

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
February 1, 2023**

A meeting of the Town Council was held on Wednesday, February 1, 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, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegrini, Patrick Sheridan. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, 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.

CITIZEN COMMENTS: ► Town Clerk Nancy Danello stated that tomorrow night State Representative Jeff Roy along with herself will have the distinct privilege of presenting the Boston Post Cane to the newest recipient, Mrs. Lorraine R. Nasuti Spencer, as the oldest resident born May 11, 1921, and will be 102 years old in May. She reviewed Mrs. Spencer's background and congratulated Mrs. Spencer. Ms. Danello discussed the annual town census which she said was probably received in the mail this week. She asked residents to review the information on the census, make any corrections, sign the census, and mail it back. She reviewed that they are in the process of dog registration which should be done by April 1st in order to avoid late fees.

APPROVAL OF MINUTES: ► *January 18, 2023.* ► **MOTION** to **Approve** the January 18, 2023 meeting minutes by **Dellorco**. **SECOND** by **Jones**. **No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: **None.**

APPOINTMENTS: ► *New Employee: Fire Department - Kristin Krauss, Firefighter, and Promotion: Fire Department - William Blanchard, EMS Battalion Chief.* ► Fire Chief James McLaughlin introduced new firefighter/paramedic Ms. Kristin Krauss and new EMS Battalion Chief Mr. William Blanchard. He reviewed Ms. Krauss's education, background, and career. ► Town Clerk Nancy Danello performed the swearing in. ► Ms. Krauss's father pinned the badge. ► Fire Chief McLaughlin reviewed Mr. Blanchard's education, background, and career. ► Town Clerk Nancy Danello performed the swearing in. ► Mr. Blanchard's wife pinned the badge.

Chair Mercer called a two-minute recess.

HEARINGS: **None.**

LICENSE TRANSACTIONS: ► *New Section 15 All Alcoholic Beverages Retail Package Store License and Approval of Scott Corvi as the Manager - MADD Deli, Inc. d/b/a Dacey's Market and Deli, Located at 353 Lincoln Street.* ► Councilor Jones read the license transaction. ► **MOTION** to **Approve** the request by MADD Deli, Inc. d/b/a Dacey's Market and Deli, for a New Section 15 All Alcoholic Beverages Retail Package Store License and to approve Scott Corvi as

the Manager by **Jones. SECOND by Dellorco. Discussion:** ► Mr. Hellen stated that as outlined in the documentation provided in the Town Council's meeting packet, this is the special legislation that was filed by the Town Council in the fall. He stated that the legislation does not provide the license; the applicant had to come back to the Town Council to authorize the license. He reviewed that as outlined in the license transaction memo, all departments have signed off on the application. ► Town Council members asked questions and made comments. ► Mr. Hellen explained that the applicant's current beer and wine license will disappear and not stay on the Town's quota once the all alcoholic beverages license is issued. ► In response to how often the state extends the cap, Mr. Hellen stated that he thinks these are on the state legislators' dockets all the time. He explained that with the 10-year census, the quotas are updated. ► Mr. Cerel explained that when these types of licenses are received, they are generally personal to the applicant; at best they can transfer the license at that location if they sell the business, but they do not float and come back to the Town if they are no longer being used by whoever was issued it.

► Councilor Hamblen asked about the process regarding if the population decreases per the census and if the license quotas get revoked. ► Mr. Hellen stated no, and noted that he does not see any increase in package store licenses coming. ► Legal Counsel for Lincoln Street Market Place which is an alcohol licensee located .2 miles down the road on Lincoln Street, stated that the Town Council is supposed to look at if there is a public need for an all alcoholic beverages license, and the fact of the matter is that there is no public need for another license when there is an all alcoholic license store .2 miles down the road. He stated that the Town Council has denied other licenses based on proximity to existing stores. He stated that he does not see why the Town of Franklin needs another all alcoholic beverages license in a quiet area of town when it is more than adequately serviced by the existing store in the area. He stated that competition does not matter, it is based on public need. He noted that this is a special legislation license. He stated that their position is that there is no need for this license and Town of Franklin should deny it. ► A speaker stated that he is part of this industry and he has businesses around. He stated that he has seen a lot of approvals and disapprovals of licenses. He stated that there was a big license move that was supposed to happen between one of the stores that did not go through. He stated that he keeps tabs of different town's agenda; he thought he would check this out about what is happening. He stated that when these kinds of license transfers happen, there is a possibility where the recipient party might try to move forward with it and might try to sell it. He stated that he has never seen such a relaxed special legislation getting approved. He stated that he thinks that they should look more in detail about what is the other purpose behind something like this. He stated that he knows how the legislation works. He stated that he is in the business and they do not need more package stores. He stated that he does not think that Franklin needs more licenses. He suggested asking the neighbors if they are being well served. He stated that he does not think this should be approved; it is not good. ► Mr. Larry Sullivan, 561 Lincoln Street, stated that he seconds what the previous speaker said. He stated that he works in many cities and would not like to see the area turn out like a Jamaica Plain where there is a liquor store on every corner. ► Ms. Patel, 3 Natalie Circle, stated that she works for a liquor store. She stated that she sees no need for another liquor store that is .2 miles away with a full liquor license; customers are very well served. She stated that you do not need another liquor license in a school district. She stated that there are plenty of liquor stores in Franklin; she stated that there have never been two liquor stores within only .2 miles in Franklin. ► Mr. Scott Corvi of Dacey's Market stated that this helps bring the neighborhood together. He stated that he sells food, beer, and wine, and the market is trending to the ready made drinks. He stated that he is trying to make a living like everyone else and be competitive and help his customers stay in one location.

► Owner of Lincoln Street Market stated that he is here to oppose the liquor license. He stated that the proposed liquor license is too close to his store. He stated that recently people have been complaining about the nips and this could increase the problem. ► Ms. Amy Brescia, 44 October Drive, stated that she works for a liquor wholesaler. She stated that you cannot control trash and nips. She stated that Mr. Corvi just needs a way to be competitive with everyone else and bring the neighborhood together and have customers shop in one place. ► Mr. Cerel stated that this was a public hearing and notice was given to abutters. ► Chair Mercer stated that it was on the agenda as a license transaction. He stated that he would like the Town Administrator and Town Attorney to review the Town Council meeting agendas to make

sure they are correct before they go out. ► Chair Mercer stated that he declared the public hearing closed. **VOTE: Yes-8, No-1, Absent-0.** (Councilor Sheridan voted No.)

► ***Transfer of Section 15 Wine and Malt Beverages Package Store License, Approval of Pledge of Liquor License and Approval of Vrushank Patel as the Manager - 660 Central, LLC d/b/a Mobil, Located at 660 West Central Street.*** ► Councilor Jones read the license transaction. ► **MOTION** to **Approve** the request by 660 Central, LLC d/b/a Mobil for a transfer to it of an existing \$15 Wine and Malt Beverages Package Store License, presently held by Ouzo Corp. d/b/a Franklin Mobil, to be exercised at the same location, and to approve the Pledge of Liquor License, and to approve the manager, Vrushank Patel, by **Jones. SECOND** by **Dellorco.** ► Chair Mercer stated that he declared the public hearing open. **Discussion:** ► Mr. Hellen stated that this is three transactions in one: the change of manager, the pledge of liquor license, and the transfer of the license over from Mobil Corp. ► Attorney Thomas Miller on behalf of the applicants, Andy Patel and proposed manager Vrushank Patel, addressed the Town Council. Mr. Miller stated that the applicants are excited to come to Franklin. He stated that they both have experience in the industry. He reviewed Vrushank Patel's background and experience. He reviewed the Pledge of Liquor License through Rockland Trust Company. He stated that scanner technology for the sale will be implemented at the store. He stated that they are quality applicants. ► Chair Mercer declared the public hearing closed. **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► ***Tri-County School Building Project - Karen Maguire, Tri-County Superintendent.*** ► Mr. Hellen reviewed that the Tri-County School has been looking at a school building project for many years; this is the furthest along that they have brought it forth. He stated that they asked the superintendent and staff to come in to do a presentation of what the game plan looks like and some of the details. ► Tri-County Superintendent Karen Maguire, Business Manager Daniel Haynes, School Committee member Dr. Peter Wiernicki, and School Committee member Jennifer D'Angelo addressed the Town Council. ► Ms. Maguire narrated a slideshow presentation on the Tri-County Regional Vocational Technical School Building Project that was provided in the Town Council members' meeting packet. She stated that Tri-County put into the MSBA to be accepted into the building project pipeline a number of times since 2016 and the school project has been accepted. She stated that the school serves students from 11 member communities and has about 1,000 students in grades 9-12 in a vocational high school. She stated that the school opened in 1977. She discussed that the MSBA project pipeline process includes eight steps spanning over a number of years. She stated that they have completed eligibility, form project team, and feasibility study. She stated that the focus was on a remodel for the school; however, after the feasibility study, it was determined that building a new building was as expensive as a renovation. She reviewed the Preliminary Pricing Table slide and discussed the base building repair option, the addition-renovation option 3.1.1, the addition-renovation option 4, and the new construction option 3 which costs approximately \$279 million. She discussed the proposed location of the new building and the classroom setup of each of the three proposed floors. ► Mr. Haynes discussed important upcoming dates including community presentation #4 in May-June 2023. He noted the preliminary schematic design report to MSBA for Board Approval is June 2023. He discussed that a district ballot election is required for this process. He reviewed the district vote process which includes a district ballot election; the eleven communities would have the same ballot question and vote at the same time with a simple majority vote of the voting members who come. He stated that the debt issue would be a 30-year bond. He reviewed the October 2022 and the October 2021 enrollment by Town. ► Ms. Maguire reviewed the timeline for the eight steps of the project. ► Town Council members asked questions, made comments, and thanked the presenters for their presentation. ► In response to questions, Ms. Maguire reviewed the existing building demo and site work which is part of the timeline in 2027. She stated that they are trying to incorporate as much green energy as they can in the building and in the classrooms. She discussed grant opportunities and stated that there has been an increase in vocational school grants. She stated that there has been legislation that is asking for \$3 billion in the millionaires' tax money for vocational schools. She reviewed enrollment trends and stated there has been an increase in

enrollment of vocational schools; Tri-County is going to stay at 1,000 seats and it is planned to stay that way. She discussed industry trends and reviewed some programs that have been folded into other programs as well as some new programs. She stated that they have spoken individually with all the Town Administrator's from the 11 communities and they have made many of these presentations to the communities including Sherborn. She stated that this year's applicant pool shows an increase from the communities of Sherborn and Medfield. She stated that they are speaking with the town's early to let them know what they are asking for. She reviewed that at their Advisory Board meeting they discussed possibly having connections with businesses who may want to make funding contributions. She reviewed that the town clerks have tentatively penciled in October 24, 2023, as the voting date. ► Dr. Wiernicki stated that he is ready to sell this to the community as there is value in a vocational education.

► Councilor Pellegri discussed that not all colleges need new buildings; she needs to look into this a lot more to say that she is for this. ► Ms. Maguire explained what they would do if this does not pass at the vote. She stated that they need to address the electrical, plumbing, wiring for the internet capabilities, and the safety pieces and they would be at \$165 million. ► Councilor Dellorco stated that it is good to build a new place with new equipment. ► Chair Mercer stated that he has been involved in two projects. He said that he has sat with the MSBA many times. He stated that he applauded the efforts of building a new building as opposed to renovation; he stated that when you finally get to the numbers, it does not work to renovate especially in a building that is 40 to 50 years old. He asked if MSBA has given them any idea of a projected reimbursement number. ► Mr. Haynes stated that it is 52.89 percent of eligible costs; in the concept building the reimbursement is about \$80 million. ► Ms. Maguire explained what is reimbursed by MSBA. ► Chair Mercer explained that he thinks the MSBA did a disservice by stopping the model-school program. He discussed levels of green status when building the high school in Franklin; they achieved the silver status. He reviewed that when he had to go out to sell the high school to the community, it was a lot of work, very challenging, and very rewarding. He stated that he hopes they are successful. ► Ms. Maguire stated that they will be back with another update.

LEGISLATION FOR ACTION:

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

- a. ***Bylaw Amendment 23-892: A Bylaw to Amend the Code of the Town of Franklin at Chapter 82, Fees, Municipal Service - First Reading (Motion to Move Bylaw Amendment 23-892 to a Second Reading - Majority Vote).*** ► Councilor Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 23-892: A Bylaw to Amend the Code of the Town of Franklin at Chapter 82, Fees, Municipal Service to a second reading by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated that this is the first reading of some minor fee increases on the ambulance rates. He reviewed that the Town Council last approved these fee increases in 2021 in order for the Town to be in the middle of the area of hospital communities for rates. He reviewed that today we are now slightly below the middle average for area communities. He reviewed that approval of this bylaw will allow us to be back in the middle and maintain market standards. He noted that the Town did not need to adjust for inflation last year but should look at that for the coming year to maintain our emergency services. ► Councilor Cormier-Leger asked if the Town has contracts with insurance companies for rates. ► Fire Chief James McLaughlin discussed what is paid for based on the insurance that the individual has. He discussed that normally the majority of the calls are Medicare, Medicaid, and Blue Cross and the collection rate is about 95 percent for those patients. He reviewed that collections have gone up significantly. He stated that he works with the comptroller's office and the vendors to go over collections. ► Chair Mercer asked if we have done anything with some of the elder care facilities in town in privatizing and trying to get them to use private ambulance; more and more of these calls just drive our costs up. ► Fire Chief McLaughlin discussed that they have made site visits to some of the places that they have had problems with, and he thinks they have done well. He stated that one

facility had a change of management. He stated that he does have a tool for billing purposes, a mechanism with a fine if a facility becomes abusive. ► **VOTE: Yes-9, No-0, Absent-0.**

b. Resolution 23-14: Appropriating Funds by Borrowing to Pay Costs of Purchasing an Aerial Ladder Truck for Fire Department (Motion to Approve Resolution 23-14 - Two-Thirds Majority Vote). ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-14:**

Appropriating Funds by Borrowing to Pay Costs of Purchasing an Aerial Ladder Truck for Fire Department by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated that this is a great exercise in the long-term vision that the Fire Department has. He stated that the Finance Committee unanimously endorsed this. He noted that they are looking at a two-to-three-year order time. He stated that supply chain issues are a problem and getting worse. He stated that they will borrow the funds when the truck arrives. ► Fire Chief James McLaughlin stated that they did research on items including new vehicles, refurbishment, and projected delivery times on a new vehicle. ► Deputy Fire Chief Joseph Barbieri narrated a slideshow presentation. He explained the functions of a tower truck and maintenance concerns of the current truck. He discussed that the current truck is over 15 years old and over \$101,962 has been spent since February 2019. He reviewed that they looked into refurbishment and he explained the process. He discussed that they looked into options for new trucks and he explained some of the specifications. He reiterated that it would take 22 to 24 months for delivery. He discussed that the cost if locked in before February 2, 2023, is \$1,859,599; the cost after February 2, 2023, will include a two percent increase of \$37,191.98. He stated this truck is a stock truck and not customized. He reviewed the need for the truck in the town and explained that there are 70 buildings in town that are three stories or larger and there are many large commercial buildings. He stated that if this is delayed, in a few years' time, the cost will be over \$2 million and the delivery time is getting longer. ► Fire Chief McLaughlin reviewed the trade in; he suggested keeping the old truck as a reserve. ► Town Council members asked questions and made comments. ► Councilor Jones stated that this comes down to saving a person's life. He stated that whatever we can do to provide them with the right tools, he is 100 percent in support of it. ► Councilor Frongillo stated this is under the assumption that prices are going to continue to go up. He asked why are we so sure of this. He stated that it is his understanding that supply chain issues are in some part due to a moment in time due to Covid and Ukraine, and he asked why are we confident that those are going to continue to go up. ► Fire Chief McLaughlin stated that at 5 PM tomorrow we are confident that the price will go up approximately \$37,000. He stated that he has talked to people in the industry and he would be naive to think price increases are not going to happen. He stated that he does not have a 100 percent guarantee about increases, but his educated guess says that we are going to see increases. ► Councilor Hamblen stated that the fire department has done a fabulous job proposing this. She stated that she agrees to save the old truck. She thanked them for getting the extra day on the price. ► Fire Chief McLaughlin stated that if/when they know of a time that they will not have a truck, they alert neighboring towns. ► Councilor Cormier-Leger confirmed that the Town does not pay until the truck is delivered. He stated that there is no price on saving lives. ► Mr. Hellen reviewed the process of funding, the current interest rate, and the process of getting the order in tomorrow. He stated that this is not a discretionary item; the Town has to have it. He noted that most of the neighboring communities do not have this type of apparatus. ► Councilor Chandler stated that he agrees with saving the other truck. He stated that this Town is building up and we need this. He asked about a possible Dean College contribution. ► Mr. Hellen discussed a possible Dean College contribution. He stated that as buildings continues to go up, maybe one of the things to think about is maybe donations through mitigation knowing that the buildings are going to be three, four, five, or six stories; this goes for commercial and residential buildings. He stated that they have not solicited or asked at this time. ► Councilor Pellegrini stated that she agreed with keeping the other truck. ► Councilor Dellorco stated that he is kind of in this business. He stated that he wishes the prices would come down, but they are not. He stated that a Pierce fire truck is the best; the price is the price. He stated that he is all for this.

► Chair Mercer thanked everyone for their work to bring this forward. He stated that he supports this resolution. ► **VOTE: Yes-9, No-0, Absent-0.**

- c. **Resolution 23-15: Gift Acceptance - Police Dept. (\$315) (Motion to Approve Resolution 23-15 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-15: Gift Acceptance - Police Dept. (\$315) by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen thanked the donors for their donations. ► **VOTE: Yes-9, No-0, Absent-0.**
- d. **Resolution 23-16: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 (Motion to Approve Resolution 23-16 - Majority Vote).** ► **MOTION to Waive the reading by Cormier-Leger. SECOND by Dellorco. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**
 ► **MOTION to Approve Resolution 23-16: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 by Dellorco. SECOND by Hamblen. Discussion:**
 ► Councilor Jones asked if Comcast has raised rates. ► Mr. Hellen stated that he feels they raise rates all the time. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen said that the volunteer recruitment went out for the Davis Thayer Committee, the Master Plan Committee, and the Police Station Building Committee, also members of the Cultural Council and Cultural District Committee. He reviewed that the Town webpage has a posting with a form and application. He stated that anyone interested can fill out the form and application, and the deadline is March 3, 2023. He stated that a person can apply online, over the phone, or by coming into the office.

SUBCOMMITTEE REPORTS:

- a. **Town Administrator Evaluation Ad Hoc Subcommittee Report.** ► Chair Mercer stated that it is part of the contract with the Town Administrator; we are required to do an annual review and provide a written summary of that review. He stated that they did a review of the goals just a few weeks ago. He stated that the subcommittee met and wrote a summary of the Town Administrator's evaluation and a copy was provided to all Town Council members; he is looking for a vote to adopt the summary and put it in the Town Administrator's file. ► **MOTION to Request the Town Council to put the Town Administrator's evaluation into his permanent record by Jones. SECOND by Hamblen. Discussion:** ► Chair Mercer stated that it is a public record. ► Councilor Hamblen stated that she wanted to commend the ad hoc committee for adding the extra things that Mr. Hellen has done that were not on the list. She stated that for her one of the top things was getting those 200 acres of open space which was not on his to do list. ► **VOTE: Yes-9, No-0, Absent-0.**
- b. **Capital Budget Subcommittee.** ► Councilor Pellegri stated that they met this evening, they went through all of the amounts that have been requested, we voted that, and now we have to wait to do something with the Town Council. ► Mr. Hellen stated it would be on the February 15, 2023, agenda.
- c. **Economic Development Subcommittee.** ► Councilor Hamblen stated that they had a meeting last week with the EDC plus. She stated that she is proud of the committee and Town staff on their dedication on this project. She stated that they agreed to move things forward that will come to the Town Council regarding inclusionary zoning. She stated that they created a definition for three-family buildings to be built, and they increased density by right in areas. She stated that it was a pleasure to work with everyone.
- d. **Budget Subcommittee.** None.
- e. **GATRA Advisory Board.** None.

FUTURE AGENDA ITEMS: ► Councilor Pellegri stated that she got a letter from a resident who wants to put together fans for Franklin families and the resident would like the Town Council to be in support of it. ► Chair Mercer requested having the Town Administrator speak with the resident to see what the avenue should be. ► Mr. Hellen stated that he would speak with the resident. ► Councilor Pellegri stated

that the resident knows of some people who have passed away because of the heat in the summer and she would like a place to store fans that people donate.

COUNCIL COMMENTS: ► Councilor Cormier-Leger stated that he could not help but take note of how lucky we are to live in this incredible town because you just have to turn on the television right now and see things such as the Tennessee situation; he reviewed some of the TV items he has seen. He stated you can see bad news after bad news. He stated that he went to the Senior Center yesterday for the monthly rainbow café meeting and people from other communities came because their towns do not have anything like this where seniors in the LBGT community can come together and just talk. He stated that he encouraged the listeners to turn off the bad news and tune into us and you will feel more uplifted.

► Councilor Pellegrini stated that the Franklin Rod & Gun Club do a breakfast every second Sunday at the club and it is fabulous. She stated it starts at 8 AM. She stated that if there is another group that does something they can get in touch with her and she will announce it like this. ► Councilor Sheridan stated happy Chinese New Year. ► Councilor Frongillo stated that he wanted to re-highlight the Open Space and Recreation Plan process that is going on; he stated that there are meetings all spring. He stated that there are meetings every two Thursdays; it is a really in-depth process. He stated to tune in and take part.

► Councilor Hamblen stated that volunteer forms came out for the committees. She encouraged people to stay inside on Saturday due to the weather. ► Councilor Jones stated that he was going to piggyback on Councilor Hamblen's comment in regard to the cold. He recommended people check on their elderly neighbors. He stated that this is a great community and we are fortunate to live in this community.

► Councilor Dellorco stated that everyone should stay safe in the cold.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Jones. No Discussion. ► VOTE: Yes-9, No-0, Absent-0.

Meeting adjourned at 9:44 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary