

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN JULY 26, 1982

The regular meeting of the Board of Selectmen was held at 7:30 P.M. Present: Mr. John F. King, Chairman, Ms Claire F. Lavin, Clerk, and Mr. John F. DelPrete. Mrs. Jennie L. Gherna, Administrative Assistant was also present.

WARRANTS:

#12 - July 26, 1982 - Bills \$398,958.03
#13 - " " " Bills \$9,301.68
#14 - " " " Payroll \$383,349.91
#15 - " " " Bills \$1,533,454.06

RATIFICATIONS:

Permit to obstruct street - Carol A. Hickey, on Arlington Place, Block Party, August 1, 1982, 12 Noon - 6 P.M.

Permit to open, occupy and obstruct street:

Commonwealth Gas Co. : 1600 Worcester Road, 7/20-8/20/82
1050 Grove Street, 7/20-8/20/82

P. J. Banacos Company, Inc., 257 Bishop St. @ Wilson Street, 7/19-7/23/82

APPOINTMENTS:

CONSTABLE - Ronald W. Gustafson, Sr., 237 Berlin Road, Marlboro, MA, for a term of three years.

SPECIAL POLICE OFFICER - For a term of duration of employment with Jordan Marsh Co., Framingham:

Erich Talheimier, 166 Bowden Lane, Natick, MA
Dan O' Brien, 2 Judy Lane, Bellingham, MA
Kevin Slattery, 9 Cornell Road, Framingham, MA
Brian Leonard, 281a Huntington Ave., Hyde Park, MA

CHANGE OF MANAGER - LIQUOR LICENSE:

It was voted to grant change of manager to Victora Station Inc., Caldor Road, Framingham, subject to the approval of the Alcoholic Beverages Control Commission, from Charles J. Davis, Present Manager to Michael T. Nota, New Manager, All Alcoholic Restaurant license.

PETITIONS:

The petition for the New England Tel. & Tel. Co. JO Boston Edison Co. for the following permission was granted:

Mill Street - on the northeasterly side, approximately 925 feet southeasterly from the intersection of Belknap Road, being approximately 87 feet northwesterly of existing P.149/9
One (1) JO Pole Relocation with Push Brace (one(1) JO pole to be removed).

The petition for the New England Tel. & Tel. Co. JO Boston Edison Co. for the following permission was granted:

Old Connecticut Path - on the easterly side, approximately 150 feet northerly from the intersection of Mass. Pike - two (2) JO poles to be removed.

HEARING - BOSTON EDISON COMPANY PETITION :

Carol Clinton of the Boston Edison Company was present to petition the following permit from the Board:

Taylor Street - easterly, approximately 290 feet southeast of South Street, a distance of about 40 feet - Conduit.

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

HEARING - GASOLINE STORAGE - 554 WORCESTER ROAD:

A hearing was held on the application of Sun Refining and Marketing Company and/or George E. & Helen K. Fitts for the additional storage of 6,000 gallons of diesel fuel, making a total of 24,000 gallons of gasoline and diesel fuel in four underground tanks at 554 Worcester Road, Framingham. A representative of the company presented return receipt cards indicating the abutters had been notified. A letter of approval from the Fire Chief was read. No one appeared in opposition and the license was granted.

REQUEST FOR SIGN

Mrs. Ruth Barlow of the Park Street Baptist Church appeared with a request for the curb to be striped in front of the church to provide adequate parking for the Minister. It was suggested to request the Public Works Department to install a sign indicating "Church Use Only".

HEARING - NUISANCE BY-LAW

As required under the provisions of the Nuisance By-Law, a hearing was held concerning the property at 328 Brook Street. Present: Peter VanBuren, owner of the property, and Building Commissioner George Seeley. Mr. Seeley informed the Board that the property was in disrepair, and deteriorating, with an accumulation of trash to be seen, and lawn unmowed to a height of 30 inches. Mr. VanBuren stated he intended to sell the property and asked to be given a period of 90 days in which to sell the property or clean it up. Mr. Seeley said he would prefer to see some prompt action. It was the decision of the Board to allow Mr. VanBuren a two week period in which to clean up the property, with Mr. Seeley to report on the progress. The hearing will be continued.

911 SYSTEM

A discussion was held relative to the 911 system. Present were Robert Kelley and Sue Nolan representing New England Tel. Co., Chief Arthur Martins and Lt. Dominic Ferrazzi of the Police Department, Chief John Hancock and dispatcher Dana Maskell of the Fire Department. Inasmuch as John King is an employee of the Telephone Company, he left the room to avoid any possibility of conflict of interest. Chief Martins was asked what happened on the night of June 14th when the 911 call came to the station. He explained that the dispatcher got the message and attempted to identify the caller. When someone hung up on the other end the dispatcher cradled the phone and called back. A male voice answered and said there was no problem. The dispatcher again depressed the cradle and rang back, receiving the same answer by a male voice that there was nothing wrong. At no time was a name or address given. Several more attempts were made to call back but the dispatcher received no answer. The Telephone Company was then contacted in an attempt to trace the call.

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A second dispatcher kept the line open for eight minutes. After eleven minutes had transpired it was determined the Telephone Company was unable to trace the call. Chief Martins related that the 911 system was installed about 10 years ago, the service has been adequate, and has had no problem with it. However, he added, any electronic system is only as good as the people who operate it. Mr. Kelley and Ms. Nolan explained they have studied the situation, and that the technician attempted to trace the call that evening but could not get a line. However, the Telephone Company cannot guarantee that every call can be traced with the present system. Mr. Kelley explained that the 911 system has changed drastically. There is a system available which can provide the possibility of tracing, with automatic identification and location. The cost to install this system is \$225,000.00 with operating cost at \$5,000 a month. However, there are none presently in operation in the New England area. They can be found mostly in the state of California. Chief Martins commented he would rather spend that amount of money on additional manpower. There are 62 communities which have 911, basically all the same, at a cost of \$400 a month. Both Chief Martins and Chief Hancock agreed there has never been a problem such as this one. Anthony Basile asked if this problem has ever happened before, and why could the call not be traced. Ms. Nolan responded that technically it could not be traced. In summary, Mrs. Lavin commented that obviously the problem was the technical difficulty as related by the Telephone Company, and she doubted a quarter of a million dollars would solve the problem.

CONFERENCE - FRAMINGHAM UNION HOSPITAL - LINCOLN

Atty. John Garrahan appeared before the Board representing the Framingham Union Hospital, also as Chairman of an Ad Hoc Committee. Present also was Kenneth Howe, Chairman of the Hospital Board of Trustees. A petition was presented containing approximately 1000 names, 264 of which had been certified by the office of the Town Clerk. The petition requested the Board of Selectmen to call a Special Town Meeting during the month of October, 1982, whose purpose was to see if the town will vote to authorize the BOS to convey to the Framingham Union Hospital or its affiliate, the former Lincoln School property for a sum not less than \$700,000.00. Mr. Garrahan suggested the month of October as an ideal month to hold the Special Town Meeting. Mr. King, however, indicated there may be a specific mandate in accordance with the General Laws, which would necessitate calling the meeting within 45 days of receipt of the petition, and that question would have to be determined by the Town Counsel. Celia Herendeen asked to be recognized and commented that a Mrs. Moore, President of the Hospital Aid had sent a petition to every Hospital Aid member. Also, she had read an article in the Middlesex News which included the phrase "FUH or its affiliate". She asked what is meant by "its affiliate"--was it a holding company. Did it mean that FUH will no longer hold assets but will assign them to an affiliate. Mr. Garrahan responded that it is an amendment to Union Hospital. Maurice Costin, a Beech Street resident questioned the need of a Special Town Meeting for the Hospital. In his opinion it represents an attempt to scuttle the protocol of the town, and is a waste of the taxpayers' money. He asked that the Board put an end to this sort of tactics and if there is to be a Special Town Meeting that all aspects would be discussed. Mr. Friel indicated that he had on file a request for inclusion of an article for the next Special Town Meeting. Mrs. Lavin acknowledged receipt of the petition and suggested that the Warrant include one article for the disposition of Lincoln School, and that the Board set a date for the end of September or early October. A discussion followed relative to the inclusion of articles by other parties. It was agreed to accept any articles submitted which should not be deferred until the next Annual Town Meeting. It was the decision of the Board to request Town Counsel to clarify the following issues in order to avoid any confusion:

1) The legality of accepting the article as presented, 2) Does the Special Meeting have to be called within the 45 day period, 3) Can the article for the disposition of Lincoln School be submitted as one, 4) Should sealed bids be accepted prior to going to town meeting, 5) Re: dollar amounts submitted so far - should they stand. A tentative date of October 5th was set for the Special Town Meeting pending clarification by Town Counsel.

TRANSFER OF LICENSE - TOM'S LUNCH, INC.

A public hearing was held on the application for the transfer of a license to sell All Alcoholic Beverages as a Common Victualer, from Tom's Lunch, Inc. to Framingham Mill-Lounge, Inc. d/b/a JP's Pub, William P. Phillips, Jr., Manager, at the same location - 1613 Concord Street, Framingham. Present were Mr. Phillips and his Attorney Richard DeAngelis, and Atty. Frank Conrad, representing Tom's Lunch, Inc. Atty. DeAngelis stated his clients intend to run a family type operation, and that there will be no entertainment. Parking will be provided to the south of the premises. Several neighbors commented that there had been problems with the previous operation including excessive noise, damage to property and inadequate parking facilities, and requested these problems be addressed prior to the approval of the transfer. Chairman King commented he had been aware of the problems for a number of years and in fairness to the neighbors wanted some assurance that these problems would not continue. He requested the applicant to submit in writing a parking plan and a suitable plan of operation. Conditional approval was granted for the transfer of license pending receipt of these plans.

CONFERENCE - SALE OF TOWN OWNED LAND

Atty. Edward Mahan conferred with the Board relative to the sale of a parcel of land at the intersection of Salem End Road and Badger Road to A T & T Company as authorized in Article 44 at the Annual Town Meeting. The deed for same was signed by Board members Claire F. Lavin and John F. DelPrete and receipt was noted of a check in the amount of \$10,000.

MEMORANDUM OF AGREEMENT

A memorandum of agreement was signed re: Article VI - Fire Department.

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BATES ROAD SEWER PROBLEM

A letter from the Board of Health indicated that there is an urgent need to correct the existing sewer problem and they would support the Board of Public Works in an effort to secure funds for same. An update of progress was requested for the next meeting of the Board.

KENDALL LANE TRAFFIC

It was voted to accept the recommendations of the Planning Director relative to improvements of traffic problems in the Kendall Lane area. It was also suggested to try to obtain some contribution from the developer relative to the construction of a sidewalk on one side of Kendall Lane.

MASS. FAIR SHARE

Permission was given Mass. Fair Share to canvass in Framingham on weekdays during the months of August and September during daylight hours commencing at 3:30 P.M.

GREENPEACE

The request of Greenpeace for permission to canvass door to door was tabled pending clarification of time schedule.

CENTRE AUTO SALES

In accordance with a letter received from the Police Department relative to the activities of Centre Auto Sales at 1137 Worcester Road, it was voted that the operation be closed.

ACCESS ROAD

The Board noted receipt of a memo from Planning Department re: a proposed south side industrial access road. It was agreed to accept the option of an extension of Herbert Street.

In other action the Board noted receipt of the following:

Notice of a public hearing to be held by the Board of Health re: General Chemical Corporation.

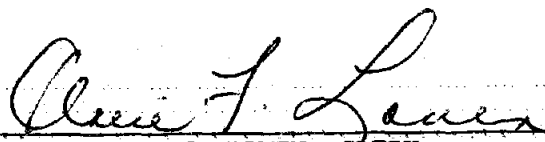
Memo from Town Counsel re: Philip A. Dinsky vs. Town of Framingham

Letter and petition from Association of Municipal Personnel requesting further consideration re: grievance previously submitted.

Memo from Town Counsel re: Cohen and Attias vs. Board of Appeals

Memo from Planning Department re: parking for elderly housing projects at Irving Square.

The Board adjourned at 9:50 P.M.



CLAIRE F. LAVIN, CLERK