

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN JANUARY 14, 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:

#158 - January 14, 1974 - Bill - \$714,709.07
#159 - January 14, 1974 - Pay Roll - \$207,702.38
#160 - January 14, 1974 - School Pay Roll - \$438,816.08

AMUSEMENT LICENSES:

Knights of Pythias Cardozo Lodge #102, Bazaar with kiddie rides, about 20 booths at Caldor, Inc., May 27 thru June 1, 1974.
Red Star Lunch, Inc. 486 Concord St., live entertainment, weekdays 1974, 8 A.M. to 12 P.M.

COMMON VICTUALER'S LICENSES:

Delitizer Corp. of Framingham, 147 Cochituate Rd.
Charles Triantafilles & John Varelogiannis d/b/a Pizza Wagon, 1B Hamilton St.
Friendly Ice Cream Shop, 62 Water St.
Friendly Ice Cream Corp., 234 Union Avenue.
Harry Gogas d/b/a Nobscot Pizza, 780 Water St.
Robert E. Hensel d/b/a S & S Lobster Co., Inc. 2-4 Beacon St.
Konstantinos Karalis d/b/a Famous Pizza, 54 Nicholas Rd.
Peter Pappas d/b/a Friendly Pizza, 270 Waverly St.

MOTOR VEHICLE LICENSES:

Class I - The Annis Morrill Corp., 60 Worcester Rd.
Class I - Henry's Jenney Service Centre d/b/a Golden Circle Motors, 220 Howard St.
Class I - Toyota of Framingham, 1656 Worcester Rd.
Class II - Mass. Auto Exchange, Inc., 130 Waverly St.

SUNDAY ENTERTAINMENT LICENSES:

New England Coin & Stamp Shows, Route 9, Steak & Brew Restaurant, Jan. 27, Feb. 24, March 24, April 28, May 26, June 23, 1974.

RATIFICATIONS:

Open, occupy & obstruct street - Boston Edison Co., at Waverly St. 100'+ of Waverly Court, installing a 6" drain, Jan. 14 to Feb. 14, 1974.

PETITIONS:

The petition of the New Eng. Tel. & Tel. Co. JO Boston Edison Co. for the following permission was granted:
Daytona Avenue, westerly side approx. 101 feet north of Seminole Ave. One (1) JO pole.

SPECIAL POLICE OFFICER APPOINTMENTS:

The following were appointed special police officers for a term of one year, effective January 14, 1974:

Franics Cueroni, 131 Fay Road
Raymond Giombetti, 10 DeSoto Ave.

CONFERENCE - BAZAAR:

Representatives of the B'Nai Brith Organization appeared before the Board to discuss their plans for a bazaar to be held at the Co-Op Shopping Area for the period April 9 - 14, 1974. Chairman Ablondi presented a list of conditions that would be imposed by the Town in order to meet the requirements of the various involved departments. Robert Goodman, President of the B'Nai Brith assured the Board they would adhere to any conditions imposed. After further discussion, it was unanimously voted to grant permission to the B'Nai Brith to conduct a bazaar.

SIDEYARD VARIANCE:

Mr. and Mrs. Alan L. Dayhoff appeared before the Board to discuss further their request for a variance at 53 Gleason St. which had been taken under advisement last week. Mr. Dayhoff said he had tried to contact his abuttor, who has opposed the granting of the variance, without success since he was going to be out of town all week. He asked for permission to table the matter for another week in order to allow him time to contact Mr. Cacciola in an attempt to obtain his concurrence. On the motion of John DelPrete, it was voted to table action on the matter until Mr. Dayhoff has had an opportunity to resolve the matter with his abuttor. In the interim, the site will be viewed by Messrs. Ablondi and King who have been unable to do so thus far.

CONFERENCE - BUS ROUTE:

A conference scheduled at the request of Mr. Dean Porter relative to a proposed bus route through designated streets in Framingham (Mall to Mall Bus Line, Inc.) was not held inasmuch as no one appeared to present the proposal.

OPINION OF VALUE: (DUDLEY RD. & MT. WAYTE AVE.):

In accordance with the request of the Central Garage Study Committee, it was unanimously voted to authorize the Town Counsel to obtain an opinion of value on two parcels of land in the vicinity of Dudley Rd. and Mt. Wayte Ave.

TOWN MEETING ACTION:

Responding to a question raised by John King, Town Counsel advised him that all land takings authorized by either Annual or Special Town Meetings have been completed. He noted, however, that court action was still pending on several parcels. Mr. Ablondi asked Town Counsel to investigate five acres of recreational land which had been set aside by Mr. Livoli and had never been acquired. John King directed Town Counsel to check on any other land gifts to the Town which have not been formally accepted as yet.

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ECONOMY:

Selectman John DelPrete expressed a great deal of concern over increased taxes which the Town will face unless unnecessary spending is curtailed by Town Meeting. He indicated the tax rate would increase greatly, possibly better than \$10.00, because of the spiraling cost of living, and increases due to the energy crisis. He also cited an MBTA increase of some \$400,000; scheduled opening of three new middle schools; over One Million Dollars in landtaking suits and some One Million Dollars in unpaid state reimbursements as contributing factors. He said he for one would avoid any costly items in an effort to protect the citizens, and urged a complete austerity program. Chairman Ablondi noted there would be a \$2.20 increase immediately as a result of the interest on town loans that will go up in the next year due to the opening of the middle schools. He said the Board was only supporting two or three out of the 59 proposed new town positions. Responding to a question raised by John King, Town Counsel confirmed the cost of settlements on law suits against town meeting landtaking will cost the town in excess of One Million Dollars. John Thompson of Tommy's Taxi was present at the meeting, and criticized strongly Town Meeting Action in taking Cedar Swamp Land. He said when the land was taken at town meeting it was a known fact that it was not suitable for school purposes. He added it was just a costly item to the taxpayers. Selectman King said he felt the law needed some tightening up in this area. Unfortunately Town Meeting sometimes voted on emotion and not logic. After further discussion, John DelPrete warned Town Meeting Members to prohibit excess spending. He was especially concerned about the middle income taxpayer who generally carries the brunt.

HUMAN RELATIONS COMMISSION APPOINTMENT:

In accordance with the recommendation submitted by the Human Relations Commission, Carlos M. Bravo was unanimously appointed a member of that Commission to fill the vacancy caused by the resignation of Anthony Vasaturo, for a term to expire April 30, 1976.

SIDE YARD VARIANCE:

A request was received from Attorney Richard DeAngelis, representing Albert D. Russo et al Trs., for a variance to legalize side yard of property of Victor Extension Trust at 12 Victor Road Ext. Application received was in order. The matter was tabled pending the outcome of a decision pending before the ZBA. Peter Ablondi instructed Town Counsel to confer with the Building Official relative to certification of locations of lots in the future in order to avoid the necessity for this type of variance.

EXTRA PAID DETAILS:

Receipt was noted of a letter from Chief Martins spelling out the results of a survey of area towns with regard to extra paid details for police. Mr. Ablondi indicated that the current rate (\$6.00) was a fair rate and did not feel an increase was warranted since extra duties are not the primary job of the police department but an additional job which the police officer could accept or reject. He said he was opposed to increasing the rate. John DelPrete abstained from participating in the discussion because of a possible conflict over the issue. John King questioned a rumor he had heard about an additional 50 cent administrative charge being included in the rate. He directed the Executive Secretary to investigate the rumor. The matter was tabled, on John King's motion, pending clarification of the rumor.

INCREASE IN TAXI FARES:

A report submitted by the Town Accountant, Robert E. Burke, on the financial operation of Tommy's Taxi raised a major issue over a proposed increase in taxi fares. John Thompson, owner of Tommy's Taxi, was appalled that the Board could direct the Town Accountant to investigate his books and stated strongly they were insulting his business integrity. He said, although Mr. Burke was well qualified as a Town Accountant, he was not knowledgeable about the taxi business and it would probably take him six months before he could become acquainted with it. Further, he felt strongly that the Board was not being fair in basing their decision on the Town Accountant's report. Mr. Ablondi responded by stating that Mr. Thompson was being presumptuous about the Board's decision. He explained no decision had been reached, and as far as he was concerned, would not be reached until he had all the figures in order to make an intelligent judgement. Mr. Thompson stressed if the Board wanted to have transportation they would have to pay for it. He said they could not survive without an increase in fares - pointing out he would have to buy gas on the road at 48 to 50 cents per gallon. He added that his allotment at wholesale cost was meager, reiterating, without an increase he will be forced to close down. John King said the Board was not questioning his judgement - only trying to justify any increase. "Tommy" expressed concern about delaying a decision because of the time factor in ordering new meters. John DelPrete suggested giving tentative approval of the rate increase to allow the mechanics to be set up, however, Town Counsel indicated the Board should probably wait until they had all the facts in fairness to the individual taxi owner who has to start ordering equipment. After further discussion the Executive Secretary was directed to arrange a meeting early this week with Mr. Thompson and his accountant and the Town Accountant and himself. After which, the Board agreed to meet later in the week for the purpose of deciding on the matter.

CONFERENCE - MACOMBER PROPERTY:

At the request of the Conservation Commission, the Board met with that Commission regarding a possible violation of the agreement that was formulated with regard to the dog pound located on the Macomber Property, and their complaint about a bill submitted to them for \$384. for work done at the kennel by the Public Works Department. Present also was Primo Silva, Director of Public Works. Robert Venne reminded the Board that the Town had entered into an agreement with the Conservation Commission that the site could be used for dog kennels providing that nothing was done to violate an agreement with the Department of Natural Resources. He reviewed the terms of the agreement, noting that work had been done on a section of the road leading up to the dog kennels which was in violation of their agreement with the State Dept. of Natural Resources. Specifically, the terrain

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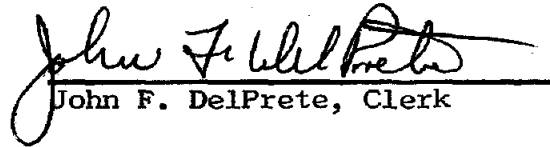
MACOMBER (CONTINUED):

was not to be altered in any way and the dog kennels were to blend into the greenery of the woods. Concern of the Commission is that they were not consulted on some phases of the public works procedures near the dog kennel and disturbed over the way some things were done. He emphasized the DNR agreement must be upheld for the Town to receive state and federal funds for the conservation land at Macomber which falls under the jurisdiction of the conservation commission. Mrs. Silverberg expressed concern that because of the changes made on the property the Federal Gov't. may refuse to pay if the property is not adequately maintained in its natural state. She noted that one of the concessions was that this building be inconspicuous, but it's now become the most conspicuous piece near the DNR area.

Mr. Ablondi noted the improvements were necessary for access into the kennels. Lengthy discussion followed regarding the improvements made - (road widening, removal of trees, removal of topsoil which was replaced with 200 yards of gravel). Primo Silva was disturbed that he was being blamed for the alterations. He explained his department had excavated and put down gravel on some 220 square yards, paved a 30 foot section to eliminate street water, and had to cut down a tree in the center of the parking section to make the land passable. Dr. Jost of the Commission said "how much work must be done to make it passable can be debated." Mr. Silva responded that this was the first time he has been criticized for doing more than he was required to.

In connection with same, the Commission protested a bill submitted for \$384. for improvements that were not authorized. Mr. Venne acknowledged that the Commission had approved certain improvements on a section of the road for \$1200, and this was paid. However, they felt the additional billing was not their responsibility since they did not authorize the work - nor were they consulted on it. The Executive Secretary explained that initially the Commission had sent out bids for the work and the low bid was \$10,000. Public Works had agreed to do it for less than \$2,000. He said he could not understand why the Commission has not closed out this account, noting the Commission has \$4377 in their account. Mr. Venne explained their budget was such that they could not afford any additional expenditures or they would not have enough money left for other work which was necessary. Mr. Noonan told him they had three choices. Either the Commission must pay the bill; the Town Meeting must be petitioned or the Finance Committee must be requested to set up a special account to fund the bill. The Board urged the Commission to pay the bill since the other choices were not good. Mr. Ablondi told the Commission they would have a much better time getting the Finance Committee to approve funds for their normal responsibility than this unauthorized bill. He also noted that Public Works could save them substantial sums of money in other improvements in the future. Mr. Silva indicated he was not sure that he would want to do any more work for them. It was his feeling that in trying to be helpful, he became subject to criticism. Dr. Jost said their immediate concern was the lack of communication between departments. He said if they were going to be billed, then they should have been made aware of it. After further discussion the bills were returned to the Conservation Commission for consideration.

MEETING ADJOURNED AT 10:00 P.M.


John F. DelPrete, Clerk