

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN January 21, 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:

#161 - January 21, 1974 - Bill - \$1,154,934.06
#162 - January 21, 1974 - Pay Roll - \$339,966.45
#163 - January 21, 1974 - School Pay Roll \$55,225.49

AMUSEMENT LICENSES:

Cock-A-Doodle Doo d/b/a Hook, Line & Sinkers, 689 Cochituate Rd., Week Days 1974, 8:00 A.M. to 1:00 A.M.

AUCTIONEER LICENSES:

Theodore Milgroom, 1325 Worcester Rd.
Norman C. Raymond, 37 Johnson Street

MOTOR VEHICLE LICENSES:

Class I - Framingham Auto Sales, Inc., 1199 Worcester Rd. and 1221-1233 Worcester Rd.
Class II - Auto World, Inc., 1137 Worcester Rd.

SUNDAY ENTERTAINMENT LICENSES:

Recreama Inc. d/b/a Chateau de Ville Dinner Theatre, 220 Worcester Rd., Dec. 30, 1973 - Jan. 6, 13, 20, 27, Feb. 3, 10, 17, 24, 1974. Dinner Theatre.

SPECIAL POLICE OFFICER APPOINTMENT:

Janice Anketell, 17 Belmore Rd., term of one year, effective January 21, 1974.

RATIFICATIONS:

Street Obstruction - 36-46 Concord St. Trust, Howard St. near corner of Concord St. rebuilding oil tank - 1/22/74-1/30/74.
Sidewalk Obstruction - Angelo L. Urso, 199 Concord St., erect sign 1/16/74.

APPLICATION FOR CERTIFICATE OF INCORPORATION:

The application of Charles P. Curren and others (none are residents of Framingham), for a certificate of incorporation under the name of "Massachusetts Association of Emergency Medical Technicians, Inc." to be located at 615 Concord St., Framingham c/o Cohen, Gaffin & Greb, Esqs., was approved and the Secretary of State so notified.

PETITIONS:

The petitions of the New England Tel. & Tel. Co. JO Boston Edison Co. for the following permission was granted:
Fountain St., southwesterly side approx. 1,115 feet northwest of Dudley Rd. - 1 Pole.
Waverly St., northwesterly side approx. 190 feet southwest of Fountain St. One JO Pole.
Waverly St., southwesterly side approx. 100 feet southeast of Larrabee St. - 1 Pole.
Waverly St., southwesterly side approx. 68 feet southeast of Wilde Ave. - 1 Pole.
Waverly St., northwesterly side approx. 270 ft. southwest of Fountain St. Three JO Poles.
Waverly St., northwesterly side approx. 186 ft. southwest of Bridges St. One JO Pole.
Waverly St., northwesterly side approx. 30 ft. southwest of Bethany Rd. Six JO Poles.
Waverly St., northerly side approx. 107 ft. northwest of Conant Rd. One JO Pole.
Waverly St., northeasterly side approx. 30 ft. northwest of Rhubena St. Four JO Poles.
Waverly St., northeasterly side approx. 185 ft. northwest of Wilde Ave. Two JO Poles.
Waverly St., northeasterly side approx. 224 ft. northwest of Daytona Ave. Six JO Poles.
Waverly St., southeasterly side approx. 34 ft. northeast of Saucier St. 1 Pole.
Waverly St., southeasterly side approx. 27 ft. northeast of Bridges St. 1 Pole.
Waverly St., southeasterly side approx. 8 ft. northeast of Bethany Rd. 1 Pole.

PETITIONS:

The petition of the New England Tel. & Tel. Co. for the following permission was granted:
Seminole Ave., northeasterly side approximately 156 ft. northwest of Daytona Ave. One (1) Pole.

HEARING - STREET NAME CHANGE:

A public hearing was held in the Selectmen's Office, Room 21, Memorial Building, for the purpose of hearing all parties interested in renaming a private way known as Fay Lane to Winter Terrace. No one appeared in opposition. It was unanimously voted to rename Fay Lane to WINTER TERRACE. Involved departments will be notified in order that they may adjust their records.

TRAFFIC REGULATIONS:

In accordance with recommendations received from Sgt. Foley, it was unanimously voted to approve the installation of the following signs:

- NO PARKING BETWEEN SIGNS - On Torrey St. from Richardson Circle a distance of 100 feet.
- SLOW VEHICLES ENTERING RIGHT - On Badger Rd. 300 feet south of the Conservation Property Gate (for northbound vehicles).
- SLOW VEHICLES ENTERING LEFT - On Badger Road 300 feet north of the Conservation Property Gate (for southbound vehicles).

Mr. Ablondi asked Sgt. Foley to include the installation of a larger, more permanent sign in this area indicating the entrance to the dog pound.

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VERNON STREET PARKING:

Selectman Peter Ablondi urged support in obtaining the land in back of Jonathan Maynard School because of the dangerous condition which exists as a result of illegal parking on the north side of Vernon St.

TOWN AMBULANCE SERVICE:

Receipt was noted of a letter from the Police Chief regarding the Ambulance Act which will become effective on January 22, 1974. A summary of the Law was provided by the Chief and reviewed briefly. Implementation of the Ambulance Act of 1973 was also discussed. John King motioned to reactivate the Ambulance Committee and to schedule a meeting with the Police Planner, Police Chief, Fire Chief and the Ambulance Study Committee to determine what direction the Town will take in regards to the matter. Peter Ablondi suggested the Finance Committee should be made aware of the new law because of a possible money factor. Unanimously voted.

PLANNING BOARD - REQUEST FOR FUNDS:

A letter was received from the Planning Board requesting funds for legal counsel to represent them in Superior Court to appeal a variance granted by the Zoning Board of Appeals. Responding to clarification sought by John King, Paul Farrand of the Planning Board explained the petition before the Superior Court is a question of law. Specifically, they questioned whether Eamons Trust was a Property Constitution Trust and whether the piece of land in question serves part of the buffer zone between the residential and business districts. Responding to a question raised by Peter Ablondi as to the necessity for special counsel, Town Counsel explained that he would normally represent the Planning Board, however, in this particular case the office of Town Counsel represents the Zoning Board of Appeals and he has already begun in this capacity in a different suit filed by local residents who are also appealing the variance. He clarified that this is only one of a very limited number of cases where the legislature says a Town may retain counsel other than town counsel. John DelPrete questioned the need of the Planning Board suit since a group of private citizens is also appealing the decision. He felt the Planning Board should go before Town Meeting to request the funds because he could not see using taxpayers dollars for one board to sue another. He also felt strongly this would be setting a precedent for other town boards in the future. In discussing how the funds should be made available if the Board decided it was warranted, a suggestion was made to take the funds out of Law & Damages Account. After further discussion it was unanimously voted, on the motion of John King, to schedule a meeting with the Planning Board and the Zoning Board of Appeals before the Board next Monday for further clarification on the petition before the Superior Court. Town Counsel was instructed to get a copy of the petition before the Board's next meeting.

ROUTE 9 GARAGE:

Responding to several rumors he had heard about his position on the proposed garage over Route 9, Chairman Peter Ablondi strongly stated he is not backing anyone on this proposal, and will personally fight anybody that will try to put a garage over Route 9.

CHILDREN IN CRISIS:

As a result of the number of people who attended the meeting, a conference scheduled with representatives of Children In Crisis was held in Upper Nevins Hall. Six representatives of Children In Crisis appeared to discuss the proposed use of Wilson Cottage as a Detention Center. The conference was scheduled at the request of Nathaniel Royston, Jr., Director of Children In Crisis, because he felt that the proposal which had been presented at an earlier meeting was misunderstood by the residents in attendance. Mr. Royston went on to explain that Children In Crisis is a non-profit private corporation who would have the responsibility of implementation of the Detention Center and also of the maintenance of the Center and not the Division of Youth Services. A synopsis of the proposal for the closed Juvenile Detention Center was presented. The facility would house no more than 22 boys at any one time, unlike Roslindale where 60 to 110 youths can be housed. Forty professionals will make up the staff with at least five at the cottage at all times. They stressed the need for adequate security and a staff with the training and experience to compliment this. While they will have adequate physical security, they emphasized the need for supportive and educational activities to occupy the boys rather than leave them idle to plan escapes. With regard to security, Project Director, Walter Hardiman, said they could not guarantee 100 per cent that the boys won't get out of the facility, however, he could guarantee that how they got out would be corrected. A clinical and medical staff will have the opportunity and ability to professionally evaluate and diagnose each boy who comes to the facility. A padded room will be in the cottage to treat any boy who may be destructive to himself or others. They admitted that alleged murderers, rapists and armed robbers would be among the youth to be held there. The boys will be offered legal counsel to keep them informed of their rights and court proceedings and assured the residents the youths will not be integrated into the public school system.

After listening to the outline of the goals and concept of the proposed program for Hodder Cottage, a number of people expressed total opposition to the proposal, citing the following concerns:

Prison Superintendent Dorothy Chase questioned why Hodder Cottage was even being considered. She said Hodder Cottage was directed toward openness and the whole concept on which the Cottage was being built would be destroyed if it is converted to a maximum security facility. Mr. Royston pointed out that the Department of Youth Services had selected the proposed facility and all they could do was accept or reject it. Mr. Ablondi said he felt the C.I.C. representatives were well meaning people, however, they have been sold a bill of goods by DYS. He said the Board could not support the program until it received the proposal including the security precautions in writing. He added they were sympathetic to the program but not satisfied and they would want assurances in writing. Police Chief Martins stressed the importance of the security issue. He noted that his department had been notified Monday morning that five youths had escaped from the Roslindale Detention Facility which Hodder Cottage would replace. He strongly stated the security should be equal to the security at Roslindale or better. Mr. Royston responded that CIC would not accept any facility from the DYS until it had approved the security, and he agreed to allow Chief Martins to rule independently on the security of the facility. School Committee Chairman Irwin Blumer asked if they had drawn up a set of plans on how the facility should be secured. Mr. Royston told him that no plans existed as yet. Mr. Blumer then asked Mr. Baffano, Associate Director of CIC, if he were given "x" amount of dollars to build a detention center would he build a Hodder Cottage and the answer was "No."

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CHILDREN IN CRISIS (CONT'D.):

State Senator Edward Burke said his mind was not completely made up yet. He advised there was a petition presently before the Ways & Means Committee for funding the renovations at Hodder Cottage. Mr. Ablondi countered he did not see the need for the State coming in and spending thousands of dollars when there are facilities available elsewhere. Selectman King said he would not support any new state program in the Town until the State pays the one million in back taxes they have owed the Town for the past five years. He questioned what would happen to any citizen in town who failed to pay his taxes. Selectman DelPrete strongly opposed the proposal. He also told the CIC representatives that he was very disturbed when they intimated that they did not have a chance to be heard at the previous meeting. He pointed out they were given every opportunity to be heard. He told them until he saw a written proposal he would urge the legislators to work against it. Others registering opposition were School Committee Chairman Richard Daly, Representative Barbara Gray, Sherborn Selectman Charles Ohl, Sherborn Planning Board Member Bob Sturgis and Chairman Elizabeth Bannon who presented a letter noting that Representative George Sprague of Sherborn was unalterably opposed. MCI Director Dorothy Chase and several residents also expressed their opposition. After further discussion, it was voted to go on record as opposing the facility since the building was not designed for maximum security and because the CIC representatives were unable to provide specific details regarding the security of the facility.

JITNEY SERVICE:

Receipt was noted of a letter from Robert T. Haggerty, Town Meeting Member, recommending the implementation of a jitney type service. Mr. Haggerty, who was present, explained that because of the existing conditions he would strongly recommend that the Board of Selectmen, together with the Town Planner and with the cooperation of the Chamber of Commerce, initiate a full scale survey to determine the exact need for inaugurating through licensing - or other means - in keeping with the requirements of the State Department of Public Utilities a jitney type service which would provide low fare, frequent and dependable year round service to the residents. He also suggested thought should be given to the possibility of inaugurating a mall to mall tram service or equivalent between Shopper's World, Natick Mall and Sherwood Plaza. He was advised that the idea had already been proposed and studied, however, consideration also had to be given to a possible conflict with an existing certificate issued to the Gray Line by the D.P.U.

#16 FREEMAN STREET:

Receipt was noted of letters from the Building Official and the Sanitation Officer regarding the conditions existing at #16 Freeman Street, and their application for a Lodging House License. The Building Inspector, who was present, confirmed reports that the house was in deplorable condition and because of the serious nature of the violations; previous requests to make corrections and operating without a license, he had contacted the owner and ordered him to immediately vacate the cellar apartment and to correct all other violations and/or deficiencies cited within two weeks. In the event they do not comply with the order they have been warned that legal action will result.

BUILDING OFFICIAL - PLANNING DEPARTMENT:

Receipt was noted of a letter from the Building Official to the South Middlesex Daily News clarifying an error contained in an article appearing in their paper which indicated that charges of conflict of interest were made against the Planning Board's Consulting Engineer by Mr. Seeley.

INCLUSION OF ARTICLE - CONTROL OF SCHOOL BUDGET:

Receipt was noted of a letter from the Town of Northborough urging inclusion of an Article, also enclosed, in the Annual Town Warrant for control of School Budget. They will be advised that the warrant for the 1974 Annual Town Meeting has been closed and, therefore, the Article will not be included at this time.

EXTRA PAID DETAILS:

It was voted that the rate for extra paid details would be \$6.50 per hour, effective January 22, 1974, in accordance with a recent request of the Police Chief. The rate to be paid supervisory personnel will be established at a later date by the Executive Secretary after consultation with the Chief of the Department. Selectman DelPrete did not vote because of a possible conflict since he personally hires policemen for the Utility Company for which he works.

SIDE YARD VARIANCE:

It was unanimously voted to grant to Victor Extension Trust, Albert D. Russo et als Trs., a 3.4' side yard variance on an existing building at Lot 12 (#18) Victor Road Extension, thereby validating the side yard requirement. This matter had been tabled previously pending a decision by the Zoning Board of Appeals.

SPECIAL MUNICIPAL EMPLOYEE REQUEST:

Receipt was noted of a request from Bruce Kenyon requesting designation of a Special Municipal Employee. After discussion by the Board it was voted to table action until a recommendation is received from the Park Commissioners for whom he works. The request was made in order for him to be considered as a special employee for the Highway Department to plow snow - using his own truck.


GASOLINE PROBLEM:

Selectman John King again urged the Executive Secretary to appeal to each Service Station Operator to come up with some sort of an arrangement whereby the public could be adequately served. He noted this would have to be done on a voluntary basis since there was no mandatory requirement to force them to stay open.

MASSACHUSETTS SELECTMEN'S ASSOCIATION:

Brief discussion was held concerning the authority of the elected officers in the Selectmen's Association which is being ignored by the Directors of the Massachusetts Selectmen's Association. The Board was in agreement that if this were to continue they would seriously consider resigning from the Association. In the interim, John DelPrete directed Mrs. Gherna to withhold payment of their dues until this situation was resolved.

MEETING ADJOURNED AT 10:30 P.M.


John F. DelPrete, Clerk