

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
September 16, 2020**

A meeting of the Town Council was held on Wednesday, September 16, 2020, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA; residents could attend and participate via the Zoom Platform. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney (via Zoom); Chrissy Whelton, Assistant to the Town Administrator.

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

ANNOUNCEMENTS: ► Chair Mercer stated, as posted on the agenda, the public will not be permitted to enter the building or participate in person. Only pre-approved participants on the meeting agenda will be allowed to enter the Building and participate in person. Residents can attend and participate via the “ZOOM” Platform. Due to the continued concerns regarding the COVID-19 virus and Governor Baker’s declared State of Emergency, we will be conducting a remote/virtual Town Council Meeting for all public access and participation. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number or citizens can participate by clicking on the link provided on the agenda. The provided link and phone number will be active for the duration of the meeting for citizens to ask questions/voice concerns. If residents are just interested in watching the meeting, it will also be live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. This meeting is being recorded by *Franklin TV* and may also be recorded by others.

CITIZEN COMMENTS: None.

APPROVAL OF MINUTES: *August 12, 2020 and September 2, 2020.* ► **MOTION to Approve the August 12, 2020 meeting minutes by Dellorco. SECOND by Kelly. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-0.** ► **MOTION to Approve the September 2, 2020 meeting minutes by Dellorco. SECOND by Kelly. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: ► ***Library Board of Directors (Associate): Barbara Steele.*** ► Mr. Jones read the appointment. ► **MOTION to Ratify the appointment by the Town Administrator of Barbara Steele to serve as an associate member of the Franklin Library Board of Directors with a term to expire on June 30, 2023, by Jones. SECOND by Hamblen. Discussion:** Mr. Hellen stated that Ms. Steele was appointed to the incorrect seat in August; she cannot be a full member of the Library Board and the legislation did not reflect that; it reflected full membership. He stated he wanted to make this clear and have it reflected in the record. ► **VOTE: Yes-8, No-0, Absent-0.** ► ***Franklin Cultural Council: Jamele Adams.*** ► Mr. Jones read the appointment. ► **MOTION to Ratify the appointment by the Town Administrator of Jamele Adams to serve as a member of the Cultural Council with a term to expire on June 30, 2022, by Jones. SECOND by Hamblen. Discussion:** Mr. Hellen stated this appointment has the full support of the Cultural Council. ► **VOTE: Yes-8, No-0, Absent-0.** ► ***Franklin Cultural District: Amy Adams.*** ► Mr. Jones read the appointment. ► **MOTION to Ratify the appointment by the Town Administrator of Amy Adams to serve as a member of the Cultural District with a term to expire on June 30, 2022, by Jones. SECOND by Kelly. Discussion:** Mr. Hellen stated this appointment has the full support of the Cultural District Committee. He stated that both the Cultural Council and Cultural District Committee now have no vacancies. ► **VOTE: Yes-8, No-0, Absent-0.** ► ***Design Review: Gerald Wood.*** ► Mr. Jones read the appointment. ► **MOTION to Ratify the appointment by the Town Administrator of Gerald A. Wood to serve as a member of the Design Review Commission with a term to expire on June 30, 2022, by Jones. SECOND by Dellorco. Discussion:** Mr. Hellen thanked Mr. Wood for getting involved in the

community. ► **VOTE: Yes-8, No-0, Absent-0.** ► *Design Review (Associate): Venkata KP Sompally.* ► Mr. Jones read the appointment. ► **MOTION to Ratify** the appointment by the Town Administrator of Venkata KP Sompally to serve as an associate member of the Design Review Commission with a term to expire on June 30, 2022, by **Jones. SECOND by Kelly. Discussion:** Mr. Hellen thanked Mr. Sompally for getting involved in the community. He explained that he had spoken with Mr. Sompally regarding that Design Review usually has one meeting per month; Mr. Sompally indicated he would be available. ► **VOTE: Yes-8, No-0, Absent-0.**

HEARINGS: None.

LICENSE TRANSACTIONS: ► *Change in Manager - Let's Eat (Franklin), LLC, d/b/a Three Restaurant, 461 West Central Street, Franklin, MA 02038.* ► Mr. Jones read the license transaction. ► **MOTION to Approve** the request by Let's Eat (Franklin), LLC d/b/a 3 Restaurant, for a Change of Manager to Michael Botelho by **Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen stated this is a routine change of manger. ► Mr. Stephen Corcoran, owner Let's Eat, thanked the Town Council and all Town departments for expediting the approval process for outdoor dining since COVID. ► Chair Mercer stated Ms. Chrissy Whelton did a great job getting the outdoor permits done. ► Mr. Corcoran stated Mr. Botelho has had much experience in the restaurant business. ► Mr. Botelho stated he is prepared to uphold all the laws in running the business. ► Mr. Kelly and Mr. Jones thanked Let's Eat for all their hard work in taking care of everything during COVID. ► Mr. Bissanti thanked Town staff for helping restaurants open during COVID. ► **VOTE: Yes-8, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► *Health Department: Cathleen Liberty.* ► Mr. Hellen noted that during Town Council meetings in September and October they will be having department presentations. ► Ms. Liberty, Director of Public Health, introduced the Board of Health members Bridget Sweet, Chair; Timothy Cochrane, Vice Chair; and Jeffrey Harris, member; and the Board of Health staff Ginny McNeil, Health Agent; and Tyler Paslaski, Administrative Assistant. She presented a short video giving an overview of public health. She provided a slideshow presentation and discussed the Franklin Board of Health mission, Board of Health laws and regulations including housing, recreational camps for children, public/semi-public swimming pools, retail food establishments, lead poisoning prevention, septage and garbage, nuisances, funeral directors, use of traps, tanning facilities, septic systems and Title 5, public beach testing, and tobacco regulations. She reviewed the departments administrative duties including enforcing town and stated health policies and programs. She explained the new COVID-19 duties required of the department. She reviewed the COVID-19 cases as shown on the map that she updates weekly. ► Ms. Sweet stated that she thinks Ms. Liberty and Ms. McNeil are assets to the Town given all the COVID challenges. ► Town Council members asked questions. ► Ms. Liberty stated the Board of Health does not come up with a regulation unless they feel there is a need. They are still getting complaints from people that staff of some businesses and food establishments are not wearing masks or not wearing them appropriately. She stated they try to educate; however, if they receive continued complaints, there is a fine strategy in place. Masks are a requirement. ► Ms. Liberty reviewed the process taken regarding abandoned homes and stated there are four in process at this time. She said that there are no under-funded and unfunded mandates; this current budget is efficient for their needs. ► Mr. Hellen explained the budget that was approved in June for FY21 and noted it included an uptick in expense costs for the Health Department for Title 5 and additional funds for food inspectional services; he noted that some grant money is also applied for. ► Chair Mercer asked if some of the CARES money goes toward the need for increased inspections due to COVID. ► Ms. Liberty stated that COVID did not result in additional inspections. ► Mr. Hellen stated he would have to speak with the building commissioner to determine if any fines have been issued to the four abandoned properties in Town. ► Mr. Cerel stated the vacant property bylaw indicates it is up to the mortgagee to file appropriate notices; the fining is for failure to comply with the required filing. ► Ms. Liberty stated that besides physical distancing, wearing a mask is the most important thing to do to prevent transmission of COVID-19. ► Ms. Sweet stated they follow in line with the State's mandate. ► Mr. Cerel stated the advice was that towns were better off having a regulation at the local level than trying to enforce the governor's edict. ► Ms. Bissanti confirmed Franklin is under the governor's mandate. ► Chair Mercer stated the governor had stated that fines can be given regarding face coverings. The local BOH felt there were enough infractions that they felt that they should institute the fines. The fine amount is not dictated by the State. ► Ms. Sweet confirmed

the fines were just voted in by the BOH tonight. She stated that Ms. Liberty is working with Ms. Anne Marie Tracey to put it on social media to get the message out. ► Ms. Liberty stated that fines are not issued on a complaint, the Health Department staff must observe the face covering violation. She discussed that they are not allowed to enter a property unless they are invited in. Regarding an abandon home, they do a plain view inspection such as looking in windows to obtain information. ► Chair Mercer thanked the Health Department and Board of Health for all the work they have done.

► ***Proposed Home Rule Amendment to authorize additional beer and wine package store license***

for MADD Deli, Inc, 353 Lincoln Street. ► Mr. Bissanti recused himself. ► Mr. Cerel stated that the Town is limited on alcohol licenses by population. If those limits are reached, the Town usually has to wait until the next Census to see if a population increase will allow for an additional license. The exception is that there is the option to ask the legislation to give the municipality an additional license(s). It is a common practice. This applicant operates the former Dacey's Market. They are requesting a beer and wine package store license. Prior to putting this item on for Legislation for Action, he suggested the Town Council put it on for discussion. ► Mr. Michael Doherty, attorney for MADD Deli, Inc., stated he has prepared a draft of a proposed Home Rule Amendment. He reviewed the past experiences of Dacey's Market & Deli owner Mr. Scott Corvi. He stated the beer and wine license would augment the market as it will stay as a market and deli. He noted that this location previously had a liquor license. ► Town Council members asked questions. ► Mr. Doherty stated that the previous license was sold by another person; Mr. Corvi never owned the license. The nearby gas station has a full liquor license. Dacey's Market is a market selling groceries and deli foods and will only have a beer and wine license. This would not be for on-premise consumption. ► Mr. Chandler indicated that he believes these two businesses are different enough to both have a license. He thinks this would help the owner stay in business during this difficult time. He is in favor of this. ► Mr. Dellorco and Mr. Kelly agreed with Mr. Chandler and noted competition is good. ► Chair Mercer clarified that this is a presentation tonight because they wanted to have a discussion about it prior to putting it on as Legislation for Action. He confirmed that no Town Council members were against putting this on a future agenda. ► Mr. Hellen stated that after legislation for Action, it gets voted on and then gets filed with the legislature as a home rule petition by the House of Representatives, and then they will get it voted on to pass it into law.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► Mr. Kelly stated there was a meeting tonight; all members were in attendance. They reviewed the CARES Act money given by the federal government to the Town to help out schools, fire, police, DPW, and facilities during the COVID-19 crisis. They will have another meeting most likely next month to look at where they have to go with the budget in November. He encouraged the public to attend the meetings because there are some tough times coming ahead.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated the subcommittee met before the last Town Council meeting. She reminded everyone about the upcoming business listening and networking sessions with the first one being held on Wednesday, September 30, 2020, at 6:30 PM. More information is available on the Town's website.

LEGISLATION FOR ACTION:

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

- a. ***Resolution 20-56: Gift Acceptance - Police Department, \$150 (Motion to Approve Resolution 20-56 - Majority Roll Call Vote)*** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 20-56: Gift Acceptance - Police Department, \$150 by Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen thanked the donators for their generous gift. ► **VOTE: Yes-8, No-0, Absent-0.**
- b. ***Resolution 20-57: Gift Acceptance - Police Department, \$200 (Motion to Approve Resolution 20-57 - Majority Roll Call Vote)*** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 20-57: Gift Acceptance - Police Department, \$200 by Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen thanked the donator for the generous gift. ► **VOTE: Yes-8, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen stated the COVID-19 active case total is 16. It is a low number, but the highest number since Memorial Day. He reminded citizens to stay safe. He stated that on September 23, 2020, a municipal aggregation mailer will be sent to every property owner in Franklin asking whether the owner wants to opt out of the negotiated rate; everyone is in the program. He stated that National Grid's rate is about \$0.125; the rate the Town was able to negotiate is \$0.107. If residents want to opt out and pay more, residents can do that within one month. The mailer will be from Colonial Power. There is a special website for Franklin residents and information is available on the Town's website. He noted this is a different initiative than the NEXAMP initiative. He stated Senior Center Director Karen Alves's is retiring; her last day will be this Friday. He stated that she will be missed. He stated Ms. Erin Rogers will be taking her place.

FUTURE AGENDA ITEMS: ► Mr. Chandler stated he ran into trouble on 9/11 regarding what flags should be placed at half-staff. He suggested an ad hoc committee regarding what flags would be at half-staff. He stated they were following the governors order, but people were upset. He would like a policy so people can see it and know what to expect. ► Chair Mercer requested that Mr. Chandler get together with Mr. Hellen and DPW, then come back to the Town Council with a recommendation.

COUNCIL COMMENTS: ► Mr. Bissanti thanked everyone for their support in the last few weeks. ► Mr. Kelly asked if residents sign the NEXAMP, do they need to contact Colonial Power and opt out. ► Mr. Hellen stated he would check to make sure it is clear on the website. He agreed with Mr. Chandler regarding the flags at half-staff. He asked if new flags can be installed as the current ones are tattered. ► Mr. Chandler stated he hoped all the school children had a good start to the school year. He wished Ms. Alves well. ► Ms. Hamblen thanked Eileen Mason and all volunteers and the Downtown Partnership for decorating the downtown area in a festive way. ► Ms. Pellegrini stated the Friends of Franklin Museum ordered two new ornaments for the holiday: Town library including Ben Franklin statue and water trough; they will cost \$18 each. Last year they ran out. They plan to have them on sale at the museum outside at the beginning of October. She said they have been having meetings for the CPA. She encouraged people look at Mr. Steve Sherlock's Franklin Matters for information. She stated it will be on the November ballot. ► Mr. Jones read aloud an email from a fourth-grade teacher regarding a successful remote first day of school. He noted the Franklin Food Pantry and hoped people would provide donations and support. ► Mr. Dellorco stated he also had some ideas for the flags. He wished Ms. Alves the best in her retirement. ► Chair Mercer stated Ms. Alves was one-of-a-kind and will be missed; he congratulated her on her retirement. He stated he received a text from Contollo manufacturing; they were awarded two new contracts for their PPE gowns and are planning to hire 50 employees for the two shifts.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Jones. SECOND by Kelly. No Discussion. ► VOTE: Yes-8, No-0, Absent-0. Meeting adjourned at 8:42 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary