

## FRANKLIN TOWN COUNCIL

### Agenda & Meeting Packet

November 15, 2023

Meeting will be held at the **Municipal Building**

2nd floor, Council Chambers

355 East Central Street

**7:00 PM**

**A NOTE TO RESIDENTS:** All citizens are welcome to attend public board and committee meetings in person. Meetings are also live-streamed (and archived) by Franklin TV on the [Franklin Town Hall TV YouTube channel](#). Meetings are also shown live and on repeat on Comcast Channel 9 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens can participate remotely via phone OR Zoom.

Link to access meeting via Zoom for the November 15, 2023 Town Council meeting:

- Zoom Link [HERE](#) -- Then click "Open Zoom".
- Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/87400145261>
- Call-In Phone Number: Call 1-929-205-6099 and enter **Meeting ID # 874 0014 5261** --Then press #
- Please be sure to include your name in order to be identified and let into the meeting.
- You will automatically be muted upon "entering" the meeting. In order to speak, you will need to "raise your hand" on the Zoom platform and request to be unmuted.

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#### 1. SWEARING IN OF TOWN COUNCIL

#### 2. ELECTION OF OFFICERS – Town Council Chair, Vice-Chair & Clerk

#### 3. ADOPTION OF TOWN COUNCIL PROCEDURES MANUAL

- a. [Resolution 23-60: Adoption of the Procedures Manual of the Franklin Town Council](#)  
(*Motion to Approve Resolution 23-60 - Majority Vote*)

#### 4. ANNOUNCEMENTS FROM THE CHAIR

- a. *This meeting is being recorded by Franklin TV and shown on Comcast channel 9 and Verizon Channel 29. This meeting may be recorded by others.*
- b. *Chair to identify members participating remotely.*

#### 5. CITIZEN COMMENTS

- a. *Citizens are welcome to express their views for up to three minutes on a matter that is not on the agenda. The Council will not engage in a dialogue or comment on a matter raised during Citizen Comments. The Town Council will give remarks appropriate consideration and may ask the Town Administrator to review the matter.*

#### 6. APPROVAL OF MINUTES

- a. [October 18, 2023](#)

#### 7. APPOINTMENTS

- a. Agricultural Commission
  - i. [Cynthia Garboski](#)

#### 8. PUBLIC HEARINGS - 7:00 PM

- a. [Transfer of Section 15 All Alcoholic Beverages Package Store License, Approval of Pledge of Liquor License, and Approval of Bhaveshkumar Patel as the Manager - Heeru Corporation d/b/a DeVita's Market, Located at 198 East Central St., Franklin, MA 02038](#)
  - i. License Transaction #9a

## 9. LICENSE TRANSACTIONS

- a. [Transfer of Section 15 All Alcoholic Beverages Package Store License, Approval of Pledge of Liquor License, and Approval of Bhaveshkumar Patel as the Manager - Heeru Corporation d/b/a DeVita's Market, Located at 198 East Central St., Franklin, MA 02038](#)

## 10. PRESENTATIONS / DISCUSSION

- a. [Presentation: Franklin Elks Riders Donation to Veterans' Services Department](#)
  - i. Legislation for Action #9f
- b. [Discussion: Open Meeting Law, Public Records, Ethics and Conducting a Public Meeting](#) - Mark Cerel, Town Attorney

## 11. LEGISLATION FOR ACTION -

- a. [Resolution 23-58: General Funds Appropriation, Transfers and Adjustments FY24](#)  
*(Motion to Approve Resolution 23-58 - Majority Vote)*
- b. [Resolution 23-59: Stormwater Enterprise Fund Appropriation Reduction FY24](#)  
*(Motion to Approve Resolution 23-59 - Majority Vote)*
- c. [Bylaw Amendment 23-903: A Bylaw to Amend the code of the Town of Franklin at Chapter 82, Fees, Municipal Service - First Reading](#)  
*(Motion to Move Bylaw Amendment 23-903 to a Second Reading)*
- d. [Bylaw Amendment 23-902: A Bylaw to Amend the Code of the Town of Franklin by Inserting Chapter 147, Snow and Ice, Removal Of - First Reading](#)  
*(Motion to Move Bylaw Amendment 23-902 to a Second Reading - 2/3 Majority Vote)*
- e. [Resolution 23-61: 2024 Town Council Meeting Schedule](#)  
*(Motion to Approve Resolution 23-61 - Majority Vote)*
- f. [Resolution 23-62: Gift Acceptance - Veterans' Services Department \(\\$1,000\)](#)  
*(Motion to Approve Resolution 23-62 - Majority Vote)*
- g. [Resolution 23-63: Gift Acceptance - Veterans' Services Department \(\\$1,975\)](#)  
*(Motion to Approve Resolution 23-63 - Majority Vote)*
- h. [Resolution 23-64: Establishment by Town Council of Subcommittee for Town Administrator Evaluation](#) *(Motion to Approve Resolution 23-64 - Majority Vote)*
- i. [Resolution 23-65: Establishment by Town Council of Subcommittee for Review of Rules of Procedure of the Town Council](#) *(Motion to Approve Resolution 23-65 - Majority Vote)*

## 12. TOWN ADMINISTRATOR'S REPORT

## 13. SUBCOMMITTEE & AD HOC COMMITTEE REPORTS

- a. Capital Budget Subcommittee
- b. Economic Development Subcommittee
- c. Budget Subcommittee
- d. Master Plan Committee
- e. Davis-Thayer Reuse Advisory Committee
- f. Police Station Building Committee
- g. GATRA Advisory Board

## 14. FUTURE AGENDA ITEMS

## 15. COUNCIL COMMENTS

## 16. EXECUTIVE SESSION - None Scheduled.

## 17. ADJOURN

*Note: Two-Thirds Vote: requires 6 votes*

*Majority Vote: requires majority of members present and voting*

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 9, 2023

To: Town Council  
From: Jamie Hellen, Town Administrator  
Amy Frigulietti, Deputy Town Administrator

**Re: Resolution 23-60: Adoption of Council Procedures**

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At the November 15, 2023 Town Council Meeting, the newly elected Town Council of the Town of Franklin will formally adopt the Procedures Manual of The Franklin Town Council dated May 9, 2018. This vote is required as an immediate action to have proper governance procedures in place. The Council will consider resolution 23-65 later tonight to form a subcommittee to review the current procedures and make any formal recommendations to the full Council. The procedures should be reviewed after each local election.

Please let us know if you have any questions.



**TOWN OF FRANKLIN  
RESOLUTION 23-60**

**Adoption of the Procedures Manual of the  
Franklin Town Council**

**WHEREAS,** The newly elected Town Council of the Town of Franklin, recognizing the importance of conducting business in an orderly and efficient manner, wishes to formally adopt the Procedures Manual of the Franklin Town Council, dated February 2, 2022, attached as Exhibit A; and

**WHEREAS,** The Procedures Manual of the Town Council will consist of three documents: the Introduction, The Role of the Town Council, and The Council Procedures.

**NOW THEREFORE, BE IT RESOLVED THAT** the Procedures Manual of the Town of Franklin dated February 2, 2022 is duly adopted and effective until revised or revoked by resolution of the Town Council of the Town of Franklin.

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**DATED:** \_\_\_\_\_, 2023

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

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**Town Clerk**

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**Franklin Town Council**



**PROCEDURES MANUAL**

**OF THE**

**FRANKLIN TOWN COUNCIL**

Revised: February 2, 2022

## INTRODUCTION

“Where there is no law, but every man does what is right  
in his own eyes, there is the least of liberty.”  
--- General Henry M. Robert

In order for the Franklin Town Council to function in an orderly fashion, it must be able to meet, discuss, deliberate, debate and vote on the issues that are brought before it. These group discussions and group actions, like group games, require rules, guidelines and procedures that allow for the free and orderly flow of discussion and deliberation. *The Procedures Manual of the Franklin Town Council* was developed to provide such direction to the Council in its deliberations.

*The Procedures Manual of the Franklin Town Council* has important bearing on the rights, duties, and obligation of the members of the Town Council, as well as on the degree to which the Council membership is to maintain control of the business of the Council. The members of the Council, attending one if is regular or properly called meetings, have full and sole power to act for the entire Council, and do so by majority vote, unless dictated otherwise by *Massachusetts General Law*, *the Franklin Town Charter*, or *The Procedures Manual of the Franklin Town Council*.

By adoption of *The Procedures Manual of the Franklin Town Council* by the Franklin Town Council, the rules within it, together with *Massachusetts General Law* and the *Franklin Town Charter*, are binding upon the Council and constitute the Franklin Town Council's rules of order.

Because no deliberative assembly should attempt to transact business without having adopted some standard manual on the subject of its authority in all cases not covered by its ow special rules, The Franklin Town Council adopts *Robert's Rules of Order, Revised* as its standard manual of parliamentary procedure.

## ROLE OF THE FRANKLIN TOWN COUNCIL

### **1. A member of the Council, in relation to his or her community should:**

- a. Realize that his or her basic function is to make policy, with administration delegated to the Town Administrator.
- b. Realize that he or she is one of a team and should abide by, and carry out, all Council decisions once they are made.
- c. Be well informed concerning the duties of a Council member on both local and state levels.
- d. Remember that he or she represents the entire community at all times.
- e. Accept the office as a means of unselfish service, not benefit personally or politically from his or her Council activities.
- f. In all appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only.
- g. Abide by the ethics established by the State and not use the position to obtain inside information on matters, which may benefit someone personally.

### **2. A member of the Council, in his or her relations with the Administrator, should:**

- a. Endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of the people of the community.
- b. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- c. Give the Administrator full responsibility for discharging his or her disposition and solution.

### **3. A member of the Council, in his or her relations with fellow Council members, should:**

- a. Recognize that action at official legal meetings is binding and that he or she alone cannot bind the Council outside of such meetings.
- b. Not make any statements or promises of how he or she will vote on matters that will not come before the Council until he or she had an opportunity to hear the pros and cons of the issue during a Council meeting.
- c. Uphold the intent of executive session and respect the privileged communication that exists in executive session.

4. **A member of the Council, in his or her public relations with members of the public, community stakeholders, town boards and committees, elected officials and fellow Councilors, should:**
  - a. Lead by example in promoting civility and respect for all residents and businesses within the Town of Franklin when utilizing any means of contact with the general public, including but not limited to in-person constituent services, social media channels, as well as while conducting official town business as outlined in the Franklin Home Rule Charter and *Procedures Manual of the Franklin Town Council*.
  - b. Recognize that our community is proud to stand as a welcoming and accepting community to all and will act in appropriate ways to implement that standard across our community.
  - c. Encourage all residents and visitors to celebrate and practice civility, and to respect the diversity of each other's backgrounds and to learn from one another.
  - d. Value all members of this community, including all religions and faiths, ancestries, ethnicities, socioeconomic statuses, disabilities, sexual orientations, and gender identities.
  - e. Reject not only discrimination, harassment, bullying and any hate-based acts, but also reject prejudice and bigotry in all forms, and take this opportunity to reinforce our commitment to being a diverse, supportive, and inclusive community.

## **PROCEDURES MANUAL OF THE FRANKLIN TOWN COUNCIL**

### **1. PARLIAMENTARY PROCEDURE**

The Council shall be governed by Robert's Rules of Order Revised in all questions of parliamentary practice not provided for, either within this document or by special rules or orders.

### **2. COUNCIL MEETINGS**

Regular meetings of the Council shall be held in the Council Chamber (Municipal Building) at least once each month, as voted by the Council, or as scheduled by the Council's Chair; regular meetings shall commence at 7:00 PM; [See also Charter: 2-5-1]. Special meetings shall commence at the time designated by Chair.

### **3. QUORUM**

A quorum of the Town Council shall consist of a majority of its members [Charter: 2-5-2]. If at any time a meeting is called to order, or, if during a meeting it appears to Chair or another member that less than a quorum is present, the Chair shall declare a recess of not more than twenty (20) minutes, after which time, if a quorum is not present, the meeting shall be adjourned.

### **4. PUBLIC POSTINGS**

Public notices of all Council meetings, except in emergencies, must be filed with and posted by the Town Clerk a minimum of 48 hours before any meeting, as provided in the Open Meeting Law G.L. Ch. 30A, §§18-25 and the Attorney-General's Regulations. Notices shall also be posted on Town's website.

### **5. MINUTES**

A written record of each Council meeting is required by law and becomes part of the public record. Minutes must contain the information required by the Open Meeting Law and Attorney-General Regulations, including a record of all votes of the Council. Minutes must be formally accepted by the Council. Minutes of all Council meetings must be placed on file in the office of the Town Clerk where they will be available for public inspection upon request; minutes shall also be posted on Town's website.

### **6. THE CHAIR -- POWERS AND DUTIES**

The Chair, or Vice Chair in the absence of the Chair, shall take the Chair at the hour appointed for the Council to meet and shall immediately call the members to order. In the absence of the Chair, the Vice Chair shall assume the role of Chair pro tem. In the event both the Chair and Vice Chair are absent, the Council Members present shall vote to designate one of their members to act as Chair.

**7. PRESERVATION OF DECORUM AND ORDER AND APPEALS FROM DECISION OF THE CHAIR.**

The Chair shall preserve decorum and order, may speak to points of order in preference to other members, and shall decide all questions of order.

**8. THROUGH CHAIR**

All remarks and questions shall be addressed to the Council as a whole through the Chair and not to any member thereof. No person shall enter into discussion either directly or through a member of the Council without permission of the Chair.

**9. RECESS**

The Chair may at any time, during debate or otherwise, declare a recess of not more than ten minutes, and such action shall not be subject to appeal, nor shall any motions apply thereto.

**10. ADDRESSING THE CHAIR**

Every member speaking to a question or making a motion shall address the Chair as "Mr./Madame Chair," who shall thereupon pronounce the name of the member entitled to the floor. Members addressing the Council shall confine themselves to the question under debate and avoid personalities; nor shall there be any conversation among the members while a question is being stated, while a member is speaking, or a paper is being read.

**11. CHAIR MAY SPEAK**

The Chair may participate fully in all Council deliberations; the Chair may speak in favor of, or in opposition to, any motion and will be bound by the same rules as those which are applied to other speakers; i.e., speaking once for no more than three minutes, and not to speak again until all others who wish to speak have spoken once.

**12. CITIZENS COMMENTS**

The Franklin Town Council encourages citizens to attend its meetings and welcomes their views on matters of local governance. Anyone may comment at this time for up to three (3) minutes. The Council will not engage in dialogue with the audience. However, the Council will give your remarks appropriate consideration.

In the Chair's sound discretion, citizens present who wish to speak on an agenda item may do so after all Councilors who wish to speak on the item have spoken. Those citizens who wish to speak shall be limited to one three-minute response. [SEE ALSO CHARTER: 2-5-3].

**13. POINT OF ORDER**

Any Councilor on being called to a point of order shall cease debate until the point of order is decided, unless allowed by the Chair to explain.

## **14. ELECTION OF OFFICERS**

Council Officers shall be elected at the first Council meeting following a regular town election, as provided in Town Charter Section 2.3.1 and at the first Council Meeting in November in a non-election year. A majority vote of all members elected to the Council (5) shall be required to elect a Chair, Vice Chair, and Clerk.

## **15. MANNER OF VOTING**

All questions shall be stated and put forth by the Chair. In any matter requiring more than a simple majority vote for passage, either: a unanimous voice vote shall be required and the Chair shall so declare or a roll call vote shall be taken. In case of a roll call vote, the Chair shall declare the result, after the Clerk has announced the number voting on each side. The results of voice votes shall be declared by the Chair without reference to the Clerk. Where the result of a voice vote is in doubt, the Chair may, and on demand of any member, take a roll call vote. It shall not be in order for members to explain their votes during the call of the roll.

## **16. VOTE REQUIREMENTS**

All votes on by-laws shall be by roll call [Charter: 2-6-5].

All action taken by the Town Council requiring a vote will be by a simple majority (majority of Councilors present and voting) unless otherwise provided for in the Massachusetts General Laws, Home Rule Charter, By-laws, or by Rules set forth in the *Procedures Manual of the Franklin Town Council*.

Resolutions require a simple majority.

In case of a tie in votes on proposed legislation, the proposed legislation shall be considered defeated.

Passage of a General Town By-law requires a majority vote of the full Council (5). Vote is by roll call [Charter: 2-6-4 and 2-6-5].

Passage of a Zoning By-law generally requires two-thirds vote of the full Council (6), except as stated in statute (e.g. multi-family housing). Vote is by roll call [MGL Ch. 40A, Sec.5].

A properly protested\* Zoning By-law requires a three-quarters vote (7) of the full Council. Vote is by roll call. (\*Properly protested = written protest filed by owners of at least 20% of affected land area; or, of adjacent land 300 feet therefrom: [MGL Ch. 40A, Sec. 5]).

An Emergency By-law requires a two-thirds vote of the full Council (6). Vote is by roll call [Charter: 2-6-3]. Two votes are needed: One on the emergency [2/3 vote of the full Council (6)], and one on the By-law [2/3 vote of the full Council (6)].

To take money from the Stabilization Fund for any municipal expenditure requires a two-thirds vote of the Council membership (6) [MGL Ch. 40, Sec. 5b].

Unpaid bills require 2/3 vote (Councilors present and voting) [MGL Ch. 44, Sec. 64].

Other business may be conducted if the Council has a quorum, and may be passed by a majority of the quorum [Charter: 2-5-2].

Any Rule, Regulation, or other local legislation which provides for the imposition of any fine or penalty shall be provided for by the adoption of a By-law.

The Chair may require that a vote be taken on any item before the Council if failure to do so would make the item illegal to adopt because of the expiration of a federal or state mandated time limit or similar circumstance.

## **17. READINGS**

Every By-law, unless rejected, shall have two separate readings and shall be voted only after two separate readings; the second of said readings and votes will not be less than fourteen days after the first, except in cases in which a shorter period is authorized by law. Any order rescinding or amending a By-law shall require the same number of readings and of votes as was required for the passage of the original By-law.

In order to expedite the Council's deliberations when considering lengthy proposed By-laws, when the reading of said proposed By-laws has been waived, in order to inform the public of the subject matter, a brief summary of the substance of the proposed By-law will be provided by Town Administrator, a Council Member, or bylaw's sponsor.

## **18. RESUBMISSION**

When any legislation for action has been finally rejected by the Council, no motion embodying substantially the same subject shall be presented to the Council within six months of its previous writing for resubmission, unless resubmission is approved by a two-thirds majority vote of the full Council or as otherwise provided by the Charter or Massachusetts General Law; this procedure may be employed once per measure per legislative session.

A Zoning By-law which is voted down may not be reconsidered within two years unless the Planning Board makes a recommendation to do so, [MGL Ch. 40A, Sec. 5].

## **19. SPONSOR ABSENCE**

In the event that the sponsoring member of any order, resolution, or other matter is not present when the Clerk reads said matter, the Chair may instruct the Clerk to withdraw said matter from consideration at that meeting.

## **20. MOTIONS**

The order of precedence of motions shall be as follows:

- a. Motion to recess
- b. Raise a question of privilege
- c. Lay on the table
- d. Suspend the rules (two-thirds vote)

- e. Previous question (two-thirds vote)
- f. Limit or extend limits of debate (two-thirds vote)
- g. Postpone to a certain time
- h. Commit or refer
- i. Amend
- j. Postpone indefinitely
- k. Main Motion

The highest in rank being at the head of the list and the lowest in rank at the last of the list. When any one of them is immediately pending, the motions before it on the said list are in order and shall be acted upon first, and those below are out of order.

The following motions shall be non-debatable:

- a. To adjourn
- b. To recess (when privileged)
- c. To raise a question of privilege
- d. To lay on the table
- e. To suspend the rules
- f. Previous question (two-thirds vote)
- g. To limit or to extend limits of debate (two-thirds vote)

The following motions only can be amended:

- a. To recess
- b. To postpone to a certain time
- c. To commit or refer
- d. To amend
- e. Main motion
- f. A motion to adjourn shall be in order at any time except upon immediate repetition.

## **21. WRITTEN PROPOSALS**

All proposed By-laws, Orders, and Resolutions shall be in writing. [Adopted 9-2-98]

## **22. PERSONAL PRIVILEGE**

The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are assailed, questioned, or impugned.

## **23. ORDER OF BUSINESS AND AGENDA**

At every meeting of the Council the standard order of business shall be as follows:

- a. Announcements from the Chair
- b. Citizen Comments
- c. Approval of Minutes
- d. Proclamations / Recognitions

- e. Appointments
- f. Hearings
- g. License Transactions
- h. Presentations / Discussions
- i. Legislation for Action
- j. Town Administrator's Report
- k. Subcommittee & Ad-Hoc Committee Reports
- l. Future Agenda Items
- m. Councilor Comments
- n. Executive Session
- o. Adjourn

The above order shall not be changed except by a vote of a majority of all the members of the Council; and upon the motion to change the order, no debate shall be allowed. Additions to this order may be made by the Chair and/or Town Administrator when setting the agenda (Example: Committee Reports).

The Chair may take Legislation for Action out of order if the legislation relates to a Hearing or License Transaction.

All items for the agenda, including any relevant communications and reports from the Town Administrator, other town officers and town boards, shall be submitted to the Town Administrator's office no later than 10:00 AM on Thursday preceding the regular Council meeting.

Copies of said reports and agenda shall be delivered to the Town Council members no later than Friday preceding the regular Council meeting.

The agenda will be prepared by the Town Administrator with input from and approval by the Council Chair, or, in their absence, the Vice Chair of the Council, and then prepared for presentation by the Town Administrator's office staff.

During "Future Agenda Items", the Council shall consider only those matters that relate to or concern potential legislation. If a "simple majority as required by charter" of the Councilors present during "Future Agenda Items" so determine, such matters will be included on a future agenda for consideration by the Council. Debate during "Future Agenda Items" shall be limited to whether the matter raised shall be included on an agenda in the future and each Councilor shall be limited to three minutes.

During "Councilor Comments", Council members shall not discuss any matter not included on the meeting agenda, except that an individual Council member may make statements and comments on topics that are in the general community interest or announce community events and activities of community interest. A Council member may also request action or an answer from the Town Administrator on a matter brought to their attention by a resident or stakeholder in Franklin. The Council and Town Administrator shall not engage in any dialogue in order to prevent an infraction of the Open Meeting Law.

## **24. HEARINGS**

All public hearings before the Council shall have a 7:00 PM posted hearing time. The Chair shall declare a public hearing “open” on, or after, the posted hearing time when the hearing is to begin. In all hearings before the Council, the case of the petitioner shall be first submitted, except where the Chair of the Council rules otherwise.

Public hearing format (after petitioner’s presentation):

- a.** General questions from public
- b.** Public speaking in favor
- c.** Public speaking in opposition
- d.** Questions from Town Councilors

When the Chair is satisfied that the matter has received a full hearing, the Chair may declare the hearing closed, in the absence of opposition thereto; otherwise, the Chair shall call for a motion to close the public hearing and the Council shall act thereon.

This format shall not apply during public hearings to consider the annual budget, when normal Council budget format is followed, or to any adjudicatory proceeding to address a violation of an alcoholic beverage license or violation of any local By-law or regulation or of any condition of any license, permit, or approval.

## **25. SUB-COMMITTEES OF COUNCIL**

Sub-committees shall be authorized by majority vote of the Council. Members of any sub-committee, including the Chair and Vice-Chair, shall be appointed by the Chair of the Council in consultation with the Town Administrator. Appointed individuals shall receive notification of their appointment from the Chair prior to the public announcement of the makeup of the committee. Notice and conduct of all sub-committee meetings must adhere to MGL C 30A, Sections 18-25 (Open Meeting Law).

## **26. AD HOC COMMITTEES**

Ad Hoc Committees may be established, as needed, by majority vote of the Council. The members of any ad hoc committee, including the Chair and Vice-Chair, shall be appointed by the Chair of the Council in consultation with the Town Administrator. The Council shall dissolve any ad hoc committee, by majority vote, when the Council determines that its mission or purpose has been completed.

## **27. COMMITTEE MEETINGS AND QUORUM**

A committee shall meet on the call of the Committee Chair, or a majority of its members. A majority of the members of a committee shall constitute a quorum.

## **28. SUB-COMMITTEE & AD-HOC COMMITTEE REPORTS**

The Chair or Vice-Chair of a sub-committee or ad-hoc committee may give reports on the activity of a committee to the full Council at a Town Council meeting as provided on said meeting's agenda.

## **29. MOTIONS FOR RECONSIDERATION**

After a motion has been passed or defeated, any member voting with the prevailing side may move for reconsideration, which shall be open to debate. A motion to reconsider a vote shall be in order at the same or the regular meeting next succeeding that at which the vote was passed, provided a motion "to reconsider and enter into the minutes" is made at the meeting at which the vote was taken. No more than one motion for reconsideration of any vote shall be entertained. In the case of a question decided by a tie vote, the prevailing side shall be considered to be the one in whose favor the question was decided.

## **30. DEBATE DECORUM**

Every member when about to speak shall address the Chair and wait until recognized by the Chair. No member shall be recognized if not seated. In speaking, the member shall be confined to the question, shall not use unbecoming, abusive, or unparliamentary language, and shall avoid personalities. Any member who, in debate, Council related correspondence or otherwise, indulges in personalities or makes charges reflecting upon the character of another member, or of citizens, shall make an apology in open session at the meeting at which the offense is committed or at the next succeeding regular meeting and, failing to do so, shall be named by the Chair or held in contempt and suspended from further participation in debate until said apology is made.

## **31. DEBATE LIMITATION**

No member shall speak more than once on a question when another member who has not spoken claims the floor, and no member speaking shall, without his or her consent, be interrupted by another, except on a point of order. A member may speak upon a matter for no more than three (3) minutes at a time. A councilor may yield all or part of his or her time to another councilor. A member who has not spoken on a matter shall have priority and recognition by the Chair.

The Clerk of the Council shall inform the Chair whenever a member has spoken longer than three minutes.

## **32. CONFLICTS OF INTEREST**

G.L. Ch. 268A, the conflict of interest statute, provides that no member shall participate in any matters, or serve on any committee, where the member's individual or immediate family interest will conflict with the public's interest in a way that is violative of the statute; for further details of legal requirements, refer directly to statute.

### **33. OPEN MEETING LAW**

M.G.L. Ch. 30A, Section 18-25, the Open Meeting Law, provides that deliberations, including meetings, of a public body, shall take place in public, unless the matter to be discussed falls within one of the statutory exceptions which permits the public body to meet in executive session; for further details of legal requirements, refer directly to statute and Attorney General's Regulations.

By statute, any votes taken in Executive Session must be by roll call.

### **34. SPECTATOR DECORUM**

Guests will be allowed in the gallery of the Council chamber when the Council is in session. No demonstrations of approval or disapproval from guests shall be permitted, and if such demonstrations are made, the individual(s) may be ordered to be removed from the gallery by the Chair.

### **35. REMOTE PARTICIPATION POLICY**

Per Attorney General's Regulations, remote participation is based upon the Chair's determination that requesting member's physical attendance would be unreasonably difficult.

Remote participation shall:

- a. Be available to four (4) members per meeting, on a first come first serve basis, provided that a minimum quorum of five (5) members will be physically present.
- b. Require a two (2) hour notice be given to the Chair and Town Administrator's Office, or as soon as practicable.
- c. Be limited to use in the Council Chambers and the Municipal Building 3<sup>rd</sup> Floor Training Room.

If technical problems interrupt remote participation, the chair will wait up to five (5) minutes to allow for the reconnection prior to resuming the meeting. If the member is disconnected, the fact and time shall be noted in the minutes. If the party reconnects, the fact and time shall be noted in the minutes.

### **36. AMENDMENT AND REPEAL**

None of the foregoing rules and orders shall be amended or repealed at any meeting unless a simple majority of those members present and voting consent thereto and a motion for that purpose shall not be made and acted upon at the same meeting.

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
October 18, 2023**

A meeting of the Town Council was held on Wednesday, October 18, 2023, 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 (via Zoom), Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegrini, 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 board and committee meetings in person. Meetings are live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone or Zoom. He announced that this meeting is being recorded by Franklin TV; this meeting may be recorded by others. ► Chair Mercer stated that the Fire Chief asked him to remind everyone the Firefighters Memorial Service will be held at the fire station on Sunday at 9 AM. ► Chair Mercer stated that Councilor Frongillo will be attending the meeting remotely.

**CITIZEN COMMENTS:** ► Town Clerk Nancy Danello reminded all that the Tri-County election will be held on October 24 from 12 PM to 8 PM at the high school. She reviewed the voting times at the Town Clerk's office. She noted more information is available on the Town's website. She reviewed the local Franklin election will be held on November 7 from 6 AM to 8 PM at the high school. She reviewed other options for voting; the last day to register to vote for this election is October 28. ► Mr. Steve Sherlock, 10 Lawrence Drive, Franklin Matters, Franklin Public Radio, stated that additional information regarding the elections can be obtained from radio and podcasts. He reviewed that videos of the election candidates are available; his goal is to have video, audio, and transcript for as many of the candidate interviews as possible.

**APPROVAL OF MINUTES:** None.

**PROCLAMATIONS/RECOGNITIONS:** ► *Police Department – Swearing In of New Patrol Officers: Officer Parker Luther, Officer Joseph Medina, Officer Robert Young, Officer Martin Zimei.* ► *Police Department – Introductions: Kallie Montagano, Co-Response Program Manager, Frankie, Therapy Dog.* ► Chief of Police Thomas Lynch addressed the Town Council and stated that they have been hiring. He reviewed the education, background, and career of Officer Parker Luther, Officer Joseph Medina, Officer Robert Young, and Officer Martin Zimei, and he reviewed the names of family members present who would be pinning the badge of each patrol officer. ► Town Clerk Nancy Danello performed the swearing in for each officer. ► Chief of Police Thomas Lynch explained the goal of the Co-Response Program to deliver mental health services, and he introduced Kallie Montagano, Co-Response Program Manager. He reviewed Ms. Montagano's background and career. He stated that he wanted to introduce the newest member of the Police's Department's Community Service Unit, Officer Frankie, Therapy Dog. He introduced Service Officer David Gove who also acts as the school resource officer at the Franklin schools. He reviewed the background of therapy dog Frankie.

*Chair Mercer called a two-minute recess.*

**APPOINTMENTS: None.**

**HEARINGS – 7:00 PM:** ► *New Section 19B(n) Farmer-Winery Pouring Permit and Approval of Robert Vozzella as the Manager - La Cantina Winery Company, Located at 341 Union Street (License Transaction #7a).* ► *New Section 19C(n) Farmer-Brewery Pouring Permit and Approval of Robert Vozzella as the Manager - La Cantina Winery Company, Located at 341 Union Street (License Transaction #7b).* ► *License Modification: Alteration of Premises to combine Section 19B(n) Farmer-Winery Pouring Permit and Section 19C(n) Farmer-Brewery Pouring Permit to create a Section 19H Farmer-Winery / Farmer-Brewery Pouring Permit and Approval of Robert Vozzella as the Manager - La Cantina Winery Company, Located at 341 Union Street (License Transaction #7c).*  
 ► Chair Mercer stated that there are three public hearings, but they will combine them all into one.  
 ► **Chair Mercer declared the three public hearings open.** ► Mr. Cerel explained that the Farmer Series of licenses is a relatively new creation that Mr. Robert Vozzella has taken advantage of. He said Mr. Vozzella started with a winery, added a brewery, and is also changing locations. He explained that the state bureaucracy is not simple, so there are multiple licenses. He said that generally, you cannot have more than one alcohol license on a premises. So, the legislature created a remediation for that. He said that with guidance from the ABCC, they are doing this with two separate transactions then combining into a third transaction. He said this will all allow Mr. Vozzella to transfer an existing business from one location to another. ► Town Council members congratulated Mr. Vozzella. ► Mr. Hellen stated that department heads affiliated with the liquor licensing have approved the application. ► Chair Mercer said congratulations to Mr. Vozzella. ► **Chair Mercer declared the three public hearings closed.**

**LICENSE TRANSACTIONS:** ► *New Section 19B(n) Farmer-Winery Pouring Permit and Approval of Robert Vozzella as the Manager - La Cantina Winery Company, Located at 341 Union Street.*

► Councilor Jones read the license transaction. ► **MOTION to Approve** the request by La Cantina Winery Company for a New Section 19B(n) Farmer-Winery Pouring Permit and to approve Robert Vozzella as the manager 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; Pellegri-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

► *New Section 19C(n) Farmer-Brewery Pouring Permit and Approval of Robert Vozzella as the Manager - La Cantina Winery Company, Located at 341 Union Street.* ► Councilor Jones read the license transaction. ► **MOTION to Approve** the request by La Cantina Winery Company for a New Section 19C(n) Farmer-Brewery Pouring Permit and to approve Robert Vozzella as the manager 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; Pellegri-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

► *License Modification: Alteration of Premises to combine Section 19B(n) Farmer-Winery Pouring Permit and Section 19C(n) Farmer-Brewery Pouring Permit to create a Section 19H Farmer-Winery / Farmer-Brewery Pouring Permit and Approval of Robert Vozzella as the Manager - La Cantina Winery Company, Located at 341 Union Street.* ► Councilor Jones read the license transaction.

► **MOTION to Approve** the request by La Cantina Winery Company for an Alteration of Premises to combine Section 19B(n) Farmer-Winery Pouring Permit and Section 19C(n) Farmer-Brewery Pouring Permit to create a Section 19H Farmer-Winery/Farmer-Brewery Pouring Permit and to approve Robert Vozzella as the manager 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; Pellegri-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

**PRESENTATIONS/DISCUSSIONS:** ► *Discussion: SAFE Coalition - Jennifer Knight-Levine, SAFE Coalition CEO & Co-Founder.* ► Mr. Hellen noted that he would speak to the SAFE Coalition's efforts

relative to the migrant housing issues. ► Ms. Knight-Levine shared what the SAFE Coalition has done since the last time she presented to the Town Council. She discussed funding resources. She said the Town Council's decision to provide funding to the folks in this community has allowed countless individuals, children, and families to get resources that they would have not had otherwise. She said their organization has grown and developed and applied for other grants that would have not been an option for them. She said the SAFE Coalition used to be in Norfolk, but they wanted to get back to Franklin. She said that in March, they opened their new space in Franklin. She said there are lots of kids coming to after school programming. She discussed the new programming available. She discussed their three divisions: adolescent wellness, family recovery, and collaborative care. She provided descriptions of the various programs offered. She discussed that they work with three court systems, and they try to meet the needs of the community. She explained some of the needs addressed such as diapers, care seats, and Narcan. She discussed the programs that allow wellness of the whole family. She provided statistics of the Up in Smoke substance use diversion program. She explained that they have good relationships with the Franklin Public Schools. She shared statistics regarding the overall programming that they have done in Franklin. She said they are thankful for all the support and guidance given to them. She said the mission of SAFE has always been to listen to the needs of the community and develop resources from there. She said that while SAFE started as a substance use and mental health organization, the background of many of the people at SAFE has professionally been working on the border and working with migrant populations. She said that so when we found out that there were new folks coming to the community, one of our first calls was to Mr. Hellen to say it is really early and we are sure no one knows what is going on, but we are here to help. She said it has been unbelievable. She explained how the staff is working with those at the hotel and meeting with families and assessing needs and trying to meet those needs. She provided a story of a migrant family's experience. She said she is hoping that we do not lose the humanity that is within all of us. She said she hopes we can honor those who are here in a dignified and respectful way even though there are unbelievable challenges ahead of us. She said she is thankful to live in this town. She said this is not beyond any of us to figure this out. ► Chair Mercer said it is great what the SAFE Coalition has been able to do since its inception to now. ► Town Council members asked questions and made comments. ► Councilor Dellorco noted he was a co-founder of SAFE and noted how it has grown. He shared an example of how tremendous the SAFE Coalition is and how they provide services to help people. ► Town Council members thanked Ms. Knight-Levine and the SAFE Coalition for all they do. ► Ms. Knight-Levine discussed the use of cannabis and the new higher levels of potency in cannabis. She thanked the Town Council members for their support. ► Chair Mercer said the statistics Ms. Knight-Levine alluded to earlier in the presentation are mind-boggling. He said they are lucky to have SAFE in the community. He thanked Ms. Knight-Levine and SAFE for all they do.

#### **LEGISLATION FOR ACTION:**

**Note:** Two-Thirds Vote requires six votes; Majority Vote requires majority of members present and voting.

- a. Resolution 23-57: Gift Acceptance - Veterans' Services Department (\$3,205) (Motion to Approve Resolution 23-57 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-57: Gift Acceptance - Veterans' Services Department (\$3,205) by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen thanked the donors for their generosity. ► Chair Mercer confirmed the total contribution is \$3,205. He thanked the donors for their generous contributions. ► **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.**

**TOWN ADMINISTRATOR'S REPORT:** ► **Migrant Housing Update.** ► Mr. Hellen said that Friday, October 20, from 2 PM to 5 PM, there will be an open house at Davis-Thayer. There will be a second open house on Saturday from 10 AM to 2 PM. He said there is an opportunity to obtain one of the last

remaining desks and chairs from the school. He said there will be many people staffing the open house including Town Council members and a police officer. He said that regarding the migrant housing update, 89 of the 100 rooms are filled. He said there are just under 300 people living there now and of that about 60 school-age children. He said the school superintendent and others have been working to deal with the vaccination requirements, background checks, and whatever else they have to do to enroll children. He said he often receives the question as to whether the children of migrant families are susceptible to the same requirements as all other children. He said the short answer is yes. He said he expects by the end of the month the hotel will be full. He noted the DPH arrived and are onsite. He said they have been in touch with the Board of Health. He said they are working with infectious disease issues and other issues. He praised the community for their support and generosity. He explained that some other communities are doing nothing. He noted and thanked organizations in this community helping out as well as Town departments that are working to help out. He thanked the community for not overreacting. He noted the great contribution of Ms. Knight-Levine. He discussed the importance of assessing the needs of the individuals living there. He said that regarding public safety, the vast majority of call are hang-ups. Only about a half dozen calls have been emergencies where folks have been transported to the hospital. He said those who went to the hospital are doing well. He addressed Facebook. He said he is getting text messages and screenshots from members of the community. He said Facebook is batting 0 for 75. He said no hits. He said what we are reading on that is not true. He said that he is asking the Chief of Police to respond to those screenshots and calls that he is getting. He said that he cannot live with himself if he knows of something and did not tell anyone, but our public safety personnel are going over and doing routing checking and he has yet to find one comment on Facebook that he has found to be true. He said we have to be cautious and careful as a community to not take the bait quick and think that something there is true. He said that if people feel there is an emergency, people need to call the Police Department or 911. He conveyed to the community that they have to be very careful what they are reading on Facebook.

#### **SUBCOMMITTEE REPORTS:**

- a. **Capital Budget Subcommittee. None.**
- b. **Economic Development Subcommittee.** ► Councilor Hamblen said they met before this meeting tonight. She said they discussed home occupation bylaw and doing a review of that. She said they discussed 40R zoning bylaw and possible district overlays. She said they will meet again on November 1 before the next Town Council meeting.
- c. **Budget Subcommittee. None.**
- d. **Master Plan Update Committee.** ► Councilor Jones said the next scheduled meeting is October 25 at 6:30 PM; they have a busy schedule.
- e. **Davis-Thayer Building Reuse Advisory Committee.** ► Councilor Pellegri stated that on Friday and Saturday they will have the open houses at the Davis-Thayer. She said everyone is invited to the open houses. She noted the Fire Station open house on Saturday. She said she thinks the committee came up with some good ideas. She said that they are going to put out an expression of interest for the school; she said that would be anyone who has an interest for a use for the school. She said that people on the committee will be wearing name tags at the open houses.
- f. **Police Station Building Committee. None.**
- g. **GATRA Advisory Board. None.**

**FUTURE AGENDA ITEMS:** ► Councilor Chandler said the custodian works very hard, but his cart is very loud. He asked if new wheels could be obtained.

**COUNCIL COMMENTS:** ► Councilor Sheridan said that he wanted to second everything Mr. Hellen said about the migrant situation. ► Councilor Hamblen thanked Mr. Alan Earls and Mr. Jeff Livingstone for organizing the candidates' nights. She thanked everyone who showed up. She said to remember that Friday if it is not raining is the second to last Farmers Market. She noted office hours tomorrow morning

at the Senior Center at 8:30 AM. She said have a safe Halloween. ► Councilor Pellegri said she went to Senator Rausch's event the other night, and there were some things that were very interesting and a couple of things that she did not agree with. She said one being that it was asked about work permits for the migrants and it was just they are working on it and they cannot do anything. She said she thinks that is a shame as there are people who are looking for jobs. She said what are we showing them here in America that we do not care if you work or not; that does not make sense. She said she thinks they would be very happy to do some work. She said she is curious to know how they get spending money and asked if that is the money that is given to them from the State. ► Mr. Hellen said that when you go through a welcoming center, which there is one in Quincy, they give a stipend for basic needs and money. He said people have to understand that the federal government is not doing anything about this. He said there is no money coming in from the federal government, and there is a bottleneck of worker permit applications that could be months or years. He said he does not think Congress is doing anything about this soon. He said that Governor Healy has made an announcement that they have run out of money and space. He said that the State is trying to develop their own worker training program. ► Councilor Pellegri asked if the migrants will be at the Best Western for another year. ► Mr. Hellen said the lease goes through June 30, 2024. He said the migrants can move about wherever they want to go. He explained that this is temporary housing. ► Councilor Pellegri said she thinks the State is very behind and they have to step up as to what is happening. She said that regarding the people at the hotel, perhaps they may be able to start some type of buddy system; there may be people in the community who would like to take them out for the day, invite them over for dinner. She said that whether they speak English very well or not at all, we are going to be able to converse with them just by our tone, our movements, and whatever, but she thinks it would be something good to do. She said we need to work with Representative Roy. She said think about it people. She said also if there are lists of items that they need, you know they should send it out to us. She said maybe adopt a family and see what they need. She said to get in touch with the Board of Health or Town Administrator's office. ► Councilor Frongillo said the office hours tomorrow were already mentioned. He said he just got back from travel and he never turns off his Town Council member brain. He said he was around Denmark and Sweden and they were actively making choices to prioritize the walkability and bike-ability of communities and it enabled more people and he thinks we have the opportunity to promote it. He said it was refreshing to see that cold winters are not an impediment to accessible mobility around even a small town. ► Councilor Cormier-Leger said it was an honor to attend the ribbon cutting ceremony at the Red Brick Schoolhouse; he thanked everyone and the CPA for the opportunity. He said he is happy the haunted house tradition is continuing in the community; he said he thinks there are about 40 participating homes. He said Trunk-or-Treat is happening on October 29 from 4 PM to 7 PM at the high school and is sponsored by the Lions. He said that they still have a missing teenager in Franklin: Jazlyn Rodrigues age 15. He asked that if anyone has information, contact the Police Department. ► Councilor Chandler thanked Mr. Hellen for his great update. He said he received an email about a sign. He said that his role is not to order the Town Administrator to do anything. He said that if you have an issue, the Town Council members can encourage that the administration provide a call back to get things resolved. He said the Town Council does not order the administration to do something; he said they have faith in what the Town administration does. He said residents should get a call back. He said Mr. Hellen always says his door is open. ► Councilor Jones said he is happy to be here tonight; he had Covid last week and has now tested negative. He told everyone to be careful. ► Councilor Dellorco thanked the DPW for the Touch-a-Truck event. He said he agreed with Mr. Hellen about some of the incorrect reports about the migrant housing. ► Chair Mercer thanked the Chief of Police regarding the new patrol officers, meeting Ms. Kallie Montagano, and bringing in Therapy Dog Frankie. He said they are all good additions to the department. He thanked Ms. Knight-Levine and the SAFE team. He asked the community that if they see people from the SAFE Coalition to say thanks. He said Touch-a-Truck was great. He apologized to the FISH organization as they had their dinner tonight and he was not able to attend; he said that a proclamation was provided to the organization.

**EXECUTIVE SESSION: None.**

**ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Hamblen. 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.**

**Meeting adjourned at 8:51 PM.**

Respectfully submitted,

Judith Lizardi  
Recording Secretary

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

November 9, 2023

**To:** Town Council  
**From:** Jamie Hellen, Town Administrator  
Amy Frigulietti, Deputy Town Administrator  
**RE: Appointment - Agricultural Commission - Cynthia Garboski**

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We are recommending the appointment of Cynthia Garboski as a member of the Agricultural Commission with a term to expire on June 30, 2026. Cynthia's volunteer form is included in the packet.

Please let us know if you have any questions.



## Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

### Volunteer Form

*Good Government Starts with You!*

**Date Submitted:** November 3, 2023

**Name:** Cynthia Garboski

**Home Address:** 9 Prospect Street  
Franklin MA 02038

**Mailing Address:** 9 Prospect Street  
Franklin MA 02038

**Phone Number(s):** [REDACTED]

**Email Address:** [REDACTED]

**Current Occupation/Employer:**

**Narrative:** I am available during school hours on most days and I would be able to attend monthly meetings and some other events, especially family friendly events. I have several years of experience in farming and management of a farmers' market. At this time, I am unemployed and take care of my family and I enjoy time in my backyard garden.

**Board(s) / Committee(s):** \_\_\_AGRICULTURAL COMMISSION

# APPOINTMENTS



## Agricultural Commission

Cynthia Garboski  
9 Prospect Street  
Franklin, MA 02038

The Town Administrator has recommended the appointment of Cynthia Garboski to serve as a Member of the Agricultural Commission with a term to expire on June 30, 2026.

**MOTION** to ratify the appointment by the Town Administrator of Cynthia Garboski to serve as a Member of the Agricultural Commission.

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**DATED:** \_\_\_\_\_, 2023

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

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**Nancy Danello, CMC**  
Town Clerk

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**Glenn Jones, Clerk**  
Franklin Town Council

October 30, 2023

Franklin Town Council  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

RE: Heeru Corporation d/b/a DeVita's Market, 198 E. Central Street, Franklin, MA

Dear Members of Town Council:

I am the proposed manager of record for Heeru Corporation d/b/a DeVita's Market. Please allow this letter to outline my work experience. Since 2022, I have been working as a cashier at Nicole's Food Store, 406 Essex Street, Salem, MA. Nicole's Food Store is a convenience store that has a license to sell beer and wine. In addition, since 2015 I have been working as a cashier at Town Variety, 116 Central Street, Peabody, MA. I am TIPS Certified and a copy of this certification is attached to this letter. I will be working at DeVita's Market at least 40 hours a week and will have 3-4 part-time/full-time employees. All employees will be TIPS certified.

Sincerely yours;

Bhaveshkumar Patel  
*Patel Bhaveshkumar*

Enclosure



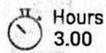
## CERTIFICATE OF COMPLETION

This certifies that

**BHAVESHKUMAR PATEL**

is awarded this certificate for

**TIPS Off-Premise Alcohol Seller Training**



Completion Date  
08/29/2023



Expiration Date  
08/28/2026



Certificate #  
OFF-000029600284

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | 877.881.2235 | www.360training.com

(CUT HERE)

(CUT HERE)



Issued: 08/29/2023  
Certificate #: OFF-000029600284

CERTIFIED

Expires: 08/28/2026

BHAVESHKUMAR PATEL



Phone: 800-438-8477  
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature \_\_\_\_\_

DEMAKIS LAW OFFICES, P. C.

GREGORY C. DEMAKIS  
THOMAS C. DEMAKIS  
SANDOR RABKIN  
JOHN M. MOORADIAN

56 CENTRAL AVENUE  
LYNN, MASSACHUSETTS 01901  
TEL. (781) 595-3311  
FAX (781) 592-4990  
www.demakislaw.com

October 20, 2023

Julie McCann  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

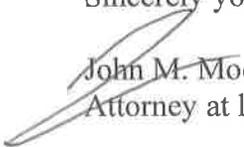
RE: Transfer application for an Annual All Alcoholic Beverages License of Heeru Corporation d/b/a DeVita's Market, 198 E. Central Street, Franklin, MA

Dear Ms. McCann:

Please be advised that this office represents Heeru Corporation which is under agreement to purchase the business known as DeVita's Market at 198 E. Central Street, Franklin, MA. The purchase of DeVita's Market is contingent upon a 6-8 week alcohol transfer application process with both the Town of Franklin and the Massachusetts Alcohol Beverage Control Commission. Please allow this letter to serve as confirmation that Heeru Coporation will obtain a Business Certificate from the Town of Franklin and provide proof of workers compensation insurance upon ABCC approval and prior to closing on and operating DeVita's Market.

Thank you very much for your time and cooperation. If you have any questions or need additional information, please feel free to call me at extension 105.

Sincerely yours;

  
John M. Mooradian  
Attorney at law

Enclosure



mass.gov/dor

## CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



DEVITAS INC  
198 E CENTRAL ST  
FRANKLIN MA 02038-1464

### *Why did I receive this notice?*

The Commissioner of Revenue certifies that, as of the date of this certificate, DEVITAS INC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

**This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.**

### *What if I have questions?*

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 4:00 p.m..

### *Visit us online!*

Visit [mass.gov/dor](http://mass.gov/dor) to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief  
Collections Bureau



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT  
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

Maura Healey  
GOVERNOR  
Kim Driscoll  
LT. GOVERNOR



433440232

Lauren E. Jones  
SECRETARY  
Katie Dishnica  
DIRECTOR

DEVITA'S INC  
198 EAST CENTRAL STREET  
FRANKLIN, MA 02038

EAN: 82022490  
August 16, 2023

Certificate Id:73557

The Department of Unemployment Assistance certifies that as of 8/16/2023 ,DEVITA'S INC is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c.149,§189.

This certificate expires in 30 days from the date of issuance.

Katie Dishnica, Director

Department of Unemployment Assistance



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
 www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
 MONETARY TRANSMITTAL FORM

APPLICATION FOR A TRANSFER OF LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

- |                                                                        |                                                                                                   |                                                                                          |                                                                               |
|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> New License                                   | <input type="checkbox"/> Change of Location                                                       | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)                        | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC)         |
| <input checked="" type="checkbox"/> Transfer of License                | <input type="checkbox"/> Alteration of Licensed Premises                                          | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)                 | <input checked="" type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager                             | <input type="checkbox"/> Change Corporate Name                                                    | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt)                | <input type="checkbox"/> Management/Operating Agreement                       |
| <input type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder                      | <input type="checkbox"/> Change of Hours                                      |
|                                                                        |                                                                                                   | <input checked="" type="checkbox"/> Other <input type="text" value="Pledge of License"/> | <input type="checkbox"/> Change of DBA                                        |

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL

Alcoholic Beverages Control Commission  
 95 Fourth Street, Suite 3  
 Chelsea, MA 02150-2358



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
 www.mass.gov/abcc

**APPLICATION FOR A TRANSFER OF LICENSE**

Municipality

**1. TRANSACTION INFORMATION**

- Transfer of License
- Alteration of Premises
- Change of Location
- Management/Operating Agreement
- Pledge of Inventory
- Pledge of License
- Pledge of Stock
- Other
- Change of Class
- Change of Category
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Applicant is purchasing the business assets and all alcohol package store license issued to Devita's Inc. Applicant is seeking 1) approval of the transfer of the license, 2) approval of Bhaveshkumar Patel as manager of record, and 3) approval of the pledge of license and inventory to Rockland Trust Company.

**2. LICENSE CLASSIFICATION INFORMATION**

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
Off-Premises-15	\$15 Package Store	All Alcoholic Beverages	Annual

**3. BUSINESS ENTITY INFORMATION**

The entity that will be issued the license and have operational control of the premises.

Current or Seller's License Number  FEIN

Entity Name

DBA  Manager of Record

Street Address

Phone

Add'l Phone  Website

**4. DESCRIPTION OF PREMISES**

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

Retail store located at 198 East Central Street, Franklin. Consists of approximately 1,500 square feet of retail space and 500 feet of storage cellar space. One store frame building with cellar for storage, attached to a 2 1/2 story building. Entrance and exit on East Central Street and Uncas Ave with delivery in rear off Uncas Avenue.

Total Sq. Footage	<input type="text" value="2,000"/>	Seating Capacity	<input type="text" value="N/A"/>	Occupancy Number	<input type="text"/>
Number of Entrances	<input type="text" value="2"/>	Number of Exits	<input type="text" value="2"/>	Number of Floors	<input type="text" value="2"/>

**APPLICATION FOR A TRANSFER OF LICENSE**

**5. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST**

Transferor Entity Name	Devita's Inc.	By what means is the license being transferred?	Purchase
------------------------	---------------	-------------------------------------------------	----------

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
Michael Donovan	President, Treasurer, Secretary, Director	100%

**6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST**

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLC Members, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:  
**On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;  
**Off Premises(Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
<b>Ankitaben Patel</b>			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
President, Treasurer, Secretary	100%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<b>Bhaveshkumar Patel</b>			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
Director	0%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

**APPLICATION FOR A TRANSFER OF LICENSE**

**6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)**

Name of Principal	Residential Address	SSN	DOB
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached?  Yes  No

**CRIMINAL HISTORY**

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.  Yes  No

**6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

**6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	

## APPLICATION FOR A TRANSFER OF LICENSE

### 6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?  
Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

### 7. CORPORATE STRUCTURE

Entity Legal Structure  Date of Incorporation   
State of Incorporation  Is the Corporation publicly traded?  Yes  No

### 8. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Landlord Name

Landlord Phone

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes  No

### 9. APPLICATION CONTACT

The application contact is the person who the licensing authorities should contact regarding this application.

Name:

Phone:

Title:

Email:

## 12. MANAGER APPLICATION

### A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name  Date of Birth  SSN

Residential Address

Email  Phone

Please indicate how many hours per week you intend to be on the licensed premises

### B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?  Yes  No \*Manager must be a U.S. Citizen  
 If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime?  Yes  No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

### C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
2022	Present	Clerk	Nicole's Food Store	
2015	Present	Clerk	Town Variety	

### D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action?  Yes  No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature  Date

### 13. MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement?

Yes  No

If yes, please fill out section 13.

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

**IMPORTANT NOTE:** A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does **not** pertain to a liquor license manager that is employed directly by the entity.*

#### 13A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Address	Phone
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>			

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>			

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>			

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>			

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

#### CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?

Yes  No

If yes, attach an affidavit providing the details of any and all convictions.

### 13B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 13A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

**13C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Has any individual or entity identified in question 13A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

**13D. PREVIOUSLY HELD MANAGEMENT AGREEMENT**

Has any individual or entity identified in question 13A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Licensee Name	License Type	Municipality	Date(s) of Agreement

**13E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION**

Have any of the disclosed licenses listed in question section 13B, 13C, 13D ever been suspended, revoked or cancelled?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

**13F. TERMS OF AGREEMENT**

- a. Does the agreement provide for termination by the licensee? Yes  No
- b. Will the licensee retain control of the business finances? Yes  No
- c. Does the management entity handle the payroll for the business? Yes  No

d. Management Term Begin Date  e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

- \$ per month/year (indicate amount)
- % of alcohol sales (indicate percentage)
- % of overall sales (indicate percentage)
- other (please explain)

**ABCC Licensee Officer/LLC Manager**

**Management Agreement Entity Officer/LLC Manager**

Signature:

Signature:

Title:

Title:

Date:

Date:

## ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

The applicant is funding the purchase of the business via a \$440,000 term note to Rockland Trust Company, a \$520,000 term note to Rockland Trust Company for the purchase of 198 E. Central Street, and \$480,000 term note to Rockland Trust Company for the purchase of 206 E. Central Street. The inventory is estimated at \$100,000 and will be financed by a promissory note to the Seller, Devita's Inc. The applicant is borrowing \$110,000 from Virpanath Corp. to apply towards the purchase of the business. The applicant is borrowing \$250,000 from 196-198 West Broadway Realty, LLC to apply towards the purchase of the real estate.

**APPLICANT'S STATEMENT**

I, Ankitaben Patel the:  sole proprietor;  partner;  corporate principal;  LLC/LLP manager  
Authorized Signatory

of Heeru Corporation  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: A.P. Patel

Date: 10-13-2023

Title: President



JEAN M. LORIZIO, ESQ.  
CHAIRMAN

Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, MA 02150

CORI REQUEST FORM

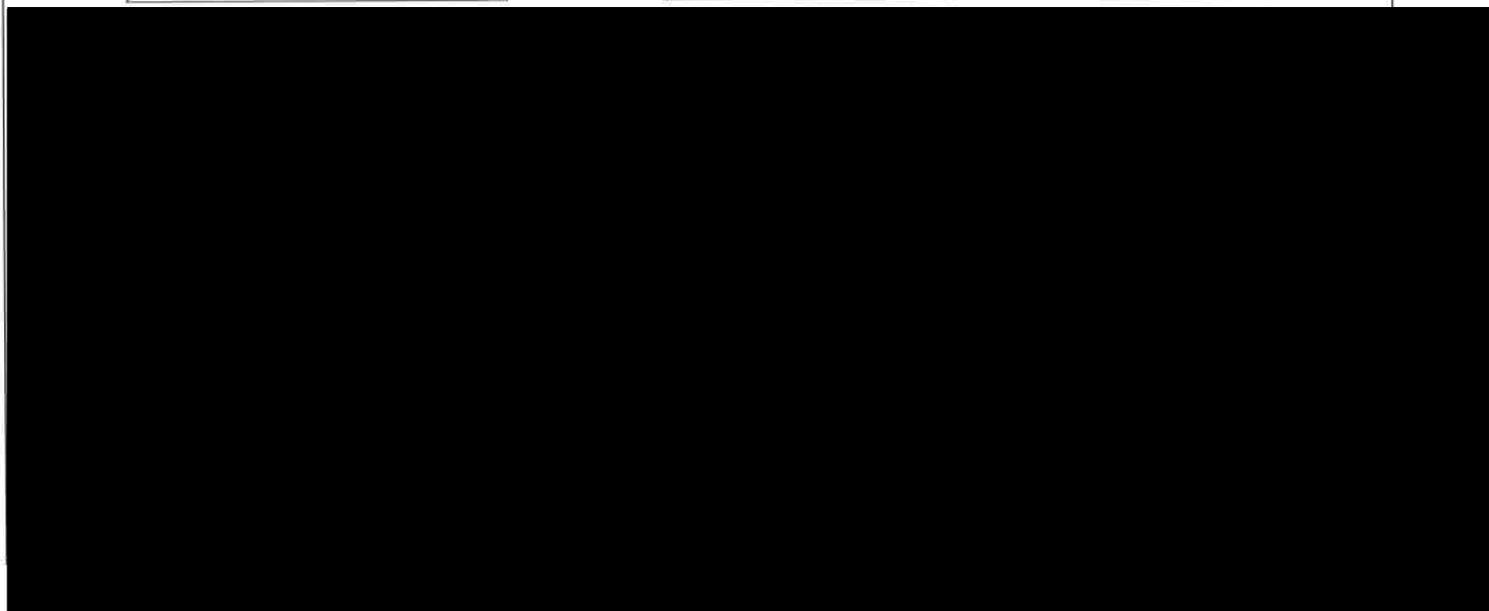
The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

**ABCC LICENSE INFORMATION**

ABCC NUMBER: <small>(IF EXISTING LICENSEE)</small>		LICENSEE NAME:	Heeru Corporation	CITY/TOWN:	Franklin
-------------------------------------------------------	--	----------------	-------------------	------------	----------

**APPLICANT INFORMATION**

LAST NAME:	Patel	FIRST NAME:	Bhaveshkumar	MIDDLE NAME:	
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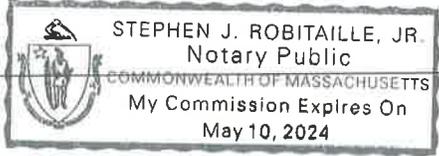


**PRINT AND SIGN**

PRINTED NAME:	Bhaveshkumar Patel	APPLICANT/EMPLOYEE SIGNATURE:	<i>Bhaveshkumar Patel</i>
---------------	--------------------	-------------------------------	---------------------------

**NOTARY INFORMATION**

On this 13<sup>th</sup> October, 2023 before me, the undersigned notary public, personally appeared Bhaveshkumar Patel  
 (name of document signer), proved to me through satisfactory evidence of identification, which were Valid MA Drivers Lic.  
 to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.



*Stephen J. Robitaille, Jr.*  
NOTARY

**DIVISION USE ONLY**

REQUESTED BY:	
---------------	--

The DCJ Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identify Theft PIN Number by the DCJ. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCJ via mail or by fax to (617) 660-4614.



Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 95 Fourth Street, Suite 3  
 Chelsea, MA 02150

JEAN M. LORIZIO, ESQ.  
 CHAIRMAN

CORI REQUEST FORM

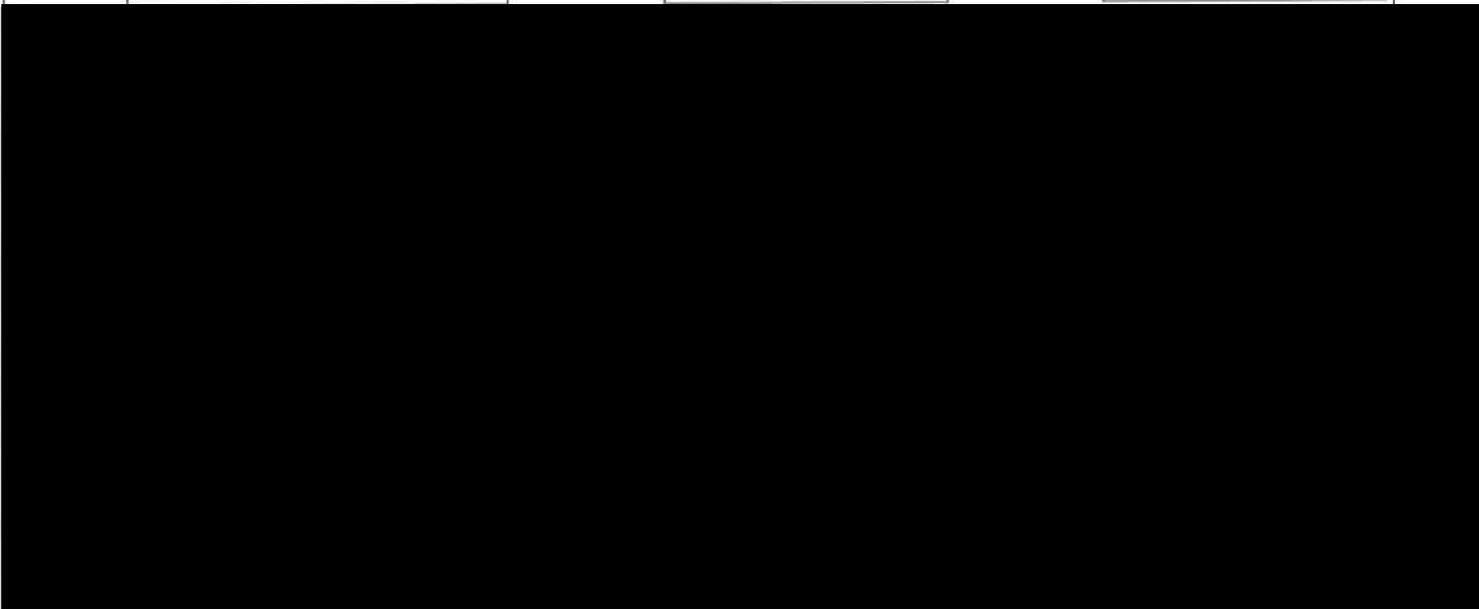
The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

**ABCC LICENSE INFORMATION**

ABCC NUMBER: <small>(IF EXISTING LICENSEE)</small>		LICENSEE NAME:	Heeru Corporation	CITY/TOWN:	Franklin
-------------------------------------------------------	--	----------------	-------------------	------------	----------

**APPLICANT INFORMATION**

LAST NAME:	Patel	FIRST NAME:	Ankitaben	MIDDLE NAME:	
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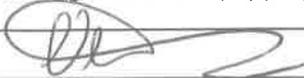


**PRINT AND SIGN**

PRINTED NAME:	Ankitaben Patel	APPLICANT/EMPLOYEE SIGNATURE:	<i>A.P. Patel</i>
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**NOTARY INFORMATION**

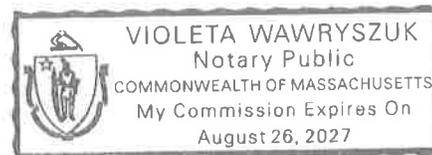
On this 10/13/23 before me, the undersigned notary public, personally appeared Ankitaben Patel  
 (name of document signer), proved to me through satisfactory evidence of identification, which were MASS ID  
 to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

  
 NOTARY

**DIVISION USE ONLY**

REQUESTED BY:	
<small>SIGNATURE OF CORI-AUTHORIZED EMPLOYEE</small>	

The DCJ Identity Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCJ. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCJ via mail or by fax to (617) 660-4614.



**CORPORATE VOTE**

The Board of Directors or LLC Managers of Heeru Corporation  
Entity Name

duly voted to apply to the Licensing Authority of Franklin and the  
City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on September 19, 2023  
Date of Meeting

For the following transactions (Check all that apply):

- New License
- Transfer of License
- Change of Manager
- Change of Officers/  
Directors/LLC Managers
- Change of Location
- Alteration of Licensed Premises
- Change Corporate Name
- Change of Ownership Interest  
(LLC Members/ LLP Partners,  
Trustees)
- Change of Class (i.e. Annual / Seasonal)
- Change of License Type (i.e. club / restaurant)
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Issuance/Transfer of Stock/New Stockholder
- Other Pledge of Inventory
- Change Corporate Structure (i.e. Corp / LLC)
- Pledge of Collateral (i.e. License/Stock)
- Management/Operating Agreement
- Change of Hours
- Change of DBA

“VOTED: To authorize Ankitaben Patel  
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted.”

“VOTED: To appoint Bhaveshkumar Patel  
Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts.”

A true copy attest,

A.P. Patel  
Corporate Officer /LLC Manager Signature

Ankitaben Patel  
(Print Name)

For Corporations ONLY

A true copy attest,

A.P. Patel  
Corporation Clerk's Signature

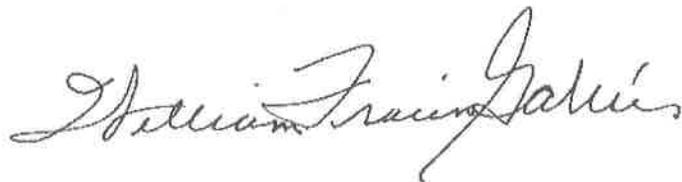
Ankitaben Patel  
(Print Name)

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

August 17, 2023 10:18 AM

A handwritten signature in cursive script that reads "William Francis Galvin". The signature is written in black ink and is centered on the page.

WILLIAM FRANCIS GALVIN

*Secretary of the Commonwealth*

**ASSIGNMENT OF INTEREST IN ASSET PURCHASE AND SALE AGREEMENT**

I, Ankitaben Patel, hereby assign all of my right, title, and interest in and to an Asset Purchase and Sale Agreement dated August 14, 2023 with Devita's Inc. in connection with the business known as "Devita's Market" located at 198 E. Central Street, Franklin, Massachusetts to Heeru Corporation, a Massachusetts corporation with a principal place of business at 198 E. Central Street, Franklin, Massachusetts

The assignment is made without recourse and subject to all terms and conditions contained in said Asset Purchase and Sale Agreement.

A.P. Patel  
Ankitaben Patel

10-11-23  
Date



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**NOTICE OF PUBLIC HEARING  
FRANKLIN, MA  
Transfer of a Section 15 All Alcoholic Beverages Package Store License  
From Devita's, Inc. d/b/a Devita's Market  
to Heeru Corporation d/b/a Devita's Market**

The Franklin Town Council will hold a Public Hearing on an application by Heeru Corporation d/b/a Devita's Market, located at 198 East Central Street, Franklin, MA for a transfer to it of a Section 15 All Alcoholic Beverages Package Store License presently held by Devita's, Inc. d/b/a Devita's Market, to be exercised at the same location. This hearing will be held on November 15, 2023 at 7:00 PM and will provide an open forum for discussion. Location: Municipal Building, 2nd floor Council Chambers, 355 E. Central St., Franklin and will also be available via the "ZOOM" platform. Residents can visit the Town website (Franklinma.gov) calendar on and after November 9, 2023 for updated meeting information. For questions, please call the Town Administrator's Office at (508) 520-4949.

*Submitted by,  
Julie McCann*

# LICENSE TRANSACTION



**Transfer of §15 All Alcoholic Beverages Package Store License,  
Approval of Pledge of Liquor License, and Approval of the manager,  
Bhaveshkumar Patel**

**Heeru Corporation**

d/b/a DeVita's Market  
198 East Central Street  
Franklin, MA 02038

Heeru Corporation d/b/a DeVita's Market is seeking approval for a transfer to it of an existing §15 All Alcoholic Beverages Package Store License, presently held by DeVita's Inc. d/b/a DeVita's Market, to be exercised at the same location, and to approve the Pledge of Liquor License, and to approve the manager, Bhaveshkumar Patel.

**MOTION** to approve the request by Heeru Corporation d/b/a DeVita's Market for a transfer to it of an existing §15 All Alcoholic Beverages Package Store License, presently held by DeVita's Inc. d/b/a DeVita's Market, to be exercised at the same location, and to approve the Pledge of Liquor License, and to approve the manager, Bhaveshkumar Patel.

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**DATED:** \_\_\_\_\_, 2023

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**A True Record Attest:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

**Nancy Danello, CMC  
Town Clerk**

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**Glenn Jones, Clerk  
Franklin Town Council**

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 9, 2023

To: Town Council  
From: Jamie Hellen, Town Administrator  
Amy Frigulietti, Deputy Town Administrator

**Re: Resolution 23-62: Gift Acceptance - Veterans' Services Department**

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The Veterans' Services Department has received another extremely generous donation from the Franklin Elks Riders in the amount of \$1,000. This donation will be applied towards the Veterans' Gift Fund, to be used at the Department's discretion in support of local Veterans and their families.

The Elks Riders are great supporters of the Veterans' Services Department who donate regularly. We extend our sincere appreciation for their ongoing and exceptional generosity.

### **Donation Summary:**

- 1. VETERANS' SERVICES DEPARTMENT - GIFT FUND**
  - Franklin Elks Riders - \$1,000

Thank you to all who support our local Veterans!



355 East Central Street  
Franklin, Massachusetts 02038-1352

## **MEMORANDUM**

November 9, 2023

To: Franklin Town Council  
From: Mark G. Cerel, Town Attorney

**RE: OML, Public Records, Ethics Law, Public Hearing Procedures: Specific Application to Town Council and Individual Member Conduct**

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I have provided prior Councils with written memoranda on Open Meeting Law, Ethics Law, and Conducting Public Hearings. I have attached copies of the three memoranda for the current Council members, because the law in these areas has not substantially changed. This memorandum is intended to emphasize those statutory provisions and legal procedures which continue to have specific application to the Town Council and its individual members.

### **Open Meeting Law (OML)**

#### **[Open Meeting Law Guide & Educational Materials](#)**

- Statutory definitions of “deliberation” and “meeting” are both broad:
  - “Deliberation”: an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body . . .
  - “Meeting” a deliberation by a public body with respect to any matter within the body’s jurisdiction . . .
- Cannot use either serial communications or subcommittees to avoid compliance.
- A.G.’s Office (Division of Open Government) charged with enforcement; consequence of public body’s non-compliance includes nullification of its action and/or a civil fine.
- Remote Participation: Revised A.G.’s regulations ease procedural requirements, but still need a quorum to be physically present and all votes to be by roll-call.

### **Public Records Law**

- Definition includes all documents, regardless of form, made or received by public official for public purpose, unless within one or another specific statutory exemption, G.L. Ch. 4, Section 7, Par. 26
- Document itself determines whether it is a public record, not the equipment by which it was generated, e.g.; personal electronic device

## **Ethics Law G.L. Chapter 268A**

[Conflict of Interest Law, M.G.L Ch. 268A](#)

[Financial Disclosure Law, M.G.L Ch. 268B](#)

[Ethics Commission Regulations](#)

- Town Council members are deemed to be municipal employees (as opposed to “special municipal employees”) and are therefore subject to all statutory prohibitions and restrictions
- Statutory prohibitions and restrictions apply not only to individual Council members, but also to their “immediate family” members
- Prohibitions apply not only to final decisions, i.e.: individual Councilor’s votes, but also to his/her participation, i.e.: deliberative process
- G.L. Chapter 268A is a criminal statute; penalty for violation include imprisonment and/or fine
- Specific statutory prohibitions:
  - Self-dealing, G.L. Ch. 268A, Section 19(a)
  - Interest in Contract, G.L. Ch. 268A, Section 20
  - Solicitation/Receipt; Appearance of Conflict, G.L. Chapter 268A, Section 23
- Ethics Commission available for guidance, in advance

## **Conducting Public Hearings**

- Adjudicatory hearings are deemed to be an administrative function, as opposed to legislative; increased legal exposure to municipality, government body, and individual members as a result.
- Importance of being an impartial fact finder, as opposed to an advocate.
- Need to be familiar with appropriate legal standard/criteria and quantum of proof.
- Need to refrain from irrelevant or inappropriate comments.

MGC:ce

Attachments

**OML PRESENTATION FOR TOWN COUNCIL  
MARK G. CEREL, TOWN ATTORNEY**

Statute is now in effect; took effect July 1, 2010

**Going to address:**

- Requirements for "public bodies", Town Boards, Commissions and Committees in particular, as opposed to Town Clerk;
- Enforcement mechanism (A.G.)
- Problems

**General Prohibitions/Requirements/Exceptions:**

- Quorum of public body meeting to deliberate
- What is/is not "meeting", "deliberation"
- Emails and other electronic communication
- Sequential communications

**Meeting Requirements (Chair, in particular):**

- Posting of Notice – timing and contents (Definition of "Emergency" unchanged)
- Listing of topics Chair reasonably anticipates
- Conduct of meeting
- Requirement to announce recordation
- Executive session Limited
- Minutes and records

**A.G. Enforcement**

- Process
- Remedies, including imposition of civil penalty

**Problems**

- Definition of "deliberation" and, because of it, with "meeting"
- Notices: listing of topics Chair **reasonably anticipates**
- Executive Session: "stating all subjects that may be revealed without compromising . . ." (level of detail?)
- Attorney-client privilege (SJC in **Suffolk Construction** case)

**OVERVIEW OF STATE ETHICS LAW, G.L. CHAPTER 268A, AS REVISED IN 2009**  
**by Mark G. Cerel, Franklin Town Attorney and**  
**Medfield Town Counsel**

The Massachusetts State Ethics Law G.L. Chapter 268A is a statute of extremely broad application. The statute defines “municipal employee” as “a person performing services for or holding an office, position, employment or membership in a municipal agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis”, excluding only elected town meeting and charter commission members. In 2009, the Legislature revised the statute, expanding prohibited conduct and substantially increasing the penalties for engaging in same. It is therefore important that all municipal employees be familiar with the statute so as not to run unwittingly afoul of legal requirements and prohibitions. The following discussion is intended to assist in this effort by highlighting the most significant aspects of the statute, both as it existed prior to 2009 and with the 2009 revisions.

Section 1 of the statute contains definitions; these were already in place and were not affected by the 2009 legislation. As with any comprehensive statutory scheme, a person needs to start his or her analysis with a close reading of all operative definitions. Of particular significance, are definitions of:

- (a) “Compensation”, which includes not only money but economic benefit.
- (c) “Immediate Family” which, in addition to spouse and children, includes both employee’s and spouse’s parents and siblings.

- (f) “Municipal Agency” which includes both enumerated representatives and “other instrumentality”.
- (g) “Municipal employee”, the definition of which is set out above.
- (j) “Participate” which includes not only actual decision making but input.
- (k) “Particular matter” which applies to virtually all governmental activities, excepting only municipal home rule petitioning.
- (n) “Special municipal employee” a status that provides limited exemption from the statute based upon being a volunteer or working part-time (works for municipality no more than 800 hours per year).
  - Cannot be mayor, city council member, or selectmen in town with population in excess of 10,000.
  - Position must be expressly classified (voted) by Council or BOS.
  - Designation applies to position, not individual.
  - Failure of Council or BOS to make express classification renders all employees of municipality “municipal employees” subject to all provisions of statute.

Sections 2 and 3 of the statute contain broad prohibitions on bribery, generally. Section 2 prohibits corrupt gifts or solicitations to public officials and Section 3 prohibits public officials from accepting or soliciting. These sections address fairly clear-cut criminal conduct and provide commensurate criminal penalties.

Section 17 of the statute prohibits certain conduct by municipal employees and parallels earlier sections addressed to state and county employees. In particular, the statute prohibits receiving or requesting compensation from a third party in relation to a

“particular matter” in which his or her municipality has “direct and substantial interest” or the third party’s paying or offering compensation. The statute partially exempts “special municipal employees” from its provision. There are several other stated exemptions including: representation of immediate family, special municipal employee’s assisting another person in performing contractual work for the benefit of the municipality (superior’s written certification required), municipal employees applying for building permit and performing work thereunder as long as not employed by permit-granting agency or its regulator. The 2009 revisions substantially increased both imprisonment and fine; a violation is currently punishable by 2 ½-5 years imprisonment and/or a \$10,000 fine.

Section 18 prohibits certain conduct by former municipal employees including acting as agent or attorney for a third party in any matter in which the person participated while a municipal employee. The 2009 revisions substantially increased both imprisonment and fine; a violation is currently punishable by 2 ½-5 years imprisonment and/or a \$10,000 fine.

Section 19(a) prohibits a municipal employee from participating in a municipal matter in which the employee, his or her immediate family, business entities in which the employee has an interest, or prospective employer has a financial interest. Section 19(b) provides several exemptions:

- municipal employee’s written disclosure of interest in advance and determination by person’s superior that interest insubstantial.

- Elected municipal employee (Treasurer-Collector) making bank deposits who files written disclosure of financial interest in advance.
- “Particular matter” involves determination of general policy and interest of municipal employee and immediate family is shared with substantial segment of municipality’s population. (Example: school committee member with school-age children).

The 2009 revisions substantially increased both imprisonment and fine; a violation is currently punishable by 2 ½-5 years imprisonment and/or a \$10,000 fine.

Section 20 prohibits a municipal employee from having a financial interest in a contract with the municipality other than his or her own employment contract; this means that a municipal employee cannot hold multiple positions with the municipality, unless he or she falls within a stated exception to the general prohibition. There are a number of exemptions; the first is a process to be followed where the employee proposes to provide personal services to the municipality on a limited basis outside of his or her regular working hours and not involving his or her regular job duties. (Example: school teacher employed by municipal recreation department during summer.) This requires written certification from contracting agency and exemption vote by council or selectmen. Other exemptions include: a qualifying special municipal employee who files a full disclosure of financial interest, and a municipal employee who provides personal services as part-time, call or volunteer emergency personnel (police, fire, ambulance, etc.). The 2009 revisions substantially increased both imprisonment

and fine; a violation is currently punishable by 2 ½-5 years imprisonment and/or a \$10,000 fine.

Section 21 was rewritten by 2009 legislation to expand the State Ethic Commission's enforcement authority; this includes the authority to impose a civil fine of up to \$25,000.

Section 23 sets out supplemental standards of conduct applicable to all governmental employees; the 2009 legislation substantially expanded these. The standard now include prohibitions on the following:

1. Accepting compensable employment which is "inherently incompatible" with one's public responsibilities.
2. Soliciting or receiving anything of substantial value (value of \$50) or using official position to secure favorable treatment.
3. Acting in a manner which would cause a reasonable person to conclude that official can be improperly influenced. (Liability can be avoided by official's filing of written disclosure.)
4. Making false or fraudulent claim for payment or compensation.

On the positive side, the legislation authorizes the State Ethics Commission to adopt regulations establishing a definition of "substantial value", exclusions for ceremonial privileges and exemptions, exclusions for family/friendship privileges and exemptions, and additional exclusions where "no genuine risk of conflict or appearance" thereof.

# OUTLINE FOR WORKSHOP ON HOLDING PUBLIC (ADJUDICATORY) HEARINGS AND RENDERING DECISION IN MUNICIPAL PERMIT AND APPROVAL CASES

## Workshop Subject Matter:

- Encompasses both land use and non-land use
- Includes Suspensions/Revocations as well as grants
- Applies to official(s) as well as Boards, if designated local permitting authority

## Legal Context:

- Statutory authority to act (regulate)
- Constitutional procedural due process requirements:
  - Impartial fact-finder/decision maker
  - Notice and opportunity to be heard
  - Factual support for decision (varies with type of case)
- Compliance with other legal requirements
  - Open meeting and public records statutes
  - G.L. Chapter 268A (ethics law)
  - Mullin case applies to multi-session hearings; G.L. Ch. 39, Section 23D allows any Board member to miss one session

## Principles Applicable to All Hearings:

- Be familiar with legal authority (statute, regulations, bylaw) under which you are acting
- Identify legal requirements/criteria upon which Board or officer must make factual findings
- Give proper legal notice: applicant/licensee, public at large, abutters/interested parties
- Hold public hearing: open, continue, close
- Deliberate: determine facts, based upon evidence introduced during hearing, apply legal criteria, reach decision including any conditions

## Additional Principles Applicable to Land Use Hearings:

- Hold public hearing
  - Require applicant to introduce satisfactory proof on each element
  - If necessary, retain your own consultant(s) to evaluate applicant's proof (G.L. Ch. 44, §53G)
  - Allow any opponents to make presentation, confined to legal criteria
  - Confine Board members' questioning, remarks to relevant issue(s)
- Deliberate publicly: review legal requirements, evaluate applicant's proof and any opposition in light of those requirements, being careful that Board members' confine analysis to relevant issue(s)
  - Find facts (make determination of facts supporting individual legal criteria)
  - Discuss conditions (must bear reasonable relationship to relief, Dolan v. City of Tigard, U.S. Sup. Ct.); no imposition of impact/exaction fees or other public benefits
  - Vote on decision, with any conditions
  - Draft/authorize staff to draft written decision for subsequent Board review

## Additional Principles Applicable to Non-Land Use Hearings

### (Grants, Suspensions/Revocations):

- Legal standard: abuse of discretion or substantial evidence; importance of "creating record" for judicial review in event of appeal

- Application hearings: require applicant to make presentation
- Suspension/revocation hearings: arrange for another municipal officer to prosecute (make presentation): Police Chief, Board/Commission Agent, Town Attorney, etc.



# Open Meeting Law Public Records Ethics Conducting a Public Hearing

November 3, 2021  
Franklin Town Council  
Mark Cerel, Town Attorney

# OPEN MEETING LAW (OML)

## Key Points:

- Council members cannot use either serial communications or subcommittees to avoid compliance.
- The A.G.'s Office (Division of Open Government) is charged with enforcement of OML compliance.
- The consequence of a public body's non-compliance includes nullification of its action and/or a civil fine.

# PUBLIC RECORDS LAW

## Key Points:

- Public records include all documents, regardless of form, made or received by a public official for public purpose, unless within a specific statutory exemption
  - G.L. Ch. 4, Section 7, Par. 26
- The document itself determines whether it is a public record, not the equipment by which it was generated
  - e.g.: personal electronic device

# ETHICS LAW

## G.L. Ch. 268A

### Key Points:

- Town Council members are deemed to be municipal employees and are therefore subject to all statutory prohibitions and restrictions.
- Statutory prohibitions and restrictions apply not only to individual Council members, but also to their “immediate family” members.
- Prohibitions apply not only to final decisions, i.e.: individual Councilor’s votes, but also to his/her participation, i.e.: deliberative process

# ETHICS LAW

## G.L. Ch. 268A

### Key Points:

- Penalty for violation of ethics laws include imprisonment and/or fine
- Specific statutory prohibitions:
  - **Self-dealing:** G.L. Ch. 268A, Sec. 19(a)
  - **Interest in Contract:** G.L. Ch. 268A, Sec. 20
  - **Solicitation/Receipt:** Appearance of Conflict, G.L. Chapter 268A, Sec. 23
- Ethics Commission available for guidance, in advance

# CONDUCTING PUBLIC HEARINGS

## Key Points:

- Adjudicatory hearings are deemed to be an administrative function, as opposed to a legislative function. This increases legal exposure to the municipality, government body, and individual members as a result.
- It is important to be an impartial fact finder, as opposed to an advocate.
- Public Officials need to be familiar with appropriate legal standard/criteria and quantum of proof.
- Public Officials shall refrain from irrelevant or inappropriate comments.

# ADDITIONAL RESOURCES

## Mass.gov

- [Open Meeting Law Guide & Educational Materials](#)

## State Ethics Commission

- [Conflict of Interest Law, M.G.L Ch. 268A](#)
- [Financial Disclosure Law, M.G.L Ch. 268B](#)
- [Ethics Commission Regulations](#)

# QUESTIONS?



# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

November 9, 2023

**To:** Town Council  
**From:** Jamie Hellen, Town Administrator  
Amy Friguliatti, Deputy Town Administrator

**RE: Resolution 23-58: General Fund Appropriation, Transfers and Adjustments FY24**

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We are requesting the Town Council to support the amendments to the FY24 Town Operating Budget as outlined in Resolution 23-58. For more detailed information please see the November 3rd dated memo and backup materials from the November 8th Finance Committee Meeting, which are included in the agenda packet for the November 15th Town Council Meeting.

The Finance Committee unanimously recommended, 5-0, to the Town Council these budget amendments at its November 8, 2023 meeting.

Please let us know if you have any questions.

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 3, 2023

To: Finance Committee  
From: Jamie Hellen, Town Administrator  
Amy Frigulietti, Deputy Town Administrator

### Re: Fiscal Year 2024 (FY24) Budget Adjustment

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We are requesting the Finance Committee support the amendment to the FY24 Town operating budget and recommend the changes to the full Town Council for their approval prior to setting the annual tax rate on November 21, 2023. This proposal amends the final budget approved in June 2023.

#### Five-Year Fiscal Forecast Update

We drafted a five-year forecast, with assumptions, for FY25-FY29. Please review the forecast that was presented at the [August 2, 2023 Joint Budget Subcommittee](#) (JBSC). At the October JBSC, we gave high level revenue trends throughout Quarter 1 of FY24. The next forecast will be in 2024.

#### Revenue Adjustments

The following is a summary of the proposed revenue adjustments to the FY24 operating budget. The total revenue downgrade figure is \$310,491.

1. According to the Assessor's final approval, the town will need to downgrade "New Growth" figures by \$158,380 due to less investment in personal and commercial property improvements. After a few record breaking New Growth years, it appears the economy is beginning to show signs of slowdown.
2. Cumulatively, Local Receipts are on target through Quarter 1 (9/30/23) but we are requesting a downgrade by \$150,000 to reflect three trends:
  - a. Building fees have not met projections through September due to fewer overall permits, as well as the types of permits for smaller construction projects.
  - b. Hotel tax will likely slightly decline due to the Commonwealth's lack of a firm commitment for the entire fiscal year in funding the 6% local option tax for the hotel temporarily housing migrant families through the state's Emergency Assistance Shelter Program. That said, the state has recently committed to paying the local tax for 90 day durations, per family, which is good news.

We are confident the Commonwealth will be working with cities and towns throughout the fiscal year to ensure we receive as much of our revenue projections as possible; and

- c. A modest reduction in meals tax revenue to correspond with the loss of traditional hotel rooms.
3. State Aid, Assessments & Other Revenues should see an overall decrease of approximately \$2,111 after the state local aid, education, county assessment, and state budget formulas settle out. Please note the Legislature has not finalized FY24 yet, with potential overrides of the Governor's vetoes and a supplemental budget filed by Governor Healey pending.

#### Expense Adjustments - Decreases

The attached resolution depicts the changes within each departmental account on the voting document. A summary of proposed expense reductions are as follows:

1. Line item 123 - The Town Administrator's personnel and expense budgets will be reduced \$58,014. The total reflects the reduction in costs for the Marketing & Communications position for 8 months (\$22,514), six months of unfilled Administrative Assistant positions (\$26,500), and additional expenses that are not anticipated to materialize in the Administrator's expense budget (sign lease \$9,000). Please note the Marketing & Communications position was a joint position with the School Department, which reduced the financial obligation in the school budget as well. The benefits for that position was reduced in line item 910, as the town budget included the benefits for this position.
2. Line item 390 - Tri-County School will be reduced \$100,553 due a decrease in Franklin students attending the school, thus our assessment was lower.
3. Line item 910 - Benefits to be reduced \$148,257 due to fewer health insurance subscribers and an increase in employees on the high deductible plan.

#### Expense Adjustments - Increases

1. Create a Disability Commission line item and add \$1,000 to the budget for expenses. As many of you know, the Commission has spearheaded an annual fair with vendors and activities. For some reason, the Commission has never had a line item in the budget. The Town should be funding expenses for the conference and have funds like all of the other boards and committees in town.
2. Add \$5,000 to the Elections budget for a pilot to test a new voting tabulator machine. The Clerk hopes to test this out in the March primary to evaluate its effectiveness for the money.

#### Stormwater Adjustment-Decrease

As this is the 1st year with a Stormwater Enterprise Fund, we propose reducing the Stormwater budget by \$200,000 and plugging the gap with County ARPA funds to ensure the Town can depict to DOR a solvent enterprise fund with a small and proper surplus at the close of the fiscal year.

Please let us know if you have any questions.

**TOWN OF FRANKLIN  
FISCAL YEAR 2024 REVENUE AND CONTROL SHEET**

	FINAL FY22	FINAL FY23	COUNCIL APPROVED FY24	REVISED PROPOSED FY24	REVISED INCREASE/ (DECREASE)
<b>TAX LEVY</b>					
Prior Year Levy Limit plus 2 1/2%	\$ 82,753,293	\$ 85,955,821	\$ 89,436,897	\$ 89,436,897	\$ -
New Growth	1,106,044	1,299,688	1,270,305	1,111,925	(158,380)
	<b>83,859,337</b>	<b>87,255,509</b>	<b>90,707,202</b>	<b>90,548,822</b>	<b>(158,380)</b>
<b>DEBT EXCLUSIONS</b>					
Horace Mann Issue #1	101,880	93,600	-	-	-
Keller-Sullivan	408,750	390,910	376,050	376,050	-
Horace Mann Issue #2	305,200	290,000	280,000	280,000	-
High School Issue #1	2,880,663	2,881,163	2,878,163	2,878,163	-
High School Issue #2	151,438	149,813	151,563	151,563	-
	<b>3,847,930</b>	<b>3,805,486</b>	<b>3,685,776</b>	<b>3,685,776</b>	<b>-</b>
<b>TOTAL POTENTIAL TAX LEVY</b>	<b>87,707,267</b>	<b>91,060,995</b>	<b>94,392,978</b>	<b>94,234,598</b>	<b>(158,380)</b>
<b>STATE REVENUE</b>					
Chapter 70 School Aid	28,574,921	28,885,721	29,191,961	29,191,961	-
Charter School Reimbursements	365,403	971,965	1,019,377	1,032,630	13,253
Unrestricted Aid	2,715,673	2,862,319	2,953,914	2,953,914	-
All Other Net of Offsets	379,107	414,166	426,733	426,733	-
	<b>32,035,104</b>	<b>33,134,171</b>	<b>33,591,985</b>	<b>33,605,238</b>	<b>13,253</b>
<b>OTHER REVENUES</b>					
Local Receipts - General Fund	9,413,451	10,606,309	12,606,309	12,456,309	(150,000)
Host Community Agreement	600,000	335,295	-	-	-
J&J Opioid Settlement	-	67,505	-	-	-
	<b>10,013,451</b>	<b>11,009,109</b>	<b>12,606,309</b>	<b>12,456,309</b>	<b>(150,000)</b>
<b>OTHER AVAILABLE FUNDS</b>					
Net Budget Stabilization / Other Transfers			250,000	250,000	-
Enterprise Fund (Indirects)	1,214,000	1,255,000	1,593,000	1,593,000	-
	<b>1,214,000</b>	<b>1,255,000</b>	<b>1,843,000</b>	<b>1,843,000</b>	<b>-</b>
<b>TOTAL REVENUES &amp; OTHER FUNDS</b>	<b>130,969,822</b>	<b>136,459,275</b>	<b>142,434,272</b>	<b>142,139,145</b>	<b>(295,127)</b>
<b>ASSESSMENTS &amp; OTHER VOTES</b>					
School Choice	328,176	496,436	428,014	426,028	(1,986)
State Assessments	480,465	502,519	528,947	528,947	-
County Assessment	240,493	246,505	255,963	255,963	-
Charter School Assessment	5,025,758	5,544,108	5,857,406	5,874,756	17,350
Provision for Abatements & Exemptions	634,944	729,733	650,000	650,000	-
Subsequent Votes	600,000				-
	<b>7,309,836</b>	<b>7,519,301</b>	<b>7,720,330</b>	<b>7,735,694</b>	<b>15,364</b>
<b>TOTAL NET REVENUE</b>	<b>123,659,986</b>	<b>128,939,974</b>	<b>134,713,942</b>	<b>134,403,451</b>	<b>(310,491)</b>
<b>LESS: TOTAL GENERAL FUND BUDGET</b>	<b>(123,605,718)</b>	<b>(128,902,599)</b>	<b>(134,704,275)</b>	<b>(134,403,451)</b>	<b>300,824</b>
<b>UNUSED LEVY</b>	<b>\$ 54,268</b>	<b>\$ 37,375</b>	<b>\$ 9,667</b>	<b>\$ -</b>	<b>\$ (9,667)</b>

**TOWN OF FRANKLIN  
FY 2024 OPERATING BUDGET**

<b>OPERATING BUDGET</b>	<b>ORIGINAL FINAL FY22</b>	<b>ORIGINAL FINAL FY23</b>	<b>COUNCIL APPROVED FY24</b>	<b>REVISED PROPOSED FY24</b>	<b>REVISED INCREASE/ (DECREASE)</b>
111 Town Council expenses	4,000	4,000	6,000	6,000	-
	4,000	4,000	6,000	6,000	-
123 Town Administration salaries	390,485	400,473	633,816	584,802	(49,014)
expenses	33,750	138,082	53,782	44,782	(9,000)
	424,235	538,555	687,598	629,584	(58,014)
131 Finance Committee expenses	1,500	1,500	1,500	1,500	-
	1,500	1,500	1,500	1,500	-
135 Comptroller salaries	493,285	502,005	702,487	702,487	-
expenses	75,150	81,300	85,800	85,800	-
	568,435	583,305	788,287	788,287	-
141 Assessors salaries	327,321	335,504	368,198	368,198	-
expenses	99,900	99,900	104,900	104,900	-
	427,221	435,404	473,098	473,098	-
147 Treasurer-Collector salaries	390,892	388,647	442,959	442,959	-
expenses	91,105	91,105	91,105	91,105	-
	481,997	479,752	534,064	534,064	-
151 Legal salaries	109,736	112,479	125,105	125,105	-
expenses	60,000	60,000	60,000	60,000	-
	169,736	172,479	185,105	185,105	-
152 Human Resources salaries	174,261	245,815	260,903	260,903	-
expenses	53,650	34,750	38,650	38,650	-
	227,911	280,565	299,553	299,553	-
155 Information Technology salaries	37,500	37,645	36,952	36,952	-
expenses	307,706	384,597	457,215	457,215	-
	345,206	422,242	494,167	494,167	-
161 Town Clerk salaries	208,014	208,516	235,340	235,340	-
expenses	20,550	19,650	20,850	20,850	-
	228,564	228,166	256,190	256,190	-
164 Elections & Registration salaries	15,000	33,629	19,480	19,480	-
expenses	31,800	42,700	55,700	60,700	5,000
	46,800	76,329	75,180	80,180	5,000
176 Appeals Board expenses	8,000	10,000	9,000	9,000	-
	8,000	10,000	9,000	9,000	-
177 Planning & Growth Management salaries	316,227	401,481	445,416	445,416	-
expenses	32,300	32,300	32,300	32,300	-
	348,527	433,781	477,716	477,716	-
184 Agricultural Commission expenses	1,000	1,000	1,000	1,000	-
	1,000	1,000	1,000	1,000	-
192 Public Property & Buildings salaries	2,861,523	3,084,165	3,312,437	3,312,437	-

expenses	4,400,000	4,539,000	5,172,200	5,172,200	-
	7,261,523	7,623,165	8,484,637	8,484,637	-
196 Central Services expenses	118,700	150,500	161,000	161,000	-
	118,700	150,500	161,000	161,000	-
Subtotal, General Government	10,663,355	11,440,743	12,934,095	12,881,081	(53,014)
210 Police salaries	5,751,420	6,013,217	6,652,746	6,652,746	-
expenses	296,340	316,140	332,331	332,331	-
	6,047,760	6,329,357	6,985,077	6,985,077	-
220 Fire salaries	5,921,247	6,099,525	6,529,173	6,529,173	-
expenses	520,500	563,063	654,000	654,000	-
	6,441,747	6,662,588	7,183,173	7,183,173	-
225 Regional Dispatch expenses	435,074	610,664	958,670	958,670	-
	435,074	610,664	958,670	958,670	-
240 Inspection salaries	426,676	352,645	432,336	432,336	-
expenses	22,712	22,712	14,512	14,512	-
	449,388	375,357	446,848	446,848	-
292 Animal Control expenses	77,700	80,700	92,700	92,700	-
	77,700	80,700	92,700	92,700	-
Subtotal, Public Safety	13,451,669	14,058,666	15,666,468	15,666,468	-
300 Town Schools	67,820,825	70,220,825	71,989,431	71,989,431	-
390 Tri-County Regional School	2,449,637	2,540,198	2,775,000	2,674,447	(100,553)
395 Norfolk Aggie	37,250	66,660	66,660	66,660	-
Subtotal, Education	70,307,712	72,827,683	74,831,091	74,730,538	(100,553)
422 DPW-Highway Dept salaries	2,042,745	2,150,496	2,053,118	2,053,118	-
expenses	3,358,640	3,669,550	3,956,650	3,956,650	-
	5,401,385	5,820,046	6,009,768	6,009,768	-
TOTAL DPW - Hwy	5,401,385	5,820,046	6,009,768	6,009,768	-
510 Health salaries	205,235	263,485	294,711	294,711	-
expenses	41,500	48,400	48,400	48,400	-
	246,735	311,885	343,111	343,111	-
535 Disability Commission expenses	-	-	-	1,000	1,000
	-	-	-	1,000	1,000
541 Council on Aging salaries	334,595	474,119	607,649	607,649	-
expenses	6,100	6,700	33,100	33,100	-
	340,695	480,819	640,749	640,749	-
543 Veterans Services salaries	73,814	91,281	106,393	106,393	-
expenses	13,700	11,115	11,115	11,115	-
veterans assistance	160,000	165,000	165,000	165,000	-
	247,514	267,396	282,508	282,508	-
Subtotal, Human Services	834,944	1,060,100	1,266,368	1,267,368	1,000
610 Library					

salaries	687,373	780,524	810,468	810,468	-
expenses	352,000	277,000	282,000	282,000	-
	1,039,373	1,057,524	1,092,468	1,092,468	-
630 Recreation					
salaries	327,986	346,258	463,765	463,765	-
expenses	273,400	273,400	277,000	277,000	-
	601,386	619,658	740,765	740,765	-
690 Historical Museum					
salaries	29,708	29,708	73,928	73,928	-
expenses	1,000	1,000	3,000	3,000	-
	30,708	30,708	76,928	76,928	-
691 Historical Commission					
expenses	4,000	4,000	4,000	4,000	-
	4,000	4,000	4,000	4,000	-
695 Cultural Council					
expenses	15,000	15,000	25,000	25,000	-
	15,000	15,000	25,000	25,000	-
696 Cultural District Committee					
expenses	1,000	1,000	1,000	1,000	-
	1,000	1,000	1,000	1,000	-
Subtotal, Culture & Recreation	1,691,467	1,727,890	1,940,161	1,940,161	-
710 Retirement of Debt					
non-excluded	2,249,400	2,180,000	1,897,000	1,897,000	-
excluded	2,138,500	2,194,000	2,175,000	2,175,000	-
	4,387,900	4,374,000	4,072,000	4,072,000	-
750 Interest					
non-excluded	690,739	688,679	587,478	587,478	-
excluded	1,709,430	1,611,485	1,520,775	1,520,775	-
	2,400,169	2,300,164	2,108,253	2,108,253	-
Subtotal, Debt Service	6,788,069	6,674,164	6,180,253	6,180,253	-
Benefits:					
910 Retirement & Pension	6,693,600	7,183,210	7,501,821	7,501,821	-
Health/Life Insurance Benefits	3,486,500	3,520,825	3,853,000	3,704,743	(148,257)
Retired Teacher Health Insurance	810,000	800,000	570,000	570,000	-
Non-GIC School Retirees	1,055,000	1,107,750	1,145,000	1,145,000	-
Workers Compensation	530,000	500,000	550,000	550,000	-
Unemployment Compensation	150,000	120,000	110,000	110,000	-
Medicare	341,250	341,250	341,250	341,250	-
OPEB	700,000	750,000	800,000	800,000	-
Compensation Reserve	64,227	270,272	230,000	230,000	-
	13,830,577	14,593,307	15,101,071	14,952,814	(148,257)
945 Liability Insurance	636,540	700,000	775,000	775,000	-
	636,540	700,000	775,000	775,000	-
Subtotal, Benefits & Insurance	14,467,117	15,293,307	15,876,071	15,727,814	(148,257)
TOTAL ALL BUDGETS	123,605,718	128,902,599	134,704,275	134,403,451	(300,824)
Surplus/(Deficit)	54,268	37,375	9,667	-	(9,667)
ENTERPRISE FUNDS:					
434 Solid Waste Disposal					
salaries	120,800	99,955	132,806	132,806	-
expenses	2,543,000	2,467,000	2,682,833	2,682,833	-
	2,663,800	2,566,955	2,815,639	2,815,639	-
440 Sewer					

salaries	768,946	802,798	935,104	935,104	-
expenses	497,950	530,750	554,750	554,750	-
charles river assessment	3,376,800	3,291,760	3,430,990	3,430,990	-
OPEB	6,000	6,000	9,810	9,810	-
principal & interest	599,700	373,010	1,084,173	1,084,173	-
	<u>5,249,396</u>	<u>5,004,318</u>	<u>6,014,827</u>	<u>6,014,827</u>	-
450 Water					
salaries	1,434,375	1,479,850	1,694,900	1,694,900	-
expenses	2,251,700	2,290,000	2,428,000	2,428,000	-
OPEB	16,000	16,000	18,045	18,045	-
principal & interest	2,889,204	2,674,432	2,665,437	2,665,437	-
	<u>6,591,279</u>	<u>6,460,282</u>	<u>6,806,382</u>	<u>6,806,382</u>	-
460 Stormwater					
salaries			334,117	334,117	-
expenses			700,000	500,000	(200,000)
	-	-	<u>1,034,117</u>	<u>834,117</u>	<u>(200,000)</u>
TOTAL ENTERPRISE FUNDS	14,504,475	14,031,555	16,670,965	16,470,965	(200,000)
TOTAL OPERATING BUDGET	138,110,193	142,934,154	151,375,240	150,874,416	(500,824)

# Town of Franklin



Nancy Danello  
Town Clerk

Office of Town Clerk  
355 East Central Street  
Franklin, Massachusetts 02038-1352  
(508) 520-4900  
E-mail: ndanello@franklinma.gov

Notary Public  
Election Administrator  
Justice of the Peace

To: Town Administrator and Finance Committee

From: Nancy Danello, Town Clerk

Re: **Lease Request ImageCast Central High-Speed Tabulator**

Contract Cost: \$5,000.00 for the Presidential Primary 3/5/2024 and \$5,000.00 for the State Election 11/5/2024 (Not needed for the Sept. Election)

Reason: With the expansion of Early Voting and Vote by Mail in Massachusetts, the Secretary of the Commonwealth has approved Early Tabulation as a method of counting ballots received prior to Election Day. One of the reasons we have taken advantage of this in Franklin is due to the time it takes to process each ballot. It takes 10 seconds to process each ballot with our current Imagecast tabulators and with the expansion of early voting and voting by mail, it's becoming extremely difficult. The high-speed tabulator processes approximately 100 ballots per minute.

In the 2020 Presidential Election, we processed 14,458 (70% of votes cast) Early Voted Ballots which was an extremely time consuming and labor-intensive process, resulting in a sharp increase in election related costs. With the amount of early/mail in ballots that come in during a presidential election and now with at least greater than 50% of our votes coming in by mail in any given election, the high-speed tabulator can handle the volume in a more efficient manner and will ultimately be more cost effective.

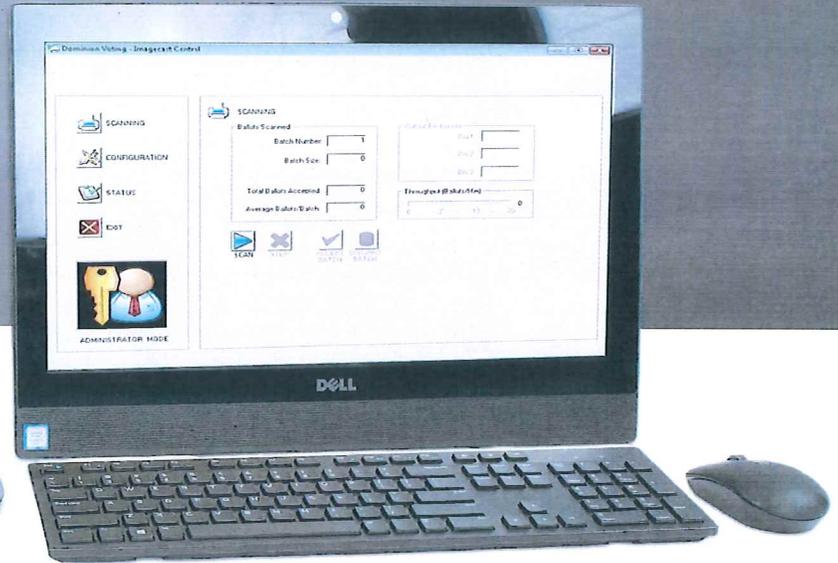
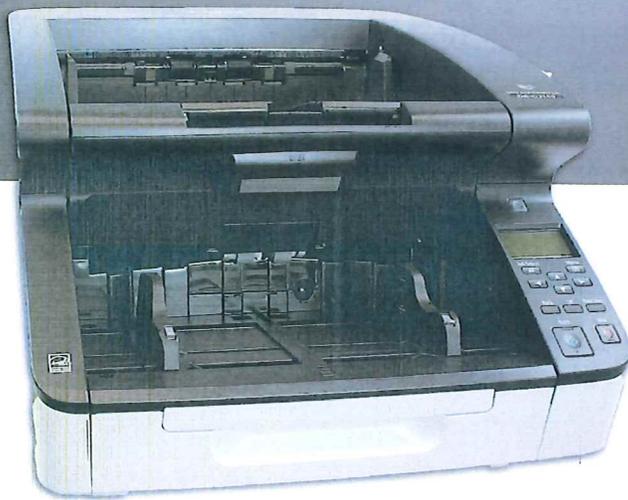
The equipment is built to be used in conjunction with our Imagecast tabulators and RTR reporting software, so it all works seamlessly and doesn't require the need to purchase or lease any other system. It also allows voters/poll watchers to view the process in a centralized location.

\*See attached documents

Thank you for your time and consideration.

# IMAGECAST® CENTRAL

Efficient & Scalable  
Central Count System.



## EFFICIENT

Uses industry-leading COTS hardware to decrease costs and minimize risk of failure.



## SIMPLE

Intuitive software that uses touchscreen navigation and requires minimal training.



## FLEXIBLE

Modular and scalable to an election of any size - meeting the needs of all jurisdictions.



## SECURE

Meets EAC security standards to preserve integrity and auditability.

### Get in touch

1. 888. LHS. VOTE  
info@lhsassociates.com  
www.lhsassociates.com



## FEATURES & BENEFITS

### Streamline Central Count Processes

- Ballots, scanned in batches, are processed based on jurisdictional requirements and preferences.
- Once scanned, ballots with out-stack conditions are automatically sent to the Adjudication application for digital ballot review.

### Engineered Simplicity

- The operator loads a batch and presses “scan” - simple! When the batch is complete, the operator presses “accept” - easy!
- Simple set-up procedures and easy to follow maintenance schedules ensure ongoing performance throughout your election cycles.

### System Flexibility To Meet All Needs

- Provides ample flexibility to meet the needs of small, medium and large jurisdictions.
- Ability to add multiple commercial scanners to increase efficiency without breaking the bank.

### Scanning Reliability

- Features AuditMark® ballot image auditing capability that retains a secure digital image of every ballot cast.
- Can be used in conjunction with the Adjudication digital ballot review application.



## SCALABLE & EFFICIENT

The ImageCast® Central is the most **cost-effective system that offers efficiency, scalability and flexibility**; no matter the size or complexity of the jurisdiction.



“The new system has enhanced our ability to deliver efficient elections for the citizens of Denver. We achieved our key objectives, which included innovating the voter’s experience, increasing operational efficiencies, and enhancing transparency.”

*Amber McReynolds, former Director of Elections,  
Denver Elections Division*

“The HiPro has been a reliable workhorse for us. In November 2018 we scanned 2.5 million ballot cards on the HiPro in the same amount of time it took us to scan 500,000 cards on a different system in 2016. I have no hesitation in recommending the HiPro to other election officials as a solution.”

*Scott O. Konopasek, Assistant Registrar  
Contra Costa County California*



The ImageCast® Central tabulates paper ballots, quickly, accurately, and transparently. Engineered for simplicity, the system images each ballot, documents all marks, and appends the digital ballot image with an AuditMark summary of voter selections. COTS hardware decreases capital costs and minimizes hardware risks. When paired with our **ImageCast® Adjudication**, ballots that require voter intent resolution are handled efficiently and transparently, helping you maintain maximum throughput with minimal effort.

### Get in touch

1. 888. LHS. VOTE  
info@lhsassociates.com  
www.lhsassociates.com





Company Address 8A Industrial Way  
Unit 100  
Salem, NH 03079  
US

Created Date 10/17/2023

Quote Number 00001439

Contact Information

Prepared By Brenda L'Italien  
Title Director of Business Development  
Phone (978) 651-2511  
Email bcm@lhsassociates.com

Customer Name Franklin  
Contact Name Nancy Danello  
Title Town Clerk  
Email ndanello@franklinma.gov

Address Information

Bill To Name Franklin  
Bill To 355 East Central Street  
Franklin, MA 02038

Product Code	Product	Product Description	Sales Price	Quantity	Total Price
DVS-205	ImageCast Central Bundle (Rental)		\$5,000.00	1.00	\$5,000.00
E99-99	Shipping/Handling/Delivery Charge	Shipping and Handling	\$100.00	1.00	\$100.00

Subtotal \$5,100.00

Total Price \$5,100.00

Signature

By signing below, you are acknowledging that the above pricing is accurate and within budget, and that you are ready to move forward with the official purchase and contract initiation:

Customer Signature: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_

Date: \_\_\_\_\_

Anticipated First Use Date: \_\_\_\_\_

\* includes 2hour training session



Company Address 8A Industrial Way  
Unit 100  
Salem, NH 03079  
US

Created Date 10/17/2023  
Quote Number 00001440

#### Contact Information

Prepared By Brenda L'Italien  
Title Director of Business Development  
Phone (978) 651-2511  
Email bcm@lhsassociates.com

Customer Name Franklin  
Contact Name Nancy Danello  
Title Town Clerk  
Email ndanello@franklinma.gov

#### Address Information

Bill To Name Franklin  
Bill To 355 East Central Street  
Franklin, MA 02038

Product Code	Product	Sales Price	Quantity	Total Price
DVS-205	ImageCast Central Bundle (Rental)	\$5,000.00	1.00	\$5,000.00
		Subtotal		\$5,000.00
		Total Price		\$5,000.00

#### Signature

By signing below, you are acknowledging that the above pricing is accurate and within budget, and that you are ready to move forward with the official purchase and contract initiation:

Customer Signature: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_

Date: \_\_\_\_\_

Anticipated First Use Date: \_\_\_\_\_

# Massachusetts Elections Calendar

## March 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
25	26	27	28	29	1	2
		<p>5:00 p.m. last day and hour to apply for mail-in ballot for presidential primary. G. L. c. 54, §25B</p> <p>5:00 p.m. last day and hour to file petitions to form a County Charter Commission with the SOC. G. L. c. 34A, §3</p> <p>5:00 p.m. last day for a person running in a state primary to enroll in a party or for a person running only in a state election to unenroll from a party, except for newly registered voters, for all offices except federal. G. L. c. 53, §48</p> <p>Last day to post warrant for presidential primary. G. L. c. 39, §10</p>			<p>Last day of in-person early voting for presidential primary. G. L. c. 54, §25B</p> <p>Last day to test computer tabulating program for presidential primary. 950 CMR 54.01</p>	
3	4	5	6	7	8	9
		<p>For federal offices only: 5:00 p.m. last day and hour for a person running in a state primary to enroll in a party or for a person running only in a state election to unenroll from a party, except for newly registered voters. G. L. c 53, §6 G. L. c 53, §48</p> <p>Presidential Primary</p>				<p>Last day for City and Town Clerks to mail presidential primary results to the SOC. G. L. c. 53, §70F</p>
10	11	12	13	14	15	16
17	18	19	20	21	22	23
Evacuation Day (Suffolk County Only)						
24	25	26	27	28	29	30
31	1	2	3	4	5	6

# Massachusetts Elections Calendar

November 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	29	30	31	1	2
		<p>5:00 p.m. last day and hour to apply for mail-in ballot for state election. G. L. c. 54, §25B</p> <p>Last day to post warrant for state election. G. L. c. 39, §10 G. L. c. 54, §63</p>			<p>Last day of in-person early voting for state election. G. L. c. 54, §25B</p> <p>Last day to test computer tabulating program for state election. 950 CMR 54.02</p>	
3	4	5	6	7	8	9
	<p>State Election. G. L. c. 54, §62</p>					
10	11	12	13	14	15	16
<p>Veterans' Day</p>					<p>5:00 p.m. last day and hour to submit recount petitions and district-wide recount petitions for certification of signatures with Registrars of Voters. G. L. c. 54, §135</p> <p>All overseas ballots postmarked by election day must be received by clerks. G. L. c. 54, §95</p>	
17	18	19	20	21	22	23
		<p>5:00 p.m. last day and hour to file state-wide and district-wide recount petitions with the SOC. G. L. c. 54, §135</p> <p>5:00 p.m. last day and hour to submit initiative petitions for certification of signatures to Registrars of Voters. G. L. c. 53, §7</p> <p>Last day for election results of cities and towns to be transmitted to the SOC. G. L. c. 54, §112</p>				
24	25	26	27	28	29	30
<p>Last day for Registrars of Voters to complete recount (except state-wide and district wide recounts). G. L. c. 54, §135</p>				<p>Thanksgiving Day</p>		
1	2	3	4	5	6	7
<p>Last day for Registrars of Voters to complete certification of signatures on initiative petitions. G. L. c. 53, §7</p>		<p>5:00 p.m. last day and hour to file initiative petitions with the SOC. Amend. Art. LXXIV</p>				



**TOWN OF FRANKLIN  
RESOLUTION 23-58**

**APPROPRIATION:** General Fund Appropriations, Transfers and Adjustments FY24

**PURPOSE:** To transfer and adjust the FY24 General Fund appropriations as follows:

<u>Dept #</u>	<u>Department</u>	<u>Appropriation</u>	Increase <u>(Reduction)</u>
123	Town Administrator	Salaries	\$ (49,014.00)
123	Town Administrator	Expenses	(9,000.00)
164	Elections	Expenses	5,000.00
390	Tri-County School	Expenses	(100,553.00)
535	Disability Commission	Expenses	1,000.00
910	Benefits	Expenses	(148,257.00)
			\$ (300,824.00)

**FINANCE COMMITTEE ACTION**

**Meeting Date:** 11/8/2023

**Vote:** 5-0

**Recommended Amount:** (\$300,824)

**MOTION:** Be It Moved and Voted by the Town Council that transfers and adjustments that in total amount to a net reduction in the FY24 General Fund operating budget of Three Hundred Thousand Eight Hundred and Twenty-Four Dollars (\$300,824) be made to the appropriations and in the amounts described above.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

**DATED:** \_\_\_\_\_, 2023

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

\_\_\_\_\_  
Nancy Danello, CMC  
Town Clerk

\_\_\_\_\_  
Glenn Jones, Clerk  
Franklin Town Council



**TOWN OF FRANKLIN**

**RESOLUTION NO.:** 23-59

**APPROPRIATION:** Stormwater Enterprise Fund Appropriation Reduction FY24

**TOTAL REDUCTION:** \$ 200,000

**PURPOSE:** To reduce the FY24 Stormwater Enterprise Fund appropriation by a total of \$200,000 as follows:

Contractual Services	\$114,000.00
Other Professional Services	\$86,000.00
	\$200,000.00

**FINANCE COMMITTEE ACTION**

**Meeting Date:** 11/8/2023      **Vote:** 5-0      **Recommended Amount:** \$200,000.00

**MOTION**

Be It Moved and Voted by the Town Council that the FY24 Stormwater Enterprise Fund appropriations be reduced by the sum of Two Hundred Thousand Dollars (\$200,000) as described above.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: \_\_\_\_\_, 2023

VOTED:  
UNANIMOUS \_\_\_\_\_

YES \_\_\_\_\_ NO \_\_\_\_\_

ABSTAIN \_\_\_\_\_

ABSENT \_\_\_\_\_

RECUSED: \_\_\_\_\_

A True Record Attest:

\_\_\_\_\_  
Nancy Danello, CMC  
Town Clerk

\_\_\_\_\_  
Glenn Jones, Clerk  
Franklin Town Council

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 9, 2023

To: Town Council  
From: Jamie Hellen, Town Administrator  
Amy Frigulietti

**Re: Bylaw Amendment 23-903: A Bylaw to Amend the Code of the Town of Franklin at Chapter 82  
Municipal Service Fees - First Reading**

---

I am asking the Council to approve Bylaw Amendment 23-903, to revise the fee schedule to increase the cost to recycle a mattress and/or box spring from \$10.00 to \$65.00.

Included in the November 15th Town Council meeting agenda packet is a letter from Brutus, which provides detailed information and background supporting this proposed increase.

If you have any additional questions please feel free to ask.



# TOWN OF FRANKLIN

## DEPARTMENT OF PUBLIC WORKS

257 Fisher Street  
Franklin, MA 02038

Date: November 7, 2023

For: Mr. Jamie Helen, Town Administrator  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

Re: Mattress Fee Increase

Dear Jamie,

As you are aware, mattresses were added to the items included in the Massachusetts Waste Ban on November 1, 2022, which means they must be recycled; not buried or incinerated.

Before the updated Waste Ban took effect, we processed less than 300 mattresses per year at the Recycle Center, and the cost was minimal.

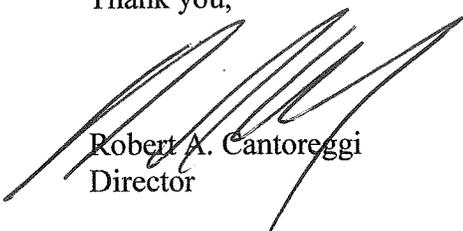
Last year, our recycling costs increased as residents brought more mattresses to the Recycle Center. There are several reasons for this: the exclusion of mattresses from the waste stream, decreased removal options, and dramatic price increases at facilities who continued to offer mattress recycling. Whereas, The Town of Franklin did not impose an increase. I also believe that many mattresses we receive are "imported" from outside of Franklin, where someone knows a resident and is taking advantage of our low cost service.

Presently, we only charge \$10 to drop off a mattress at the Recycle Center, yet our costs are rising to \$65 each. If a mattress is soiled or gets wet, our disposal cost is \$135.

In FY23 the Recycling Center took in 473 mattresses. Even with this increased volume, we were able to stay within our operating budget through supplementing the costs with Mass DEP grant funding. This fiscal year we have already taken in 654 mattresses and are on track to process nearly 1,500 - which is an estimated cost of \$95,000! We had anticipated a total cost of \$20,000. We are unable to bridge this budget gap through grant funding alone.

To represent the true cost recycling / disposing mattress, using available grant funding and to help offset our deficit for this service, I respectfully request that we increase the cost to recycle a mattress at the recycling center from \$10.00 dollars to \$65.00.

Thank you,



Robert A. Cantoreggi  
Director

CC: Amy Frigulietti, Deputy Town Administrator  
Carlos Rebelo, Highway and Grounds Superintendent  
Derek Adams, Environmental Affairs Coordinator  
Kathy Mooradd, Administration & Budgets Manager  
Chris Sandini, Director of Finance  
Kerri Bertone, Town Treasurer and Collector  
File



**TOWN OF FRANKLIN**

**BYLAW AMENDMENT 23-903**

**CHAPTER 82, FEES, MUNICIPAL SERVICE  
A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT  
CHAPTER 82, FEES, MUNICIPAL SERVICE**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that Chapter 82 of the Code of the Town of Franklin is amended at Section 82-6 Schedule of Service Fees, Subsection L. Public Works, by striking existing language and replacing it as set out below:

---

§ 82-6. **Schedule of service fees.**

L. Public Works

<b>Service Fee</b>	<b>Rate</b>
Beaver Street Recycling Center (annual sticker fee)	\$35
Beaver Street Recycling Center (Beaver Street recycling sticker required)	
ABC (asphalt, brick, concrete) per load	\$15
Auto batteries	No charge
Carpeting - 4-foot rolls, 24-inch diameter	\$10
Freon-containing items	\$15 per item
Grills	No charge
Hazardous waste	\$5 per gallon, \$5 per 10 pounds
Mattresses and box springs	<del>\$10</del> <b>\$65</b>
Propane tanks	\$5 each
Sinks	\$10
Sticker fee (10 consecutive days)	\$25
Televisions (less than 25 inches)	\$15
Televisions (25 inches and greater)	\$25
Tires (all sizes)	\$5 each
Toilets	\$15
Tubs/showers	\$50
Yard waste (per registered vehicle or trailer)	
Car, pickup truck, van or trailer under 4x8 with-out sides	No charge
Pickup truck with extended sides	\$25 per load
Trailer (over 4x8) or enclosed cargo trailer	\$25 per load

This bylaw amendment shall become effective on and after January 1, 2024.

---

**DATED:** \_\_\_\_\_, 2023

**A True Record Attest:**

**Nancy Danello, CMC  
Town Clerk**

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

---

**Glenn Jones, Clerk  
Franklin Town Council**

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 9, 2023

To: Town Council  
From: Jamie Hellen, Town Administrator  
Amy Frigulietti, Deputy Town Administrator

**Re: Bylaw Amendment 23-902: A Bylaw to Amend the Code of the Town of Franklin by Inserting Chapter 147, Snow and Ice, Removal Of**

---

This is a first reading of Bylaw Amendment 23-902, which if approved, will insert Chapter 147 "Snow and Ice, Removal Of", into Town Code.

A first reading of a previous iteration of this bylaw was held on October 11th, and after careful discussion and deliberation the Town Council ultimately voted not to move it to a second reading. General consensus among the Councilors who opposed the bylaw was that they would like to see a few changes to the language and map, and then vote on a revised bylaw. Bylaw Amendment 23-902 has now been updated to reflect the Councilors' feedback, which includes:

- Removal of residential feeder streets from the requirement (except the few residences that are on 140, Franklin Crossing or around the college perimeter); and
- Removal/clarification that roofs are not required to be cleared.

In the absence of adequate staffing or funding for the Town to remove all snow and ice alone, the purpose of this bylaw is to take a modest step toward creating a new community culture where we all need to chip in to help remove snow and ice from town sidewalks to make them more safe and accessible for all residents.

The proposed bylaw and map are included in the agenda packet. Please let us know if you have any questions.



**TOWN OF FRANKLIN  
BYLAW AMENDMENT 23-902  
CHAPTER 147, SNOW AND ICE, REMOVAL OF**

**A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN  
BY INSERTING CHAPTER 147, SNOW AND ICE, REMOVAL OF**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that the Code of the Town of Franklin is amended by the insertion of a new Chapter 147, Snow and Ice, Removal of, as follows:

**Chapter 147: Snow and Ice, Removal of**

**§147-1 Time limit for removal from sidewalks and footways.** The owner, agent, or occupant of private property bordering a street in the town where there is a sidewalk or footway duly established and defined and delineated on attached map "Sidewalk Snow Removal Required By Property Owner" shall cause all snow and ice to be removed within twelve (12) hours after snow ceases to fall and shall maintain said sidewalk in a non-slippery condition suitable for pedestrian travel at least thirty-six (36) inches in width along the length of said sidewalk. Whenever any sidewalk or footway shall be encumbered with ice, the owner or occupant of such private property shall remove the ice therefrom, or so treat it that it shall be safe and convenient for travel in a non-slippery condition. In the event of an unusually heavy snowfall, the time limit shall be extended at the discretion of the Town Administrator. The provisions of this section shall apply to snow which falls from buildings as well as to that which falls from the clouds.

**§147-2. Awnings and signs.** The owner, agent, or occupant of private property bordering a street in the town where there is a sidewalk or footway duly established and defined and delineated on map "Sidewalk Snow Removal Required By Property Owner" where the awning or signage of such building slopes towards such street so as to cause snow and/or ice to accumulate on the sidewalk or footway, shall cause all snow and ice to be removed from **below** such awning and sign within twelve (12) hours after the same has fallen or formed.

**§147-3 Placement.** The prohibition contained in Chapter 155 Section 21 that no person(s) shall place, or cause to be placed, ice or snow upon any public way of the Town ~~applies to this Chapter,~~ unless exempted by the Director of Public Works, applies to this **Chapter.**

**§147-4 Penalties.** If any person(s) subject to the provisions of this ordinance neglects or fails to comply with the provisions of sections 147.1, 147.2, or 147.3 then the Franklin Police, the DPW Director or their designee, and/or the Building Commissioner or their designee shall make reasonable attempts to notify such person/s of their neglect or failure and obligate them to do so, and, if the person(s) does/do not comply forthwith, the person(s) shall be fined \$50.00 for each offense, by any of the Town officials designated herein to enforce this bylaw.

This By-Law amendment shall become effective according to the provisions of the Franklin Home Rule Charter.

DATED: \_\_\_\_\_, 2023

VOTED:

UNANIMOUS: \_\_\_\_\_

A True Record Attest:

YES: \_\_\_\_\_ NO: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Nancy Danello, CMC  
Town Clerk

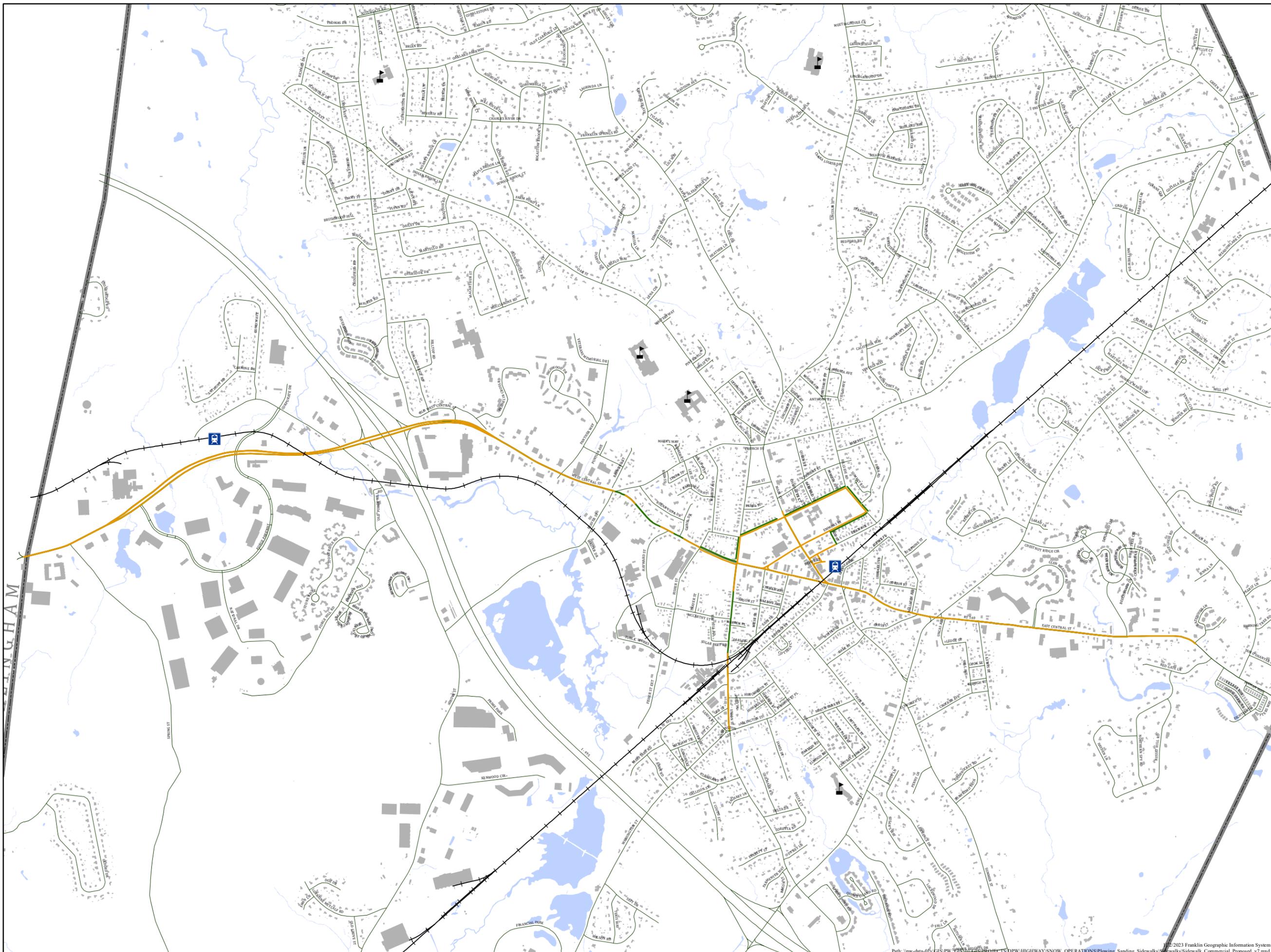
\_\_\_\_\_  
Glenn Jones, Clerk  
Franklin Town Council

# SIDEWALK SNOW REMOVAL BY PROPERTY OWNER

-  Train Station
-  School
-  Commercial Sidewalk
-  Residential Sidewalk
-  Railroad
-  Street
-  Structure
-  Municipal Boundary



In maintaining its GIS Data, the Town of Franklin has made every effort to ensure the accuracy, currency and reliability of the content thereof, however, errors can occur. It is expressly understood and agreed that in producing this information, the Town of Franklin, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event will the Town of Franklin, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss or damage incurred or resulting from the use of the information provided.



# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 9, 2023

To: Town Council  
From: Jamie Hellen, Town Administrator  
Amy Frigulietti, Deputy Town Administrator

**Re: Resolution 23-61: 2024 Schedule of Town Council Meetings**

---

We are asking the Council to approve the 2024 Town Council meeting schedule. This schedule outlines the proposed Town Council meeting dates for the 2024 calendar year. While very rare, this does not prohibit the Council from posting additional meetings as necessary within the Open Meeting Law statutory requirements of 48 hours public notice.

We have also included a schedule of monthly office hours for the Town Council and Town Administration at the Senior Center, which are on the third Thursday of every month.

FYI: The Finance Committee will be reviewing their 2024 meeting dates on December 13th. Their meetings are held monthly on Wednesday evenings opposite Town Council dates. We expect their 2024 meeting dates will be announced as follows:

January 10, February 7, March 6, April 17, May 6-9 (budget hearings), June 12, July - No meeting, August - No meeting, September 11, October 23, November - No meeting, and December 11.

The Finance Committee annual FY25 budget hearings are anticipated to be scheduled between May 6-9.

Finally, the Community Preservation Committee meeting dates will be scheduled on an as-needed basis in 2024.

Once all dates have been settled, we will post them on the Town Calendar. All dates are subject to change throughout the year based on the policy information we have at the time.

If you have any additional questions please feel free to ask.



**TOWN OF FRANKLIN  
RESOLUTION 23-61  
2024 SCHEDULE OF TOWN COUNCIL MEETINGS**

**2024 DATES**

January	3	
January	17	
January	31	
February	14	(FYI: School Vacation February 19-23)
February	28	(FYI: Joint Budget Subcommittee Meeting March 6)
March	13	
April	3	(FYI: School Vacation April 15-19)
April	24	
May	1	(Fin Com Budget Hearings May 6-9)
May	22	(FY25 Operating Budget Hearing 1)
May	23	(FY25 Operating Budget Hearing 2)
June	5	
June	19	
July	17	
August 14		
September	4	
September	18	
October	9	
October	16	
November	6	(FYI: Election Day November 5)
November	13	
December	4	(FY25 Tax Rate Hearing)
December	18	

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

**DATED:** \_\_\_\_\_, 2023

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**A True Record Attest:**

**Nancy Danello, CMC  
Town Clerk**

\_\_\_\_\_  
**Glenn Jones, Clerk  
Franklin Town Council**



**Town Council & Town Administration Monthly Office Hours**  
**Third Thursday / Month**  
**8:30 AM - 9:30 AM**

**Franklin Senior Center**  
**10 Daniel McCahill Road, Franklin, MA**

---

The Town Council will be holding monthly office hours at the Franklin Senior Center. One or more Councilors, along with the Town Administration, may be present for this standing time for seniors, their families and residents to ask questions, discuss issues of concern or just enjoy a complimentary cup of coffee!

**2024 Dates**

January 18

February 15

March 21

April 18

May 16

June 20

July 18

August 15

September 19

October 17

November 21

December 19



## Finance Committee 2024 Meeting Schedule

Meetings are held Wednesdays at 7:00pm in the Municipal Building  
Council Chambers unless otherwise noted.

---

### 2024 DATES

January	10	
February	7	
March	6	(FYI: Joint Budget Subcommittee Meeting)
April	17	
May	6	Budget Hearing
May	7	Budget Hearing
May	8	Budget Hearing
May	9	Budget Hearing
June	12	
July	No Meeting	
August	No Meeting	
September	11	
October	23	
November	No Meeting	
December	11	



**TOWN OF FRANKLIN  
RESOLUTION 23-62**

**Acceptance of Gifts - Veterans' Services Department**

**WHEREAS,** The Veterans' Services Department has received a generous donation in the amount of \$1,000.00 to be used at the discretion of the Department for programs and services, as follows:

**Donation Summary:**

**VETERANS' SERVICES DEPARTMENT**

1. Veterans' Gift Fund - \$1,000 to be used in support of local Veterans and their families
  - Donated by Franklin Elks Riders

**Donation Total: \$1,000.00**

**NOW THEREFORE, BE IT RESOLVED THAT:**

The Town Council of the Town of Franklin on behalf of the Veterans' Services Department gratefully accepts this generous donation to be used at the discretion of the Department, as described above.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

**DATED:** \_\_\_\_\_, 2023

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

**Nancy Danello, CMC**  
Town Clerk

\_\_\_\_\_  
**Glenn Jones, Clerk**  
Franklin Town Council

# Town of Franklin

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OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 9, 2023

To: Town Council  
From: Jamie Hellen, Town Administrator  
Amy Frigulietti, Deputy Town Administrator

**Re: Resolution 23-63: Gift Acceptance - Veterans' Services Department**

The Veterans' Services Department has received several generous donations in the total amount of \$1,975. These donations will be applied at the discretion of the Department towards the Veterans' Municipal Assistance Fund in support of local veterans and their families.

We'd like to extend our appreciation to everyone who has donated.

### Donation Summary:

#### 1. Veterans' Services Department - Municipal Assistance Fund

● Grove Street Auto Repair	\$1,000.00
● Joan & Kenneth Ogilvie	\$ 250.00
● Ginley Funeral Homes	\$ 200.00
● Jeannette Hart	\$ 100.00
● Tina Powderly	\$ 100.00
● Mark & Kara Witt	\$ 100.00
● Diane & James Jackson	\$ 50.00
● Paul & Donna Peloquin	\$ 50.00
● Suzanne & Kevin Sayward	\$ 50.00
● Bette Jo Ghegan	\$ 30.00
● Annmarie Bremser	\$ 25.00
● Gerald & Margaret McGrath	\$ 10.00
● Edward & Marion Syngay	\$ 10.00
Total:	\$1,975.00



**TOWN OF FRANKLIN  
RESOLUTION 23-63**

**Acceptance of Gifts – Veterans’ Services Department**

**WHEREAS,** The Veterans’ Services Department has received generous donations in the total amount of \$1,975 to be used at the discretion of the Department as follows:

**Donation Summary:**

**VETERANS’ SERVICES DEPARTMENT - \$1,975**

**1. Municipal Assistance Fund**

- Donations to be used at the discretion of the Veterans Services Department through the Municipal Assistance Fund for support of local veterans and their families.

The list of all donors is included in the 11/15/2023 Town Council meeting agenda packet.

**NOW THEREFORE, BE IT RESOLVED THAT:**

The Town Council of the Town of Franklin on behalf of the Veterans’ Services Department gratefully accepts these generous donations to be used at the discretion of the Department for the purposes noted above.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

**DATED:** \_\_\_\_\_, 2023

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

**Nancy Danello, CMC  
Town Clerk**

\_\_\_\_\_  
**Glenn Jones, Clerk  
Franklin Town Council**

# Town of Franklin

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## OFFICE OF THE TOWN ADMINISTRATOR

November 9, 2023

**To:** Town Council  
**From:** Jamie Hellen, Town Administrator  
Amy Frigulietti, Deputy Town Administrator

**RE: Resolution 23-64: Town Administrator Evaluation Subcommittee**

---

Per Section 25 of the Rules of Procedure Manual, I am asking the Council to establish the following subcommittee:  
Town Administrator Evaluation Subcommittee.

Per contract, the Council shall perform an evaluation annually.

The Committee will dissolve when a report is forwarded to the full Town Council.

If you have any additional questions please feel free to ask.



## TOWN OF FRANKLIN

### RESOLUTION 23-64

#### ESTABLISHMENT BY TOWN COUNCIL OF SUBCOMMITTEE FOR TOWN ADMINISTRATOR EVALUATION

Pursuant to Paragraph 25 of the Procedures Manual of the Franklin Town Council, the Town Council hereby establishes the following Subcommittee, to consist of three (3) Town Council members for the current Council term, or until earlier-dissolved:

1. Subcommittee for Town Administrator Evaluation

This resolution shall become effective upon passage and shall dissolve January 31, 2024.

---

**DATED:** \_\_\_\_\_, 2023

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

Nancy Danello, CMC  
Town Clerk

---

Glenn Jones, Clerk  
Franklin Town Council



## TOWN OF FRANKLIN

### RESOLUTION 23-65

#### ESTABLISHMENT BY TOWN COUNCIL OF SUBCOMMITTEE FOR REVIEW OF RULES OF PROCEDURE OF THE TOWN COUNCIL

Pursuant to Paragraph 25 of the Procedures Manual of the Franklin Town Council, the Town Council hereby establishes the following Subcommittee, to consist of three (3) Town Council members for the current Council term, or until earlier-dissolved:

1. Procedures Manual of the Town Council

This resolution shall become effective upon passage and shall dissolve January 31, 2024.

---

DATED: \_\_\_\_\_, 2023

VOTED: \_\_\_\_\_

UNANIMOUS: \_\_\_\_\_

A TRUE RECORD ATTEST:

YES: \_\_\_\_\_ NO: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_ ABSENT: \_\_\_\_\_

RECUSED: \_\_\_\_\_

Nancy Danello, CMC  
Town Clerk

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Glenn Jones, Clerk  
Franklin Town Council