

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN OCTOBER 29, 1974

The regular meeting of the Board of Selectmen was held at 8 p.m. Present: Mr. John F. King, Chairman, Mr. John F. DelPrete, Clerk, and Mr. Peter W. Ablondi.

WARRANTS:

#47 - Oct. 29, 1974 - Bill - \$556,849.31
#48 - " " " - School Pay Roll - \$65,946.44
#49 - " " " - Pay Roll - \$442,845.50

COIN OPERATED MACHINE LICENSE - Liam's Irish Tavern, 17 Edgell Rd., 4 coin operated machines, - Pinball-Hilo Ace, King Kool, Amigo, Magnatron-----1 Alley, Caprice----
2 TV Flim Flam, Tennis Tourney-----1 Valley, Bumper Pool (Machines not to be used for gaming purposes.

SPECIAL MALT BEVERAGE AND WINE LICENSES:

Framingham Sargent-Dwight Committee, Village Hall, Framingham Centre, Nov. 2, 8 p.m.-1 a. m.
Kappa Delta Phi-Framingham State College, at O'Connor Lounge, Framingham State College, Nov. 1, 3 p.m. to 7:30 p.m.
Dukakis-O'Neill Committee, Framingham National Guard Armory, Concord St., Nov. 1, 8 p.m. to 12 p.m.

RATIFICATIONS:

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

120 Waverly St., install new service, Oct. 22, to Dec. 17.
Rear 81 Warren Rd., install new service, Oct. 25 to Dec. 23, 1974 (No work on Fridays).

APPLICATIONS FOR CERTIFICATE OF INCORPORATION:

The application of George W. Evans and Laura Evans, 2 Catherine Rd., Framingham, for a certificate of incorporation under the name of "Massachusetts Baptist Association, Inc." to be located in the City of Worcester, was approved, and the Secretary of State so notified.

The application of Caguas Guayama, Inc. for a certificate of incorporation at 50 Hollis St., was approved, and the Secretary of State so notified.

APPOINTMENT OF SPECIAL POLICE OFFICER:

Susan Germaine, 217 Central St., was appointed a spedal police officer for a term to expire with the termination of her employment with Caldor, Inc.

OBSTRUCT SIDEWALKS - Heart Fund - business section, tag days, Nov. 29, 30, 10 a.m. to 4 p.m .

BUILDING REMOVAL PERMIT - Home Coal Co. Inc., from 65 Elm St. (Edwards St.), to rear of 98 Elm St., Nov. 12 to Nov. 14.

TRANSFER OF LIQUOR LICENSE:

It was voted to grant, subject to the approval of the Alcoholic Beverages Control Commission, transfer of license of Howard D. Johnson Co. d/b/a Howard Johnson's, holder of an All Alcoholic Beverage License, as a Common Victualer, at 120 Worcester Rd., to Howard Johnson Co., John Wilson, Manager, at same location, 120 Worcester Rd.

STORAGE LICENSE CANCELLED:

A license that was granted March 4, 1974 to Zayre Corp. to store 20,000 gallons of motor fuel at 150 Speen St., was cancelled at their request.

REAR YARD VARIANCES:

Request from Mr. & Mrs. Gundolfi for a rear yard variance at 9 Brookfield Circle was tabled pending receipt of acknowledgement from abutter.

It was voted to authorize the Building Official to issue a permit to Dino Gentili, 2 Pincushion Road, for the construction of a family room with a 5' rear yard.

CONFERENCE - OFFICE FOR CHILDREN:

In connection with a conference held last week with Pat Bailey of the Office for Children on her request for space in the Farley School - rent free, Mr. Noonan told the Board that he had investigated the possibilities of other areas for use by the Council for their office, however, all other possibilities were ruled out for various reasons. He also said after conferring with the Building Official, it was agreed that he would have no objection if the Office For Children occupied the designated room in the Farley School on a temporary basis. Responding to a question raised by John King, Mrs. Bailey assured him that the Office For Children would evaluate all state, local and federal projects for children to determine if there is a duplication of services. After establishing that it would be in the best interest of the Town, it was unanimously voted to permit the Office For Children to use Room B-11 at the Farley School on a temporary basis through June 30, 1975, at no cost to the Office For Children. It was stressed that after June 30, 1975, if proper arrangements are not made, the room will no longer be available to them.

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HEARING - BARKING DOG:

A public hearing was held in the Selectmen's Office, Room 21, Memorial Building, pursuant to the Mass. General Law, Chap. 140, Section 157 "Vicious or Barking Dogs", on the complaint by Mrs. Hyman Aarons, to determine whether a dog reported to be owned by Ronald Gould, 23 Eliot Street, is a nuisance by reason of excessive barking. Present were Mrs. Aarons, her sister, Robert Gould and Dog Officer Paul Gosselin. All witnesses were sworn in. A petition was presented by Mrs. Aarons containing signatures of six residents of the area complaining that the dog is chained outside and is allowed to bark for hours. A report was read by Officer Gosselin and he cited the number of complaints received by him concerning the Goulds dog. He noted that he has spoken to the Goulds after each complaint warning him to either muzzle the dog or take other steps to prevent the barking. Mr. Gould explained to the Board that he has had the dog for 4 1/2 years at the same address; the dog was used as a watchdog; the children in the neighborhood get along with the dog and, further, that although the dog officer has been down about a dozen times, he was not ever made aware of the complainant. He also pointed out there were six other dogs in the neighborhood - all of whom bark. Additional discussion was held on the number of hours the dog was left outside to bark. Mrs. Aarons explained that often times the owners were gone for hours and left the dog outside. She said she has kept a number of the hours the dog barked at one stretch and cited two and three hour intervals of continuous barking. Suggestions were offered to resolve the barking problem. On the request of Peter Ablondi, Town Counsel reviewed the section of the law pertaining to barking dogs, as well as the new by-law recently adopted by Town Meeting. Mr. Gould was told to keep the dog in the house when no one was at home, and he was warned that sterner measures would be taken if the barking continued.

CONFERENCE - OPERATION 275:

Christy Maltas again appeared before the Board regarding his request for authorization for a Special Town Meeting to include Operation 275 plans. The matter had been tabled from last week pending further study by John DelPrete. In connection with same, a letter received from Town Merchants (Hollis St. area) expressing support of Project 275 downtown redevelopment was read - together with another letter received from PAC Members Paula J. Barton and Victor J. Masciarelli, also expressing support of the Operation 275 renewal proposal. The United Town Committee, in a letter signed by Chairman John Meloni, also expressed support of the project - however - subject to revisions of the plan. In the course of discussion changes to be incorporated in the plan (lowering the height of proposed apartment buildings from 10 to six stories; rehabilitation of existing structures on Claflin St. rather than the construction of some 20 new units on that street; changing the proposed site of the bus terminal to a spot near the depot; and a new bilingual library on the South Side) were reviewed in detail. Responding to the requested changes, Mr. Maltas said he will investigate the possibility of changing the site of the terminal, however, he did not know if the suggested site would offer the needed land; he also said he was in favor of having a library in the Operation 275 area, however, that decision was not under his control and would have to be made by the Library Board since it was under their jurisdiction. With regard to the Claflin Street units and lowering the apartments to six stories, Mr. Maltas said he was in agreement. Many residents from the South Side were in attendance. Resentment was directed against the PAC letter by some of the residents because they felt the letter signed by Mr. Masciarelli and Miss Barton was not representative of the entire PAC Group's views since no vote had been taken. (This was confirmed by both PAC members who later said they were writing as private citizens.) Responding to a request from John Meloni to eliminate grade crossings (spur line going to Milford, Waverly, Hollis, Waushakum, Claflin) Mr. Maltas explained that Penn Central Railroad has agreed to go along with town requests for some elimination of grade crossings and relocation of tracks, but only when the Town approves the plan. Discussion reverted back to the Library request and the Board assured those residents present they would support and cooperate with the Library Board to include a library on the South Side. John King also urged Christy Maltas to develop a plan for the south side residents that they could live with. Mr. Maltas explained that his role was to develop a plan sound for the town. He added that he did not intend to force anything down anyone's throat.

After further discussion, Peter Ablondi motioned to accept the Operation 275 plans with the changes discussed at this meeting to be incorporated. John King, however, stated strongly that he would not be a rubber stamp to a plan that has not been finalized. He said he was disturbed that he was asked to vote on a plan that he has not seen, adding that when he saw the plan and approved it - he would then give his concurrence. Mr. Maltas responded that he was not asking the Selectmen to approve a plan - only a public hearing on the plan. He explained that he was asking the Board to accept the plan as presented with the modifications requested, to be presented at a public hearing in preparation for Town Meeting who will approve the plan. John DelPrete reinforced Mr. Maltas' request by clarifying that he only wanted the Board to go ahead with the concept so when people go to town meeting they will have had a chance to view the plan. John DelPrete motioned to authorize a public hearing on the plan presented with the following changes incorporated:

1. Ten story building to be reduced to six.
2. Three bedroom housing units to be eliminated from the plan and instead rehabilitation on the existing buildings along Claflin St.
3. Consult with the Board of Library Trustees for a library on the South Side.
4. Investigate the possibility of changing the site of the proposed bus terminal.
5. Pursue removal of grade crossings with the Penn Central Railroad.

Mr. Ablondi seconded the motion and it was unanimously voted to authorize a public hearing. November 21, 1974 was designated for the hearing.

CATV APPLICATIONS - EXTENSION OF TIME:

In accordance with a request from the Framingham Cable Advisory Committee, The Board of Selectmen voted unanimously to request the Community Antenna Television Commission to grant an extension of time for approval or disapproval of applications for CATV from January 2, 1975 to July 2, 1975. Copies of the request for extension will be forwarded to the current five applicants. In connection with same, the Board directed the Town Counsel to review Chapter 166a and the composition of the present committee in accordance with a request from a resident who was present at the meeting.

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PEDESTRIAN LIGHT - ROUTE 30 (CALDOR ROAD):

Receipt was noted of a petition from residents of Cochituate Road area requesting pedestrian light on Route 30 near Caldor's Road (privately owned by Mr. Farley). In connection with same, Town Engineer reported that he had requested permission from the State Department of Public Works to install traffic lights at this intersection in July of 1973 and the study is still in progress by the State. John King asked why it took so long for the State to follow through on requests. He said he was deeply concerned with the inertia of State Agencies responsible for highway safety. A meeting will be scheduled with the area legislators to review and up-date the status of various projects, and to ask their assistance in expediting these projects.

FOSS ROAD:

Receipt was noted of a letter from Josephine Porcello, 560 Hollis St., objecting to the recently installed "No Parking" signs on Foss Road. Recommendations will be sought from Sergeant Foley.

7-11 STORE - WAVERLY STREET:

On the recommendations of Safety Officer, Sgt. Robert Foley, it was unanimously voted to approve the installation of the following sign:

NO PARKING BETWEEN SIGNS - On Waverly Street south side in front of the 7-11 store.

GRAY LINE PETITION:

Receipt was noted of a notice from the Department of Public Utilities advising that a hearing would be held on November 7, 1974 on the petition of the Gray Line, Inc. for amendment of Certificate of Public Convenience and Necessity No. 3616-A by adding to the routes set forth therein new additional routes in the Town of Framingham and to delete from said certificate the provision restricting the pickup and discharge of passengers along said routes.

EMERGENCY MEDICAL SERVICES PLAN:

Receipt was noted of a letter from Francis X. Colleton, Governor's Highway Safety Bureau regarding the Emergency Medical Services Plan.

HUMAN RELATIONS COMMISSION - RESIGNATION: APPOINTMENT:

Receipt was noted of the resignation of Fred A. West as a member of the Human Relations Commission. The Board accepted with regret Mr. West's resignation and tabled filling the appointment pending procedural action by Mr. West.

On the motion of John DelPrete, Estelle Peterson was appointed unanimously as a member of the Human Relations Commission for a term to expire April 30, 1975. Ms. Peterson replaced Mark Zabierek, recently resigned member.

COUNCIL ON AGING:

On the motion of Selectman Ablondi, it was unanimously voted to appoint Mrs. Ann Orlando as a member of The Council On Aging for a term to expire May 1, 1975. Mrs. Orlando replaces Norman Booth, recently resigned member. John King had initially nominated William T. Neal, however, his motion did not receive a second.

COMMUNITY DEVELOPMENT COMMITTEE:

On the recommendation of the Executive Secretary, and the motion of Selectman Ablondi, it was unanimously voted to appoint the following as members of the Community Development Committee:

Lillian Barwell; Charles Canning; Louis Guerrieri; Walter McLeod; John F. Murphy;
Leonard Wilson, Dan Lynch; Raymond F. Lawrence; William Gottesman; John Cavanaugh;
Joseph Vilano, Jr.; John Meloni, Chairman of the United Town Committee; Eileen
Conoghue; David Baye and Jenny Melendez.

Paul Caldron was also named to the Committee, however, a question with regard to his residency was raised. This issue will be investigated to determine his eligibility as a member.

Mr. Dan Lynch will be asked to call the first meeting.

It was also voted that the Community Development Committee will be under the jurisdiction of the Board of Selectmen - through the Planning Department.

INSURANCE STUDY COMMITTEE:

On the recommendation of the Executive Secretary, and the motion of Selectman DelPrete, it was unanimously voted to appoint the following as members of the Insurance Study Committee:

William Lynch, Albert D'Amato, Ellen W. Jones, Bruce F. Janek and
Lorraine Regan (Ex Officio).

Mr. D'Amato will be asked to call the first meeting.

DANFORTH MUSEUM PARKING:

Concern was expressed by the Finance Committee about any changes at Farley School which will eliminate any of the available parking spaces. Recommendations will be sought from the Danforth Committee regarding their parking plans.

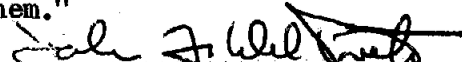
JEHOVAH'S WITNESSES - BUILDING PERMIT:

Receipt was noted of a request from the Jehovah's Witnesses for a waiver of the fee of their building permit. The matter was tabled pending further clarification.

TITLE II FUNDING:

In connection with positions recently filled by the School Department by employees being supported by P.S.E. Title II Funding, John King again expressed disturbance that these positions were filled without consulting with the Board of Selectmen under whose jurisdiction the program will be administered, and he directed the Town Counsel to find out "Under what existing state or federal law did someone have the right to authorize the hiring of these individuals; who makes out the payroll and who signs them."

MEETING ADJOURNED AT 10:45 P.M.


John F. DelPrete, Clerk