

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
February 3, 2021**

A meeting of the Town Council was held on Wednesday, February 3, 2021, 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, Cobi Frongillo, Melanie Hamblen (via Zoom), Glenn Jones, Matthew Kelly, Thomas Mercer. Councilors absent: Deborah Pellegrini. 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 reviewed that 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. 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. 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: *December 16, 2020 and January 6, 2021.* ► **MOTION** to Approve the December 16, 2020 meeting minutes by Dellorco. **SECOND** by Kelly. **No discussion.** ► **ROLL CALL VOTE:** Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES. ► **VOTE:** Yes-8, No-0, Absent-1.

► **MOTION** to Approve the January 6, 2021 meeting minutes by Dellorco. **SECOND** by Kelly. **No discussion.** ► **ROLL CALL VOTE:** Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES. ► **VOTE:** Yes-8, No-0, Absent-1.

PROCLAMATIONS/RECOGNITIONS: ► *Bill Murphy.* ► Mr. Bissanti read aloud the proclamation to William Murphy for serving as troop leader for Boy Scout Troop 126 for over 35 years. ► Mr. Murphy thanked the Town of Franklin for all their help in supporting the youth of the community.

APPOINTMENTS: None.

HEARINGS - 7:10 PM: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► *Finance Department: Borrowing & Debt Update.* ► Mr. Hellen noted this presentation was a request by a few Town Council members. He stated the presentation was not provided in the Town Council members' meeting packet, but can be found on the Town website. ► Finance Director Christopher Sandini and Treasurer-Collector Kerri Bertone narrated the Borrowing - Debt & Interest slideshow presentation. Ms. Bertone reviewed that the treasurer may borrow to meet current financial obligations. She discussed Massachusetts law for long-term borrowing, proceeds of the bond, and federal regulations. She stated

the Town is currently an AA+ bond rating. Competitive interest rates are critical to save taxpayers money; interest rates are at an all-time low. She reviewed the Town Council and the Finance Committee 2019 policy up to 3.5 percent target of “recurring general fund revenue” for non-exempt debt only. She reviewed types and status of municipal debt including non-excluded debt, excluded debt, Sewer & Water Enterprise Fund debt, Bond Anticipation Notes (BANS), and State Revolving Fund (SRF). She reviewed some current and future projects. She summarized that the Town’s operating budget debt has levelled off and will begin to see a decline in that budget line item. The Town should aim for 3 percent, at a minimum, for the next ten years. The Town’s Water & Sewer debt will climb in 2023 due to the Beaver Street Interceptor and water treatment plant. This project sets the Town up for stability after this project. The Town has some additional debt capacity for general fund throughout the next decade. ► Town Council members asked questions. ► Ms. Bertone, in response, agreed that a bond is comparative to a mortgage for a homeowner. It was confirmed that only AAA is a higher bond rating. ► Mr. Hellen stated that it is not about capping the number of projects; it is about dollars and cents. He reviewed the interest rate of 1.33 percent. He explained that the Police Station project would probably be \$25 million to \$30 million, and they will have to look at the fiscal impact of it. He discussed that when taking a bond, an obligation is made. Ultimately, the consequence of a bond is that if doomsday comes, there is still an obligation to pay it back; so, there would have to be a cut somewhere in the operating budget to pay it. ► Ms. Bertone confirmed the Town’s high bond rating plays into the Town’s 1.33 percent interest rate. ► Mr. Hellen explained the difference between excluded debt which is done by voter approval and non-excluded debt. ► Chair Mercer noted the good job the community and taxpayers have done; the Town is on the right path and doing the right things regarding the debt exclusions.

► **Department of Public Works: Stormwater.** ► Mr. Hellen stated this is a continuation of the last meeting’s discussion. There is much information about this on the website. It is an unfunded mandate by the federal government. He emphasized that this is a long and continuous conversation regarding how this will be paid for such as property taxes or utility fees. He noted the Town of Franklin for more than a decade has been known as the leader on stormwater. ► DPW Director Brutus Cantoreggi noted that the Town through the years already has a \$240 million infrastructure in the ground and has been maintaining that infrastructure. ► Town Council members asked questions. ► Mr. Cantoreggi, in response, stated that MassDEP is the overseer. ► Mr. Hellen reiterated this is an unfunded mandate from the EPA channeled through state governments to localities. ► Ms. Hamblen stated that the Town is paying for this already; \$1.2 million of the DPW budget goes into this to make sure the permit is met. That is why there is not enough money for roads, and they are always struggling with other parts of what the DPW does. All property owners pay into this. The properties that do not pay taxes do not pay into this; that is why the Town Council created the utility. With the utility, everyone can be charged by how much impervious material they have on their property. So, for example, churches and Dean College would also have to pay into this. She noted that with a utility fee, there can be exemptions and credits. ► Mr. Cantoreggi reviewed some of the proposed ways to apply for stormwater credits. He reviewed types of impervious surfaces. He discussed that the 50 percent proposed credit is what the majority of communities do across the country as fair and reasonable. He noted that the more credits and exemptions that are given, the more other people will have to pay for it. ► Mr. Hellen pointed out that this highlights the issue that this is customizable; this can be shaped by the Town Council. He stated that abatements and credits cannot be done if there is not a utility fee; if payment is out of the property taxes, these options are not possible. ► Mr. Cerel stated that charitable groups such as education and religious are exempt from real estate taxes because the state legislature made a policy decision to make them tax exempt. That applies to real estate taxes. It is an open question as to user fees. He confirmed it is possible that the state could make a decision to not have these groups pay a utility fee. ► Mr. Kelly discussed the proposed \$18.66 tax to be put on commercial and residential residents above and beyond other fees already put on the residents. ► Mr. Cantoreggi stated it is not a tax; it is a fee, a cost. The utility seems to be an equitable way. The money being raised by this cost is taking care of the Town’s infrastructure. He noted that old buildings can try to install some kind of system to help themselves. ► Mr. Kelly explained that he does not feel it is right to put this kind of tax/fee onto the residents; he is against this. ► Chair Mercer stated this is going to be an ongoing discussion. ► Mr. Cantoreggi explained the Town has to lower the phosphorus load going into the Charles River. ► Planning Board Chair Tony Padula stated he would be very disappointed if any Town Council member voted for this utility fee. He stated that he was disappointed that a member of the Planning Board was not even asked to be on the Stormwater Committee headed by Ms. Hamblen. He stated that

in 2003 the Planning Board was established as the authority for stormwater. To tax the taxpayers for water that is draining on their own property is not right. He explained that this tax is recommended by the EPA for the MS4 permit. He stated the DPW Director is trying to make taxpayers pay for rainwater that is falling on their property. They are already paying; this is just double dipping and taxing the people of the Town. He stated the Planning Board makes sure all stormwater bylaws are followed. He suggested the Town Council reconsider this utility fee. ► Mr. Cantoreggi stated it is not his fee. He is trying to establish how to pay for this. This is an option. ► Mr. Hellen stated they have been dealt with an unfunded mandate, and they are trying to look at all the options. He reviewed what would happen if they do not establish a utility fee; he asked how will it be funded. ► Mr. Bissanti stated that this Town Council has imposed on the citizenry many taxes/fees. He thinks this is a bad time to talk about another fee, and it is not a pertinent issue at this time. ► Chair Mercer stated there are costs associated with this. ► Mr. Richard Ciccone, 185 Chestnut Street, stated this issue started with big rivers in the middle at the country. He asked if the Town has paid this bill during the past few years from the DPW budget. ► Mr. Cantoreggi confirmed yes. ► Mr. Ciccone asked what has been drastically affected by paying the bill from the DPW budget. ► Chair Mercer stated the Town sued the EPA over this and the Town lost. The money that is currently being paid out of the DPW budget is going to increase. The money has to be taken from somewhere. This item will be put on a future agenda.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated the EDC met tonight before the Town Council meeting. They discussed the craft brewery bylaw and food trucks.
- d. **Town Administrator Evaluation Ad Hoc Subcommittee Report.** ► Chair Mercer confirmed this item is being put off until the next Town Council meeting agenda.

LEGISLATION FOR ACTION:

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

- a. ***Bylaw Amendment 21-869: Chapter 82, Municipal Service Fees Section 82-6 Schedule of Service Fees, Subsection F. Fire - First Reading (Motion to Move Bylaw Amendment 21-869 to a second reading - Majority Roll Call Vote).*** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 21-869: Chapter 82, Municipal Service Fees Section 82-6 Schedule of Service Fees, Subsection F. Fire to a second reading by **Dellorco. SECOND** by **Kelly. Discussion:** ► Fire Chief James McLaughlin stated an adjustment to these fees was done last year. Currently, the Town is now slightly below the middle of the pack and approval of this bylaw will allow us to be back in the middle and maintain market standards. He requested consideration of the passage of a revised fee schedule for ALS/BLS & Mileage rates in the Town's fees bylaw. ► Mr. Hellen explained that they want to be at the 50 percent level of the area communities; this has been the goal. He noted that costs are going up in the department. ► Town Council members asked questions. ► Chief McLaughlin explained the provided billable transport activity reports. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES.** ► **VOTE: Yes-8, No-0, Absent-1.**

TOWN ADMINISTRATOR'S REPORT: ► ***COVID-19 Update.*** ► Mr. Hellen stated that citizens can call the Board of Health or the Senior Center or view Town's vaccination information webpage for information. He stated the Town does not have any vaccine doses for the public at this time. The Town has second vaccine doses coming for the first responders. The Town is preparing to get 100 doses next week for citizens over 75 years of age. He noted there is a supply and demand issue from the federal and state governments. He stated the Town's team and high school gym are ready to go; however, the vaccine doses are not available at this time. He recommended citizens call the Town Administrator's office or the Senior Center if they have questions. He confirmed that for people who put their names on a list at the Senior Center, when the vaccine is available in Franklin, the citizens on the list would be taken from oldest to youngest. ► Chair Mercer discussed the number of vaccine doses received in Massachusetts and the number of vaccine doses that have been distributed. ► Mr. Hellen stated that the Town is doing everything within its power to get the vaccine in Franklin.

► **FY22 Budget Calendar.** ► Mr. Hellen stated that the governor's budget was released last week. So far, the analysis looks neutral for Franklin; not great, but it will not do any additional damage to the Town's local aid contribution for FY22. He stated that he has spent the last few weeks meeting with departments. He is looking to have a public update on the budget in March. He is still aiming to have the budget debate before Memorial Day. He sent best wishes to the Pellegri family.

FUTURE AGENDA ITEMS: ► Mr. Frongillo stated he would like to see a presentation on the state of the trails in Town. ► Mr. Hellen stated they were working on an open space and trails update. ► Mr. Bissanti noted the Tech Review meeting he attended today regarding the possible redevelopment of the former Acapulco's. ► Mr. Kelly stated that there is a stop light at Washington Street and King Street that needs repair. ► Mr. Hellen stated it has been requested. ► Mr. Kelly requested a meeting with the Planning Board on the density calculations for zoning. ► Ms. Hamblen stated she hoped everyone watched the roundtable on racism. It made her think about if any of the Town's bylaws had any racial inequalities or inequities in them; she would like to make sure a study is done on this. She would like to have a presentation to show people that we are looking at this.

COUNCIL COMMENTS: ► Mr. Frongillo stated the video on race in Franklin was impactful and he encouraged everyone to watch it on YouTube. He stated project Envoy is amazing; each day money from certain restaurants is going to the Food Pantry. He noted he received an email from someone pretending to be Chair Mercer, and he wanted to give everyone a heads up. ► Mr. Bissanti stated he fielded many calls about the snowstorm; the quality of the snow plowing was amateurish. He stated he watched the video and it was very good; discussion and conversation need to continue regarding racism and inequality. ► Mr. Kelly gave thoughts and prayers to the Pellegri family. ► Mr. Chandler gave prayers to the Pellegri's. He discussed the police officer killed at the insurrection. ► Mr. Jones stated he would watch the video. He discussed how he had been hacked and recently received a fraud alert. He stated he is a missionary to Haiti. He stated his good friend Pastor Scott Long recently passed away from the coronavirus; he did so much for so many people in this world. This is a tremendous loss; he will be missed. ► Ms. Hamblen gave condolences to Mr. Jones for his loss. She stated she was thinking about Ms. Pellegri and her family. She stated that if veterans were already getting care from a VA, they should call as they may be able to receive a vaccine. ► Mr. Dellorco gave condolences to Mr. Jones. He wished a speedy recovery to Ron Pellegri. He wished everyone to stay safe. ► Chair Mercer gave condolences to Mr. Jones. He wished a speedy recovery to Ron Pellegri.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Kelly. No Discussion. ► ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES. ► VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 9:44 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary