

TOWN OF FRAMINGHAM

SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN - AUGUST 23, 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:

#15 - August 23, 1976 - Bill - \$181,348.22
#16 - August 23, 1976 - Pay Roll - \$596,048.77

AMUSEMENT LICENSES:

Sidney W. Lebewohl d/b/a Framingham Carousel Flea Market, Flea Market, Former Carousel Property, September 6, 1976, 9 A.M. to 5 P.M.

Midtown Bowl, Inc., Arcade (8 machines), 14 Kendall St., weekdays 1976, 8 A.M. to 11:30 P.M.

BOWLING ALLEY LICENSE - Midtown Bowl, Inc., 14 Kendall St., 10 Bowling Alleys.

APPLICATION FOR CHANGE OF MANAGER - ALL ALCOHOLIC RESTAURANT LICENSE -

It was voted to grant subject to the approval of the Alcoholic Beverages Control Commission, change of manager of S. B. Restaurant of Framingham, Inc. d/b/a Beefsteak Charlie's, 167 Worcester Road, for the sale of all alcoholic beverages as a restaurant, from Clifford F. Smiley, present manager to Scott S. London, new manager.

APPLICATION FOR APPROVAL OF LOCATION OF CHAPTER 180 NON-PROFIT CORPORATION -

The application for a change of location of Edgebrook Corporation at 1300 Edgell Road, Framingham, was approved and the Secretary of State so notified.

HEARING:

A public hearing was held at 7:45 P.M. in the Selectmen's Office, Room 21, Memorial Bldg., on the petition of New England Tel. & Tel. JO Boston Edison Co. for the following permission:
Lincoln St., southwesterly side approx. 135' northwest of Lexington St., one (1) hip guy & anchor.
Franklin St., easterly side approx. 185' south of Melrose St., one (1) hip guy & anchor.
Franklin St., westerly side approx. 232' south of Melrose St., one (1) hip guy & anchor.
Speen St., southwesterly side approx. 207' northwest of the Massachusetts Turnpike, one (1) JO pole.
Francis Brown representing the New England Tel. & Tel. Co. and Edward Chisholm of the Boston Edison Co. were present in favor, and there was no opposition. It was voted to grant the petitions.

A public hearing was held at 7:45 P.M. in the Selectmen's Office, Room 21, Memorial Bldg., on the petition of Boston Edison Co. for the following permission:
Worcester Rd., southerly, approx 1150' east of Greenview St., a distance of about 4' - conduit.
Edward Chisholm of Boston Edison was present in favor, and there was no opposition. It was voted to grant the petition.

APPLICATION FOR LIQUOR LICENSE (RALPH GOGLIORMELLA):

A public hearing was held in the Selectmen's Office, Room 21, Memorial Building, at 7:30 P.M., under the provisions of C. 138, s. 15a of the General Laws on the application of Ralph A. Gogliormella for a license to sell All Alcoholic Beverages as a Common Victualer at Rear 90 Worcester Road, Framingham (former Monticello location). Present were Ralph Gogliormella and his counsel, Attorney Victor Galvani. Affidavit of notice to abutters, as well as return receipt cards were presented to the Board. Mr. Galvani explained to the Board that Mr. Gogliormella had purchased the Real Estate from E. Minotti and he intends to conduct a restaurant operation. Specifics, he said, were not known at this time because of the financial contingency. Peter Ablondi asked if the license would be turned back to the Town in the event the restaurant did not open. Mr. Galvani assured the Board they would turn it back. He asked the Board, however, to take into consideration that a firm opening date could not be provided at this time because financial arrangements had not been completed. On the motion of John King, it was unanimously voted to grant the license with the understanding that if no progress was made within a reasonable time, the license would revert back to the Board. Mr. Galvani commented that once financing had been established, it was more than likely that an application of incorporation would be filed with the Board for their approval.

HEARING - APPLICATION FOR TRANSFER OF LIQUOR LICENSE-CECCARINI'S GROCERY:

A public hearing was held in the Selectmen's Office, Room 21, Memorial Building at 8:00 P.M. on the application for transfer of ownership of a Wines & Malt Beverages license as a Retailer, from Egisto Ceccarini d/b/a Ceccarini's Grocery to R & R Toli, Inc. at the same location-86 Kendall Avenue. Present were Richard Toli and his counsel, Attorney Thomas B. Concannon. Affidavit of notice to abutters, as well as return receipt cards, were presented to the Board. Attorney Concannon explained that Mr. Toli had purchased the property from Egisto Ceccarini and he would like to be able to retain the license on the same premises. He cited Mr. Toli's personal credentials. On the motion of Joyn King, it was unanimously voted to grant the transfer of the Wines & Malt Beverage License at this location.

Following the vote, several area residents registered a complaint that large numbers of young people have been congregating around the store in the evening consuming beer and creating a general public nuisance and disturbance. It was also stated that when police officers arrive to stop the disturbances, the young people have been moving around to the side and back of the store and continue to cause difficulty as soon as the police leave the scene. Specifically, their concern was there would be a further deterioration of the south side if this practice is allowed to continue. Mr. Toli assured them he would cooperate fully to prevent this situation. The Chief of Police will be asked to adopt any required procedures to prevent this situation from developing into any worse condition, and to correct the present condition, by making it very plain to the young people involved that the condition will not be tolerated.

CONFERENCE - EQUAL RIGHTS DAY:

Human Relations Commission Member Barbara Radavsky met briefly with the Board regarding a resolution adopted by the Human Relations Commission concerning Equal Rights Day. The Board offered their support and proclaimed Thursday, August 26, 1976 as Equal Rights Day.

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TRAFFIC REGULATIONS:

In accordance with recommendations submitted by Safety Officer Sergeant Foley, it was unanimously voted to approve the installation of the following signs:

NO PARKING ANY TIME - On Foster Drive both sides a distance of 30 ft. north from Old Connecticut Path.

NO ALL NIGHT PARKING -(Added to the present signs) 2HOUR PARKING 9 A.M. - 11 P.M. - On Maynard Road north side from State Street to Adams Road.

NO LEFT TURN - On Old Connecticut Path at Concord St. for northbound traffic.

POLICE DEPARTMENT - SERGEANT APPOINTMENT:

The Board tabled action on the request of Police Chief Martins to appoint Acting Sergeant William Masionis on a permanent basis pending clarification of the status of Sergeant Dallamora, whose vacancy Mr. Masionis will be filling. It was agreed by the Board that if Acting Sergeant Masionis is appointed on a permanent basis, it would be on a retroactive basis.

SCHOOL COMMITTEE - TEACHERS LUMP SUM PAYMENTS:

Receipt was acknowledged of a letter from the Framingham School Committee dated August 17, 1976 informing the Board they had invited the Town Treasurer to meet with them to discuss funding for teachers' salaries, and asking the Selectmen and Finance Committee to join them in order to avoid a repeat of the lump sum payment problem which occurred this year. It was agreed by all Board members that the subject, including suggested arrangements to avoid the problem, had been thoroughly discussed in several prior meetings and no purpose would be served by prolonging the subject. They, therefore, voted to reject their invitation to discuss the question of lump sum payments. Selectman John DelPrete offered to go to the meeting, earlier in discussion, however, agreed later that no purpose would be served.

SAXONVILLE SEWER LINES:

In a letter to the Board dated August 18, 1976, the Framingham Redevelopment Authority requested the Board to allow the use of the Town Engineering Department to design and prepare the documents relative to the new water lines which will be installed on Danforth St., Danforth Court and Mechanic Street. In discussion, John DelPrete questioned whether there was money in the Redevelopment Authority budget to reimburse the engineers for their work. It was noted that if the work was to be completed by a private firm, a charge against the Redevelopment Authority budget would be made and, therefore, it was agreed that a similar arrangement should be set up for the use of the Town Engineering Staff, with the funds to be paid into the Town's General Fund. Following additional discussion, it was unanimously agreed to allow the Town Engineering Department to do the design work requested, however, the Executive Administrator was directed to investigate the procedure for payment, and also obtain confirmation that the new bridge will be included in ^{the} plans.

UNITED WAY FLAG:

In accordance with the request of the Executive Director of the United Way of South Middlesex, Inc., it was unanimously voted to grant permission to them to fly their flag upon the existing flagpole in front of the Memorial Building.

COMMUNITY DEVELOPMENT COMMITTEE REPORTS (BY-LAW AND SOUTH SIDE BEAUTIFICATION):

The Board discussed briefly a revised version of a Draft Community Development Committee By-Law which incorporated changes suggested by the Committee, together with a report on the South Side Beautification Project, which was submitted to the Board by Christy Maltas. In connection with same, John King requested confirmation that no new position would be created other than those that have been approved by the Board of Selectmen. Executive Administrator M. P. Clarke assured him that none would be created.

CONSTABLE APPOINTMENTS:

Town Counsel, who had been asked to investigate the need for additional constables in the Town as a result of a recent application for same, submitted a response from the President of the Middlesex Bar Association which cited the views of the Executive Committee of the Association that there is no need for additional constables. The Board voted to concur with the Executive Committee that there is no need and, therefore, made no appointment.

BINDING ARBITRATION:

Receipt was noted of a memo from Town Counsel dated August 17, 1976 in which he advised that the Supreme Judicial Court had ruled that the binding arbitration procedures of General Laws C. 150E was constitutional. The Board expressed their disappointment in the decision, noting it was discriminatory legislation and once again pointed to the adverse effect to cities and towns when home rule did not prevail.

CONFERENCE - PARK COMMISSIONERS (BUTTERWORTH PARK):

Raymond Swanecamp, Commissioner of Parks & Recreation, met with the Board to discuss his concern about the activities of young people at Butterworth Park. In concert with several abutting property owners, as well as the Director of Park & Recreation, Bill Carey, the general problem of abusive language, noise, litter and drinking late into the night was described. Mr. Swanecamp, who lives in the area of Butterworth Park, cited incidents of rape, beatings, stabbing and numerous traffic accidents and urged the Board to take corrective action immediately. He noted many of the problems resulted from youngsters drinking in the park and referred to Article 33 which was adopted at the 1974 Annual Town Meeting which prohibited the use of alcoholic beverages on town/public property. Lack of police enforcement, inadequate lighting and planned activities were contributing factors, Mr. Swanecamp said, and he strongly urged a cooperative effort by the Police, Selectmen, Park Department, Town Meeting and Parents in order to provide security and opportunity for more constructive activities. Several residents who were present said increased lighting, including a spotlight, would discourage much of the activity. One abutter pointed out there is a line of cars outside the park until midnight with kids drinking. The police come when they are called and disperse the young people, however, they come right back once the police leave. He said he couldn't even sit out in his front yard because of the language used. Ineffective court action when youngsters are arrested, as well as lack of parental cooperation were cited as reasons why these problems continue. Peter Ablondi reiterated his position that parents should be held liable for their children's actions. He cautioned that he would do everything possible to see to it that these children receive more stringent punishment in the future.

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BUTTERWORTH PARK (CONT'D.):

John Wiles, Town Meeting Member, suggested coming to some agreement with the courts where they would serve meaningful punishment to the youngsters (require them to clean up areas, etc.). William Carey told the Board that Park Department personnel have been policing the parks during the day, picking up bottles, etc., however, the complaints continue. Suggestions for more cruiser surveillance, police foot patrol and increased lighting were offered in an effort to correct the problem. John DelPrete pointed out this would result in additional cost to the Town. He expressed his disappointment that the drinking age had been reduced, and he attributed many of the problems to the lowered drinking age. It was agreed, after considerable discussion, that the Town Engineer, the Director of Parks & Recreation, the Police Department and the Executive Administrator would evaluate the situation and take whatever steps are necessary to correct the problem. In addition, the Park Department will post signs for a 9:00 P.M. closing for parks and the Police Chief will be instructed to enforce this regulation. Chairman Ablondi, in conclusion, requested that wide publicity should be given that rules and regulations for use of parks would be strictly enforced, and stringent punishment would be administered to any violators.

LIQUOR SALES - AGE REQUIREMENT:

A copy of a resolution received from the Town of Saugus urging the restoration of age 21 as the legal drinking age received the support of the Board of Selectmen. H.1239 presently pending in the legislature which would increase the minimum age to 19 was discussed briefly. The Board voted to write to the area legislators requesting their support in changing the legal drinking age to 21 instead of 19 as proposed in H.1239.

CONFERENCE - ROBERT URBINATI (WORK ASSIGNMENT):

Superintendent of Town Owned Buildings Clayton Orser and Robert Urbinati met with the Board to discuss the classification of Mr. Urbinati in the Town Owned Buildings Department, and also Mr. Urbinati's request to be returned to a Maintenance Custodian. Mr. Orser cited the past history of the classification and job assignments which have been given to Mr. Urbinati. He explained at the time of his appointment the Board of Selectmen had designated him as Assistant Superintendent of Town Owned Buildings, however, such a position was not existent in the schedule of salary and classification plans. As a result, he was started at a classification of H/8, and reclassified H/9 during FY76. Subsequently, Mr. Orser explained, he had requested an S/10 classification for FY 76/77 from the Personnel Board for Mr. Urbinati, however, they rejected the request on the basis that the ratio of management to operating personnel was excessive. In early 1976, a temporary classification to W/12/2 was approved by the Personnel Board to compensate him for the extra requirement for instruction and management of CETA personnel. This temporary classification was in effect until the end of FY76. As of July 1, 1976 it was necessary to request an extension of this classification in order to utilize his supervisory ability with a new group of CETA employees which were scheduled to start work. The request was approved by the Personnel Board, thereby allowing Mr. Urbinati to retain his present temporary W/12/2 status until October 30, 1976. Mr. Urbinati, who had earlier expressed his dissatisfaction with his present status, said he was very disturbed because he had a great deal more responsibility and duties than those described in his present classification and, yet, he was not being compensated adequately. For this reason, he said, he would like to be returned to his original classification (H/8) and comparable responsibility until such time as a decision is made by the Personnel Board to award him the requested "S" classification. John King said he felt the entire issue was ludicrous. He confirmed that the Board had originally appointed Mr. Urbinati as Assistant Superintendent of Town Owned Buildings, and now two years later the matter was still unresolved. He said knowing his capabilities and the money he has saved the town in upgrading all town owned buildings and grounds, it was not realistic to return him to a lower classification. He added he was a victim of circumstance and the Finance Committee and Personnel Board should be made aware of what has been accomplished by Mr. Urbinati. Following additional discussion, John King directed the Executive Administrator to review the situation with the Personnel Board once again with the objective of creating a specific "S" classification for the position of Assistant Superintendent of Town Owned Buildings. He commented that if they refuse the request once again, he would be willing to include an article in the up-coming Special Town Meeting.

CROSSING GUARD APPOINTMENTS:

Action was tabled on the appointment of three crossing guards (recommended by the Personnel Board to fill existing vacancies) pending clarification of the procedures used in selecting candidates. Selectman King emphasized that need and availability to post should be considered in the selection process. The Board agreed to meet on Monday, August 30, 1976 to act on this matter.

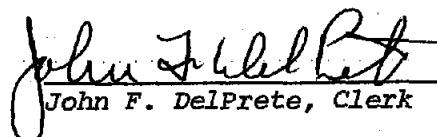
SPECIAL SELECTMEN'S MEETING:

It was unanimously voted to call a Special Meeting of the Board of Selectmen on Monday, August 30, 1976 for the purpose of appointing Crossing Guards to fill existing vacancies.

LEGAL HOLIDAYS

The Board voted to support the Finance Committee in their position to defeat a proposal to establish a 12th state-wide legal holiday, Lafayette Day, on May 20th of each year, because of the cost involved. Mr. Clarke was directed to contact the area legislators indicating the Board's position.

MEETING ADJOURNED AT 9:50 P.M.


John F. DelPrete, Clerk