

# TOWN OF FRAMINGHAM

## SELECTMEN'S RECORDS

\*REGULAR MEETING OF THE BOARD OF SELECTMEN - MAY 11, 1981\*

The regular meeting of the Board of Selectmen convened at 7:30 PM. Present: Chairman John F. DelPrete, Clerk Claire Lavin Selectman John F. King and Executive Administrator Matthew P. Clarke.

### WARRANTS

#185 - May 11, 1981 - Bills - \$274,202.71  
#186 - May 11, 1981 - Community Development Blk. Grt. - \$3,590.97  
#187 - May 11, 1981 - Payroll - \$348,554.32  
#188 - May 11, 1981 - Bills - \$13,608,104.75

### LICENSES GRANTED

#### AUCTION & AUCTIONEER LICENSE

The Board unanimously voted to grant an Auction License to the Learning Center for the Deaf Children, Inc., at 848 Central Street Framingham and an Auctioneer License to Warren Schwab of 32 Cedar Street, Millis, MA for that auction to be held at 848 Central Street June 6, 1981. Viewing: 10:00 AM to 12:00 Noon with the Auction from 12:00 Noon to 6:00 PM.

#### MOTOR VEHICLE LICENSE - CLASS II

The Board unanimously voted to grant a Motor Vehicle Class II license to Glenn P. Morris, 280 Irving Street (Garage building consisting of one bay (918 sq. ft.) - outside parking - brick and block construction.)

#### HEARING - application of Texaco, Inc. for license to store additional 10,000 gallons of diesel fuel at 228-232 Waverly Street

Mr. Coyne represented Texaco, Inc. to explain that increased storage will make deliveries easier and safer. M. P. Clarke read the Fire Chief's recommendation to grant the additional storage. Selectman King so moved the Fire Chief's recommendation. Mrs. Lavin seconded the motion. Chairman declared the vote unanimous and advised Mr. Coyne to contact this office tomorrow morning for the matter of finalizing details.

#### HEARING - application of James & Raymond Calabrese for license to store 10,000 additional gallons of gasoline for 1617 Concord Street

Mr. James Calabrese told the Board his firm has been in need of additional storage since 1967 when he went into business with his brother. M. P. Clarke read the Fire Chief's approval for additional storage. Selectman King asked Mr. Calabrese whether the problems which were referred to him have been resolved. Mr. Calabrese replied some of the problems have been resolved. Others remain. Mr. King asked Mr. Clarke to look into the matter to resolve the remaining problems. Mr. King so moved the Fire Chief's recommendation for the additional storage of gasoline. Mrs. Lavin seconded the motion. Chairman DelPrete declared the vote unanimous.

VOTE

#### CONFERENCE - Christy Maltas and Howard Bernstein, Energy Coordinator re: Technical Energy Audit

Planning Director Christy Maltas was present with Howard Bernstein, Energy Coordinator to introduce Mr. Bernstein to the Board. Chairman DelPrete welcome the men and remarked that the people in Boston have given Mr. Bernstein a great recommendation. Mr. Maltas explained the purpose of bringing the Energy Coordinator to Town is to have one person with the ability to look at energy consumption in the Town and have a systematic approach to look at energy costs and to obtain grants and to propose this evening to offer progress reports every quarter.

In addition to a plan, Mr. Bernstein offered a table which he has prepared in an effort to develop and coordinate a comprehensive energy program from Framingham's municipal government. The gains made on the constraints of expenditures already bear the expense of the position. Furthermore, there will be an avoidance of future energy cost increase. Mr. Bernstein's chart gives the Board an update on the Town's total budget. Mr. Bernstein's primary objective is to cut energy cost while improving the comfort of the Town buildings. Some measures carry price tags, but Mr. Bernstein expects to have to be prepared with good arguments to obtain funds for these things. Presently, he is looking at the cost of electricity for the new library. He expects those reports should be finished in August. These audits are going to make those buildings eligible for further funding. The availability of State funds depends on the Legislature. Mr. Bernstein has already determined that library lights could be reduced around the perimeter of the room.

Mr. DelPrete advised Mr. Maltas and Mr. Bernstein to convince the Finance Committee and to send a note to the Library Trustees and to the Public Works Board to let them know what you are doing on these audits. Money is going to be tight on grants but we are not going to give up on them.

C. Lavin asked: "These are preliminary reports and you will get in touch with the Boards and come back to us?"

H. Bernstein: Between now and winter, we will concentrate on conserving energy in the buildings.

Chairman DelPrete thanked the Planning Director and the Energy Coordinator for being present this evening.

#### CONFERENCE - Dr. Dennis Golden of Framingham State College re: Issuance of one-day licenses for the sale of alcoholic beverages - May 27 and Beer & Wine licenses May 29 and May 30, 1981

Chairman DelPrete asked Dr. Golden to give an update on what has happened at the campus.

Dr. Golden reported that the College Committee composed of 15 members (5 faculty, 5 student and 5 administrators) have been working together. The conditions have improved. Dr. Golden does not have a final typed copy of the proposed agreement ready for the Board to view this evening -- there has been progress. In view of the improved conditions, Dr. Golden would like to request on behalf of the Board of Governors and the College Center that the Board grant licenses for May 27, 29, and 30th based on the fact that faculty, students, administrators and on May 27th, parents, get together for a final social on campus. At that time, all undergraduates will have left the campus. "We reassure you that the College will supervise and control these activities," concluded Dr. Golden.

Mrs. Lavin asked if she understand correctly that the College is seeking full liquor license?

Dr. Golden replied the College would like a full liquor license for May 27th. However, on May 29 and 30, the College would be satisfied with the beer and wine license. They would like the license from 4 PM to 1 AM.

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

\*MAY 11, 1981\*

(2)

CONFERENCE - Framingham State College (Continued)

Chairman DelPrete assured Dr. Golden that if licenses are granted, the Board would grant midnight closing.

Mr. P. Clarke advised the Board that on a one-day basis, the Board is only allowed to give beer and wine licenses.

J. King: "I would so move Dr. Golden's request in its entirety, if the ABC will allow a full license for that particular day."

C. Lavin: I wish to amend that motion for a 12 midnight closing.

Dr. Golden: As the College representative, I will take the liberty to amend the request to a midnight closing.

The Board unanimously voted to grant the request as presented and amended by Dr. Golden whereupon Dr. Golden introduced Mr. Mosher to the Board and thanked all members for the cooperation.

CONFERENCE - Planning Department and Gelardin/Bruner/Cott re: Development of Downtown Railroad Station

Planning Director Christy Maltas was present with Bob Gelardin to discuss the progress relative to refurbishing the Railroad Station.

Mr. Gelardin explained that in 1977, when his firm originally embarked upon this project, they had a client ready to take over the property; however, because of difficulties in clearing title involvement with the railroads, they have been unable to progress to a point of building since they have now lost their client.

The Board pointed out to Mr. Gelardin that title has been cleared now since March of 1980 and the Planning Director and the Board now find Gelardin/Bruner/Cott have had sufficient time to proceed with concrete plans to do something with the Railroad Station.

Mr. Gelardin stated that with the substantial investment his company presently has outstanding in this project, his firm also is aggressively pursuing action.

After extensive discussion, Selectman King said he would like to put this matter in its proper perspective. There is no doubt, the railroad station has become a public nuisance. We have a nuisance bylaw in this Town. It is up to the building official to enforce the public nuisance bylaw. What we would like to do tonight is to clear that public nuisance. The Building Official is here tonight and we want to make it clear that some immediate attention has to be given the railroad station to make it safe.

Chairman DelPrete advised it is a historical site, we must proceed cautiously.

Building Official Seeley said: "it is number five on my list to call attention to the Board." He further stated: "I have a nuisance bylaw I must enforce."

In the final analysis, the Board determined to fence the property immediately and to allow Gelardin/Bruner/Cott an additional two weeks to get together with the Planning Director and come back with a schedule or timetable for action.

Town meeting member H. Taylor emphasized the developers have had four years, true, they have encountered problems, but it is now time for action.

Planning Director Maltas pointed out the Town could now work with the State land bank to develop the site.

John King moved and Claire Lavin seconded the motion that the Planning Director and the Building official come back within a two-week period of time to make the railroad station a safe place along with a recommendation of where the funding will come from for that work. Chairman declared that vote unanimous and instructed Mr. Maltas to work to get a low bid to put up a fence right away.

Mr. Lavin inquired whether there are other developers interested in the property.

Mr. Maltas stated there probably have been about three legitimatedevelopers interested over the course of the last four years.

Bob Gelardin concluded his firm has a substantial investment. At this moment they are actively looking for restaurateurs.

CONFERENCE - Building Commissioner George Seeley re: Issuance of Licenses for Coin-Operated Machines

George Seeley reported to the Board there presently is no control over this license. The Board of Selectmen, at its discretion, has the authority to grant licenses for coin operated machines. Places that have been granted licenses for one or two machines have as many as ten machines and there is no control over this situation; it presents a zoning problem. In my opinion, you have two options: You can grant licenses for these machines to only those places approved as commercial amusement places by the ZBA. This is very clear. The second option is to grant a limited number of licenses to places such as restaurants, bowling alleys, racquet-ball courts, etc. I recommend one machine per 50 patrons. It seems reasonable, but I think the choice has to be yours. If it goes beyond one machine per 50 persons, you have a commercial amusement place. We have a number of restaurants featuring game rooms for the pleasure of their customers.

J. DelPrete: All these machines are licensed?

G. Seeley: No. I can provide you with a list of these places that are not licensed. It is a matter for the police. The legitimate arcade operator controls the number and types of devices. The ones that are not licensed, in fact, are affording some very clever fellow freedom to trade machines and operate without controls.

# TOWN OF FRAMINGHAM

## SELECTMEN'S RECORDS

\*MAY 11, 1981\*

(3)

CONFERENCE - Building Commissioner George Seeley (Continued)

J. King: Probably what we can do is not issue any more licenses until such time as we get an update from the Framingham Police. I recommend we refer this problem to the Police Department. We will also notify the girls in the office to grant no additional licenses until we have a handle on this problem.

The Board unanimously agreed it is a police matter that will be investigated and so instructed Mr. Clarke to proceed with investigation of the matter.

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Mrs. Lavin disclosed she has concerns she wishes to address to the Building Commissioner relative to street corner flower vendors. She has had reports that some of them are occupying Town property and that they are causing traffic congestion.

Mr. Seeley suggested that there is nothing in the zoning bylaws to prohibit such vendors at this time. He suggested that those occupying private property should be made to display the owners' permission to be there and certainly vendors must not be in a residential zone.

Selectman DelPrete asked Mr. Clarke and Mr. Seeley to check this matter with Town Counsel since many people have State licenses.

Mr. Clarke and Mr. Seeley agreed the matter will be clarified through Town Counsel's office.

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ANNUAL APPOINTMENTS

<u>POSITION</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION DATE</u>
Assessor	Thomas Ball	3 years	5/1/84
Burial Agent	John F. Murtagh	1 year	5/1/82
Graves Registration Officer	John F. Murtagh	1 "	5/1/82
Civil Defense Director	Andrew Regan	1 "	5/1/82
Asst. Civil Defense Director	Lt. Domenic Ferrazzi	1 "	5/1/82
Dog Officer ) Inspector of Animals) Kennel Attendant ) Pound Keeper )	Joyce Suttill	1 "	5/1/82
Asst. Dog Officer	John W. Curtis	1 "	5/1/82
Asst. Dog Officer	Ellen Pellistri	1 "	
Town Engineer	Fred Sergeant	3 years	5/1/84
Tree Warden	Robert Ralston	3 "	5/1/84
Fence Viewer	Fred Sergeant	1 year	5/1/82
Sealer of Weights & Measures	Fred Rousseau	1 "	5/1/82
Insect Pest Control	Robert H. Ralston	1 "	5/1/82
Forest Warden	John Hancock	1 "	5/1/82
Town Constable) Lock-Up Keeper)	Arthur F. Martins	1 "	5/1/82
Town Constable	Dino Berte	1 "	5/1/82
Bd. of Dir. Grtr. Framingham) Mental Health Assn. )	Marian F. Purington	1 "	5/1/82
Surveyor of Plaster & Brick	James Lee	1 "	5/1/82
Selectmen Rep. to Danforth Museum) Board of Trustees )	Marie Jardine	1 "	5/1/82
Selectmen Rep. to Danforth Museum) Board of Trustees )	Bruce Garvin	1 "	5/1/82
Arts Lottery Council	Dorothy Marshall Noke	2 years	5/1/83
Registrar of Voters	Gertrude M. Roscoe	3 "	5/1/84
Trinity Mental Health Adv. Bd.	Marian F. Purington	1 year	5/1/82
Supt. of Memorial Bldg.	John F. DelPrete	1 year	5/1/82
Supt. of Athenaeum Hall	John F. King	1 year	5/1/82
Supt. of Nobscot Hall	Claire F. Lavin	1 year	5/1/82
Sign Review Board	George Isaacson (vice Paul Cohen)		5/1/83
Historical Commission	Mrs. E. Emerson Evans	3 "	5/1/84
" "	Ignatius J. Stapleton	3 "	5/1/84

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**SELECTMEN'S RECORDS**

\*MAY 11, 1981\*

(4)

Notice from Army Engineers re: inspection of flood protection project  
There are periodic inspections scheduled. The Board voted to note receipt.

Letter from Keefe Vocational School re: computer programmer training course  
Keefe Vocational School will be offering this course to retrain teachers/instructors who are displaced as a result of Proposition 2½. The Board noted receipt of the letter.

Letter of appreciation from Joseph A. LeClerc & family  
The Board requested that copies of this letter be forwarded to the Police and Fire Chiefs. The voted unanimously to note receipt.

Notice of DPU hearing on May 27th  
A representative of the Engineering Department will attend. The Board voted to note receipt.

Report of Fire Department overtime  
The Board voted to note receipt.

Letters from Betty&Dana N.Jost, and Patricia M. Shock in support of Macomber Farm  
The Board voted to note receipt.

Invitation to attend SMACC breakfast forum on May 27th  
The Board voted to note receipt.

Invitation to attend Open House at Brittany Towers Convalescent Home on May 17th  
The Board voted to note receipt.

A number of letters have been received (in Spanish) in support of SMILES  
The Board voted to note receipt.

Big W Transportation Co. Hearing  
Mr. Clarke requested the hearing be held in Framingham. He is waiting for a reply.

Update on Macomber Farm  
M. P. Clarke reported to the Board Town Counsel has heard nothing from the court as of this moment -- the matter is still under advisement of the judge.

Middlesex County Tax Matter  
The Board noted receipt.

Request of Juvenile Diabetes Group for perimeter parking at the Common May 17th  
The Board unanimously voted to grant the request of the Juvenile Diabetes Group for perimeter parking on May 17th for the walkathon. Selectman King will try to attend.

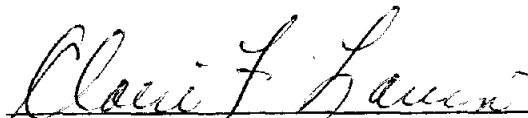
Veterans Agent - Change of Civil Service Status  
Mr. Clarke informed the Board this matter which was voted by the Town some time ago has just been taken to Legislature.

Board member absenteeism  
The Board requested that Board member absenteeism be checked prior to making appointments

Board Recess  
The Board voted to recess for two minutes prior to going into executive session for the purpose of discussing items under litigation.

Chairman called for further new, old, or unfinished business. Hearing none, motion was made and seconded to adjourn.

Chairman adjourned the meeting at 10:20 PM.



CLAIRE F. LAVIN, CLERK