

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN - OCTOBER 4, 1982

The regular meeting of the Board of Selectmen was held at 7:30 P.M. following an Executive Session which was called for the purpose of discussing individual legal responsibilities as requested by the School Committee. Present: John F. King, Chairman, Claire F. Lavin, Clerk, and John F. DelPrete. Executive Administrator M. P. Clarke and Town Counsel Aaron Bikofsky were also present.

WARRANTS:

#53 - October 4, 1982 - Bills \$254,994.19
#54 - " " " - Drawdown Rehab. Fund \$10,000.00
#55 - " " " - Bills \$234,063.77
#56 - " " " - Salaries \$420,672.93

AUCTIONEER LICENSE:

Theodore Milgroom, 1500 Worcester Road, Framingham, for a term of one year.

COIN OPERATED MACHINE LICENSES:

Framingham Lodge of Elks, 450 Union Avenue, 1 machine.
Liam's Irish Tavern, 17 Edgell Road, 2 machines.

SUNDAY ENTERTAINMENT LICENSE:

Steak & Ale of Massachusetts Inc. d/b/a Bennigan's Tavern, 167 Worcester Road, 2 coin operated machines, 10/10/82-10/2/83.

RATIFICATIONS:

Permit to open, occupy & obstruct street-

A. W. Greymont, Tribune Building, Columbia Street, 9/30-10/15/82
Commonwealth Gas Co., #7 Saxony Road, 10/7-11/7/82
Commonwealth Gas Co., L. #4 Crest Road, 10/10-11/10/82

COMMON VICTUALER'S LICENSE:

Luk, Inc. d/b/a Chen's, 1656 Worcester Road

CONFERENCE - RE: FRAMINGHAM DISTRICT COMMISSION

Attorney Paul Galvani, representing the Historic District Commission as its Chairman, appeared to request that the members of the Historic District Commission be declared Special Municipal Employees to avoid any possible conflict of interest problems. After a brief discussion, the Board voted to make the membership of the Historic District Commission Special Employees by a 2-0 vote.

REQUEST FOR ALL ALCOHOLIC RESTAURANT LICENSE - CHI CHI'S OF NEW ENGLAND, INC.

Attorney Paul Galvani, representing Mr. Garrick Stele, President and Treasurer of Chi Chi's of New England, Inc., appeared to request permission to apply for an All Alcoholic Restaurant License at 253-257 Cochituate Rd. Mr. Galvani pointed out that the 2 private residences at the location in question had been rezoned to business by a prior Town Meeting. It is proposed that Mr. Stele will purchase one residence and lease the entire area on a 50 year lease on the second one. It is proposed that he will construct a new restaurant to specialize in Mexican food on the lot which was purchased with parking being made available on the leased location. After hearing a brief background of the experience of the owner of the proposed restaurant, the Board voted 2-0 to accept an application after proper notification had been made.

CONFERENCE - RE: COIN-OPERATED LICENSE FEES

Attorney Barry E. Rosenthal, representing Fun and Games Amusement Center, presented the Board with a lengthy reference and commentary on the proper setting of fees. He stated that the coin-operated amusement group as well as the individual Fun and Games establishment were in favor of the form of adoption of the change in fee regulations which is proposed in the Special Town Meeting. He felt that authorizing the Board of Selectmen to set the specific fee up to a maximum limit was the most practical way to do it. He recommended that a fee be established, after the adoption of the proposed amendment at a level of \$40 for the first machine and \$20 for each additional machine at any given location. After a discussion of the material provided by Atty. Rosenthal, the Board of Selectmen thanked him for the input provided and stated they would certainly consider it in the future.

REQUEST FOR REMOVAL OF NO PARKING SIGNS ON VERNON STREET

In response to a request from the National Head Injury Foundation, Lt. Robert Foley recommended that the current no parking restrictions be maintained on Vernon Street in front of the Jonathan Maynard School. He stated that the residents of the area had strenuously objected to the problems that parking on the street could cause as well as requesting that all parking for tenants of the Jonathan Maynard School be restricted to the rear of the school. The Board voted unanimously to accept the Safety Officer's recommendation to maintain the parking regulations as they currently exist.

REQUEST FOR SPECIAL PARKING PERMIT - 57 PARK STREET

The Board reviewed a letter from Attorney Andrew Rogers on behalf of Paul Connors requesting special permission from the Board of Selectmen to vary the parking regulations at the building to be renovated for use as a retail lobster pool and office space. This request was made under the Section 4-5A of the Zoning By-Laws. It was pointed out to the Board of Selectmen that the request had been referred to the Planning Board on September 7 and no response had been received within the allowable 21 day period which exists under the law. The Board of Selectmen is free to grant such permission if they choose to if they get an affirmative recommendation from the Planning Board or have no action taken by the Planning Board. Despite the fact that no action had been taken by the Planning Board, Selectman Lavin requested that the approval be contingent on action by the Planning Board if they chose to do so.

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It was requested that the Planning Board be contacted concerning their wishes in this case. If they choose not to respond, the Board can then take the affirmative action of granting the permission.

OFF-STREET PARKING FOR PROPOSED MEDICAL OFFICE BUILDING ON EVERGREEN STREET

A letter was received from the Building Commissioner outlining his policy and reasons for reinstating the building permit for construction of an office building on Evergreen Street by Framingham Union Hospital. After reviewing his letter, Selectman Lavin made a motion that he be directed to rescind the building permit because of the controversy concerning parking in connection with it. The Board of Selectmen had been advised that they had no authority to direct the Building Commissioner in this regard and, as a result, no second was forthcoming on the motion. The Board noted receipt of the letter concerning the action taken by the Building Commissioner.

REQUEST FOR HEARING - RESIDENTS OF SLOAN DRIVE

A petition was received from the residents of Sloan Drive requesting that a hearing be held concerning dogs owned by the Taddeo family of Sloan Drive. A report from the Dog Officer indicated that continuing problems had existed with 2 dogs owned by this family at 28 Sloan Drive. The Board voted unanimously to set up the hearing as soon as it was possible.

LETTER RE: SPEEDING PROBLEM ON CENTRAL STREET

A letter was received from Melba Fletcher of 222 Central Street outlining a problem which has existed for some time and citing a recent accident which caused serious damage to her home. The Board voted to refer the matter to the Engineering and Police Department for recommendations on steps which could be taken to resolve the problem.

The Board noted receipt on the following items:

1. Letter from Building Commissioner, George Seeley re: occupancy at 15-15 Guadalcanal Road.
2. Letter from Framingham State College Student Government Association re: use of alcohol on Campus.
3. Letter to Mass. Dept. of Education re: busing of students in the Eaton Rd. area.
4. Notice of a DPU hearing on Gas Co. rates.
5. Fire Department Overtime for the week of September 25, 1982.

The Board voted unanimously to support the position of the Board of Assessors in seeking establishment of an Assistant to the Assessor position during the Special Town Meeting.

The Board noted receipt of a letter received from the Director of Libraries as a follow-up to a prior letter concerning vandalism and difficulties with some young people at the Main Library. It was noted that this situation is being monitored by the Police Department and proper steps are being taken to control the difficulties.

REAL PROPERTY COMMITTEE REPRESENTATION

By unanimous vote, Claire F. Lavin was appointed as the Selectmen's representative to the Real Property Committee for the current fiscal year.

The meeting was adjourned at approximately 9:30 P.M.



CLAIRE F. LAVIN, CLERK