

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
March 13, 2024**

A meeting of the Town Council was held on Wednesday, March 13, 2024, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco, Cobi Frongillo, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegri, Patrick Sheridan. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Amy Frigulietti, Deputy Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. Chair Mercer called for a moment of silence. All recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer reviewed the following as posted on the agenda. A Note to Residents: All citizens are welcome to attend public meetings in person. To view the live meeting remotely, citizens are encouraged to watch the live stream on the Franklin Town Hall TV YouTube channel or the live broadcast on Comcast channel 9 and Verizon channel 29. Meetings are also archived by Franklin TV on the Franklin Town Hall TV YouTube channel and shown on repeat on Comcast channel 9 and Verizon channel 29 for those who miss the live meeting. To participate in the meeting remotely, citizens are able to join a Zoom webinar using the information provided. Any participants who wish to speak during the webinar must enter their full name and email address when joining the webinar. All participants will be automatically muted upon joining the webinar. In order to speak, participants, who have entered full name and email address, will need to select the “raise hand” function to request to be unmuted. All speakers will be required to state their full name and street address before commenting. ► He announced upcoming Town-sponsored community events. He said the Franklin Cultural Council and Franklin Cultural District Committee invite the public to the celebration of arts and culture for a recognition of grants and funding recipients on Thursday, April 4, 2024, at 7 PM at Alumni Memorial Hall at Dean College. He said Town Council office hours will be held on March 21 from 8:30 AM to 9:30 AM at the Senior Center.

CITIZEN COMMENTS: ► Ms. Jane Callaway-Tripp, 607 Maple Street, said her subject is about the DPW director who has recently been found guilty of violating the state’s conflict of interest laws twice in 2019 and 2022. She said this is important because it brings to mind what else has the town administration missed. She noted the override to come, and noted that due to finances, all employees in all departments should be abiding by the rules. She said since she talked about this at a previous meeting, she has received many emails and calls. She said this should not just be talked about at one meeting and then we all move on like nothing happened. She said we need to do due diligence to investigate and verify even if you have to go back to day one of hire. She said she will be requesting specifics under the Freedom of Information Law for more details. She said they need to do a look at anything that is not in the norm such as the fencing company that the Town of Franklin uses putting up a fence at DPW Director Brutus Cantoreggi’s home, or the fertilizer that we order from the DPW that he also uses for his personal business. She said the Town orders tools and asked if they are at the DPW or at Mr. Cantoreggi’s home. She said there is a gas allowance for Mr. Cantoreggi’s truck and asked if all the miles are strictly for jobs in Franklin because we all know he holds other jobs. She said it was also brought up that the materials on jobs, such as piping, trees, etc., are not actually being left for the town, but possibly being resold for funds. She asked why the Town hired a second DPW person for \$80,000 and if this was because Mr. Cantoreggi was working under their licenses because he does not hold the required ones. She said she assumes the DPW director is a full-time job, but she would like to know how he is able to hold more than one full-time job since he is the Tree Warden in multiple towns. She said she is not stating that it has all be done, but this is what she has been told, and given the circumstances, everything should be verified thoroughly. She said it is important for us to uphold a standard of conduct that reflects positively on our town. She said it is disappointing for someone to disregard the trust and ethical guidelines which is exactly what was done. She said it is up to the administration to see that this is enforced. She said we have no tolerance for bullying, sexual harassment, theft, and more. She asked why would we have tolerance for

violating ethics that we have our employees take classes for. She said this is not only a local law broken, but a state law broken. She asked should Franklin be seen as an unethical town who employs unethical people to manage it; that is the message you are sending if you bring him back. The other message being sent is that it is not okay for some, but it is okay for one. She said as the Town Council, you have the chance to speak for the people in town and support the laws in place. She said if you choose not to, she will make it her mission to remind people at election time. She asked the Town Council to do the right thing and noted that she will be following up on the items she listed. ► Mr. Matthew McCaffrey, 16 Dover Circle, said he is in support of Brutus Cantoreggi. He said he was a resident of the town for 20 years. He explained his first experience with Mr. Cantoreggi in the winter of 2004/2005 with a big snowstorm. He said the DPW performs incredibly well. He said Mr. Cantoreggi has been recognized as one of the top DPW directors in the country and that is not just for clearing the streets. He said Franklin residents save money for how DPW manages water. He said he is proud of the job he has done for us. He noted replacement of piping and an infrastructure plan that is benefiting everyone. He said what Mr. Cantoreggi did was wrong; he paid a \$15,000 fine and was suspended from his role; he paid his price and it would be a loss to the town if he was let go. ► Mr. Colin Cass, 146 Longhill Road, said the previous speakers set the two sides. He said Franklin needs a compromise. He said it needs to recognize there is a big difference between a serious punishable offense which that was and a hanging offense. He said not every offense is a hanging offense. He said they need to find a way to have Mr. Cantoreggi acknowledge publicly what he did and that it would not happen again. He said we should show that we are big enough to say that okay, you made a mistake, we accept your apology. He said that we should say come back, do it right, and all will be forgiven. ► Mr. Paul Sharpe, 6 Carpenter Drive, said he is here about the budget. He said that he spoke about this at the Capital Subcommittee meeting. He explained the value of education as it relates to property values. He said what concerns him is how long the budget situation has been going on. He said Proposition 2 ½ was voted in 1980 and in effect since 1982. He said that this is a broken system. He said history repeats itself. He said in 2021 the Town Council held a meeting to discuss the ramifications of the School Committee ratifying a 1 percent raise at the time for the school teachers while the other employees in Town received no pay raise. He reviewed some quotes taken from that meeting noting that the increase was imprudent and unnecessary as other municipal employees have done without a pay increase. He asked if those comments sound familiar as that was 13 years ago. He asked if anything has been done and said the answer is no. He discussed the 2019 executive summary from former Town Administrator Jeff Nutting that indicated the FY19 proposed budget was balanced with \$1.5 million from the stabilization fund and decisions will have to be made for FY20. He discussed when Town Councilor Pellegrini indicated we want to be able to give everyone something that is going to be able to help them, but she remembers the last year when they decided the salary increase was 2.5 percent and all of a sudden it was 4 percent. He said we are doing the same thing. He said if you need a million dollars, fire the two people right here. He said they have been talking about this for over 10 years. He suggested the Town Council fire the superintendent and assistant superintendent which is a savings of \$1 million. ► Ms. Lesley McCaffrey, 16 Dover Circle, said she is here to lend her support to reinstate Mr. Brutus Cantoreggi in his position as DPW Director. She said she first met Mr. Cantoreggi in 2008 when she was president of the Friends of the Franklin Library, and he was instrumental in helping to move the library book sale from the library to the DPW garage. She said he was so kind and his crew so helpful for three years, and they were able to raise money and gift the library close to \$60,000. She said she hopes you consider all the good he has done for the community. She said she has been living here for 20 years and reviewed that every place has Mr. Cantoreggi's stamp on it. She said she does not think he is going to do it again, and she thinks we should move forward and reinstate him and see what other things he has on his agenda to improve Franklin for all. ► Mr. Max Morrongiello, 127 Central Park Terrace, said he wants to acknowledge that as a member of the public he does not have all the information regarding the decision and encouraged all members of the public to acknowledge that they do not have all the facts as do the Town Council and entrust that they will make the best decision in the best interest of the community. He said we should not be jumping to conclusions as we do not have all the facts.

APPROVAL OF MINUTES: ► *February 28, 2024.* ► **MOTION** to Approve the February 28, 2024 meeting minutes by Dellorco. **SECOND** by Jones. **No discussion.** ► **VOTE:** Yes-9, No-0, Absent-0.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: None.

PUBLIC HEARINGS - 7:00 PM: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: None.

LEGISLATION FOR ACTION:

- a. ***Zoning Bylaw Amendment 24-905: Zoning Map Changes From Single Family Residential III To Business, An Area On Or Near King Street (Motion to Refer Bylaw Amendment 24-905 to the Planning Board - Majority Vote).*** ► Councilor Jones read the zoning bylaw amendment. ► **MOTION to Refer** Zoning Bylaw Amendment 24-905: Zoning Map Changes From Single Family Residential III To Business, An Area On Or Near King Street, to the Planning Board by **Dellorco. SECOND** by **Hamblen. Discussion.** ► Mr. Hellen said this is a referral to the Planning Board to start the process over again. The public hearing will likely be in April. The Town Council's public hearings on this will likely be in June. ► **VOTE: Yes-8, No-1, Absent-0.** (Councilor Pellegrini voted No.)
- b. ***Resolution 24-14: Direction for Issuance of Request for Expressions of Interest for Purchase/Lease and Redevelopment of Former Davis Thayer Elementary School, 137 West Central Street. (Motion to Approve Resolution 24-14 - Majority Vote).*** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 24-14: Direction for Issuance of Request for Expressions of Interest for Purchase/Lease and Redevelopment of Former Davis Thayer Elementary School, 137 West Central Street, by **Dellorco. SECOND** by **Hamblen.**

Councilor Jones recused himself.

Discussion: ► Mr. Hellen said this is a huge resolution for the Town of Franklin. He said this has been a lot of work to get to this point. He said this is an expression of interest and it is not binding. The bids are ideas that come in. There is no legal requirement to adhere to any of them. He said this is a guidance procedure. As indicated in his letter to the Town Council dated March 8, 2024, provided in the meeting packet, the Davis-Thayer Reuse Advisory Committee voted unanimously at their December meeting to recommend an Expression of Interest be conducted by the town. This proposed REI is a preliminary document used to generate ideas for potential reuse of the land and building. The deadline for submission is May 31, 2024, at 1 PM. This is a non-binding document and does not commit the community to sell, alter, or change anything regarding the parcel. It is simply an exercise to establish some baseline interest in the parcel and generate potential ideas to assist the committee in making a more formal recommendation on the future use of the property and/or building. He noted there are two information sessions and site tours on April 17 from 10 AM to 2 PM and on May 1 from 10 AM to 2 PM. He said the committee hosted two open houses. He said meetings will be held probably in June regarding the proposals and information. ► Councilor Pellegrini, chair of the Reuse Committee, said she is glad to see this is out, but it will take a full two months for it to come back. ► Mr. Hellen reviewed that the building is in good shape. ► Councilor Pellegrini said she looks forward to people getting in touch with us. She said that individuals can come and see the site during the open houses. She said she hopes the façade is kept as is. She confirmed there is nothing that would prevent it from being taken down. ► Councilor Frongillo asked how they ensure that this is widely published. ► Mr. Hellen said staff will put information on social media posts as well. He said it was the 100th anniversary of Davis-Thayer this year. He said they will do the best they can to get some media story on this. He noted that there are a lot of old vacant

school buildings out there. He said he expects a lot of calls on this. He noted that it is not said that they have to keep the building, so that may help get interest of developers. ► Chair Mercer noted this is an RFI which is a request for information. He noted that they should reach out to locals to promote this as it is a 100th anniversary. He noted the location. ► Councilor Dellorco reminded all that it is the entire property of 3.5 acres, not just the school. ► Councilor Cormier-Leger said he was a member of the Reuse Committee and thanked Mr. Hellen for putting the proposal together. He noted this is valuable asset and they are taking their time on this. He asked the public for time and patience as they go through this process. ► Councilor Hamblen thanked all members of the Reuse Committee for the work they have done so far, and she thanked all those who worked to put this together. She said she thinks it has a huge potential. ► Mr. Cerel added that when we actually get to the point and if they choose to dispose of the property, there is a strict legal process that has to be followed which he explained. ► Mr. Hellen said that for any interested party, the current zoning is in place on the parcel, but the RFI explicitly makes note to not necessarily take into consideration the local zoning. If there is an idea out there, the proponent should not believe the current zoning is the only zoning that should stay intact. He said they want people to dream big about what should be there. ► Mr. Max Morrongiello, 127 Central Park Terrace, asked about the RFI process and said that Combuys is a thing. He said he worries about how people who are not developers are going to engage in the process and asked about that process for individuals who are not developers. ► Chair Mercer said anyone can put in a proposal. ► Mr. Cerel said the actual RFI takes anyone through the process. He said they are pretty flexible and undemanding as opposed to what is going to ultimately be required of a disposition. ► **VOTE: Yes-8, No-0, Absent-0, Recused-1.** (Councilor Jones had recused himself.)

► *Councilor Jones re-entered the meeting.*

- c. **Resolution 24-15: Gift Acceptance - Franklin Public Library (\$4,817.48) (Motion to Approve Resolution 24-15 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 24-15: Gift Acceptance - Franklin Public Library (\$4,817.48) by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen thanked the donors. ► Chair Mercer said it is great to see the continued support for Town departments from the community and local businesses. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► **FY25 Budget Update.** ► Mr. Hellen said he wanted to commend everyone for a great meeting last week. He said there were a lot of positive comments. He gave a shout-out to Donna Grady for taking a really great picture of the superintendent and town administrator. He said the bad side of things is the number. He suggested people watch the meeting on Franklin TV and YouTube and check out the budget documents on the FY25 budget portal on the Town's webpage. He said he will release the Town Administrator's budget on April 12. He gave a shout-out to Congressman Jake Auchincloss as this week he announced Franklin was the recipient of another \$850,000 in federal money towards the Franklin Ridge project. He said they are about halfway there with the funding for that project. He gave credit to other legislators who have been able to put together at least half the financing for now. He said they hope to have a Franklin Ridge presentation before the Town Council later this summer. ► Chair Mercer explained that Mr. Hellen was referring to the Joint Budget Subcommittee meeting, not a Town Council meeting.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** None.
- b. **Economic Development Subcommittee.** ► Councilor Hamblen said they had a meeting tonight and discussed updates on MBTA Communities and are waiting for another report from MAPC. She said there is not a lot to share. She said Director of Planning and Community Development Bryan Taberner said he might get that input next week, and then he will send the committee the information to take a look at.
- c. **Budget Subcommittee.** ► Chair Mercer said Mr. Hellen just gave that report. He said they met last week. He said he thought it was a great meeting and brought a lot of information to light. He asked

citizens that if they have a question, tune in, watch the meeting, and you will get a lot of good information, and that was just the first step. He said they are now continuing through the budget process which he reviewed. He recommended citizens call the Town Council members and let them know their thoughts.

- d. **Master Plan Update Committee.** ► Councilor Jones said the full Master Plan Committee had a meeting on March 6. He said they are having another meeting on March 20. He said the real big deal is a large open house public event on Saturday, March 23 from 11 AM to 3 PM at Dean College at the Alumni Memorial Hall, 60 School Street. He said everyone is invited to attend this public input session, and refreshments will be provided.
- e. **Davis-Thayer Building Reuse Advisory Committee.** ► Chair Mercer said we already talked about that.
- f. **Police Station Building Committee.** ► Chair Mercer said they have not met, but said as an update we have sent out Requests for Proposal (RFP), for the Owner's Project Manager (OPM). He said we have received six, and the team is reviewing those six and will present to the Building Committee in early April the ones that qualify, and then we will interview those and choose one from there. ► Councilor Dellorco said he took a tour of the police station on Saturday and recommended other councilors take a tour and see how small it is.
- g. **GATRA Advisory Board.** ► Councilor Frongillo said they have not met. He said his update is that he had a productive one-on-one with the administration two weeks ago, and one of the things to come out of that is a whole bunch of data that he has been asking for years on ridership and where it is coming from and where they are going and delays and average length of time and average length of wait, so he is excited to go through all that and make it public as it is helpful and to use it to make better informed decisions.

FUTURE AGENDA ITEMS: ► Councilor Sheridan asked for an update on the migrant situation.

► Councilor Dellorco said that he wanted an update on the immigrants and how it is going in the schools.

COUNCIL COMMENTS: ► Councilor Sheridan said happy Ramadan and happy St. Patrick's Day.

► Councilor Frongillo said he wanted to elevate the Master Plan open house on March 23. He said there will be a whole bunch of opportunities to provide input. ► Councilor Hamblen thanked all those who came out to the library and the library staff for allowing the committees to meet there and get public input. She said she hopes people show up for the office hours on March 23, and she will see people at the Master Plan meetings. She said there are always ways to participate. ► Councilor Cormier-Leger thanked Town Clerk Nancy Danello and the whole staff and volunteers for a smooth primary election. He thanked the town administrator and school superintendent for last week's joint budget presentation which was fantastic and thorough. He congratulated the Franklin High School Boys' Basketball team making it into the finals. He congratulated Franklin Performing Arts Company for the recent production of Tarzan. He congratulated the Franklin High School Art Department and the Art Association for their co-exhibit at Escape into Fiction. He said it is top level. He gave condolences to the Simon family for the loss of Marilyn Simon. He wished all happy St. Patrick's Day and happy Easter. ► Councilor Chandler reviewed the phone call he received regarding Lincoln Street around Winterberry. He said a couple of deer have been hit in that area, and he asked if a deer crossing sign could be installed. ► Councilor Pellegri said Marilyn Simon was chair of the Historical Commission and said she will be missed. She thanked the town clerk and said elections are a very hectic time; she did a wonderful job. She said that Town Clerk Nancy Danello told her that we do not get a count toward our population for the migrants. Councilor Pellegri said she cannot understand that as they are using water and sewer and doing all of this, and she knows the hotel is paying for things, but we should be able to get some credit for the number of people who are there for our census, and she asked the town administrator to look into that. ► Mr. Hellen said they are not permanent residents, and there is technically a state emergency, and he does not know the longevity of this. ► Councilor Jones said he wanted to make the public understand that the reason he recused himself from the Davis-Thayer reuse vote and discussion is that he is an abutter, and due to the Conflict-of-Interest Law, as an abutter, it is a conflict, so he recused himself. He said he wanted to make a general comment that any capital item within the Town of Franklin that we may sell, has to go back into the capital budget by state law. He said it is not money we could put into an

operational fund such as we cannot fund salaries. He congratulated the Franklin High School Performing Arts group who came in third place in the regional competition. He said they put on a play and explained that there is a tremendous amount of talent in the Town of Franklin. He said happy St. Patrick's Day. ► Councilor Dellorco said happy St. Patrick's Day and happy Easter. He said everyone covered about everything already. He said happy birthday to his daughter. ► Chair Mercer offered his condolences to the Simon family. He congratulated the Town Clerk and election team for a very well-run election. He said there are a few more coming up. He said happy St. Patrick's Day to everyone.

EXECUTIVE SESSION: a. ► *Exemption #1: To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or Individuals.*

b. ► *Exemption #3: Collective Bargaining (Police, Fire, Public Works, Facilities, Library) - To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.*

► Chair Mercer stated there is a need for an executive session for Exemption #1: To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or Individuals, and they are going into executive session for Exemption #3: Collective Bargaining (Police, Fire, Public Works, Facilities, Library) - To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares. He said they will not return to open session. ► **MOTION to Enter** executive session for the purposes of Exemption #1: To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or Individuals, and also for Exemption #3: Collective Bargaining (Police, Fire, Public Works, Facilities, Library) - To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares, and not to return to open session, by **Jones. SECOND** by **Dellorco. No Discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

Open Session ended at 8:09 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary