

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

NOVEMBER 6, 1989

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

WARRANTS:

#57 - November 6, 1989 - Bills - \$319,098.31
#58 - " " " - Miscellaneous - \$5,437,448.36
#59 - " " " - Salaries - \$1,642,531.41

SPECIAL ALL ALCOHOLIC BEVERAGE LICENSE:

The Uncommon Coffeehouse - First Parish Church, 24 Vernon Street - November 10, 1989 - 7:00 P.M. to 11:30 P.M.

RATIFICATIONS:

Permit to Open, Occupy and Obstruct a Street:

Commonwealth Gas Company - Digging on Howard Street for 19 Concord Street - October 30, 1989 to finish.
" " " - 1530 Concord Street - October 31, 1989 to finish
" " " - 178 Winch Street - October 30, 1989 to finish
" " " - 600 Winter Street - October 31, 1989 to finish
" " " - 2 Mechanic Street - October 24, 1989
" " " - 11 Elm Street - October 24, 1989
" " " - 83 Central Street - October 4, 1989
" " " - 84 Central Street - October 3, 1989
" " " - 7 Park Avenue - October 21, 1989

PROCLAMATIONS:

Ms Joan Gay, Director of Metrowest Hospice Program and President of the South Middlesex Chapter of the American Cancer Society attended and was presented with two Proclamations, one proclaiming the month of November as HOSPICE MONTH and the other proclaiming Thursday, November 16, 1989 as the GREAT AMERICAN SMOKEOUT. She thanked Selectman John DelPrete for being the Chairperson of the very successful dance that they held last Friday for the American Cancer Society.

HEARING - BOSTON EDISON COMPANY PETITION - VOSE STREET - CONDUIT:

Mr. Robert Malice appeared to request permission for installation of 90 feet of conduit on Vose Street, also another piece of conduit which is 57 feet long in order to provide electricity to a new development. Hearing no objections, the petition was granted on a 2-0 vote. Selectman John King did not participate to prevent any conflict of interest.

LIQUOR HEARING - TRANSFER OF OWNERSHIP OF GARCIA'S MARKET TO HOLLY SUPERMARKET CORP. - 63 HOLLIS STREET - BEER AND WINE RETAIL:

Attorney Andrew Rogers appeared representing Mr. Garcia along with Attorney William Carroll representing the transferee.

Mr. Carroll stated that he represented the Holly Supermarket Corporation which is a newly formed Massachusetts Corporation which is principally comprised of Mr. Michael Patel and Victor Patel, being fifty percent owners of the corporation. They are seeking to acquire the business which is known as Garcia's Market and the purchase of the market and all its assets including the liquor license is contingent on the transfer. It is anticipated that Michael Patel would be the manager. He would be on the premises during the hours of 8:00 A.M. to 3:00 P.M. He currently has a part-time job. He would be giving up his morning job and retain his evening job. He would be on the premises six days a week and would be the manager of the business. Victor Patel will be in the employ from 3:00 P.M. to 8:00 P.M. six days a week. The present hours of operation are 9:00 A.M. to 7:00 P.M. and will remain open six days a week as it presently is now. Neither of the Patels have experience in the liquor industry other than the fact that they have been working with Mr. Garcia for the past six months where he has shown them how business operates. They have never held a liquor license in the past. They are aware of what the liquor license requirements are as far as the age requirement and hours of operation and they understand the consequences should they sell to a minor and that their license could be subject to disciplinary action or taken from them.

Selectman John DelPrete had concerns on the selling to minors and to persons who were intoxicated.

Selectman Philip Ernst asked what the hours are.

Attorney Carroll stated that the hours are anticipated to be 8:00 A.M. to 8:00 P.M. Currently the hours are 9:00 A.M. to 7:00 P.M. Michael Patel will be there from 8:00 A.M. to 3:00 P.M. Victor Patel will be there from 3:00 P.M. to 8:00 P.M.

Selectman John King read the following report into the record:

Michael Patel & Victor Patel. Michael - Date of Birth - 12-17-54. Victor - Date of Birth - 2-28-44. One with an address of 17 Nipmic Road, Framingham, the other with an address of 27 Willis Street, Framingham. The above subjects have been checked through the Massachusetts Registry of Motor Vehicles, the Massachusetts Board of Probation, the National Crime Information Center and the Framingham Police Department Records Bureau and there is no record of criminal activity, warrants or wrong-doing on file with any of the above subjects.

Hearing no objections, the Board voted unanimously to approve the petition.

RECOMMENDATIONS OF SAFETY OFFICER:

Upon the recommendation of the Safety Officer, the Board voted unanimously to approve the installation of a SLOW HANDICAPPED CHILD sign on Quinlan Drive, 50 feet north of Summer Street.

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(2)

CORRESPONDENCE FROM CHAIRMAN OF COMMISSIONERS OF PUBLIC WORKS RE: CONSULTANT FOR THE REDEVELOPMENT OF SHOPPERS' WORLD:

There will be a meeting on November 21, 1989 to discuss the matter regarding the hiring of a consultant for the redevelopment of Shoppers' World.

CORRESPONDENCE FROM TOWN CLERK MICHAEL WARD AND GEORGE WILLIS OF THE BOARD OF TRUSTEES OF EDGELL GROVE CEMETERY RE: RESIGNATION OF JULIAN T. HARGRAVES, JR.

The Board voted to set up a joint election to elect a new member on the recommendation of Selectman John King.

CORRESPONDENCE FROM POLICE CHIEF BRENT LARRABEE REQUESTING PERMISSION TO HIRE A MINORITY PATROLMAN:

The Board voted to support the Police Chief's recommendation.

The Board noted receipt of the following items:

A letter from Bella Costa Restorante thanking the Board for their action taken.

A copy of a letter that was sent to all Town officials, residents and organizations from Sam Swisher, Community Development Corodinator re: Block Grant funds that will be available next year.

A memo from Gene Thayer, Superintendent of Schools.

Fire Department Overtime for the week ending October 24, 1989

SEXUAL HARASSMENT POLICY:

Mr. Robert Anspach, Chairman of the Human Relations Commission and Ms Joan Webster, Director, were in attendance. Mr. Anspach stated that part of the reason this has come forward is that it has been the history of the town to always want to take steps that are progressive and anticipate problems. They feel that in order to anticipate and protect both the town and its employees, it would behoove us to establish a policy that lays down the guidelines, not only for the employers and employees, but in its own way, protects the town in establishing a policy against sexual harassment.

Selectman John DelPrete asked if the State or Federal government finds a person not guilty, can they go to the Town of Framingham to have an additional complaint filed.

Joan Webster stated that if there were someone who had a sexual harassment complaint, the first place that it would be considered would be within the town in an attempt to, at the lowest level, resolve the complaint, find out what happened and deal with it. It is essential that no one ever give up other rights and other avenues for complaints when they do a very low level kind of process. The parallel really is exact with Affirmative Action. If there is a complaint about Affirmative Action, according to the policy that the Board of Selectmen have signed off, the complaint is registered with the Affirmative Action Officer who then does some investigating and attempts to resolve any problem. A complaintant does not give up the right to bring the complaint to the State.

Selectman DelPrete asked what happens if the State does.

Joan Webster stated that if the State makes its finding, then it would not come back to the town.

Selectman DelPrete asked about the Federal government.

Joan Webster stated that in this state, the Massachusetts Commission Against Discrimination (M.C.A.D.) acts as an agent for the federal government and so there is an overlap, even though there are distinct federal laws and state laws and both of those are mentioned in the policy.

The Board voted unanimously to adopt the Sexual Harassment Policy.

TIMELY REPORT OF EXECUTIVE ADMINISTRATOR:

LIQUOR LICENSE FEES:

The Executive Administrator stated that in light of the fiscal climate facing cities and towns, he recommended the following fee structure for liquor licenses:

- | | |
|-----------------------------|---|
| 1. A.A. Restaurant | \$2,000 at present to \$3,000 in 11/89 to \$5,000 in 11/90
\$5,000 is the maximum allowed under the Statute. |
| 2. A.A. Innholder | \$3,000 at present to \$4,000 in 11/89 to \$5,000 in 11/90 |
| 3. A.A. Druggist | \$ 750 at present. To remain the same. |
| 4. A.A. Package Goods Store | \$2,000 at present. To remain the same. |
| 5. A.A. Non-Profit Club | \$ 850 at present. To remain the same. |
| 6. A.A. Veterans Club | \$ 200 at present. To remain the same. |
| 7. Malt Beer & Wine Rest. | \$1,000 at present to \$1,500 in 11/89 to \$2,000 in 11/90 |
| 8. Malt Beer & Wine Retail | \$1,000 at present to \$1,500 in 11/89 to \$1,500 in 11/90 - Maximum. |
| 9. Special One Day Licenses | \$ 25 at present to \$50 in 11/89 to \$75 in 11/90. |

Selectman Ernst stated that he does not have a problem with 1989, but is not sure about next year.

Selectman King suggested that a meeting could be held with Police Chief and the Executive Administrator with the liquor licenseholders prior to the end of the year.

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(3)

LIQUOR LICENSE FEES (continued):

The Executive Administrator will send out letters to licenseholders indicating that the Board of Selectmen is considering an increase in fees.

EXPENSES TO ADMINISTER SPECIAL POLICE DETAIL:

The estimated cost to administer Special Details is \$30,024. A breakdown of that figure is as follows:

- | | | |
|------------------------------|---|-------------------|
| a. Police Personnel Cost | - | \$27,524 per year |
| b. Treasurer Personnel Cost | | 500 per year |
| c. Accounting Personnel Cost | | 500 per year |
| d. Materials & Supplies | | 1,500 per year |

COURT CASE RE: WOODROW WILSON SCHOOL AND GENERAL CHEMICAL:

The Executive Administrator checked with Town Counsel. There is a possibility that a decision could be made before the end of the year. General Chemical has asked for a Summary Judgement in their favor.

CLINTON STREET ABANDONMENT:

All precinct members of the district that includes Clinton Street have been informed of the public hearing to be held on November 13.

Selectman Ernst stated that when we accept the articles for special Town Meeting, he would hope that the two Dennison articles would be No. 1 & 2.

The Executive Administrator stated that there are 10-12 other zoning articles and in addition, there are a couple of other articles. The Asbestos Committee that was appointed at Town Meeting has requested an article. All the Schools have been reviewed but the town buildings have not had a study. There is a proposal of \$27,500 to look into town buildings. The other article is that the Town Clerk and Dog Officer are requesting an article regarding dog fines per special legislation that was enacted.

Selectman DelPrete asked if Community Development Block Grant funds could be used to paint arrows on the road, right turn only, left turn only. Also, if some money could be used to check buildings for asbestos.

The Executive Administrator will look into the matter.

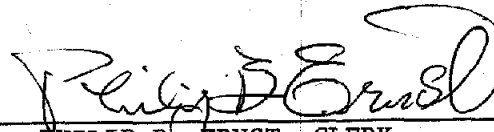
Selectman King asked the Executive Administrator to review with Town Counsel, any resolutions or articles that were passed at the Annual Town Meeting that requires action by the Board so when we go to a special Town Meeting if there are any actions that should have been taken by the Board or requests that were made at the Annual Town Meeting that they have been addressed.

Selectman King requested that a letter be sent to the Fire Chief and to members of his department to congratulate them on the way that they handled the overtime budget during this past year. It has continuously decreased.

Selectman DelPrete asked if all town departments were attending the Task Force meeting regarding the Dennison Project.

The Executive Administrator stated that there has been good participation at the meetings. There are times when Planning Board representation was not there. The consultant to the Planning Board has attended a couple of meetings. There is a good cooperative effort being made to bring Dennison into Framingham.

The meeting adjourned at 8:30 P.M.



PHILIP B. ERNST, CLERK