

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

\*REGULAR MEETING OF THE BOARD OF SELECTMEN JULY 12, 1982\*

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

WARRANTS:

#5 - July 12, 1982 - Salaries \$ 89,242.65  
#6 - July 12, 1982 - Bills 1,157,289.95  
#7 - July 12, 1982 - Salaries 331,533.59  
#218 July 12, 1982 - Bills 128,520.81  
#219 July 12, 1982 - Bills 2,164.04

SECOND HAND ARTICLES LICENSE:

Michael D'Amato, D'Amato's Flea Market, 295 Hollis Street

RATIFICATIONS:

Permit to open, occupy and obstruct a Sidewalk:

Corcoran Construction Corporation, Columbia St. Corner of Irving St. - renovate building, 7-12-82 to 8-12-82.

CHANGE OF MANAGER - LIQUOR LICENSE:

The Board voted to grant change of manager to Racquetball "5" Inc. d/b/a Racquetball Five-0, 50 Speen Street, Framingham, subject to the approval of the Alcoholic Beverages Control Commission from Bernard Bonin, present manager to Jean Whitney, new manager, general on premises.

JOINT ELECTION - FRAMINGHAM SCHOOL COMMITTEE

A joint election to fill the School Committee posts vacated by the resignations of J. Peter Donovan and Gregory Gallagher was held with the remaining members of the School Committee. Representing the School Committee were: Chairman J. Conlon and members, I. Smokler, W. Lyon, M. DiManno and M. Stapleton. John F. King was elected temporary chairman for the purpose of the balloting. He explained that for election a candidate would be required to receive 5 affirmative votes representing a majority of the eight participating members of the 2 boards. The following citizens were elected by majority votes which were made unanimous by vote of the participants:

Michael Mercurio, 38 Cavanaugh Road  
Edward W. Foran, 10 Belefontaine Avenue

The newly elected members were elected to serve until the next annual Town election in April of 1983.

JOINT ELECTION - EDGELL GROVE CEMETERY TRUSTEES

A joint election was held with members of the Edgell Grove Cemetery Trustees to replace Julian T. Hargraves, Sr. until the next annual Town election. The Edgell Grove Cemetery Trustees were represented by Mrs. S. Brown, Mr. G. Fitts and De. G. Willis. By unanimous vote, Mr. Julian T. Hargraves, Jr. of 51 Knight Rd. Ext was elected to serve until the next annual Town election in April of 1983.

N) E. TELEPHONE & TELEGRAPH CO. - BOSTON EDISON COMPANY

Carol Clinton represented both Boston Edison and N. E. Telephone Co. As usual, Chairman King did not participate in the hearing. By a 2-0 vote, approval was given for a guy-wire and anchor at Normandy Road and a conduit and manholes on Whittier Street.

HEARING - RENAMING OF "C" STREET

The Board of Selectmen, upon petition from a property owner, agreed to rename "C" Street to Alicia Road. This was done on the basis that it would eliminate a duplication and confusion which could otherwise exist in the naming of the street.

NUISANCE BY-LAW HEARING - SCHOOL STREET RESIDENTS

As required under the Nuisance By-Law, the Board of Selectmen had a scheduled hearing concerning the structure at 28 School Street. The Building Official advised the Board of Selectmen that a satisfactory resolution had been reached with the owner for demolition of the structure. The Board of Selectmen, by unanimous vote, accepted the recommendation of the Building Official that this resolution be accepted by the Town and advised the Building Official to be certain that it was completed as agreed.

CONFERENCE - PLANNING DEPARTMENT RE: PARKING METERS

Planning Director, Christy Maltas and William Scanlan of the Planning Department made a presentation concerning the use of parking meters and recommendations for methods of financing reinstallation of parking meters if the Board of Selectmen wished to do so. A complete commentary of the costs and expected benefits as well as possible procedures for implementation was given. Several downtown merchants appeared speaking in favor of the reinstatement of parking meters and pointing out that they felt it would be much more beneficial than the current parking regulations. After some discussion, the Board of Selectmen voted 2-1 with Selectman DelPrete opposed to authorize the Planning Department to make application to the State for funding to purchase and reinstate parking meters on the street locations as well as the Hollis Street parking lot and the Arcade Parking lot. If this State funding is obtained, the balance of funding would be requested from Town Meeting, either in a direct appropriation or authorization for a bond issue.

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HEARING APPLICATION FOR BEER & WINE CLUB LICENSE - FRAMINGHAM STATE COLLEGE

The formal application for a Beer & Wine Club License for the "Pub" at Framingham State College was reviewed. A presentation was made by Dr. Justin McCarthy and Mr. Larry Mosher. Mr. Mosher will be responsible for the operation of the facility. Several neighboring residents appeared in opposition to the granting of the license and a letter from Mr. George Mitchell, opposing it was also read. After hearing the commentary from the residents and the presentation by the College officials, the Board voted unanimously to award a Beer & Wine Club license for a four-month trial period to begin in September of 1982. It was also agreed that the restrictions for control which were proposed by the College officials would be included as part of the license. A review of experience would be made before any renewal of the license for the calendar year 1983 would be approved.

GRIEVANCE HEARING - OFFICER ROBERT SALVI

A grievance hearing under the terms of the current labor agreement was held at the request of the union. Appearing in the hearing were Officer George Carey and Officer William Carey, representing the Police Association and Officer Robert Salvi. Chief Arthur Martins represented the Police Department. The grievance contended that a violation of the contract on page 13, section 3, paragraph c had occurred because Officer Salvi's sick leave time due to a back injury was being charged against his personal sick leave and he felt that it should be a job-related injury and not charged against the accumulated sick leave as outlined in the contract.

It was established that Officer Salvi has applied for a disability retirement and will be reviewed by a medical panel established by the Retirement Board. Chief Martins contention was that if the medical panel determines that the retirement is due to a job-related injury as is the contention of Officer Salvi, the adjustment for his sick leave eligibility could be made after the determination has been established.

After hearing all of the facts in the case, the Board voted unanimously to instruct the Chief to charge the sick leave involved to injury leave under the department since there is no question about the fact that Officer Salvi must retire and will be unable to carry on the duties of a police officer.

CONFERENCE - TOWN COUNSEL, AARON BIKOFSKY - RE: TOWN COUNSEL DUTIES

The Board held a discussion of the responsibilities and authorities of the Town Counsel's position. Chairman King stated that he felt the provision of all legal services to the Town, including collective bargaining should be under the authority and responsibility of the Town Counsel's office. Mr. Bikofsky pointed out that this sort of legal coverage would require some expert ability in the area of collective bargaining and that a commitment for payment for this type of service would have to be made before such expertise could be contracted. It was emphasized that hours of work performed by the current Town Counsel's regular law office were listed but not charged to the Town. During the past fiscal year, a total of 218 hours had been devoted to this sort of work and no charges had been made. Mr. Bikofsky emphasized the fact that a change in the rate which had been requested would not necessarily change the total expenditure because the actual expenditure for the Town Counsel's office depended on the requirements for legal services and the number of hours involved. At the conclusion of the discussion, it was requested that he provide the Selectmen with a proposal to consolidate all legal requirements under his office and indicate the cost that would be involved.

CONFERENCE - INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY - RE: INTEGRATED GENETICS, INC.

The Board of Selectmen met with the Industrial Development Financing Authority to consider the approval of a bond issue for expansion of the facility for this company. (attachment)

PARKING RESTRICTIONS - IRVING STREET

The Board reviewed the recommendations of Lt. Foley concerning parking restrictions on Irving Street. According to Lt. Foley, the objection to the restrictions proposed was received from the owner of Seavey's Auto Parts on Irving Street. It was requested that the possibility of designating one or two spaces on Columbia Street for their use be investigated. By a 2-1 vote with Selectman DelPrete opposing, the recommendations of Lt. Foley to install NO PARKING ANYTIME signs on Irving Street, northeast side from Hollis Street to Blandin Avenue and on Columbia Street, north side from Irving Street to South Street was approved.

TRUCK EXCLUSION - WALNUT STREET

The Board unanimously approved the recommendation of Town Engineer, F. Sergeant to take the necessary traffic counts and submit a request to the State for truck exclusion on Walnut Street and Buckminster Street.

SAFETY SIGN - BADGER ROAD

As recommended by the Safety Officer, the Board voted unanimously to authorize the installation of a sign "SLOW CHILDREN, CAMP EXIT" On Badger Road, 200 feet south and 200 feet north of the Pilgrim Day Camp Exit.

A clarification of the effect on the existing contract of the proposed amendment submitted by Chief John Hancock concerning Fire Alarm work was requested. The matter was tabled until further clarification.

The Board confirmed their decision not to accept a proposed settlement of a grievance filed by Jane Tomolonius and Ellen Haranas in connection with the Veterans' office assignments.

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In response to a letter from Attorney Victor H. Galvani, the Board voted 2-1, with Selectman Lavin opposing, to accept a request to consider the possibility of an application for a Beer & Wine license for Union Mini Market.

Upon request from the Vice President of the Chateau deVille, extension of the liquor license to cover 2:00 A.M. closings on the following dates were approved unanimously:

July 17, July 18, July 20, July 21, July 24, August 24, August 25 and August 28. These are all in connection with special performances on those dates.

DONALD M. ASKIN, TR. VS. TOWN OF FRAMINGHAM

The Board reviewed the recommendation of settlement submitted by Town Counsel for a total of \$1,500. It was unanimously voted to authorize such a settlement.

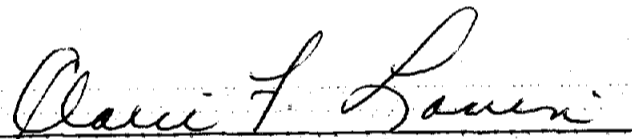
INCINERATOR FIRE DAMAGE LAW SUIT

The Board unanimously accepted the recommendation of the Town Counsel for a payment of \$1,500 inclusive of interest and cost to settle a claim against a Town employee.

The Board noted receipt of the following correspondence:

1. Two letters from William F. Cast, Director, DEQE concerning General Chemical Corp.
2. Notice of hearing to be held by the Board of Health re: General Chemical Corp.
3. A letter from the Planning Department re: access road at end of Arlington St. to industrial land.
4. Letter from Kuhlmann, Inc. re: Lincoln School development.
5. Letter from Lt. Foley re: annual inspection of taxis.
6. Letter of appreciation from George R. Desmond for services rendered by the Fire Department.
7. Fire Department Overtime for the weeks ending July 2 and July 9.
8. A letter from Town Counsel re: Veterans' Agent and Director of Veterans' Benefits
9. Letter re: State Ethics Commission
10. Letter concerning 19 hours spent on Chapter 766 matters during the month of June.

The meeting was adjourned at approximately 11:00 P.M.

  
CLAIRE F. LAVIN, CLERK

Town of Framingham

Town Clerk's Certificate of Proceedings

I, the undersigned Town Clerk (the "Clerk") of the Town of Framingham (the "Municipality"), certify as follows:

1. I am the duly chosen, qualified and acting Clerk of the Municipality and as such have custody of the official records of the Municipality and its Board of Selectmen (the "Governing Body").

2. Attached is a true and complete copy of an order adopted at a meeting of the Governing Body held on July 12, 1981.

3. As appears on the official records of the Municipality in my custody, the following were on such date all of the duly elected and qualified members of the Governing Body:

John F. DelPrete  
John F. King  
Claire Lavin

4. As appears upon the official records of the Governing Body in my custody, all members of the Governing Body were duly notified of such meeting, a quorum was present and acting throughout such meeting and the order so adopted was duly passed by the Governing Body, by a vote of 3 FOR and 0 AGAINST, all in accordance with the Municipality's by-laws.

5. Such meeting was open to the public. A notice stating the place, date and time of such meeting was filed with the undersigned and a copy thereof posted in the office of the undersigned or on the principal official bulletin board of the Municipality at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of such meeting. No deliberations or decisions in connection with the subjects of the action taken by such order were taken in executive session. The official record of such meeting was made available to the public promptly, remains available to the public and, excepting any such meeting held within the last 22 days, was made so available more than 21 days prior to the date hereof, all in accordance with Massachusetts General Laws, Chapter 39, Sections 23A-23C, as in force at the time of such meeting.

6. The Municipality has not adopted a home rule charter nor has it amended any special law relating to it through the use of home rule procedures.

7. There are no laws or ordinances of The Commonwealth of Massachusetts or of the Municipality nor any by-laws, standing rules or orders of the Municipality or of the Governing Body which affect or modify the action taken by the Governing Body as set

**CHRISTOPHER GRANT, JR.**

**GASTON SNOW & ELY BARTLETT**  
ONE FEDERAL STREET  
BOSTON, MASSACHUSETTS 02110

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CABLE ADDRESS: GASTOW

forth in the attached order or the authorization, sale or issue of the revenue bonds mentioned therein (the "Bonds").

8. The attached order is in full force and effect and has not been rescinded, repealed or amended. No motion to reconsider such order has been made. No proceedings have been taken by the Governing Body relating to the Bonds other than those certified hereby.

9. No litigation is pending or, to my knowledge, threatened, affecting the validity of any action of the Governing Body set forth in the attached order. Neither the corporate existence nor the boundaries of the Municipality nor my title to office is being contested.

WITNESS my hand as the Clerk and the official seal of the Municipality this 12th day of July, 1982.

Glenn Van Den Burg  
asst Town Clerk

[TOWN SEAL]

Town of Framingham

Order of Board of Selectmen Approving  
Industrial Development Facilities Project,  
the Estimated Cost Thereof and  
the Financing Thereof

July 12, 1981

ORDERED THAT:

WHEREAS, the Industrial Development Financing Authority (the "Authority") of the Town of Framingham (the "Municipality") has authorized the issuance of the Municipality's revenue bonds ("Bonds") under and pursuant to Massachusetts General Laws, Chapter 40D, as amended (the "Act"), for the purpose of financing estimated costs of certain industrial development facilities (the "Project") to be acquired, constructed, equipped or improved in the Municipality, consisting generally of the following:

purchase of approximately 3.5 acres of land on New York Avenue in Framingham, Massachusetts and construction of a 2-story, 35,000 square foot building thereon for use in the production of biological and diagnostic products using advanced recombinant DNA techniques as set forth in the Project Information Statement dated June 17, 1982.

WHEREAS, the financing of estimated costs of the Project by the issuance of Bonds has been proposed by Integrated Genetics, Inc.;

WHEREAS, the estimated cost of the Project is \$3,200,000, and the portion of such cost to be financed by Bonds is not more than \$3,200,000;

NOW, THEREFORE, BE IT ORDERED:

1. The Board of Selectmen hereby by vote approves the Project, the estimated cost thereof and the financing thereof by the issuance of Bonds under and pursuant to the Act in a principal amount not to exceed \$3,200,000.
2. The Bonds shall not constitute a general obligation of the Municipality nor a pledge of its faith and credit or taxing power, but shall be payable solely from income or revenues received in connection with the Project or otherwise derived as authorized under Section 17 of the Act.
3. The Bonds to be issued for the Project may be consolidated with and issued at the same time as any other revenue bonds

under the Act authorized by the Municipality, acting by and through its Industrial Development Financing Authority.

A true copy.

Attest: Margaret Dunbar Coughlin  
Asst. Town Clerk

John F. King  
John F. Davis  
John F. Wilkerson