

# TOWN OF FRAMINGHAM

## SELECTMEN'S RECORDS

\*REGULAR MEETING OF THE BOARD OF SELECTMEN JANUARY 7, 1974\*

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

### WARRANTS:

#155 - Jan. 7, 1974 - Bill - \$166,567.81  
#156 - " " " - Pay Roll - \$329,850.02  
#157 - " " " - School Pay Roll - \$48,131.51

### COMMON VICTUALER'S LICENSES:

F & C Enterprises, Inc. (Burger King), 259 Cochituate Rd.  
Leon M. Savage d/b/a Leon's, 911 Edgell Rd.  
Wallace's Home-Made Ice Cream Co. Inc., 511 Concord St.  
86 Corporation d/b/a Mr. Donut, 517 Worcester Rd.

### MOTOR VEHICLE LICENSES:

Class II - Wilhelm Felzmann, 11 Columbia St.  
Class III - J. M. Sheehey, 18 Cochituate Rd.

### RATIFICATION:

Open, occupy & Obstruct St. - Boston Edison Co., Concord St. @ Memorial Bldg., repair st. light - dig out 1/4 bend, Jan. 3 to 4.

### JURORS:

The following were drawn to serve as Jurors on Feb. 4, 1974 at Cambridge:  
Hurst, Donald G., Supervisor Services, Polaroid Corp., Cambridge, (residence, 10 Gregory Rd.)  
Dugan, Frederick C., Sr. Systems Rep., Honeywell I.S. Inc., 1 Washington St., Wellesley, Mass., (residence, 21 Corrine Dr.)  
Tarlin, Lillian R. Housewife, (residence, 57 Apple D'Or Rd.)  
Crowley, John J., Reliability Engr., Gen. Motors, Western Ave., Fram., (residence, 3 Claudette Circle)  
Brown, Leonard M., Salesman, V-Line Clothes, 640 N. Broad St., Phila., Pa., (residence, 2004 Windsor Dr.)  
Brugger, Elayne V., Systems Analyst ITEK Corp., 10 Maguire Rd., Lexington, Mass., (residence, 142 Baldwin Ave.)  
Haynes, Albert O., Product Mgr., Denn. Mfg. Co., Fram., (residence 94 Roundtop Rd.)

The following were drawn to serve as Jurors on Feb. 4, 1974, at Lowell:  
Burke, Edmund A., Supervisor, Nsew Eng. Tel. & Tel. Co., 101 Huntington Ave., Boston, Mass., (residence, 18 Wesley Rd.)  
Story, Eleanor M., Secretary, Eng. Sales Corp., 49 Walnut St., Wellesley Hills, Mass., (residence, 387 Elm St.)  
Dallamora, Kenneth G., Real Estate, Creiger & Dallamora, Framingham, Mass., (residence, 82 Russell Rd.)

### CONFERENCE - BAZAAR LICENSE:

In accordance with a policy established by the Board several months ago, representatives of the Knights of Pythias Cardozo Lodge appeared before the Board to discuss their plans to conduct a bazaar in the Caldor Parking Lot in May of this year. Responding to questions raised by the Board, the President of the organization assured the Board that they would comply with any conditions imposed by the Board or any other town departments involved. When asked why they felt this was in the best interest of the Town, the Board was advised the funds raised are used for scholarships, regional care, kiddie camp, Cystic Fibrosis and all active charities. It was unanimously voted to issue a license to the Knights of Pythias to conduct their carnival in May, 1974.

### CONFERENCE - DAYHOFF VARIANCE:

Mr. and Mrs. Alan L. Dayhoff appeared before the Board to request an 8' rear yard variance which would allow them to keep their "garden tool shed" at the location it was erected in July of 1973. Opposition to the granting of a variance had been received from their abutters, Mr. and Mrs. Cacciola. An alleged violation was also noted by the Cacciola's since Mr. Dayhoff had erected the shed without applying for a variance or building permit. Mr. Dayhoff informed the Board that he had erected the Shed without applying for a variance or building permit because he was ignorant of the fact that a building of this size and type was covered by any regulation of the building inspector; and because initially his abutters, the Cacciolas, had verbally agreed that they had no objection to the shed remaining in the position shown on the diagram presented to the Board. He noted that since three months had elapsed before a complaint was registered, it would appear that it had no bearing upon the shed itself or its location, but rather because of a dispute between neighbors concerning an unrelated alleged incident. Mr. Dayhoff explained to the Board if he were required to relocate the shed now it would not only be extremely difficult, it would severely limit any recreational area for their daughter. He asked the Board to please consider favorable action on their request. Mr. Dayhoff was advised by the Board that in granting variances they took into consideration the matter of the abutters concurrence. They suggested that he contact Mr. Cacciola again and attempt to resolve the problem. Mr. Dayhoff told the Board that he had met with Mr. Cacciola several weeks ago and after discussion between the parties, it appeared that an agreement had been reached. However, this fact was contradicted by the receipt of a letter from Mr. Cacciola, this date, still opposing the granting of the variance. The matter was tabled until next week in order for Selectmen King and Ablondi to view the site. In the interim, Mr. Dayhoff was advised to try to work out the problem with his neighbor.

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### HEARING - PROPOSED TAXI FARE INCREASE:

Representatives of the local taxi companies appeared before the Board to request a rate increase of 20 cents for the first mile and an additional 10 cents for each additional one seventh mile. John Thompson of Tommy's Taxi Co., spokesman for the taxi companies, said they were requesting a reasonable rate increase to offset the higher gasoline and oil prices and a general increase in operation costs. He compared the rates he suggested to those communities which have already increased their rates, noting their rates were considerably higher. Attorney Joseph McSweeney, representing Co-Way Taxi, reiterated the points made by Mr. Thompson, emphasizing the need for a rate increase. Responding to several questions raised by the Board, Mr. Thompson assured the Board that the \$.25 reimbursement to the elderly citizens would continue; and the proposed rate increase would allow them to be at a break equal point. He stressed there would be a question of being able to provide service, if the rates were not increased, with their current expenses. After further discussion, the matter was tabled until next week in order to study the matter further from all angles of cost versus suggested increases. Town Accountant will be asked to report.

### CONFERENCE - FRAMINGHAM REDEVELOPMENT AUTHORITY:

Walter McLeod and Jeanne James of the Framingham Redevelopment Authority appeared before the Board regarding the relocation of a tenant residing on town owned property which has been taken through eminent domain for an addition to the Saxonville Elementary School. Mr. McLeod advised the Board that the family had been served an eviction notice in accordance with legal requirements, however, they have checked all sources in an attempt to find a residence for the family - without success. Town Counsel explained to the Board that he had served an eviction notice to the family, not for the purpose of "kicking" them out, but to record it only. Mr. McLeod informed the Board that the law had changed since relocation had become the obligation of the Redevelopment Authority, making the town responsible for moving and rental assistance for the families' relocation totaling up to \$4390 over a four year period. As a result, Mr. McLeod told the Board their purpose in meeting was to ask the Selectmen to transfer funds to the necessary accounts so the payments can be made. He assured the Board that the family was qualified and could not afford a residence on the open market. John DelPrete indicated this matter should come under the jurisdiction of the State. He said he was tired of having to absorb the costs involved with programs imposed by the State. Mrs. James told the Board that she had done everything in her power to find the family a residence supported by state funding. She said initially she thought everything was fine inasmuch as she obtained a contract from the Framingham Housing Authority and found a willing landlord. However, upon returning the contract to the Housing Authority she discovered they had pulled clauses out of the lease; one guaranteeing the landlord that if the tenant was 14 days overdue for the rent the Housing Authority would reimburse the landlord, and the second clause guaranteed the landlord reimbursement for any damages inflicted by the tenant, although this did not remove the financial responsibility of the tenant. She said she took the contract with the removed clauses to the state authorities and they ruled the action was illegal, however, by that time the landlord had backed out. She also told the Board that she has been told by the F.H.A. that there are no units available at the present time. Further discussion followed. The Board expressed concern about setting a precedent in requesting a transfer for this purpose. They were fearful that the State has once again "stuck" the town for the expense of relocating the family by enacting a state law without providing funding. Mr. Noonan concurred, stating, "it's the beginning of something you better watch out for." John King asked for clarification of the General Law requiring the Town to provide money for this purpose. The Board directed the Executive Secretary, Town Counsel, Walter McLeod and Jeanne James to meet once again in an attempt to find a solution as soon as possible without the necessity of seeking a transfer. In the interim, Town Counsel was directed to ask the School Committee to defer the eviction plans until a proper residence could be found. The matter was taken under advisement.

### CONFERENCE - M.B.T.A. REPORT

Robert McNally, Town Representative on the MBTA Advisory Council, appeared before the Board to report that the Town's 1974 assessment for the MBTA could double this year. He said in 1973 a special transportation bill lowered the assessment from \$477,000 to \$372,000, however this was only a "one shot" thing. He warned additional legislation would be necessary to curb higher assessments. Present also were Senator Edward L. Burke and Representative Robert Owens. They told the Board there would be legislation including rail and local bus reimbursement for the fringe members of the MBTA District. At the conclusion of the conference, John King urged consideration of the Carousel Property for use as additional rail service to Boston.

### TRAFFIC REGULATIONS:

On the recommendation of the Safety Officer, the Board unanimously approved the installation of Stop Signs on Myrtle St. at Lincoln Street for southbound and northbound drivers. The Town Eng. has been requested to prepare the necessary reports for approval relative to the installation of these signs.

### FULLER STREET PARKING LOT:

A recommendation was received from Christy Maltas, Planning Department Director, regarding the utilization of Fuller St. lot for parking purposes. The matter was referred to the Executive Secretary to work out details of an agreement with the Redevelopment Authority.

### COUNCIL ON AGING ORGANIZATION:

A letter was received from the Council On Aging regarding organization of officers. Accordingly, the Board of Selectmen unanimously voted, in compliance with the terms of the Council On Aging By-Law, to appoint Mrs. Priscilla Robinson as Chairman of the Council.

### COUNCIL ON AGING:

Also received from the Council On Aging <sup>was a letter</sup> requesting favorable consideration by the Board to their proposal for a portion of Farley School. The Executive Secretary will include this request in his report to the Farley Study Committee.

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### CHILDREN IN CRISIS:

A letter was received from the Director of Children in Crisis requesting another meeting with the Board to discuss a proposed detention center program. The Board agreed to schedule a meeting with Mr. Royston on January 21, 1974 at 8:15 P.M. Dr. Benson, Chief Martins and Lt. Salvi Pascucci will be invited to attend. Selectman King asked Mr. Noonan to find out whether Children in Crisis would lose their grant if they could not secure a facility in Framingham.

### OPINION OF VALUE:

A request from Patricia O. Bailey for an opinion of value on land at corner of Marian Road and Beaver St. was granted. Town Counsel will be authorized to proceed with same.

### DENNISON MFG. CO.

Receipt was noted of a letter from Dennison Mfg. Co. advising of installation of solvent recovery system. The Board's appreciation will be extended to Mr. Gray for his cooperation.

### BIG W TRANS:

A license was granted to Robert P. Winterhalter d/b/a Big W Trans to operate motor vehicles for the carriage of passengers for hire over the following routes in the Town of Framingham:

On Worcester Rd. (Route 9) from Main St. to the Southborough Town Line.

The purpose of the above is to allow the petitioner to provide bus transportation for employees of the New England Telephone Co. to the Telephone Learning Center off Route 495, Marlborough.

### KENNEDY MEETING:

John King asked the Executive Secretary to present the Board's concerns over the increasing prices of food, fuel and gasoline to Senator Kennedy when he appears in Framingham, urging him to take steps to regulate the prices.

### REVENUE SHARING FUNDS:

The Executive Secretary reported that the Town has received another \$271,000 in revenue sharing monies for the second quarter of fiscal year 1974, for October through December, 1973.

MEETING ADJOURNED at 10:30 P.M.

  
John F. DelPrete, Clerk