

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN APRIL 22, 1974

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

WARRANTS:

#201 - April 22, 1974 - Bill - \$546,454.68
#202 - " " " - Pay Roll - \$627,487.53
#203 - " " " - Pay Roll - \$31,468.68
#204 - " " " - School Pay Roll - \$442,159.94
#205 - " " " - Bill - \$1,949,810.49

AUCTIONEER'S LICENSE - Ruth Fishel, 81 Salem End Rd.

SPECIAL MALT BEVERAGE AND WINE LICENSE - Larned Hall House Council Framingham State College, to be held at Framingham State College, Larned Hall, April 26, 6 p. m. to 12 p.m.

SUNDAY ENTERTAINMENT LICENSE - Framingham Carousel Flea Market, a flea market on April 28, May 5, 12, 19, 26, June 2, 9, 16, 23, 30, at Old Conn. Path (former Carousel Theatre).

OBSTRUCT SIDEWALK - Manacose Navy Mothers Club #897 - business section, tag day, 5/18, 9 a.m. to 5:30 p.m.

RATIFICATIONS:

Open, occupy & obstruct st.:

Hofmeister Equipment Corp., intersections Concord St. with Howard, Park & Waverly St., install traffic signal bases downtown area per Town of Framingham contract #806 - April 22 to May 3.

Open, occupy & obstruct st.-Commonwealth Gas Co.:

14 Cochituate Rd., install new 3/4" I.P. service, April 22 to May 22.

HEARING:

A public hearing was held at 8 p.m. in the Selectmen's Office, Room 21, Memorial Bldg., on the petition of the New Eng. Tel. & Tel. Co. JO Boston Edison Co. for the following permission: Edgell Rd., southwesterly side approx. 23' northwest of Edgebrook Rd., one JO pole, hip guy and anchor. Mr. Chisholm, representing the Boston Edison Co., appeared in favor of the granting of the petition. There was no representative from the Telephone Co. present. The petition was granted with the condition that there would be clearance for sidewalk plows. Mr. Chisholm, representing the Boston Edison Co., will confer with the Board of Public Works.

COMMENDATION:

A commendation was presented by the Board, on behalf of the Town, to Richard Babineau of Sudbury for his prompt action in evacuating an elderly man from a burning house at 19 Linden St., Framingham.

CULTURAL FESTIVAL - UNITED PEOPLES:

Larry Loebig and Chris Kelley of United Peoples appeared before the Board to discuss their proposal to provide a cultural festival in the Town of Framingham for a ten week period during the summer, one night a week, without charge - and to request permission from the Board to use the Centre Common. Mr. Loebig told the Board they had approached the Park Commissioners to see if they could use Bowditch Field, however, were refused because of previous commitments. After researching other areas, United Peoples found the Centre Common would accommodate the program and, therefore, they contacted the churches in the area for concurrence and had received approval from one of the churches and expected approval from the others. The proposed program was discussed in detail. Mr. Ablondi noted concern for the people in the area because of the resulting traffic, noise and lack of parking. He said he approved of the idea, however, did not think the area was conducive to this form of activity. Mr. DelPrete pointed out because of the nursing home in the area and anticipated mob scenes, he also could foresee some problems. Mr. Loebig assured the Board they would not have any rock & roll groups and, therefore, "undesirables" would not be attracted. He also noted the hours of operation would conclude early enough to eliminate the noise factor. Responding to other questions raised by the Board, Mr. Loebig assured the Board they would clean up after the activities, and further, additional police would be provided by the Police Department. Mr. DelPrete suggested scheduling the program on a week to week basis so that if problems arose the festival could be cancelled easily. Mr. Loebig pointed out it would be difficult to schedule groups on a weekly basis, however, he assured Mr. DelPrete they would follow the criteria set down by the Board and other involved departments. Because of the concerns raised by the Board, other locations were suggested. Mr. King said he felt the program had a great deal of merit, however, he would defer action until details could be worked out so that it would be in the best interest of all the citizens in the Town. The Executive Secretary was directed to work with United Peoples, Park Department, and Sam Robinson of the Framingham Improvement Association in an attempt to relocate the festival and to complete necessary details with involved parties.

PERAMBULATION OF TOWN BOUNDS:

Receipt was noted of a letter from the Town Engineer advising perambulation of town bounds for Sherborn, Ashland, and Wayland have been completed.

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COCHITUATE OAKS SECTION:

Complaints of vandalism, swearing, fire works and malicious destruction of property were cited in a petition received from residents of Delmar Ave., LaClede St. and Bellafontaine Ave. who requested increase police patrols between the hours of 7:30 P.M. to 9:00 P.M. Captain Bianchino of the Police Department was present and told the Board there would be more police patrol in the area, as well as additional foot patrol, which, hopefully, would eliminate the problems. Selectman DelPrete discussed other problem areas with Captain Bianchino (Grace Park, Long Field and Beaver St.) and requested additional patrol in these areas as well. Selectman Ablondi said he felt many of the problems in these areas were a result of too much leniency with regard to offenders and requested the Police to get "tough" when it is warranted.

TEMPLE ST. (RT. 9 & PLEASANT STREET):

Responding to a request from the Board of Public Works for speed signs on the section of Temple St. between Route 9 and Pleasant St., Sergeant Foley explained the only way to eliminate the hazards in this area would be to reconstruct this section, however, because of the location of the homes found it an impractical solution. As a result, he reported that speed tests for zoning by the State have been conducted for this section and once trial runs have been completed, the State will be requested to act on same. Mr. Ablondi told Sgt. Foley that the Town Engineer within the last month has marked off the width of the road for widening and directed him to confer with the Town Engineer and Public Works Departments for current plans, and report back to the Board.

FLOWER VENDOR:

Receipt was noted of a letter from Edward B. Burke requesting permission to sell flowers on business zoned private property, on a part-time basis, at the corner of Wheeler Ave. and 816 Worcester Road. On the basis of recommendations received from Lt. Harrington, it was unanimously voted to deny the request because of the site location. Lt. Harrington was directed to inform Mr. Burke personally of the Board's decision, citing the reasons for their action.

NORUMBEGA COUNCIL BOY SCOUTS - MUSIC FESTIVAL:

At the request of the Norumbega Council Boy Scouts, it was unanimously voted to invite the Auxiliary Police of Wayland to participate in the security plans for the Contemporary Music Festival which will be held by the Norumbega Council Boy Scouts at Nobscot Reservation on May 11, 1974 - rain date May 12, 1974.

FRAMINGHAM MOTOR INN - LIQUOR EXTENSION:

Receipt was noted of a request from the Framingham Motor Inn for the Board's permission to serve liquor to a private party on Sunday, April 28, 1974 from 10:30 to 11:30 A.M. It was unanimously voted to grant permission, however, they will be cautioned that in accordance with the Alcoholic Beverages Control Commission's regulations, no liquor can be served before 11:00 A.M.

BUS LICENSE (BIG W TRANS):

A request from Robert P. Winterhalter d/b/a Big W Trans for a license to operate as a common carrier for the transportation of passengers for hire by motor vehicle was removed from the table. In a letter to the Board last week, Mr. Winterhalter explained he wished the license to continue to provide a shoppers' bus each Monday, as requested and sponsored by the South Middlesex Chamber of Commerce, to and from St. Patrick's Manor and from Chapel Hill, Waterview, Edgewater, Granada, Bayberry Hills, and Lord Chesterfield Apartments with stops at the Courthouse and Armory on Concord St., to and from downtown Framingham. In connection with same a letter was also received from Alfred L. Morin, Attorney for Wellsesley Fells Bus Lines, Inc., expressing opposition to the granting of the license. John DelPrete said that because of the many problems they have had with Gray Lines he would motion to grant Big W the opportunity to go into the MBTA and D.P.U. to petition for the service. Mr. Ablondi asked Town Counsel whether this action would jeopardize the position of the Town with respect to Gray Lines promise to maintain service in Framingham if Wells Fells could not fulfill its commitment. Town Counsel explained that Wells Fells commitment was primarily to maintain the service at least at the time Gray Lines had it and where Mr. Winterhalter is involved in service other than at that particular level, neither Gray Lines nor Wellesley Fells could claim he was infringing on their service. He pointed out also that the Board was on record as trying to enhance the bus service in the Town. Mr. Ablondi seconded Mr. DelPrete's motion to support Mr. Winterhalter's request and it was unanimously voted to grant a license to Robert P. Winterhalter d/b/a Big W Trans to operate motor vehicles for the carriage of passengers for hire over designated routes in the Town of Framingham for the purpose of allowing the petitioner to provide a Shopper's Bus each Monday over the designated routes to and from downtown Framingham.

BUILDERS REALTY CORP:

A report was received from the Town Engineer confirming that the location of the storage tank on the Cueroni Property was different from that shown on the sketch filed with the original application in the Selectmen's Office. Accordingly, a hearing will be scheduled for May 6, 1974 to determine whether the license for the storage of gasoline on the premises at 131 Fay Road should be revoked for the reasons that the holder of said license has failed to file with the Town Clerk the annual certificate of registration required in the General Laws, and the location of the storage tank is not as shown on the plan on file with the office of the Board of Selectmen.

REGIONAL VOCATIONAL SCHOOL:

Discussion was opened on the request of the Regional Vocational School for a license to store gasoline, and also the construction of the building on the school property which is the subject of much controversy. Although the Board was in agreement that the only issue properly before the Board was the request for storage, John DelPrete said he was disturbed because the School had been asked to review the complaints of the neighbors and now he learns they have started to pour the foundation. He felt, as a matter of courtesy, that the School Officials should have listened to the neighbors. Peter Ablondi said since the issue was actually with the granting of the storage license the matter should be removed from the table and he motioned to grant the license. John DelPrete motioned to leave it on the table and invite Mr. Dew and other involved persons to the next meeting and it was so voted.

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KIDDIETIME ARCADE LICENSE:

Discussion was opened on the request of Kiddietime Corporation for a license to operate an amusement center at 11E Blandin Avenue. The matter had been on the table pending further study of the proposal. Mr. Sumner Segal, President of Kiddietime Corp. was present. Peter Ablondi cited his concern that this type of operation would encourage vandalism, teenage problems, parking problems and safety problems. Mr. Segal told the Board they were a well established firm and from the planning stages have intended making this a facility that would be an asset to the community. Mr. DelPrete noted he had initially recorded his opposition to this type of operation in the Town and still held the same position. Mr. King asked Mr. Segal if he would be willing to supply police details if it becomes necessary as a condition of the license and Mr. Segal said he would agree to the condition. The matter was tabled once again pending further consideration.

MOON PALACE RESTAURANT (LIQUOR VIOLATION):

The matter of the alleged liquor violation by Moon Palace Restaurant was removed from the table. It was unanimously voted that a violation did occur concerning sale of alcoholic beverages to one or more minors. However, in light of the circumstances connected with the incident, Peter Ablondi motioned to suspend the license for one day. John King said he would be in favor of following the ABC guidelines and suggested a six day suspension since, in his judgement, the offense was serious where it involved two fifteen year old youths, regardless of whose fault it was. John DelPrete seconded Mr. Ablondi's motion and it was voted that Moon Palace's license to sell all alcoholic beverages as a restaurant on the premises of 1138 Worcester Road, Framingham, should be suspended for a period of one day, specifically on April 28, 1974.

SELECTMEN'S MEETING:

It was unanimously voted to convene the regular meeting of the Board of Selectmen on April 29, 1974 at 8:00 P.M. instead of the usual meeting hour of 7:30 P.M.

PERSONNEL DIRECTOR BYLAW:

It was unanimously voted to release the opinion submitted by Town Counsel, which was requested by the Board of Selectmen, concerning the residency requirement of the Personnel Director to Town Meeting Members. Copies will be made available to the Town Meeting.

APPOINTMENTS:

The following persons were unanimously appointed by the Board:

Town Counsel - Aaron K. Bikofsky. Term of 3 years, to expire March 31, 1977.

Constables:

Michael D'Amato - 3 years, effective May 5, 1974.

Theodore Milgroom - 3 years, effective May 5, 1974.

Norman K. Booth - 3 years, effective May 5, 1974.

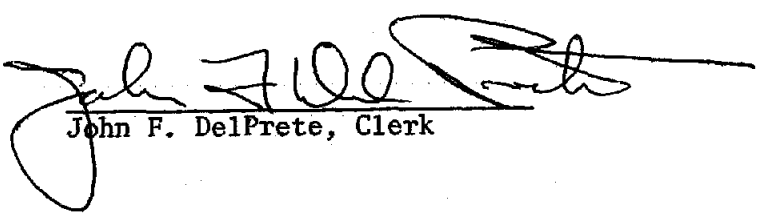
EXECUTIVE SESSION:

The Board met in Executive Session with Patrolman Amedeo Luciani concerning an alleged violation of the Rules & Regulations of the Police Department. Present were Officer Luciani, his Attorney - Edward Shagory, and Police Chief Martins. In accordance with the Police Chief's recommendation, it was unanimously voted to issue 30 days punishment duty to Officer Luciani, without pay and to be served at such times as the Chief may direct.

EXECUTIVE SESSION:

The Board met in Executive Session with the Commissioners of Public Works, Director of Public Works, Town Counsel and Town Engineer regarding Article 52 (By-Law on Street Openings). Lengthy discussion followed and it was voted to streamline street opening procedures and policies. The Executive Secretary was directed to meet with the Town Engineer, Town Counsel, Primo Silva and Commissioner Giargiari to discuss Article 52 further, and to develop an updated policy with regard to street openings.

MEETING ADJOURNED AT 11:00 P.M.


John F. DelPrete, Clerk