

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN MAY 18, 1976

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

WARRANTS:

#125 - May 17, 1976 - Bill - \$179,918.91
#126 - " - Pay Roll - \$4,540,059.27

SECOND HAND LICENSE - ARTICLES:

Michael D'Amato, 295 Hollis St., Framingham.

DANCE LICENSE - Alfredo Reyes, Tropicana Social Club, 50 Hollis St., May 29, 8 p.m. to 1 a.m.

SPECIAL MALT BEVERAGE AND WINE LICENSES:

Alfredo Reyes, Tropicana Social Club, May 29, 8 p.m. to 1 a.m.
Framingham Ballroom, May 23, 3 p.m. to 7 p.m., at Framingham Ballroom, 9 Pleasant St.
Y.M.C.A., at National Guard Armory, 522 Concord St., May 21, 7 p.m. to 1 a.m.

LICENSES TO CONDUCT AN AUCTION & TO BE AN AUCTIONEER THEREAT:

Ivers S. Sawyer, at Estate of Mary L. Brown, May 29, 754 Old Conn. Path., household articles, 10 a.m. to 3 p.m. (rain date June 5, 1976).
Carl W. Stinson, at Mass. Conference of the United Church of Christ (former Adams Home) June 12, one day sale.

LODGING HOUSE LICENSES:

Ruth Craigin, 73 Hollis St.
Kenneth A. Cosco, 16 Freeman St.

COMMON VICTUALER'S LICENSE - Jimmy's Sea Food, The Marketplace, 50 Worcester Rd., Booth#78.

AMUSEMENT LICENSE - Marian High School - Carnival, fun-fest & mini-fair - Long Field, May 25-31, 1976.

MOTOR VEHICLE CLASS II LICENSE - Framingham Auto Wholesale, Inc., 124-130 Waverly St.

CHANGE OF MANAGER-LIQUOR LICENSE:

It was voted to grant, subject to the approval of the Alcoholic Beverages Control Commission, change of manager of the All Alcoholic Beverage Restaurant License of Howard Johnson Co. d/b/a The Ground Round, at 170 Speen St., from Raymond F. Masiero, present manager, to Roger J. Dionne, new manager.

RATIFICATIONS:

Obstruct st. & sidewalk - Certified Pest Control, Inc., 100 Concord St., to do bird control on building, May 17 to 21.

Obstruct sidewalk:

Red's Cleaning Service, Inc., 100 Concord St., wash windows on 2nd floor, May 13.
Framingham Trust Co., 79-85 Concord St., painting building, May 18 to July 18.
St. opening - Howard M. Blades, 261 Central St., sewer & water trench, May 19-20.

APPOINTMENTS:

The following were appointed special police officers for a term to expire with the termination of their employment at Framingham State College:

Donald J. Provencher, 35 Maple St., Framingham.
Louis Griffith, 558 Concord St., Framingham.
Stephen Pardee, Hundreds Rd., Westboro.
John Sneddon, 37-1 Briarwood Ln., Marlboro.

Donald O. Whitney, 5 Maymont St., Framingham, was appointed a special police officer for a term of one year.

VARIANCES:

It was voted to authorize the Building Commissioner to issue a permit to Anna & Paul Gibbons for the construction of a swimming pool at 22 Dennison Ave., with a 6' side yd. It was voted to authorize the Building Commissioner to issue a permit to Leonard Karp for the construction of a swimming pool at 88 Roundtop Rd. with a 3' side yard and a 3'6" rear yard.

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NO PARKING SIGNS:

The Board unanimously approved the installation of the following signs:

No parking here to corner;

1. On Grant St., both sides from Arthur St. 20 feet north and 20 feet south.
2. On Arthur St., both sides from Grant St. 20 feet east and 20 feet west.

APPOINTMENT:

Margaret Sofio, 24 Amy Rd., was appointed a member of the Sign Review Board for a term of one year to expire May 1, 1977 (vice--Ellen Sims, declined appointment).

CONFERENCE - SAXONVILLE FLOOD CONTROL PROJECT (ARMY CORP OF ENGINEERS):

At the Board's request, they met with two representatives of the Army Corp of Engineers to discuss the status and cost of the Saxonville Flood Control Project. Present were Army Corp of Engineers representatives, Tony Freshette and Frank Notardonato. Also present were Redevelopment Authority Members, Chairman James Dunn, Tony D'Angelis, Executive Director Walter McLeod and Attorney for the Authority, Robert Campion; Town Engineer Fred Sergeant, Ralph Noonan, representing the Finance Committee and a number of abutters who will be affected by taking of easements, (land taking). Prior to discussion, Executive Administrator M. P. Clarke reviewed the costs incurred by the town for the project. He explained because of conflicting estimates of the town's remaining participation, the Board was hopeful that the Army Corp of Engineers could clarify the amounts required. Specifically, where the town stands financially. James Mesite, an abutter, asked why several other abutters were not notified and questioned whether the meeting was in order. He was advised the meeting was only for clarification of cost to the town and only those people who have a direct interest or ownership in either land takings or easements were notified as a courtesy.

Mr. Notardonato reviewed the project thus far, explaining Congress has appropriated \$650,000; \$50,000 has already been received and the remaining \$600,000 becomes available on July 1. He told the Board two million dollars was budgeted for FY'77, and the final estimate of costs would be approximately 1.5 million and would be budgeted for FY'78. He explained further that as soon as the town provides the required land and easements, the bids would be opened and construction could be started. Immediate action would allow construction to start by late August. Peter Ablondi asked specifically what costs are involved for the land. Mr. Notardonato commented the cost for land acquisition plus a \$7000 cost for relocation of utilities.

John King asked a number of specific questions about the project. He requested answers to: the original intent of the flood project; the year it started; the cause of the delay of the project; the estimated cost in 1963 when the town first became involved through town meeting and the cost today. Mr. Notardonato reported that in 1961 or 1962 authorization came through to study the Saxonville Area as a result of a serious flooding problem in the late '50's. The project, at that time, was going through a local process. Initially when they looked at the program it was on the basis that it would cost less than 1 million dollars. As they got into the project, however, and found it would be more than 1 million they had to go through a report of survey and that took about 3 years before they received approval from Washington to proceed. Following that, an additional review was necessary to be sure what they looked at initially was no longer out of date and they were in conformance with federal regulations. The original project was estimated at \$190,000 and the same cost for 1976 will cost approximately \$460,000. Mr. Freshette clarified how they arrived at their estimate and explained that in view of the land the Redevelopment Authority has acquired, the estimate has been down revised to \$386,000 - less \$1,000,000 which reflects administrative overhead, bringing the final figure needed in accordance with their federal procedures to \$286,000. He explained they did not participate in any way in local acquisition procedures.

John King reviewed again the costs already incurred (Opinion of Value, Engineering and Public Works commitments). He said it was extremely important to know the "bottom line figure" for the town's participation so they could be prepared for town meeting. Mr. Freshette told him they should ask for that figure for the land alone without overhead. Mr. Notardonato commented that in order to secure final federal approval a total value of the project had to be established for economic justification. Included in the total value was approximately \$460,000 for all local costs which included land takings, utility relocations, engineering work and administration. He estimated if the town eliminated the overhead in administration, they would probably need a figure of \$286,000. He explained further that in developing the figure for land the Town would have to look at how an appraisal is made. He pointed out their's was a group appraisal and they could only give the Board the figures developed by them. Mr. Notardonato noted that because they had to develop a benefit cost ratio for the project, they included their estimate for the land takings, however, that did not necessarily mean that figure is what it will cost the Town. That is a local issue. In conclusion, he explained the only additional cost (after acquisition of land and the easements - including any possible damages that might occur in the takings) was \$7000 for relocation of utilities. Peter Ablondi suggested increasing that figure to \$10,000 to include additional costs cited by the Town Engineer and Public Works Director for maintenance and man hole pressurizing. He indicated \$100,000 would have to be appropriated by Town Meeting to cover the town's portion of the project. Ralph Noonan pointed out that the Board was only asking for \$54,000 from town meeting, therefore, it would appear the Board was bound to that figure. He said he would require justification for the town's cost and suggested a firm figure should be established prior to Town Meeting.

John King asked what the net result of the development of this 4 million dollar project would be to the citizens of Framingham. Mr. Notardonato pointed out that with flood protection the land is enhanced and it becomes viable for industry. John DelPrete pointed out that Town Meeting should be made aware of the protection the project would provide for the Saxonville Pumping Station, another very costly project. Town Meeting Member William T. Neal opposed the project because it would only offer protection to one section in the Saxonville area. He pointed out the value on the right side of the river is at least double that of the area which would be protected by the dike. James Mesite corroborated his statement, noting only one business (Roxbury Carpet site) would be drastically hurt, while on the other side of the river you have at least 6 to 8 businesses that would not be covered by the dike. He argued the project would be more damaging since it would be restricting the water, and instead of dispersing the water it will run down into other areas. Mr. Notardonato assured him the water level would not get any higher. He also pointed out that it was unfortunate that they could not protect the entire area, but to prevent damages to those few houses dikes would have to be constructed all around and the cost would be prohibitive.

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SAXONVILLE FLOOD CONTROL PROJECT (CONT'D.):

John King asked members of the Redevelopment Authority what their position would be if Town Meeting refuses the project. Mr. Dunn said there were several alternatives, however, they would like to investigate them carefully before making a determination.

In discussion it was learned that none of the property owners affected have accepted the town's offer for the land. Town Meeting Member Richmond Robertson asked what would happen to the money if the eminent domain provision is stricken and there was a delay of one or two years before the town acquires the land. Mr. Freshette explained if eminent domain proceedings are stricken, there is a strong likelihood that this could result in sufficient delay so they would have no control of retaining the funds. He added it would not defeat the project, but it would delay it.

John King asked John Finley, owner of Saxonville Realty Trust (Roxbury Carpet site) if he would agree to the same conditions (gift of land to the town) as Roxbury Carpet did years ago. Mr. Finley pointed out that he has checked into the alleged proposition and found nobody is sure it was made, and if he made it he was not in a position to make it. John King asked if he would be willing to make any commitments. Mr. Finley said he did not want to discuss it at this point, but would contact Town Counsel in the morning.

Following additional discussion, Mr. King asked the representatives of the Army Corp of Engineers if they would attend Town Meeting the next evening to answer any questions that may arise. Mr. Freshette said they would be glad to give a brief presentation, however, they would have to clear it with their Colonel first. Arrangements will be made to contact their superior.

CONFERENCE - SOUTH SIDE COMPLAINTS:

The Board met with United Town Committee Members and Chairman Joseph Fedolfi; SMOC Manpower Program Director Frank Mitchell; Director of the Spanish Community Center Carlos Arriaza and Human Relations Commission Members, including Executive Administrator John Gaffney, to discuss corrective measures for the conditions on the south side on a long term basis. Prior to the meeting, Executive Administrator M. P. Clarke reported on several joint meetings he has had with representatives of the South Middlesex Opportunity Council and the Spanish Community Center with the primary objective of establishing a clean up campaign and an educational program in conjunction with SMOC, Spanish Community Center, Park and Public Works Departments. John DelPrete commented that he was specifically interested in seeing an educational program established. He said there was enough federal and town money involved to accomplish this. Carlos Arriaza pointed out a number of the problems cited were a result of differences between Latin American and North American cultures. Another problem, he said, was lack of motivation among the Spanish Speaking Community and he suggested volunteer supervisors to oversee the educational program. One member of the Spanish Community complained that a number of young adults were allowed to congregate on the corner of Claflin and Hollist Streets and he urged the Board to discourage this practice. He said much of the Spanish Community is equally concerned about the deteriorating conditions and earnestly want to keep the area free from criticism.

Selectman John King cited the fact there was substantial funding available under the South Middlesex Opportunity Council which should be channeled to the development of an educational program. Frank Mitchell agreed to cooperate to the fullest extent with concerned town departments and groups to establish not only a clean up campaign but an educational program to maintain the effects of the clean up campaign. He said they were perfectly willing to start developing a spirit in the community, however, they could not take the responsibility for developing a program without some guidance and the cooperation of other involved town departments. John King responded that with SMOC's 3 million dollar operating budget, the success rate of their organization and their experience, the development of a program of this type should be their #1 priority. Mr. Mitchell noted the problems on the southside are the problems of the low-income community in general. He said he was a little embarrassed that so much attention was being focused on the Spanish Speaking Community. He assured Mr. King they would focus their attention on starting and funding a program, however, he pointed out they were prevented under their regulations from being involved with the interior and exterior of specific structures unless they were owner occupied.

United Town Committee Chairman Joseph Fedolfi pointed out he had discussed these problems with the Spanish Community Center a number of years ago and still they were no further ahead. He said they have been trying to help, but they have to help themselves also. Mr. Fedolfi referred to the immigrants of years ago who took pride in their adoptive community and made every attempt to better themselves, and suggested strongly they should be made to realize they must abide by the rules and regulations of the town they chose to adopt.

United Town Committee Member Eileen Donohue explained they did not start this clean up campaign solely for the Spanish Community Center, nor were they concentrating just on the Spanish Center but the entire south side. She asked why the Human Relations Commission has not been involved before this. John Gaffney remarked that their limited funding made it impossible to participate effectively in this regard, and their specific assignment of responsibility did not include this area.

Elaine Smith of the Framingham Young Women's Club suggested work programs funded by private sponsors; much like a "Walk-a-Thon". She suggested approaching the high schools and middle schools where you would have all the youth working together cleaning the whole town, not just in separate communities, and it could be set up basically like Town Meeting.

Following additional discussion, the Board directed the South Middlesex Opportunity Council to develop a long term program, incorporating suggestions made by the Young Women's Club, United Town Committee and the Spanish Community Center, towards resolving the south side problems.

AFFIRMATIVE ACTION PLAN:

It was unanimously voted to authorize the Personnel Board, with the assistance of the Personnel Director, to establish an Affirmative Action Plan for the Town.

PROCLAMATION - DANFORTH MUSEUM WEEK:

The Board proclaimed the week of May 18 to May 24, 1976 as DANFORTH MUSEUM WEEK and urged the citizens of Framingham to take cognizance of this event and participate in its observance.

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DIVIDEND - EMPLOYEES' LIFE INSURANCE:

In accordance with the recommendation of the Employees' Insurance Advisory Committee concerning the application of a \$5587. dividend check issued on the Town of Framingham Employees' Insurance Policy, it was unanimously voted to authorize utilization of the town's share to reduce future premiums.

ASSISTANT DOG OFFICER'S POSITION:

Personnel Board Chairman M. E. Harney reported that the position of Assistant Dog Officer need not be advertised so long as the Assistant Dog Officer is chosen from the original 81 applications for Dog Officer since the qualification requirements for both positions are similar. Accordingly, the appointment of Kevin J. Murphy last week as Assistant Dog Officer will stand, if he accepts the position.

ACTING POLICE SERGEANT:

On the recommendation of Police Chief Martins, it was unanimously voted to appoint Patrolman William Masionis as Acting Police Sergeant.

SAXONVILLE PUMPING STATION/
TREASURER'S OFFICE:

In a letter to Town Counsel dated May 10, 1976, a copy of which was submitted to the Board, District Attorney John J. Droney reported that following an investigation of the Saxonville Pumping Station and the Treasurer's Office, no evidence of criminal conduct was found.

AUDIT REPORT:

A discussion of the Coopers & Lybrand Audit Report with the Town Treasurer/Collector and the Executive Administrator which was scheduled, was deferred until the next Selectmen's Meeting because of the time factor. It will be scheduled as the first order of business.

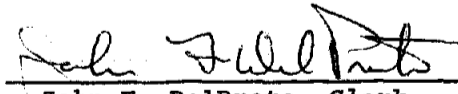
BY-LAW - FIRE LANE:

As a result of requests from merchants, and on the recommendation of Safety Officer Foley, it was unanimously voted to approve the adoption of a by-law preventing parking in fire lanes at shopping centers less than 12 feet from curbing or 18 feet from buildings.

RELOCATION OF WELLESLEY FELLS BUS:

Reverend Duncanson of the Park Street Church met with the Board to record his objection to the Board's recent action approving the relocation of the Wellesley Fells Bus stop from its present location to an area in front of the Park Street Church. He asked the Board to reconsider their action because of the inconvenience it will cause the Church. After determining that the move had not yet been implemented, it was unanimously voted to reconsider and refer the matter back to the Municipal Parking Committee for further study. Reverend Duncanson asked to be included in any discussions on this subject in the future.

MEETING ADJOURNED AT 10:20 P.M.



John F. DelPrete, Clerk