

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN - MAY 10, 1982

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

WARRANTS:

#181 - May 10, 1982 - Bills \$5,271,149.98
#182 - " " " Bills \$39,081.80
#183 - " " " Bills \$112,701.85
#184 - " " " Payroll \$971,978.11

AMUSEMENT LICENSE:

The New Copper Kettle Restaurant, 957 Worcester Road, Juke Box, weekdays 1982, 8 A.M. to 12:00 Midnight.

**AUCTIONEER LICENSES:

Herman M. Hurwitz, 12 Shute Path, Newton MA 02159, to be an Auctioneer and to hold an Auction thereat, Holiday Inn, Worcester Rd., Friday, May 14, 1982, 7 P.M. to 11 P.M., Oriental Rugs.
David S. Hurwitz, 88 Salem End Rd. Home, 380 Waverly Street (business address), for a term of one year.

COIN OPERATED MACHINES LICENSES:

Connery's Inn. 102 Irving Street, 1 machine
Veterans of Foreign Wars Post #929, 72-74 Pearl Street, 1 pool table
General Cinema Corp. of MA d/b/a Framingham Cinema I, II, III, IV, V, Shoppers' World, Worcester Road, 8 machines.
Sandra Kind, 470 Waverly St., 1 Video machine.

DANCE LICENSE:

Alianza Soccer Club of Framingham, 26 Concord St. - Sharpshooters Hall, May 22, 1982, 7:30 P.M. to 1:00 A.M.

SECOND HAND ARTICLES LICENSES:

Dorothy M. Fitch d/b/a Franklin Street Antiques, 235 A Franklin St.
Sidney Katz d/b/a Lou's Used Furniture, 80 Morton St.

SUNDAY ENTERTAINMENT LICENSES:

Duca's Steak & Spirits of Framingham, Inc., 50 Worcester Road, Sundays 1982, coin operated machine.
Union House Inc. of Framingham, 672 Waverly St., live band, 5/16, 6/13, 20, 27, 7/4, 11, 18, 8/29, 9/12, 26, 1982.
Union House Inc. of Framingham, 672 Waverly St., Pinball machine, Sundays 1982.
Sandra Kay Kind, 470 Waverly Street, live entertainment, May 16, 1982.
Papa Gino's of America, Inc., Route 30 Mall, Video machine, Sundays 1982
Joseph A. Proia d/b/a Milk Stop Variety Store, 330 Concord St., coin operated video games, 6/16/82-5/8/83.
Giles Enterprises Inc., 64 Kendall St., 2 coin operated machines, Sundays 1982.

SPECIAL MALT BEVERAGES & WINE LICENSES:

Committee to Elect Robert Celeste, Framingham Civic Center - Dennison Auditorium, June 4, 1982, 7:30PM-12 Midnight
Alianza Soccer Club of Framingham, 26 Concord St. - Sharpshooters Hall, May 22, 1982, 7:30 P.M-12 Midnight.
Framingham State College, College Center May 29, 1982, 6:00 P.M. to 12:00 Midnight.
Framingham State College, College Center May 23, 1982, 6:00 P.M. to 12:00 Midnight.

SPECIAL ALL ALCOHOLIC BEVERAGES LICENSES:

Framingham State College, College Center (Party for Dr. Golden), May 22, 1982, 5:00 P.M. to 12:00 Midnight.
Framingham State College, College Center, May 26, 1982, 1:00 P.M. to 5:00 P.M.
Framingham State College, College Center, May 30, 1982, 1:00 P.M. to 7:00 P.M.
Framingham State College, College Center, June 5, 1982, 4:00 P.M. to 12:00 Midnight.

RATIFICATIONS:

Permit to open, occupy & obstruct street - New England Tel. & Tel. Co., Waverly St. @ Natick line to pole 3.

CHANGE OF MANAGER - LIQUOR LICENSE:

It was voted to grant change of manager to Wallace's Inc., 509 Concord Street, Framingham, subject to the approval of the Alcoholic Beverages Control Commission, from Arthur C. Wallace, Jr., present manager to James E. Wallace, new manager, All Alcoholic Restaurant license.

HEARING:

New England Tel. & Tel. Co. and Boston Edison Company petition:

Francis Brown, representing both companies, was present to petition the following permit from the Board:
Worcester Road (Rte. 9) on the southerly side, of the east bound lane, opposite the intersection of
Cochituate Road, one (1) JO pole location.

Hearing no opposition, John DelPrete made the motion to grant said permit. Claire F. Lavin seconded the motion. As usual John King left the room to prevent any question of possible conflict of interest.

**AUCTIONEER LICENSE:

Joel Shapiro, 12 Ivy Lane, Burlington, MA, to be an Auctioneer and to conduct an Auction thereat, Howard Johnson's, Route 9, Worcester Road, May 15, 1982, 8 P.M. to 10 P.M., Oriental Rugs.

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

MAY 10, 1982

(2)

The first order of business was a Proclamation of Salvation Army Week which was read into the record and delivered to Mary Wadsworth who represented the Salvation Army.

GRIEVANCE HEARING - PATROLMAN EDWARD PALETSKY

Review of a grievance submitted on behalf of Patrolman Edward Paletsky was held by the Board of Selectmen. Patrolman Paletsky was accompanied by Patrolman George Carey, Grievance Officer of the Police Association and Attorney Steve Weiner. Officer Richard McGrath and Chief Arthur Martins of the Police Department also participated.

Chief Martins stated his objection to hearing the grievance because he deemed it to be untimely. Officer Paletsky stated his grievance as related to an injury suffered in the line of duty. Attorney Weiner requested that the hearing be held in Executive Session. He stated that the sensitive nature of some of the personal commentary made this necessary. Chief Martins objected to an Executive Session. A pole of the Selectmen made a unanimous vote not to enter into Executive Session.

Patrolman Carey as Grievance Officer stated that the grievance was being submitted under Paragraph C, Section 3 of the current labor agreement. Attorney Weiner stated that Patrolman Paletsky had been injured while on duty on March 20, 1981, that he return to work after a week's vacation period and that when he became dizzy he went to his own physician. It was stated that his physician, Dr. Love had recommended that he be out of work for a period of not less than 30 days to guarantee that there were not internal injuries from the blow to the head which he had received. Officer Paletsky had worked full-time for 2½ weeks following his return from his vacation.

At the request of the Police Chief, Officer Paletsky was examined by Dr. George, the Town physician. Dr. George reported on May 8 that there was no indication of his inability to work due to the injury and recommended that he be ordered to return to work.

It was established that Officer Paletsky had had a large number of sick leave days as well as days off in connection with a personal family problem and other problems having to do with hypertension. Chief Martins stated that on September 10, 1981 his pay as an official member of the Police Department had been terminated because he had exhausted all of his sick leave and vacation days as well as any other eligibility. At that point, Officer Paletsky filed for coverage from the Police Association Sick Leave Bank. Sixty days total sick leave was granted under the terms of the Sick Leave Bank. The last paycheck rendered which was the result of the Sick Leave Bank award was December 16, 1981. It was for the pay period which ended on December 12, 1981.

Chairman King asked Officer Paletsky and his attorney what relief was being requested. His attorney stated that a memo of 25 days should have been awarded to make up the difference between 5 days awarded for sick leave due to the injury and the 30-day period which was recommended by the personal physician of the officer.

At the conclusion of the hearing, the Board of Selectmen took the matter under advisement. Later in the meeting, it was requested that further information concerning dates and applicability of this grievance be obtained before a decision could be made.

CONFERENCE - N. POWERS, CHAIRMAN - PERSONNEL BOARD RE: DIRECTOR OF VETERANS' BENEFITS POSITION

The Board of Selectmen reviewed the commentary from Mr. Norman Powers, Chairman of the Personnel Board concerning the appointment of James Gavin as the Acting Director of Veterans' Benefits. Mr. Powers reemphasized the contention of the Personnel Board that the temporary appointment was not correct because no approval had been obtained from the Personnel Board or the Finance Committee as is required under the Town By-laws.

Mr. Nathan Levine, President of the Framingham Veterans' Council presented a statement in support of the Personnel Board's position and urged that the appointment of a full-time regular qualified Director of Veterans' Benefits be expedited.

Upon questioning from Chairman King, it was stated that Mr. Gavin had been one of the two highest recommended applicants despite the lack of technical qualifications. It was stated that one other applicant had a higher rating on technical qualifications. Mr. King established the fact that the state law requires that the Director of Veterans' Benefits be a veteran and restated his position and that of a majority of the Board that their action had been timely incorrect despite the lack of endorsement by the Personnel Board and Finance Committee. He stated that the By-Law was specific in stating that neither of these two Boards could unduly withhold their approval.

SUPERIOR COURT INJUNCTION RE: 915 SALEM END ROAD DWELLING

At the request of the Building Commissioner, the Board voted unanimous approval to have him seek an injunction from the Superior Court to prevent the occupant of a dwelling at 915 Salem End Road from continuing to occupy the premises without a proper occupancy permit which had been withheld because of the improper septic system which was installed.

LAND COURT CASE #63285 - PROPERTY - 28 FRANCINE ROAD

At the request of the Treasurer/Collector, the Board voted unanimously to vacate the Decree of Foreclosure as of February 16, 1982 on this property since back taxes had been settled.

**TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS**

MAY 10, 1982

(3)

APPLICATION FOR ECONOMIC DEVELOPMENT & URBAN RENEWAL PLANNING FUNDS

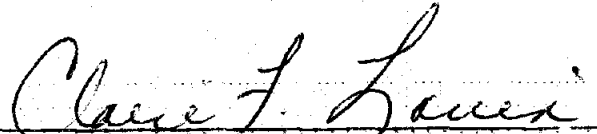
At the request of the Planning Director, the Board voted unanimously to authorize application for state funding with matching community development funding for a total of \$18,000 to conduct a professional planning study in an attempt to open access to industrially zoned land near the General Motors Plant,

LIQUOR VIOLATION REPORT - GARBO'S RESTAURANT, CONCORD STREET

Upon review of a report of a liquor violation (sale after hours) at Garbo's Lounge on Concord Street, the Board followed the recommendation of the Officer submitting the report and will send a letter of warning to the licenseholder.

The Board noted receipt on the following items:

1. Letter from Town Counsel to W. Arthur Garrity, Esquire concerning further work on the EOTC application for control of the storage of vinyl chloride.
2. Copy of a letter to the Editor from Jean Kniveton concerning a ticket which was issued in the Town of Framingham.
3. Copy of a letter and announcement concerning the review by the Department of Environmental Quality Engineering for modification of the license issued to General Chemical Corporation on Leland Street.
4. Letter concerning pending state litigation to finance municipal energy conservation projects submitted by Howard Bernstein.
5. Copy of a letter from Howard Bernstein listing Energy Audit Reports for the Keefe Regional Vocational Technical School.
6. Schedule of Memorial Day Services for Monday, May 31, 1982.



CLAIRE F. LAVIN, CLERK