

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
November 12, 2025**

A meeting of the Town Council was held on Wednesday, November 12, 2025, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Jane Callaway-Tripp, Ted Cormier-Leger (via iPhone), 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; Julie McCann, Operations Manager.

CALL TO ORDER: ► Town Administrator Jamie Hellen called the meeting to order at 6:00 PM.

SWEARING IN OF TOWN COUNCIL: ► Town Clerk Nancy Danello conducted the swearing in of all Town Council members.

ANNOUNCEMENTS FROM THE CHAIR: ► Mr. Hellen stated that Councilor Cormier-Leger would be participating remotely in tonight's meeting.

ELECT CHAIR, VICE-CHAIR, CLERK: ► Nominations were accepted for Town Council Chair. **Motion to Nominate Dellorco by Cormier-Leger. SECOND by Ojukwu. No Discussion.** ► **ROLL CALL VOTE (for Chair):** 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.**

► Nominations were accepted for Town Council Vice Chair. **Nomination of Ojukwu by Griffith. SECOND by Morrongiello. Nomination of Grella by Callaway-Tripp. SECOND by Cormier-Leger. No Discussion.** ► **ROLL CALL VOTE (for Vice Chair as Grella or Ojukwu):** Callaway-Tripp-Grella, Cormier-Leger-Ojukwu, Dellorco-Grella, Grella-Grella, Griffith-Ojukwu, LeBlanc-Grella, Malloy-Grella, Morrongiello-Ojukwu, Ojukwu-Ojukwu. ► **VOTE: Grella-5, Ojukwu-4.**

► Nominations were accepted for Town Council Clerk. **Nomination of Cormier-Leger by Dellorco. SECOND by Griffith. No Discussion.** ► **ROLL CALL VOTE (for Clerk):** 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.**

► **Motion for Interim Clerk as Councilor Griffith for tonight's meeting and meetings while Councilor Cormier-Leger is travelling by Dellorco. SECOND by Callaway-Tripp. No Discussion.** ► **ROLL CALL VOTE (for Interim Clerk):** 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 called for a moment of silence. All recited the Pledge of Allegiance.

LEGISLATION FOR ACTION: ► **Resolution 25-71: Adoption of the Procedures Manual of Franklin Town Council (Motion to Approve Resolution 25-71 - Majority Vote).** ► Mr. Hellen said as has been done in the past, in absence of a formal adoption of rules of procedure that govern the Town Council's business, it then reverts to Roberts Rules of Order. We do this right away so this governs the meetings until or if you take up any adjustments to the rules of procedure. We encourage you to adopt them as is, and members can then make comments/changes. He noted his memo to the Town Council dated November 7, 2025, regarding Rules of Procedure provided in the online meeting packet. ► Councilor Morrongiello reviewed that he was going to propose an amendment to help the public feel more heard during citizen's

comments, but he is still working on that and recommended adopting rules as is and appointing a liaison regarding possible amendments. He reviewed his suggested amendment/proposal to the citizen's comments process regarding providing the citizen with factual information regarding a matter, refer to committee, or refer item as a future agenda item. He is determining if this complies with open meeting law. ► Mr. Cerel indicated this resolution can be adopted now and changes can be made later. ► Councilor Griffith read the resolution. ► **MOTION to Approve Resolution 25-71: Adoption of Procedures Manual of the Franklin Town Council by Griffith. SECOND by Morrongiello. No discussion. ► ROLL CALL VOTE:** 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.**

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. Steve Sherlock, 13 Magnolia Drive, Community Information Director for Franklin Matters Franklin Public Radio, congratulated all members. He reminded all about the importance of using the microphones correctly. ► Youth Services Librarian Caleigh Keating highlighted the Holiday Heroes: An Interactive Adventure event with the Franklin Fire Department on November 13, 2025. ► Mr. Mark Minnichelli, 31 Longfellow Drive, said thank you to all involved in putting up the crosswalk light at Chestnut Street. ► Ms. Kim Mu-Chow, 4 Briarwood Road, reviewed the second annual Franklin Community Coat Drive from November 10 to December 6 with various coat pick up points to drop off new or gently used coats. ► School Committee Chair David Callaghan, 30 Plain Street, congratulated all members. He looks forward to working with all. The School Committee's first meeting of the new term will be on November 18, and he welcomed all to join. ► Mr. Gary Love, 39 Red Gate Lane, congratulated all. He discussed that a decision is going to be made in a matter of weeks on 444 East Central Street. Many in the town feel this large development is not in the right place. There seems to be an impression that nothing can be done. His reading of rules and laws seems like something can be done; ZBA can deny or approve with conditions. The Town Council can rescind support for the project. Any action would have to be done quickly. ► Town Clerk Nancy Danello noted the November 4 Town Election had voter turnout at 24.5 percent. She thanked those who voted. She thanked all outgoing Town Council members and all those who worked on the election, and she congratulated all new members.

APPROVAL OF MINUTES: ► None.

PROCLAMATIONS/RECOGNITIONS: ► None.

APPOINTMENTS: ► None.

PUBLIC HEARINGS - 7:00 PM: ► None.

LICENSE TRANSACTIONS: ► None.

Mr. Hellen noted that Councilor Cormier-Leger left the meeting at approximately 6:30 PM.

PRESENTATIONS/DISCUSSIONS: ► *Town Council Orientation - Town Attorney, Mark Cerel; Jamie Hellen, Town Administrator; and Town Department Heads. The purpose of this orientation is to publicly engage in a question-and-answer session around the core elements of responsibility of the Town Council.*

► Mr. Hellen said tonight's orientation is a little more extensive than usual. As listed on the agenda, topics included: Massachusetts Public Records Law, Massachusetts Open Meeting Law, Massachusetts Conflict of Interest and State Ethics Laws, Franklin Home Rule Charter, Franklin Town Code, What Does the Town Council Do, What Does the Town Administrator Do, and FY26 Budget Question & Answer. The point of tonight is to ask questions if clarity is needed. Department heads are in attendance if any questions. Links to documents and helpful resources for these items are available on the meeting agenda available in the online meeting packet. ► Mr. Cerel said open meeting law and ethics materials have been provided in hard copy, and there is also required online ethics training. He highlighted areas as listed in the agenda. He talked about an October 29, 2021, memorandum he provided, and it still has valid information. He discussed the definition of public records and law compliance. He said basically everything is a public record that is generated in the furtherance of the municipality's business unless it falls under a specific exemption listed in the statute. He discussed use of personal cell phones and other devices is to be discouraged as if there is a request made and you have been doing town business on your personal piece of equipment, that is going to be subject to review. ► Town Council members asked questions and made comments to which Mr. Hellen and Mr. Cerel provided responses throughout the presentation. ► Mr. Hellen explained each Town Council member has been provided with a town email address and recommended they not use their personal email addresses. He gave an example of a case where a mayor was using his personal email address for town business and in response to a specific public records request had to provide his entire personal email account. ► Mr. Cerel confirmed that texting using a personal phone number is discoverable. He suggested using a telephone is the best way of communication. ► Mr. Hellen noted the town can provide Chromebooks. ► Members indicated if they would like one. ► Mr. Hellen noted the cost of providing elected officials with phones. He noted that for appointed committees, they have been providing one public email address for the entire committee to use. He discussed possible phone systems. ► Mr. Cerel talked about open meeting law and noted it is extremely complex. He said you go to the definitions and in this case, it is very broad; he read aloud the definitions. Members must take into account any time a quorum or more are together and noted a few exceptions. He noted to be aware of any kind of communication where a quorum or more is involved would be a violation, and this cannot be avoided by having a serial meeting. The attorney general's office is charged with enforcement; they will provide guidance in advance. He explained that members cannot reply to all to an email, and they need to be aware of the limitations. Agendas must be posted 48 hours in advance of a meeting not counting Saturdays, Sundays, and holidays. He said remote participation was permissible before Covid with a caveat. However, now the physical quorum requirement is not required and remote participation is allowed for at least another two years. He discussed meeting in executive session is limited to the specific allowances outlined. If someone is participating remotely in executive session, they must make a statement that they are alone and no one else is present with them. He discussed that for instance third-party contract negotiations that are not employee/employment/union-negotiation-related, are not allowed in executive session. ► Mr. Hellen noted in the open meeting law manual there are 10 specific exemptions for executive session. He discussed posting the agenda is done on the Friday before the meeting, and when and what type of items may be added within 48 hours of the meeting. It is the chairs responsibility for adding to the agenda. ► Mr. Cerel said the Ethics Commission has taken the position that an elected official who disregards executive session is liable for an ethics violation. He reminded members they must take the ethics online training. He discussed ethics law is a criminal statute. The statute is set up in three sections that apply to the following: state employees, county employees, and municipal employees. He discussed the definition of municipal employee. Town Council members are subject to the full statute and all the penalties. It is important to understand that the prohibition applies to you and your immediate family members which he defined. If you have a potential ethics conflict, you have to take yourself out. It is not limited to voting; it is participation. It is safest to just leave where the meeting is taking place and take yourself out of that situation.

The consequences are pretty severe, and they are criminal penalties. He discussed that there is an attorney of the day who can take questions and provide quick answers regarding ethics violations. You can provide a written question, and you will be provided with a written opinion. ► Mr. Hellen confirmed the attorney for the day can answer questions if you think you may have a conflict. He noted the online training is important. He noted that at some point, the members may face some of the issues outlined in the training. He noted the town administrator and town attorney are not the ethics police, and they are not the entity to call first. The State Ethics Commission is in charge of ethics and takes on cases. If anyone in the public thinks there is an issue, there is a form that can be filled out and sent to the Ethics Commission. ► Mr. Cerel reviewed additional sections of ethics law and noted prohibited conduct including self-dealing which includes immediate family members. He reviewed a prohibition of \$50 or more, and members cannot use their position to obtain anything of value or favor. ► Mr. Hellen explained the Town Charter is the constitution that forms the boundaries of your government. It has strong checks and balances in it. He said while there are some tweaks that may be outdated, the Town Charter is held in high regard by other communities. It was approved in 1978 largely because people were not showing up at Town Meetings. He explained it is not easy to change the Town Charter. He explained the situations requiring the need for an election for a charter commission that is elected. Town Council members can run for the seats. The charter commission then has unilateral control over what recommendation it provides to the community. Then, that charter amendment goes on the ballot. This would be needed if you are doing something on substance such as staggered terms. The last time a major review was done was in 1995. He said this takes a lot of time, outreach to the community, and much money of possibly up to \$500,000. He explained there are ways to possibly expedite smaller changes. He talked about the Town Code which the town clerk maintains. ► Mr. Cerel explained the town code format, how it is put online, and once a year updated in hardbound form. It includes town charter, town bylaws, and most of the major department regulations. Town Council members asked for a summary of amendments they can make without formalizing a full charter commission and for the slideshow presentation that was mentioned for them to see. ► Mr. Hellen said that would be a great discussion item. ► Mr. Cerel discussed that bylaws do not become effective until 14 days go by as indicated during the passing of a bylaw when it is said that the bylaw shall become effective according to the provisions of the Town of Franklin Home Rule Charter. ► Mr. Hellen explained what the Town Council does and noted article 2 of the Town Charter. He said they are the legislative body of the Town. He said they are only about one in twelve communities that have this form of government called a council manager. He explained this is a hybrid form of government. He reviewed their main responsibilities: they are the legislative body, must pass a balanced budget each year, work with the town administrator/hire, fire or replace one, liquor licensing, and maintain all the public property on behalf of the town. He said they have one personnel director which is him. He said the town administrator and superintendent of schools are the two bosses for this entire community. ► Mr. Cerel talked about how to hold a public hearing. He said they are acting as a legislative body and staying within that authority you are pretty much legally insulated from liability. However, when you are not acting as a legislative body such as when it is an administrative hearing such as a liquor licensing matter, that protection drops out, and the town then has an added increased exposure for wrongdoing. ► Mr. Hellen explained all licensure funnels through the town administrator. He talked about the online system. He said the Town Council is the Local Licensing Authority for the town. Franklin is one of about 20 communities that have an unlimited quota for restaurant liquor licenses which is a huge economic advantage. He reviewed off premises liquor licenses and noted they have met their quota. He noted the state's Alcoholic Beverages Control Commission (ABCC) and explained it is challenging to reform liquor licensing. He explained that a liquor license cannot be denied because it is a big box store. He recommended they should have a discussion on what alternatives look like for the Town Council's administrative aspect of liquor licensing. ► Police Chief Thomas Lynch reviewed how liquor licenses are policed regarding selling to underage persons. He explained that the state years ago used to provide grant money for compliance checks. He reviewed how a compliance check is done. He said the grants have dried up, and they have tried to do the checks as much as they can. He explained that all servers in town have to be TIPS trained. ► Mr. Cerel said basically public convenience as interpreted by court decisions is the standard to allow new liquor licensing. ► Mr. Hellen explained proximity/geography is really the only grounds for denying a license. The liability and responsibility are on the restaurant if someone overserves someone and they get into an accident; those

individuals can be held liable. He reviewed the food requirement for serving alcohol. ► Mr. Cerel explained Franklin has an unlimited quota for on-premises liquor licenses. He noted alcohol consumption overall is down. ► Mr. Hellen said they were members of the MMA, there is a conference every year, and there is money for that for the members. Connect 351 is held in January. ► Mr. Hellen reviewed what the town administrator does. He noted article 4 section 2-3 of the Town Charter which he read aloud. He prepares and presents to the Town Council the annual town operating capital budgets. He is the chief procurement officer, but he has delegated that under law to Ms. Pam Vickery. He said section E of this is of huge importance. He explained he is the town ombudsman. Article 4 section 2-5 is also very important which is for the Town Council to ratify the town administrator's appointment of certain personnel and boards and committees. He said he has a traditional CEO role. He reviewed the permitting problems of the 1990s. He said he does not believe in micro-managing boards and committees. He has a lot of responsibility. There is information on the town's website under Town Departments/Administrator. ► Mr. Hellen said having a balanced budget is a number one responsibility. He explained all the relevant budget materials are on the website. He explained there is a structural budget deficit; the deficit has existed for a long time. He encouraged members to take a look at the information. He told members to contact him if there are any questions. Everything they do is etched out in state law for state reporting. At the MMA conference, the governor will release the budget for FY27. He explained the process and timing of assessments and the numbers and said it will shift through March, and then there is a point in March that we cut off the debate as we have to go into production mode which takes about one month to draft all that. He said December and January will be good timing to get some ideas from the Town Council. He asked members how they would like to go through the budget information; send him a note with suggestions. He noted agreement that he would walk through his five-year forecast and that members should review the information available. He did a presentation at the Finance Committee in August. He discussed the Joint Budget Subcommittee meetings and the work that was done. He said some people are saying that we are punishing people; we are just doing what we said we were going to do.

LEGISLATION FOR ACTION: ► None.

TOWN ADMINISTRATOR'S REPORT: ► *FY26 & FY27 Budget Timeline*. ► Mr. Hellen said his TA report is straightforward; it is the same topic.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Economic Development Subcommittee.** ► None.
- c. **Joint Budget Subcommittee.** ► None.
- d. **Police Station Building Committee.** ► Mr. Hellen said they are down to the site selection area. He said a new meeting will be set up in December.

► Chair Dellorco asked about the GATRA Committee. ► Mr. Hellen said Mr. Cobi Frongillo relinquished his seat. The new Director of Planning and Community Development Morena Zelaya will be the town's representative; she and Mr. Frongillo have met.

FUTURE AGENDA ITEMS: ► Councilor Malloy requested to revisit/repeal Resolution 25-70 regarding cannabis licensing and local approval procedures, and the Friendly 40B proposals. ► Councilor Ojukwu requested having on the agenda an opportunity to understand the budget and finances baseline. ► Councilor Griffith echoed Councilor Ojukwu. ► Councilor LeBlanc requested to have legislation for action around the withdrawal of the Town Council's prior vote on 444 East Central Street project pursuant to the 40B, and he wanted a discussion about the charter and what actions can be taken. ► Councilor Callaway-Tripp agreed with Councilor Ojukwu's request. ► Councilor Morrongiello requested to dive deeper into identifying problems facing the town. ► Councilor Grella noted work on the budget and goal setting to say this is where we want to be as a town. ► Councilor Dellorco agreed with Councilor LeBlanc's request for 444 East Central Street on the agenda and looking into the budgets as soon as they can.

COUNCIL COMMENTS: ► Councilor Malloy thanked those who voted. He will listen and be a good team player. ► Councilor Ojukwu said the members talked when voted in and agreed that although they do not come from the same points of view, they will work together to move Franklin forward. They need to set out their goals and say what they are going after. ► Councilor Griffith thanked the other members and looks forward to working together. She encouraged all to come to meetings and reach out to share thoughts and concerns. ► Councilor LeBlanc said he sat here 20 years ago. He thanked those who voted, the previous Town Council members for their years of service, and department heads who attended tonight's meeting. He will represent the citizens of Franklin and will move Franklin forward. ► Councilor Callaway-Tripp thanked those who voted for her. She said the residents have to be part of the change. She encouraged people to reach out, send an email, come to meetings, and she will make sure residents' concerns are taken into consideration. She thanked the previous Town Council members for the time they put in and those who ran but did not succeed. It is time to change the direction of the town. ► Councilor Morrongiello said he looks forward to working with you all for the many challenges ahead. He acknowledged the employees and said he has their backs. He encouraged people to reach out and come to meetings. ► Councilor Grella thanked the voters. He is optimistic of what they can do for the town to solve the issues of Franklin. ► Councilor Dellorco thanked the former Town Council members. He said he is a team player. They can do a lot of good work together. He is looking forward to it. He asked if he could appoint Councilor Malloy for the rules and procedures.

EXECUTIVE SESSION: None.

ADJOURN (Motion to Adjourn is Nondebatable - Majority Vote): ► MOTION to Adjourn by Grella. SECOND by Callaway-Tripp. No Discussion. ► VOTE: Yes-8, No-0, Absent-1.

Meeting adjourned at 10:19 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary