

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

OCTOBER 16, 1989

The regular meeting of the Board of Selectmen was held at 7:30 P.M. Present: Chairman John F. King, Selectman Clerk Philip B. Ernst and Selectman John F. DelPrete. Also Present: Edgar C. Gadbois, Executive Administrator.

WARRANTS:

#47 - October 16, 1989 - Bills - \$508,094.77
#48 - " " " - Miscellaneous - \$332,691.33
#49 - " " " - Salaries - \$657,658.70

SPECIAL ALL ALCOHOLIC BEVERAGE LICENSE:

Andrew P. Caswell - Village Hall - October 21, 1989 - 4:30 P.M. to 10:00 P.M. (Wedding Reception)

MOTOR VEHICLE LICENSE:

Class II:

U. S. Service Leasing, Inc. d/b/a Lease World - 40 Speen Street

PERMIT TO OBSTRUCT A STREET:

Pheasant Hill Civic Association - Waveney Way @ Waveney Road, Angelica Drive @ Lanewood Avenue - October 28, 1989, from 2:00 P.M. to 4:00 P.M. (Halloween Parade)

RATIFICATIONS:

Permit to Obstruct a Street:

Corcoran Construction Corporation - Dead end of intersection of Beaver Park Drive and Beaver Park Road, October 18, 1989 to June 30, 1990.

Essex Builders - 141 Union Avenue - October 15 to October 18, 1989.

Permit to Obstruct a Sidewalk:

Imperial Sign Company - 101 Concord Street - October 12, 1989

Permit to Open, Occupy and Obstruct a Street:

New England Telephone and Telegraph Company - Pole 33X - front of House #376 Concord Street - October 13 to October 20, 1989.

Commonwealth Gas Company - 126-128 Mellen Street - October 7, 1989 to finish.

HEARINGS - BOSTON EDISON COMPANY JO NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY PETITIONS:

Mr. Joe Bausk represented the Telephone Company on the petitions.

1. Auburn Street and Auburn Street Ext. - guy wire and anchor.
The Telephone Company is going to place new cables and anchors and guys on these poles to keep the poles from falling over. The petition was granted on a 2-0 vote.
2. Water Street - pole
Mr. Joe Bausk requested this matter be tabled. As an abutter, he requested that if there is a possibility they could do something else, he would look into it.
3. Water Street - Anchor - Pole 61
The Telephone Company is going to place new cables to keep the pole from falling over. The petition was granted on a 2-0 vote.

Chairman John King did not participate in the hearings to prevent any conflict of interest.

CONFERENCE - ATTORNEY ALBERT BARBIERI, JR. - REQUEST TO PLEDGE LIQUOR LICENSE OF MUGS-A-WAY PUB, INC., 666 WAVERLY STREET TO HIBERNIA SAVINGS BANK:

Attorney Barbieri attended representing Mugs-A-Way Pub. He stated that they were in front of the Board on June 26, 1989 for a transfer of a liquor license and it was granted. In his original application he did not list that there would be a bank involved, money being borrowed from a bank. He did not think they would be asking for a pledge of the license. Prior to the closing, they did say that they wanted a pledge of the license. Before the meeting with the Selectmen, he sent a letter to the Clerk advising that they would be seeking to pledge the license. During that meeting, no action was taken. When they got to the closing, they did require a request that the license be pledged.

Chairman King asked Mr. Barbieri to explain what it means when the liquor license is pledged to the Bank.

Attorney Barbieri stated that the Bank wants to be able upon default of the loan, to the extend that they are able to carry on the business if they have to foreclose on the client. He did not see how they could run the business if they are not the one to whom the license has been granted, but they want to be in a position where they have an entire entity securing their loan, that being the real estate, the business itself and the license.

Selectman Ernst stated that the Board has to approve any transfer of a license. Any subsequent transfer that the Bank may set has to come before the Board.

Selectman DelPrete stated that it does give the Bank the right to come in and ask that the license be transferred to their name. It does not mean that we have to grant it. He had no objections. It has been done in the past.

Following the discussion, the Board voted unanimously to grant the petition.

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RECOMMENDATIONS OF SAFETY OFFICER:

Upon the recommendations of the Safety Officer, the Board voted the installation of the following signs:

SLOW CHILDREN - Replace the worn sign on Newbury Street north of Burr Street.

SLOW CURVE - 100 feet north of #148 for southbound traffic.

REQUEST FROM PRESIDENT OF FRAMINGHAM STATE COLLEGE FOR THE USE OF VILLAGE GREEN FOR COLLEGE'S COMMENCEMENT:

The Board granted permission to Framingham State College to use the Village Green on Sunday, May 20, 1990 for the purpose of conducting the College Commencement.

REQUEST FROM JUNIPER HILL SCHOOL P.T.O. TO PLACE SIGNS FOR FAIR ON TRAFFIC ISLANDS:

The Board granted permission to the Juniper Hill School P.T.O. to place signs advertising a Fair on October 21, 1989 on traffic islands at Concord and Summer Streets and at Summer and Central Streets. Lieutenant Foley should be contacted prior to the placing of the signs.

CORRESPONDENCE FROM DANFORTH MUSEUM BOARD OF TRUSTEES REQUESTING RE-APPOINTMENTS:

The Board voted unanimously to re-appoint the following as Town Representatives to the Danforth Board of Trustees:

Gerald Couto, 25 Dennison Avenue for a term of one year, to expire September 30, 1990

Elizabeth Funk, 1242 Concord Street, for a term of one year, to expire September 30, 1990

CORRESPONDENCE FROM RICHARD RUBANT RE: USE OF PARKING LOT IN FRONT OF VILLAGE HALL FOR FRAMINGHAM FARMERS MARKET - YEAR 1990:

Selectman King suggested that Mr. Gadbois check with the Building Commissioner to make sure that this will not be in violation of any zoning requirements and that the Board be furnished with a letter from Elaine Farrington stating that her group had no objections to the using of the facility.

The Board noted receipt of the following items:

Correspondence from Neighbors for South Side Environmental Protection re: expansion of CONRAIL site at 480 Hollis Street.

Notice of Public Hearing from Conservation Commission re: CONRAIL expansion.

Correspondence from Town Counsel re: Sudbury Landing

Fire Department overtime for the week ending October 7, 1989

Correspondence from Representative Magnani re: widening of Cedar Street Framingham/Ashland Line.

Copy of letter by an Assistant District Attorney re: recommendation for one of the candidates for promotion to Lieutenant.

Correspondence from Massachusetts Historic Commission declaring St. John's Episcopal Church on Maynard Road and Church street as part of the National Historic Register.

Notification of a Middlesex County Selectmen's Association Meeting.

CORRESPONDENCE FROM CHAIRMAN OF COMMISSIONERS OF PUBLIC WORKS RE: TRAFFIC PROBLEMS AT SCHOOL STREET BETWEEN CONCORD STREET AND HAMILTON STREET:

The Board voted to request a transfer from the Finance Committee for restoration of lane markings at School Street between Concord Street and Hamilton Street so this can be accomplished before the inclement weather sets in and also get a recommendation from Lieutenant Foley, Safety Officer as to when he plans to make a recommendation to change the traffic pattern on Concord and School Streets.

CORRESPONDENCE FROM POLICE CHIEF LARRABEE RE: LIEUTENANT PROMOTION:

The Board voted to set up screening procedures and recommended that the Chief give a breakdown of the span of supervision of all the officers in the department.

WAIVER OF PURCHASING BY-LAW:

The Board voted to waive the requirements under the Purchasing By-Law, Article 43, Section L, in order to immediately proceed with emergency repairs to the slate roof at the old Edgell Library.

TIMELY REPORT:

The Executive Administrator discussed his Timely Report regarding issues that were referred to him by the Board of Selectmen from the previous meeting.

1. Complaint received from a resident re: Cable TV
Mr. Gadbois stated that he contacted Audrey Hall, General Manager of Community Cablevision and she addressed the issues and the citizen has been satisfied.
2. Letter received from Mrs. Buckminster that was referred to the Building Commissioner.
Mr. Gadbois stated that the Building Commissioner responded to all of what took place on the issue.

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3. Taxes Owed the Town:

Mr. Gadbois stated that he spoke to the Treasurer/Collector and he assured him that 99% of the taxes for FY/88 has been collected and 98% for FY/89 have been collected. Chairman King suggested that Mr. Gadbois contact Mrs. Wolff who had been at the previous meeting and tell her that the matter has been reviewed.

COST SAVINGS COMMITTEE:

Mr. Gadbois stated that he had a meeting with Archie Lyons and he has agreed to work with him and they have agreed to call all previous members in on October 31st at 7:30 P.M.

Selectman Ernst suggested contacting a member of the Capital Budget Committee and Ways and Means Committee and maybe a representative of Changes in Town Government. He believes someone from Town Meeting should be present that knows the background.

MASTER PLAN:

The Executive Administrator read the following from the Planning Director into the record:

As directed by the Board of Selectmen, the Planning Department has authorized the Comprehensive Plan Consultant to resume work. The first work item to be completed is a review of the previous documents. Bobbie Leary has been reviewing this information with the Planning Department staff and will be meeting with other Town Departments this week. There are at least two remaining public meetings to be held in the Downtown and South side areas. These meetings will be coordinated with local residents, businesses and the Chamber. These meetings will be scheduled for November and hopefully allow for the submission of a Final Draft of the Plan to be presented to the Planning Board by the end of December. No additional payments have been made to the Consultant to this date and all further payments will be in accordance with the schedule approved by the selectmen.

Selectman DelPrete asked how the following projects were coming along:

RELOCATION OF DENNISON HEADQUARTERS:

Mr. Gadbois stated that he spoke with a member of the Planning Board and representatives of Dennison. They assured him that it's on track. The emphasis is on Clark's Hill. There seems to be less emphasis on the condominium phase of the project. It is moving forward.

SHOPPERS WORLD:

Mr. Gadbois stated that he met with representatives of Shoppers World last week. That project is go. They want to begin to take steps for site plan review and all the various reviews that have to take place to bring the project about. It is a 3 to 4 hundred million dollar project. They are taking steps to begin the process and the Planning Board is aware of it.

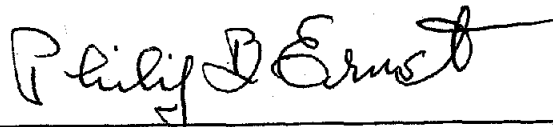
9/90 PROJECT:

Mr. Gadbois stated that it is looking good. He met with Attorney Garrahan on the tax issue (Estoppel) and he came up with a figure from the Assessor's office and it should be resolved this week. It looks positive.

Selectman DelPrete stated that he questioned these projects due to the unemployment rate and taxes coming into the town. He stated that we have lost over 10,000 jobs in the area and it will get worse. This would also enhance the tax base.

Selectman DelPrete spoke about a signature drive to get the 40% return to the cities and towns of sales tax, lottery funds and corporate income so the monies will come back to the town. There are petitions in the Selectmen's office for people to sign. This is mainly so we can run the Town government with the monies that were promised by the state.

The meeting adjourned at 8:05 P.M.



PHILIP B. ERNST, CLERK