

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
August 18, 2021**

A meeting of the Town Council was held on Wednesday, August 18, 2021, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Cobi Frongillo, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegri. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Alecia Alleyne, Assistant to the Town Administrator.

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 now welcome to attend public board and committee meetings in person. Additionally, in an effort to maximize citizen engagement opportunities and comply with open meeting law regulations, citizens will be able to continue to participate remotely via phone or Zoom. The meetings will also be live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. He stated that this meeting is being recorded by Franklin TV and may also be recorded by others.

CITIZEN COMMENTS: ► Mr. Dale Kurtz, Veterans' Services Officer, reviewed a message he received from the Clear Path community regarding the recent events in Afghanistan and the resulting difficulty for service members, veterans, veterans' families, Gold Star families, and the community at large. Clear Path for Veterans New England will hold a dinner and candlelight vigil on Thursday, August 19, 2021, at 6 PM at their location in Devens, MA, to honor all the heroes who fought in Afghanistan and selflessly answered their country's call to duty. All are welcome. Please call the Veterans' Office if planning to attend. ► Mr. Mark Ellis of the Franklin Elks thanked Mr. Kurtz and all the volunteers for the veterans' event held on Purple Heart Day, August 7, 2021; he stated that the Franklin Elks are going to cover the costs of the entire event. He wished Mr. Kurtz a happy retirement. ► Ms. Jacqueline Maciel, 95 Elm Street, stated that she looked for Town Council meeting minutes on the Town's website. The last minutes posted were from May 19, 2021. She discussed that approved meeting minutes from more recent meetings have not been posted on the website. She stated that meeting minutes need to be put on the website as soon as possible.

APPROVAL OF MINUTES: ► None.

PROCLAMATIONS/RECOGNITIONS: ► *Dale Kurtz - Retirement, Veterans' Services Officer.* ► Councilor Kelly read aloud a proclamation honoring Mr. Dale Kurtz on the occasion of his retirement. ► Councilor Frongillo stated that Representative Jeff Roy said that tomorrow the State legislature is voting on a recognition of Mr. Kurtz; they will provide that to Mr. Kurtz next week. ► Mr. Kurtz stated that this is the best job he has ever had; it has been a privilege to help people. He thanked everyone for their support.

► *Recognition: Bristol County Savings Bank - Donation to the Fire Department.* ► Chair Mercer read aloud a recognition proclamation honoring Bristol County Savings Bank for their generous donation to the Fire Department. ► Mr. Patrick Murray, President and CEO of the Bristol County Savings Bank, introduced members of the Franklin branch. He thanked the Town for their business. He thanked the Fire

Department for what they do for all communities. ► Ms. Michele Roberts, Executive Vice President/Chief Marketing and Community Relations Officer, reviewed the history of the grants the bank has given out. She noted that the bank has given out grants to all the fire departments in communities with branch locations. ► Fire Chief James McLaughlin thanked Mr. Murray for the generous donation of \$25,000 from the Bristol County Savings Bank.

LEGISLATION FOR ACTION:

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

- a. Resolution 21-46: Gift Acceptance, Fire Department, \$25,000 - Bristol County Savings Bank (Motion to Approve Resolution 21-46 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 21-46: Gift Acceptance, Fire Department, \$25,000 - Bristol County Savings Bank by **Dellorco**. **SECOND** by **Kelly**. **Discussion:** ► Mr. Hellen thanked the donators for their generosity. ► Town Council members thanked the Bristol County Savings Bank for the donation. ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS (continued): ► **Recognition: Fourth of July Committee - Joe Carmignani & Paul Kortick.** ► Councilor Pellegri read aloud a proclamation recognizing Joe Carmignani and Paul Kortick of the Fourth of July Committee. ► Mr. Carmignani thanked the Town Council.

APPOINTMENTS: None.

HEARINGS: 7:10 PM. ► **Zoning Bylaw Amendment 21-874: Amendment to Ch.185 Section 21 Parking, Loading, and Driveway Requirements (to be continued).** ► **Chair Mercer declared the public hearing open.** ► Chair Mercer stated that the Planning Board has not completed their public hearing on this; they have continued it. Therefore, he would like to continue the Town Council's public hearing until after they get the Planning Board's recommendations which should be at the next meeting. ► **MOTION to Continue** the public hearing for Zoning Bylaw Amendment 21-874: Amendment to Ch.185 Section 21 Parking, Loading, and Driveway Requirements, to September 1, 2021, at 7:10 PM, by **Jones**. **SECOND** by **Dellorco**. **Discussion:** ► Councilor Kelly stated that he would recuse himself from the vote. ► **VOTE: Yes-8, No-0, Absent-0, Abstain-1.**

LICENSE TRANSACTIONS: ► **99 Restaurants of Boston, LLC d/b/a 99 Restaurant Pub #30130, Located at 847 West Central Street, Franklin, MA 02038, Change of Manager.** ► Councilor Jones read the license transaction. ► **MOTION to Approve** the request by 99 Restaurants of Boston, LLC d/b/a 99 Restaurant Pub #30130, for a Change of Manager to Cory Spear by **Jones**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen reviewed that this is a routine change of manager; all departments have signed off. ► Town Council members asked questions. ► Mr. Spear discussed his background. ► Mr. Hellen reviewed the responsibilities, hours, and the day-to-day operations of the license manager on record. He noted that this is all part of the ABCC package. He does not believe that living in the community is a requirement. ► **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► **Department of Public Works: Trash & Recycling.** ► Director of Public Works Brutus Cantoreggi and Environmental Affairs Superintendent Derek Adams addressed the Town Council. Mr. Cantoreggi narrated a slideshow on solid waste and recycling. He stated that there are 9,611 households that utilize the service. He noted that hauling is done by Waste Management. There have been 212,823 pounds of clothing collected in FY21 by the curbside textile recycling program. He

reviewed the trash by tonnage since 2008; currently, the average is around 7,000 tons. He discussed that during COVID when more people were staying home there was more trash usage; therefore, recycling and tonnage went up during the last year. He stated that items affecting annual costs include increase in collection costs, increase in solid waste costs per contract, increase/decrease in tonnage collected, volatility of recycling payments/costs, and the cost of carts. He reviewed the proposed new rate of \$286.00 which is an increase of \$8.00 per year. He reviewed the state of operations including increase in curbside tonnage, national shortage of commercial drivers, COVID caused supply chain issues for truck parts and newer trucks sidelined, older trucks have less capacity which equals more disposal trips, and longer lines at disposal recycling facilities. ► Mr. Adams discussed looking ahead at compost including residential compost bins, possible recycle center drop offs, and possible curbside program. He noted that they would need more space at the recycling center for compost drop offs. ► Town Council members asked questions. ► Councilor Kelly expressed concern about the increase in trash fees stating that water and sewer fees have already gone up. He explained that homeowners should not be given more fees when a policy has not come forward regarding submeters on dwellings that should have separated meters. He stated that the water fees are out of control. ► Chair Mercer stated that a discussion on the meters should be held, but tonight's discussion is on trash and recycling. ► Mr. Cantoreggi reviewed condominium complexes in Town that use the Town's program. He reviewed the grants received for the trash carts as well as other grants for trash and recycling. He stated that they are currently in year three of the five-year contract. ► Mr. Hellen explained that there are a limited number of recycling companies and it takes a company time to get used to a town. They try to work with the industry. He stated that changing vendors can be very complicated which they look at during contract negotiations. ► Mr. Cantoreggi reviewed the life expectancy of the carts. He noted that the carts are Town property. He stated that he gets more calls about trash than anything else. He stated that residents should call DPW if they have a broken cart. Residents are not charged for a broken cart replacement. ► Councilor Bissanti noted that the proposed \$8 per year fee increase is not much; however, water rates have gone up and the stormwater fee, if it passes, will be another fee on the taxpayers. He does not like to see more fees and taxes on the taxpayers. He stated that with all these mounting taxes and fees, it will catch up with some people and become difficult for them to pay. ► Councilor Frongillo stated that the Millbury waste facility is not clean. He stated that Mr. Adams has been very responsive about composting. ► Mr. Hellen discussed the rate increases and said that the concerns expressed tonight are shared at the staff level. He noted the citizen's discount and exemption list. He stated that in the Town bylaw eligible citizens can receive a 20 percent credit per quarter for qualifying incomes. Call the DPW for more information. ► Chair Mercer requested a presentation on water from Mr. Cantoreggi. ► Mr. Cerel responded to questions about water submetering. ► Councilor Pellegri asked that the flyer about citizen discount programs be an insert in the tax bills so people will know what they are entitled to. ► Mr. Hellen stated that he would cost it out with the vendor. ► Chair Mercer thanked the presenters.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► None.

LEGISLATION FOR ACTION (*continued*):

- b. ***Resolution 21-47: Gift Acceptance, Fire Department \$5,000 and Police Department \$5,000 – Digital Federal Credit Union (DCU) (Motion to Approve Resolution 21-47 - Majority Vote).***
 ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 21-47: Gift Acceptance, Fire Department \$5,000 and Police Department \$5,000 – Digital Federal Credit Union (DCU) by

Dellorco. SECOND by Kelly. Discussion: ► Mr. Hellen thanked DCU for their generosity.
► VOTE: Yes-9, No-0, Absent-0.

- c. ***Resolution 21-48: Gift Acceptance, Police Department \$10, Recreation Department \$250, Veterans Department \$200 (Motion to Approve Resolution 21-48 - Majority Vote).*** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 21-48: Gift Acceptance, Police Department \$10, Recreation Department \$250, Veterans Department \$200, by **Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen thanked the donators for their donations. ► **VOTE: Yes-9, No-0, Absent-0.**
- d. ***Resolution 21-49: Acceptance of Access Easement Over Property Located at 340 East Central Street (Motion to Approve Resolution 21-49 - Majority Vote).*** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 21-49: Acceptance of Access Easement Over Property Located at 340 East Central Street by **Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen explained that this is to allow access for DPW and the Water Department. He noted that there is no cost to the Town. ► **VOTE: Yes-9, No-0, Absent-0.**
- e. ***Bylaw Amendment 21-875: Chapter 82, Trash and Recycling Fee Increase - First Reading (Motion to move Bylaw Amendment 21-875 to a Second Reading - Majority Vote).*** ► Councilor Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 21-875: Chapter 82, Trash and Recycling Fee Increase to a Second Reading by **Dellorco. SECOND by Kelly. No discussion.** ► **VOTE: Yes-8, No-1, Absent-0. (Councilor Kelly voted No.)**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen stated that there are 49 active COVID-19 cases in Franklin. He stated that the reality is that cases are ticking up a little. Based on the preliminary US Census, the Town of Franklin for eligible persons, meaning not age 11 and under, approximately 76 percent of the Town are vaccinated. He said that should give a little additional calm that the Town is doing very well with vaccination rates. The ice cream social and vaccination clinic is Wednesday, August 25, 2021, from 10 AM to 3 PM, in the Davis Thayer parking lot. He thanked the School Department and Board of Health for putting this together. He discussed that most of the insides of the Davis Thayer building have been moved over to the Keller School; there are still a few things needing to be moved. He stated that the Superintendent presented to the School Committee that they were looking at the end of the calendar year when the School Committee will declare the building as surplus. Then, there will likely be conversations about a reuse committee to vet out all the potential options for the building. He introduced Julie McCann, new executive assistant in his office, and Lily Rivera, new Marketing and Communications Specialist. He stated that the new Veterans' Services Officer will be starting after Labor Day. He stated that Debra Martin will be retained and will continue her work with the Veterans' Services Office.

FUTURE AGENDA ITEMS: ► Councilor Frongillo stated that he looks forward to housing affordability, complete streets, and community branding. ► Councilor Bissanti stated that he is still taking the webinars on the ramifications of homelessness and the eviction process. He will report back with a presentation when he has all the facts. ► Councilor Hamblen asked if they could talk about how the 2020 Census affects affordable housing. ► Mr. Hellen stated that the Town Clerk will give a presentation in approximately early November. The final census numbers do not come out until September 30th. ► Councilor Pellegri stated that perhaps this presentation should be given prior to the election on November 2nd. ► Chair Mercer requested the presentation at the second meeting in October, if possible. ► Councilor Pellegri asked about a walk-through for the Davis Thayer School before anything is done with the building. ► Councilor Jones asked for a presentation from Comcast and Verizon regarding

service and equipment. He noted that there are a significant number of wires and cables hanging from the telephone poles. ► Councilor Dellorco stated that he agreed with Councilor Jones. He stated the SAFE Coalition would like to give a presentation. ► Chair Mercer stated that he agreed with Councilor Jones.

COUNCIL COMMENTS: ► Councilor Chandler thanked the Kimberly/Madison neighborhood for their handwritten note. He discussed the weeds in the sidewalks; it is really ugly. He stated that as DPW Director Cantoreggi noted he is down five staff members, maybe there is a little money to take care of the weeds. In the past, the Town has hired a company to do that; what does it cost? If the DPW Director is down all those staff members, maybe some of that money could be used. ► Councilor Hamblen welcomed Ms. McCann and Ms. Rivera to the staff. She noted Town Council office hours are tomorrow morning at 8:30 AM at the Senior Center. She stated that she feels grateful to live in Franklin. She told everyone to stay safe and well. ► Councilor Pellegrini stated that she spoke to Mr. Cantoreggi about the weeds. She said that his main reason for not doing it is that he has lost all the college students. She thanked the Elks for their donation to the veterans' event. She noted the passing of Franklin residents Mary Louise Degnim and Madeleine Faenza; both had worked as election workers over the years. She stated that the museum is still looking for help. She discussed Ms. Dianne Padula donating a stove. ► Mr. Hellen stated that he has not heard from her; he will reach out to Ms. Padula. She welcomed the new staff members. ► Councilor Pellegrini questioned if they could get in touch with the State regarding the weeds on Rt. 495. She wished good luck to all the new college students. ► Mr. Hellen stated that regarding the weeds on the roads, the State and towns cannot find labor. ► Councilor Frongillo stated that the Planning Board is now holding up two items: the housing production plan and the zoning bylaw amendment for parking, loading, and driveway requirements. He hopes the Town Council will move forward if the Planning Board chooses not to. He is excited about the murals; he stated that we need to continue to invest in public art. He noted that the Cultural Festival is September 12th; there will be local artists, food trucks, and a beer garden. ► Councilor Bissanti stated that he was disappointed in the Planning Board regarding the .50 parking spaces. He explained that the .50 parking space is a tool for development. He stated concern that the floor was not open for discussion by the public on trash; there were people in the audience who wanted to speak on that. He stated that he does not want to discourage audience participation. He stated that he would let other Town Council members know about an upcoming meeting with Dean College and a concerned resident. ► Councilor Jones stated that he will be touching base with the Town Administrator regarding what can be done to expedite the availability of the meeting minutes. He noted that the weeds need to be addressed. He welcomed the new employees. ► Councilor Dellorco stated that the SAFE Coalition is having an event on the Town Common on August 31st from 6 PM to 8 PM. He stated that in regard to the SAFE Coalition, it has been a tough summer as the phone lines are constantly busy; the numbers are way up. He noted people who have overdosed and others who have succumbed to the disease. He asked people to please reach out to those who are struggling. ► Councilor Kelly read a prepared statement. He stated that he has served on the Town Council for over 12 years. He reviewed some of the accomplishments that have occurred during his time on the Town Council. He discussed that party politics have no place in these chambers. He thanked past and present Town Council members with whom he has served. He thanked the staff in all the Town departments, the police department, and fire department. He stated that at the adjournment of tonight's meeting, he will resign from the Franklin Town Council. He thanked the community for the opportunity to serve and represent them. ► Chair Mercer stated that community service is a tough volunteer roll. He stated that Councilor Kelly has always performed with dedication and tenacity. He thanked Councilor Kelly for his time served.

EXECUTIVE SESSION: None.

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

Meeting adjourned at 9:14 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary