

IN BOARD OF SELECTMEN  
JUNE 11, 1973

Present: Chairman William F. Toomey, John C. Powers, and John E. Taft

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The statutory requirements as to notice having been complied with, the regular meeting was called to order at 7:30 p.m. by Chairman William F. Toomey.

Tax Anticipation Notes

Present: Town Clerk Betsey M. Powers

The Selectmen received a communication from William E. Downing, Treasurer, dated June 8, 1973, in which he requested the Board's approval to borrow \$1,500,000 on Tax Anticipation Notes, awarding the bids as stated in his letter.

It was on motion unanimously

VOTED: To accept the recommendation of the Town Treasurer and the Executive Secretary to award the bids on \$1,500,000 Tax Anticipation Notes as follows:

First National Bank of Marlboro	4.50%	100M
Guaranty - First Trust Co.	4.55%	100M
Framingham Trust Co.	4.60%	200M
Community National Bank	4.60%	50M
Guaranty - First Trust Co.	4.64%	100M
Newton Waltham Bank & Trust Co.	4.65%	250M
New England Merchants National Bank	4.70%	250M
Newton Waltham Bank & Trust Co.	4.70%	450M

Site Plan Application #73-113 - Sylvia Silverman, 717 Boston Post Road

Present: Sylvia Silverman, applicant; Francis E. White, Zoning Enforcement Agent; Jane Gillespie of the Planning Board; Rudolph V. Marrone and Janet Brennan, abutters

Francis E. White, Zoning Enforcement Agent, submitted the site plan for the Studio of Ballet Arts, 717 Boston Post Road, and gave his report. Chairman Toomey stated that the owner of the property and all abutters had been notified of the hearing. The Board received a letter dated May 22, 1973, from the Zoning Enforcement Agent, which stated that the Studio of Ballet Arts is presently in violation of permit conditions relating to hours of operation, and a communication, dated June 7, 1973, from the Planning Board, which recommended disapproval because of zoning violations.

The Board was also in receipt of a communication, dated May 16, 1973, from Mr. William E. Cummings, relative to rental of a garage on the property by two members of the Bay State Corvette Club.

Mr. Marrone, an abutter, stated his strong objection to the night classes now being held at this location from 6:00 p.m. to 9:30 p.m.

Town Counsel reported that the Town of Sudbury is presently a respondent in a suit regarding this property. Town Counsel stated that Mrs. Silverman has leased the studio in an individual for the conduct of slimnastic classes and that the terms of the permit granted to Mrs. Silverman are now being violated. Town Counsel also stated that the Board of Appeals, on June 12, 1973, will continue the hearing on the petition of Sylvia Silverman for renewal of the permit to operate the Studio of Ballet Arts.

Mrs. Gillespie of the Planning Board stated that she would urge the Selectmen not to sign the site plan until the owner of the property had answered several pertinent questions from the Planning Board.

Following further discussion, it was on motion unanimously

VOTED: To continue consideration of the site plan application until June 25, 1973, at 9:30 p.m., and

It was further

VOTED: To request that the property owner be present at this continuance as well as members of the Planning Board.

#### Public Hearing - Condition of Local Gas Stations

Present: Francis E. White, Zoning Enforcement Agent; Victor Mangini, President of P.R.I.D.E.; Richard Briden of the Sign Bylaw Revision Committee; Edward Connors, Eben Stevens, Jane Gillespie and Paul McNally of the Planning Board; Gilbert Parmenter of the Business Advisory Committee; Irving Place, James Mercury, Algy Alexander, James Alexander, George Gibson, Peter George, Lawrence Fleming, Joseph McCullough, and Anthony Maiuri, owners or managers of local service stations

Chairman Toomey stated that the hearing was being held for the purpose of identifying problems, establishing some groundrules for dealing with them, and reaching some agreement to end the violations that now exist at the majority of these stations.

The Zoning Enforcement Agent, in a report to the Selectmen, dated June 7, 1973, had determined problems and zoning violations for each individual service station and explained to the owners that updated site plans would not only help to reduce these violations, but would also aid the station owners to better utilize their property.

Mr. Fleming of the Mobil Service Station, 432 Boston Post Road, stated that a lack of cooperation from the distributors' engineering departments was a large factor in their site plan non-compliance, in addition to lack of time and the expense involved.

Mr. Gibson, speaking for Mr. George at the BP Service Station, 227 Boston Post Road, requested that a list of site plan requirements be made available to the owners.

The members of the group were asked their opinion as to the value of displaying the numerous advertising signs distributed by the oil companies. It was their consensus that business did increase in the areas that were advertised.

Selectman Powers stated that the Board's rules and regulations governing site plan submission should be reasonable to applicants and not present a hardship; therefore, the Board would look to the owners for comments and suggestions for revisions.

Chairman Toomey announced that, during the period in which possible revisions of the rules and regulations will be discussed, violations of the present bylaws will be pursued. In addition, Mr. Toomey announced that a Sign Bylaw Committee has been appointed to study Town Bylaws as they relate to signs, as well as to suggest amendments that will allow uniform enforcement of the same.

It was agreed that the Executive Secretary would send the Board's site plan submission rules and regulations to each owner or manager of a local service station. It was further agreed to send to each manager or owner the Zoning Enforcement Agent's report, dated June 7, 1973, the minutes of this meeting, and a copy of the pertinent bylaws.

Chairman Toomey asked that the service station owners work through the Executive Secretary and the Zoning Enforcement Agent to resolve any problems associated with their stations. Mr. Toomey stated that following a period of six months, the Zoning Enforcement Agent update his report and another meeting will be scheduled.

#### Temporary House Trailer Permit

The Board received a communication, dated June 8, 1973, from the Building Inspector relative to a recent request for an extension of a special permit for a house trailer at 3 Stock Farm Road, during the rebuilding of a fire damaged home. The Building Inspector's communication recommended that the permit for the trailer, which had been granted by the Board on January 31, 1973, for a period of three months, be cancelled for non-compliance with conditions made at the time of granting and that the Building Inspector be authorized to proceed with action to have the hazardous burned structure removed or made safe.

On the recommendation of the Executive Secretary it was unanimously

VOTED: To authorize the Building Inspector to proceed in accordance with the recommendation made in his communication of June 8, 1973.

Blue Cross-Blue Shield Contracts

Present: Earl Hoyle and Josiah Frost

Members of the Insurance Advisory Committee met with the Board relative to the 1973-74 contract with Blue Cross-Blue Shield insurance coverage for Town employees.

Regarding the renewal of the Blue Cross-Blue Shield contract, it was the recommendation of the Insurance Advisory Committee that quarterly loss statements and a breakdown of payment coverage be forwarded to the Board of Selectmen as stated in the Insurance Advisory Committee communication of April 11, 1973.

The Insurance Advisory Committee also requested that the Selectmen notify the bargaining agencies and the teachers that the contracts have been signed at the 1969 level of coverage, and that an additional level of coverage would be a proper item for discussion during the next collective bargaining sessions.

Chairman Toomey stated that the Board would direct the Executive Secretary to send to Blue Cross-Blue Shield a request strongly urging them to forward to the Board quarterly loss statements and a breakdown of payment coverage, and would take under advisement the Insurance Advisory Committee's suggestion relative to the level of coverage.

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

VOTED: To contract with Blue Cross-Blue Shield for the policy year May 10, 1973, through April 10, 1974, to provide medical hospital insurance for Town employees in accordance with Contract #ME 3 7-1-66 with Rider ME 3R 317 (1-1-69), SC 148 (69) 1-1-72, MSC 7C (69) 1-1-72, and EB 1 (69) 1-1-72.

Equal Employment Act

The Executive Secretary announced that under the Equal Employment Act program, the Town of Sudbury has five positions open for disadvantaged youths, 16 years or older, for employment during July and August, at the rate of \$1.85 per hour for a 26-hour week. The Executive Secretary stated that prospective applicants should contact his office.

Reallocation of Space - Second Floor, White Building

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

VOTED: To approve the proposed plan for reallocation of space in the White Building, second floor, as drawn on a plan dated May 12-23, 1973.

Minutes

The Board voted unanimously to approve the minutes of the regular meeting and the executive session of June 4, 1973, the former as corrected.

Appointment

Chairman Toomey announced the appointment of Bertram Weinstein to the Board of Registrars.

Town Counsel

Cherry Sheet Distribution - Town Counsel reported on the June 7, 1973, meeting on East Bridgewater, which was concerned with the inequities of the cherry sheet distribution through the use of equalized valuation figures in the distribution of Chapter 70 educational funds and the question of legality of the cherry sheet distribution figures, Town Counsel stated that at this meeting he had announced Sudbury's intention to join with other towns in a suit against the Commonwealth, and that approximately ten other towns had then indicated that their Boards of Selectmen would also join and offered their financial support. Town Counsel was requested to supply the Board with a projected cost figure for such suit by next week, and the information will then be forwarded to all towns which indicated their support at the June 7th meeting.

H.6645 App A, H.6645 App B, H.6645 App C, and H.6645 App D - Town Counsel reported that, of the four bills which are concerned with changes in distribution formulas for State aid in the areas of regional school construction, school transportation, school construction, and reimbursement for taxes lost due to State-owned properties, three have been reported out of committee unfavorably, and that the fourth is expected to be reported out in the near future.

Treasury Warrants

The Selectmen signed a payroll warrant in the amount of \$154,433.48 and a bills payable warrant in the amount of \$54,794.77.

Executive Session

It was on motion unanimously

VOTED: To enter into executive session for the purpose of discussing, deliberating or voting on a matter which, if made public, might adversely affect the financial interest of the Town and the reputation of any person.

There being no further business to come before the Board, it was on motion unanimously

VOTED: To adjourn at 11:45 p.m.

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