

TOWN OF FRAMINGHAM

SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN NOVEMBER 9, 1981

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

WARRANTS:

#72 - November 9, 1981 - Bills \$262,749.23
#73 - " " " Block Grant \$2,470.72
#74 - " " " Payroll \$964,131.90
#75 - " " " Bills \$194,022.57

DANCE LICENSE:

Programs Council, First Parish in Framingham, Parish House, 24 Vernon St., November 4, 1981, 8 P.M.-11 P.M.

SPECIAL MALT BEVERAGES & WINE LICENSE:

Framingham Improvement Association, Village Hall, Framingham Centre, November 14, 1981, 7 P.M.-1 A.M.

SPECIAL ALL ALCOHOLIC BEVERAGES LICENSE:

St. Tarcisius Parish, Church Hall, Waverly Street, November 21st and December 19, 1981, 7:30 P.M.-12:30 P.M.

Ratifications:

Permit to open, occupy and obstruct street:

Guigli Bros., Inc, May Hall, State Street, 11/9-11/10/81
Commonwealth Gas Co.: Cochituate Road @ the Pondview Apartments, 11/3-12/3/81
Riverview Road @ Simpson Drive, 11/1-12/30/81
137 Meadow Street, 11/3-12/3/81

Permit to obstruct sidewalk:

Robert Clark Construction Co., Beaumont Bldg., Hollis Street, 11/7-11/21/81

APPOINTMENTS:

Special Police Officer: Georges J. Danton, 4 Lantern Lane, Framingham, for a term of one year.

PETITIONS:

The petition of the New England Tel. & Tel. Co. JO Boston Edison Co. for the following permission was granted:
Eames St.-southerly side at and opposite Pratt St., One (1) JO pole, (One (1) existing JO pole to be removed.

The meeting was called to order at 7:30 P.M. by Chairman DelPrete. The first order of business was the request of Robert E. Hensel for a special permit to erect a 100' tower at 2-4 Beacon St. Mr. Hensel was not available until 7:45. A representative of the Aerolite Company described the intent of the erection of a 100' tower immediately behind the Sea n' Surf Lobster Pool building. The purpose of the tower was to carry a special wind device for generation of electricity. It was pointed out that the tower was not as high as the radio towers and other communication towers which are located virtually across Route 9 at the State Police and Civil Defense installations. When questioned by the Board of Selectmen, the company representative said that a plan had been submitted to the Building Official but no plan was available for the hearing at that time. Mrs. Lavin expressed her concern over the location near a busy highway which was proposed for the extremely high tower. After Mr. Hensel arrived, the Board stated their concerns and requested that a plan of the specific proposal be submitted to them before a decision could be made. Mr. Hensel agreed to submit such a plan. The Board took the matter under advisement until the application could be completed.

TRANSFER OF STOCK - KLH INCORPORATED

A request was submitted for a transfer of stock and change in direct ownership responsibility for the corporation d/b/a Hunan Gardens. It was pointed out that the number of shares was to be changed from 148 to 150 shares. All shares will be held by the Weko Family and the operation of the restaurant will be directly under their control. The discussion of the former problems which existed in the sale of alcoholic beverages to minors revealed that the operation of the business had been substantially changed and there was no recurrence of the problems which existed. It was further stated that this business is closed at approximately 10:30 P.M. on weekdays and 11:30 P.M. on weekends. Selectman King moved that the transfer and change in stock in ownership be approved. The motion was seconded by Selectman Lavin and declared a unanimous vote by the Chairman.

NOBSCOT REALTY - REQUEST FOR ADDITIONAL STORAGE OF 6,000 GALLONS OF LEAD-FREE GASOLINE AT THE TEXACO GASOLINE STATION LOCATED AT 881 EDGEHILL ROAD

Representatives of Nobscot Realty and Texaco USA stated a need for additional storage at this location in order to minimize the number of tank-load shipments to the station in question. The reduction in the number of deliveries reduced any danger of spillage and any problems that might exist during the transfer process. The Board voted unanimously to O.K. the exclusion after they have reviewed the Fire Chief's letter which approved the installation.

A letter of application was received from Mr. Joseph Paolini stating his interest in being appointed to fill a vacancy on the Framingham Conservation Commission.

The Board voted unanimously to appoint Mr. Paolini of 135 Parker Road to fill the vacancy created by the death of Bernice Garrahan.

The Board noted receipt of a letter from the Safety Officer stating that speed control be increased on Edmonds Road at the request of the residents of the area. He further pointed out that additional signs and increased police patrol should help to alleviate the problem of excessive speed.

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Upon review of the letter from the Finance Committee requesting early consideration of the requirements for school transportation and crossing guards, it was recommended that the Safety Officer and the School Transportation group start their work as early as possible. It was pointed out that the Safety Officer has always worked very closely with the School Transportation Department, but neither of them have an opportunity to set final figures until the School Committee establishes the numbers of schools and the walking routes to be utilized. It was expected that the request of the Finance Committee would be forwarded to the Safety Officer and the School Committee for their quick action.

The Board noted a receipt of a memo from Town Counsel concerning a court date scheduled on the case of Francis Martinis.

HEARING - GENERAL CHEMICAL CORPORATION OPERATIONS

By request of the Board of Selectmen, representatives of General Chemical Corporation, as well as several Town departments met to discuss the concerns of the neighbors about the operation of the General Chemical Corporation on Leland Street. General Chemical was represented by Mr. Richard Gardner, William White, General Manager and Joseph Gillis, Operations Manager. In addition, Mr. William Cody and Mr. Mark Mitzak who are chemists for the company were available for technical questioning. Town officials participating included Robert Cooper of the Board of Health, Chief John Hancock of the Fire Department and George Seeley, Building Commissioner. The State Department of Environmental Quality Engineering was presented by Mr. Glen Gilmore.

Many neighbors and concerned citizens including Carol Holston, the Chairperson of the Woodrow Wilson Parent Teachers' Organization and Richard Kennedy, Principal of Woodrow Wilson School. In addition, Deputy Fire Chief Thomas Potenza was also a resident of the area expressed several questions and concerns.

The regulations concerning the operation were questioned. It was asked if the current operation was covered by the original license which was issued in 1964. The situation seems to have changed in the past 6 or 7 years to include the processing of chemicals which was not the intent of the storage permit originally issued. The company representatives made the statement that the operation appeared to be within the scope of the original license because it had to do with petroleum products and petroleum product derivatives. They stated that the concerns for fire control and control of any emergencies which might develop with this type of operation were shared by them. They further stated that they had engaged a Fire Suppression Consultant to design a system of fire suppression on sight. They said that the installation would not be made until it had been reviewed by the Fire Department and approved as to the operation it was intended to control.

Mr. Italo Trombi, a neighbor immediately adjacent to the Chemical Company site stated that he was continually disturbed by the noise factor from the operation of the facility. Upon questioning by members of the audience, the representatives of the company stated that they ultimately would expect to operate on a 24-hour a day three-shift basis. It was questioned whether or not the Board of Selectmen could control the actual operation hours. Mr. Potenza cited many other chemicals currently being processed and stated that the Framingham Fire Department was not in a position to properly control any accident which might occur with them.

Chief John Hancock was questioned on the current situation in regard to the potential dangers and the capacity of the Fire Department to control them. The Chief stated unequivocally that there is no unusual threat posed by their present method of operation. He further stated that prior to August of 1981, there were some questionable chemicals being handled and the company voluntarily suspended operation with those types of chemicals until a proper Fire Suppression System could be developed and installed. It was requested by the Board of Selectmen that the Fire Chief provide them and the School Administration as well as the neighbors in the area with a contingency plan for handling any eventuality connected with the chemical process. It was particularly stated as being important to instruct the school officials concerning the proper fire drill procedures and plans for handling either evacuation or any other safety procedures with the immediately adjacent school.

At the conclusion of the hearing, it was stated that there were many unanswered questions and there would have to be continuing hearings and meetings until the safety of the neighbors was assured.

It was anticipated that another hearing would be held within a matter of a few weeks after some of the questions posed could be answered.

INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY - CONFERENCE

The Board of Selectmen met with representatives of the Industrial Development Financing Authority. The Financing Authority representatives proposed the approval of a bond totalling \$1,300,000 for industrial revenue. The enclosed extract of minutes summarizes the actual procedures followed:

A meeting of the Framingham Industrial Development Financing Authority (the "Authority") was held on Monday, November 9, 1981, at the Town Hall, Framingham, pursuant to notice duly given to each member of the Authority in accordance with the By-Laws of the Authority.

The following members were present and voting throughout:

H. Steinberg, E. Clasby, J. Saroca, G. Sibley and R. Robertson

It was reported that the meeting had been called to take the necessary official action required toward the issuance of industrial revenue bonds of the Town of Framingham (the "Town") in an amount of \$1,300,000 to finance an industrial development project in the Town to be undertaken by dataCon, Inc. - The Wire Wrappers ("data-Con").

After further discussion, the following resolution was offered and it was moved that the same be adopted, which motion was duly seconded.

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WHEREAS: dataCon has proposed the financing by the Town of a certain industrial development project consisting generally of the acquisition of machinery and equipment for the manufacture of cable and harness assemblies and the construction and addition of improvements to the facilities leased by dataCon at 45 New York Avenue in the Town; and

WHEREAS: dataCon agrees to make payments sufficient to amortize the principal of and pay the interest on industrial revenue bonds of the Town issued to pay costs of the said project and current expenses, if any, of the Town incurred in connection therewith; and

WHEREAS: The total estimated cost of the project hereinbefore described is in excess of \$1,300,000; and

WHEREAS: The financing of said project under the provisions of Chapter 40D of Massachusetts General Laws appears feasible; and

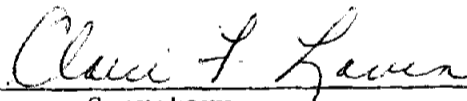
WHEREAS: Assisting to finance the said project in the Town will reduce unemployment in the Town and provide security against future unemployment and will provide a direct benefit to the economy of the Commonwealth of Massachusetts;

NOW, THEREFORE, BE IT RESOLVED:

That this Authority hereby authorizes the issuance of industrial revenue bonds of the Town in the amount of \$1,300,000 to finance the industrial development project described herein, subject to compliance with the technical and financial requirements of Chapter 40D, and that this Authority recommends to the Board of Selectmen that the necessary action be taken by that body to approve the said project, its estimated cost and its financing under Chapter 40D; that the Chairman or the Secretary prepare such recommendation in an appropriate form and transmit the same, together with a copy of this resolution, to the Board of Selectmen; and that any and all action heretofore taken on behalf of this Authority be and the same are hereby ratified, confirmed and approved.

I, the undersigned official of the Framingham Industrial Development Financing Authority, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by said Authority at a meeting held on November 9, 1981, relating to the Industrial Revenue Bonds (dataCon) of the Town. Said resolution has not been rescinded, repealed or amended and as of this date is in full force and effect.

I further certify that said meeting was open to the public; that notice stating the place, date and time of said meeting was filed with the Town Clerk and a copy thereof was publicly posted in the Town Clerk's Office or on the public bulletin board of the Town at least 48 hours prior to the meeting; and that no deliberations or decision in connection with said resolution were taken in executive session; and that the official record of said meeting will be made available to the public promptly and will remain available to the public, all in accordance with Chapter 39, Section 23B, of the General Laws, as amended.


Secretary

Dated: November 9, 1981

The Board of Selectmen unanimously approved this issuance.

The Board noted receipt on the following correspondence:

Fire Department Report of Overtime

Copy of letter to the editor from William T. Campo concerning the behavior of the Framingham State College students at K of C Hall congratulating them for their good behavior.

Copy of "Preserving Framingham's History" received from the Planning Department.

MBTA ADVISORY BOARD CORRESPONDENCE

The Board received a letter from the Executive Director of the MBTA Advisory Board asking that they participate in the cost of the Advisory Board operation to the extent of \$827.00. This was required because the cost of operation of the Advisory Board was not included in the MBTA budget this year. By unanimous vote, moved by Selectman King, it was requested that a transfer be sought from the Finance Committee to pay this assessment.

LETTER OF RESIGNATION - YOUTH COORDINATOR

The Board received a letter of resignation effective the end of November from Susan Getman, Youth Coordinator. It was voted to accept this letter of resignation with regret and send a letter of thanks for the services rendered to the Town by Ms. Getman.

LETTER - POLICE SERGEANT - PAUL GALVIN

A letter was received from Atty. William Keeley requesting a hearing with the Board of Selectmen concerning a suspension of pay for Police Sergeant, Paul Galvin. The Chairman stated that the Police Chief had been requested to have a second medical opinion submitted by a doctor of the Town's choice. Until this medical opinion is received, no hearing can be scheduled. It was further stated that there is a standard grievance procedure which should be followed by the Police Association prior to any private attorney consultation. At this point, there has been no grievance filed with the Chief in this regard, however, we understand that there is one pending.

At the request of Selectman Lavin, a standard procedure was adopted which would include any Zoning Board of Appeals agendas for forthcoming meetings to be included in the information package submitted to the Selectmen each week.

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DISCUSSION - LIQUOR LICENSE FEES - CALENDAR YEAR 1982

At the request of Selectman Lavin, the establishment of new and increased liquor license fees was discussed. Representatives of the Framingham Liquor Dealers' Association appeared to represent their position. Atty. John St. Andre and 4 members of the Association stated that the position of many of the current licenseholders would be forced to either pass along the cost to consumers or possibly even put their business in jeopardy if the fees were increased for a second consecutive year. There was a substantial increase imposed during calendar year 1981. They asked that no increase be included at this time to give them an opportunity to adjust to the increase which is current. After considerable discussion, the Board voted on the motion of Selectman King, seconded by Chairman DelPrete to maintain the fees during calendar year 1982 at the same level they existed during calendar year 1981.

The meeting was adjourned at 11:25 P.M.



CLAIRE F. LAVIN, CLERK