

**TOWN OF FRAMINGHAM**  
**SELECTMEN'S RECORDS**

\*REGULAR MEETING OF THE BOARD OF SELECTMEN JANUARY 11, 1971\*

The regular meeting of the Board of Selectmen was held at 7 p.m. Present: Mr. John F. King, Chairman, Mr. John F. DelPrete, Clerk, and Mr. Peter W. Ablondi.

WARRANTS:

#139 - Bill - Dec. 31, 1970 - \$549,025.18  
#140 - School Pay Roll - Dec. 31, 1970 - \$22,676.89  
# 3 - Pay Roll - Jan. 11, 1971 - \$228,044.48  
# 4 - School Pay Roll - Jan. 15, 1971 - \$398,990.26

AMUSEMENT LICENSES:

The following Amusement Licenses were granted (week days):

Maurice & Georgette Picard d/b/a Friar's Diner, juke box, 407 Waverly St., 8 a.m. to 12 p.m.  
Turnpike Theatre Corp. (Cinema I) - motion pictures, Shoppers' World, 1 Worcester Rd., 8 a.m. to 12 p.m.  
Turnpike Theatre Corp. (Cinema II) - motion pictures, Shoppers' World, 1 Worcester Rd., 8 a.m. to 12 p.m.

COMMON VICTUALER'S LICENSES:

Demetrios E. Gatzogiannis, 61 Nicholas Rd.  
Gourmet Industries, Inc. d/b/a Mr. Hamburg, 84 Worcester Rd.  
Robert Hensel d/b/a Clam Shop, 510 Union Ave.  
Maurice & Georgette Picard d/b/a Friar's Diner, 407 Waverly St.

MOTOR VEHICLE CLASS I LICENSE:

Gaston Andrey, Inc., 1800 Worcester Rd.

SUNDAY ENTERTAINMENT LICENSES:

Caesar Tamagno, Inc. d/ba Monticello Restaurant, January 10, 1971, rear 90 Worcester Rd.:  
1. Patron's dancing.  
2. Singer, comic, dancers, M.C., trio, background music.

RATIFICATIONS:

Sidewalk obstruction - James H. McIntyre - Concord St., (Western Union), ladder on sidewalk, 1/6-7.  
Open, occupy and obstruct st.:  
Howard M. Blades, 33 Hamilton St., sewer and water connections, Jan. 7 to 8.  
Worcester Gas Light Co., 119 Prospect St., test and repair gas main, Jan. 7 to Feb. 8.

APPLICATION FOR CERTIFICATE OF INCORPORATION:

The application of Antonio A. Matarese and Aaron K. Bikofsky, both of Framingham, (and others not residents of Framingham) for a certificate of incorporation under the name of "Project Discovery, Inc." to be located at 309 No. Main St., Natick, was approved as far as the Framingham residents are concerned and the Secretary of State so notified.

JURORS:

A juror was drawn to serve at Lowell, 2/1/71 as follows:  
Charles L. Marion, 50 Spruce St.

Jurors were drawn as follows to serve on Feb. 1, 1971 at Cambridge:  
Frank A. Gillani, Sr., 34 Beulah St.  
Irwin Shear, 4 Clearview Dr.  
Edward J. Jolley, 62 Wesley Rd.

HEARING:

A public hearing was held at 8 p.m. in the Selectmen's Office, Room 21, Memorial Building, on the petition of the Boston Edison Co. JO New Eng. Tel. & Tel. Co. for one pole on Sunset Drive, westerly side, approximately 130' north of Barton Rd. (this is an existing pole, no new pole to be set). William Stickney, representing the Boston Edison Co., was present in favor. There was no opposition, and the Board granted said petition.

EXECUTIVE SESSION:

The Board met in Executive Session with Lieutenant Robert Keefe of the Police Department concerning a personnel problem within the department.

ELIOT FARLEY EASEMENT:

The Board of Selectmen, Town Counsel, John M. Kahn and Assitant Town Engineer, William Fegan met to discuss the Eliot Farley easement. (Reports under date of January 8, 1971 were received from the Town Engineer and the Planning Board, as requested by the Board, in response to a letter from Carl A. Sheridan, Esquire to the Department of Public Works which was referred to the Board.) This matter has been referred to Town Counsel for appropriate action.

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(2)

### ARTICLE-ANNUAL TOWN MEETING:

Joel M. Winett appeared before the Board to submit an Article for the Annual Town Meeting of 1971. He requested consideration and approval of this petition so that action may be taken at the next scheduled Town Meeting. The Board voted unanimously to accept this Article, without the required signatures, to be included in a Special Town Meeting to be held within the Annual Town Meeting, if it is called.

### FISKE-HALL PROPERTY:

The Board noted receipt of a letter from Gilbert A. Bliss, Chief, Bureau of Recreation of the State Department of Natural Resources under date of January 4, 1971 in which he reported that the Fiske-Hall Property is considered available for snowmobile use during daylight hours only, on certain portions of the property. He advised that designated snowmobile areas will be marked in the near future at this location. Mr. Bliss stated they were concerned with the trail use conflicts and the impact of recreational trail vehicles and they would work towards a satisfactory solution to any problems that arise. A letter of thanks for their cooperation will be forwarded to Mr. Bliss, with a request that these signs be posted as quickly as possible.

### LEASH LAW:

A copy of a letter received from Joshua B. Clark in which he reported violations of the Town's leash law will be forwarded to Dog Officer, Lee Berte for a report. Mr. Clark cited in particular a violation by a dog owned by a neighbor who caused considerable damage to his property.

### SPECIAL TOWN MEETING - SCHOOL:

The Board noted receipt of a letter from Superintendent of Schools, Dr. Albert L. Benson, Jr. under date of January 7, 1971 in which he advised that the School Committee will request a Special Town Meeting to be held within the Annual Town Meeting for the purpose of submitting the proposal for the repair of the Winch Park Complex. A suggestion will be made to Dr. Benson that he confer with Town Counsel, John M. Kahn concerning submission of this Article in order that enough time is allowed for the printing and posting of the Warrant, assuring that compliance of all requirements will be legally covered.

### CONFERENCE - PENN CENTRAL RAILROAD (DOWNTOWN):

A conference, which was initiated by Chairman John F. King, was held at 8:25 P.M. with Penn Central Division Superintendent, Ernest Cross and Penn Central Attorney, Ralph Cahill regarding the long standing serious problems resulting from trains blocking downtown crossings. Present also were Police Chief Martins, Sergeant Robert Foley, Safety Officer and Fire Chief Jerome Byrne. Fire Chief Byrne pointed out the serious safety hazard caused when a train blocks several crossings downtown at the same time, noting that this isolates much of the South Side area from the fire station at Hollis St. which covers that section. He cited a recent emergency case in which firemen were unable to reach Pine St., from the Hollis St. fire station, and police vehicles were also blocked from the most direct route, because of a freight which was across all the Milford branch crossings and the Waverly St. crossing. He explained when crossings downtown are blocked it is necessary to send apparatus from more distant points at the Centre and at Concord St. headquarters. Both Chief Martins and Sergeant Foley concurred with Chief Byrne, noting also, the inconvenience to the general public and problems of traffic control resulting from freight movements in peak periods. Sgt. Foley said the main problems involved westbound freight movements. He reported there had been 28 crossing blockages since September. Chief Martins suggested elimination of freight movements during peak periods, 7:00 to 8:30 A.M. and 4:00 to 6:00 P.M. in an effort to correct some of the problems.

Chairman King, after the detailed explanation of the problems were presented, requested strongly complete cooperation from the railroad in alleviating these conditions. He stated the Board would take stronger action unless steps were taken by the railroad to correct these problems. Mr. Cross said it was impossible to stop movement of trains through the downtown area in peak periods as there were many factors dependent upon the freight trains. He explained they had no control inasmuch as they were an interstate commerce carrier. He noted that some action had been taken in an effort to curtail some of the problems by rerouting two trains and reducing the size of the trains. Chief Martins reported incidents where the main line was being used as a switching area. Mr. Cross said he was not aware of this situation, however, would check into it. Selectman DelPrete suggested possibly splitting the cars and moving the trains through more quickly as one of the solutions. Much discussion was held on corrective steps that could be taken.

The Board strongly emphasized the need for immediate action. In answer to questions raised by the Board as to what they could do to alleviate these conditions, and when it would be initiated, Mr. Cross said he could offer some relief immediately by diverting some of the traffic through Cedar Hill, discontinuing the operation of two freight trains into Framingham, and do everything possible to prevent trains from coming through during the peak hours, however, he could not promise to hold them. Chairman King reiterated the urgency for immediate action.

# TOWN OF FRAMINGHAM

## SELECTMEN'S RECORDS

\*January 11, 1971\*

(3)

### TRAFFIC REGULATIONS - FRAMINGHAM UNION HOSPITAL AREA:

Recommendations towards improving the parking conditions in the area of the Framingham Union Hospital, as submitted by Sergeant Robert Foley, Safety Officer, were unanimously approved by the Board. The following regulations were voted:

#### NO PARKING ANY TIME:

1. On Beech St. both sides from Lincoln St. to the end of the Public Way.
2. On Myrtle St. north side from Lincoln St. to Thurber and Learned Sts.
3. On Evergreen St., north side from Learned St. to hospital parking area.

#### NO PARKING HERE TO CORNER (20 feet from corner):

1. On Evergreen St. at Learned St.
2. On Evergreen St. at Lincoln St.
3. On Myrtle St. at Learned St.
4. On Myrtle St. at Lincoln St.
5. On Learned St. at Evergreen St.

### PARKING-PROFESSIONAL OFFICES:

The Board noted receipt of a letter received from Sergeant Robert Foley, Safety Officer under date of January 7, 1971 in which he called attention to the existing congestion and parking problems which the Town faces as a result of professional offices on main arteries. He pointed out that inasmuch as the Town's zoning bylaws do not require persons using established buildings to provide parking, roadways are used. He stressed that consideration be given to parking before any permits are issued. Discussion followed and Town Counsel suggested that Sergeant Foley attend the Z.B.A. hearings involving professional offices when it is scheduled. Sergeant Foley stated he would attend that evening, however, he felt this should be called to the attention of the Planning Board. Town Counsel also suggested that Sergeant Foley look at the applications on file and prepare recommendations. Selectman Ablondi urged that no plan be approved unless it has gone through the Safety Officer for approval. Planning Board will be requested to confer with Sergeant Foley before they pass on any future parking plans.

### SIGNALS: - MAIN ST., EDGELL RD. OVERPASS AND PROSPECT ST.:

Sergeant Robert Foley reported in a letter dated January 7, 1971 he had met with Mr. Adam Pizan of the State Department regarding signals at Main St., Edgell Road overpass and Prospect Street, and he agreed there was a definite problem at both intersections which he will report to Mr. Charles Mistretta, District Highway Engineer. Sergeant Foley advised that in the interim, Mr. Pizan will assign a man to the Prospect St. intersection to alleviate peak hour back up and will ask Mr. Belcastro of the Boston Office to work with him on Main St.

### RENT CONTROL:

A public hearing was held at 8:55 P.M. on the question of whether a Rent Control By-Law should be initiated in Framingham. Present were many residents and property owners. Chairman John F. King explained that this hearing was called for the purpose of discussing the "pros and cons" of the initiation of a rent control program and to allow residents the opportunity of expressing their views. A summary of the principal provisions of the 1970 Rent Control Act, prepared by Town Counsel, with a detailed description of how the Act is administered and the responsibilities of the Rent Administrator was read by Executive Secretary, Jennie L. Gherna. Mrs. Gherna also outlined the procedure for acceptance of Chapter 842 of the General Laws of the Commonwealth.

Attorney John P. Garrahan, representing the Framingham Housing Association, presented detailed data, pointing out that 3800 new apartments had been constructed in Framingham since 1957, 920 of which are controlled units. He explained that the rents were set by a Government Agency. He noted the remaining 2800 units had been built by private individuals and privately financed. Mr. Garrahan stressed that when rent control went into effect, there would be a freeze on the amount of taxes returned to the Town by such. He said "the burden would then shift to single residence owners, business and industrial properties." Mr. Garrahan reported that only four Massachusetts communities had adopted rent control under the provisions of the new act; Somerville, Cambridge, Boston and Brookline. He pointed out that Somerville was engaged in a battle over implementation of rent control where the mayor wanted \$100,000 only to get the program started. Mr. Garrahan explained that Brookline was comparable to Framingham in size, however, conditions were different from those in Framingham due to the large temporary student population which needs housing. Mr. Garrahan went on to say that the families in the \$7500 to \$12,500 income bracket with three or four children were finding that there is no room for them in Framingham. He noted there is no multiple housing accommodations for this family and also no single family housing. He felt the Town should look into the possibilities of making land available for the building of housing for this group - noting there was practically no land available for that purpose. Mr. Garrahan, speaking for the Framingham Housing Association, stated that it was their feeling that rent control would not solve that problem.

# TOWN OF FRAMINGHAM

## SELECTMEN'S RECORDS

\*January 11, 1971\*

(4)

### RENT CONTROL: (CONT'D).

Thomas Maloney, Housing Inspector, said he had encountered a number of situations where there had been excessive rent increases. He said "the most flagrant abuses involved the cases of those who occupy apartments by the week." Other observations made by him were substandard conditions he had seen, such as lack of central heat, cold water situations, loose windows, dirty conditions and sagging floors. He said, in many instances when an apartment became vacant, the next occupant had to pay a higher rental - sometimes two and three times in a year. He indicated that most landlords cooperated by trying to "keep up" their properties, however, there were offenders. He did stress there were increases in the cost of heat, utilities and maintenance that landlords were faced with as a result of the economic conditions presently.

Acting Building Inspector, Primo Rizoli indicated there should be more control as to the number of persons moving in and out of apartments. He noted that often times, tenants moved out, and others in, without the landlords being aware.

A woman resident of one of the newer projects who said she did not wish to give her name, pointed out that in her own case the rent had been raised three times in a year, and this would force her to look for accommodations out of town. She spoke in favor of rent control. Several speakers stressed the need for some kind of action to improve the situation for the many residents who find themselves in "the squeeze" of rising rent costs and more stringent economic conditions.

Apartments project owners Paul Robsham and Paul Brossi both noted that rent control in big cities such as Boston and New York is resulting in the abandonment of more and more rental properties, which then become non-tax productive. They both presented detailed reports on their activities in the construction and servicing of their apartments - and their costs.

There was some discussion on the fact that there is no housing being built to accommodate the middle income group - forcing these families to move from Framingham. Mrs. Amy Moran of the Human Relations Commission said this group has not taken a position on rent control and is studying this and other questions. However, she felt that much is done for providing housing for high income families in the Town, and hoped that more could be done to take care of the needs of the middle and low income groups.

Selectman DelPrete said he was concerned with the needs for the "golden agers". He explained that these people were on fixed income and consideration should be given them.

After much more discussion, Chairman King thanked all who attended for expressing their views, and this matter was taken under advisement.

### SUNDAY LICENSE - NATICK COIN AND STAMP ENTERPRISES:

Mr. Reginald Binette appeared before the Board regarding a Sunday license to hold a coin and stamp show. Having been advised by Town Counsel of the proper procedure to be followed, the Board unanimously voted to grant this license upon receipt of his application.

### EXECUTIVE SECRETARY SALARY:

The salary for the position of Executive Secretary was discussed for the year 1971. The Board voted to recommend that the present salary range of \$11,500 to \$13,300 be retained, with the addition of a 6% increase if this amount of increase is voted by the Town Meeting for Town Employees.

MEETING ADJOURNED AT 11:00 P.M.

  
John F. DelPrete, Clerk