

**TOWN OF FRAMINGHAM**  
**SELECTMEN'S RECORDS**

\*REGULAR MEETING OF THE BOARD OF SELECTMEN - APRIL 13, 1981\*

The Executive Session of the Board convened at 7:00 PM for the purpose of discussing contractual business (labor collective bargaining) pending.

At 7:53 PM. Mr. King called the regular Selectmen's meeting to order. Present: John F. King, Chairman, John F. DelPrete Clerk, and Claire F. Lavin. Also present: Town Counsel Aaron Bikofsky and Executive Administrator Matthew P. Clarke.

Following last week's election, the first order of business was to reorganize the Board. Mr. King moved to nominate John F. DelPrete Chairman for the coming year. Mrs. Lavin seconded the motion. Mr. DelPrete will be Chairman by unanimous vote.

Mr. DelPrete made the motion to nominate Mrs. Lavin Clerk for the coming year. Mr. King seconded the motion. By unanimous approval, Mrs. Lavin will serve as Clerk.

WARRANTS

#170 - April 13, 1981 - Bills - \$314,202.92  
#171 - April 13, 1981 - Bills - \$ 6,290.13  
#172 - April 13, 1981 - EDA Library Project - \$119.00  
#173 - April 13, 1981 - Payroll - \$343,101.75  
#174 - April 13, 1981 - Bills - \$358,744.24

AMUSEMENT LICENSE

Sharpshooter's Drum & Bugle Corps., Farley's Meadow Property, Route 9, April 15 - 18, 1981, 6:00 PM to 11:00 AM April 18, from 12 Noon to 11:00 PM Carnival with rides and booths.

SPECIAL MALT BEVERAGES & WINE LICENSE

Racquetball Five-0, 50 Speen Street, May 2, & 3, from noon to 10:00 PM and 1:00 PM to 10:00 PM

SPECIAL ALL ALCOHOLIC BEVERAGE LICENSE

St. Tarcisius Church, 560 Waverly Street, April 25, May 16, June 20, 1981, from 7:30 PM to 12:30 AM

APPOINTMENTS

Special Police Officers

Leonard Barber, 47 Newton Street, Marlboro, for a term of duration of employment with Macomber Farms, MSPCA  
Edward Konopka, 2 Hilton Street, P.O. Box 347 South Framingham, for a term of duration of employment with Macomber Farms, MSPCA  
Robert Cummings, 184 Union Street, Franklin, MA for a term of duration of employment with Framingham State College  
Barry Gallant, 376 Concord Street, Framingham, for a term of duration of employment with Framingham State College

TRAFFIC REGULATIONS

In accordance with the recommendations of Safety Officer Robert Foley, the Board voted unanimously to approve the installation of the following signs:

NO PARKING ANYTIME

1. On Mayhew Street both sides a distance of 200 feet east from Winter Street
2. On Winter Street both sides between Worcester Road and Salem End Road. (This was voted previously by the Board of Selectmen. Most of the street is signed, few are missing.)

CHANGE OF MANAGER - LIQUOR LICENSE

The Board voted unanimously to grant change of manager to Framingham Winery, Inc., 700 Worcester Road, Framingham, subject to the approval of the Alcoholic Beverages Control Commission, from David E. Tetzl, present manager to Marc A. Perelman, new manager, All Alcoholic Restaurant license.

RATIFICATIONS

Permit to open, occupy & obstruct street

Strehlke Construction Co., Inc., 30 - 40 Speen Street, March to April, 1981

Commonwealth Gas Company: 165 Elm Street, 3/16 - 3/19/81  
96 Warren Road, 3/16 - 3/19/81  
Kits #9, 8B, 6, 4 Salem End Road - work completed(11/5 - 11/11/80)  
30 & 40 Speen Street, 3/23 - 3/26/81  
110 Belknap Road, 3/23 - 4/23/81  
939 Worcester Road, work completed  
108 - 110 Dennison Avenue, N/A  
Rolling Drive at Ledgewood Road, N/A  
Kendall Street, near Concord Street, N/A  
1 & 3 Everit Circle, N/A  
75 Dennison Avenue, work completed  
45 Essex Street, N/A  
Howe Street at Bishop Street, N/A  
52 Howe Street, N/A  
Prospect Street near Worcester Road, N/A  
Concord Street @ Watson Place, N/A  
25 Beech Street, N/A  
43 Highland Street, work completed

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RATIFICATIONS

Permit to open, occupy & obstruct streets (continued)

Commonwealth Gas Company: 46 Gordon Street, 4/23 - 5/23/81  
279 Elm Street, 3/18 - 3/20/81  
615 Central Street, 3/16 - 3/19/81  
Waveny Road at John McQuinn Circle, 3/19 - 3/20/81  
204 Central Street, 3/17 - 3/20/81  
529 Brook Street, 3/16 - 3/19/81  
836 Old Conn. Path, 3/16 - 3/19/81

UNSCHEDULED ITEM

Chairman DelPrete welcomed the Sharpshooters Group who are present to ask for permission to conduct a carnival at the Meadows property between Route 9 and Route 30 from April 14 to 18. Mr. James Flynn is the owner of the show "Dean & Flynn Fiesta Show" of Shrewsbury, MA. The Board, on Mr. King's motion, seconded by Mrs. Lavin, voted unanimously to grant the Carnival License provided that all regulations are met by both, the Carnival owners and the Sharpshooters Group.

CONFERENCE - REPRESENTATIVES OF MSPCA RE: MACOMBER FARM HOURS

Attorney Robert Cummings an MSPCA officer was present with the manager, Mr. Johnson, to discuss the establishment of the hours of operation. A large delegation of residents, headed by Sam Tract was present. Mr. Tract indicated their only reason for being here is to see that the agreement between the Town, the MSPCA, and the residents is adhered to according to the original site plan as approved by the Planning Board and the Zoning Board of Appeals.

Mr. King made three motions as follows: 1. That the hours of operation of the facilities shall be Monday through Saturday from 8:00 AM to 5:00 PM for office work, normal maintenance, construction, repair of the facilities, etc. Stock may be tended seven days per week from 6:00 AM to 5:00 PM. One employee may work from 5:00 PM to 12:00 AM. There may be a security coverage of the grounds 24 hours per day.

2. The hours of operation of the facilities open to the public shall be Monday through Saturday, from 10:00 AM to 4:00 PM. The facilities shall be closed on all Sundays and holidays.

Prior to taking a vote, Mr. DelPrete asked that Mr. King's motion be amended that the hours of operation of the facilities open to the public shall be Monday through Friday from 10:00 AM to 4:00 PM. The facilities shall be closed on all Saturdays, Sundays and holidays. Mrs. Lavin seconded the motion as amended. Chairman declared the vote as amended unanimous.

Mr. King made a second motion that the following restrictions be enforced:

The MSPCA may not permit the general public to use more than the following number of parking spaces. No more than one vehicle may be parked in any space. All vehicles on the MSPCA property must be parked in a parking space.

1. Weekdays: 157 automobile parking spaces plus 5 bus or single unit truck parking spaces

No trucks or buses may be permitted on the MSPCA grounds on any weekend. The use of any bus, van, or jitney, or any other means of mass transportation to bring people to the site shall be prohibited on weekends.

Maximum number of people permitted to visit MSPCA Raceland Development: (Maximum Capacity)

Weekdays: No more than 671 visitors may be on the site at any one time. (157 cars x 3 people = 471 + 5 buses times 40 people = 200) for a total of 671 visitors.

Yearly: No more than 150,000 visitors may be allowed on the site in any calendar year.

Mrs. Lavin seconded Mr. King's motion. Chairman DelPrete declared the vote unanimous.

Attorney Cummings reported that the MSPCA is negotiating with the Ogden Corporation to operate a snack bar, which is a very small non-sit-down restaurant to accommodate primarily the children with soft drinks, hot dogs and hamburgers. There are water bubblers as well as 14 toilet facilities with hot and cold running water on the grounds. Admissions will be \$5 for adults and \$3 for children with group rates being \$3 for adults and \$2 for children.

One of the residents in the group pointed out there are several fast food restaurants in the immediate vicinity -- the residents would prefer no food service onsite.

Mr. King then made a third motion: Restaurant/ Snack Bar/ Gift Shop, etc. No use will be permitted on the site or any part of the site unless it is owned and operated by a non-profit organization recognized by the Commonwealth of Massachusetts as such, Chapter 180, as amended, MGL, operated for religious, charitable, educational, scientific, or literary purposes, or to prevent cruelty to animals or children.

The motion was seconded by Mrs. Lavin. Chairman declared the vote unanimous -- Macomber Farm is to adhere by the regulations as outlined. The Board further voted an updated traffic study be conducted at the location.

The Chairman explained that none of these decisions are ironclad. As the facility goes into operation, some changes may be suggested and adopted. For the present, the facility will be operated weekdays, 10 AM to 4 PM.

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CONFERENCE - Ted Duprez re: Legal Counsel -- School Department

Mr. Duprez reported the School Committee voted recently to petition the Selectmen approve the expenditure for General Counsel as relates mostly to arbitration cases for teachers -- much of the litigation results also from the reduction in force. However, Mr. Duprez believes about 90 per cent of the costs relate to arbitration.

When asked whether he knew the specific amount of expenditure, Mr. Duprez replied he knew of at least another \$6,500 scheduled by the courts, but it is difficult to determine what the exact amount will eventually be. This is why they are asking for the expenditure of \$5,000.

Mr. Taylor, Town meeting member asked whether this is a line item in the school department budget. Mr. Duprez replied it is part of the School Committee expenditures. Mr. Duprez does not believe there will be any difficulty covering the expenses from the budget point of view.

Mr. King so moved the approval of the expenditure of the additional monies. Mrs. Lavin seconded the motion. Chairman declared the vote unanimous.

SMACC Executive Director, Michelle Cunha, re: Parking in Downtown Framingham

Ms. Cunha reports strong support for the revitalization of parking meters in the downtown area. She further reports strong support for the enforcement of the two-hour parking ban from 6:00 AM to 9:00 AM to discourage all day parkers thereby creating a lot more turnover. Additionally, the meters will raise funds to, at some point in the future, create a parking authority.

Mrs. Lavin reported she attended the Library Trustee meeting last week. Today, Mr. Flaherty reported there is available all day parking on the third floor of the library garage.

Mr. Clarke reported he has received a letter from Mr. Flaherty today -- the matter will be discussed next week.

Mr. King thanked Ms. Cunha for conducting a fine survey. Mr. King finds parking meters a good source of revenue for the Town.

Chairman DelPrete thanked Ms. Cunha for her report.

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Letter from Richard J. McCourt re: matter of unauthorized parking in Framingham Center district  
The Board asked Mr. Clarke to have this matter check by the Police.

Letter from Middlesex Consumer Protection Office re: withdrawing request for funding  
In view of Proposition 2½ this group withdraws its request for funding. The Board noted receipt of the letter.

Letter to Building Commissioner re: Baker Fence Company (noise in the area)

Letter from Building Commissioner re: Baker Fence Company (noise in the area)

Based on the above-mentioned correspondence, the Board requested the Safety Officer, Lt. Foley, to check the traffic in the area with a view to banning trucks from Taralli Terrace. According to Mr. Seeley's correspondence, there is no basis for bringing complaint under the bylaw. Much of the noise is from outside sources.

Memo from Bill Scanlan, Planning Department re: Railroad Station Rehabilitation

Mr. King moved the recommendation of the Planning Department and invited the developer before the Board. Mr. DelPrete seconded the motion, Mrs. Lavin agreed. Chairman declared the vote unanimous.

Memo from Town Counsel re: Common Victualer License at 1672 Worcester Road (Timothy's Too)

The Board agreed that if there are two separate food service areas both establishments could qualify. Chairman requested Mr. Clarke to convey this information to Mr. DiAngelis.

Memo from Town Counsel re: Creative Housing Co., Inc.

Catherine and Hemenway Roads

The Board instructed Mr. Clarke to talk to Phil Tuck and voted to note receipt of the Counsel's memo.

Memo from Town Counsel re: Town of Framingham vs New England Insulation Company

The Board noted receipt.

Memo from MBTA re: Proposed Reduction in Commuter Rail Service

The Board noted receipt.

Memo from MBTA Advisory Board re: Notice of Public Hearings and Meetings to Review nomination of James O'Leary as General Manager of the MBTA

Mr. DelPrete made the motion that this Board wishes to comply with the new appointment. Mrs. Lavin seconded the motion. Mr. King agreed. Chairman DelPrete declared the vote unanimous -- Framingham will seek nomination of James O'Leary.

Letter from Baypath Senior Citizens Services re: supporting funding for S.M.I.L.E.S.

The Board noted receipt of the letter.

Letter from NAACP re: Invitation to Attend Annual Banquet at Chateau de Ville

Mr. DelPrete and Mrs. Lavin indicated they will try to attend.

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Invitation to attend Human Service Forum at State College on April 22, 1981  
The Board noted receipt. Mr. DelPrete or Mrs. Lavin will try to attend.

Fire Department Overtime  
The Board noted receipt.

Assessor Position Vacancy

Mr. Clarke reported that the Personnel Board has now submitted four names of candidates who they believe are fully qualified candidates for the position: Thomas Ball, Richard Cohen, Patricia Garrity and William Haddock. The Board asked Mr. Clarke to arrange for interviews during the meeting of April 27. Personnel Director, M. Smith and M. P. Clarke will arrange for the interviews.

Alcoholic Beverage License for Aegean Restaurant -- Beacon Plaza

The Board voted to leave this item tabled until the next meeting in the event anyone wishes to speak relative thereto. The matter will be on the agenda April 27.

Public Housing

The Planning Department has forwarded a plan for the Board's review. Planning Department needs approval of the Board in order to make application for funds for public housing.

Parking problems behind Macomber Farm

The Police Department will be asked to make sure there is no unauthorized parking at the rear of Macomber Farm.

Cooper-Lybrand Audit Report

Mr. Clarke pointed out to the Board the first copies of the Audit Report are being given them for their review. The Board asked Mr. Clarke to arrange for representatives of Coopers be present at the April 27, meeting.

Chairman called for new, old, or unfinished business. Hearing none, he called for motion to adjourn.

Mr. King made the motion to adjourn. Mrs. Lavin seconded the motion.

Chairman adjourned the meeting at 10:00 PM.

  
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CLAIRE F. LAVIN