

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN APRIL 12, 1976

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

ORGANIZATION OF BOARD:

John F. King moved that Peter W. Ablondi be elected Chairman.
John F. DelPrete seconded this motion, and it was so voted.
John F. King moved that John F. DelPrete be elected Clerk.
Peter W. Ablondi seconded this motion, and it was so voted.

WARRANTS:

#115 - April 12, 1976 - Bill - \$201,812.94
#116 - " - Pay Roll - \$892,482.47

SPECIAL MALT BEVERAGE AND WINE LICENSES:

Framingham State College-Class of '78, at O'Connor Lounge, State College, April 15,
7 p.m. to 10 p.m.
Class of '76 State College, at Dwight Gym State College, May 14, 8 p.m. to 12 p.m.
Towers House Council State Teachers College, at Towers Southwest Lounge, State College,
April 29, 6 p.m. to 9 p.m.
Tropicana Social Club, 50 Hollis St., April 17, 7 p.m. to 12 p.m

COMMON VICTUALER'S LICENSE:

Kostas Garefalakis d/b/a Framingham Dairy Queen, 518 Union Ave.

AUCTIONEER'S LICENSE:

Benjamin Sandler, 27 Bantry Rd.

CHANGE OF MANAGER-LIQUOR LICENSE:

It was voted to grant change of manager, subject to the approval of the Alcoholic Beverages Control Commission, Restaurant License, of S.B. Restaurant of Framingham, Inc. d/b/a Beefsteak Charlie's, at 167 Worcester Rd., from Clifford E. Smiley, present manager, to Jonathan L. Burr, new manager. All Alcoholic Beverages.

RATIFICATIONS:

Open, occupy street-Howard M. Blades:

6 Maple St., sewer & water trench, April 14 to 15.
12 Maple St., sewer & water trench, April 14-15.

APPOINTMENT:

The following was appointed a special police officer for a term of one year:
Hyman Feldberg, 50 Dinsmore Ave., Framingham.

PETITION:

The petition of the New Eng. Tel. & Tel. Co. JO Boston Edison Co. for abandonment of joint location of one pole on Winthrop St., northwesterly side approximately 30' southwest of Hollis St., was approved.

HEARING:

A public hearing was held at 8 p.m. in the Selectmen's Office, Rm. 21, Memorial Bldg., on the petition of the New Eng. Tel. & Tel. Co. for the following permission:
Dinsmore Ave., southwesterly side from existing pole 259/2 approx. 105 ft. southeast of Worcester Rd., extending northeasterly approx. 9 ft. of buried cable. Francis S. Brown, representing the Telephone Co., was present in favor. There was no objection to the petition, and the same was granted.

CONFERENCE - UNITED TOWN COMMITTEE (SOUTH SIDE):

The United Town Committee met with the Board to discuss the long-standing deplorable conditions which exist on the south side of town. Appearing with the United Town Committee were approximately 100 residents of the south side to register their complaints of code violations and abuse in this area, and to ask the Board to assist them in correcting the problems. Prior to opening the meeting for discussion, a letter from the Building Official to this group in response to several known problems was read into the record. Specific areas cited by Joseph Fedolfi, U.T.C. Chairman, are as follows:

R.H. Long - Waverly St. - Parking on both sides of Mellen St.; blocking traffic entering and leaving Mellen St.; unloading of trailers on Mellen St. and unregistered cars crossing Mellen St. - all of which present a serious safety factor. It was pointed out the enforcement of existing laws could solve this problem. John Meloni pointed out that R. H. Long was self insured, however, he was concerned about the position one would be in legally if one of the unregistered cars being unloaded struck someone. He asked for an opinion. He said he was also concerned that an area hot-topped by R.H. Long for their use (at the Sign Shop where there is no sidewalk) was illegal and he asked the Board to instruct the Engineering Department to define the boundaries.

Millis Roofing Company - Trucks are parked in the rear of the building on railroad property, and the back of the building is covered with trash, wood, cans, etc. It was pointed out that it is necessary to drive over the sidewalk to get to the rear of the building and the only way out is to back out, making a very dangerous situation for pedestrians and motorists alike. The front of the yard is used to store roofing and building equipment which creates an eyesore.

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UNITED TOWN COMMITTEE (CONT'D):

Derany Service Co. - Hollis St. - The yard is used to store all kinds of metal pipes, railings, signs, etc. It is a complete mess, contributing to the deterioration of the south side. It was again pointed out that enforcing the law could bring quick results.

M.&H. Iron and Metal Company - Blandin Avenue - Disabled cars are parked in a lot across the street from Line Lumber Co. As many as fifteen disabled cars are parked there, as well as unregistered cars on the other side of the road - and a large wooden box type trailer is also parked on the same lot.

Hollis St. Auto Body - The company has a license to conduct auto body repairs, but not a junk yard. Total losses are bought and stored there, creating a junk yard.

Flea Market - Hollis St. - The use of public sidewalks to display merchandise for sale - violation of code and should be corrected.

Absentee Landlords - In particular, two apartment houses next to Dom's Fruit Store; rubbish, garbage and a general mess surrounding the property. In addition, in back of the store are disabled cars which create an additional mess and should be corrected by the Board of Health and Building Inspector.

In addition to the aforementioned problems, a number of others were cited by those in attendance. Lorraine Regan, spokesperson for the Fay Road area residents, complained about the number of duplex homes allowed in the Fay Road area. She noted the area was over-saturated with duplexes - all in 9/10 of a square mile. She cited the number of problems resulting from absentee landlords, in particular Ted Dlott, who deny responsibility for maintenance, and their concern over additional duplexes being constructed by Page Farm Realty. She spoke of meeting with the Planning Board last week on these problems and told the Board they were assured by them that they would submit several articles to be included in the Annual Town Meeting in an effort to rectify the situation. She urged the Board to accept these articles as an emergency when they are submitted. Lucille Casella, Town Meeting Member, Precinct 9, pointed out that over the years they have had to live with horses, sheep, turkeys, geese, piles of sandstone, old cars and trucks, used brick - as well as piles of bathroom fixtures which have been kept or stored there. John DelPrete commented that the Board has been trying to correct the conditions on the South Side for several years - and they will continue to do so - however, he pointed out it was extremely important for the citizens in the area who see these violations daily to report them to the Board of Selectmen for appropriate action. Representative Barbara Gray who was in the audience said she was fully aware of the density problem in the Fay Road area and commented that three years ago, when she was a member of the Planning Board, there was an article presented in an attempt to correct the problems, however, there was not sufficient support from the townspeople. She suggested to the group that they should pursue this avenue and present an Article to Town Meeting.

Building Official, George Seeley, responding to the complaints, said of the complaints registered his office had only been made aware of three. He explained he responded to any complaint that is lodged in his office, but stressed he was only a law enforcement officer. He noted many of the complaints raised were not under his jurisdiction, but either zoning violations or health matters. He promised complete cooperation, and an investigation of all the complaints brought to his attention. Pat Fox told the Board of another long standing problem of junk yard conditions behind the Pine Street block and commented that she has been reporting this condition for some time, without results. George Seeley repeated that some problems properly belonged before other Boards and/or Departments. One resident asked whether the complaints are channeled to appropriate departments by other department heads. George Seeley said in most instances he does. He pointed out he was only one person trying to take care of the entire town and he did his very best. He urged the group to meet with him on any complaints they had. In the meantime, he promised to investigate all the complaints presented and to meet with Joseph Fedolfi, Chairman of the United Town Committee, following his findings. Timothy Hetz of Nipmuc Road detailed a number of problems on Nipmuc Road, including one particular house where kids congregate and drink, gamble, etc. He said he has continuously contacted authorities, recorded registration numbers and even contacted some parents, however, the problem continues to exist. He said it was difficult, because of possible repercussions, to single-handedly control the situation. He noted that summer was approaching, and because of the proximity of the beach to the street, the problems would be compounded. He urged the Boards and/or Departments to recognize their priorities and inspect the property.

Following additional discussion, John King said he didn't think it was the obligation of the citizens to bring the complaints to the departments. He said these should be administered day in and day out by the representative department heads who are being paid in excess of \$25,000. He said these conditions have existed far too long and motioned that effective immediately, under the direction of the Executive Administrator, an inspection of all complaints presented will be ordered by the Building, Police, Fire and Health Departments; and further, a schedule of weekly inspections is to be reported to the Board of Selectmen by appropriate boards until the problems on the south side are cleaned up. He included in the motion that when the Articles are presented to the Board they will receive their full support. Peter Ablondi seconded, and it was unanimously voted. John DelPrete again urged all south side residents to register their complaints with the Board of Selectmen and they will be channeled to the appropriate departments. The Board agreed to meet with the United Town Committee in two weeks to report action which will be taken on those complaints presented that evening.

WINSTON D. ANDERSON RESOLUTION:

In honor of Winston D. Anderson, former school committeeman, who died on Saturday, Chairman Peter Ablondi read a resolution, recording their sorrow, which will be presented to Mrs. Anderson, and placed in the permanent records of the town and school committee.

TRAFFIC REGULATIONS:

On the recommendation of Sergeant Foley, it was unanimously voted to approve the installation of the following sign:

GO SLOW CHILDREN - On Costa Circle 100 feet north of Water Street.

RELOCATION OF WELLESLEY FELS BUS TERMINAL:

In accordance with a unanimous vote of the Municipal Parking Committee (3/3/76), it was unanimously voted by the Board of Selectmen to approve the following:

1. The Wellesley Fells Bus be prohibited from parking on Howard Street.
2. A no-parking area be designated in front of the Park Street Church.
3. The area in front of the Park Street Church be exclusively reserved for parking for the Wellesley Fells Bus and be so marked.

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CONFERENCE - COMMUNITY DEVELOPMENT FUNDS:

At their request, the Board met with Community Development Committee representatives, Chairman Dan Lynch and Program Manager Jim Finigan, and Planning Director Christy Maltas to discuss reprogramming of FY'76 Community Development funds. Dan Lynch explained to the Board it was expected there would be a carry-over of FY'76 funds since it was not possible to expend all of the allocated funds in the time available. As a result, he told the Board the Community Development Committee met on April 1, 1976 to consider reallocation of some of the money for FY'77 that was originally earmarked for the south side, and unanimously agreed to allocate \$46,000 of that money to Public Works for completion and connection of the sewer in Mt. Wayte, and \$3,000 to be allocated to the Framingham Housing Authority for a lighting problem. In addition to these priority items, Christy Maltas said they would also like to carry over as a contingency fund for FY'77 the \$20,000 allocation (line item) for relocation of families on the south side - as well as \$71,000 of the \$120,000 unexpended rehabilitation funds in the same line item for FY'77. Discussion followed. John DelPrete requested clarification of the sewer allocation. Mr. Maltas explained the money was to be used to complete the sewer installation and make house connections. He pointed out the Federal regulations specify the funds can be used for the installation, but not for operation. In light of the previous conference on the south side, John King asked Mr. Finigan to meet on a weekly basis with representatives of involved departments to review the entire area. He pointed out that unless all the departments work closely, there will be no resolution of the problems. Mr. Maltas assured Mr. King that they have been working very closely with the Building Official and Town Counsel, however, the problem is not necessarily that they don't make contact with the appropriate officers, but rather the area, because of the number of problems, requires gradual rehabilitation. He noted it could not be done overnight.

In connection with the discussion of unexpended funds, Lynn Whipple of Cochituate Homes Day Care Center was present to support her request for some \$6,000 of these funds. Dan Lynch said they would like nothing better than to help, however, every penny was being utilized for those priorities recommended. Also asking for funds was Paul Marks, President of the Danforth Museum, for a one month summer art school program for about 25 students from the south side of town. After listening to the presentation of priorities, Louis Guerrieri, also of the Danforth Museum, said he recognized there were limited funds and, therefore, withdrew their request for funds. He said they would like to be considered in the future should funds ever become available. John King said he was in complete agreement that the requests for funds from several groups were completely worthwhile, however, he would have to go along with the recommendations of the Community Development Committee who, after researching the requests for funding, had put their priorities in order. He motioned to accept the recommendations of the Community Development Committee and it was unanimously voted.

PROCLAMATION - TOWN MEETING 76:

The Board proclaimed April 19, 1976 as Town Meeting 76 - Community Day in Framingham. Ann Arvedon, President of the League of Women Voters, accepted the proclamation from the Board and urged active citizen participation in the one day community forum.

SITE CARAVAN:

Receipt was noted of an invitation from the League of Women Voters to attend the 1976 Site Caravan.

CONFERENCE - SHARPSHOOTERS AND MARKSMEN DRUM AND BUGLE CORPS (CARNIVAL):

The Board met briefly with J. Whitehead and P. Tremblay of Sharpshooters and Marksmen Drum and Bugle Corp. regarding their plans for a carnival at Bowditch Field. In connection with same a letter was received from the Park Commissioners approving the use of Bowditch Field for this organization. Accordingly, it was unanimously voted to grant permission to the Sharpshooters to conduct a carnival at Bowditch Field on May 17, 1976 through May 22, 1976, provided they comply with Park Department regulations.

HUMAN RELATIONS - RESIGNATION:

Receipt was noted of a letter from Alphonse J. Ferullo declining reappointment as a member of the Human Relations Commission. The Board's appreciation will be extended to Mr. Ferullo for his dedication and service to the Town.

HOSPITAL PARKING COMMITTEE:

Receipt was noted of the resignation of Waldo B. Lyon as a member of the Hospital Parking Committee. Mr. Lyons resigned because he no longer represents the School Department.

CONSTABLE RESIGNATION:

Receipt was noted of the resignation of Michael D'Amato as a Constable. Mr. D'Amato, who is a Town Meeting Member, resigned in order to avoid any possible conflict of interest.

LICENSE - ASTROLOGY READING ROOM:

In connection with the application of Louise Fimlaid for a license to operate an astrology reading room at the Market Place, both the Building Official and the Police Department said they had no objection. The matter was tabled, however, pending receipt of additional information from the applicant which was requested by Town Counsel with regard to her intentions.

RENAMING OLD FARLEY SCHOOL:

Peter Ablondi, commenting on the similarity of names in the old and new Farley Schools, suggested renaming the old Farley School Building - The Danforth Building - to eliminate confusion. The matter was tabled pending clarification of the School Committee's vote turning the building over to the Board of Selectmen.

LEASE - JOHN J. PRINDIVILLE ESTATE:

Executive Administrator M. P. Clarke notified the Board of a proposed change of ownership of the parking area off Frederick St. (John J. Prindiville Estate), and the trustees' request that the rental (refund of taxes) be made available to them concurrent with the change of ownership. The matter was referred to Town Counsel for appropriate action.

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LIQUOR APPLICATION - CENTER PIZZA, INC.

In connection with an application received last week from Centre Pizza, Inc. for a Wine and Malt Beverage license, Town Engineer was asked to determine the distance from the business to the nearest school in the area. Accordingly, the Board was advised the distance from Centre Pizza to the Jonathan Maynard School was only 406. feet. Inasmuch as the law requires the concurrence of schools and churches within a distance of 500' of the proposed location, the Board unanimously voted to so advise the applicant.

SPECIAL EMPLOYEES/POLL WORKERS:

In accordance with the Board's request, the following votes were taken by the Personnel Board at their meeting of March 31, 1976 on the subject of Special Municipal Employees and Poll Workers:

1. Voted 5-0 not to establish a policy concerning "Special Employees" and recommended that the practice cease to exist.

2. Voted 5-0 not to continue current practice. Poll workers not be Town employees except in the exercise of their current duties. However, the Personnel Board recognizes the immediate problem posed to the Town Clerk in having suitably trained personnel to supervise the election process and therefor would recommend a two year delay to allow for sufficient training of new personnel. Poll workers as of April 15, 1978 would not be Town employees.

The Board noted receipt.

BLUE CROSS/BLUE SHIELD RATES:

Executive Administrator M. P. Clarke notified the Board that an increase in Blue Cross/Blue Shield rates, effective May 1, 1976, will require a specific transfer from E & D funds in excess of \$40,000 for the two month period of May and June and, therefore, will have to be voted in the proposed special Town Meeting within the annual. Responding to several questions raised by John King concerning the status of the Employees' Insurance Advisory Committee, and whether other companies have been considered as carriers, Mr. Clarke explained the Insurance Advisory Committee was still active, and it was found that other private companies are unable to match Blue Cross/Blue Shield rates.

TOWN EMPLOYEES - SICK BANK:

John King reiterated his concern over the absence of a sick bank policy for town employees. He noted that he has raised this subject on several occasions and he directed the Executive Administrator to continue to work with the Personnel Director in developing a sick bank policy for town employees.

FY'77 BUDGETS:

As requested by John King, Executive Administrator Matthew P. Clarke reported he had rechecked the staffing requirements for departments which report to the Board and find only three departments offer any possible reduction in staff without seriously curtailing essential services. John King asked Mr. Clarke to submit an additional report on whether there could be more flexibility during peak periods in the utilization of town employees. The matter was tabled until next week.

HOLIDAY MEETING:

As a result of the April 19th holiday, the Board voted unanimously to schedule their regular meeting on Tuesday, April 20, 1976.

PATROLMAN GEORGE CAREY - MEDICAL BILLS:

The status of payment of medical bills for Patrolman George Carey was reviewed as a result of notice from Town Counsel that the Attorney for Patrolman Carey had indicated to him that he was unwilling to pay the first \$6,000 of medical bills, and there was a possibility of a suit for payment of the first \$6,000. The Board discussed briefly the intent of a vote by the Board of Selectmen on September 3, 1975 with regard to the extent of town participation in payment of present and future bills incurred for Patrolman George Carey as a result of injuries sustained in the line of duty. John King explained the intent of his motion on September 3, 1975 was to "pick up any and all hospital and medical bills of Patrolman Carey over and above the cash settlement of \$6,000, but he will first have to contribute the \$6,000." Since learning that Patrolman Carey was not willing to pay the initial \$6000 (insurance settlement), John King moved the original vote of September 3, 1975, again clarifying that the Town would pick up any and all medical expenses in excess of \$6000 only after Patrolman Carey pays the initial \$6000. John DelPrete said he did not feel a motion was required at this time as long as the original vote was clarified, and Selectman King withdrew his motion.

Peter Ablondi agreed that the Town should pay only in excess of the \$6,000, however, he suggested payment to the hospital should not be deferred until after Officer Carey makes payment because of the already long delays. Responding to Peter Ablondi, John King said "the bills are not our bills and we agreed that we would pick up the bills in excess of \$6000. This is his bill and when he fulfills his obligation, then we will fulfill our obligation - and this should be conveyed to Attorney Keiley." Peter Ablondi reiterated his concern about the outstanding hospital bills. John DelPrete said it was the hospital's responsibility to collect their own bills. Following additional discussion, Town Counsel was directed to convey the Board's position to Attorney Keiley.

DOG OFFICER INTERVIEWS:

Lawrence D. Bastien, Kevin J. Murphy and Ronald O. Whitney, applicants for the position of Dog Officer, were interviewed. Questions concerning knowledge of job requirements, legal requirements and experience, as well as attitudes toward the public, were asked of each applicant. After the series of questions were satisfactorily answered, the Chairman thanked each applicant for their interest and advised them that they would be notified as soon as a decision was made. At the conclusion of the interviews, Selectman King commented that the choice between applicant Whitney and Applicant Murphy would be difficult but that either of the two would be satisfactory to him as Dog Officer. Selectman DelPrete moved to appoint Laurence Bastien as Dog Officer.

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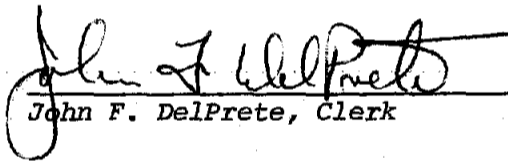
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DOG OFFICER INTERVIEWS (CONT'D.):

Selectman Ablondi explained that it was important in this sensitive post to be certain that there is no record in the Police Department which would prevent this appointment of any of the applicants. It was directed that such an inquiry be made prior to actual appointment. The vote for appointment was tabled until a future date when this information is available. In view of the fact that Selectman DelPrete will not be available for the April 20th scheduled meeting, the matter was tabled for a minimum of two weeks.

MEETING ADJOURNED AT 11:35 P.M.


John F. DelPrete, Clerk