

IN BOARD OF SELECTMEN
MONDAY, JANUARY 23, 1995

Present: Chairman Lawrence L. Blacker, John C. Drobinski, 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.

Chiswick Park Theatre - Change in Manager

Present: Cynthia Hoch-Brettman, 183 Greystone Lane.

The Board acknowledged receipt of a petition, in accordance with G.L. Ch. 138, for change of manager from Jonathan Yates to Cynthia Hoch-Brettman from Chiswick Park Theatre.

Following a brief discussion with Ms. Hoch-Brettman concerning her background, it was on motion by Chairman Blacker unanimously

VOTED: To approve a change in manager with respect to the Restaurant Wine and Malt Beverages License exercised by Chiswick Park Theatre, 490 Boston Post Road, from Jonathan Yates to Cynthia Hoch-Brettman.

Delectables Old Tyme Bakery - Cafe, 365 Boston Post Road - New Licensing

The Board acknowledged receipt of the following documents:

1. Common Victualler's License application dated January 6, 1995.
2. Entertainment License application dated January 6, 1994.
3. Blueprint of above location showing floor and furniture plans, dated January 10, 1995.
4. Communication from Health Director, Robert C. Leupold, dated January 20, 1995, stating approval and that septic system upgrade has been completed.
5. Communication dated January 13, 1995 with a signed approval from the Building Inspector.
6. Verbal communication from Fire Chief Michael Dunne stating his approval on January 20, 1995.

Chairman Blacker pointed out that the Common Victualler License Application and the Entertainment License Application were incorrectly completed regarding the name of the applicant. He said the name of the applicant should be the name of the corporation, L.L.G., Inc., d/b/a Delectables Old Tyme Bakery - Cafe, instead of Linda J. Dubois.

Selectman Drobinski noted that the cafe is a change in use for this location within Mill Village and may require a change to the site plan according to the bylaws. Selectman Clark expressed the concern that parking be adequate since the change in use allows for a minimum of 19 seats.

The Board initially voiced a preference to table approval to allow further review. Secretary Thompson informed that all other necessary approvals had been given, and that the Board could always rescind approval should any legal issues remain after review by Town Counsel.

On the recommendation of Secretary Thompson, it was on motion unanimously

VOTED: To grant a Common Victualler License to L.L.G., Inc., d/b/a Delectables Old Tyme Bakery - Cafe, Linda J. Dubois, President, 365 Boston Post Road, for a 19-seat bakery and restaurant, subject to the correction required on the application and Town Counsel Paul L. Kenny's review to determine the status of the site plan.

And it was further

VOTED: To grant an Entertainment License to have background music from 6:30 a.m. to 6:00 p.m. at Delectables Old Tyme Bakery - Cafe, 365 Boston Post Road, subject to the correction required on the application.

Trustees of Town Donations - Quarterly Meeting

Present: Investment Advisory Group David Pettit, David Wilson, and Kenneth Ritchie; Town Treasurer and Collector Mary Ellen Normen Dunn.

The Board was in receipt of a communication dated January 17, 1995 from Janet Silva, Secretary to the Trustees of Town Donations, regarding the agenda for tonight's quarterly meeting of the Trustees. The Board reviewed the Town Trust Fund, December 31, 1994 Semi-Annual Report prepared by the Town Treasurer.

Chairman Blacker commented that he would like to see included in the report the maturity (due) dates and coupon rates of the securities (bonds). He remarked that it appears that nearly 100% of the investments are fixed income investments (bonds), and questioned if equities should be considered as part of the portfolio. Selectman Clark noted that all securities are showing a loss. Ms. Dunn responded that they are shown at market value which shows a loss because they have not reached maturity. She said the Town will keep all bonds until their maturity dates.

Ms. Dunn asked the further opinion of the Selectmen with regard to the format of the report, since this is the first report of this nature that has been done. She commented that it is an evolving document and asked for input. The Board agreed that it is a good report. Mr. Thompson remarked that it is nice to have a report like this to review and said he liked the format.

Secretary Thompson reminded Ms. Dunn of their meeting with the Assistant Attorney General regarding the Town's investment policies and procedures, noting that the Attorney General's office was going to offer assistance with regard to reporting, but has not yet done so. Ms. Dunn responded that she will follow up with that office. Mr. Thompson suggested sending a courtesy copy of the report presented at tonight's meeting to the Assistant Attorney General.

In response to a request received from Sudbury School Superintendent Dr. Henry W. DeRusha, Jr., dated January 5, 1995, concerning the School Trust Fund, it was on motion unanimously

VOTED: To approve a request, dated January 5, 1995, from the Sudbury School Committee for allocation of \$1485 for distribution from the School Fund to the Sudbury School Committee for the purchase of modems for connection with the Novell Network System.

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Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of January 9, 1995, as amended.

Council on Aging - Van Donation

It was on motion unanimously

VOTED: To accept \$80.60 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.

Reserve Fund Transfer - Selectmen

It was on motion unanimously

VOTED: To approve Reserve Fund Transfer No. 95-09, dated January 13, 1995, in the amount of \$1600 to the Selectmen General Expense Account to pay for the expenses of soliciting Town Manager applications.

Street Layouts - Bridle Path and Trailside Circle

The Board reviewed a communication dated December 6, 1994, from Town Engineer I. William Place, regarding two streets that have been submitted for inclusion in the 1995 warrant.

It was on motion unanimously

VOTED: To lay out the streets of Bridle Path (from Tall Pine Drive to Tall Pine Drive, a distance of 2,530 +/-feet) and Trailside Circle (from Bridle Path to a dead end, a distance of 501 +/-feet) at its meeting of March 13, 1995, and to refer same to the Planning Board for its report prior to said hearing of March 13, 1995.

215th Town Forum

At 8:00 p.m. Chairman Blacker convened the 213th session of the Town Forum.

Donations for G.I.S. Program

Present: Stephen Johnson, Executive Director, Sudbury Valley Trustees.

Mr. Johnson further explained that a plan for computerizing mapping in conjunction with the State's system has been in the works for the last five years to show open space reservation of the entire MetroWest region. SVT has been successful in getting two grants in support of cooperative GIS projects involving SVT and Sudbury.

Mr. Johnson noted that the first project was with the Planning Department. This project involved computerizing the tax maps and then superimposing the wetland maps over the tax maps. The second project involves data prepared by engineers for the development of subdivisions. These maps are combined with tax maps, and have been prepared jointly with SVT, the Engineering Department, and the Conservation Commission. These maps have been helpful for many reasons including identifying trail connections for a regional trail network.

Mr. Johnson continued that this is the future for streamlining the maintenance of map data for a municipality and for promoting a platform for jointly planning town-wide detailed sidewalk networks, etc. He said that technology is now at the point where the Town is looking at automating a large set of tax maps and getting a firm cost for doing the whole Town, not just sections. He encouraged the Town to plan well in considering the start-up costs.

Executive Secretary Thompson, on behalf of the Water District, expressed Mr. Robert Sheldon's disappointment at not being able to attend tonight's meeting to present to the Board a donation in the amount of \$3,250 for the Geographic Information System (GIS) Program.

Mr. Thompson commented that he is pleased with the actions taken by the Town Engineer and the Highway Surveyor toward the start up of implementing the GIS system for the Town. He said the Finance Committee has supported these efforts as well. Even though completion of the entire system is around five years from now, the Town is off to a good start thanks to the encouragement of Boston Edison and their contribution of information worth around \$50,000, he concluded.

After expressing thanks to Mr. Johnson and the Sudbury Valley Trustees and to the Water District, it was on motion unanimously

VOTED: To accept on behalf of the Town a donation of \$3,200 from Sudbury Valley Trustees, Inc. and a donation of \$3,250 from Sudbury Water District, to be placed in a special account and expended under the direction of the Town Engineer and the Board of Selectmen for the Geographic Information System (GIS) Program and pilot project for south Sudbury.

Following reports by the various Boards and Departments, Town Forum was adjourned, and refreshments and conversation were enjoyed by those present. This Town Forum was televised over the local Cable network and a copy of the video tape is available by contacting the Selectmen's office.

Conservation Commission - Resignations and Appointments

Present: Karen Riggert, 133 Moore Road, and Charles Leonard Zucker, 179 Moore Road, applicants.

The Board acknowledged a communication dated January 6, 1995, from Steven Roderick concerning his resignation from the Conservation Commission. Secretary Thompson stated that a copy of a letter of resignation is forthcoming from Loring Schwarz, who has also resigned the Commission.

On the recommendation of the Conservation Commission, it was on motion unanimously

VOTED: To accept the resignations of Steven Roderick and Loring Schwarz from the Conservation Commission, effective immediately, and to send letters of thanks for their service to the Town.

The Board reviewed an application received from Karen Riggert, dated January 21, 1995, and a Curriculum Vitae received from Charles Zucker prepared December, 1994.

Following a brief interview of the applicants and on the recommendation of the Conservation Commission in a communication dated January 12, 1995, it was on motion unanimously

VOTED: To appoint Karen S. Riggert, 133 Moore Road, to the Conservation Commission for a term to expire April 30, 1995, replacing Loring Schwarz who has resigned.

And it was further

VOTED: To appoint Charles Leonard Zucker, 179 Moore Road, to the Conservation Commission for a term to expire April 30, 1996, replacing Steven Roderick who has resigned.

The Board expressed their welcome and thanks to the applicants for their willingness to serve on the Commission.

Town Manager Screening Committee

Present: Chairman Roy Sanford, Karen Palmer, James Vanar, Michael Dunne, and Edward Sooper.

Mr. Sanford informed that the final packet of information to be sent to the applicants is being presented for the Board's review tonight. He said the Committee has addressed the Board's concerns regarding the rewording of the sheet titled Issues Facing Town of Sudbury. Upon request of the Selectmen, he agreed to a rewording, adding an introduction so that the issues will read more as *possibilities* rather than *requirements*. He said the issues have been identified and will be attached to the Job Description. Mr. Sanford remarked that so far four applications include requests for information packets. Chairman Blacker commented that he likes the packet.

Mr. Sanford further reported that the Committee has been logging all resumes as they come in, for which there are about 40 so far. He said that a selected Subcommittee has been appointed to review all the resumes. Mr. Blacker noted that he reviewed a few of the resumes and decided that he would not review any others until the Committee has selected the final five candidates. Mr. Sanford remarked that the Town of North Andover is also advertising for a Town Manager, and he learned from talking with their Selectmen Chair that they share many similarities. North Andover has received around 200 resumes, added Mr. Sanford, who said he shared several thoughts and ideas with the North Andover Screening Committee.

The Screening Committee is trying to obtain as much information as possible for the process and to obtain qualified candidates in order to add to their number. Mr. Sanford asked to discuss with the

Board the process that the Committee has come up with and has reviewed over the last few weeks regarding the application procedure, as follows:

A Subcommittee of four persons has been appointed to review all resumes. They will document all key features from the resumes and compile them into a data table, which will result in a summary of each applicant for all members of the Committee to review. The Subcommittee will continue meeting to review in detail all applicants in order to narrow it down to 20. These 20 candidates will then be asked to participate in interviews. Five members of the Screening Committee will conduct the interviews with the 20 selected candidates. Out of the 20, ten candidates will be selected for second interviews. Mr. Sanford noted that the Committee is currently working on questions for the first and second interviews. From the 10 candidates, five will be selected for the Board of Selectmen to review. Mr. Sanford said that the Committee will give the Board of Selectmen as much information as possible from the interviewing process to help the Selectmen make the best possible decision. The five finalists' names will be public, but all other interviews will be done in Executive Session.

With regard to the time line for this process, Mr. Sanford explained that the first interviews for the 20 candidates will take place in late February, early March. The second series of interviews for the 10 remaining candidates will take place mid to late March, leaving the Board approximately one month to conduct their interviews and make a decision by the deadline of May 8. Mr. Sanford assured that during this time, the Committee will remain active and will be available to help the Board in any way that it can.

The Screening Committee is meeting every Wednesday, added Mr. Sanford, and they are discussing key issues that will help them in the preliminary screening of the anticipated 100 resumes down to 20 and the job profile of key attributes they want to see being used in the interview process.

Mr. Sanford brought up two key issues for further discussion: 1) the issue of residency and 2) salary requirements. With regard to the issue of residency, Mr. Sanford stated that the final 20 candidates will be asked if they are willing to relocate. He said the Committee feels that it should be a requirement for the chosen candidate to relocate within one year. The Board concurred, but Chairman Blacker stated that being able to purchase affordable housing in Sudbury could be a problem. Since there have been candidates apply that live out of Town and out of State, Mr. Sanford questioned if the Board would agree to funding the cost of transportation to bring the final ten or five candidates to Sudbury for final interviews.

Salary requirements will be the Board of Selectmen's responsibility to work out, noted Mr. Sanford, who asked that the Board remain flexible on this issue.

In addition, Mr. Sanford reported that the Committee intends to perform a full review of the final five candidates which will include verification of employment, education, credit and criminal records.

Selectman Drobinski expressed the Board's appreciation for the Screening Committee's efforts.

Conservation Commission - Transfer of Surrey Lane Parcel

The Board reviewed the Conservation Commission's 1994 Land Management report regarding the Surrey Lane Parcel and a map of this area to determine if they would grant the request of the Conservation Commission to transfer the parcel to the Conservation Commission to be added to the Hop Brook Conservation Land parcel.

Chairman Blacker reminded that if the land is transferred, it would take a 2/3 vote of the State Legislature to get it back. He said the Commission is managing it now and can continue to do so without having it transferred. Mr. Blacker opined that by not transferring the property, it allows the Town to remain flexible should other options arise concerning the surrounding properties.

The Board agreed to take no further action on the matter at this time.

Goodman's Hill Road - Speed Limit Enforcement

The Board acknowledged receipt of a communication dated January 14, 1995, from the Committee for the Improvement of Goodman's Hill Road concerning "strict" enforcement on Goodman's Hill Road, specifically ticketing. The Committee expresses concern regarding the fact that officers are not issuing speeding citations to anyone traveling under 40 mph in the 30 mph zone, particularly in the Brewster Road intersection which fails sight distance criteria at speeds of 37 mph. The Board also reviewed a communication dated January 14, 1995, from the same Committee to Police Chief Peter B. Lembo requesting him to: 1) encourage officers to issue citations under 40 mph; 2) to discuss with the District Court Judges and/or Magistrates of Middlesex County upholding citations that are issued for speeds under 40 mph given the circumstances and situation of the problems on Goodman's Hill Road, and 3) provide copies of all speeding violations on Goodman's Hill Road from January 1 to May 1, 1995, to the Committee.

Selectman Drobinski said he had conversation with Ms. Anderson, who informed him that the Magistrate of Middlesex County does not uphold the citations under 40 mph. The Board reviewed maps supplied by Chief Lembo that show all traffic citation activity in the entire Town over the last six months. Upon review, the Board noted that Goodman's Hill Road has been the subject of a great deal of activity. Mr. Drobinski reminded that Ms. Anderson asked the Board to write a letter to the Magistrate with the hope of greater consideration to upholding citations under 40 mph.

Selectman Clark remarked that the Magistrate might mistake any suggestions in a letter for telling him/her how to run his court. She opined that it might be better to write a letter to Framingham District Clerk of Court Colonna. Chairman Blacker commented that he does not think it fair for someone to be fined at a ridiculous rate because they have gone 5 mph over the speed limit.

Selectman Clark said she would like to see a policy set by Chief Lembo possibly saying that a warning will be issued for anyone traveling up to 5 mph over the speed limit, with a ticket issued after so many warnings. Mr. Thompson responded that Chief Lembo will not set a policy--he leaves it up to the discretion of the officers. Ms. Clark noted that the concerns of the residents need to be addressed particularly when an entire group has come to the Board for some response.

Mr. Thompson pointed out that there are several streets in Town that have problems, some with speeding among other things, and that not all manpower and time should be spent on one street. Mr. Drobinski reviewed briefly the history that brought about the redoing of the intersection at Concord Road and Goodman's Hill Road and the construction of the walkway on Goodman's Hill Road, noting that much time and effort has been given. He added that he would still like to see the Police Department continue to monitor speeds.

Mrs. Palmer remarked that it is difficult to be fair to everyone and be able to address all concerns. She said the Town has to ask if this is the biggest and most dangerous concern to be addressing at this time.

Selectman Clark suggested writing a letter to the petitioners explaining that the Board has reviewed all the material and maps supplied by the Police Chief, that the Police Department staff has been utilized to its fullest extent, and that the situation will continue to be monitored. The Board agreed that Secretary Thompson should draft a letter to this effect for the Board's review.

1995 Annual Town Meeting Action

Present: Highway Surveyor Robert A. Noyes.

Warrant Ordering

Upon review of the articles, Selectman Clark proposed some changes to the draft order in which the articles will be placed on the Warrant and additional language following the Resolution on Dudley Road to read: "A vote under this article is only as a non-binding resolution."

Chairman Blacker asked if the three major funding Articles should be split with the chance that they may come up three different days to encourage attendance. Selectman Clark responded that she thinks it is good to have them together.

Ms. Palmer suggested that the proposed walkway articles be placed on the Warrant following the infrastructure articles. Mr. Hans Lopater expressed concern that some of the related articles might get split from one week to the next should Town Meeting extend beyond one week. Mr. Blacker offered a solution to postpone discussion on related articles should this happen.

Following much discussion and speculation regarding the timing on when the articles might be presented, the Board agreed to certain changes and ordered the 43-article 1995 Annual Town Meeting Warrant.

Offsets

Upon review of a communication dated January 18, 1995, from Administrative Assistant Janet Silva, concerning funds to offset expenditures for FY96, it was on motion unanimously

VOTED: To approve the offsets for the 1995 ATM under the Board's jurisdiction:

Wetlands Protection Fund	\$ 4,125	Conservation Budget
Cemetery Fund	20,000	Highway Budget

Chapter 90 Highway Funding

In reference to Article 13, Chapter 90 Highway Funding, and her efforts to find funding for the proposed new traffic signal at Nobscot Road and Route 20, Selectman Clark pointed out that the Act for Ch. 90 funding has expanded its project usage and questioned its use for traffic signal devices.

Highway Surveyor Robert A. Noyes responded that his Department has worked hard to get the Pavement Management Program under the Ch. 90 funds and he would rather not ask for it to include other projects. He said there are other ways of obtaining money for signalization. He said he believes it would be a disservice to the Town to put these funds in jeopardy.

Secretary Thompson remarked that one could word a request by saying pursuant to Ch. 90 funding. Mr. Noyes noted that the uses of the funds have been broadened, but he is concerned that public works people are thinking these uses extend to things that are not included. Mr. Noyes added that there is a new Manual of State Aid coming out soon to explain these uses, but until that time, he said that each district has interpreted it differently.

Selectman Clark asked about Bond money and if there were any funds available from this source. Mr. Noyes responded that there was never enough funds to complete projects. Ms. Clark informed that she has talked with Mass. Highway Department to determine how to do a signalization, the cost of such an installation and what the different options might be depending on the location and the intersection. She was pleased to learn that there are two ways of doing it, namely, with the use of hard wire or microprocessor; that it is within the one-half mile distance for synchronization; that the cost is around \$75,000 providing no roadway work is necessary, and that the wiring can go over or under the area, which resolves the placement problem.

Following further discussion on how to fund the installation of signalization at Nobscot Road and Route 20, it was on motion unanimously

VOTED: To place the installation of signalization at the intersection of Nobscot Road and Route 20 high on a priority list and to enter into a Gentlemen's Agreement whereby Selectman Clark agrees to withdraw her request to seek funds from Chapter 90 funding for the signalization at Nobscot Road, provided the Highway Surveyor seeks alternative funding through contact with Mass. Highway Department District 3, among other sources; and further that if additional surplus funds from Ch. 90 become available, they will be used to help the funding of this project.

Public Works Building - Submitter(s) for the Article

Selectman Clark opined that it would be counter productive to have the Board be the submitter on this article when the other major infrastructure articles are being submitted by those departments. She remarked that the Board should be present and offer support.

After a brief discussion, it was decided that the Highway Department would submit this article and that the Board of Selectmen would offer a supporting presentation. Mr. Thompson reminded Mr. Noyes that his Department needs to submit its report.

Speaker Assignments and Positions on Articles

Due to time constraints, and on motion by Chairman Blacker, it was unanimously

VOTED: To table discussion and decisions on speaker assignments and positions on articles to the next Board of Selectmen meeting scheduled for February 13, 1995, if possible.

Three-Way Traffic Light - Nobscot Road and Route 20

The Board acknowledged receipt of a communication dated January 19, 1995, from Highway Surveyor Robert A. Noyes concerning the motion proposed on January 9, 1995 by Selectman Clark. Mr. Noyes outlined his recommendations regarding this proposal.

In addition, the Board reviewed a communication dated January 18, 1995, from Town Engineer, I. William Place who has outlined his suggestions regarding this proposal.

With regard to Selectman Clark's motion for the installation of a three (3) way traffic light during 1995, Chairman Blacker responded that he concurs, but agrees with Highway Surveyor Robert A. Noyes to not use Chapter 90 funds at this time.

The Board reviewed a plan of the area that was drawn at the expense of Raytheon in 1986. This plan included a signalization at this intersection, and also showed a rounding off of the corner where the Mobil station used to be, but was never accomplished. The signalization was never completed at that time. Selectman Clark noted that the cost of the traffic signal which includes its foundation, traffic controller and post, as well as the microprocessor for the traffic signal at Union Avenue was quoted to her by the Mass. Highway Department Traffic Engineer as \$75,000 and \$10,000 respectively.

On motion by Chairman Blacker, it was unanimously

VOTED: To request the Town Engineer to oversee preparation for a three (3) way traffic light at the intersection of Nobscot Road and Route 20 during 1995 as follows:

- 1) To prepare the required design work for a three (3) way traffic light to be installed at the intersection of Nobscot Road and Route 20 with its timing synchronized with the traffic light at the intersection of Union Avenue and Route 20.
- 2) To prepare all forms required by the Massachusetts Highway Department, District 3, and obtain their approval for such traffic light.

Selectman Clark withdrew her request to install such traffic light using Ch. 90 funds derived from State transportation bond bills of 1988 and 1994, and Ch. 85 of the Acts of 1994, and/or Sudbury's Highway Department Roadwork Account, subject to the Gentlemen's Agreement of even date with the Highway Supervisor to seek alternative funding as soon as possible.

Priorities - Capital Projects

At the request of the Finance Committee, the Board of Selectmen reviewed and discussed what they believe are the priorities for capital project spending at the present time. They concluded the following is their prioritized list:

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| 1. Department of Public Works Building | and | 2. Library Construction Funding |
| 3. Flynn Building Renovations | | (1 & 2 listed in order of importance, but |
| 4. Comprehensive Walkway Program | | support seeking approval for both projects |
| 5. Rogers Theatre Renovations | | at the 95ATM, subject to a federal grant |
| | | being received for library construction) |

Elevation of Concord Road

The Board acknowledged a communication dated January 13, 1995 from Alderice Maillet, Maillet & Son, Inc., builder, regarding the elevation of Concord Road (2200+ -ft in length) in N. Sudbury before Nashawtuc C.C. N/F Stone Property.

Selectman Drobinski expressed concern that the raising of the road might cause a damming situation that might result in flooding of the homes during rainy periods, and he does not want that liability for the Town. Secretary Thompson stated he would have the Town Engineer review this concern.

Sudbury Historical Commission - Historic Resource Inventory Project

It was on motion unanimously

VOTED: To authorize the Chairman to sign an agreement between the Town of Sudbury and Gretchen G. Schuler to complete a Phase of the overall Historic Resource Inventory Project to be administered by the Sudbury Historical Commission.

Article XI - Town Bylaws - Re: Town Clerk

The Board acknowledged receipt of a communication dated February 13, 1993, from Town Counsel Paul L. Kenny regarding an opinion concerning The Personnel Administration Plan as it relates to elected officials. The communication confirmed the Board's opinion that elected officials are not eligible for benefits such as longevity, vacation, sick time, and sick leave buyback because they were not separately provided for in the Personnel Administration Plan.

Town Bylaws Article XX - Prohibition & Regulation of Overhead Utilities

The Board acknowledged receipt of a communication dated January 20, 1995 from Town Counsel Paul Kenny, in which he cites the history behind Bylaw Article XX, in response to an inquiry by Ralph Tyler questioning if the Town is establishing the rules and regulations regarding overhead utilities.

Mr. Kenny also included the following previous correspondence that has taken place regarding Article XX of the Town Bylaws:

1. Communication dated August 26, 1994 from Town Counsel to Ralph Tyler requesting Mr. Tyler's input regarding the Town's investigation into the formulation of regulations.

2. Communication dated September 21, 1994, from Ralph Tyler to Town Counsel outlining issues which he opines should be addressed the regulations for the replacement or upgrading of overhead utilities under Sudbury's Bylaw Article XX.

3. Internal meeting notes dated August 26, 1994, regarding utility regulations. Those present at the meeting were: I. William Place, Jack Hepting, Warren Boyce, and Janet Silva.

Following a thorough review, the Board of Selectmen unanimously concurred with Town Counsel's communication of January 20, 1995, in which he repeated his previously held position that there is no authority, outside of a change in the Bylaw by Town Meeting, to establish the type of regulations desired by Mr. Tyler, and procedural regulations which may be allowed are already provided for. The Executive Secretary was directed to so inform Mr. Tyler.

Health Insurance - Financial Situation

The Board acknowledged receipt of a communication dated January 19, 1995, from Budget & Personnel Officer Terri Ackerman in which she submits a preliminary analysis of the current financial situation of the Town's Blue Cross Blue Shield trust fund as a result of a meeting with Secretary Thompson and Town Treasurer/Collector Mary Ellen Normen Dunn.

Ms. Ackerman stated that she has requested the Town's health consultant Art Bomengen to confirm the estimates and has requested his guidance concerning the health of the trust fund--the amount needed to create reserves for a healthy trust fund and guidance in allocating the reserve.

There being no further business, the meeting was adjourned at 11:15 p.m.

Attest: Richard E. Thompson
Richard E. Thompson
Executive Secretary-Clerk