

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN - DECEMBER 20, 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 and Town Counsel, Aaron Bikofsky were also present.

WARRANTS:

#100 - December 20, 1982 - Bills \$426,898.92
#101 - " " " - Bills \$ 197.68
#102 - " " " - Bills \$297,581.44
#103 - " " " - Workmen's Compensation \$1,266.96
#104 - " " " - Salaries \$1,020,435.85

COIN OPERATED MACHINE LICENSES:

Mel's Italian Delicatessen, 86 Kendall Lane - 3 machines
Papa Gino's of America, Inc. - Route 30, Cochituate Road (1 machine)
Timothy C. Murphy d/b/a Carlo's Market - 1057 Edgell Rd. (2 machines)

SUNDAY ENTERTAINMENT LICENSES:

Robert L. Giarla d/b/a The Sub Way, 510 Union Avenue - coin operated machines, Sundays 1983
Papa Gino's of America, Inc. Route 30, Cochituate Rd. - Juke Box - Sundays 1983
Papa Gino's of America, Inc. Route 30, Cochituate Rd. - coin operated machines, Sundays 1983
Framingham Mill Lounge, Inc. d/b/a JP's Pub, 1613 Concord Street - coin operated machines, Sundays 1983
Howard Johnson Co. d/b/a The Ground Round, 1699 Worcester Road - Juke Box, Sundays 1983
Howard Johnson Co. d/b/a The Ground Round, 1699 Worcester Rd. - Coin operated machines, Sundays 1983

CHANGE OF MANAGER - LIQUOR LICENSE:

The Board voted unanimously to grant change of manager to B. C. Restaurant of Framingham, Inc., 1 Worcester Road, Shoppers' World, Framingham, subject to the approval of the Alcoholic Beverages Control Commission, from Donald Crump, present manager to Patricia Ann Marganti, new manager, All Alcoholic Restaurant license.

PETITIONS - EDISON COMPANY & NEW ENGLAND TELEPHONE CO.

As usual, Chairman King excused himself for the deliberations on the petitions to eliminate any question of conflict of interest. Petitions for conduit location service terminals and location of wires on the following locations were submitted:

A Street, Auburn St. Ext., Fountain Street, Speen Street - Cochituate Rd. & Worcester Rd., Winter Street and Winter Park Rd. Hearing no questions or objections from the audience, all petitions were accepted on a 2-0 vote.

CONFERENCE - 1983 RULES AND REGULATIONS - LIQUOR LICENSES

A conference was held in Lower Nevins Hall with all liquor licenseholders of the Town of Framingham to discuss rules and regulations for the operations for 1983. The Board of Selectmen and Town Counsel and Executive Administrator were joined by Police Chief Arthur Martins. Chairman King opened the meeting by recounting the experiences of the past several months in which a proliferation of "Happy Hours" occurred in Framingham. He made particular emphasis of the practice of promotional sale of alcohol between the hours of 11:00 P.M. and 1:00 A.M. by three of the establishments holding pouring licenses. He particularly cited the restaurant called Bennigan's as being the first to start the late hour promotional sales. Commentary concerning the responsibilities of the licensing board to protect the general public followed from the other selectmen with a confirmation of a unanimous position of concern over the conduct of the licenseholders.

Chief Arthur Martins stated the concerns of the Framingham Police Department referring to the fact that almost 5,000 lives had been lost in the State of Massachusetts during the 70's in highway accidents. He said that to date, over 500 arrests for driving under the influence had been made in Framingham for this year of 1982. Statistics showed that over half of the 1,700 motor vehicle accidents in the Framingham area during this period were found to be alcohol related. A presentation of summary of the new drunk driving laws and other laws pertaining to the sale of alcoholic beverages was provided to each of the licenseholders by the Police Department. Particular emphasis was put on the responsibility of the employee or proprietor of any establishment selling alcoholic beverages and the court cases which had found them to be liable for damages as a result of sale to either minors or intoxicated persons.

In addition to the concern over promotional sales of alcohol, a restatement of the regulations for termination of sale was made.

Upon completion of the presentation of the Selectmen and Police Department's concerns and the supplementary information, it was requested that any members of the audience make comments or suggestions. There was no response from the audience of any suggestion for change.

Upon completion of the public hearing the Selectmen returned to the Peter W. Ablondi Meeting Room and the motion was made, seconded and voted unanimously to impose the following regulations in conjunction with the issuance of all 1983 alcoholic beverage licenses. The regulations are as follows:

No Licensee issued a license to sell alcoholic beverages to be served and drunk on the premises shall permit any or all of the following to occur on the licensed premises:

1. The selling of alcoholic beverages and drinks at half-price;
2. The dispensing of two or more alcoholic beverages or drinks to patrons when the patron pays for less than the number dispensed to him or her (i.e. "Two for One")
3. The sale of alcoholic beverages or drinks at a price which is less than the maximum price charged by that Licensee for that same beverage or drink at other times during the week.

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

DECEMBER 20, 1982

(2)

4. The dispensing of alcoholic beverages or drinks to patrons free of charge.

CLOSING REGULATIONS

1. Last call 15 minutes before closing.
2. 15 minute consumption time after closing hour. (All drinks and glasses will be off the bar and patrons off the premises 15 minutes after closing time).

CONFERENCE - FRAMINGHAM UNION HOSPITAL TRAFFIC

Attorney John Garrahan, representing Framingham Union Hospital and Safety Officer, Lt. Robert Foley discussed the possibility of changes in traffic and parking regulations in the vicinity of Framingham Union Hospital. It was pointed out that all of the regulations proposed had been discussed at length with the residents and businessmen of the area. A list of parking restrictions and changes were submitted to the Board. The Board took the recommendations under advisement and action will be taken at a future meeting.

BENNIGAN'S LICENSE REVIEW HEARING

At the suggestion of Chairman King, the Board of Selectmen agreed to hold a hearing concerning the basis on which Bennigan's had made their application for an all alcoholic pouring license. It was agreed that the hearing would be held as soon as reasonable notification could be made. The combination of required advertising and the holiday season indicated that the hearing would probably be held on January 24, 1983.

VANDALISM - SAXONVILLE FLOOD CONTROL PROJECT

The Board reviewed a letter from the Chairman of the Board of Public Works requesting assistance from the Police Department and residents of the Saxonville Flood Control Project area in controlling the vandalism which was causing difficulty with the project. It was agreed that the letter would be forwarded to the Police Department for their attention.

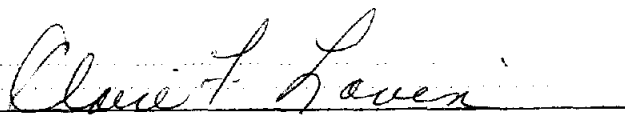
The Board noted receipt on the following correspondence:

1. Report of the Safety Officer concerning the leaf pickup procedures.
2. A letter from the School Committee Chairman concerning leaf pickup procedures.
3. A letter from the Chairman of the Board of Public Works concerning leaf collection.
4. Letter from James G. Kilonsky concerning Community Cablevision.
5. The Fire Department Overtime Report for the week ending December 18, 1982.

SALE OF TAX TILE PROPERTY

The Board agreed unanimously to include restriction of future sale separate from the contiguous property as a condition of sale of 2 parcels covered under Articles 42 and 43 of the Annual Town Meeting of 1982. These parcels are located on Cove Avenue and Stonybrook Rd. After a report of evaluation, the Executive Administrator was authorized to work with the Town Counsel to set up the proper procedures for sale.

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



CLAIRE F. LAVIN, CLERK