

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
January 7, 2026**

A meeting of the Town Council was held on Wednesday, January 7, 2026, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Jane Callaway-Tripp, Ted Cormier-Leger, Robert Dellorco, Gene Grella, Caroline Griffith, Michael LeBlanc, Stephen Malloy, Max Morrongiello, Kenneth Ojukwu. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: ► Chair Dellorco called the meeting to order at 6:02 PM. He called for a moment of silence. All recited the Pledge of Allegiance.

ANNOUNCEMENTS FROM THE CHAIR: ► Chair Dellorco reviewed the following as posted on the agenda. A Note to Residents: All citizens are welcome to attend public meetings in person. To view the live meeting remotely, citizens are encouraged to watch the live stream on the Franklin Town Hall TV YouTube channel or the live broadcast on Comcast Channel 9 and Verizon Channel 29. To listen to the meeting remotely citizens may call-in using the number on the agenda. To participate in the meeting remotely citizens may join a Zoom Webinar using the information provided on the agenda. Meetings are recorded and archived by Franklin TV on the Franklin Town Hall TV YouTube channel and shown on repeat on Comcast Channel 9 and Verizon Channel 29. Any participants who wish to speak during the webinar must enter their full name and email address when joining the webinar. All participants will be automatically muted upon joining the webinar. In order to speak, participants will need to select the “raise hand” function to request to be unmuted. All speakers will be required to state their full name and street address before commenting. This meeting is being recorded by Franklin TV and shown on Comcast channel 9 and Verizon Channel 29. This meeting may be recorded by others.

CITIZEN COMMENTS: ► Mr. Mark Minnichelli, 31 Longfellow Drive, said tonight the Town Council will debate the future of the friendly 40B policy. He shared his thoughts about a new tool to measure housing affordability in Franklin. He discussed various measuring tools. He explained and gave an example that subsidized housing inventory (SHI) unfortunately is not an accurate measure of housing affordability. He said they need to develop their own metric which he calls the ASHI or the actual subsidized housing index and explained his calculation. He urged the Town Council to adopt a new metric such as the ASHI to seriously and accurately measure our affordable housing progress in Franklin. ► Mr. Andrew Majcher, 98 Brook Street, said he was a member of the Franklin Fathers group. He reviewed events member have participated in. He thanked those at the Food Pantry for allowing them to volunteer. He reviewed there were 15 dads and 25 children playing sports at the Downtown Sports event over school break. He said on January 8 they are having a member meet up at The Tavern on Central. On Friday, January 16 at 3:30 PM Franklin Fathers will be going to the Franklin Library hairstyling event. ► DPW Director Brutus Cantoreggi said folks are not really following the parking ban in the downtown area. He reviewed the ban which is only during snow events. He said people are not moving their cars and that costs everybody more money as they have to go back and clean it up. He asked all to help and if you know it is going to snow, please move the cars off the road. He reviewed they have been out 12 times and used about 40 percent of the budget. They have used 2,500 tons of salt. He discussed the recent ice conditions that required treatment. ► Mr. Steve Sherlock, 13 Magnolia Drive, Franklin Matters and Franklin Public Radio, Community Information Director, reminded all Town Council members to use the microphones in front of them. He discussed that he augments what the TV studio does for the meetings to increase awareness of the meetings so the information is shared as much as possible. He discussed and reviewed he implemented a Franklin Matters weekly. He said he does this because Franklin matters. ► Ms. Kim Mu-Chow, 4 Briarwood Road, a member of the Council on Aging and chair of the Board of Health, said she wanted to bring up a problem that occurred at the Senior Center and how everyone worked together to save as much as possible. She reviewed that there was a recent power outage that affected the Senior Center, and she believes the schools. She said the vaccine refrigerator in the

public health office is not on emergency power or the refrigerators and freezers at the Senior Center. She said there were no vaccines in there, and they are following code. The major problem was they had to throw away all the food at the Senior Center. She said they made the decision to move the food, and they were very successful in doing that. She said we were able to save a fair amount of food. She thanked the volunteers and all who helped move things and provide space.

APPROVAL OF MINUTES: ► *December 3, 2025.* ► **MOTION** to Approve the December 3, 2025 meeting minutes by **Cormier-Leger**. **SECOND** by **Malloy**. **No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: ► **None.**

APPOINTMENTS: ► *Municipal Affordable Housing Trust - Mark Minnichelli.* ► Councilor Cormier-Leger read the appointment. ► **MOTION** to ratify the appointment by the Town Administrator of Mark Minnichelli to serve as a Member of the Municipal Affordable Housing Trust with a term to expire on June 30, 2026, by **Cormier-Leger**. **SECOND** by **Grella**. **Discussion:** ► Councilor Malloy asked if Mr. Minnichelli was still active in the Ben for Franklin organization. ► Mr. Minnichelli said yes. ► Councilor Malloy noted in the newsletter from yesterday an assessment for Ben for Franklin on the 40B discussion that we are going to have tonight. He asked if Mr. Minnichelli was familiar with it and if he wrote it. ► Mr. Minnichelli said he read it; he did not write it. ► Councilor Malloy read a section aloud and requested Mr. Minnichelli's comments on it and said this topic is classified as an affordable housing ban in the note from Ben for Franklin, and it is a couple of short paragraphs. ► Mr. Minnichelli said he did not have any comments and when asked said he agreed with the statement. ► Councilor Callaway-Tripp said the problem she has is that she understands his standpoint with Ben for Franklin and the affordability, the problem she has is what we actually need as affordable housing does not fall under 40B. She said 40B housing is not the affordable housing this town needs because the people who need that affordable housing cannot afford those 40B apartments. If you are agreeing with the statement that we are being discriminatory, that is a problem. She said what she is against is what is being built and how it is being built and who is truly benefitting. She said what she is against is the state telling us we have to have all these 40B apartment complexes that take away from the beauty of the town and what we want is affordability. She said the only ones benefitting from the 40B projects are the contractors building them, not the people in this town. If you want to sit on this and work on the ones that really need the affordability, she is all for that, and she will support Mr. Minnichelli. But, if it is going to be that we are discriminating against people because we are choosing the direction we want our town go, then she cannot. ► Mr. Minnichelli said when you look at affordability it is not an either/or discussion that you either do 40Bs or you do more affordable housing. He said he is an advocate to do both. He said he understands her concern that a 40B project discounts the market rate by 20 percent which he explained. He said he is not agreeable to throwing the baby out with the bathwater, and if the state is going to mandate that we hit a certain percentage of affordability in the Town of Franklin and 40B projects are going to produce 25 percent of their units to be discounted 20 percent off of their market rates, he thinks that is a plus. He explained that in addition we should do other things. The discriminatory comments in the article have to do with the concept that if you are going to outright ban new 40B projects that are rental units, then to some degree that ban discriminates against people who want to rent, who can afford to rent, and may not be able to afford to buy. He said he thinks the concept behind the article is one of concern that if the Town Council votes tonight to ban completely rental units, you are taking an option off the table that might be considered in the future, and now you have created a bylaw that says you cannot even consider it. ► Councilor Callaway-Tripp said she agrees we need affordability and explained she thinks we have enough 40Bs. She said with the trust, if we can prevent the 40Bs apartment complexes that are hideous and focus on things the trust can help to bring in what is truly affordable for those who really need it, then she is 100 percent behind that. ► Mr. Minnichelli explained he does not think it is an either/or. ► Councilor Ojukwu said his understanding from reading the newsletter is essentially what this suggests is that you are asking to not ban all 40Bs, let's keep the option and not banning all friendly 40Bs. ► Mr. Minnichelli said yes. He said he has additional comments he is reserving for the 40B discussion later this evening. ► Councilor Malloy

said his concern with the way it is written concerning the sensitivity of the issue, he thinks it grossly misrepresents the reason why the 40B topic is being reintroduced, and this could be more carefully written. He said he knows Mr. Minnichelli did not write it. ► Councilor Griffith said Mr. Minnichelli has been active in the affordable housing conversation in Franklin and many conversations in many topics, and he has put in much work to help develop the town and support the people who live here and want to live here. She said she is impressed by his knowledge and ideas, and he will be an asset to the Municipal Affordable Housing Trust. ► Councilor Morrongiello asked about the direction he would like to see the trust go and issues he would like to bring to the table. ► Mr. Minnichelli said he is not that in tune yet with what the trust does and the future plans. He explained his understanding of it. He said he is a clean slate and has no predetermined notions. ► Councilor Grella said he recently talked to a resident who lives in an affordable building who had no hot water and other issues. He said if Mr. Minnichelli does get approved, can he look into these various housing units and what the issues are for the residents and see if he can make a difference. ► Mr. Minnichelli said if it fits the purview of the trust, he will. ► Mr. Hellen said the Housing Authority is a state property that is completely separate, and he explained the trust's responsibilities are narrow. He noted some of the projects in town. He said the trust has no role in Housing Authority matters. He talked about the overall housing stock and where we are at. He said a lot of mitigation money from the early 2000s from developments in town went to the trust, and that stopped about seven to eight years ago. He noted the trust could take Mr. Minnichelli's ASHI and look at that. ► Councilor Grella said he was looking at the overall quality of the housing. ► Mr. Minnichelli said he would be committed to make sure that any affordable units in Franklin are up to standards in general. ► Mr. Hellen said maybe we can invite the Housing Authority's new director to an Affordable Housing Trust meeting, and they can at least have that discussion. ► Mr. Minnichelli read aloud a statement that he wrote and explained he was raised in Franklin. He reviewed his parents' background, the duplex he lived in, his education and career, and that he returned to Franklin 10 years ago. He reviewed that he started Ben for Franklin and the goals of the group. He looks forward to helping the Affordable Housing Trust Committee achieve their objectives. ► Councilor Cormier-Leger said he echoed Councilor Griffith's comments that Mr. Minnichelli would be excellent on this committee. ► Chair Dellorco said he agreed with Councilor Cormier-Leger. He said \$2,600 is not affordable for kids today and talked about housing affordability. ► **VOTE: Yes-9, No-0, Absent-0.**

PUBLIC HEARINGS - 6:00 PM: ► None.

LICENSE TRANSACTIONS: ► None.

PRESENTATIONS / DISCUSSIONS: ► *Town and School Facilities Presentation - Kevin Harn, Facilities Director.* ► Mr. Harn narrated a slideshow presentation. He read aloud the mission statement of the Department of Public Facilities. He talked about the facilities team which includes administrative staff, custodial staff, trades staff, other departments and outside contractors and more. He talked about the work order system. He said there are 1.2 million sq. ft. He reviewed the Facilities Department organization chart and noted the bi-weekly leadership meetings which present an opportunity to focus on specific items. He reviewed the department responsibilities. The work falls into three buckets: maintenance, engineering, and operations. The team works and supports all of these buckets. He reviewed the custodial staff. He reviewed the Facilities Department consists of 45 custodians and 1 maintenance/utility custodian of which 28 are full time, 14 are part time, and there are subs and summer help as needed. He reviewed the trades staff. Facilities Department has a licensed plumber, a licensed electrician, and a licensed carpenter. He talked about the Computerized Maintenance Management System (CMMS) for work orders and to prioritize work. He discussed there were 2,507 work orders completed in calendar year 2025. He reviewed recent staffing changes and retirements. He said their institutional knowledge will be difficult to replace. He reviewed the major school and town buildings that equal the 1.2 million sq. ft. He reviewed managing the square footage of the buildings and properties requires the appropriate tools and resources to do so. He reviewed they maintain compliance with regulatory and national standards. He showed and reviewed a timeline of recent projects over the past few years. He showed before and after photos of the Red Brick School which was originally constructed in the late 1700s and recently renovated. He reviewed the EV fleet and stations and

charging used. He reviewed the FMS drainage project and the flooding that occurred; it has not flooded since the project. He reviewed the JFK modular removal; the modulars were put up in the late 1990s to support the student population. He reviewed the Senior Center pavilion project which offers seniors an outdoor space to enjoy in hotter and rainier weather. He reviewed and showed photos of the Municipal Building renovations with the approximately \$1.4 million cost borrowed and free cash. He talked about the school redistricting and how facilities worked closely with the school on this, and he thanked those who worked on this and were part of this move. He also showed photos of the moving process and setting up. He reviewed and showed photos of the FHS new visitor bleaches. He highlighted the cupola renovation project for the town's original Town Hall. He reviewed what is on the horizon including the new police station, Washington Street Elementary renovations, and King Street Park redesign. He reviewed upcoming projects, system needs, and facilities necessities including but not limited to animal control renovations, municipal building RTUs, Fire headquarters AHU and generator replacement. He reviewed these items to provide awareness. He noted pending questions, discussion points, and decisions as listed on his slide. He said his goal tonight was to show what it takes to keep everything we have here as a town working and what risks we need to plan for.

► Town Council members asked questions, made comments, and thanked Mr. Harn for the presentation. ► In response to questions, Mr. Harn discussed that he has looked at other communities and towns, and it is difficult to compare apples to apples. He responded that his biggest cost center is utilities. He said the Davis Thayer roof was repaired in 2023, 2024, 2025. He noted insurance and utilities for Davis Thayer. Mr. Harn was asked to have comparables and how they respond to facilities issues in town, such as recently in the middle school, regarding how the process is managed when something happens out of pocket as opposed to preparing for it in advance. Mr. Harn said this week's middle school issue took time and work. He talked about the plumber of 30 years. They had a sewer ejection pump failure that went back to when we lost power on December 19. It was a pump failure on a Friday. They hoped that when the power came back it would come back up and running. He explained that lights were on, but not all the power was back. He reviewed his process on when all the power came back on. He talked about the sewer ejection pump issue. He said the team tried to identify the problem and noted institutional knowledge was no longer there. They found it was a bad relay. As it is 50 years old, the replacement component is not readily available. He responded to the question of the cost of replacing it if planned versus having to do it not planned. He explained a goal for the department is to implement annual facility inspections and take a deep dive in the buildings year after year and get ahead of these things. He discussed he has faith and trust in the custodial staff and trades team to make the right decisions and their best decisions in the moment. He said they empower the custodial team and trades staff. When asked if the middle school issue was preventable, Mr. Harn said he will say it was preventable, but it was a series of a lot of unfortunate events starting with the power loss on Friday, December 19. In response to the question about what percentage of Kennedy is being used and unused, he said about 50 to 60 percent; but explained it is a tough answer. He explained for Parmenter, it is pretty much fully used. ► Mr. Hellen explained the Horace Mann roof, Washington Street school, and police station are all \$1.5 million projects or greater, so by state law you have to have an OPM, and then you can go out and do the financing. He said they need direction from the Town Council about can we do this as all three projects will need financing. He said if you do not sell any buildings, then you will have to go out and do a debt exclusion for the projects. He said he has estimates for the projects. He said about \$38 million to \$40 million today and the police station will take approximately three years. He said about \$10 million to \$15 million for the Washington Street school, and about \$2 million for the Horace Mann roof and that has not even been fully evaluated. With all three projects, they are looking at about \$55 million. ► Mr. Harn reviewed the process to put in a work order and who can put in a work order. He thinks employees know the process, but there could be training. He said he is not sure the percentage of people who have an account and are in the system. He said his opinion is that the number one item at Washington Street Elementary is the roof. ► Mr. Hellen said yes to the question regarding combining the Oak Street roof, Senior Center sprinklers, and the Washington School renovation into a single debt exclusion override. He said that for the police station, first there needs to be consensus on a desire to do it, agreed upon location, the police department has to become more active on this and involved in this, agreement on the lay of the land. He said last night the recreation community seems to be rallying around the Parmenter building, and that is probably something you would also put on that number because if you have to do a million or two renovations to Parmenter to make that

building up to code or meet the needs of recreation. He said he thinks November would be hard, and we have not even hired the OPM for the Washington Street school yet. He said you would want to set up a School Building Committee. The following November may be more applicable. He reviewed the need for a substation on the north side has always been there. He talked about the Davis Thayer building, and said at some point the Town Council will have to make a decision on what to do with the building. He explained it would be a 2-to-10-month process to get rid of the building. ► Mr. Harn reviewed some of the needed renovations in town buildings. From a facilities perspective, the town is sitting on a lot of property, and they are trying to identify how they want to use it and move forward. ► Mr. Hellen talked about having a ground lease. He said the upkeep for the building is so significant that you will have a hard time leasing the building to a tenant; we would have to fix or renovate the building. He said they are not in a seller's market for us to get everything we want; we are going to have to make some concessions. He explained the biggest issue that it was not fit as an educational facility for children. There are a lot of problems with the building. In response to questions about the budget, he said it looks like for the facilities budget, the school side is 53 percent and municipal side is 47 percent. He explained about 85 percent of the \$7.7 million for facilities, in account 192, is school-related costs. He confirmed that nothing comes out of the school budget to pay for facilities. It all comes out of the municipal budget for school-related facilities. ► In response to questions, Mr. Harn explained they have an outside contractor who does an annual PM on all the generators; he said they do have a run weekly on the generators automatically. Most generators have diesel tanks; a few are tied into gas. ► Chair Dellorco said he agrees it is time for the Town Council to make a decision on Davis Thayer and the recreation department to sell these properties to get some income. ► Mr. Hellen noted they use to have the SchoolDude work order system, and the new system is a huge plus. He gave a shout-out to all those who manage the system. He thanked Mr. Harn for the presentation. ► Mr. Hellen said this was Mr. Harn's first presentation, and he congratulated him. He noted the facilities team manages an extraordinary amount and thanked the whole facilities staff.

Chair Dellorco said he was going to skip down and do the 40B last.

LEGISLATION FOR ACTION:

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

- d. ***Resolution 26-02: Gift Acceptance - Veterans Services Dept. (\$2,470) (Motion to Approve Resolution 26-02 - Majority Vote).*** ► **MOTION** to **Approve** Resolution 26-02: Gift Acceptance - Veterans Services Dept. (\$2,470) by **Griffith**. **SECOND** by **Grella**. **Discussion:** ► Chair Dellorco and Mr. Hellen said thank you. ► **VOTE: Yes-9, No-0, Absent-0.**

- b. ***Zoning Bylaw Amendment 26-946: A Zoning Bylaw Amendment to the Code of the Town of Franklin at Chapter 185, Attachment 7, Part VI Use Regulation Schedule - Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 26-946 to the Planning Board - Majority Vote).*** ► **MOTION** to **Refer** Zoning Bylaw Amendment 26-946: A Zoning Bylaw Amendment to the Code of the Town of Franklin at Chapter 185, Attachment 7, Part VI Use Regulation Schedule to the Planning Board by **Cormier-Leger**. **SECOND** by **Grella**. **Discussion:** ► Councilor Callaway-Tripp asked about the process when referring to the Planning Board. ► Mr. Hellen explained the Town Council refers the zoning bylaw to the Planning Board; the Planning Board and our office coordinates two public hearings with one for the Planning Board and one for the Town Council. A first reading and second reading are needed. The Planning Board only offers the Town Council a recommendation. The Town Council can amend it on first or second reading. He said you are just referring it to Planning Board, they are not making the final decision, they never make the final decision, and they provide a report back to you. For example, for the timeline, if you approve this tonight, you will have all of this wrapped up by end of March. ► Mr. Cerel said this is largely housekeeping. ► **VOTE: Yes-9, No-0, Absent-0.**

- c. ***Zoning Bylaw Amendment 26-947: A Zoning Bylaw Amendment to the Code of the Town of Franklin at Chapter 185, Attachment 9, Schedule of Lot, Area, Frontage, Yard and Height Requirements -***

Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 26-947 to the Planning Board - Majority Vote). ► **MOTION to Refer** Zoning Bylaw Amendment 26-947: A Zoning Bylaw Amendment to the Code of the Town of Franklin at Chapter 185, Attachment 9, Schedule of Lot, Area, Frontage, Yard and Height Requirements to the Planning Board by **Cormier-Leger**. **SECOND** by **Grella**. **No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

a. Resolution 26-01 - Friendly 40B Policy (Motion to Approve Resolution 26-01 - Majority Vote).

► **MOTION to Approve** Resolution 26-01 - Friendly 40B Policy by **Grella**. **SECOND** by **Callaway-Tripp**. **Discussion:** ► Mr. Hellen said many of you are familiar with this discussion. He said this is a policy that is now a town staff policy, and we feel as a staff we have heard lots of concerns about large apartment complexes in town. This will not prohibit every apartment rental. He explained there are three types of 40Bs: unfriendly ones when you are under 10 percent, comprehensive permits such as St. John's Church, friendly 40Bs where you are over 10 percent. He said these are the antiquated terms from the state law in 1969 when 40B was passed. He said the housing crunch in Massachusetts is bad. He said this is the only one the Town Council has any input on. This policy allows you as a Town Council to still consider friendly 40B applications for sale. He said it was time to take a timeout on the larger rental applications. He noted in two years you have not gotten any new applications. He said he understands this is a big deal from listening to residents. He said as long as we stay over our 10 percent, you should be able to withstand for some time the ability to have any unfriendly 40Bs. He said the policy was enacted in November 2024, and was amended at a staff level when we heard a lot of concerns from folks. He said he thinks on this case, because it is the Town Council's will or not to accept applications, this would be a modest effort for a certain time. He said between 121 Grove Street, 444 East Central Street, Franklin Ridge, the one Habitat for Humanity house, and the St. John's project, there will be a buffer to not fall below 10 percent. He said even if you have the numerator, and it goes up, you have to also look at the denominator. He reviewed all the market rate units are hitting the town all the time. All of a sudden, that is how you can go under, so you do need a buffer. He said as a staff, we are trying to say you need a buffer zone for the numbers. He said these affordable units may not feel affordable, but there is a demographic that will qualify for that. He said this is a hard balancing act. He said he stands by this policy and noted it can always come back and be amended in the future. We had this on the agenda last July, but that Town Council could not get the policy through. ► Mr. Cerel clarified that Glen Meadow is not affordable in perpetuity even now; it is a fixed period because the project was originally built as of right and did not require any zoning relief. He said he wanted to correct and clarify that yes, even the affordables are not really affordable, but the formula is those who are eligible are families making 80 percent of the median income for the greater Boston area. He said what can they afford. There is a formula to determine that. Affordables, whether rental or homeownership, have to be at least 25 percent affordable under one of those programs. ► Mr. Mark Minnichelli, 31 Longfellow Drive, said one of the key metrics for determining is the subsidized housing inventory (SHI) number. That 10 percent number is the focus point. So, if the town meets and exceeds the threshold, the town has much more control over details of future projects. He said from November 2024 to November 2025, the SHI number in Franklin dropped from 11.97 percent to 11.05 percent. He noted the calculation for the SHI number. He said he knows they are concerned about what is affordable. He discussed if we can get some measure of affordability through the 40B units, they should take that and run with it even while we are trying to do more and better. Should we throw up our hands and walk away from 40Bs because they are only marginally affordable? He said he does not think that is the right answer. We should take what we get and try to find 40B projects that make sense to approve. He discussed that he was asking the Town Council to reconsider the question of completely eliminating the possibility of future rental housing projects. He said he understands the desire to see more occupant owned projects like condos. But he also thinks the economic impact of a large apartment complex is more positive to the town than most people think that it is. He said this will be a topic that is examined from the finance committee also. He explained that to create a policy that does not allow you to even consider rental units in the future will unnecessarily limit your ability to approve project opportunities in Franklin. ► Town Council members asked questions and made comments. ► Councilor Malloy discussed that he is in favor of this policy. He explained we still

need to keep the character of Franklin in mind as we look at growth. ► Councilor Ojukwu asked if a yes vote means that we will no longer consider any 40Bs. ► Mr. Hellen said incorrect. He said the policy is all housing types except for larger rental properties. ► Councilor Ojukwu said he does not think anyone wants more large rental apartment complexes. He is concerned with this policy as it feels performative rather than practical. It takes away a tool that we have to help manage what happens in town. He said he is aware of the risk that if we do not even look at a friendly 40B and then we fall behind, they are more likely to jam one in on us. He said this policy prevents us from even voting on it. Voting against this policy allows us more flexibility and does not prevent us from voting against the large rental apartment complex. ► Councilor Griffith said it feels like Councilor Ojukwu read her mind on this. She is struggling with this. Adopting this policy will put us in a very risky place. She said we could be saying we are not going to look at this and all of a sudden, we drop and they jump in, and now we have no say. She asked about the wording of the policy regarding that the town policy will be to accept friendly 40B applications that provide for home ownership and not rentals. ► Mr. Hellen explained the wording. He pointed out and explained that the town has already permitted about 800 units that will be added to the SHI if everything that is permitted gets built. So, he thinks this is where the balance is. He is not trying to be exclusionary, but he is recognizing that this is some pretty contentious stuff, and he is trying to listen to people. He agrees with both on why would we not accept an application. We did that in the past two years and look what happened. The thinking was let's hear them out. He said people are raging angry about this. He does not know the right balance or the right answer. ► Councilor Griffith said we need to decide if we are trusting ourselves enough to have the conversation about the applications that come in, or are we saying we do not trust this Town Council or future Town Councils to have that conversation, and so we are going to limit the power there. ► Councilor Grella said this does not stop apartments; it stops 40B apartments. He said the 40B process takes all the power away from the boards and puts it in the hands of the three members of the ZBA. He said we have heard from the people on this. He wants to vote for this and get the policy in place. ► Councilor Cormier-Leger said this is an emotional and contentious issue that has destroyed our community over the last two years. He said we need to listen and say what is the balancing act. This policy does not say we are against people who need an apartment. There are 800 units coming on, and the SHI numbers will be increased to 16 percent to 20 percent once these units are finished and people are in them. That is a large number. He said he thinks there is a nice variety of housing options in Franklin except for affordable housing for seniors and veterans. He said it is more profitable for a developer to put up a 300-unit apartment building than build 10 small entry-level houses. He said let's find a way to incentivize developers to take the little land we have left to do some more 40B deed restricted homes. He said this issue of friendly 40B policy needs a pause. It needs a Town Council brave enough to say we hear you and put a pause on this. He said he thinks it is time for us to say we hear you, and we are moving forward with all the other projects that have been approved. At some point we have to be the leaders and help the community heal. He is in support of this as written. ► Councilor Morrongiello said he wants to reiterate the policy being a pause. He explained his thoughts on what different Town Council members want regarding the 40B issue. He said he proposes that we revisit this issue by the end of next January. However, he is worried as a Town Council we will not have any incentive to actually follow through on doing that. He said he is proposing an amendment to ensure follow through. He said he is proposing this resolution should have to be renewed by January 31, 2027, by making the following motion.

► **MOTION to Amend Resolution 26-01 exhibit 1** by inserting the following sentence after the final paragraph: This policy and the preceding administrative policy shall end on January 31, 2027, by **Morrongiello. SECOND by LeBlanc. Discussion (on the amendment):** ► Chair Dellorco said a yes would amend it. ► Councilor Malloy noted the wording and said it does not give us a chance to renew it; it says it is going to end. ► Councilor Morrongiello said unless we put something in place over that. ► Councilor Malloy said he does not like that it will end in a year. He said will be reevaluated in a year, will be reconsidered, or something. ► Councilor Morrongiello said if there is no objection, he is open to changing it to voted on; this should be voted on again. ► Mr. Cerel said it will end unless extended prior to this. ► Councilor Morrongiello said if there is no objection, he does not mind changing it to that.

► Mr. Hellen said because you got a second, you will have to withdraw that amendment and rephrase your amendment. ► Councilor Morrongiello said this policy and the preceding. ► Mr. Hellen said you do not need to deal with the Town policy. The Town policy will be superseded by a Town Council policy. That was the whole idea last summer. ► Councilor Morrongiello said is renewed okay. ► Councilor Cormier-Leger asked about language that could say this policy is subject to annual review. ► Councilor Morrongiello said if there is no objection. ► Councilor Cormier-Leger confirmed this policy shall be subject to annual review by the Town Council. ► Mr. Cerel asked annual review or annual renewal. ► Councilor Cormier-Leger said annual review and/or renewal. ► Mr. Hellen said one or the other. ► Councilor Morrongiello said he would only support renewal. ► Councilor Cormier-Leger said this policy shall be subject to annual review. ► Councilor Callaway-Tripp said if we put it in as a review, we will come to an agenda and review that, and if we feel that we need to change it, we can then do an amendment to change it. If you are saying only to do a renewal, then that means if anything happens and we cannot get there by that date, it ends. It is better to put it as a review. ► Councilor Morrongiello said he supports renewal; he does not support review. ► Chair Dellorco asked for the original motion. ► Councilor Cormier-Leger said this policy shall be subject to annual renewal by the Franklin Town Council. That is what we would vote on right now. ► Mr. Hellen said so he made an amendment on if you agreed on renewal. Somebody has to second it and you can have a discussion. **SECOND** by **LeBlanc** for the language change to renewal. ► Councilor Cormier-Leger read aloud and said just so everyone is clear: it is the entire thing as is with the addition at the end: this policy shall be subject to annual renewal by the Franklin Town Council and it has been seconded. ► **Discussion:** ► Councilor LeBlanc said as it relates to what Councilor Morrongiello is trying to do here, and I agree with him, is that I agree with what we are trying to do here. I do think that the thing that failed about the process at 444 East Central Street was the process. It was not a friendly 40B; it became an unfriendly 40B. It started out with the Town Council having these stipulations. I do not think it involved the abutters in the first place. It forces us in the next year to define what that process is for a large-scale project. He said one of the ways we are going to get out of our fiscal crisis, is you are not going to get it through cutting. We need to raise funds in this town, and the only way to raise funds is to build. He talked about doing the math to build the tax revenue to pay for everything; we do need growth. He said he is for this amendment particularly because it then forces us over the next year to come up with a policy, to come up with a process, so that in a year, we can open it up a little bit, but it will be a very well-defined process. It is putting a proverbial whatever to our head to get it done, and that is the reason why I am supporting this. ► Chair Dellorco said he does not know where there is more land. ► Councilor Ojukwu said there is land that people own and age and retire. ► Chair Dellorco confirmed that right now they are voting on the amendment; then the next vote would include the amendment. ► **ROLL CALL VOTE (on the amendment):** Callaway-Tripp-NO, Cormier-Leger-YES, Dellorco-NO, Grella-NO, Griffith-YES, LeBlanc-YES, Malloy-NO, Morrongiello-YES, Ojukwu-YES. ► **VOTE: Yes-5, No-4, Absent-0.**

► Mr. Cerel said now you are back to discussion on the motion/resolution as amended. **Discussion (on the motion/resolution as amended):** ► Mr. Hellen said he is going to update in any final vote if you approve it, that the percentage in here is 11.05, and he is also going to modify the agency name because the agency name changed, the state changed it to EOHLIC. He wants the record to reflect that. He said if you do vote tonight on this, I will just date it tonight's date, and those two changes will be added to the amendment that was there. ► Councilor Callaway-Tripp confirmed this discussion is on the original as amended. She said the amendment is specifically about the renewal, and she is speaking about the body. She said she supports this. She said we are going to be able to accept the applications for the homes, not just the big apartments. She said if we go below 10 percent, it would not matter if it were a friendly 40B or not because if they came in and we denied them and we were below 10 percent, they go to the state and the state says you are taking it anyway. She said what this is doing is about if they trust us. The trust is lost between the residents and this table. This is what they want, this is what has been said, this is what we fought for. To not pass this now would be a slap in everyone's face. She will vote to pass this. She talked about apartments and said these buildings are horrific, and if there is any way to prevent that we have to take a stand. She noted there was little land left. She said we are going to be so far above, we

have breathing room. She said they should do this if they want the residents to trust this body.

► Councilor Griffith said she agrees with Councilor Callaway-Tripp. She explained the idea is to not fall below 10 percent. She said with the amendment, that forces a renewal every year, that puts us in a really good position. This amended policy solves all of the problems that both sides of the conversation had here. ► Councilor Ojukwu said it allows us the ability to step back and fix the process. He talked about where he grew up. He said we need a better process. He said this policy as amended forces us and allows us to do that. ► Councilor Cormier-Leger asked Mr. Hellen about concerns raised about projects approved but do not get funded which could jeopardize the number. He would assume that Mr. Hellen would get wind of a project not moving forward. ► Mr. Hellen said yes. ► Councilor Cormier-Leger said you would have that information and you would be able to share that with us and say that and let us know that we would need to revisit the policy so we would not be put in jeopardy. ► Mr. Hellen said it would get out there. ► Councilor Cormier-Leger said we have to trust Mr. Hellen as the paid leader of the town. ► Councilor LeBlanc said he wants to wordsmith in the first sentence of the fourth paragraph. It said, 40B applications that provide for home ownership and not rentals. The sentence after it says as long as it is not a large-scale rental. And further down it says you can do a small-scale rental under 20 units. He said he is concerned about that. ► Mr. Hellen said the 20 is there because that is what is allowed under bylaw. ► Councilor LeBlanc said does the first sentence have to say until further notice the Town policy will be accept friendly 40B applications that provide for home ownership and not large-scale rentals, because you defined that large scale rental is anything over 20. ► Mr. Hellen said it is a scrivener's error. ► Councilor Cormier-Leger asked if they needed to do an amendment to fix it. ► Mr. Hellen said if you want to. ► Councilor LeBlanc confirmed he is recommending an amendment to paragraph four, the first sentence, that says homeownership and not large-scale rentals. **SECOND by Griffith. No Discussion. Vote (on the new amendment): ► VOTE: Yes-9, No-0, Absent-0.**

► **MOTION to Approve Resolution 26-01 As Amended Twice - Friendly 40B Policy by Dellorco. NO SECOND Made. No discussion. ► ROLL CALL VOTE (on the motion as amended twice):** Callaway-Tripp-YES, Cormier-Leger-YES, Dellorco-YES, Grella-YES, Griffith-YES, LeBlanc-YES, Malloy-YES, Morrongiello-YES, Ojukwu-YES. ► **VOTE: Yes-9, No-0, Absent-0.**

Chair Dellorco declared a recess for a few minutes.

TOWN ADMINISTRATOR'S REPORT: ► Personnel Update. ► Mr. Hellen said they secured a fellow from UMass Lowell: a sustainability fellow for six months. There are two big pieces with that. The fellow will do a comprehensive report documenting what we do. The second issue will be a cost-benefit on electric vehicles in terms of our fleet. He thanked Mr. Harn for a good presentation. He said there is a deputy director of facilities offer out there. He said there is an offer out for the plumber also. He said both will go through learning curves. The electrician position will be interviewed for soon. He noted some retirees and said there will be a recognition at the next meeting. He gave a shout-out to DPW employee Scott Smith who has been with the town for 32 years. He gave a shout-out to electrician Dave Gregoire who retired, and plumber Mike Carter for working just under 30 years who retired and his wife Beth Carter who was the lead custodian at the high school. He congratulated them. He said Conservation Director Breeka Li Goodlander is not leaving, but will be transitioning from a full-time employee to a part-time employee. In the budget we will hire her a part-time admin. He said she has done an amazing job. He said a staff member resigned at the Senior Center a while ago. He said when someone resigns or retires, we always evaluate if we can amend the job, do a reform, change the composition of the department. We always do a review because at that time we try to look out at the future. He said they have split the responsibilities of that position into three other positions there and upped the job responsibilities for three employees at the Senior Center, and they now feel more emboldened to stay and commit themselves to the Senior Center. He said they were also able to take on a little more pay. He said they were able to bring back the LPN and the part-time nurse that was laid off during the override cuts. He said for his office, they can talk about it now. He said they posted the positions and will be interviewing for the part-time position. He said as Ms. McCann is sick this week, he is alone. He said he has to hire the communications person. He said they have a newsletter but have not done one in a few

months; they need some help in his office. He hopes to have the communications director within the next four to six weeks. He said there is a lot of great stuff happening every day, and we do not have a chance to properly talk about it. He noted topics for the next meetings and the capital budget meetings. He said he needs some support. He asked if the Town Council was comfortable with it, and if not, they have to let him know now. He said they are in hard shape. ► Town Council members noted they had no problem proceeding. ► Chair Dellorco said Mr. Hellen got a straw poll. ► Mr. Hellen said they need to communicate what is happening at the meetings; no one is coming to them. They need to find some strategies on how to reach out to people. He said if they have Facebook, they should shut off all the comments. He confirmed he has a senior from the tax work-off program in the office, and she has been great. He thanked the Town Council for their support. He confirmed the fellow does not cost anything, and it is for six months.

SUBCOMMITTEE & AD HOC COMMITTEE REPORTS:

► **Police Station Building Committee.** ► Chair Dellorco said the only one was the police station. He said the committee voted for the Parmenter School, but it is not just the police station. It is the police station plus another little league field plus a fieldhouse for recreation, and outdoor basketball and pickleball courts, and we still have five acres to work with. He said for a future agenda he is going to suggest the committee comes in and talks to us.

FUTURE AGENDA ITEMS: ► Councilor Malloy said he would combine comments and future agenda items as quickly as he can. He said to follow up on tonight, they need to find a way to facilitate some of the capital expenditure decisions that we need to make, prioritize what has to happen first, second, third, especially about empty sites, and how fast we can make the decisions. ► Councilor Ojukwu said in the same vein to combine the two to keep us moving, he does not have anything to add. He said there is some budgeting coming up. ► Councilor Griffith said she would combine so you will hear from her once. She said they just heard about the police station subcommittee, but they have not heard about any others and assembling them. She said I think we asked about it on December 3. ► Chair Dellorco said now that we are getting some help in Mr. Hellen's office. ► Councilor Griffith said she wanted to take a moment to recognize Steven LaPorta, the police officer from Uxbridge, who tragically was lost his life in an accident while he was working yesterday. She said her thoughts and prayers were with the Uxbridge Police and the Franklin Police Departments and all local police departments. She said it is a dangerous job, and they take on risks to take care of us. She thought she would put in a plug to have the police run radar by the schools during pick up and drop off times; she has seen conversations about how terrible it is. She said in October they did Operation Magic School Bus where police officers each took a school bus and followed them to catch drivers going around them when they had the lights on. She said she sees that every day and children are at risk. She said she would like to see that happen more frequently by the police. She said this is another reason we need an override to keep our kids safe. She said Mr. Cantoreggi mentioned the parking ban on the streets, and someone reached out to her, and maybe we should be raising the fees on that for the ticket. ► Mr. Hellen said they have not had a problem with it in a long time. He said for the parking fees, they tried; enforcement becomes an issue and is harder than one thinks. He talked about the fees and ambulance rates and some other fees. He can have the chief look at the fines in the bylaw. ► Councilor Griffith said people seem happy to ignore a \$25 fee and that makes it harder for the town. She explained that raising the fee seems like a way to deter this. ► Councilor LeBlanc said his only comment is about the overnight parking. Maybe when we get communications, we can send something out. ► Councilor Morrongiello said he would combine things as well to make it easier for folks. He thanked all the first responders regarding the power outage and the snowstorms, and DPW for plowing the streets. He questioned if for future agendas items they would be doing goals. ► Mr. Hellen said he is talking to the chair about how to schedule goals, strategic planning, and many other items. ► Councilor Morrongiello talked about doing something from the Master Plan. ► Mr. Hellen said the Town Council decides the priorities of the Master Plan. ► Councilor Callaway-Tripp said she would like to have something on the agenda that has to do with 444 East Central Street, not the project itself, or the vote that was cast by the ZBA, but for some of the information that was portrayed during the process because she feels based on going back through meetings and minutes, there was some lying happening, and she wants to get some information and wants to get to the bottom of it. She said it is public knowledge, but

does this need to be in an open meeting or in executive session. ► Mr. Hellen asked if she feels he is lying. ► Councilor Callaway-Tripp said it has nothing to do with Mr. Hellen. ► Mr. Hellen said he and Mr. Cerel were very clear on where this stood the entire time. He said he does not believe executive session is allowed except for litigation. He said the suggestion of a debrief on some of the information and the 40B process is a great suggestion. They can talk about where can we go from here. ► Councilor Callaway-Tripp said this has nothing to do with Mr. Hellen, but she thinks there was some misrepresentation. ► Mr. Hellen asked if we can find out what the issue/content is offline. He would appreciate an email or phone call to find out what Councilor Callaway-Tripp is actually talking about. It is abstract what you are talking about. ► Chair Dellorco said he would call Mr. Hellen tomorrow. ► Mr. Cerel, said you are caught in a bind right now. There are not grounds for an executive session for pending or threatening litigation. On the other hand, he advised against having any kind of public discussion along the lines you are saying as there is potential liability from a variety of sources. This thing just has to play itself out. ► Councilor Callaway-Tripp confirmed she could meet with Mr. Hellen to talk about this. ► Mr. Cerel explained what it would be like if this were to result in any kind of litigation. ► Councilor Cormier-Leger said he would support a future agenda item regarding what Mr. Minnichelli brought up and the ASHI and reexamining how the town is calculating the index. He would like to see a future agenda item about what is the 10-year outlook regarding property. ► Mr. Hellen said this is on for February 4. ► Councilor Cormier-Leger said something has to be done to support the infrastructure needs of our town regarding National Grid and Verizon pertaining to our power continuing to go out. He noted Rep. Roy and Sen. Rausch and said he knows they have influence, but maybe they need a letter from us about this. He talked about the story that came out during Mr. Harn's presentation about the janitors and discussed the innovative caring approach used. He said this body needs to create some boundaries with the public because we are not the whipping boys for everyone to beat on about everything. We are a group of volunteers working hundreds of hours for free. He talked about abuse by residents to this group. He said it should not be tolerated, and he said respect the office. He said to send emails to town emails and schedule an appointment. ► Councilor Grella congratulated Mr. Minnichelli. He talked about the tax bills. He said it went up a lot. He talked about residential going up and commercial/industrial going down, and there is going to be an imbalance where the residents are going to get hit more. He said they are going to have to have a serious conversation about the split tax rate. ► Chair Dellorco congratulated all who got promoted and appointed. He agrees about National Grid; he said he never loses power. He said some sections of town are older. He noted it was a bad storm. He said at some point they will get the police station in here to give us a little more background.

COUNCIL COMMENTS: ► Combined with Future Agenda Items.

EXECUTIVE SESSION: ► None.

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

Meeting adjourned at 10:07 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary