

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

\*REGULAR MEETING OF THE BOARD OF SELECTMEN JUNE 29, 1981\*

The regular meeting of the Board of Selectmen was held at 7:30 P.M. Present: Mr. John F. DelPrete, Chairman, Mrs. Claire F. Lavin, Clerk, and Mr. John F. King.

WARRANTS:

|      |   |               |   |             |                |
|------|---|---------------|---|-------------|----------------|
| #215 | - | June 29, 1981 | - | Bills       | \$143,046.15   |
| #216 | " | "             | " | Block Grant | \$25.00        |
| #217 | " | "             | " | Payroll     | \$493,181.65   |
| #218 | " | "             | " | Bills       | \$4,575,894.29 |
| #1   | - | July 1, 1981  | - | Bills       | \$2,555,483.69 |
| #2   | " | "             | " | "           | \$48,000.00    |

AUCTION LICENSE:

Framingham Union Hospital Aid, at Ellison Hall, Plymouth Church, to conduct an Auction on October 17, 1981, 10 A.M. to 4 P.M.

RATIFICATIONS:

Permit to open, occupy & obstruct streets:

Commonwealth Gas Co.: Herbert Street at Loring Arena Pole #22, work completed 6/18/81  
226 Belknap Road, 6/19-7/19/81

APPOINTMENTS:

Special Police Officer:

Guy W. See, 200 Bishop Drive, Framingham, for a term of one year.

Raymond Gaddis, 19 Teresa Drive, Hudson, MA, for a term of employment with Lechmere Sales of Framingham.

HEARINGS:

Boston Edison Company JO New England Tel. & Tel. Company

The petition of Boston Edison Co. and New England Tel. & Tel. Co. for permission to locate hip guy and anchor at Currier Drive, southerly side approximately 225 feet west of Lanewood Avenue was held. Carol Clinton was present for the Boston Edison Co. and Francis Brown represented the New England Tel. & Tel. Co. There was no opposition to granting of said petition, and same was granted.

Boston Edison Company JO New England Tel. & Tel. Company

The petition of Boston Edison Co. and New England Tel. & Tel. Co. for permission to locate hip guy and anchor at Bosworth Road, westerly side approximately 21 feet north of Pleasant Street was held. Carol Clinton was present for the Boston Edison Co. and Francis Brown represented the New England Tel. & Tel. Co. There was no opposition to granting of said petition, and same was granted.

STORAGE LICENSE - GULF OIL CORP.

Pursuant to the hearing held June 15, 1981, and upon receipt of a letter of approval from Fire Chief John Hancock, a license was granted to Gulf Oil Corporation for the additional storage of 12,000 gallons of gasoline at 314-336 Worcester Road.

STOP SIGNS:

It was voted not to approve the installation of Stop Signs on Belknap Road at Millwood Street in accordance with the recommendation of Safety Officer Lt. Robert Foley.

CONGRESSMAN BARNEY FRANK

Congressman Frank appeared at the meeting to advise Selectmen of progress made in attaining a tentative hearing on storage of vinyl chloride in the railroad yard. The hearing is tentatively set for September in the Federal Transportation Office in Boston. He stated that he was trying to get the hearing moved to Framingham and if effort failed he could possibly have a Congressional Sub-Committee meeting in Framingham prior to hearing. He stated that this would be a National issue on the storage of dangerous materials by railroad. He thought that by making it a National issue it would have more possible beneficial results because it would not be considered a parochial problem. He has contacted all other Congressman for listings of similar cases and during the summer we will be assembling information for use by the State office for Transportation and Congressman Frank.

CONFERENCE - MAINTENANCE STUDY COMMITTEE

The Maintenance Study Committee consisting of W. Tierney, W. Carey, R. Mollica, G. Oliva, J. Hanscom, R. Merusi met with Selectmen to discuss the report which had been submitted at a prior meeting. The Selectmen commented that this study was suggested by the Finance Committee. Walter Tierney as Chairman of the group stated that their conclusions were that the current arrangement for the maintenance of Town Owned properties was the best which could be done under the circumstances and that any other arrangement would be more expensive given today's conditions. He cited the problems of different union and non-union groups having to be amalgamated. The Selectmen accepted their report as a report of progress and voted to continue the group to pursue the possibilities in the future. Selectman Lavin requested a breakdown of total costs of operation and use and income for all buildings under the Selectmen's jurisdiction. Superintendent of Town Buildings, G. Oliva, will provide this information as soon as possible.

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CONFERENCE - BUILDING COMMISSIONER, GEORGE SEELEY

A discussion was held with Building Commissioner, George Seeley and interested residents of the area around the Baker Fence Company. Commissioner Seeley stated that there was no court admissible evidence which would allow him to order Baker Fence to change their method of operation in a manufacturing district. Several of the neighbors including Jean Messana cited a long list of problems caused by the early morning operation of Baker Fence. After a lengthy discussion, Commissioner Seeley was requested to check with Town Counsel concerning the procedures for an appeal to the Zoning Board of Appeals to establish hours. It was requested that he determine if the Board of Selectmen could petition the Zoning Board of Appeals for a limitation on hours and methods of operation. He is to respond to the Board as soon as possible in the future.

CONFERENCE - RE: MULTIPLE USE OF SINGLE FAMILY RESIDENCES -

Commissioner Seeley outlined the research he had done on the problem of unrelated numbers of people occupying single residences without the benefit of the requirements of the Lodging House License. He stated that in order to control the situation it would be necessary to determine the definition of a single family and change the local by-laws to control this use within the parameters of that definition. Selectman King requested that the Town Counsel be contacted to determine if the existing laws can be implemented to control this proliferation of use of single residences. If the reply is negative on this score, it was requested that the Building Commissioner return with a recommendation for changes under the Lodging House License laws which might permit the Selectmen to gain control of the situation and prevent further spread of such actions.

CONFERENCE WITH PLANNING DIRECTOR AND REAL PROPERTY COMMITTEE CHAIRMAN RE: USE OF SURPLUS TOWN OWNED BUILDINGS

Planning Director, Christy Maltas and Real Property Chairman, L. Guerrieri met to discuss a proposal to hire expert help to set up guidelines and procedures for the disposition of surplus Town Buildings. Selectman King recommended that the Planning Department set up a long range recommendation coupled with the forecast of student populations to be certain that we did not dispose of locations of unused school buildings which might be needed in the future. He further stated that the use of outside consultants was not acceptable to him and he felt that the Planning Department should study the long range situation and make specific recommendations. Selectman Lavin requested that Mr. Maltas provide background material and examples of work on the consultant he had recommended for use.

CONFERENCE - REAL PROPERTY CHAIRMAN CONCERNING SALE OF MT. WAYTE LAND PARCELS

After a discussion of the report submitted by the Real Property Committee, the Board of Selectmen voted to include their recommendation in an article in the fall Town Meeting and tabled further action until an apparent disagreement over one parcel could be settled.

CONFERENCE - ATTY. DREW ROGERS RE: EMPLOYMENT OF MARIA GAINES

Atty. Rogers presented background information and commentary supporting the claim that Maria Gaines who was tentatively scheduled for dismissal from the Planning Department should not be dismissed. Selectman King questioned the effect on other members of the Planning Department if Ms. Gaines was retained on the staff. It was indicated that there could be some effect on other regular employees with greater seniority and the matter was taken under advisement.

MEETING WITH REPRESENTATIVES OF THE BOARD OF PUBLIC WORKS AND THE FINANCE COMMITTEE RE: SPECIAL TOWN MEETING REQUESTS

Chairman A. Colonna, J. Hanscom, Chester Hughes from the Board of Public Works and representatives of the Finance Committee met with the Board of Selectmen concerning the petition they received requesting that a Special Town Meeting be called to appropriate the specific amount of money for the continued operation of the trash and garbage collection in the Town. It was the contention of Chairman Colonna that the Special Town Meeting should be limited to one Article only because he felt that any additional articles would confuse the issue for Town Meeting members. It was pointed out that the petition requesting extra funding for the Library operations had sufficient signatures to require that the Board of Selectmen include this article in any Special Town Meeting which was called. In addition, an article authorizing the Board of Selectmen to continue the lease on the Roosevelt School was mandatory to make their lease arrangements official.

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MEETING WITH REPRESENTATIVES OF THE BOARD OF PUBLIC WORKS AND THE FINANCE COMMITTEE RE: SPECIAL TOWN MEETING REQUESTS (continued)

The Finance Committee had requested that 2 articles be included concerning the alternate possibilities for trash and garbage collection. After a lengthy discussion which ranged from concern over the budget limitations set by the Finance Committee to concern over the public well-being if trash collection was eliminated, the Board of Selectmen made the positive statement that the Town's people and they could not accept the elimination of trash and garbage collection and as a result action would have to be taken and a Special Town Meeting would be called. The content of the actual warrant and discussions on the merits on each of the articles was lengthy. At 11:30 p.m. a five minute recess was called for a conference concerning procedures. At 11:35 p.m., the recess was concluded and by a unanimous vote, the meeting was stated to be adjourned until 7:30 p.m. on the following evening, June 30, 1981. One additional item of business was transacted prior to that adjournment.

REQUEST FROM A CITIZEN, ALAN CLIVE, FOR APPOINTMENT OF A COORDINATOR OF REHABILITATION ACT ENFORCEMENT

Was considered by the Board of Selectmen and by unanimous vote, the recommendation that Ria McNiff of the Human Relations Commission be named to this post was adopted. The meeting was adjourned at 11:45 p.m.

JUNE 30, 1981, 7:30 P.M.

The meeting was called to order at 7:30 P.M. Participating in the reconvened meeting were the Board of Selectmen, representatives of the Board of Public Works. After a brief discussion it was recommended that the Board of Public Works meet separately with the Finance Committee to try to come to some agreement on the content of the proposed Special Town Meeting.

Notice from School Committee of release of Lincoln Elementary School for general use on September 15, 1981 - the Board of Selectmen noted receipt of this letter and recommended that an article be included in a fall Town Meeting for the purpose of officially returning the Lincoln School to the jurisdiction of the Board of Selectmen for disposition.

Letter from the Department of Public Works re: Condition of Road Surface in the Flood Control Gate Area. A review of the letters from the Board of Public Works and the Police Chief and Town Engineer lead to a unanimous vote to contact the Army Corp of Engineers to request resurfacing of the entire area and the back payment of Special Police charges be made prior to any work being done.

Letter from Department of Public Works re: Installation of Street Traffic Signs

The Board noted that any traffic sign will cost approximately \$35.00 and requested that some procedure be arranged with the Finance Committee to reimburse the Department of Public Works upon receipted payment from any individuals who request special signs who are not necessarily public safety signs.

LETTER FROM BUILDING COMMISSIONER RE: NOTICE OF VIOLATION OF THE NUISANCE BY-LAW

Review of the 3 proposed hearings for violators of the Nuisance By-Law resulted in a unanimous vote to set up the hearings as soon as it was reasonably possible.

REPORT OF VIOLATIONS OF THE NUISANCE BY-LAW AT 38 RIVERVIEW ROAD

This letter was referred to the Building Commissioner for his action in enforcing the Nuisance By-Law.

REVIEW OF THE NOTIFICATION FROM FIRE CHIEF OF 4 RETIREMENTS IN THE DEPARTMENT OF LONG SERVICE EMPLOYEES

Resulted in a motion to arrange for letters for commendation and a personal attendance for all 4 retirees at the first Selectmen's meeting in the future at which all 4 could be available.

REQUEST OF PURCHASING AGENT FOR APPOINTMENT OF ACTING PURCHASING AGENT

By unanimous vote, the Board appointed Jean Adams as Acting Purchasing Agent during the vacation period of Lorraine Regan, Purchasing Agent.

RECOMMENDATIONS OF REAL PROPERTY COMMITTEE RE: TOWN OWNED PROPERTY

A review of the recommendations resulted in a question about interest in purchase of Mrs. Finley and Mrs. LaVallee. It was requested that each of these individuals be contacted concerning these recommendations and asked for their written response indicating any interest they might have.

REQUEST OF FRAMINGHAM UNION HOSPITAL ASSOCIATION FOR USE OF THE CENTRE COMMON TO HOLD A BAZAAR AND AUCTION

A unanimous vote of the Board of Selectmen O.K.'d the use of the common as outlined in this letter.

RESIGNATION OF DANIEL LYNCH AS A MEMBER OF THE COMMUNITY DEVELOPMENT COMMITTEE

Member Daniel Lynch pointed out that his reappointment as a member of the Community Development Committee would result in a conflict with his membership as a Director of the Loring Arena. He therefore respectfully requested that his name be removed from the membership of the Community Development Committee. Comment concerning the long standing contributions to the operations of Town Committees resulted in a request to invite Mr. Lynch to the first Selectmen's meeting possible for presentation of a commendation letter.

DOWNTOWN STREET TREES CONDITION REVIEW

A discussion of the requirements for watering, replacement and pruning of the downtown street trees indicated that several would have to be replaced and a schedule for maintenance is being established by the Tree Department. This information will be conveyed to the downtown Merchant's Association.

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THE OUTLINE OF THE TOWN COUNSEL'S YEAR-END BILLING

Was accepted and the unanimous vote was taken to pay the amount of balance of salary requested. A request for a transfer of funds was authorized from the Finance Committee for this purpose.

THE BOARD OF SELECTMEN NOTED RECEIPT ON THE FOLLOWING CORRESPONDENCE:

Letter from Housing Authority re: disapproval of applications for additional units

Notice from EEOC re: withdrawal of case of Eva Ryden

Memo from Town Counsel re: Disposition of Review/ Request of Francis Martinis

Letter of Appreciation from Dr. Justin McCarthy concerning the graduation exercises of the Framingham State College

Copy of letter from Dennis Golden of Framingham State College concerning changes in policies and procedures

Petition in support of maintaining the services of Crossing Guard - Mrs. Anthony at the Stapleton School Crossing

Report of Fire Department Overtime

Notice of Hazardous Waste meeting July 14th at the Chamber of Commerce Conference Room

Notice of Annual Chamber of Commerce outing on August 19, 1981

Copy of letter from Planning Department to the Deaf Community Center concerning interpreter services

Letter from Karl J. Wolfe concerning opposition to request for rezoning of the country club area for an office park

Request from United Farm Worker's supporters for "Red Coach" boycott

MEMO FROM TOWN COUNSEL RE: ISSUANCE OF BEER AND WINE CLUB LICENSES

The letter from Town Counsel which stated that the issuance of a beer and wine club license to a club which charged admission or membership fees indicated that it would be legal for the Selectmen to take such action. Following a discussion of the advisability of issuing a specific license which had been requested, it was agreed that if any licenses were to be issued, the fact that there were licenses available for beer and wine both pouring and package sales should be generally advertised and applications taken from all interested parties to be reviewed as a group. This action will be taken as soon as possible in the future.

AVAILABILITY OF RAILROAD EXCESS PROPERTY ADJOINING ROUTE #9

A review of the letter from the Real Property Committee stating no interest in the Railroad Property which could be made available approximating \$28,000+ square feet resulted in a request by Selectman King that the situation be reviewed by the Planning Department for future possible use as parking before a response is made to the State.

NOTICE OF REMOVAL OF GRANT TO VENTURE CORPORATION

The notice that the money originally voted for support of the Venture Corp. was now being withdrawn resulted in the request to review the application and ask for a recommendation from the Community Development Committee and the Planning Director concerning disposition of these funds. It was further requested that consideration of applying those funds for more energy conservation measures in the Saxonville Fire Station and the Hollis Street Fire Station be considered.

NICHOLS VS. TOWN OF FRAMINGHAM

A bill submitted for legal services for 2 police officers in connection with a civil suit brought against them at the same time that a similar suit against the Town of Framingham was considered.

It was requested that further clarification be obtained from the Town Counsel before the matter could be voted for payment.

HANDICAPPED PARKING AREA

At the request of the New England Paralyzed Veterans of America, Selectman King moved that 2 handicapped parking spaces be designated immediately adjacent to the elevator entrance at the rear of the Memorial Building. By unanimous vote, the Board of Selectmen directed that such an arrangement be made. It was further requested that a notification of this arrangement be sent to the organization at 524 Main Street in Medfield, Mass.

EMPLOYMENT - MARIA GAINES

A further consideration and discussion of the information presented concerning the employment of Maria Gaines resulted in the motion and direction from the Board of Selectmen that no employees in the Planning Department be relieved of their duties for at least a 2 week period and preferably a one month period to allow a review of the circumstances and determine if funding could be made available to maintain Ms. Gaines. It was carefully stated that Ms. Gaines should not be retained at the expense of terminating the services of a member of the department with senior service. The Executive Administrator will discuss the circumstances with the Planning Director and return with a recommendation within the next 2 to 4 weeks.

Selectman King requested that the Planning Director establish a study of the long range use of schools which were becoming vacated and tie the considerations to the school department projections for enrollment.

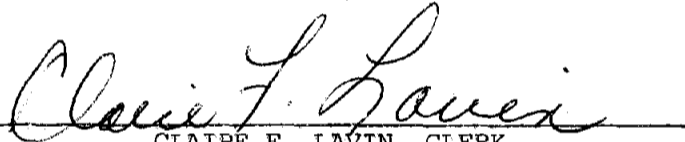
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At 9:55 p.m., the Board of Selectmen were rejoined by the Finance Committee representatives and the Department of Public Works representatives for discussion of any progress which might have been made concerning the Special Town Meeting. After considerable further discussion, Selectman Lavin moved that the warrant for a Special Town Meeting to be held on July 28, 1981 be opened. By unanimous vote, the warrant was opened. Selectman Lavin moved that the warrant be limited to 3 articles consisting of one Public Works article, one Selectmen article and one Library article. Receiving no second to this motion, Selectman King moved that the warrant be held open until July 8th to allow the Finance Committee to review the total financial situation and try to settle any disagreements with the Department of Public Works at their meeting of July 7, 1981. If the Finance Committee established an agreement it would then be unnecessary to include the 2 articles they have proposed. If the Finance Committee and the Department of Public Works cannot come to an amicable agreement, and the Finance Committee chooses to include the articles it was voted that they would be included and the warrant would be closed officially on July 8 for publication for the warrant to meet the legal requirements. Selectman King's motion was seconded by Chairman DelPrete and opposed by Selectman Lavin. The motion carried by a 2-1 vote.

Selectman King moved for adjournment of the meeting at 10:45 p.m. By unanimous vote, the meeting was adjourned.

  
CLAIRE F. LAVIN, CLERK