

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN FEBRUARY 25, 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:

#176 - Feb. 25, 1974 - Bill - \$521,397.94
#177 - Feb. 25, 1974 - Pay Roll - \$327,865.00
#178 - Feb. 25, 1974 - School Pay Roll - \$441,479.29

SPECIAL MALT BEVERAGE AND WINE LICENSES:

Alumni Sports Boosters Club, O'Connor Lounge, Framingham State College, March 9th - 8 to 11:30 P.M.
Class of 1976 & Kappa Delta Phi, Dwight Gym State College, March 2nd - 8 P.M. to 1:00 A.M.

COMMON VICTUALER'S LICENSES:

Interstate United Corp., 100 State St., (Fram. State College).
Jordan Marsh Cafeteria, Shoppers' World.
S.P.D. Enterprises, Inc. d/b/a/ Riccotti Submarines, 290 Worcester Rd.
86 Corp. d/b/a Mr. Donut, 517 Worcester Rd.

MOTOR VEHICLE CLASS II LICENSE - Paul F. Lannan d/b/a Able Auto Body & Sales, Inc. - 67 Beaver St.

RATIFICATION:

Open, occupy & obstruct street - Commonwealth Gas Co. - 1600 Concord St., test & repair existing gas, Feb. 25 to March 25, 1974.

APPOINTMENTS:

The following were appointed special police officers for a term of one year, effective Feb. 25:
Donald Singleton, 15 Lovering St., Medway.
Robert Cudmore, 54 Milford St., Medway
George Arnold, 14 Spaulding St., Wakefield.
Paul Conley, 108 Coolidge St., Sherborn.

Anne Marie Marsh, 365 Grant St. - Counter in Precinct 6A for a term of one year.
Joan Nichols - Inspector in Precinct 1 for a term of one year.

HEARING:

A public hearing was held at 7:45 P.M. in the Selectmen's Office, Room 21, Memorial Building, on the application of A. M. Glick Realty Trust to use the land at 550 Union Ave. for the storage of 10,000 gallons of gasoline, in one underground tank, for private use, not for resale. Allen M. Glick, representing the applicant, was present in favor of the granting of the license. Chief of the Fire Dept. Jerome N. Byrne was also present in favor. An abuttor was present and expressed he had no opposition. It was voted to grant the license.

CONFERENCE - FLOWER VENDOR:

Attorney Robert Shuman and his client Lawrence Greenberg appeared before the Board to request a Town license to sell flowers on town-owned locations. Attorney Shuman explained that Mr. Greenberg had obtained a State Hawker's & Peddler's license four years ago on the advice of Mr. Rousseau, Town Sealer of Weights & Measures, in order that several of his 15 children could sell flowers at several stands (town owned land) in Framingham. He noted that initially Mr. Greenberg had contacted the local police who had directed him to the Sealer of Weights & Measures who, in turn, told him if he wanted to sell flowers he should apply for a state license. He said Mr. Greenberg had obtained a state license and followed this practice for four years and only this past season he was advised by the Police that he did not have a license to do so and was asked to cease and desist until he obtained a proper license from the Board of Selectmen. As a result, Mr. Shuman told the Board his client was seeking an appropriate license to sell flowers at certain times and on certain occasions in accordance with the Town ordinances and by-laws. (The location of the stands are: Route 30 and Burr Ave. near the Mass. Pike; Western Ave. near the MCI property and on Water St. near the entrance to Brook Water School. Flowers would be sold on 36 weekends of the year.) Lengthy discussion followed as to the type of license required to permit Mr. Greenberg to sell flowers on town-owned land. Town Counsel said according to what he wants to sell you do not need a hawker's and peddlers license - however, because of the interpretation of Article 8A of the Town By-Laws which provides that no person shall sell or display goods on public ways of the Town without permission from the Selectmen, there is a possibility that he might need a town license. He explained further that in order to eliminate the need for a license he would have to have a permanent stand which would take him out of the class he is in and put him in a transient vendor class (transient vendor is limited to a tent or booth). Selectman DelPrete asked him whether he paid any taxes to the Town. He said he was mainly concerned because there are businesses in the town who do pay taxes and they resented the competition. Mr. Ablondi said he had been in touch with the Chamber of Commerce and there have been complaints about allowing vendors to come in and pick up revenue and then leave without paying taxes. Mr. Greenberg responded he would be glad to pay taxes but he didn't know who to see about it. John King said that in addition to his concern over the traffic congestion resulting from this operation, he felt the issuance of a license to an outside vendor would not be fair to people doing business in Framingham on a day to day basis and who pay taxes. The matter was taken under advisement.

LEASH LAW:

Mrs. Mary Moore, owner of a dog that was torn apart by another dog, much like another dog killing recently in the same area, urged the Board to support her attempt to strengthen the Town's Leash Laws. Mrs. Moore, admitting that her dog was not leashed at the time, expressed a great deal of concern over the lack of manpower in a town this size to enforce the current laws. She suggested a \$20. to \$25. fine to first offenders, rather than the usual warning - and a doubling of the dog officer's manpower from two to four men. Mr. Ablondi told her that they have always supported the leash law, however, unfortunately, the courts do not support the Dog Officer's action. He pointed out that the dog officer has noted that many leash law offenders are let off easily in court. Another problem which has been difficult to control were roaming

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LEASH LAW (CONTINUED):

DOGS WHICH COME FROM BORDERING TOWNS. Mrs. Moore told the Board that she has sent a letter to cities comparable to the size of Framingham inquiring about their leash laws in an attempt to provide a plan for a self-supporting leash law and dog department operation. John DelPrete told her the Town's present leash law costs about \$30,000 a year. He said he would not like to see additional positions because of the cost, however, he did recognize there was a problem. The Board assured Mrs. Moore of their support.

STREET ACCEPTANCE HEARINGS:

A public hearing was held in Room 21, Memorial Building, at 8:00 P.M. under Chapter 82 of the General Laws on petitions for the acceptance of the following named streets. Prior to conducting the hearing, John King informed the groups of abutters present that all streets being heard had the approval of the Public Works Department, Planning Board, Town Engineer and Tree Department. Town Engineer Fred Sergeant was present. He provided the Board with the status of outstanding bonds, sidewalks and street lighting. No objections were voiced and no questions were raised on the streets except for those designated below**.

Ledgewood Rd. as accepted to Rolling Dr.
Lowry Rd. from Potter Rd. to end
**Travis Dr. from Singletary Lane to end.
**Woodland Drive, as accepted to end
Crestwood Drive from Indian Head Rd. to land of Moynihan
Carter Drive from Edmands Rd. and Land of Connolly
Jodie Rd., as accepted to Wm. J. Heights
Kevin Circle from Carter Dr. to end.
Waveney Way from Waveney Rd. to Angelica Dr.
Eaton Rd. between Hemenway Rd. to end.
Murphy Circle from Eaton Rd. to end
Relocate and widen a portion of Temple St. from land of Montecalvo to 423' northerly.

Comments were made and questions were raised by resident of Travis Dr. Mr. Davidson expressed concern that a storm drain at the end of his driveway has caused him considerable problems. He noted that he has reported this matter several times and the question of responsibility in repairing it was discussed. Inasmuch as the bond has been released the condition will be investigated further before any decision is made on this particular street.

Woodland Dr. - A question was raised with regard to sidewalks on this street. Inasmuch as the Planning Board did not require sidewalks on the original plan, the sidewalk situation will be followed up further.

John King motioned to recommend acceptance of all streets except for Travis Drive for which he recommended conditional approval contingent upon the drain being repaired in accordance with the abuttor's request. John DelPrete asked to include Woodland Drive as a conditional approval as well pending the clarification of the status of the sidewalk requirement.

STREET NAME CHANGES:+

Receipt was noted of a letter from Fred Sergeant, Town Engineer, concerning confusion regarding the names of Maymount Drive; Vandeventer Ave; LaCleda Ave. as a result of the way they were laid out. He recommended the Board change the name of Vandeventer Ave. to Maymount Drive and naming the stub road off Brownlea Rd. which connects LaCleda Ave. to LaCleda Ave. Public hearings will be scheduled to hear all parties concerned.

TRAFFIC REGULATIONS:

In accordance with recommendations received from Sergeant Foley, Safety Officer, the Board voted to approve the installation of the following sign: NO PARKING BETWEEN SIGNS - On Nipmuc Rd. both sides for a distance of 50 feet west from Hollis St.

TABLED SIDEYARD VARIANCE:

Inasmuch as clarification has not been completed on the tabled sideyard variance request from Mr. and Mrs. Dayhoff, their abuttor, Mr. Charles Cacciola will be invited in next week for further discussion.

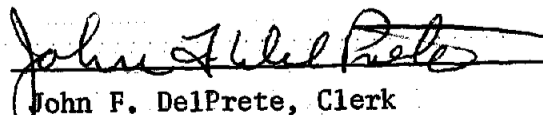
EXECUTIVE SESSION:

The Board met in Executive Session with the Building Official relative to personnel matters within his department.

#16 FREEMAN STREET:

George Smith reported to the Board that on February 19, 1974 a joint reinspection was made of property at #16 Freeman Street with Building Official George M. Seeley, his assistant, John Liberatore and Fire Captain Richard Whitney and showed that violations listed in a letter to the Board of Selectmen on January 17, 1974 have been substantially corrected throughout the entire structure. On the basis of the improvements noted at the time of this inspection he recommended that this license be issued with the stipulation that the license be annotated to read that cooking is not to be allowed within individual rooms of this lodging house. Also recommended was the inclusion of this same restriction on all future lodging house licenses. Brief discussion followed and the Board indicated they could revoke the license at any time if any of the terms of the license are violated.

MEETING ADJOURNED AT 9:30 P.M.


John F. DelPrete, Clerk