

TOWN OF FRAMINGHAM

SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN AUGUST 5, 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:

#11 - August 5, 1974 - Bill - \$167,746.34
#12 - " " " - Pay Roll - \$294,450.63
#13 - " " " - School Pay Roll - \$38,278.52

AUCTIONEER'S LICENSES:

Carl S. Ericson, 120 Potter Rd. (residence); Suffolk Franklin Savings Bank, 45 Franklin St., Boston (business).
Barney E. Simard, 65 Auburn St. Ext.

SPECIAL MALT BEVERAGE AND WINE LICENSE - Committee to Elect S. Lester Ralph, Attorney General, at Village Hall, August 14, 6 p.m. to 12 p.m.

WRESTLING MATCH LICENSE - Al Ritchie, Nevins Hall, Aug. 22, 6 p.m. to 11 p.m.

BUILDING REMOVAL PERMIT - Peter E. Whiting Inc. Framingham, from 4 Church St. to 281 Brook St., Aug. 1 to 31.

RATIFICATIONS:

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

27 Cochituate Rd., repair gas main leak, July 24 to 31.

110 Elm St., new service, July 29 to Sept. 30.

63 Summer St., new service, July 29 to Sept. 30.

Arsenal Rd. sewer pumping station, install new service, July 31 to Oct. 1.

Open, occupy & obstruct street:

Northeastern Const. Co., State St., at College, excavation for electrical vault and live water tap, Aug. 5 to Sept. 5.

B & T Const. Corp., 163 Salem End Rd., install 6" water line, Aug. 5 to Aug. 26.

Obstruct sidewalk - Federal Glass & Mirror Co., 129 Concord St., install glass windows, July 29 to 30.

APPOINTMENTS:

The following was appointed a special police officer for a term of one year:

Fred A. West, 156 Hartford St.

The following was appointed a special police officer for a term to expire with the termination of his employment with the Town of Framingham (Memorial Building Custodian):

F. Philip Pillarella, 38 Waushakum St.

HEARING:

A public hearing was held at 8 p.m. in the Selectmen's Office, Room 21, Memorial Building, on the petition of the Boston Edison Co. for the following permission: Central St., southeasterly side, opp. Water St., one concrete lamppost; Central St., northwesterly side, approx. 140' northeast of Water St., one concrete lamppost; Central St., southeasterly side, approx. 110' northeast of Purchase St., one concrete lamppost. Mr. Chisholm, representing the Edison Co., appeared in favor of the granting of the petition, and there was no opposition present. It was voted to grant the petition.

SPECIAL TOWN MEETING:

A letter was received from the Chairman of the Department of Public Works asking the Board to postpone the August 14th Special Town Meeting to a later date because both she and the Director of Public Works were unable to be present that evening due to prior commitments. In connection with same, a letter was received from the School Superintendent requesting the Board deny any request for a postponement of the Special Town Meeting because a delay would present problems in resolving the matter of the transportation budget. Mr. King informed the Board that the Director of Public Works had called him to say he would delay his plans and be present at the Special. It was unanimously voted to retain the August 14th Special Town Meeting date.

OFFICE OF VOLUNTEERS COORDINATION:

Joan Ligon and Elmer Goldman, Secretary and Director of the Office of Volunteers Coordination appeared before the Board to explain the function and responsibility of their office. Mrs. Ligon told the Board that the Office of Volunteers Coordination, established in June under a Federal Grant written by Planning Director Christy Maltas, is administered under the Federal Action Program. In detailing the objectives, approach and implementation of their program, Mrs. Ligon explained they plan to coordinate the many volunteer organizations, public and private, already existing in Framingham; identify their scope and effectiveness, and see what can be done to better coordinate and improve volunteer services to the community. She noted that the Town already had an overwhelming number of volunteers (over 2500 people) giving service to the Town for free on town and school committees, state programs and private organizations. Mr. Goldman explained that in organizing all the volunteers, it was hoped that overlapping of activities could be eliminated. It was also noted that they hoped to implement a training course for volunteers, making them familiar with Town Government. John DelPrete noted his

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OFFICE OF VOLUNTEERS COORDINATION: (Cont'd.):

approval of the program. He also asked if they could attract a volunteer trained in insurance because he felt one of the drawbacks was not having anyone on board who was adequately trained in insurance. John King commended Mrs. Ligon for an outstanding job and devotion of her time in trying to promote the talent bank. He urged them to evaluate the social services currently in existence in the Town with regard to overlapping of activities, effectiveness of programs, etc. He said the Town should be in a position, with the proper evaluation, to determine which programs should be on going, especially where two million dollars is being spent. Jay Gordon, Chairman of the Finance Committee, was present and told the Board that their Committee had established a committee (sub) who will handle the budgetary requests of all the Human Resource Agencies which will tie in with OVC. The Board expressed support of the program as outlined by Mrs. Ligon and Mr. Goldman and, in accordance with a suggestion by Mr. Ablondi, asked for periodic reports, beginning the middle of September.

HEARING - TREE REMOVAL:

A public hearing, scheduled by the Tree Warden, was held in the Selectmen's Office, Room 21, Memorial Building, at 7:45 P.M. in connection with the cutting of branches and a tree as a result of a removal of a building. Tree Warden Robert Ralston, who was present, asked the Board's permission, in accordance with the General Laws, to remove one tree (already posted) and remove and/or cut branches where necessary to facilitate the move. Brief discussion followed and Mr. Ralston assured the Board that only those branches that have to be removed will be removed. There was no one present in opposition. On the motion of John DelPrete it was unanimously voted to approve the moving of the building, and to grant permission to the Tree Warden to take whatever action is necessary to facilitate the move.

CONFERENCE - REGIONAL VOCATIONAL TECHNICAL SCHOOL (GASOLINE STORAGE):

Attorney Robert Belmonte conferred with the Board regarding the tabled matter of the application of the South Middlesex Regional Vocational Technical School District for a permit for the storage of 4,000 additional gallons of gasoline, making a total of 6,000 gallons, in one underground tank, for private use - not for resale. Present was Deputy Fire Chief Ellsworth, representing the Fire Chief, and he confirmed that Fire Chief Byrne had recommended approval earlier. In connection with same, the Board was advised that Richard Dew, an abutor who has repeatedly expressed objection, had been advised of the meeting scheduled this evening, however, he was unable to be present. Mr. Dew did wish to advise the Board that a meeting had been held with Mr. Donoghue and some of the neighbors and Mr. Donoghue indicated they had no intention of changing the location of the tank, and were going ahead with the installation of the garage. In addition, Mr. Dew wished to alert the Board to another problem area - the erection of a cyclone fence and lights that will be required. Finally, Mr. Dew wished the Board to note a discrepancy in the sideline specifications between the original plans and the installation. Attorney Belmonte reminded the Board that the only question before the Board was on the application for the storage of gasoline. He assured the Board that the lights would be muted. Richard McNamara, a member of the Regional Vocational School Committee, explained the cyclone fence was being installed to secure the tank and prevent pilfering. He also assured the Board that the neighbors would be made aware of the lighting plans before they are installed. After further discussion, and on the motion of Selectman Ablondi, it was unanimously voted to grant the license for the storage of 4,000 additional gallons of gasoline, in one underground tank, for private use - not for resale, to the South Middlesex Regional Vocational Technical School District.

SAXONVILLE SCHOOL RENOVATIONS:

Receipt was noted of a letter from the Permanent School Building Construction Committee regarding proposed renovations and additions to the Saxonville School. In connection with same, the Board was asked to make a determination as to whether or not some action should be taken to remove two structures prior to bidding. John King said he believed the School Committee should make the determination since the buildings are under their jurisdiction. Responding to a request for clarification by Peter Ablondi, Town Counsel explained that although the instrument of taking the land is under the Board of Selectmen, the control is under the School Department because the land was taken for school purposes. He advised that in this particular case it is up to the School Committee to make the judgement as to the disposition of the buildings, and after the decision is made - procedurally, it might involve other Boards. After further discussion, and on the recommendation of the Town Counsel, it was voted to ask the School Committee for their recommendation, as well as the Superintendent of Buildings and the Building Official.

ENVIRONMENTAL PROTECTION AGENCY:

Receipt was noted of a letter from Perini Corp. criticizing Environmental Protection Agency's regulations and asking the Board's assistance in getting that agency to modify the regulations. The Board also was critical of the Agency, protesting the requirement to cut parking spaces. Selectman King said he had been getting a lot of mail on this subject and opposed the regulation until a suitable alternate means of transportation could be found for commuters to Framingham. Selectman Ablondi pointed out that Framingham is faced with a tremendous loss of employment as a result of the effects of EPA rules on the General Motors Plant. He also expressed strong opposition, and suggested the Board cooperate with the Associated Industries of Massachusetts and the Chamber of Commerce who have formally registered opposition to the regulations.

RESIGNATION - POLICE CROSSING GUARD:

The Board accepted with regret the resignation of Betty Renzi as a Police Crossing Guard. The Board's appreciation and thanks will be extended to her for her dedication and contribution to the Town.

REDEVELOPMENT AUTHORITY - USE OF ATHENAEUM HALL:

Request of the Framingham Redevelopment Authority to occupy space in Athenaeum Hall was granted. Town Counsel was directed to draw up an agreement.

GIFT OF PARCEL OF LAND:

Receipt was noted of a letter from the Land Acquisition Committee recommending rejection of the offer of a gift of a parcel of land located at rear of 8 High Street.

TOWN DEPARTMENT COMMENDATION:

Receipt was noted of a letter from Daniel J. Murphy praising action of various town departments at a recent accident scene. A copy of the letter will be forwarded to those departments involved.

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CONFERENCE - LEASING OF NOBSCOT HALL:

Attorney Robert A. Belmonte and his client, Marilyn Shapiro, appeared before the Board to ask the Board to consider Ms. Shapiro's proposal to lease Nobscot Hall. Attorney Belmonte explained that Ms. Shapiro has been using the Hall for some time to conduct Yoga Classes, paying rental fees to both the Grange and the Jewish Community Center, which organization had a sub-lease arrangement with the Grange. He advised the Board that Ms. Shapiro has recently made some changes, which will be to the benefit of the town, and, as a result, she is interested in arriving at some formal arrangement with the Town to continue to use it in the manner she desires. Specifically, she would like a formal lease with the Town; actual terms will be guided to some extent by the work that has been accomplished at this time and concurrent with the value to the Town. Mr. King informed Attorney Belmonte that a policy for all town owned buildings is in the process of being developed and it would be prudent to defer action on their request until such time as the newly appointed Building & Ground Superintendent commences work (early September). He also noted that since Ms. Shapiro's proposal is a business use, she will have to appear before the Zoning Board of Appeals for their approval before the Board could consider the proposal. Attorney Belmonte pointed out that because Ms. Shapiro has already gone into a great deal of expense, and because of scheduled operations, it was hoped - in the interest of time - that a preliminary decision could be given by the Board prior to appearing before the Zoning Board of Appeals. He said he realized this was somewhat of an imposition to the Town in asking the Board to take an exception to a policy they hoped to adopt, however, because there would be a great hardship as a result of the preparation that has been made, and because of the time factor, he asked the Board's consideration to make this an exception to the proposition that all of the town owned buildings will be handled by one person. He said he did not believe that they would be endangering any policy that might be established. Mr. Ablondi stated it was his intention that public buildings would be leased at a nominal fee for the use of town's people. He noted his concern that people who were renting the building for \$1.00 a year were charging other people for its use, noting he would never enter into an agreement that was not for the benefit of the town's people. John DelPrete agreed, noting the Town was not in the business to make money on town-owned buildings. He stressed the buildings were for the use of the general public. Mr. Belmonte explained that his client had entered into an arrangement with a third party (Jewish Community Center), which she thought was proper. John King advised that the Grange's position presently was that of a tenant at will and any improvements by an individual was made at their own risk. He assured Ms. Shapiro that if she was able to obtain the necessary approval from the Zoning Board of Appeals, the Board would assist her in recovering her investment. He stressed the Board could not make any commitment until the ZBA took action. Town Counsel explained that as a practical matter, the ZBA will not even listen to her case unless she shows legally that she has an interest. He suggested granting her a lease contingent on ZBA approval of the permit. Mr. Belmonte explained to the Board that the request is not for a commitment but an indication that they will entertain a proposal for a lease, or that you authorize Town Counsel to work with him and/or the Executive Secretary to draft something that the Board can consider in the future. He emphasized that it would be no indication that the Board was bound to anything that is drafted, but merely to consider a proposal. Mr. Ablondi said he would try to enable her to recoup her investment if the ZBA grants permission. Town Counsel reiterated that the ZBA would refuse to listen to her case unless the Board makes some initial determination as to whether to grant her the use of the building. Attorney Belmonte asked if the drafting of a lease would indicate the Board's intent. Town Counsel said "it would be better than nothing, but not much better". John King suggested waiting for the policy to be developed. Attorney Belmonte indicated he would draft a lease for Town Counsel's review and recommendation. No action was taken. Town Counsel suggested that, in the interim, the process for permission from the Zoning Board of Appeals could be started by filing an application with the Appeals Board. He indicated no real time would be lost because it would probably take a month before the ZBA gets to it and in the meantime, it was hoped, a policy would be developed on the use of town owned buildings.

HACKNEY VEHICLE REGULATIONS:

Receipt was noted of a letter from Town Counsel regarding Hackney Vehicle Regulations. The Executive Secretary was directed to work with the Regional Vocational School to work up some sort of printed material to be used for the identification of licensed taxi-cabs.

VILLAGE GREEN USE:

On the request of Christian Realty, the Board granted permission to them to use the Village Green from August 20th to August 24th, 1974 between the hours of 7:30 P.M. to 10:00 P.M. for the purpose of conducting singing and preaching meetings. The Board directed the Group to confer with the Chief of Police to establish the number of police who would be necessary to handle traffic, etc. and to investigate the use of toilet facilities.

DENNISON REPORT - ODORS:

Receipt was noted of a letter from Dennison Mfg. Co. regarding their program to eliminate odors emanating from one of their buildings.

TRAFFIC REGULATIONS:

On the recommendation of Safety Officer, Sgt. Foley, it was unanimously voted to approve the installation of GO SLOW CHILDREN signs on Lockland Avenue 300 feet north of Donna Road for northbound traffic and on Lockland Avenue 500 feet south of Indian Head Road for southbound traffic.

SIDEYARD VARIANCE:

An application for a side yard variance by Herman Weissman was tabled pending further clarification. (13 Fairfield Terrace).

In accordance with a request from James Moore, 22 Raleigh Road, and on the recommendation of the Building Official, it was unanimously voted to authorize the Building Official to issue a permit to James Moore for the construction of a garage at 22 Raleigh Road, with a rear yard of 30 feet.

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LITIGATION - REGIONAL VOCATIONAL SCHOOL:

The status of the Keefe Regional Vocational School's law suit was discussed briefly. Town Counsel advised that he probably would have a response to the suit filed by Keefe by the third week of August. He also said initially he was going to recommend that the Board meet with the other communities involved in the suit, however, has since changed his mind because Framingham has areas that are not common, and he would represent the Town.

PENN CENTRAL RAILROAD CROSSINGS:

Sergeant Robert Foley reported that he had spoken with Mr. Cross of Penn Central about the conditions existing at several of the railroad crossings and was told that Dennison Crossing would be repaired immediately. Blandin Ave. crossing will be delayed for a short period of time.

FLEXI-FLO:

The status of Flexi-Flo operation was discussed briefly. Peter Ablondi reported that he had seen the trailer in use contrary to what Flexi-Flo officials had said. The Board directed Town Counsel to pursue action to stop the illegal operation.

ARTICLE #24 - PARKING REGULATIONS:

The Board discussed briefly the parking problem on McAlee Ave. and Milton St. where residents have been complaining about people parking in front of their driveways. In connection with same, Article #24, passed at the Town Meeting, was also discussed. Town Counsel and Safety Officer Foley were asked to report at the next meeting progress with regard to implementation of Article 24.

MEETING ADJOURNED AT 9:35 P.M.


John F. BalPrete, Clerk