

# TOWN OF FRAMINGHAM

## SELECTMEN'S RECORDS

\*REGULAR MEETING OF THE BOARD OF SELECTMEN JUNE 10, 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:

#225 - June 10, 1974 - Bill - \$122,997.14  
#226 - " " " - School Pay Roll - \$58,322.04  
#227 - June 10, 1974 - Pay Roll - \$370,288.46

### AMUSEMENT LICENSES:

Piece 'O Pizza of America, Inc. d/b/a Papa Dino's, juke box, 36-46 Concord St., week days 1974, 11 a.m. to 12 p.m.  
Framingham Senior Citizens & Associates of America, Inc., variety show, Civic League Auditorium, June 19, 2 p.m. to 4:30 p.m.

AUCTIONEER'S LICENSE - Richard G. Whitney, 402 Concord St., (residence), 228 Turnpike Rd., Southboro (business).

COMMON VICTUALER'S LICENSE - Piece 'O Pizza of America d/b/a Papa Gino's, route 30 Mall.

LODGING HOUSE LICENSE - Howard McCann Realty Trust, 12 Lexington St.

### MOTOR VEHICLE LICENSES:

Class I - Gateway Service Center, Inc. d/b/a Gateway Kawasaki, 751 Worcester Rd.  
Class I - Allen-Oldsmobile, Inc., 1199 Worcester Rd.  
Class II - Waverly Auto Sales, 767 Waverly St.

### RATIFICATIONS:

Obstruct sidewalk - Jim Did It Sign, 113 Concord St., remove sign, June 5.  
Open, occupy & obstruct st.-Commonwealth Gas Co. - 7 Old Wood Rd., install new 3/4" I.P. service, June 8 to August 5.

### APPLICATION FOR CERTIFICATE OF INCORPORATION:

The application of Sandra Berman, Carolyn Lydon, Deanne Stone, and Jodie Cross, all of Framingham, for a certificate of incorporation under the name of "The Creative Arts Council of Framingham, Inc." to be located at 15 Swanson Rd., Framingham, was approved and the Secretary of State so notified.

### HEARING - APPLICATION FOR TRANSFER OF LIQUOR LICENSE (SHAMROCK, INC.):

A public hearing was held in the Selectmen's Office, Room 21, Memorial Building, at 7:30 P.M. on the application of Shamrock, Inc., holder of an All Alcoholic Beverage License as a Common Victualer, at 145 Hollis St., Framingham, for the transfer of its license to the Corner of Irving and Snow Streets, Framingham - which transfer is to be on the condition that such license shall issue upon completion of the building at the corner of Irving and Snow Streets. Present were Browning Gifford, Owner, and his attorney, Battista J. Guarino. Attorney Guarino explained the reason for the request for transfer from their present location was because of the heavy congestion on Hollis St. and its proximity to the Fire Station. He reviewed the plans for the new premises with the Board, pointing out there would be no traffic problem at this location, there were no churches or schools in close proximity, and they would be doing the Town a favor by moving from busy Hollis St. He noted further they had received approval for the move from all town departments and from the State Board of Public Works and Natural Resources, and they would be locating in a business district. John King asked why, in their opinion, the public convenience would be served by transferring this license. Mr. Guarino told the Board that the new establishment would be a larger restaurant and would accommodate more people. He also said the public convenience would be served by transferring the present license from the heavily congested Hollis Street area, across from the fire station. John King expressed concern that the new business location would create problems for the residents in the area. Mr. Guarino pointed out that although the proposed site was adjacent to a residentially zoned area, it would be located in an industrial zone. He explained it would not be a rowdy place, and his client would be willing to abide by any restrictions the Board wished to impose. John DelPrete noted there were many duplexes in the area and he felt that on hot nights residents with windows open would be disrupted by the departure of dining and drinking guests. He added it was a working class neighborhood and he felt the new location would encroach upon the rights of the homeowners in the area. After further discussion, John King said "The matter before the Board is clear. It is whether the public convenience will be served and I have not heard anything here this evening to prove it. I don't think we need another restaurant in this area and at this particular location." The matter was taken under advisement.

Later in the evening it was voted two to one on the motion of John DelPrete to deny the transfer because it was not considered to be in the best public interest. Selectman Ablondi voted in favor of granting the transfer because all Town Boards had approved the location and because the move would ease traffic congestion on Hollis Street.

### HEARING - APPLICATION FOR MALT & WINE BEVERAGE LICENSE

A public hearing was held in the Selectmen's Office, Room 21, Memorial Building, on the application of Round-Up Corporation of Framingham, Inc. for a license to sell Beer & Wine Beverages as a Common Victualer, seven days a week, at 1 Worcester Rd., Fram., Ma., Shopper's World, Building 7, Unit 7-U-2, 2309 square feet, two entrances. Present were Eugene C. Ritgo, President, Tom Manning, Manager and Attorney John Garrahan, Counsel for Round-Up Corporation.

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

\*June 10, 1974\*

(2)

ROUND-UP CORPORATION (CONT'D.):

Present were representatives of Round-Up Corporation; President Eugene Ritgo, Manager Tom Manning and Attorney John Garrahan. An affidavit was filed with the Board indicating all abutters had been notified. Attorney Garrahan explained to the Board that although they have been operating at Shoppers World for the past 8 years without a license, the demand for beer to be served with steak has increased, especially with the advent of "steak and beer" restaurants along Route 9. John King asked why they felt the public convenience would be served. Attorney Garrahan explained that this particular location serves hundreds of thousands of people yearly and the demand, within the last couple of years, has developed at Shoppers' World. He added that they would not include a cocktail lounge in their operation and the hours of the operation would coincide with the hours of Shoppers' World, except that they would be open on Sunday. It was unanimously voted, on the motion of Peter Ablondi, to grant permission to sell beer and wine - with the stipulation that the actual hours of Shoppers World will coincide with their operation. Sunday opening approval was also granted.

FLEXI-FLO OPERATION:

In connection with a letter received from Senator Edward Burke advising the Board of the possibility of Flexi-Flo remaining in Framingham, Selectman John DelPrete expressed strong opposition and questioned the Building Official as to what positive steps could be taken to remove Flexi-Flo both from Waverly Street and Fountain Street. He said that in addition to the Waverly Street operation, which has been a long-standing problem, the Fountain Street operation has increased their activities - adding enormously to the Town's problem. Responding to the Fountain Street operation, Building Official George Seeley reported he had denied their application for the storage of a temporary trailer on Fountain St. which would require them to appear before the Zoning Board of Appeals for a variance. Mr. Seeley also reported that as a result of complaints received that Flexi-Flo was loading cement without filters on Fountain St. (contrary to what Flexi-Flo Officials had told him) he instructed his deputy to ask them to stop this operation until they indicate their intent. All three Board members expressed strong opposition to the continuance of the Flexi-Flo operation in Framingham and asked Town Counsel what legal steps could be taken to force them out of Framingham. John DelPrete urged that an injunction be sought in order to halt their operations in Framingham. Town Counsel explained there were two different issues involved; one with respect to the use and the other with respect to the health violations. He said he did not know whether the use is a permitted use in that area (Fountain St.), however, he informed the Board that he had requested a report on the health hazards from the Board of Health regarding the Waverly St. operation, and would also ask them for a report on the Fountain St. operation. Mr. Ablondi asked Town Counsel if the Town could legally block off the entrance to the Fountain St. operation and deny them access. Town Counsel suggested that with Sgt. Foley's recommendation they could reconsider the arrangement or area with regard to heavy trucking. Sgt. Foley said he felt the best way to attack the problem was through health violations caused by the operation's cement dust. After further discussion, John King strongly stated that immediate action should be taken to get "rid" of them. He directed the Building Official to meet with Town Counsel the next day to find a way to halt the operation as soon as possible.

CLASS I MOTOR VEHICLE LICENSES (ALLEN OLDSMOBILE & FRAMINGHAM AUTO SALES):

Discussion was held on the granting of Class I Motor Vehicle licenses pending for Allen Oldsmobile and Framingham Auto Sales, both located on Worcester Road. John DelPrete said it was his understanding that conditions set forth by the Zoning Board of Appeals at a previously held meeting had not been complied with and until such time he would not take action on the issuance of the licenses until both applicants complied with the conditions imposed. George Seeley, Building Official, who had been asked to report on the status of both operations, informed the Board that Allen Oldsmobile was presently operating without a license, and he suggested that the Board should get them to stop until all conditions have been met since they were the licensing authority. After further discussion, on the motion of John DelPrete, it was voted to withhold the granting of the license and to direct the Town Counsel and Building Official to confer with the owners of both properties the next day to clarify the status of any possible violations. Selectman Peter Ablondi abstained from voting.

WALK FOR SAFETY DAY:

Receipt was noted of a letter from Philip J. Doherty, School Administrative Assistant, advising of plans to conduct a Walk For Safety Day on Saturday, September 7, 1974. In connection with same, Sgt. Foley was asked to submit his recommendations and he reported there are 56 crossing guards involved, at a cost of \$364., adding there were no funds available. He also told the Board that an early survey of the crossing guards indicated 6 of the guards could not work on a Saturday and he suggested the program be carried out on a regular school day to allow the parents to walk with their children over the routes covered on a school day. Mr. Ablondi said anything the Town does to implement safety would receive his complete support, however, he said he would think twice before he burdened the taxpayers any more. He concurred with Sgt. Foley that the Walk for Safety should be conducted on the opening day of school. Selectman DelPrete said he felt if the crossing guards knew what the situation was with regard to funding they would be more than willing to cooperate in volunteering their services. Mr. Noonan noted that the school custodians would have to be compensated also for working on a Saturday. John King said he would concur with the School Department's recommendation to conduct the "Walk" on a Saturday in order to allow working parents to familiarize themselves with the routes and the hazards. He suggested that a letter should be directed to the President of the Crossing Guard Association to ask their cooperation. The matter was tabled pending a survey of the crossing guards and the building custodians to determine whether or not they would volunteer their services for the day.

MBTA BUS LOCATIONS:

In accordance with a request from the MBTA, permission was granted to use the following locations as bus berthing areas with an 80' stop where possible:

Inbound

#456 Waverly St. opposite depot.  
Waverly St. at Concord St. beyond intersection.  
Waverly St. at Beaver St. beyond intersection  
Waverly St. at Taralli Terr. beyond intersection.  
Waverly St. at Second St. beyond intersection.

Outbound

Waverly St. at Second St. beyond intersection.  
Waverly St. at Taralli Terrace beyond intersection.  
Waverly St. at Beaver St. beyond intersection.  
Waverly St. at Concord St. before intersection.

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

\*June 10, 1974\*

(3)

TRAFFIC REGULATIONS:

Warren Road - In connection with a request for restricted parking regulations on Warren Road, receipt was noted of recommendations from Sergeant Foley who said he would not advise parking restrictions on a permanent basis, however, would, on special occasions, put up temporary signs.

Little Tree Lane

GO SLOW CHILDREN - On Little Tree Lane 300 feet north of Pleasant Street.  
On Little Tree Lane 300 feet east of Knight Road.

SLOW BLIND CURVE - On Little Tree Lane at #15.

MACOMBER ESTATE

Receipt was noted of a letter from the Chairman of the Conservation Commission notifying the Board of improvements made by them along the entrance road and in front of the dog pound.

DOG OFFICER RESIGNATION:

Receipt was noted of a letter of resignation from Paul Gosselin as Dog Officer, Pound Keeper and Animal Inspector, effective July 1, 1974. No action was taken on the resignation pending further discussion with the Police Chief. Selectman Ablondi criticized the public for not cooperating in observing the leash law and threatened to allow the dogs to run loose until they are willing to cooperate.

LAKE COCHITUATE WATERSHED ASSOCIATION:

Receipt was noted of a letter from the Lake Cochituate Watershed Association requesting participation in the cleanup of the shoreline of Lake Cochituate. A copy of the letter will be forwarded to the Park Department and the Public Works Commissioners for their attention and assistance.

SPECIAL POLICE OFFICERS - TERM OF OFFICE:

In accordance with an opinion received from Town Counsel, at the Board's request, it was unanimously agreed that the term of office for Special Police Officers shall be concurrent with the duration of his current employment. The Town Counsel was also asked to submit an opinion with regard to term of office for Auxiliary Police Officers.

EXECUTIVE SESSION:

The Board met in Executive Session to discuss the financial status of the Saxonville Pumping Station. The Town Counsel and Executive Secretary were directed to prepare a summary of all the facts and figures in connection with the Pumping Station.

MEETING ADJOURNED AT 9:30 P.M.

  
John F. DelPrete, Clerk