

IN BOARD OF SELECTMEN
TUESDAY, DECMEBER 27, 1977

Present: Chairman John C. Powers, Ira M. Potell and William F. Toomey

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:35 p.m. by Acting Chairman Ira M. Potell.

Governor's Veto - Middlesex County Budget

It was on motion by Selectman Toomey unanimously

VOTED: To recommend to the Governor that he veto the Middlesex County Budget, as recommended by the Middlesex County Advisory Board, and to request Sudbury's Senator and Representatives to sustain the Governor's veto of the Middlesex County Budget, if made.

Chairman Powers arrived at 7:40 p.m.

Village Green, 29 Hudson Road, Sudbury

Present: Building Inspector Francis E. White, General Contractor John Antaramian

It was on motion unanimously

VOTED: To discuss construction matters regarding the site plan for the Village Green Shopping Center, 29 Hudson Road, an item which is not on the agenda for this meeting.

Executive Secretary Richard E. Thompson said that he and the Building Inspector, Francis E. White, had visited the Village Green site today in order to investigate construction problems there. Mr. Thompson's recommendation in regard to the problems were as follows: 1) that the General Contractor, John Antaramian, proceed with the completion of the septic system as soon as possible; 2) that the building be secured properly to prevent further encroachment of birds (a major problem since the birds are coming in through the air-conditioning ducts and heating units, and their droppings are littering the building, which is a constant complaint of the tenants); and 3) that further discussion be continued at the Board's meeting on January 9, 1978.

Mr. Thompson further stated that the site plan, a copy of which Mr. White has with him tonight to present to the Board, is being heard by the Planning Board tonight at the White Building.

Chairman Powers expressed his unhappiness and strong objections to the construction work which is being done at the Village Green Shopping Center without any authorization and quoted the vote of the Board of November 28, 1977, which reads as follows: "To extend Site Plan #76-171 for Village Green, 29 Hudson Road, on behalf of the Coolidge Bank and Trust Co. for a period of thirty days from this date (November 28, 1977) for the 'sole' purpose of completing the construction of the septic system currently under construction on the site and the securing of the building in which deterioration is occurring." Chairman Powers asked the Building Inspector to comment on this.

Mr. White gave information on construction completed for safety purposes in accordance with the Board's November 28th vote and mentioned additional unapproved construction involving covering steel beams in the rear portion of the restaurant building.

Mr. Toomey made reference once again to the above-quoted vote and said that Mr. Antaramian, the General Contractor, had exceeded what he had been authorized to do by the completion of construction of steel beams covered with wood and a beautification project; but that he would agree to give him an extension of time for the completion of the septic system, currently under construction but delayed on account of cold weather and frost.

Mr. Antaramian responded that he believed he was only performing work in accordance with the Board's November 28th vote, and was only attempting to appease both his employer and the tenants of Village Green.

Chairman Powers again emphasized that the Village Green Shopping Center does not have an approved site plan and that no work can commence further without the approval of this Board.

Chairman Powers strongly insisted that only the authorized construction be completed, and if not, a cease and desist order would be issued on the entire project.

Selectman Potell also stressed that Mr. Antaramian must comply with the construction limitations set by the Board. Mr. Antaramian replied that he would do so.

Selectman Toomey suggested a motion that the General Contractor, Mr. Antaramian, complete the work required to enclose the air-conditioning ducts; and that if there are problems in completing the septic system because of the frost, that the Board be approached for an extension for completion; otherwise, the Board has no other course but to pursue the issuance of a cease and desist order.

It was on motion by Selectman Toomey unanimously

VOTED: That the General Contractor, John Antaramian, be allowed to complete the septic system and the construction of the silo and the two remaining open vents at the rear of the project; namely, the air-conditioning duct and the heating unit.

It was further directed that Building Inspector Francis E. White check the work on a daily basis to see that Mr. Antaramian does not exceed what he has been authorized to do.

Jurors

Present: Betsey M. Powers, Town Clerk

The Board drew the name of Carl B. Becker, 78 Old Coach Road, and Vladimir Kenn, 16 Intervale Road, to serve at Cambridge Court commencing February 6, 1978; Robert E. Samson, 7 Lake Shore Drive, to serve at Lowell Court commencing February 6, 1978.

Personnel Board Appointment

Present: Sahag R. Dakesian, candidate for appointment

At the Board's last meeting (December 19, 1977), five other candidates were interviewed for the purpose of filling the vacancies on the Personnel Board. Tonight, the Board interviewed the remaining candidate, Sahag R. Dakesian, as to his interest in and qualifications for serving on the Personnel Board.

Chairman Powers thanked Mr. Dakesian for attending the Board's meeting tonight and indicated that the Board will vote on appointments to the Personnel Board on January 3, 1978, and that Mr. Dakesian will be notified as to the decision of the Board. It was on motion by Selectman Toomey unanimously

VOTED: To table the appointments to the Personnel Board until the Board's next meeting on January 3, 1978.

Site Plan Application #77-185 - Buckley Heating, Inc.

Present: John M. Collins, Attorney for the applicant; Richard Duval of Buckley Heating, Inc.; Francis E. White, Zoning Enforcement Agent

In accordance with Article IX, Section V, paragraph A of the Sudbury Bylaws, the Board considered the Site Plan Application #77-185 of the Buckley Heating, Inc., for property located at 440 Boston Post Road, owned by Camseth Family Trust (AMOCO Station).

Selectman Toomey requested that the Board also consider this item along with the item of the Public Hearing on the application of Buckley Heating, Inc., for increased storage of inflammables (gasoline), for property located at 440 Boston Post Road and owned by Camseth Family Trust (AMOCO Station), but according to Attorney Collins, other interested parties would be present at 8:30 p.m., the time allotted for the storage item. The Board agreed to proceed with discussing the 8:00 p.m. hearing only.

Executive Secretary Richard E. Thompson reported that all appropriate abutters and Town officials had been notified and that reports had been received as follows: 1) from the Zoning Enforcement Agent, dated November 28, 1977, recommending approval; 2) from the Board of Health, dated December 1, 1977, with recommendations; 3) from the Planning Board, dated December 20, 1977, recommending conditional approval; 4) from the Conservation Commission, dated December 12, 1977, recommending that a more complete plan be made available before action is taken; and 5) from the Sign Review Board, dated December 21, 1977, requesting that the applicant be advised of the setback requirements for a sign.

Mr. Thompson read the Board of Health's letter dated December 1, 1977, which stated that the sewerage system that was shown on the site plan is incorrect and recommended that the precise location of the septic tank and the distribution box, the size of the leaching area and all connecting pipes be provided on the final plan.

Mr. Thompson called attention to the letter dated December 20, 1977, to the Board of Selectmen from the Chairman of the Planning Board, Edward W. Connors, Jr., detailing a vote of the Planning Board at its December 19 meeting, recommending approval of the site plan with the following considerations: 1) that underground wiring to the building be requested; 2) that a change in the location of the easterly curb cut be requested for more gradual access to the property; and 3) that a detailed layout of the septic system be included on the plan.

Executive Secretary Thompson also read a letter dated December 15, 1977, to the Planning Board from John M. Collins, Esq., complying with the Planning Board's request at their December 12th meeting to submit a photograph of a gasoline station which closely resembles the proposed facility at 440 Boston Post Road (AMOCO Station) and a list of gasoline stations owned by the applicant (Buckley Heating, Inc.).

Mr. Thompson further reviewed a memo dated December 6, 1977, written to the Planning Board from Reuben L. Seth, Trustee of the Camseth Family Trust, in response to a letter from Building Inspector Francis E. White, dated November 22, 1977, regarding the scheduled consideration by the Board of Buckley Heating, Inc.'s application for Site Plan #77-185. In the memo, Mr. Seth expressed the disapproval of the Camseth Family Trust of the type of gas station planned and said that the Camseth Family Trust is still the owner of the barber shop next to the gas station.

Mr. Thompson told the Board that Mr. White had a copy of the site plan dated November 28, 1977, available for review.

At this time, Mr. Richard Duval arrived.

Chairman Powers requested a copy of the Buckley Heating, Inc., lease since neither Attorney John Collins nor Mr. Richard Duval knew the exact expiration date, although they both agreed it was "about 1979". (AMOCO had the original lease which was assigned to Buckley Heating in 1968.) Attorney Collins commented that the lease did contain a provision or option to purchase the property for a stated amount, but said option had not been exercised.

The Board asked Mr. Duval what plans he had for the property at 440 Boston Post Road. He explained that the gas station is not doing well presently with the gasoline business because the price of gas is three to four cents higher than other nearby stations, and that it is basically a repair shop. Also, Attorney Collins stated that in its present condition, the station has a very poor esthetic appearance. Mr. Duval's plan includes replacing the present structure with a small steel and glass building for basic operational purposes placed further back on the property than the present one which is very close to Route 20. Attorney Collins said that there will be an attendant stand and six pumps with a canopy over them for the sole purpose of dispensing gasoline, adding that there will be no repair work done on the property, with the exception of windshield wiper replacement, oil, and etc. Attorney Collins also said that the Town of Sudbury could expect more taxes from the property once the building is improved.

It being 8:30 p.m., the time for the hearing on gasoline storage for the same applicant, the Board agreed to discuss both the site plan and application for gas storage together.

Chairman Powers questioned Mr. Duval with regard to the Conservation Commission's concerns, stated in their communication of December 12, 1977, for the high water table and the storage of the gasoline. Mr. Duval assured the Board that he would not want to waste an investment of gasoline due to improper storage.

Executive Secretary Thompson referred to a letter to John M. Collins, Esq., dated October 27, 1977, from the Building Inspector, Francis E. White, and the Board questioned Mr. Duval and Mr. Collins on the six recommendations in the letter above-mentioned, and received information or comments as follows: 1) Curb cut permits from the Massachusetts Department of Public Works (Mass. D.P.W.) have been received; 2) Application to the Board of Selectmen for proposed increased storage has been completed; 3) Agreed Buckley Heating, Inc., does not have written permission from the Mass. D.P.W. to place berms and shrubs on their property; 4) Rubbish storage area is now shown on plans; and 5) The building and land that the "Barber Shack" is on is owned by the Camseth Family Trust and is shown on the site plan.

Following review by Chairman Powers of the requirements for acceptance of the site plan, it was on motion unanimously

VOTED: To deny without prejudice approval of Site Plan application #77-185 of Buckley Heating, Inc., for property located at 440 Boston Post Road, for the following reasons:

- 1) The Site Plan submitted by Buckley Heating, Inc., should show the contiguous owners;
- 2) The "Barber Shack" property easement or right-of-way for an entrance and exit, if the gas station property is purchased by means of an option in the lease, is non-existent or unclear at this date;
- 3) It is unclear whether the two properties (AMOCO Station and "Barber Shack") share the same water line and septic tank system (refer to the Board of Health's letter dated December 1, 1977);
- 4) The following recommendations as set forth in the Planning Board's letter of December 20, 1977, have not been thoroughly investigated by the applicant: a) underground wiring to the building should be installed; b) a suggested change in location of the easterly curb cut should be requested from the State Department of Public Works for more gradual traffic access or entrance to the property; c) a detailed layout of the septic system should be included on the plan; and
- 5) All proposed signs should be included on the Site Plan, with accompanying Sign Review Board approval.

Buckley Heating, Inc. - Increased Storage of Inflammables

Present: Attorney John Collins, Richard Duval of Buckley Heating Inc.,;
Francis E. White, Building Inspector

In accordance with the provisions of Chapter 148 of the General Laws, application was made by Buckley Heating, Inc., 99 Crescent Street, Worcester, doing business as Sudbury American (AMOCO), for increased storage of gasoline underground on property located at 440 Boston Post Road owned by Camseth Family Trust of Westford, Massachusetts. The application requests storage underground of 10,000 gallons regular gasoline, 8,000 gallons premium gasoline, and 6,000 gallons no-lead gasoline, for a total storage of 24,000 gallons to replace the present approved storage of 8,000 gallons gasoline underground and 500 gallons fuel oil and 500 gallons waste oil above ground.

Executive Secretary Richard E. Thompson reported that all appropriate Town departments and abutters had been notified and return receipts had been received. He further noted that the application had been approved by Chief Josiah F. Frost on October 13, 1977, and that his subsequent report dated December 9, 1977, indicates approval providing that the new tank and installation meet the Department of Public Safety Board of Fire Prevention Regulations. Also, a report dated December 12, 1977, had been received from the Building Inspector, Francis E. White, indicating approval.

Mr. Thompson noted that a communication had been received from Attorney Collins, dated November 2, 1977, enclosing a plan showing the proposed location of the underground gasoline storage area which is unaffected by other alterations to the plan.

Chairman Powers questioned Mr. Duval and Attorney Collins in regard to the necessity for increased storage of gasoline.

Attorney Collins stated that large volume purchase is the best way to keep the cost of gasoline down to the consumer.

Selectman Potell disagreed with the statement noting that the ratio remains the same in selling three times the quantity as is presently sold and voiced his opposition to greater storage and his opinion it would result in an increase in traffic. He further stated that with the added storage, the AMOCO Station would have the second largest storage in Town. Selectman Potell added that any future site plan or application for gas storage should address and clearly clarify all the questions raised tonight.

Selectman Toomey agreed with Selectman Potell and stated that because the AMOCO Station is only 9,980 square feet in area, it should not be comparable to other, larger stations with regard to storage. Attorney Collins disagreed, stating all gas stations store gas in underground tanks adjacent to pumps regardless of land area.

Selectman Toomey also stated his disagreement with the applicant's plans for discontinuing repair service and stated that, in his opinion, the AMOCO Station should be a full-service station, not just a gas station operating at a profit on gasoline sales only. Selectman Toomey added that the Town wants and desires full-service gas stations--and that we are losing too many of them.

Chairman Powers said he had sympathy with Mr. Toomey's concerns, but that the issues before the Board are not the type of service station or

economics, but the lack of a proper site plan being before the Board and other unanswered questions regarding the lease and easements.

Chairman Powers further stated that there must be a resolution to the technical issues raised on the site plan and storage application before the matter returns to the Board, as Mr. Potell suggested, and would therefore recommend the application be denied without prejudice.

After further discussion, it was on motion by Selectman Potell, unanimously

VOTED: To deny without prejudice application of Buckley Heating, Inc., for an increase in storage of inflammables on the property located at 440 Boston Post Road, owned by Camseth Family Trust, for the reasons stated above.

It was on motion unanimously

VOTED: To recess the regular session for five minutes at 9:20 p.m.

Wayside Package Store, Inc., and Sudbury Liquors, Inc.

Present: John F. Canty, Jr., Attorney for Wayside Package Store, Inc.,
Joseph T. Turner, Attorney for Sudbury Liquors, Inc., Edward F.
Newell, Attorney for The Colonial Spirits and MacKinnon's
Package Store

Chairman Powers stated that he had called this informal meeting tonight with the managers and representatives of the Wayside Package Store, Inc., and Sudbury Liquors, Inc., to discuss operations under the current package goods store license for Wayside Package Store, 119 Boston Post Road. He said specifically that the Board would like to have the following questions answered:

- 1) Is the corporation currently operating the business Wayside Package Store, Inc.?
- 2) Is the inventory in the premises owned by Wayside Package Store, Inc., and does the personnel working at the premises work for and are they paid by Wayside Package Store, Inc.?

Attorney John F. Canty, Jr., representing Wayside Package Store, Inc., said that he had advised his clients, the McManuses, not to attend this meeting, because after receiving very short notice of said meeting, they were not prepared to answer the Board's questions, especially since they did not understand exactly why they had been called to meet with the Board as the letter received was not clear. He also questioned whether his answers might affect the issuance of Wayside Package Store, Inc.'s 1978 license. (He noted that the application for transfer was withdrawn without prejudice.) He further stated that he and his clients would be glad to return at a future date to address the Board's concerns, once he had a clear picture of exactly what its concerns are.

Chairman Powers said that certainly the 1978--and even the 1977--licenses could be affected depending on what information was received, and that the license for 1978 has been voted for by the Board, but was subject to final

approval after the annual inspection of Wayside Package Store, Inc. He further stated that there were some very simple questions that the Board wanted answers to, as follows:

- 1) Who is currently operating Wayside Package Store, Inc.?
- 2) Who pays the bills?
- 3) Who pays the payroll?
- 4) Where does the stock come from that goes on the shelves?

Chairman Powers further stated that the Board wanted some answers from properly qualified persons on the present operational matters. For example, what is the operating status of Wayside Package Store, Inc., right now? Who owns and distributes Thrifty Liquors?

Attorney Canty told the Board that Wayside Package Store, Inc., buys Thrifty Liquors from Mr. Turner's wholesaler which is International Limited doing business in Medford.

Executive Secretary Richard E. Thompson said that his office had received a letter at 1:42 p.m. today from Mr. Edward F. Newell, Esq., representing The Colonial Spirits and MacKinnon's Package Store. Attorney Newell's letter was in regard to the license transfer of Wayside Package Store, Inc., and the stock and control of Thrifty Liquors, Inc., since the latter part of October, 1977.

At this time, it was on motion, following a unanimous roll call vote

VOTED: To enter into Executive Session for discussion of possible litigation, where open discussion of the same might have a detrimental effect.

Chairman Powers stated the public session would be reconvened.

It was on motion unanimously

VOTED: To call the regular session meeting back to order at 10:05 p.m.

Wayside Package Store

It was on motion unanimously

VOTED: To table the matter of discussing operations under the current package goods store license for Wayside Package Store, Inc., in order that Town Counsel Paul L. Kenny and Attorneys Canty and Turner could meet privately and report back to the Board later in the evening.

Regional Dispatch Center - 1978 Annual Town Meeting

Present: Fire Chief Josiah F. Frost, Fire Chief George F. Whelan of Maynard, Firefighter Thomas Norton, Chairman of the Technical Committee for the Regional Dispatch Center Committee

On the question of approving an article for the Regional Dispatch Center for submission for the 1978 Annual Town Meeting, Chairman Powers read and submitted a written report dated December 27, 1977, a copy of which is attached hereto and made part of these minutes.

Selectman Toomey suggested another meeting later in the week for further discussion of the material after having time to study it. He stated that he wanted to know more about contribution of the equipment and the cost to each town involved in the Dispatch Center.

Firefighter Norton assured the Board that each town would be contributing equipment equally. He further mentioned that there would be four new dispatch tower transmitters, one on Green Hill in Sudbury, one in Acton and one in Concord and one in Stow.

Selectman Potell talked about the involvement of the towns in the future if the contract labor (non-firefighters at the Dispatch Center) became involved in unionizing.

Chief Frost replied that it was inevitable that the Dispatch Center might eventually attempt to form a non-firefighters union.

Executive Secretary Richard E. Thompson mentioned that it would only be necessary to have five civilian dispatchers at the Dispatch Center in order to make application for union status.

Chairman Powers asked Chief Whelan to explain the facilities and operation of the Dispatch Center.

Chief Whelan explained that the Dispatch Center would free most towns of four firefighters to do fire work by having civilian dispatchers, thereby saving large costs in overtime yearly.

Mr. Norton further explained the system of receiving calls and mentioned some of the equipment of the Dispatch Center, as follows: 1) A 911 system may be used later for receiving calls, whereas the Dispatcher would know immediately where the person was calling from. With this system, the Dispatch Center would be in direct contact with all participating towns, the State Police and Civil Defense Headquarters. 2) New radio equipment would be installed. 3) A new fire alarm cable would be extended to the Dispatch Center to tie in all towns; approximately one mile in length.

Selectman Potell stated that he had more questions and needed more time to study the material.

Selectman Toomey suggested further discussion of this subject at a later date, but as soon as possible.

It was on motion by Selectman Potell unanimously

VOTED: To submit a "bookmark" article for Regional Dispatch Center for submission for the 1978 Annual Town Meeting until the Board's next meeting on January 3, 1978.

Chairman Powers thanked Chief Frost and his guests for their attendance.

Dog Officer Budget 1978-9

In regard to the Dog Officer's Budget, Executive Secretary Richard E. Thompson requested that the budget be submitted with some modification to it. It was agreed by the Board that a line item be inserted in the Dog Officer's Budget for dog pound facilities in the amount of Ten Thousand Dollars (\$10,000.00), and the Selectmen's "bookmark" article for Dog Control facilities be withdrawn.

The Executive Secretary was directed to prepare a Selectmen's report to be printed in the Warrant under the Budget Article section dealing with the Dog Officer's Budget.

Law Budget 1978-9

The Board reviewed a memorandum dated December 21, 1977, from the Executive Secretary relative to Town Counsel's retainer and court fees, and after discussion of the same, it was on motion unanimously

VOTED: That the hourly rate paid Town Counsel for court litigations be increased from \$25 to \$35 commencing July 1, 1978 (see minutes of February 13, 1978); and it was further

VOTED: That the retainer fee for Town Counsel be increased from \$11,000 to \$12,500 commencing July 1, 1978.

In relation to the above votes, the Executive Secretary was directed to increase line item 503-21 by One Thousand Dollars (\$1,000.00) and line item 503-10 by Fifteen Hundred Dollars (\$1,500.00) in the Law Department 1978-9 Budget.

Fire Budget 1978-9

Present: Fire Chief Josiah F. Frost

At the Board's last meeting, more information was requested for consideration of approval of the Fire Department Budget line item 310-12. Executive Secretary Richard E. Thompson referred to a letter dated December 20, 1977, from Fire Chief Frost explaining the details regarding school coverage (line item 310-12).

Chief Frost said that, in accordance with past practice, he covered the men for the first semester of school and not the second. Chief Frost stated Firefighters are going half of the time to school on their own time, and that this was a precedent set by the previous Fire Chief. Selectmen Toomey and Potell disagreed with such a procedure for covering Firefighters while attending school, because it is not done in the Police Department or any other Town department; and further directed the Executive Secretary to discuss the same with Labor Relations Counsel.

After further discussion, it was on motion unanimously

VOTED: To approve line item 310-12 of the Fire Department 1978-9 Budget regarding school coverage for Fire Department, as submitted by the Fire Chief.

Restaurant/Club Alcoholic Beverages License Holders - 1:00 a.m. Closing

Executive Secretary Richard E. Thompson suggested the Board approve extension of the 1:00 a.m. weekend closing time for restaurant/club alcoholic beverages license holders for a period longer than six months in order to avoid reviewing the item again in six months. He further reminded the Board that the Chief of Police does not approve of the 1:00 a.m. closing time.

Selectman Potell suggested approval of the 1:00 a.m. closing for a six-month period if, at the end of that time, the Board could receive a report from the Police Chief on such things as increased accidents, police calls, etc., due to the extended closing time.

It was on motion by Selectman Toomey unanimously

VOTED: To extend the 1:00 a.m. closing time for all restaurant/club alcoholic beverages license holders, provided that food is served and the kitchens remain open, until 1:00 a.m., on Friday and Saturday nights only, until June 30, 1978.

The Board requested that the Police Chief keep a log of any police calls, accidents or complaints related to the 1:00 a.m. closing time and compile a report at the end of the six months for the Board's review.

Gasoline Bids

Executive Secretary Richard E. Thompson requested that the Board table the consideration of bids received and the question of continuing the current agreement with Atlantic Richfield for supplying gasoline for the period January 1, 1978, through December 31, 1978, in order to investigate the Federal regulations and bid requirement.

It was on motion by Selectman Toomey unanimously

VOTED: To table the question of taking action on bids received for furnishing gasoline and continuing the current agreement with Atlantic Richfield for supplying gasoline for the period of January 1, 1978, through December 31, 1978.

Appointment to the Board of Appeals

On the question of making an appointment to the Board of Appeals, it was on motion by Selectman Potell unanimously

VOTED: To make the following appointment:

Joseph A. Klein, 45 Stone Road, to the Board of Appeals for a term to expire April 30, 1978, replacing Eunice H. Secatore.

Board of Selectmen's Annual Report - 1977 Town Report

In regard to the question of approving the Board of Selectmen's Annual Report for the 1977 Town Report, it was on motion unanimously

VOTED: To table the subject until the Board's next meeting.

Approving Warrant Reports - Selectmen's Monied Articles

Following review, the Board approved the Selectmen's 1978 Annual Town Meeting monied article reports as prepared by the Executive Secretary.

Minutes

It was on motion unanimously

VOTED: To approve the regular minutes of December 12, 1977, and the Executive Session minutes of December 19, 1977, as submitted; and to approve as corrected the Executive Session minutes of December 12, 1977, the regular minutes of December 13, 1977 (continued from December 12, 1977), and the regular minutes of December 19, 1977.

Use of Town Hall Facilities - Upper Town Hall

After a short discussion on the consideration of a request from Kevin McKnight to waive Item 3A, Section O, Policy for Use of Town Hall Facilities of the Selectmen's Policies and Procedures, relative to use of Upper Town Hall for a dance open to public to be held on January 14, 1978, it was on motion unanimously

VOTED: To deny the above-referenced request from Kevin McKnight dated December 19, 1977.

Salt Storage Shed

Executive Secretary Richard E. Thompson read a communication from the Commonwealth of Massachusetts dated December 19, 1977, to Robert A. Noyes, Highway Surveyor, notifying the Town of Sudbury that it had been selected as one of the fourteen communities to be funded for the construction of a salt storage shed. (The approximate cost of the facility would be \$30,000.00 - the site would be adjacent to the Town garages.) Mr. Thompson stated that he had forwarded a copy of the letter to the Water Department.

Wayside Package Store

Following his discussion with Attorneys Canty and Turner requested by the Board earlier in the evening, Town Counsel Paul L. Kenny reported that Attorney Jack Canty had something to say to the Board.

Attorney Canty said that it was not his or his clients' intention to keep any information from the Board, but that they were entitled to know if what he said on his clients' behalf would affect the 1977-8 license of Wayside Package Store, Inc. He suggested setting a date at which time he would answer the concerns of the Board in affidavit form. Attorney Canty went on to say that right now Mr. McManus is paying the bills of Wayside Package Store, Inc., and that Wayside Package Store, Inc., stocks Thrifty Liquors. He asked what other information the Board wanted to know.

Chairman Powers said that, for the purposes of the record, the Board has the responsibility as the Licensing Authority in the Town of Sudbury, to be sure that the Wayside Package Store, Inc., is operating in a proper manner

and following the regulations of the Alcoholic Beverages Commission. He further stated that the Board was therefore requesting Town Counsel to talk with the attorneys and their clients for the purpose of clearing up the previously raised questions of the Board, and to satisfy the Board as to its concerns. Chairman Powers continued by stating that he had hoped to avoid any formal investigation, although the Board has the authority to do so.

Town Counsel recommended that Attorney Canty consult with his client(s) as to their being agreeable to having himself and the Town Accountant do an informal check of the Wayside Package Store, Inc., records and operations to confirm that all is in order. Attorney Canty agreed and stated he would contact Town Counsel within the week with an answer.

After further discussion, it was on motion unanimously

VOTED: To request that Attorney Canty and his clients, the McManuses, make the books of the Wayside Package Store, 119 Boston Post Road, available for review by Town Counsel Paul L. Kenny and Town Accountant John H. Wilson who will then report back to the Board of Selectmen through the Executive Secretary.

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

VOTED: To adjourn the meeting at 11:30 p.m.

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