

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN - SEPTEMBER 7, 1982

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

WARRANTS:

#36 - September 7, 1982 - Bills \$288,383.07
#37 - " " " Block Grant \$7,770.09
#38 - " " " Bills \$105,461.22
#39 - " " " Payroll \$369,212.13

DANCE LICENSE:

Alianza Soccer Club, Sharpshooters Hall, 26 Concord Street, September 11, 1982, 7 P.M.-1 A.M.

*SPECIAL MALT BEVERAGES & WINE LICENSES:

Alianza Soccer Club, 26 Concord Street, Sharpshooters Hall, September 11, 1982, 7 P.M. - 1 A.M.
Deaf Community Center, 95 Bethany Road, September 19, 1982, 12:00 Noon to 8:00 P.M.

SUNDAY ENTERTAINMENT LICENSE:

Timothy C. Murphy d/b/a Carlo's Market, 732 Waverly Street, Coin Operated Machines (2 Video), 9/5/82-9/4/83.

RATIFICATIONS:

Permit to open, occupy & obstruct street:

Venanzio Girardi, Lot 254, Angelica Dr., 8/31/82
Howard A. Fafard, 1060 Grove Street, 9/13-9/24/82
Commonwealth Gas Co.: 52 Eames Street, 9/31-9/30/82
100 Pennsylvania Ave., 8/26-9/26/82
33 Simpson Drive, 9/7-10/7/82
1552 Concord Street, 9/7-10/7/82
183 Wilson Street, 9/7-10/7/82
130 Lockland Ave., 9/7-10/7/82
Clark St. At Grant St., 9/7-10/7/82
Gorman Rd. at 615 Concord St., 9/7-10/7/82
18 Bosworth Rd., 9/7-10/7/82
Winter St. at 1094 Worcester Rd., 9/7-10/7/82
33 Vaillencourt Dr., 9/7-10/7/82
165 Warren Rd., 9/7-10/7/82
State Street at State College, 9/7-10/7/82
Speen St. @ N. E. Sand & Gravel Co., 9/7-10/7/82
226 Summer St., 9/7-10/7/82
439 Old Conn. Path, 9/7-10/7/82
80 Indian Head Road, 9/7-10/7/82
8 Driscoll Circle, 9/7-10/7/82

PERMANENT PATROLMAN - POLICE DEPARTMENT -

Joseph Vitagliano, 27-1 Beulah Street, Framingham, Ma, for an appointment effective September 5, 1982.

CHANGE OF MANAGER - LIQUOR LICENSE -

The Board voted unanimously to grant change of manager to Howard Johnson Company d/b/a The Ground Round, 1699 Worcester Road, Framingham, subject to the approval of the Alcoholic Beverages Control Commission, from William Golden, present manager to Paul P. Burns, new manager, All Alcoholic Restaurant license.

HEARINGS:

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

Francis Brown, representing both companies was present to petition the following permits from the Board:
Neville Road, on the southeasterly side, approximately 191 feet southwesterly from the intersection of Union Avenue, two (2) JO Guy Wires and Anchors on existing P. 3 and P. 4.

Union Avenue, on the southwesterly side, approximately 85 feet northwesterly from the intersection of Neville Road, one (1) JO Guy Wire and Anchor on existing P. 218/62.

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.

COMMON VICTUALER LICENSE:

West Central Licensee, Inc. d/b/a Honey Dew Donuts, 861 Edgell Road

*SPECIAL MALT BEVERAGES & WINE LICENSES:

Janet & Michael Ferrazzi, Village Hall, September 11, 1982, 5:30 P.M. to 8:30 P.M.
Framingham Animal Humane Society, Bowditch Field, Union Ave., September 12, 1982, 12:00 Noon to 5:00 P.M.

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CONFERENCE - STATE DEPARTMENT OF PUBLIC WORKS RE: ROUTE 9 CROSSOVERS

The Planning Board was represented by Mr. Stanley Piecewicz and Mrs. Claire Burke Cahill. Mr. Al Laing represented the State Department of Public Works and the conference was completed by P. Sergeant, Town Engineer and Lt. Foley, the Safety Officer. Mr. Piecewicz stated that the Planning Board was very concerned about the crossover which existed opposite the Marshall's Mall and one entrance to Shoppers' World. He pointed out that the configuration of the entrance and exit of the Marshall's Mall caused a great deal of back-up and confusion at that intersection. He suggested that the crossover at that point be eliminated for westbound traffic and that they be required to proceed to the next crossover opposite Caldor and Howard Johnson's where there is a signalized intersection to make a reverse turn to enter Marshall's Mall. Mr. Guerrieri commented that large trucks would find it impossible to negotiate a U-turn for this type of traffic pattern and suggested that that be considered very carefully in any changes proposed. Al Laing stated that the State Department of Public Works was willing to experiment with any reasonable changes provided there was support on the part of the merchants who would be affected and the local officials who were concerned with safety. After a more detailed discussion of the specific problem at Marshall's Mall, the Board voted unanimously to direct the Town Engineer and Safety Officer to consult with representatives of Marshall's Mall in an attempt to change the situation by considering alternative entrance and exit locations as well as changes in the traffic pattern in the parking area.

LETTER RE: MEDICAL OFFICE BUILDING - FRAMINGHAM UNION HOSPITAL

The Board reviewed a letter received from the Chairman of the Planning Board requesting support in their request for independent legal advice on the parking requirements for this building permit. Mr. Piecewicz pointed out that the Planning Board has a concern about the long-range implications of granting building permits which depend on parking areas removed from the location. He stated that they felt that the Town Counsel could be considered to be in conflict of interest because he is a member of the hospital Board of Trustees, and, as a result, the Planning Board had hired outside counsel. Several letters concerning the situation were read and the Selectmen referred to Chapter 44, Section 31 which indicates that the action of the Planning Board appears to be illegal. After a discussion, the Board voted to support the request for outside counsel in this matter but stated that a cost estimate would be required before any approval could be given. It was further stated that the cost already incurred were questionable because of the regulations under Chapter 44, Section 31. The Board's position was one which supported the request for outside counsel with proper procedures under the law.

REQUEST CONCERNING PROPERTY LOCATED AT 224 HOLLIS STREET

A letter was received from the Building Commissioner requesting that the Board modify their ruling for removal of the fire-damaged building at 224 Hollis Street, to allow the owner to work with an architect to refurbish the building with a deadline for decision on refurbishing of October 5, 1982. The Board voted unanimously to follow the Building Commissioner's recommendation provided a specific timetable was established which could be acceptable.

REQUEST FOR VARIANCE OF PARKING REQUIREMENTS - SPORTSWEAR STORE, INC.

The Board reviewed a request for a variation of parking plan requirements in the downtown business district for their proposed renovation of the Framingham Trust building and a combination with their proposed renovation of the Framingham Trust building and a combination with their existing property. By unanimous vote, the Board approved the variance requested.

HEARING - APPLICATION FOR LICENSE TO SELL MALT BEVERAGES AND WINES AT 545 UNION AVENUE

The Board held a public hearing concerning the application for a license to sell malt beverages and wines at 545 Union Avenue by GMP, Inc. d/b/a Union Mini-Market. Mr. William G. Poulos and his wife, owners of Union Mini-Market were represented by Attorney Victor Galvani. Attorney Galvani pointed out that the issuance of this license would be a supplement to a convenience store which was individually owned and operated and supported by the neighbors in the area. He stated that the original application was apparently included among several absentee owner applications for convenience stores located in other parts of Town. He also described the distance from existing licenseholders and stated that a license of this type had been in existence some years back for the convenience of the public, before the business had been sold.

After considering all of the details, the Board voted unanimously to award the requested license to Mr. & Mrs. William G. Poulos.

CONFERENCE - FRANCO BRUNO d/b/a TANO'S PIZZA AND SUBS -575 WORCESTER ROAD

Mr. Franco Bruno, the proprietor of Tano's Pizza & Subs located near the Farmstand Shopping area, requested permission to submit an application for a license to sell malt and wine beverages as a supplement to his restaurant. After hearing the presentation from Mr. Bruno, the Board took the matter under advisement pending a check of the zoning and parking requirements at that location.

GRIEVANCE - LT. WILLIAM A. BERNARDI

The Board reviewed the results of a grievance hearing of August 24, 1982 and the recommendation of their labor counsel. They voted 2-1 to reject the grievance on a basis that it is not an appropriate subject for grievance under the collective bargaining agreement.

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LETTER RE: COURT ORDER - ARTHUR H. LILL, JR. VS. JOHN J. HANCOCK

Town Counsel requested the Board's advice on appearance on behalf of the Fire Chief in a suit filed against the Chief concerning the hiring of new employees. The Board voted unanimously to advise Town Counsel to represent the Chief in this regard.

ACKERLEY COMMUNICATIONS OUTDOOR ADVERTISING BOARD

The Board reviewed a letter from Town Counsel concerning a proposed judgment on outdoor advertising billboards. It is proposed that removal of 16 billboards in the Town of Framingham would take place over a 2-year period in exchange for the right to maintain the balance of 9 billboards for at least a 5-year period. Upon recommendation of the Town Counsel, the Board voted unanimously in favor of acceptance of this proposal.

WARRANT ARTICLES - SPECIAL TOWN MEETING - OCTOBER 5, 1982

The Board reviewed a list of 23 proposed articles for the Special Town Meeting on October 5, 1982. They voted unanimously to accept all 23 articles after a discussion of each one concerning their eligibility as emergency items.

The Board noted receipt on the following items:

1. Fire Department Overtime, weeks of 8/21 and 8/28.
2. Letter re: Cable TV, support from the Youth Coordinator's Office.
3. A list of proposed ZBA hearings.
4. A letter from a resident concerning a development and drainage problems off Harrington Road.
5. Copy of the actual judgment of the case of P. A. Dinsky vs. the Town.
6. A letter from the Community Voluntary Action Center concerning the interest of Mr. Edward Freeman in serving on the Sign Review Board.
7. A notice of Chapter 11 Bankruptcy filing on the Framingham Winery.

The meeting was adjourned at approximately 10:00 P.M.


CLAIRE F. LAVIN, CLERK