

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
November 2, 2016**

A meeting of the Town Council was held on Wednesday, November 2, 2016 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Robert Dellorco, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegrini, Judith Pond Pfeffer, Robert Vallee. Councilors absent: None. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney.

**CALL TO ORDER:** ► Chairman Kelly called the meeting to order at 7:00 PM with a moment of silence and the Pledge of Allegiance.

**ELECTION OF OFFICERS: *Chairman, Vice-Chairman, Clerk.***

► Nominations were accepted for Town Council Chairman. **Nomination of Kelly by Jones. SECOND by Pellegrini. Motion to Close nominations by Padula. SECOND by Jones. VOTE to close nominations: Yes-9, No-0, Absent-0. ► VOTE to elect Kelly as Chairman: Yes-9, No-0, Absent-0.**

► Nominations were accepted for Town Council Vice Chairman. **Nomination of Vallee by Bissanti. SECOND by Dellorco. Motion to Close nominations by Bissanti. SECOND by Jones. ► VOTE to close nominations: Yes-9, No-0, Absent-0. ► VOTE to elect Vallee as Vice Chairman: VOTE: Yes-9, No-0, Absent-0.**

► Nominations were accepted for Town Council Clerk. **Nomination of Pfeffer by Padula. SECOND by Mercer. Motion to Close nominations by Dellorco. SECOND by Jones. ► VOTE to close nomination: Yes-9, No-0, Absent-0. ► VOTE to elect Pfeffer as Clerk: VOTE: Yes-9, No-0, Absent-0.**

**APPROVAL OF MINUTES: *None.***

**ANNOUNCEMENTS:** ► Chairman Kelly announced the meeting is being recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others.

**PROCLAMATIONS/RECOGNITIONS: *Franklin Sheet Metal.*** ► Ms. Pfeffer, on behalf of the Town of Franklin, read the proclamation honoring, commending, and thanking Franklin Sheet Metal; they have been a successful business in Franklin for the past 63 years. The company was started by brothers Fred and Gus Baglioni in 1953 at 231 Cottage Street, where it remains today. The company has been the creator and maker of various machines and has provided sandblasting services to the Town of Franklin.

**CITIZEN COMMENTS:** ► Ms. Jane Curran, owner of Jane's Frames in downtown Franklin and one of the founding members of the Franklin Downtown Partnership, addressed the Town Council. She thanked the Town Council for helping in the creation of the Downtown Partnership. She stated they were having a 15-year anniversary party on November 12, 2016 and hoped the Town Council members would join the celebration to be held at The Black Box. Tickets are available at the Franklin Downtown Partnership office, Jane's Frames, and online. She stated the downtown looks beautiful. ► Ms. Teresa Burr, Franklin Town Clerk, stated that with the early voting going on Mr. Jeff Nutting presented her and her staff with a beautiful plaque. They were awarded a gold medal award from the state for providing substantial early voting opportunities to Franklin's citizens. She noted that early voting will continue through Friday at 1:00 PM. Absentee voting will continue until Monday at 12:00 PM. Voting next Tuesday is from 6:00 AM to 8:00 PM.

**APPOINTMENTS: *Council on Aging.*** ► Ms. Pfeffer read the appointment. **Motion to Ratify** the appointment by the Town Administrator of Ron Higginbottom to serve as a member of the Council on

Aging, term to expire June 30, 2018 by **Pfeffer**. **SECOND** by **Mercer**. **Discussion:** Mr. Higginbottom stated he was looking forward to serving. ► **VOTE: Yes-9, No-0, Absent-0.**

**HEARINGS: None.**

**LICENSE TRANSACTIONS: None.**

**SUBCOMMITTEE REPORTS: None.**

**LEGISLATION FOR ACTION:**

1. **Resolution 16-58: Request for Legislation Exempting all Positions in the Fire Department from Civil Service Law – (Majority Vote).** ► Mr. Nutting stated he had sent out an email asking for a month extension. **MOTION to Table** Resolution 16-58: Request for Legislation Exempting all Positions in the Fire Department from Civil Service Law to December 7, 2016 at 7:10 PM by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Padula asked if this would be enough time to work out all the issues; based on what he has heard there is a lot to work out. ► Mr. Nutting said it would be enough time to work out the language on how the promotions would work. ► Mr. Vallee asked who is involved in the negotiations. ► Mr. Nutting stated himself, the fire chief, and the leadership of the union; Mark Cerel is not involved. ► Mr. Dellorco asked if they would hear from the firefighters. ► Mr. Nutting stated yes; they were invited, but told not to come tonight because it was going to be tabled until December 7. ► Mr. Bissanti clarified that the firefighters will have an opportunity to speak. ► Mr. Nutting stated the debate is if the Town Council wants to change the system and adopt the resolution. **VOTE: Yes-9, No-0, Absent-0.**
  
2. **Resolution 16-61: Confirmatory Order of Taking – Unimproved Land Off Lincoln Street Located in Rolling Brook Estates Residential Subdivision – (2/3 Vote (6)).** ► Ms. Pfeffer read the resolution. **MOTION to Waive** the balance of the reading by **Mercer**. **SECOND** by **Vallee**. **No discussion.** **VOTE: Yes-8, No-1, Absent-0** (Ms. Pfeffer voted no). **MOTION to Move** Resolution 16-61: Confirmatory Order of Taking – Unimproved Land Off Lincoln Street Located in Rolling Brook Estates Residential Subdivision by **Mercer**. **SECOND** by **Jones**. **Discussion:** ► Mr. Bissanti asked if this was the land that abuts the Keller School. ► Mr. Nutting stated yes. He stated the Town Council voted a few weeks ago to accept this land; this is a confirmatory taking to make sure the title is clear. He discussed eminent domain. In this case the land was donated. ► Mr. Bissanti asked Mr. Nutting for confirmation that they extended the subdivision road and picked up two more house lots. ► Mr. Nutting stated they donated the land and the Planning Board did grant them two house lots. ► Mr. Bissanti stated that he wanted to go on the record that those two house lots will probably yield four bedrooms each, eight bedrooms total. He has heard a lot of discussion from this Town Council about bedrooms and how that translates into children in the school system. He said this will probably yield six to eight children and be more children than what would show up in some of the new zonings they have been trying to endorse. Those will be big houses up there. ► **ROLL CALL VOTE:** Bissanti-NO; Dellorco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-8, No-1, Absent-0.**
  
3. **Resolution 16-67: Rescind Borrowing Authority (Resolution 16-20 Appropriate and Authorize Borrowing of Funds to Pay Costs of the Construction of Sidewalks and Related Work) Fund Through Appropriation – (Majority Vote).** ► Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-67: Rescind Borrowing Authority (Resolution 16-20 Appropriate and Authorize Borrowing of Funds to Pay Costs of the Construction of Sidewalks and Related Work) Fund Through Appropriation by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Nutting stated the Town Council had authorized the appropriation of \$1.8 million for the sidewalks on Pleasant, Chestnut and

Griffin Streets with the idea to not borrow but pay cash. Now the project is half done and would like to rescind authorization and transfer the funds to pay cash. ► Mr. Vallee stated they are not concrete so in his opinion they are not sidewalks. ► Ms. Pfeffer asked how much money would be left in free cash when this is taken out. ► Mr. Nutting stated about \$3.4 million. **VOTE: Yes-9, No-0, Absent-0.**

**PRESENTATIONS/DISCUSSIONS: Senator Spilka, Senator Ross, Representative Roy.** ► Senator Spilka, Senator Ross, and Representative Roy addressed the Town Council. Senator Spilka, Ways and Means Chair, stated she wanted to mention a few of the big bills done this past legislative session including substance abuse treatment, education and prevention. They need to stem the tide of this opioid epidemic. They also did a public records reform and a major pay-equity bill. In addition, they did a clean energy bill, municipal modernization, and addressed charter schools. She talked about the state budget and how they try to figure out tax revenue for the year. The budgets were done in June and they had to cut \$750 million from what was proposed; the House and Senate worked together and did the needed cuts. Sales tax has been below projections; a little higher in corporate taxes than projected. Overall, right now there will be no actual cuts in the budget as to what was voted on and budgeted. Hopefully, the money proposed for Franklin will be released. She said people can contact their offices for additional information. ► Senator Ross further explained some of the highlights Senator Spilka mentioned. He spoke about working on the opioid committees; they built in some safeguards for pharmacies/prescribing. He was pleased to see some of the things Franklin did get such as \$25,000 to develop a recreation management plan for Franklin, Medway, and Bellingham by the Army Corp. of Engineers, \$15,000 for the Franklin Downtown Partnership supporting community events, \$65,000 for public safety in Franklin, and \$50,000 for the Senior Center. He stated that the governor has not yet released these funds; as such, it is imperative the Town Council takes proactive measures to keep them on the radar screen. He said he was hearing about the Spectra pipeline and noted oversight of this is not through the legislature; it is not within their purview. ► Representative Roy thanked the Town Council for granting access to the land off Pond Street for the \$25,000. He explained the new website devoted to legal notices; he thanked Councilor Jones for spearheading this. He noted Tegra Medical of Franklin was recognized as a manufacturer of the year. He said the Council of Aging received an increase in funding. He explained the legislation that was passed for license plates for special small charities; many non-profits have difficulty raising money and now they have this. He remarked that Sen. Spilka, Sen. Ross and he work very well together and they get things done together. ► Town Council members asked questions and talked about concerns including the percentage of revenue that is down from sales tax, OPEB liability, road repair help for Franklin, SAFE coalition, and substance abuse. The Town Council members said the representatives do a great job. ► Mr. Nutting stated they did reach out to each agency that had Franklin earmarked and they all said everything is on hold until the governor says ok.

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Nutting thanked Ryan and everyone for the pumpkin festival last weekend. The Franklin Police Department had about 1,200 kids to their Halloween party; it was a huge success. Maybe next year will try to put those two events together. ► Punch list for downtown continues to be worked on. ► Pleasant Street sidewalk is 98% done; still must get light installed at DelCarte. Working on Pleasant Street until weather prohibits. ► Getting some other pavement done in Northgate area and at Senior Center; hoping for three weeks of good weather. ► Mr. Hellen stated the library had a Halloween party last week at 25 Kenwood. It was packed; it was a great event. ► Regarding Municipal Aggregation, price bids came back and bad news is not a lot of savings to be had. Will punt on that for a little while. Good news is have gone through the approval process. Consultant will continue to watch the market. Hopefully, will get better rates at some point. He noted the town has not spent anything on this program so far.

**FUTURE AGENDA ITEMS:** ► Mr. Jones would like to add a potential private water use ban and water conservation for discussion. ► Mr. Padula would like to put the project on Summer Street on a future agenda. ► Chairman Kelly stated they are on the November 16, 2016 agenda.

**COUNCIL COMMENTS:** ► Mr. Jones thanked EPA for helping to clean up 300 Fisher Street. He thanked police officers for their great job on Halloween night to support the children and keep them safe. ► Mr. Bissanti commended the Town Clerk's office for the great job they have done for voting. ► Ms. Pfeffer stated she was also at the meeting with the EPA; Fisher Street was a superfund site. The EPA will be monitoring the taking down of the old factory. They basically said anything on their list gets taken care of. ► Chairman Kelly gave condolences to the Sullivan family for their loss.

**EXECUTIVE SESSION:** *None.*

**ADJOURN: MOTION to Adjourn by Mercer. SECOND by Dellorco. Yes-9, No-0, Absent-0.  
Meeting adjourned at 9:04 PM.**

Respectfully submitted,

Judith Lizardi  
Recording Secretary