

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
August 21, 2019**

A meeting of the Town Council was held on Wednesday, August 21, 2019, at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Patrick Casey, Robert Dellorco, Eamon McCarthy Earls, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Assistant to the Town Administrator.

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

ANNOUNCEMENTS: ► Chairman Mercer 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: ► *July 24, 2019.* ► **MOTION** to **Approve** the July 24, 2019 meeting minutes by **Kelly**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: *None.*

APPOINTMENTS: ► *Fire Chief Pinning Ceremony.* ► Chairman Mercer stated this is the official public ceremony of the pinning of new Fire Chief James McLaughlin. He stated Chief McLaughlin previously took the oath of office with the town clerk before performing any official duties. He reviewed Chief McLaughlin's history working in fire service and his background and education. ► Town Clerk Teresa Burr performed the swearing in. ► Chairman Mercer welcomed Chief McLaughlin to the Fire Department.

Chairman Mercer declared a three-minute recess.

HEARINGS: *None.*

LICENSE TRANSACTIONS: ► *The Chateau Restaurant of Franklin, Inc. New All-Alcoholic Beverages Restaurant License, 466 King Street.* ► Mr. Adam Barnosky of Ruberto, Israel & Weiner, P.C. on behalf of the licensee Mr. Gerard Fruggiero stated they are seeking a new all-alcoholic beverages license. He provided the background of 466 King Street and noted it was formerly Joe's American Bar & Grill. He stated the new owners are very excited and this will be their ninth Chateau Restaurant in the state. They are seeking a closing hour of 11:00 PM. He reviewed the floor plan and seating capacity. He reviewed Mr. Fruggiero's background and experience; he is TIPS certified. He stated the Chateau is currently under demolition and they are hoping to have a fast renovation and be up and running in late fall. They hope to employ 60 to 70 full-time employees; they have a preference to hire local. ► Mr. Fruggiero provided background on the company and operations. ► Town Council members asked questions. ► Mr. Jones read the license transaction. ► **MOTION** to **Approve** the request by The Chateau Restaurant of Franklin, Inc. for a new all alcoholic beverages restaurant license and approve the manager, Gerard D. Fruggiero by **Jones**. **SECOND** by **Kelly**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: *None.*

SUBCOMMITTEE REPORTS:

a. Capital Budget Subcommittee. ► Mr. Dellorco stated there is nothing at this time.

- b. Budget Subcommittee.* ► Mr. Padula stated there is nothing at this time.
- c. Economic Development Subcommittee.* ► Mr. Kelly stated they had a meeting last week. Everything is going according to the agenda and they are moving along. They talked about the plastic bag ban as well as a potential development on the Keigan property. The plastic bag ban is on the EDC's October 23, 2019 meeting. ► Chairman Mercer asked if there was more cleanup of the lot lines as he would like to see that continue. ► Mr. Kelly said he would meet with the Town Administrator about that.

LEGISLATION FOR ACTION:

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

- a. Resolution 19-53: Rescind Outdated Bonds (Motion to Approve Resolution 19-53 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-53: Rescind Outdated Bonds by **Padula. SECOND** by **Kelly. Discussion:** ► Mr. Hellen stated this resolution is for housecleaning. Most of the projects were relative to the high school and the library. He explained these numbers stay on the bonding authorization books until they are legally rescinded. These projects are done. He noted the cost of the Town's new high school was a great value compared to the cost of new high schools today. ► Mr. Kelly thanked all the members of the high school and library committees who worked hard to keep the costs down. ► Mr. Dellorco confirmed the cost of the high school was a great value. ► Chairman Mercer thanked the building committees that worked hard to keep these projects on or under budget. ► **VOTE: Yes-9, No-0, Absent-0.**
- b. Resolution 19-54: Amendment to FY2020 Budget (Motion to Approve Resolution 19-54 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-54: Amendment to FY2020 Budget by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated he is requesting this amendment to the FY2020 budget to increase the school department budget by \$102,500 for two time-sensitive policy decisions before the school year begins on August 27, 2019. He discussed the \$150.00 parking fee at the high school and said they do not want to charge the fee and then have to send back checks. He stated with the new State budget projections, the Town has the revenue for these two items. ► Town Council members commented and asked questions. ► Ms. Sara Ahern, Superintendent of Schools, in responding to Ms. Pellegrini's question regarding if the parking fee is the highest of priorities, stated there are a number of priorities they would like added back to the budget, but they were weighing that against the time sensitivity and look forward to a continued conversation with respect to where the fiscal situation is closer to mid-October time frame where we might be able to talk about other things for the budget. She stated that in terms of the parking fee, she thinks where the School Committee is coming from is looking broadly across the areas where we had to reduce this spring. We looked at reducing services and positions, as well as raising revenues and fees. There is a sensitivity that we have to what we are asking families to put forward with respect to supporting education in terms of increase in the transportation fee, increase in the athletic fee, increase in the activity fee, and our insurance rates have increased on our technology and our Chrome Books so that is an additional charge that families can choose to pay if they wish. So, there is a lot of outlay. She stated that from a philosophical standpoint, the School Committee was looking at it and saying we would like to support families in this regard. She stated that from her standpoint and the School Committee's standpoint with respect to the administration of the high school parking fee, we anticipate quite a few logistical hurdles with respect to implementing that fee. One of the concerns she has is the practicality of it in the winter when folks have paid for a parking space and there is snow in the lot and there are demands that will be put on both the administrators and the DPW when the DPW is already pretty constrained with respect to snow removal services. So, there is some peril that comes with the fee on the administrative side. So, all of that taken together are the reasons for putting this forward, additionally keeping in mind that it is time sensitive as we are back to school next week. ► Ms. Pellegrini stated this as highest priority bothered her as she knows it is needed in the classroom. ► **VOTE: Yes-8, No-1, Absent-0.** (Ms. Pellegrini voted No.)
- c. Resolution 19-55: Acceptance of Gift - Council on Aging (Motion to Approve Resolution 19-55 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-55:

Acceptance of Gift - Council on Aging by **Kelly**. **SECOND** by **Padula**. **Discussion:** ► Mr. Hellen thanked the Friends of the Franklin Elders for their generous donation and all their generosity over the years. ► Mr. Kelly stated everyone at the Senior Center does an amazing job. ► **VOTE: Yes-9, No-0, Absent-0.**

- d. Resolution 19-56: Acceptance of Gift - Franklin Senior Center (Motion to Approve Resolution 19-56 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION** to **Approve** Resolution 19-56: Acceptance of Gift - Franklin Senior Center by **Kelly**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Hellen thanked Mr. Vincent Bravoco for his generous donation. ► **VOTE: Yes-9, No-0, Absent-0.**
- e. Resolution 19-57: Acceptance of Gift - Franklin Fire Department (Motion to Approve Resolution 19-57 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION** to **Approve** Resolution 19-57: Acceptance of Gift - Franklin Fire Department by **Kelly**. **SECOND** by **Padula**. **Discussion:** Mr. Hellen thanked the Digital Federal Credit Union for their generous donation. ► **VOTE: Yes-9, No-0, Absent-0.**
- f. Resolution 19-58: Acceptance of Gift - Franklin Police Department (Motion to Approve Resolution 19-58 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION** to **Approve** Resolution 19-58: Acceptance of Gift - Franklin Police Department by **Kelly**. **SECOND** by **Dellorco**. **Discussion:** ► Chairman Mercer thanked the Digital Federal Credit Union for their generous donation. ► **VOTE: Yes-9, No-0, Absent-0.**
- g. Zoning Bylaw Amendment 19-842: Changes to 185-40 Water Resource District - Second Reading (Motion to Approve Zoning Bylaw Amendment 19-842: Changes to 185-40 Water Resource District - Two Thirds Majority Roll Call Vote (6)).* ► **MOTION** to **Waive** the reading by **Padula**. **SECOND** by **Kelly**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **Discussion:** ► Mr. Hellen stated Mr. Bryan Taberner, Director of Planning & Community Development, would discuss this item. He noted this amendment clears up a discrepancy in the bylaw relative to impervious surface coverage. This is a second reading; the Town Council voted unanimously for this at the first reading. ► Mr. Taberner stated a mistake was made in 2013 when the bylaw was changed. A section was left in the bylaw that should have been removed. He explained the few minor changes that are also included in this zoning bylaw amendment that clarify wording. He provided an example of how this change would work. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Earls-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegri-YES. ► **VOTE: Yes-9, No-0, Absent-0.**
- h. Bylaw Amendment 19-844: 225 Plain Street - Sewer System Extension - First Reading (Motion to Move Bylaw Amendment 19-844: 225 Plain Street - Sewer Extension to a Second Reading - Majority Vote (5)).* ► Mr. Jones read the bylaw amendment. ► **MOTION** to **Move** Bylaw Amendment 19-844: 225 Plain Street - Sewer Extension to a Second Reading by **Kelly**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Hellen stated they are asking for a simple sewer map amendment as shown on the map provided. It is for the remainder of Plain Street and essentially goes to the Bellingham town line. The proponents are here along with Town Engineer Michael Maglio. He stated the applicants have offered to donate \$1,000 to the Water Conservation Fund and also fund a new hydrant which is badly needed. He recommended the extension. ► Town Council members asked questions. ► Mr. Maglio stated they are requesting to extend the sewer 85 ft. to the front of the property at 225 Plain Street where the applicant is proposing to build a single-family home. The adjacent house at 221 Plain Street is already on sewer; the lot across the street is Town property. He noted the soils are not conducive to a septic system there. He has not spoken to the Board of Health about whether septic was a viable option; the below ground system was an issue. He confirmed the line would be going just far enough to get frontage on the lot at 225 Plain Street and not all the way to the Bellingham town line. It would be 8 in. PVC pipe. He stated he is satisfied with the engineering plan provided for the sewer extension. ► Chairman Mercer asked if there had been any discussion with Bellingham if they had any plans to come to their town line in the future. ► Mr. Maglio stated they have not discussed anything with Bellingham. He stated he could make a phone call to see if there were any long-range plans. He noted the lot straddles the line, but the house will

be built entirely in Franklin. ► Mr. Padula expressed concern about the size of the lot, the portion that was in Bellingham, and the type of house that could be built there. ► Mr. Maglio stated the request was only for a single-family home. He recommended that if this is approved it be written into the approval for only a single-family home. ► Mr. Cerel stated it can be added that this is for only one single-family unit. He noted this is only a first reading. ► **MOTION to Amend** Bylaw Amendment 19-844: 225 Plain Street - Sewer Extension to include in the wording “one single-family residence” by **Kelly. SECOND** by **Padula.** ► **Discussion:** Mr. Hellen stated “pending approval of all local permits” should be added. ► **MOTION to Amend** Bylaw Amendment 19-844: 225 Plain Street - Sewer Extension to include in the wording “one single-family residence” and “pending approval of all local permits” by **Kelly. SECOND** by **Padula.** ► **Discussion:** Mr. Cerel stated this goes into the permanent bylaw. He discussed where the new wording should be added. ► Chairman Mercer stated Mr. Cerel should provide the revised language for the second reading. ► Mr. Steve Sherlock, Franklin Matters, confirmed the amended amendment included both new wordings. ► **VOTE (to Move the Amendment as amended to a second reading): Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR’S REPORT: ► Mr. Hellen stated as school gets started, there will be a lot of roadwork going on throughout Franklin. There are two big State projects. The first is around Exit 16 that will go through the middle to end of September. The second project is the Walker Street Bridge. The bridge will be closed for about six to eight weeks; this will occur after Labor Day. He stated folks will be disrupted a little bit for both of these projects.

FUTURE AGENDA ITEMS: ► *None.*

COUNCIL COMMENTS: ► Ms. Hamblen reminded everyone about the fundraiser for Norfolk County Farm Bureau Scholarship at Pour Richard’s this Sunday from 1:00 PM to 4:00 PM with local foods, local chef, and local spirits. Last year they received enough money to fund three scholarships. ► Mr. Casey thanked everyone who donated to the various groups mentioned in the Legislation for Action items. He discussed an article he read about municipalities in Texas regarding cyber-attacks involving ransomware. He would like to continue the conversation and look for ways the Town can be proactive about these sorts of threats. ► Mr. Dellorco gave a shout-out to Ryan Jette and others on the Recreational Committee; the King Street Park playground is done. It is very amazing. He thanked all those involved including the State representatives for getting the grant for this. He asked if the Town has been checked for Triple E as children are starting fall sports. ► Mr. Hellen stated the Town pays a state assessment to Norfolk County Mosquito Control. They do a very good job. There is information online. The Town has not had any problems that he is aware of. The most effective thing people can do if they have concerns is to take advantage of the service via online form or phone call to get their property sprayed. ► Mr. Earls stated he was investigating with Franklin TV potential funding options and costs for digitizing back issues of tapes of Town Council meetings and other key events in the Town’s history back to the 1980s. He stated he is going to email the Mass BioTech Council, a group that brings together organizations to spur investments in that field, to see if they have any new things to recommend to communities. ► Chairman Mercer said Happy Birthday to Ms. Pellegrini.

EXECUTIVE SESSION: *None.*

ADJOURN: ► **MOTION to Adjourn** by **Kelly. SECOND** by **Jones. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 8:18 PM.**

Respectfully submitted,

Judith Lizardi
Recording Secretary