

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
September 26, 2018**

A meeting of the Town Council was held on Wednesday, September 26, 2018, at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Patrick Casey, Robert Dellorco, Melanie Hamblen, Glenn Jones, Matthew Kelly, Eamon McCarthy Earls, Thomas Mercer, Peter Padula, Deborah Pellegrini. 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.

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.

CITIZEN COMMENTS: *None.*

APPROVAL OF MINUTES: *September 5, 2018.* ► **MOTION** to Approve the September 5, 2018 meeting minutes by Mercer. **SECOND** by Dellorco. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: *Swearing in Firefighter.* ► Fire Chief Gary McCarraher introduced new firefighter Greg Casavant and provided his background. ► Town Clerk Teresa Burr performed the swearing in. ► Town Council members welcomed the new firefighter.

Chairman Kelly called a two-minute recess.

APPOINTMENTS: *Cultural Council, Kaye Kelly.* ► Mr. Jones read the appointment. ► **MOTION** to Ratify the appointment of Kaye Kelly to serve as a member of the Franklin Cultural Council with an expiration of June 30, 2021, by Jones. **SECOND** by Mercer. **Discussion:** ► Ms. Kelly addressed the Town Council and provided her background. ► Town Council members asked questions and thanked her for being a volunteer. ► **VOTE: Yes-9, No-0, Absent-0.**

LICENSE TRANSACTIONS: *None.*

PRESENTATIONS/DISCUSSIONS: *Franklin Elks Lodge.* ► Mark Ellis and two other Franklin Elks Lodge members addressed the Town Council. Mark, on behalf of the Franklin Elks Lodge, stated they fully support the Veterans' Memorial Walkway project. He stated the Franklin Elks conducted a fundraiser for the walkway project on September 8, 2018. They presented a check to the Town and Veteran's Officer Dale Kurtz for \$2,136. ► Mr. Kurtz thanked the Franklin Elks. He stated the dig will begin tomorrow. ► Town Council members thanked the Franklin Elks Lodge for their contribution.

HEARINGS: *Resolution 18-51: Verizon Cable License Renewal.* ► **MOTION** to Open the Public Hearing by Jones. **SECOND** by Mercer. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► Mr. Nutting stated Mr. John Harrington, attorney representing Verizon, was present. Mr. Nutting provided background information and stated the Town had a 10-year license with Verizon which expired in 2016. He stated they have been in the negotiation process for the last couple of years; the world of cable is changing. In the past, the Town would get 10-year licenses; the licenses now tend to be five-year terms. A five-year license was negotiated. He noted that Verizon is able to withdraw from the license with 36-months' notice; he is assuming they will get to the five years. The Town gets an HD channel for their public access. Verizon will be paying the 5 percent of gross revenues which is the maximum allowed. He noted there were not any dramatic changes in the language. ► Town Council members asked questions.

► Attorney Harrington, in response to questions about how cable prices continue to rise, stated one of the features of this agreement is that there is a reduction in the franchise fee from \$1.80 to \$1.01; subscribers will see this reduction immediately. He stated that all of the programming has become much more expensive and competition has become fiercer. ► Mr. Nutting noted that some people are disconnecting from cable; Verizon's costs do not go down, but their customer base does. He noted that Franklin at least has a choice of carriers. ► Chairman Kelly noted he was involved in the negotiation process.

► **MOTION to Close the Public Hearing by Mercer. SECOND by Dellorco. No Discussion. ► VOTE: Yes-9, No-0, Absent-0.**

SUBCOMMITTEE REPORTS:

1. **Capital.** ► Mr. Dellorco stated nothing to report at this time.
2. **Budget.** ► Mr. Padula stated the committee met tonight with the School Committee, Finance Committee, several Town Council members, Town Administrator, and Deputy Town Administrator; they discussed where we are and where we expect to be down the road. He stated he thinks they are more proactive than in the past. They will schedule another meeting for late January/early February. Then, at some point, they are thinking of having a more open meeting to get some of the community involved. Overall, it was a good meeting.
3. **Economic Development.** ► Mr. Mercer stated nothing to report at this time.

LEGISLATION FOR ACTION:

- a. **Resolution 18-51: Verizon Cable License Renewal (Motion to Approve Resolution 18-51 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 18-51: Verizon Cable License Renewal by Mercer. SECOND by Padula. No Discussion. ► VOTE: Yes-9, No-0, Absent-0.**
- b. **Resolution 18-52: Acceptance of Gift to the Senior Center (Motion to Approve Resolution 18-52 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 18-52: Acceptance of Gift to the Senior Center not to exceed \$1,100 from the Picillo Family in honor of Emily Picillo by Mercer. SECOND by Dellorco. Discussion: ► Mr. Nutting thanked the family. ► VOTE: Yes-9, No-0, Absent-0.**
- c. **Resolution 18-53: Library Budget (Motion to Approve Resolution 18-53 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 18-53: Library Budget by Mercer. SECOND by Padula. Discussion.** ► Mr. Nutting stated they had to request a waiver from the minimum appropriation requirement of the Mass State Library Commission for 10 years. The Town just invested \$10.5 million in library improvements. Now is the time to put in sufficient funds to get off the waiver and add some part-time staff and programming money. He stated he is recommending to increase the budget and it will put us a few hundred dollars above the minimum; going forward it will be easier to keep up with the minimum. He stated they are asking to increase the library funds so we do not have to ask for a waiver; he thinks it is the right thing to do. ► **VOTE: Yes-9, No-0, Absent-0.**
- d. **Resolution 18-54: Ratification of the Memoranda of Agreement between the Town of Franklin and the Franklin Police Association (Motion to Approve Resolution 18-54 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 18-54: Ratification of the Memoranda of Agreement between the Town of Franklin and the Franklin Police Association by Mercer. SECOND by Dellorco. Discussion.** ► Mr. Nutting stated there is a regional communications center opening in early 2019. The police chief was concerned about the lack of personnel that might be left at the station so he and his staff came up with a brilliant idea on how to increase the staffing at no cost to the taxpayer. He stated he sat down with both the Patrolmen's Association and the Sergeant's Association and negotiated a change in their collective bargaining agreement effective next July which will change their work schedule to provide them with a more advantageous work schedule and at the same time saving us some overtime money to the point that we will be requesting five

additional officers at no additional cost in the police budget. He thanked the chief and collective bargaining folks; this is a win-win for everyone. He recommended approval. ► Town Council members noted how hard it must have been to negotiate this and thanked the town administration for their efforts. ► Chairman Kelly noted this was progressive thinking. ► **VOTE: Yes-9, No-0, Absent-0.**

- e. Resolution 18-55: Ratification of the Memoranda of Agreement between the Town of Franklin and the Franklin Police Sergeants Union (Motion to Approve Resolution 18-55 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 18-55: Ratification of the Memoranda of Agreement between the Town of Franklin and the Franklin Police Sergeants Union by **Mercer. SECOND** by **Padula. Discussion.** ► Mr. Nutting thanked the Sergeants Union. ► **VOTE: Yes-9, No-0, Absent-0.**
- f. Zoning Bylaw Amendment 18-815: Changes to 185, Attachment 9, Schedule of Lot, Area, Frontage, Yard and Height Requirements - 2nd Reading (Motion to Adopt Zoning Bylaw Amendment 18-815 - Two-Thirds Majority Roll Call Vote (6)).* ► Mr. Jones read the zoning bylaw amendment. ► **MOTION to Adopt** Zoning Bylaw Amendment 18-815: Changes to 185, Attachment 9, Schedule of Lot, Area, Frontage, Yard and Height Requirements by **Mercer. SECOND** by **Dellorco. Discussion:** ► Mr. Nutting stated this is basically a public safety issue to put a setback requirement for access for public safety in a Commercial district. ► Mr. Mercer stated this comes to the Town Council with the full support of the Economic Development Committee. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES; Padula-YES; Pellegri-YES. ► **VOTE: Yes-9, No-0, Absent-0.**
- g. Zoning Bylaw Amendment 18-818R: Maximum Building Height Dimensional Regulations – 2nd Reading (Motion to Adopt Zoning Bylaw Amendment 18-818R - Two-Thirds Majority Roll Call Vote (6)).* ► Mr. Jones read the zoning bylaw amendment. ► **MOTION to Adopt** Zoning Bylaw Amendment 18-818R: Maximum Building Height Dimensional Regulations by **Mercer. SECOND** by **Padula. Discussion:** ► Mr. Nutting stated this basically standardizes building heights in the Downtown by increasing the heights in certain districts from 40 ft. to 50 ft. and decreasing the height in CI from 60 ft. to 50 ft. It was recommended by the EDC. ► Mr. Mercer stated this was endorsed by the Economic Development Committee after much discussion and debate. ► Mr. Dellorco noted that the Planning Board was also involved and agrees with it. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES; Padula-YES; Pellegri-YES. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting stated a citizen asked him to remind folks to remember Eddie Grant, a Franklin resident killed in the line of duty in WWI one month and one week prior to the end of the war; this is the 100th anniversary of his passing in service to our country. He stated the water ban is lifted. He thanked all the people involved in the Cultural District tour; Mr. Bryan Taberner orchestrated the event. The town will get a designation probably in January regarding the cultural district. He stated the parking signs are going up on East and West Streets; the parking enforcement employee will be coming back to work on Monday. The police are monitoring it. They will have a report the first week in November; give it 30 days from the time the signs go up. He stated the Town received an E.coli hit on one of the wells; he explained the situation and noted the well was shut down.

FUTURE AGENDA ITEMS: ► Mr. Earls requested a presentation to address some of the Norfolk County work done that applies to Franklin such as county pensions.

COUNCIL COMMENTS: ► Mr. Earls stated he wanted to put out a plug for a project he is working on with Joe Landry; they are doing a series of interviews with folks about their experiences in town whether they are new arrivals or people who have been here for decades. This project is being done through

Franklin TV. They are inviting people to come forward to share their experiences living and working in Franklin. Anyone interested should reach out to Mr. Earls. ► Ms. Pellegri thanked Simon's Furniture Company for redoing the mural on the building. She stated she thought the Cultural District tour went very well. She stated a former Town Council member, David Laviolette passed away; she asked that he be remembered. ► Mr. Jones thanked Chrissy Whelton, Administrative Assistant to the Town Administrator, for her work. He thanked the electricians from the union called out to help the Lawrence area due to the gas problem. He stated the Franklin Education Foundation is having their annual Harlem Wizards basketball game on November 16, 2018; it is a great time and one of the Franklin Education Foundation's biggest fundraisers. ► Ms. Hamblen thanked everyone who attended the Norfolk Country Farm Bureau Scholarship fundraiser at Pour Richard's; they raised enough money to fund two scholarships. She stated a Harvest Festival in the Downtown is coming on October 13, 2018; rain date is October 14, 2018. ► Mr. Dellorco stated he stands with Mr. Jones on the Lawrence area situation. He stated he wanted to plug the United Steel Workers who are locked out on National Grid; they said they wanted to go and to help. ► Mr. Mercer thanked the administration regarding the Cultural District walk. It was great to hear people talk about the things Franklin has done and that Franklin has to offer. He noted the state is only awarding one cultural district this calendar year; hopefully, Franklin will get it in January. ► Chairman Kelly noted the Dean dancing event was fantastic.

EXECUTIVE SESSION: *None.*

ADJOURN: MOTION to Adjourn by Mercer. SECOND by Dellorco. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 7:56 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary