form of government, etc., Mr. Sanford responded that this type of information is available to anyone who wants it and would have been seen by the applicants.

Mr. Blacker said the only range listed on the compensation sheet is the salary, so there is nothing left to negotiate except the salary, and remarked that he would not send this sheet to anyone. He offered as a response to anyone who asks what the Town is offering, to say that the Town is expecting to pay a base salary plus a benefits package that is typical of the nature of this industry with the details to be negotiated.

Mr. Sanford asked when this negotiation might take place and who would do it. The Board agreed that it was the Selectmen's responsibility to do all the negotiation concerning compensation and suggested that the compensation package in its final form be given to the Selectmen to discuss with the applicants.

Another concern mentioned was the ranking of the applicants. Mr. Thompson informed that Selectman Drobinski requested that the Committee keep secret their ranking of the applicants so the Board can use its own tools for ranking. The remaining Board members concurred with Selectman Drobinski's request.

Mr. Sanford reported that if the Selectmen concur, members of the Committee plan to meet with Department Heads this week to obtain their job profiles as well. He said he asked Town Counsel Paul Kenny for an opinion regarding how much could be done in open session versus executive session concerning issues related to the actual interviewing of the candidates. Town Counsel's memo responding to the same is dated January 6, 1995.

#### Early Retirement - Schools

Chairman Blacker referenced a communication dated December 30, 1994 regarding the School Early Retirement Program, and asked Secretary Thompson to investigate why the liability in this program is so high.

#### School Department - ADA Expenses

Mr. Blacker questioned some of the repairs proposed by the School Department to attain conformance with the Americans for Disabilities Act, saying that some seem unreasonable because they will not be used, and to ask that a more reasonable approach be used. He asked Mr. Thompson to confirm with the schools that on A.D.A. matters we should make reasonable efforts for accommodation.

Signalization - Nobscot Road and Route 20

Selectman Clark commented on Town Engineer William Place's written reply dated December 19, 1994 to her memo on Mr. Riepe's proposed sketch of a Nobscot Road/Union Avenue realignment, in which Mr. Place, among other things, responded that a crossing of the railroad tracks at less than 90 degrees would create an unsafe condition and that the Engineering Department has always visualized this connection when the Conrail tracks are no longer used. Selectman Clark remarked, "with the strong business that Saxonville Lumber is conducting, that won't happen in her lifetime or the next fifty years."

Selectman Clark proposed a motion to the Board for the Town Engineer to oversee the installation of a three (3) way traffic light during 1995 with three qualifications. She commented, now that the Town Engineer's reply has been received, it's time to install a traffic signal at this intersection which Raytheon Company proposed and had plans drawn and paid for in 1986. She questioned why this was never acted upon. Selectman Clark said she proposed this traffic light back in 1994 when solutions to Dudley Road's problems were being considered. A traffic light will allow both right and left turns from Nobscot Road onto Route 20.

Chairman Blacker concurred with Ms. Clark, and stated his only concern is the cost of such an installation. Selectman Clark said it would work if the expense came from money allocated for Ch. 90 roads. In addition, Mr. Blacker said that before he would be in favor of it he would want the Town Engineer to do some type of study to determine if the new light and the light at Union Avenue could be synchronized in both directions. He opined that it may or may not work because of the short distance, but wants to be assured that it would before he would approve it.

Selectman Clark commented that the light would have to be synchronized not only depending on the time of day, but the direction that the most cars are traveling. She said that the Town Engineer's main concern is to obtain an easement to go under the railroad tracks to get to the Union Avenue light. Mr. Thompson remarked that he would be surprised if this has not already been accomplished, because the Town's objective was to put it underground when they did the rubberizing on the tracks.

Secretary Thompson suggested that the Board wait until Selectman Drobinski is present to approve the third part of Selectman Clark's motion to oversee the installation of such traffic light during 1995 together with the Sudbury Highway Department, to allow him time to discuss it with the Board. Mr. Blacker asked if the Selectmen have the authority to approve a signalization at this location. Mr. Thompson said he will check--that Ch. 90 contracts may already be signed. Funding was briefly discussed, and Chairman Blacker concluded by asking that further consideration be postponed for two weeks to allow time for a response from the Town Engineer and the Highway Surveyor.

Sierras Restaurant - Middlesex County District Attorney

The Board acknowledged receipt of a communication dated December 23, 1994, from the Middlesex County District Attorney's Office concerning a possible connection between a motor vehicle violation and Sierras Restaurant, 470 North Road, Sudbury.

Sudbury Supervisory Association - Amended Agreement

Regarding the Supervisory Association contract, it was on motion unanimously

VOTED: To approve sending of a letter to the Sudbury Supervisory Association, dated December 21, 1994, from the Executive Secretary relative to a new Memo of Understanding.

Collective Bargaining Agreements

The Board acknowledged a communication dated October 7, 1993, from Administrative Assistant Janet Silva outlining when the unions have agreed to terminate, amend or renegotiate.

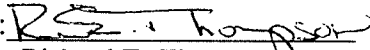
Chairman Blacker informed that Labor Counsel Richard Murphy is taking care of ensuring that all the union contracts are scheduled to expire at the same time.

Discretionary Fund - Expenditure

It was on motion unanimously

VOTED: To approve an expenditure from the Discretionary Fund in the amount of \$61.00, to pay a water bill for a needy Sudbury resident.

There being no further business, the meeting was adjourned at 10:15 p.m.

Attest:   
Richard E. Thompson  
Executive Secretary-Clerk