

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN MARCH 18, 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:

#185 - March 18, 1974 - Bill - \$210,993.86
#186 - " " " - Pay Roll - \$304,625.35
#187 - " " " - School Pay Roll - \$56,889.83
#188 - " " " - Treasury Warrant - \$1,111,301.35

COMMON VICTUALER'S LICENSE - Dick's Diner, 800 Worcester Rd.

SPECIAL MALT BEVERAGES AND WINE LICENSE - Linsley Hall and Towers House Council, Dwight Gymn, Framingham State College, March 20, 8 p.m. to 1 a.m.

SIGN PERMIT - John P. Chiumento, Bob Brodeur, Fred Kaplan, Walter Groves, Electrician #A-4298, at 20 Concord St.

RATIFICATIONS:

Obstruct sidewalk - Murhall Inc., 18 Irving St., repair and re-install sign, March 12.

APPOINTMENTS:

The following were appointed special police officers for a term of one year, effective March 18, 1974:

Gregory M. Fistetto, 62 Hemenway Rd.
James Joyce, 8 Greenview St.

VARIANCES:

It was voted to authorize the Building Official to issue a permit to Alan L. Dayhoff for the construction of a tool shed at 53 Gleason St. with an 8' rear yard. Application was in order.

It was voted to authorize the Building Official to issue a permit to Stefano Capizzo for the construction of an addition to his garage with a 1 1/2 foot rear yard.

It was voted to authorize the Building Official to issue a permit to Henry J. Mulligan for the construction of an aboveground swimming pool at 421 Brook St. with a 2' side yard.

FUEL ADJUSTMENT CHARGE:

Mrs. Jackie O'Gara reported to the Board her testimony at a hearing last week before the Legislative Committee on Government Regulations which protested the increase in the Boston Edison bills and the manner they appear on the bills. She told the Board the Boston Edison Co. should be requested to break down the bill listing the total cost of electricity and the total cost of the Fuel Adjustment Charge. She also reported on her activities to date in an effort to obtain as many signatures as possible in area towns on petitions protesting the charge, and cited locations where petitions have been deposited. Responding to a question raised by John King, Town Counsel confirmed that Boston Edison Co. could charge what they want, the only limitation being what they pay for crude oil. John King said he felt the fuel adjustment charges were an unfair tax on the community and, therefore, it was incumbent upon the DPU and the Boston Edison Co. to come to Framingham to listen to what the people have to say. He said also, Boston Edison Co. should be made to spell out in dollars and cents what it costs each individual owner. He also questioned the cost to the Town. Mr. King asked Town Counsel what steps the Board could take to make Boston Edison spell out the fuel adjustment charges. Mr. Bikofsky explained the only way would be by order of the Department of Public Utilities. After further discussion, John King suggested that the Executive Secretary should be directed to call the Governor to request his support in arranging a hearing in Framingham with the D.P.U. John DelPrete suggested the Board send a letter to the President of the Boston Edison Co. asking him to have the charges spelled out, and to provide an explanation of the fuel adjustment charges on the Boston Edison bills, and then follow up with the Governor if action is not taken by the Boston Edison Co. The Board voted unanimously to direct the Executive Secretary to write a letter to the President of Boston Edison Co. and to call the Governor's Office in an attempt to have local hearings with the Department of Public Utilities.

STUDENT GOVERNMENT DAY:

Members of The Student Government Coalition of South High School met with the Board to ask them to jointly sponsor with South High a Student Government Day. Present were Andy Fuhrman, Jim Barbieri, Peter Mason, Richard Burnham, Joanne McGyon and Cathy Noonan. Andy Fuhrman explained to the Board that because of the energy crisis they are no longer able to participate in the State Sponsored Student Government Day, and therefore, they would like to substitute a Town Government Day in order to become acquainted with Town Government and to understand more fully its function. Their proposal, which included becoming acquainted with town officials and their positions; holding a town meeting; discussing and proposing bills; listening to complaints from "fake" public, was discussed extensively. The group was commended for their interest and concern, and was, unanimously, given the Board's complete support and cooperation. The Executive Secretary was directed to work with the Coalition Group and assist in coordinating the program.

TRAFFIC REGULATIONS:

It was unanimously voted, in accordance with recommendations received from Sgt. Foley, to approve the installation of a TWO HOUR PARKING sign on Union Ave. southwest side from Linden St., 100 feet north.

CROSSING GUARD APPOINTMENTS:

The Board noted receipt of correspondence from Lt. Harrington recommending that appointments of additional crossing guards be deferred until after Town Meeting.

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STATE PROJECTS - ROUTE 9:

The following report was submitted by the Town Engineer regarding State Department of Public Works Projects on Route 9:

1. Traffic Signals at Country Club Lane - contract has been awarded (end of February). Anticipated start in the Spring of this year.
2. Traffic Signals at Temple St. - bids were read on March 5, 1974. Award to be made next week.
3. Street Lighting adjacent to Country Club Lane - State is negotiating with Boston Edison. No additional information is available. John King asked who would pay for the street lighting from Temple St. to Southboro Line. Mr. Sergeant informed him that they are negotiating for the State to pay for it, however, it has not been firmed as yet.

FLEXI-FLO RELOCATION:

Receipt was noted of a letter from Senator Edward L. Burke notifying the Board that the Department of Public Health will conduct a hearing on April 10th on the possible relocation of Flexi-Flo to Southampton St. in Boston. Senator Burke will be commended for his continued effort in effecting this move. Representation will be in attendance (from the Board) at the hearing in support of the move.

BOSTON EDISON CO. - TREE CUTTING:

Receipt was noted of a letter from Fred Roth, District Manager of the Boston Edison Co., in connection with an Article to be included in this year's Annual Town Meeting which, if accepted, would designate scenic roads and streets. Specifically, their concern dealt with the cutting and removal of trees and its effect on being able to provide reliable electric service. Town Counsel clarified that the Statute does not allow anything to take place on the scenic road until after a public hearing is conducted. If Town Meeting designates any of the streets, then the Edison Co. would have to hold a public hearing before they could proceed with any work. John DelPrete suggested referring the matter to the Planning Board since they supported the Article. Mr. Ablondi, concerned about the ramifications, agreed that the matter should be referred to the Planning Board to see if the differences could be resolved between them and the Boston Edison Co. before Town Meeting. It was so voted.

EMPLOYEE PENSION:

Receipt was noted of a letter from Attorney Edward K. White, II - on behalf of Mrs. Warren Needham, requesting the Board's consideration in awarding a pension to Mrs. Needham, widow of Warren Needham who had been a town employee for 34 years. Mr. White explained that Mr. Needham, who had died on 1/26/74, and had been a resident of Framingham since 1918, had lived on a town pension for the last fifteen or more years, however, when he died, the pension terminated leaving Mrs. Needham without a means to support herself. He pointed out that under Chapter 32, Section 77 of the Mass. General Laws Annotated, the Board of Selectmen has the right and the power to award pensions in cases like this. In connection with same, the Retirement Board wrote that it could find no legal impediment to the Board's proposal to recommend an annuity to the widow of Warren Needham to Town Meeting. John Murtagh (Retirement Board) explained that Mr. Needham was on the non-contributory system and at the time of his retirement was not given a choice to take a lesser pension and leave something to his widow. Since that time the Great & General Court now says the Board of Selectmen may grant her \$1500, subject to Town Meeting ratification, and the Retirement Board would concur with the proposal. It was unanimously voted, on the motion of John King, to grant an annuity in the amount of \$1500. to Ida S. Needham, under the provision of Ch. 32, Sec. 77 of the General Laws. An Article requesting Town Meeting approval will be included in the Warrant for the Special Town Meeting if Town Counsel rules it to be proper. (April 25th Special Meeting was requested by the Public Works Department - however - the Board will wait until next week to open and close the Warrant.)

KIDDIETIME CORPORATION AMUSEMENT CENTER:

A request was received from Kiddietime Corporation for a license to operate an amusement center at 11E Blandin Ave. John King asked to table the matter until reports and recommendations are received from the Police, Fire and Health Departments. John DelPrete said he was against issuing a license for this type of operation in the Town because he felt it was undesirable. Peter Ablondi seconded John King's motion and it was voted. John DelPrete voted in opposition.

GASOLINE STORAGE - ZAYRE CORP.:

Receipt was noted of a letter from Attorney Donald Block, representing Zayre Corp., in connection with an earlier request by him for the Board to modify the wording of the license recently granted to them to add the words "except to employees" after the word "resale". Mr. Block, who was present, told the Board they understood the Board's concern that permitting Zayre employees to purchase fuel at their pumps may affect sales of gasoline retailers in Town and, therefore, they would be willing to add the words "provided, however, that no such employee shall be permitted to purchase more than 10 gallons of fuel in any calendar week" to the license. He said he felt by limiting the permit to this extent, problems with gasoline retailers in Town could be avoided and still allow Zayre to accomplish its purpose, namely, providing its employees with a supplementary source of fuel so as to alleviate commuting problems caused by the gasoline shortage, and allowing them to have enough fuel to make trips required in connection with their employment between the company's various facilities. John King said he appreciated what Zayre's was trying to accomplish, however, he felt it would be a dangerous precedent and for that reason would be against granting the modification. Mr. Block said he did not believe that a precedent would be set because other private companies did not have a source of gasoline. He explained that Zayre's was in a unique position because they operate retail gasoline stations in other areas of the country and would, therefore, obtain from its suppliers the gasoline required for this supplement program. He stressed they would not be using gasoline coming out of the New England allocations. John DelPrete said he felt it was a remarkable asset to Zayres and would move to grant the modification provided the sale of gasoline to employees would cease when the energy crisis lifts. Peter Ablondi seconded Mr. DelPrete's motion after Mr. Block agreed to review the license annually with the Board of

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ZAYRE STORAGE (CONT'D.):

Selectmen, and provided that no more than 10 gallons per employee, per week would be sold. After further discussion, it was voted two to one to grant permission to Zayre Corp. to re-sell their gas to employees with the following stipulations:

"Not for sale, except to employees, provided that no such employee shall be permitted to purchase more than ten (10) gallons of fuel in any calendar week. The right of resale to employees is to be reviewed by the Board of Selectmen annually beginning January 1, 1975."

Selectman John King voted in opposition.

RIDE A BIKE WEEK:

Responding to a request from Grade Five, (Mrs. Carleton's Class) of the Brook Water School, it was unanimously voted to wholeheartedly support a "Ride A Bike Week" in connection with the recent bicycle laws passed by the legislature in 1973. The Board's commendation will also be extended to the Class for their interest and participation in a worthwhile endeavor.

SPECIAL TOWN MEETING REQUEST:

Receipt was noted of a request from the Commissioners of Public Works for the Board to call a Special Town Meeting on Thursday, April 25th, for the purpose of submitting an Article for improvements to the Town Sewerage System. Responding to a question raised by John King as to whether the request was in order, Ralph Noonan explained the rationale behind the request. The Board voted to call a Special Town Meeting for April 25, 1974 on the motion of John King. The opening and closing of the Warrant will be tabled until the next Selectmen's Meeting, however, in order to permit inclusion of several other emergency type articles.

INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY:

A recommendation received from the Industrial Development Financing Authority for the Board to appoint Everett C. Farnsworth to fill the unexpired term of recently resigned member Robert Fairbanks was tabled until next week on the motion of John King that the Talent Bank be checked before finalizing the appointment.

ELECTION - POLLING PLACES:

Responding to a request from the Board for consideration of relocating Precinct 3 Polling Place because of the crowded conditions on Election Day, Town Clerk reported because of the time and cost factors it would not be feasible to relocate the Polling Place. He recommended, instead, that the School Department be requested to either cancel the night programs on April 1, 1974 - Election Day, or advance the classes to hours after 8:00 P.M. In connection with same, Mrs. Gherna reported she has had several conversations with School Personnel regarding possible suspension of classes for Election Night and was referred to Kenneth Ballou of Northeastern who will investigate further. Alternate suggestions to alleviate the parking congestion in the event classes cannot be suspended were to request the teachers, pupils and poll workers to park in the rear of the lot.

ANNUAL TOWN REPORT:

Recommendation to Purchasing Agent for the awarding of contract for printing Annual Town Report was ratified by the Board.

STATUS OF LAND TAKINGS:

John King requested a status report with regard to land takings voted at annual or special town meetings. Town Counsel informed him that action has been taken on all except for Bethany Land which has been delayed because the owner has not presented plans as yet.

INCOMPLETED PROJECTS:

John King asked Town Counsel to report on the status of various projects which have been started but not completed.

TOWN MEETING ACTION:

The status of action authorized by Town Meeting on Selectmen sponsored articles was reviewed by Mr. Noonan in response to a request by Mr. King.

AREA GAS MEETING:

The Executive Secretary reported to the Board on the area gas meeting held in Natick recently. John King suggested a plan be prepared and ready for implementation if the crisis becomes such to warrant same.

TOWNS AND CITIES REIMBURSEMENT:

The Executive Secretary reported that the Governor had submitted to the Legislature a bill in a supplemental budget to reimburse towns and cities for state owned lands and bus transportation through fiscal year '75.

MEETING ADJOURNED AT 9:30 P.M.


John F. DelPrete, Clerk