

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN MAY 24, 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, John F. DelPrete, Executive Administrator, Matthew P. Clarke was also present.

WARRANTS:

#189 - May 24, 1982 - Bills \$2,261,066.48
#190 - " " " - Drawdown Rehab. Fund \$5,700.00
#191 - " " " - Bills \$1,130,023.75
#192 - " " " - Salaries \$991,935.20

AUCTIONEER LICENSE:

Warren Schwab, 848 Central Street, Framingham, MA.
Leonard P. Boynton, 16 Wellesley Ave., Natick, MA. - May 22, 1982 at Salvation Army, 35 Concord Street.

AMUSEMENT LICENSE:

Dairy Queen, 518 Union Avenue, Framingham (Paid T.V.)

COIN-OPERATED MACHINE LICENSE:

The Deli, Inc. 1 Worcester Road - (1 Pac-Man cocktail table)
Cumberland Farms - 799 Water Street (1 Atari Video Game)
Cumberland Farms - 1645 Concord Street (1 Atari Video Game)
Cumberland Farms - 157 Cochituate Road (1 Atari Video Game)
Joseph A. Proia d/b/a Milk Stop Variety - 330 Concord Street (2) Pac-Man & Asteroids Video Games)
Peter C. Drenas d/b/a The Winthrop Restaurant, 740 Waverly Street (2 machines- 1 Asteroid & 1 Star Castle)

COMMON VICTUALER LICENSE:

Dino's Roast Beef, 69 Waverly Street

SECOND HAND ARTICLES LICENSE:

Henry R. Gaudreau, 55 Hollis Street
Joseph Varriale, Pinefield Jewelers, Inc. Pinefield Shopping Center

MOTOR VEHICLE LICENSE:

Richie's Used Motorcycle Parts, Inc. d/b/a Motorcycle Warehouse (Class II), 280 Worcester Road

SUNDAY ENTERTAINMENT LICENSE:

Dairy Queen, 518 Union Avenue - paid television - from 5/30/82 to 5/22/83.

RATIFICATIONS:

Permit to open, occupy and obstruct street:

Commonwealth Gas Co.: 358 Elm Street, 5/19/82-6/19/82
15 Spring Street, 5/19/82-6/19/82
4 Lake Avenue, work completed on 4/22/82
Grant St. Ext. @ Gorman Rd., work completed on 4/14/82
447 Hollis Street (open Nipmuc Rd.) emergency repair.
Western Ave. @ South Middlesex Pre-Release Center, work completed.
111A Forest Avenue, 5/27/82-7/27/82.
29 Newton Place, 5/27/82-6/27/82.

PETITIONS:

The petition of the New England Tel. & Tel. Co. JO Boston Edison Co. for the following permission was granted:
Pleasant Street Connector-on the southerly side approximately 411 feet westerly from the intersection of Worcester Road being pole 343/3 one (1) JO Pole.

The meeting was called to order at 7:30 P.M. The first order of business was a joint election with the Framingham Housing Authority to fill the vacancy caused by the death of John M. Kennedy. The Framingham Housing Authority was represented by the remaining members of the Board - Edward Convery, William Olson, Earl Haley and Andrew Rogers, Sr. By unanimous vote, Chairman King was named as the chairman of the joint election group. Chairman King listed Richard S. Tirrell, Sandra K. Kind, Barbara W. Ford and Robert Flynn as having stated their interest in filling the unexpired term.

The name of Barbara Ford was placed in nomination by Mr. Convery and the name of Robert Flynn was placed in nomination by Mr. Olson. A pole of the participating officials resulted in a unanimous vote for appointment of Robert Flynn.

CONFERENCE - POLICE CHIEF AND FIRE CHIEF RE: USERS FEES

A conference was held with Police Chief Arthur Martins and Fire Chief John Hancock concerning proposals for Users Fees for special services provided by each of their departments. Chief Martins recommended that the Board consider fees to be charged to home alarm users as well as business and bank users for any false alarms after one each year. He emphasized the danger which resulted from having to respond to false alarms in his discussion of this proposal. In addition, he recommended that funeral escorts be provided only on a fee basis and that bank escorts for the transferring of funds from one establishment to another also be established on a fee basis. Chief Hancock outlined the information concerning fire alarm boxes in private establishments, primarily public buildings and businesses. Upon questioning by the Board, he stated that the approximate annual cost of maintaining the fire alarm system was \$40,000 to \$50,000 and that a good portion of this was in connection with the central alarm boxes because of the need for periodic checks and the manpower involved.

Selectman Lavin requested that the Fire Chief provide the Selectmen with a list of all of the central alarm boxes and their location so they could be reviewed in considering the proposal for a fee schedule.

Upon questioning from the chairman, Chief Martins stated that he was in favor of establishing a fee schedule on all of the areas he suggested for consideration. Chief Hancock stated that he was opposed to establishing any fee schedule for service rendered by the Fire Department. The general discussion among the Board of Selectmen or any individuals should be services provided on a fee basis and not spread across the cost borne by all taxpayers.

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By unanimous vote, the Board of Selectmen directed that a committee made up of the Town Counsel, Treasurer/Collector, each of the chiefs, and the Executive Administrator set up a suggested fee schedule. When this suggested fee schedule is available, a public hearing would be held concerning them and further action could then be taken by the Board.

HEARING - FRAMINGHAM WINERY, INC. d/b/a BLUE DANUBE RESTAURANT - REQUEST FOR TRANSFER OF CORPORATE STOCK AND CHANGE OF MANAGER

Attorney Leonard Salter, representing Mr. Andor Kisch appeared to request the Board's approval of the transfer of ownership and corporate stock and a change of manager at the Framingham Winery, Inc. In reviewing the request, it was established that Mr. Kisch already holds one license in the City of Waltham and a similar type of restaurant establishment and this would be a second license held by him. It was stated that Mr. Kisch would be owner as well as manager of the operation.

The operation was described as a European and American gourmet restaurant which would operate between the hours of 11:00 A.M. and 11:00 P.M. with a lounge operation until 1:00 A.M. during operating hours. Selectman DelPrete emphasized to Mr. Kisch that the license should be for a restaurant operation and no unusual entertainment should be considered for operation in the location.

After general questions concerning background and methods of operation, the Board voted unanimously to approve the transfer of corporate stock and the change of manager.

FRAMINGHAM STATE COLLEGE - PIRG - CONFERENCE RE: HAZARDOUS WASTE SITE IN FRAMINGHAM

At the opening of this conference, Selectman DelPrete expressed his concern that all of the details on the subject, Commonwealth Gas site had not been publicized. A letter from Connorstone, Inc. was read into the record indicating that action is being taken on the Commonwealth Gas site to investigate any concern over pollution and possible corrective actions to be taken. Upon conclusion of the reading of this letter, Selectman DelPrete excused himself from the discussion stating that he was an employee of the arrarent corporation of Commonwealth Gas Company and, as a result, did not wish to participate in case there might be any question of conflict of interest.

The representatives of Framingham State College, PIRG identified themselves as Lori Miller of Auburn Street, Framingham, Robert Donnell of 21 Magnolia Street, Framingham and Janet Waldron of 100 State Street, Framingham. A presentation of slides depicting the alleged Police condition being caused by the conditions at Leland & Irving Street was presented. The representatives of PIRG requested that the Board of Selectmen write to DEQE urging attention be continued and corrections made and asking that the results of any work done be made public.

Chairman King referred to the on-going concerns of residents of the Leland Street area about another location and operation of the General Chemical Corporation. Later in the meeting he recommended that a task force to study this whole pollution and danger problem in the area be established. He stated that this task force should consist of Town Counsel, the Fire Chief, the Building Official, and an official of the Board of Health and the Executive Administrator. He instructed that a meeting should be set up with groups representing the concerned citizens of the area to summarize all of their problems and concerns and the official responses from all Town officials to each of them.

CONFERENCE - ATTORNEY JOHN ACTION RE: ISSUANCE OF AN ALL ALCOHOLIC BEVERAGE LICENSE AT FORMER SEA 'N SURF LOCATION FOR RIBS, INC.

Attorney John C. Acton, representing Ribs, Inc. presented a proposal to issue an All Alcoholic Beverage License to the firm of Ribs, Inc. It is expected that they will purchase the former Sea 'n Surf property. Mr. Eugene Perkins, the Treasurer and Clerk of the corporation in question was present to respond to questions. He was stated as being a resident of Needham, Mass. It was further stated that this would be a part of the total restaurant chain which operates under the name of Ribs, Inc. and Tony Roma, primarily in the corridor area.

It was stated that no additions were contemplated for the restaurant, but there would be some refurbishing and upgrading of the operation as it presently existed. Attorney Acton stated that a small business administration loan commitment had been received and that it was contingent on a willingness to consider an All Alcoholic Beverage License at the location. After a discussion of the general proposal for operation in which the Board of Selectmen emphasized the prohibition of any kind of unusual entertainment and asked several questions concerning the general operation which was proposed. A unanimous vote was taken to confirm the willingness to accept a formal application for such a license.

DIRECTOR OF VETERANS' BENEFITS POSITION

Mr. James Gavin submitted a letter to the Board of Selectmen stating that he wished to resign from the temporary position of Director of Veterans' Benefits & Services and return to his former position as Bookkeeper in the Treasurer/Collector Office until such time as complete and acceptable job specifications could be established and the permanent position be advertised and interviews held for the permanent appointment. The Board accepted the letter of resignation and approved the return to the Treasurer/Collector's office since it was stated that the Treasurer/Collector would be willing to accept this change in operation. They further voted to appoint Ms. Jane Tomolonius to the position of Acting Veterans' Agent at an M-12 level until such time as a permanent appointment could be made.

A letter from the Moderator was noted, stating that he would be willing to appoint a neutral mediator to settle any differences in job specifications between the Personnel Board and the Board of Selectmen. The Moderator was in attendance and the chairman responded that the Board of Selectmen was awaiting a reply from the Personnel Board concerning the modified job specifications which had been submitted to them following the May 17 meeting of the Board of Selectmen. Later in the evening, the Personnel Board notified the Board of Selectmen that they had accepted such a job description with some minor modifications and it was agreed that a meeting would be held on May 25 for the purpose of discussing and accepting these newly established specifications.

Chairman King asked that an opinion be requested from Town Counsel concerning the action of Town Meeting in their change of position authorizations. He requested that Town Counsel comment concerning the legality of the Town Meeting action under the General Laws applying to the Veterans' Office, Section 10. He further requested that Town Counsel submit a comment concerning what could be defined as unreasonably withheld in the Town By-law

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concerning approval of positions. In addition, the question was asked if no job specifications have been agreed to by the appointing authority, would any appointment be under the same requirements and conditions as the prior Director of Veterans' Benefits and Services.

The Board took action on correspondence received as follows:

1. Approval by unanimous vote for installation of a resident only parking sign in front of 150 Grant St. as recommended by the Safety Officer.
2. Approval by unanimous vote of the Safety Officer's recommendation that no changes in parking regulations be made in the Framingham Centre area unless a majority of the merchants in the area requested it.
3. Unanimous approval of the recommendation of the Safety Officer that Frederick St. between Richardson Circle and Freeman Street (north side only) be designated as resident parking only.
4. Agreement by unanimous vote to make a verbatim record of any issues relating to the School Committee which might come up in the future, as requested by the Chairman of the School Committee.
5. Acceptance of a request from resident Adelmo Pontremoli to rename "C" Street off Pershing Avenue. The names of Alisha Road or Sharon Lane were suggested. It was requested that the Planning Board be checked concerning procedures for such a renaming an appropriate name to comply with standard regulations.
6. The Board agreed to establish a conference with representatives of Community Cablevision and further requested that Town Counsel be in attendance at that time. The date for this conference is tentatively scheduled for June 14, 1982.
7. The Board noted receipt of a letter received from the Fabric Place requesting that metered parking be reestablished in the downtown streets and in the Arcade & Hollis parking lots.

This outgrowth of a long range study was noted and it was requested that the final report from the Planning Department be submitted as soon as possible so a meeting could be set up for a final decision.

8. The Board noted receipt on a letter received from R. M. Bradley & Co., thanking them for their consideration in the proposed rezoning of country club land.

SUMMER SCHEDULE

The Board reviewed the proposed summer schedule which was submitted by the Administrator. As a result of the discussion of their individual schedules, it was established that the Summer Schedule of meetings would include a meeting on June 28th followed by meetings every other week until September 7. The meeting dates would be July 12, July 26, August 9, August 23, September 7 and a resumption of weekly meetings thereafter. This schedule was adopted by unanimous vote.


The Board noted receipt of a report submitted by the Energy Coordinator on the 1983 Town Energy Budget as compared with prior years.

A REQUEST FOR SUPPORT OF PROPOSED CHANGE IN PAY & CLASSIFICATION PLAN - ASSESSORS' OFFICE

The Board reviewed a letter submitted by the Board of Assessors requesting their support in the establishment of a permanent position of Assistant to the Assessors at a grade M-10 at the forthcoming Town Meeting. After a brief discussion, in which it was established that there might be need for such assistance, the Board voted by a 2-1 vote with Selectman Lavin opposing, to not support this request as a permanent position and recommend that it be maintained as a temporary position for the immediate future. It was further voted by a 2-1 margin to consider a management study of the Assessors Office with the objective of modifying the office procedures and general structure if it appeared warranted. The Executive Administrator was instructed to check the possibility of establishing such a management study either with the Massachusetts Municipal Association or the firm of Coopers & Lybrand who have conducted the audit of the Town for the past several years.

The Board noted receipt of a letter from Susan Sutherland of 5 LaValle Lane stating her displeasure at their position taken on the granting of a license to Hudson Bus Lines for limousine service into Logan Airport.

The meeting was adjourned at approximately 9:35 P.M.


CLAIRE F. LAVIN, CLERK