

**TOWN OF FRAMINGHAM**  
**SELECTMEN'S RECORDS**

\*REGULAR MEETING OF THE BOARD OF SELECTMEN - MAY 20, 1974\*

The regular meeting of the Board of Selectmen was held at 7:00 P. M. Present:  
Mr. John F. King, Chairman, Mr. John F. DelPrete, Clerk and Mr. Peter W. Ablondi.

WARRANTS:

#216 - May 20, 1974 - Bill - \$523,685.83  
#217 - " " " - Payroll - \$441,389.04  
#218 - " " " - Payroll - \$1,359,468.61

AMUSEMENT LICENSES:

Framingham Carousel Flea Market, Flea Market, Carousel Property, Old Conn. Path, May 27, 1974.

BEANO LICENSE:

The application for renewal of Beano License for Temple Beth Am was approved by the Board.

OBSTRUCT SIDEWALKS:

Sign Craft, Inc., 20 Concord St., 5/17 - 5/20 - paint sign

OBSTRUCT STREETS:

Couples Club of Park St. Baptist Church, square dance, 15 Alla St. to 19 Alla St.  
May 31, 1974, 8P.M. to Midnight.

RATIFICATIONS: - Open, occupy & obstruct street -

New England Tel. & Tel. Co., Pole 27 Salem End Rd., splicing buried cable, 5/20-5/28/74.  
" " " " " Pole 15, Beaver St., splicing buried cable, 5/20-5/28/74.  
" " " " " 485 Franklin St., repair cable leak, 5/20-6/28/74.  
" " " " " 10 Russell Rd., clearing cable trouble, 5/20-5/28/74.

LIQUOR CHANGE OF MANAGER:

It was voted to grant, subject to the approval of the Alcoholic Beverages Control Commission, change in manager of the Howard D. Johnson Company d/b/a Howard Johnson's, for the sale of all alcoholic beverages as a Common Victualer at 120 Worcester Rd., from Nelson N. Littlefield, present manager, to John F. Wilson, new manager.

It was voted to grant, subject to the approval of the Alcoholic Beverages Control Commission, change in manager of the Howard Johnson Company d/b/a The Ground Round, for the sale of all alcoholic beverages as a Common Victualer at 170 Speen St., from Burton M. Sack, present manager, to Raymond F. Masiero, new manager.

APPOINTMENTS:

Permanent crossing guard and/or special police officer to perform any duties which may be assigned by the Chief of Police or his designee - Vita Rivera, 23 Kingsbury St., effective May 21, 1974.

Fence Viewer - John Liberatore, 47 Berry St., term to expire April 1, 1975.

Measurer of Lumber, Wood & Bark - John Liberatore, 47 Berry St., term to expire April 1, 1975.

VARIANCES:

It was unanimously voted to authorize the Building Official to issue a permit to the Framingham Fire Department (Jerome N. Byrne, Chief), for the construction of a storage building at the Framingham Centre Fire Station, Worcester Rd., with a 5' rear yard and a 5' side yard.

It was unanimously voted to authorize the Building Official to issue a permit to Joseph R. Sullivan, 72 Barber Rd., Framingham, for the construction of a swimming pool, with a 15' rear yard.

It was unanimously voted to authorize the Building Official to issue a permit to William F. Dyan, 36 Berry St., Framingham, for the construction of a storage shed, with a 3' rear yard.

PUBLIC HEARING - ASSESSING PRACTICES:

A public hearing was held for the purpose of discussing assessing practices in the Town of Framingham in accordance with the request of a number of Town Meeting Members. Present were the three members of the Board of Assessors, Chairman Croatti and Messrs. Eck and McDevitt; Town Meeting Members James Dwyer and Mrs. Charles Esty, and a number of residents. Chairman Croatti detailed the duties of the Board of Assessors and the assessing practices in the Town with regard to Condominiums, Homes, Industrial and Business properties, stressing the assessment of properties and the approaches used to determine value were in accordance with the guidelines set by the State Tax Commission and under Chapter 59 of the General Laws of the Commonwealth. He explained that Income, Replacement Cost and Sales were factors in determining the value of properties and submitted a breakdown in the following categories:

Condominiums (representing 1% of assessed properties) were evaluated on a replacement cost basis. Mr. Croatti made reference to a report submitted by him to the Board of Selectmen and Town Meeting Members detailing condominium assessments, September 10, 1973.

Homes - Evaluated on a replacement cost basis.

Business - Gross income or replacement cost.

Industries - Replacement cost basis, taking into consideration square foot cost of building, plus land. Vacant Industrial Land was evaluated on a square foot basis on going value and location.

Apartments - Based on 20% of their gross income. For apartment complexes under construction, the charge is determined by taking a percentage of the potential gross income.

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ASSESSING PRACTICES (CONT'D.):

Mr. Croatti explained further that all properties were valued in a fair and consistent manner and updated continually to come up with a fair assessment. He noted further that the Assessors are charged by their oath of office to review each and every property by January 1 of each year. He told the Board that they physically inspect about 3,000 properties each year which is all that is possible considering available staff and time. Mr. Ablondi asked whether the Board of Assessors needed assistance and if funds should be sought for re-evaluation. Mr. Croatti explained that more guidance and participation was needed from the State Department of Corporation & Taxes. He said he did not feel re-evaluation would solve the problem and he stressed again that the State should take the initiative and provide towns with more assistance. Responding to a question raised by Mr. DelPrete, Donald Croatti confirmed that all their records are micro-filmed.

Prior opening up the meeting for discussion, Mr. Croatti explained the Town's position on its present valuation, noting a 57% increase since 1972. He told the Board that the State had just completed an equalized valuation program and Framingham's valuation, through the State, was 803 M. (The Town is presently assessed at 543 M.) He emphasized the Town was in a good position this year, and he anticipated it would be in the same position for next year.

A number of questions were raised by those present concerning apartment and home assessment practices and the formulas used. Responding to complaints raised in connection with apartment and home assessments, Donald Croatti explained there were many factors involved in the sale of a home which result in an increase in the assessed valuation of one home over another home on the same street in what seemingly appears to be like circumstances. He stressed that any house resold is reviewed by the Assessors in accordance with state demands. With regard to the vacancy factor in considering apartment assessments, Mr. Croatti explained they did not consider vacant units - only the potential gross income. Mrs. Esty reported that research had been done in other similar towns on assessing practices by a Sub-Committee and apartment assessment practices were specifically investigated and it was found that some towns charge apartment owners as much as 40% of their gross income. Mr. Croatti disagreed with her stating that by the time landlords in those other towns finish with tax shelters and vacancy factors, assessors were receiving as little as 15 to 17% of the gross income. Mrs. Esty said because of the comparisons made in other communities, she would ask the Board to follow through and investigate how apartment complexes are assessed in other communities. She also suggested the Board of Selectmen do a study as to the number of children from each apartment complex as she believed they would find the cost to the town amazing. It was noted that where the high priced apartments are not being filled they have become available to low and moderate income residents and, therefore, are producing more children. The format of publishing abatements in the Town Report was also discussed. Mr. Noonan explained that as a result of an error it was not published in the Town Report this year, however, it has been published in the past and will be again next year.

Several residents wished to discuss their own individual cases, however, John King explained because of the time element it was not feasible. He suggested those with any specific complaints could channel it through the normal procedure by filing for an abatement and requesting a hearing before the Board of Assessors. Mr. Croatti outlined the procedures available to any citizen who had a complaint, emphasizing that the Board of Assessors has never refused anyone a hearing who has requested one. In addition to the normal procedures for filing for an abatement, Mr. Croatti pointed out that in accordance with Chap. 59, p. 64, an appeal could also be made to the County Commissioners for those persons who did not wish to appear before the Appellate Board. Mrs. Esty asked the number of abatements filed at the County Level. Mr. Croatti noted there had been relatively few. He pointed out that in any case an appeal had to originate with the Board of Assessors. James Dwyer, Town Meeting Member, said he found it difficult to hold a public hearing without being able to cite specific cases. He indicated there had been a misunderstanding in applying Yoh Co. data and suggested the Board investigate several inequities. John King informed Mr. Dwyer that the Board of Selectmen had reviewed in detail, over a great many hours, the assessing practices, and were well aware of the practices in the Town.

Barbara Brockman and Margaret Carlson, Realtors, questioned Mr. Croatti with regard to resale assessments. Mr. Croatti stressed again that formulas used for resale property were in accord with State, reiterating that each and every property is subject to review on Jan. 1 of each calendar year. He criticized the Realtors generally for not taking an interest in learning the facts which results in mis-information to prospective buyers. Responding to a suggestion by Ms. Carlson to use a 2 to 3% assessment increase on all properties rather than the resale factor, Mr. Croatti reiterated there were many factors involved in arriving at the valuation on "resale" homes, and in accordance with the law, had to be followed.

James Dwyer commented on several points which he believed were critical with regard to the present assessing formulas. He presented a report to the Board which contained information he had obtained from various sources to substantiate his arguments. (Retained in the Board of Selectmen's files as a part of this meeting and dated May 20, 1974).

At the conclusion of the meeting, as a result of suggestions made, the Board of Selectmen voted to request the Board of Assessors to provide them with the following information:

1. Number of students in apartment complexes - coordinate with School Dept.
2. Number of abatements filed with the Town; filed at the County level
3. Number of cases pending before Appellate Tax Board.
4. Survey selected other communities (10) to determine how apartment complexes are assessed.
5. Develop and publish clear cut policies on the procedures used to up grade property.
6. Develop and post a Standing Operating Procedure for filing of abatements and the rights to request a hearing.
7. Investigate the possibility of retaining a professional in the tax field to meet with the Board of Selectmen and Board of Assessors for the purpose of reviewing current assessing practices.

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TRAFFIC REGULATIONS:

In accordance with recommendations submitted by the Safety Officer, it was unanimously voted to approve the installation of the following signs:

NO PARKING:

1. On Flagg Drive north side from the entrance to the South High parking lot to Normandy Rd.
2. On Flagg Drive north side from Normandy Rd. a distance of 100 ft. southeast.
3. On Flagg Drive south side entire length of Flagg Dr. front of McCarthy School.
4. On Normandy Rd. both sides from Flagg Drive to Arsenal Road.

UNITED PEOPLES, INC. - CULTURAL LEISURE PROGRAMS:

Receipt was noted of a letter from the Director of Parks/Recreation advising that the Park Commissioners voted to allow United Peoples Inc. the use of Long Field for the purpose of presenting Cultural Leisure Programs. He advised further that they were instructed not to book the complete summer program as they were being granted the use of the area on a trial basis for their first two programs, subject to review of the joint committees of the Selectmen, Park Commission and Chief of Police.

CATV MEMBER RESIGNATION:

Resignation was received from Barbara Brockman as a member of the CATV Advisory Committee. The matter was referred to Ralph Noonan for research for a replacement member.

PURCHASING AGENT CONFERENCE ROOM:

John King directed the Executive Secretary to request the Purchasing Agent to make the conference room available for meetings to be held by committees and boards when necessary.

LAND GIFT TO TOWN:

Receipt was noted of a letter from Saxonville Realty Trust offering a gift of land to the Town consisting of Lot 116 (Roxbury Carpet Co.) with an area of 131,952 sq. ft. Concern was expressed that in accepting the gift of land the Town would be liable for maintenance of the locks and dams. The matter will be referred to Land Acquisition Commission, Engineering, Assessors, Conservation and Town Counsel for report and recommendation.

COMMENDATIONS:

William Feindel and Ed McLean, drivers for M&S School Bus were commended for winning the 2nd State Wide Annual School Bus Rodeo.

Peter Ablondi publicly commended John Murtagh, Director of Veterans' Benefits, for his maintenance program in the care of the cemeteries.

CONGREGATIONAL CONFERENCE CENTER:

Receipt was noted of a letter from the Building Official with regard to complaints received from abutters of the Congregational Conference Center relative to alleged abuses and/or actual violations of the Zoning By-Law. Specifically, the abutters' concerns related to the hours of operation of the center and the proposed expansion of the Center's facilities. No action was taken pending procedural action on the part of the Congregational Center; i.e. building permits. The petitioners will be advised that no action can be taken by the Board until the matter appears before them properly.

HOLIDAY MEETING:

As a result of the Memorial Day Holiday, it was voted to schedule the next Selectmen's meeting on Tuesday, May 28, 1974 at 7:00 P.M.

RIVER STREET:

In an attempt to resolve the matter of River St. One Way Traffic, the following suggestions were made and discussed:

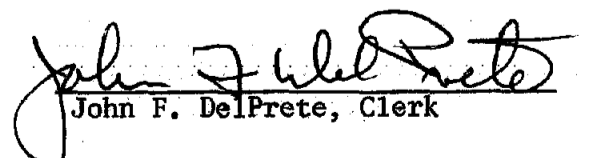
River St. - two way from Union Ave. to end of business section, and one way from that point on.

Wood Terrace - Reverse flow of traffic (Not desirable).

Wood Terrace - limiting parking to one side of the street.

A question was raised in connection with a ZBA restriction for Crown Chevrolet and Sgt. Foley reported that he had investigated the ZBA decision and could find no order with regard to access and egress. He said he would stand with his original recommendation to make it one way from Franklin St. to Union Avenue. John King said he would consider the one way restriction if Wood Terrace was also made one way in the same direction. After further discussion, the matter was referred back to Sgt. Foley for additional investigation and recommendations on the suggestions submitted.

MEETING ADJOURNED AT 10:00 P.M.

  
John F. DelPrete, Clerk