

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
March 2, 2022**

A meeting of the Town Council was held on Wednesday, March 2, 2022, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco (via Zoom), 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; 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 welcome to attend public board and committee meetings in person. Additionally, in an effort to maximize citizen engagement opportunities, 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 announced that Councilor Dellorco will attend the meeting via Zoom; therefore, all votes will be by roll call. This meeting is being recorded by Franklin TV and may also be recorded by others.

**CITIZEN COMMENTS:** None.

**APPROVAL OF MINUTES:** ► *February 16, 2022.* ► **MOTION to Approve** the February 16, 2022 meeting minutes by Hamblen. **SECOND** by Jones. **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.

**PROCLAMATIONS/RECOGNITIONS:** None.

**APPOINTMENTS:** None.

**HEARINGS:** None.

**LICENSE TRANSACTIONS:** None.

**PRESENTATIONS/DISCUSSIONS:** ► *Presentation: Other Post-Employment Benefits - Dan Sherman, Sherman Actuarial Services.* ► Mr. Hellen stated that this is an annual presentation. ► Mr. Sherman (via Zoom) reviewed his Post Retirement Benefits Actuarial Valuation of the Town of Franklin, June 30, 2021 Actuarial Valuation Report, GASB 74 & 75, which was provided in the Town Council members' meeting packet. He pointed out page 3 which shows the June 30, 2021 Net Position of \$9,805,609 which is an increase from June 30, 2020 Net Position of \$6,787,251. He stated that the Town had an excellent year. He discussed the June 30, 2020 Liability of \$79,806,924, and the June 30, 2021 Liability of \$79,448,221. He stated that the Plan Fiduciary Net Position as a percentage of the Total OPEB Liability is 12.3%. He reviewed net OPEB liability of water, sewer, and solid waste enterprise accounts. He discussed the net OPEB liability of the system calculated using the current trend rates, as well as what the system's net OPEB liability would be if it were calculated using trend rates 1 percentage point lower for all years or 1 percentage point higher than the current rates as shown on page 5 of the report. He reviewed the Schedules of Required Supplementary Information as shown on page 6 of the report. He stated that covered-employee payroll is 102.4% which is one of the lowest of the Town's

peers; typically, it is 350% to 375%. He stated that the Town should keep up the good work; this will help if the Town goes out for a bond. He reviewed the Schedule of Net Position Restricted for OPEB Plan Benefits Amortization Recognition shown on page 7 and discussed the schedule of amortization adjustments to the OPEB Expense for the coming years. He stated that a positive number indicates that the actual return was less than the expected return and will be added to the OPEB Expense. He stated that the Net OPEB Liability for End of Year 2021 is \$69,642,612. He noted that the approximately \$900,000 put into the OPEB Trust is still coming up short compared to a full funding schedule. ► Mr. Hellen stated that they are looking to put in \$1.19 million for the following fiscal year. He asked Mr. Sherman to explain what OPEB is. ► Mr. Sherman reviewed the meaning of Other Post-Employment Benefits which covers retiree medical, life insurance, and anything else promised to retirees in terms of a benefit. He noted that there is no rule as to when this is to be fully funded in Massachusetts General Law; however, doing this will save the Town money down the road by prefunding the obligation. He stated that it will also save money in terms of the Town's rating. He noted that most communities are funding under 10%. ► Town Council members asked questions. ► Mr. Sherman reviewed that the goal is to continue the process of funding which will create savings including in the Town's bond rating. ► Finance Director Chris Sandini noted that they are required by Chapter 32B to fund at least 50% for retirees for medical; it is not an option. ► Mr. Sherman noted that there is a wide range of different plans for retirees based on each city/town. He stated that he is not aware of any towns where the schools have to pick up out of their budget the OPEB expense in terms of prefunding. ► Chair Mercer stated that they are still only at 12% which is a long way from 100%. He stated that they are doing a great job to date, but they cannot lose sight of the fact that they are still just at 12%. He thanked Mr. Sherman for his presentation.

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

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

- a. ***Resolution 22-15: Direction for Issuance of Request for Expressions of Interest for Town Property Containing "South Franklin Congregational Meeting House" Located at 762 Washington Street (Motion to Approve Resolution 22-15 - Majority Vote).*** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 22-15: Direction for Issuance of Request for Expressions of Interest for Town Property Containing "South Franklin Congregational Meeting House" Located at 762 Washington Street by **Hamblen. SECOND by Frongillo. Discussion:** ► Mr. Hellen stated that this action is to allow the Town Administration to release a Request for Expressions of Interest on the South Franklin Meeting House. He stated that this is not an RFP; they are trying to get ideas from folks. He stated that an open house for potential parties to view the building is scheduled on March 14, 2022, from 10:00 AM to 12:00 PM; staff will be on site to ensure safety. ► Town Council members asked questions. ► Mr. Cerel reviewed that it would not be unusual for a prospective purchaser to have a due diligence period noted in advance in terms of getting an approval to proceed with the proposed use. ► Mr. Hellen stated that he did not know what could be done with the pews and other furniture items that are currently in the building. He stated that they would have to take a look at the value, and it would have to be put out to bid as surplus property. ► Councilor Pellegri suggested the furniture pieces go back to a church. ► Mr. Cerel stated that there is a formal legal process to dispose of the property, and it must be very specific as to whether it will be based on the highest bid or if there will be other considerations such as uses. This expression of interest will provide some guidance to the Town in advance as to whether there is or is not interest and in what areas so the Town can craft something that will bring in the most response. ► Councilor Frongillo suggested language be stricken from the resolution regarding the affordable housing restriction as it is a small space and will not make a dent in affordable housing but will limit the potential uses of the space. He stated that he would like to take that restriction out of this. He would like to put in a preference for arts or other community space. ► Chair Mercer stated that the only way to strike the language would be to offer an amendment to the motion. ► Mr. Hellen cautioned that unless someone

has parking somewhere else, the idea of this being a civic institution or a place of congregation at a large level is going to be very challenging. He gave a shout-out to Mr. Alan Earls regarding a PowerPoint he provided giving examples of old churches turned into housing; the examples were inspiring. ► Mr. Cerel stated that this is not a legally binding document; it is more in the nature of giving notice to people and keeping the Town's options open. ► Mr. Hellen stated that the date can be extended from April 1 to April 29 if a Town Council member wanted to put in an amendment to the resolution; he would also be happy to do a second open house. ► **MOTION to Amend the Motion for Resolution 22-15: Direction for Issuance of Request for Expressions of Interest for Town Property Containing "South Franklin Congregational Meeting House" Located at 762 Washington Street, to amend the date of responses due from April 1, 2022, to April 29, 2022, by Hamblen. SECOND by Pellegri. Discussion:** ► Councilor Frongillo confirmed that a full design is not needed in an expression of interest. ► Mr. Hellen stated that extending the date is probably the best thing, and he will put in a second date for an open house. ► **ROLL CALL VOTE (on the amendment to the motion): 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.** ► Councilor Chandler stated the importance of keeping the exterior as is. ► **ROLL CALL VOTE (on the motion as amended): 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.**

- b. Resolution 22-16: Authorization for Town Administrator to Negotiate and Execute New Agreement Between Town and Franklin Community Cable Access, Inc. for PEG Programming and Access Services (Motion to Approve Resolution 22-16 - Majority Vote).* ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 22-16: Authorization for Town Administrator to Negotiate and Execute New Agreement Between Town and Franklin Community Cable Access, Inc. for PEG Programming and Access Services by Hamblen. SECOND by Dellorco. Discussion:** Mr. Hellen stated that this action is to authorize the Town Administrator to negotiate and execute a new agreement between the Town and Franklin Community Access for PEG Programming and Access Services. The most recent contract was signed in 2012 and expired in 2016. In absence of any action, the contract continued. Franklin TV recently approached the Town to update a new agreement. The proposed new agreement which has been provided in the Town Council members' meeting packet has a 10-year term with a start date of April 1, 2022. ► Councilor Pellegri confirmed that this does not have anything to do with the cable company; this is just the access group. ► Mr. Hellen stated that this is not an agreement with Comcast or Verizon; this is an agreement with the Town of Franklin and the folks in the booth over there. In response to a question, he discussed who determines if it is an appropriate show to do or not; he stated that he believes it is the Board of Directors and the executive director who make the decision. He read aloud the regulations for appointments to the Board of Directors. ► Mr. Cerel stated that originally the Town operated the cable system. It was then determined to set up a non-profit corporation to operate it. He reviewed the membership requirements. ► **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.**
- c. Resolution 22-17: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 (Motion to Approve Resolution 22-17 - Majority Vote).* ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 22-17: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 by Hamblen. 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.**

- d. Resolution 22-18: Gift Acceptance - Veterans' Services Department (\$350) (Motion to Approve Resolution 22-18 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 22-18: Gift Acceptance - Veterans' Services Department (\$350) by **Hamblen. SECOND** by **Dellorco. Discussion:** Mr. Hellen thanked the donors. ► **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.**

#### **SUBCOMMITTEE REPORTS:**

- a. Capital Budget Subcommittee.** ► Councilor Pellegrini stated that they had one meeting and did partial talks on all of those committees and departments. She stated that we are going to have another meeting tomorrow night at 5:30 PM in the Training Room.
- b. Budget Subcommittee.** ► Chair Mercer stated that they are meeting next week, March 10, 2022, at 6:30 PM, in the Council Chambers.
- c. Economic Development Subcommittee.** ► Councilor Hamblen stated that they met with the Steering Committee of Franklin for All. They further discussed the public forum scheduled on March 7, 2022, at 7:00 PM in the Council Chambers and via Zoom. There will be a presentation and then questions will be taken. She stated that they also discussed the parking issues that came up at the last Town Council meeting; they came up with some ideas for Mr. Hellen to take to the Police Chief and Lt. Reilly to work on.

#### **TOWN ADMINISTRATOR'S REPORT: None.**

**FUTURE AGENDA ITEMS:** ► Councilor Sheridan requested an update on the historical district. ► Mr. Hellen stated that it is on the goals and will be a presentation in a few months. ► Councilor Jones requested the congressional delegation on a future agenda. ► Chair Mercer stated they are scheduled for May 4, 2022.

**COUNCIL COMMENTS:** ► Councilor Sheridan congratulated the Franklin High School boys' and girls' basketball teams and wrestling teams. He noted support for Ukraine. ► Councilor Frongillo noted a geography night he attended at the high school last night. He stated he is impressed by the level of student engagement in different clubs. ► Councilor Hamblen noted high school students academic and athletic accomplishments. She expressed solidarity for the Ukrainian people. ► Councilor Cormier-Leger noted two new restaurants in town; they are great. He stated that Electric Youth 22 put on a great performance at The Black Box. He gave thoughts and prayers to people in Ukraine. ► Councilor Chandler stated happy birthday to the Town of Franklin. He gave thoughts and prayers to people in Ukraine. ► Councilor Pellegrini stated deepest sympathy to DPW worker Steven Carlucci whose mother passed away. She asked people visit the Senior Center gift store. She noted the Fire Department is volunteering their time on Tuesdays and Thursdays to do cooking at the Senior Center. She stated Franklin is 244 years old. She stated her heart is broken about Ukraine. ► Councilor Jones expressed his support to the state's legislation to ban any Russian product that would benefit the Russian government. He expressed support to Ukraine. ► Councilor Dellorco stated that he echoed all other councilor members comments especially regarding Ukraine. His prayers are with the people of Ukraine. He gave condolences to the Carlucci family. ► Chair Mercer stated that his sympathies go out to the Carlucci family. He gave thoughts and prayers to the Ukrainian citizens. He congratulated the Franklin athletic groups.

**EXECUTIVE SESSION:** *a. Exemption #3: Collective Bargaining (all Town unions) - To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.* ► Chair Mercer stated there is a need for an executive session on Collective Bargaining, all Town unions, to discuss strategy with respect to collective bargaining as an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares, and we will not come back to open session from executive session.

► **MOTION** to **Enter** executive session for the purpose of Exemption #3: Collective Bargaining for all Town unions to discuss strategy with respect to collective bargaining as an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares, and the open meeting will not reconvene at the conclusion of the executive session by **Jones**. **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**.

*Open Session ended at 8:33 PM.*

Respectfully submitted,

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Judith Lizardi  
Recording Secretary