

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

\*REGULAR MEETING OF THE BOARD OF SELECTMEN NOVEMBER 15, 1971\*

The regular meeting of the Board of Selectmen was held at 7:30 P.M. Present: Mr. John F. King, Chairman, Mr. John F. DelPrete, Clerk, and Mr. Peter W. Ablondi.

WARRANTS:

#114 - November 15, 1971 - Bill - \$5,237,518.91  
#115 - November 15, 1971 - Pay Roll - \$213,986.30  
#116 - November 15, 1971 - School Pay Roll - \$413,488.77  
#117 - November 15, 1971 - Bill - \$1,500,000.00  
#118 - November 15, 1971 - Bill - \$363,167.54

AUCTIONEER'S LICENSE - Martin Doliner - 890 Old Conn. Path.

SUNDAY ENTERTAINMENT LICENSES:

Caesar Tamagno Inc. d/b/a Monticello Restaurant, 90 Worcester Rd., Nov. 21, 1971:  
1. Patron's dancing.  
2. Comic, singer, M.C., trio, background music.

RATIFICATIONS:

Open, occupy and obstruct street-Worcester Gas Lt. Co.:

40 Bridges St., install new 1½" L.P. gas service, Nov. 9, 1971 to Dec. 9, 1971.  
110 Prospect St., install new ¾" I.P. service, Nov. 11 to Jan. 11, 1972.  
210 Arthur St., install new ¾" I.P. service, Nov. 11 to Jan. 11, 1972.  
10 Richwood St., install new 1½" L.P. service, Nov. 11 to Jan. 11, 1972.  
17 Thompson St., install new 1½" L.P. service, Nov. 11 to Jan. 11, 1972.  
Cor. Old Worcester Rd. and Temple St., install a new 2" I.P. service, Nov. 11 to Jan. 11, '72  
Lot A Wilson St., install new 1½" L.P. service, Nov. 15 to Dec. 15.  
Lot B Wilson St., install new 1½" L.P. service, Nov. 15 to Dec. 15.  
Lot C Wilson St., install new 1½" L.P. service, Nov. 15 to Dec. 15, 1971.

Open, occupy and obstruct st.:

Edmands House Associates, 15 Edmands Rd., install water and sewer lines, Nov. 22-Dec. 3.  
New Eng. Tel. & Tel. Co., Bates Rd. Ext. and Brackett St., place buried telephone cable,  
Nov. 15 to Nov. 16.  
Fantoni Co., Inc., Irving St., next to the Worcester Gas Light Co., at Framingham Motor  
Parts, install 8" water service, Nov. 15 to Dec. 15.

JURORS:

The following were drawn to serve as jurors;

Dec. 6, Cambridge:

Joel V. Kamer, 33 Auburn St.

Mildred S. Ridge, 219 Grove St.

Arthur L. Zonghetti, 6 Westview Rd.

Dec. 6, Lowell:

Leo E. Glynn, 10 Amy Rd.

Pasquale Ceccarini, 9 Brigham Rd.

PETITION:

The petition of the New Eng. Tel. & Tel. Co. JO Boston Edison Co. for one pole on Speen St., southerly side approx. 1281' east of Newbury St., was granted.

HEARING:

A public hearing was held at 8 p.m., in the Selectmen's Office, Room 21, Memorial Bldg., on the petition of the New Eng. Tel. & Tel. Co. JO Boston Edison Co. for one pole, guy wire and anchor on Speen St., southerly side, approx. 1487' east of Newbury St., and Mr. Edw. F. Chisholm, representing the Edison Co., was present in favor. There was no opposition and it was voted to grant the petition.

TAXI BY-LAW:

A conference scheduled with John Thompson of Tommy's Taxi was not held inasmuch as Mr. Thompson was unable to appear. Mr. Thompson had requested clarification of implementation of the Taxi By-Law which was deferred due to the Presidential Freeze. Town Counsel noted that he had requested a ruling from the Internal Revenue Service as to the total ramifications of Phase II, and suggested that no action be taken until a reply has been received.

CONFERENCE - H.U.D. (CODE REVIEW):

The Board conferred with David Hoover, Executive Director of the Framingham Redevelopment Authority and members of the Federal Housing and Urban Development regarding requirements for an acceptable building code. Donald Levitan, representing H.U.D. explained they had, in the past, accepted the building codes of the cities, however, as of September 7, 1971 a revision had been made by the Board of Standards which established a minimum-mandatory code for all Massachusetts Communities and, unless these communities conform to a H.U.D. approved building code by December 31, 1971 they will no longer be eligible for funds. He explained further, that the present code in Framingham affects

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CODE REVIEW (CONT'D.):

one and two unit housing (which is no longer acceptable), where the new code is applicable to three units and up and allows for the construction of low to moderate income housing, which is the main purpose of the new code. He advised the time factor was a problem inasmuch as the deadline for federal funds is December 31, 1971. He cautioned that if the Town did not move positively on this matter, a general cutback in funds and a slowdown in applications will take place. He suggested that the Board submit an Article in the Town Warrant for the Special Town Meeting, December 8, 1971, to signify the adoption of the new code, STD-10. Mr. Levitan added local governments have some leeway in adding to the code. If Framingham feels they wish an additional restriction on the code, Engineering data will have to be submitted.

Mr. Levitan informed the Board that Framingham could adopt one of the four nationally approved codes. He explained that H.U.D. recommends the STD-10 code, basically a copy of the BOKA code, however, the Massachusetts Department of Commerce Affairs prefers the use of a different Model Code which would also be acceptable to H.U.D. Mr. Ablondi indicated that another Town Meeting would be necessary inasmuch as the Code Review Committee would only have three weeks until the December 8th Special to investigate the BOKA code and submit recommendations. The Selectmen expressed doubt as to whether the matter would be ready in time for the December 8th Special Town Meeting. Mr. Levitan reiterated that action should be taken as quickly as possible in order to get it into the Warrant for the Special Town Meeting. Mr. Ablondi asked if a letter from the Selectmen, together with the Building Inspector, informing them that we do intend to comply would be helpful. Mr. Levitan replied that if he could indicate to his boss that Framingham is making progress he felt this might be acceptable. Mr. King asked how we got into this "box". Mr. Levitan replied that many towns in the area have been asking the same question. Mr. King asked also if the action taken at Town Meeting regarding the Saxonville Project would be useless unless we move into the building code. David Gustafson, HUD Field Representative, replied that the fund reservation being held by HUD for the Saxonville Project would be cancelled unless they received the Loaning Grant application with Town approval by December 31st. He added you cannot enter into a contract with HUD to spend funds for Saxonville until the Town's Workable Program is approved by HUD. The Saxonville plan should be voted on even if the codes are not passed at Town Meeting. The Federal Government will not approve the spending of money until such time as the building codes are changed.

Mr. King felt that changes should be made first. He felt this action would not be properly before Town Meeting. He requested they report back next Monday regarding the possibility of getting it into the Warrant in time.

INDUSTRIAL DEVELOPMENT COMMISSION:

The Board met jointly with members of the Industrial Development Commission for the purpose of electing two members to fill vacancies existing as a result of the death of Eugene Kilham, and the resignation of John Topham. Present were Chairman Gene Selig, Arnold Mindick and Bruce MacDonald. John C. Hanlon was nominated by Gene Selig; seconded by Arnold Mindick. Gerald Kearney was nominated by Gene Selig; seconded by Peter Ablondi. William E. Wendt was nominated by Bruce MacDonald; seconded by Arnold Mindick. Upon the motion of John F. DelPrete nominations were closed. John C. Hanlon was elected to fill the unexpired term of Eugene Kilham, term ending March 31, 1976. Gerald Kearney was elected to fill the unexpired term of John Topham, term ending April 1, 1975.

CONFERENCE - EXTENSION OF SEWER MAIN ON SALEM END ROAD:

Attorney Alvin H. Miller appeared with his client, Joseph R. Manganiello regarding submission of two articles for the Warrant of the Special Town Meeting for extension of sewer main on Salem End Road. Mr. Miller advised that the purpose of the Articles was to have the Town extend its sewer main from its present terminus on Salem End Road a distance of approximately 7,000 feet to accommodate all of the abutters along the way up to and including land of Lonsdale Subdivision, including Wakefield Drive and Skinner Road. Mr. Miller explained further that the Lonsdale Subdivision, owned by Mr. Manganiello, had been approved three years ago, utilizing septic systems. He pointed out that since that time standard requirements have changed and these lots were turned down, as a result of the septic system change. Inasmuch as Mr. Manganiello has gone to a great deal of expense and cannot tie into the sewer line they were hopeful that by inclusion of these articles it would be possible for them to accomplish their goal.

Mr. Miller indicated that attempts to solve the matter had been made by (1) contacting abutters for their participation in bringing in sewer (they were unsuccessful) and, (2) use of a private pumping station (not approved by Public Works Department). He told the Board they could not afford to privately sponsor 7000 feet of sewer lines. The status at present, he told the Board, is that the Public Works Department have scheduled a meeting of their own with all the abutters to see if they would be willing to participate. If they are successful in working this out there will be no reason to include these Articles in the Special Town Meeting. No action was taken.

DOG POUND:

Dog Officer Paul Gosselin and Ronald Turchi of the Engineering Department appeared before the Board to present estimates and location for a proposed dog pound. Mr. Gosselin was asked to confer with the Public Works Department concerning available land and report back to the Board.

TRAFFIC REGULATIONS:

Upon the recommendation of Sgt. Foley, Safety Officer the Board unanimously approved the following:  
GO SLOW CHILDREN: 1. On Swanson Rd. 300 feet north of Water St.  
2. On Swanson Rd. 300 feet south of Tartufi Circle.

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ARLINGTON STREET:

Responding to a suggestion from the Department of Public Works that a one-way restriction be considered for Arlington Street. Sergeant Foley indicated that a one way restriction on Arlington Street would only increase traffic at intersections and adjoining streets, creating more problems. He suggested that Irving Street be widened, noting this was being considered under the Topics Program. Further, he recommended a study of Arlington Street, and the adjacent streets, by the Engineering Department before any action is taken. Also, recommendations should be obtained from the Fire Chief. David Hoover of Operation 275, Board of Public Works, Fire Chief and Engineering Department will be requested to comment on this matter.

HELEN VOSE LONG PROPERTY:

The Board acknowledged receipt of a letter from Town Counsel under date of November 11, 1971 in which he requested permission to conclude the transaction of the taking of Mrs. Helen Vose Long's property (authorized by Town Meeting 3/17/70 for recreational purposes) at the assessed valuation of \$6000. as full settlement. The Board unanimously voted their approval.

MALINE-MANCUSO:

The Board acknowledged receipt of a letter from J. R. Mancuso of 25 Lanewood Ave. in which he thanked the Board for their efforts to fairly settle the existing zoning violation between his property and that of his abuttor, Morris Maline. He advised that he has agreed to sell his land to Mr. Livoli at about one dollar per square foot plus legal fees, and is awaiting written confirmation.

CROSSING GUARD VACATIONS:

The Board acknowledged receipt of a letter under date of November 11, 1971 from Safety Officer Sergeant Robert Foley concerning vacation schedules for Crossing Guards. Sergeant Foley indicated that it would be difficult to grant vacations to crossing guards when requested inasmuch as he had no provisions for stand-by guards to cover their absences. Selectman DelPrete felt strongly that spare guards should be appointed; two for the Northside and two for the South side, method of payment to be worked out. Upon the motion of Selectman DelPrete it was unanimously voted to appoint four spare guards to cover vacationing crossing guards. Sergeant Foley will work out details with the Personnel Director regarding method of payment.

P. B. MUTRIE TRANSPORTATION CO. - EXCISE TAXES:

Receipt was noted of a copy of a letter from the Board of Assessors to P. B. Mutrie Transportation Co. notifying them the town is entitled to receive excise taxes where their carriers remain in Framingham overnight and on weekends.

ROUTE 9 LIGHTING:

The Board acknowledged receipt of a letter from Senator Edward L. Burke in which he enclosed a copy of a letter he received from Chief Engineer, Daniel Horgan, of the State Department of Public Works in reply to his inquiry concerning State funding of highway lighting along Route 9 in Framingham. In essence, Mr. Horgan advised that the State does not feel the illumination of this portion of Route 9 is their responsibility inasmuch as this section of roadway is highly developed with a large number of multi-unit apartment buildings and many commercial enterprises abutting and having direct access to the roadway. Mr. Ablondi proposed placing this before Town Meeting members for their judgment. Selectman DelPrete felt strongly that the Town should not have to pay for lighting Route 9 and stated he would vote "no" unless he received a mandate. Town Counsel explained that the Town was fighting a losing cause. He said the State could not make the Town pay, nor was there anyway the Town could force the State to light this portion of Route 9. He suggested it might be well to get the feeling of Town Meeting, and that perhaps a resolution should be submitted rather than an Article. Selectman King said he would approve the installation of the lights even at the expense of the Town as he was concerned with the safety of the citizens of Framingham. Upon the motion of Selectman Ablondi, the Board voted unanimously to present a resolution before Town Meeting Members.

DESIGNEE OF WORKING COMMITTEE:

As a result of a meeting held between the School Committee, Board of Selectmen, Finance Committee and Personnel Board it was decided that a working committee should be formed of representatives from these groups to analyze pay practices, proposals for pay increases, benefits and make recommendations which would result in changes in wage, salary, and/or benefits to all town employees, for recommendation at Town Meeting in March, 1972. Selectman John F. DelPrete was designated as the Selectmen's representative to work with this committee.

ARTICLES - ANNUAL TOWN MEETING:

Upon the request of the Finance Committee, the Board reconsidered its action taken November 8, 1971 allowing submission of other than monied Articles for the 1972 Annual Town Meeting by December 23, 1971 at 5:00 P.M. - and to request all Town Boards, Committees and Departments to file all Articles by December 10, 1971, 5:00 P.M., in final form.

CIVIL ENGINEER APPOINTMENT:

Receipt was noted of a copy of a letter from the Finance Committee to Town Engineer, James V. Merloni concerning the hiring of a Civil Engineer. The Board of Selectmen were asked to attend a meeting concerning this on November 23, 1971 at 7:30 P.M. Personnel Director and members of the Personnel Board were also requested to attend.

FILING OF LEGISLATION:

Receipt was noted of a letter from Senator Edward L. Burke in which he advised that the date line for filing of legislation for the 1972 Legislative Year has been changed to December 1, 1971.

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### CLOSING OF WARRANT:

The Board unanimously voted to close the Warrant for the Special Town Meeting to be held December 8, 1971.

### CONSTABLE APPOINTMENT:

The Board acknowledged receipt of a letter from John E. McCarthy in which he requested re-appointment as constable for a three year term. Selectman DelPrete motioned to appoint Mr. McCarthy as Constable; Selectman Ablondi indicated he wished more time to consider this matter; Chairman John King seconded the motion of Mr. DelPrete and it was so voted.

### LIQUOR FEES 1972:

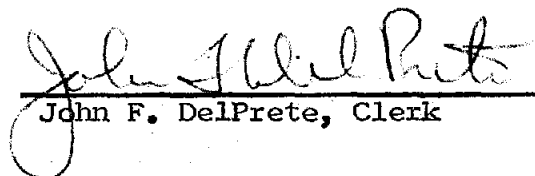
The Board voted unanimously to retain the same liquor fees as presently exist.

### EXECUTIVE SESSION:

#### Assessor Salary:

Upon the motion of Selectman DelPrete, the Board voted unanimously to adopt the recommendation of the Finance Committee, submitted in a letter under date of August 9, 1971, allotting the Chairman of the Board of Assessors an additional \$700.

MEETING ADJOURNED AT 10:00 P.M.

  
John F. DelPrete, Clerk