

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
January 4, 2017**

A meeting of the Town Council was held on Wednesday, January 4, 2017 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegrini, Judith Pond Pfeffer, Robert Vallee. Councilors absent: Robert Dellorco. 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.

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: *None.*

CITIZEN COMMENTS: *None.*

APPOINTMENTS: *None.*

HEARINGS: *None.*

LICENSE TRANSACTIONS: *None.*

PRESENTATIONS/DISCUSSIONS: ► *Discussion on Joint Town Council/Planning Board Meetings.*
■ Mr. Nutting stated the Councilors had asked for a discussion of whether to have joint public hearings with the Planning Board. If Town Council agrees and wants this to go forward, he will then schedule to have Planning Board present to discuss. Some logistics to consider include: currently public has multiple opportunities to weigh in on proposed zoning changes or permitting matters, whereas combined hearings provide fewer opportunities; who would chair the meetings; would it be a separate or combined vote; and other procedural issues. ■ Ms. Pellegrini stated she had asked for this to be put on the agenda because she remembered in past years that it was done. She thinks it would be very helpful. She stated she spoke with the Planning Board chairman and he thought it was a good idea. ■ Ms. Pfeffer stated she was not in favor of the joint meetings. She thought it would be better for the public to be able to attend separate Planning Board and Town Council meetings. The logistics of 14 people sitting at the table would be a problem. She suggested a vote tonight. ■ Mr. Bissanti stated he would like everyone to review the memorandum from Attorney Mark Cerel which seems to indicate that although it is legal, from a pragmatic, procedural and logistical view, Mr. Cerel does not think it is prudent. He stated, therefore, he agrees with the current practice of holding separate meetings. ■ Mr. Padula stated he agreed with Ms. Pfeffer that separate meetings give people more bites of the apple. ■ Mr. Vallee suggested the strategic plan workshop with different departments may serve this function. ■ Chairman Kelly stated he read the memorandums from Mr. Nutting and Mr. Cerel and agrees. ■ Ms. Pellegrini stated she would change her vote; she only wanted this if others thought it would be helpful. ■ Mr. Cerel noted that Town Council and Planning Board serve different functions in a statutorily mandated process. ■ Mr. Jones stated with separate meetings it keeps the politics out of it. ■ Chairman Kelly stated they will not be moving forward on this.

► **Master Plan Update.** ■Mr. Nutting stated every year the Town Council is updated on the 2013 Master Plan progress. Highlights included: under the management study of DelCarte the first phase of the weed removal will be done; in process of building sidewalks on Pleasant and Chestnut Streets; continue to acquire open space; continue to develop recreation; continue to work on economic development; the Pond Street sale was done. The message is that the Town Council and the community continue to strive to fulfill the goals of the Master Plan when available and appropriate, and will continue to do so. ■Ms. Pfeffer asked for definition of “compact neighborhood district.” ■Mr. Bryan Taberner, Director of Planning and Community Development, stated it is basically a designation by the State where the Town specifies certain parcels for denser development than already have. The areas that they were thinking about for this have already been rezoned. He stated workforce housing is something that is more affordable than for instance a \$600,000 average house being built. ■Ms. Pfeffer suggested a discussion item regarding that since the town is only at 9.35% affordable housing, maybe the town should pick out the areas where 40Bs go rather than having someone from the outside come in and tell the town where they are going to put one. ■Mr. Bissanti stated that the term workforce housing caught a lot of heat, but he thinks it still holds true and can still be done; probably anything under \$500,000 can qualify as workforce housing. Maybe this can be discussed at the joint workshop. ■Chairman Kelly stated he thinks workforce housing should be further defined. ■Mr. Jones asked if the Town Council can actually locate where 40Bs go. ■Mr. Nutting stated No.

SUBCOMMITTEE REPORTS: ► Mr. Jones, Communications Liaison, stated that on January 18th he and others will be giving a presentation of the achieved 2016 goals and future 2017 goals regarding Communications. ► Mr. Bissanti stated the EDC met and discussed the potentiality of moving storage facilities from C2 to Industrial zones. It was endorsed by the EDC and is on the agenda tonight. ► Mr. Mercer stated the Senior Center project is moving along. Some issues have delayed project; close to substantial completion. Biggest hold up is the elevator; cannot determine how long it will take for State elevator inspection. Once approved, will be able to utilize second floor. ► Mr. Mercer stated, regarding the School Building Committee, the high school has been opened for a couple of years; the project just does not end. There are field issues, but fields should be operating this spring. Finalizing the final requisition from the contractor; hope that audit process will start late spring/early summer. Everything is proceeding. ► Ms. Pfeffer, Chair of the Library Building Committee, stated the library is going along as planned. The addition should be all closed in; they are working on the roof. People are coming in to take care of the paintings and the murals. Window film has been put on to protect murals from ultraviolet light. It will be gorgeous when done. Display boards are available for viewing at 25 Kenwood Circle. There will be humidity controlled display cases for the 300-year-old books. The library may not open as anticipated in July.

LEGISLATION FOR ACTION:

- 1. *Bylaw Amendment 16-778: Chapter 160, Taxpayers, Delinquent – 2nd Reading (majority vote).*** MOTION to Waive the reading by Mercer. SECOND by Jones. No Discussion. ► VOTE: Yes-8, No-0, Absent-1. MOTION to Move Bylaw Amendment 16-778: Chapter 160, Taxpayers, Delinquent by Mercer. SECOND by Jones. Discussion: ■Mr. Nutting stated this is a statutory requirement the treasurer must have the Town Council change as the law was changed recently. ► ROLL CALL VOTE: Bissanti-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegri-YES; Pfeffer-YES; Vallee-YES ► VOTE: Yes-8, No-0, Absent-1.
- 2. *Bylaw Amendment 17-784: Repeal Sign Restrictions Bylaw – 1st Reading.*** Ms. Pfeffer read the bylaw amendment. MOTION to Move Bylaw Amendment 17-784: Repeal Sign Restrictions Bylaw to a 2nd Reading by Mercer. SECOND by Padula. Discussion: ■Mr. Nutting stated a comprehensive sign bylaw was passed several years ago. At this point, this bylaw which was passed in 1975 is not

needed; the Town does not need two bylaws. He noted that there are some billboards in town that were grandfathered. ► **VOTE: Yes-8, No-0, Absent-1.**

3. **Bylaw Amendment 17-785: Repeal of Sidewalk Snow and Ice Removal Bylaw – 1st Reading.** Ms. Pfeffer read the bylaw amendment. **MOTION to Move** Bylaw Amendment 17-785: Repeal of Sidewalk Snow and Ice Removal Bylaw to a 2nd Reading by **Mercer. SECOND** by **Padula.**
Discussion: ■Mr. Nutting stated in 1975 a bylaw was passed that people had to shovel in front of their businesses. It has never been enforced. So, either it should be gotten rid of or it should be enforced during every storm. It does not seem practical anymore; it does not seem business friendly. ■Ms. Pellegrini stated it had been enforced; people may not have been fined, but it got people mostly in the Main Street area to clean up the snow. ■Mr. Nutting stated that in every industrial park the owner would have to do it under the bylaw; would have to tell EMC to shovel their sidewalk. ■Mr. Jones suggested bringing up topic during the joint workshop. ► **VOTE: Yes-8, No-0, Absent-1.**
4. **Zoning Bylaw Amendment 17-786: Storage Facility Bylaw – Referral to Planning.** Ms. Pfeffer read the zoning bylaw amendment. **MOTION to Move** Zoning Bylaw Amendment 17-786: Storage Facility Bylaw – Referral to Planning Board by **Mercer. SECOND** by **Jones. Discussion:** ■Mr. Nutting stated the proposal is to move the ability to have a storage facility from C2 to Industrial zone. He noted storage is not the highest and best use of Commercial area. ■Mr. Bissanti, on behalf of EDC, stated C2 property is a valuable commodity. Storage facilities are not a pro-active vibrant use. Many towns have storage facilities in Industrial zones; EDC endorsed it to be moved to Industrial zones. ► **VOTE: Yes-8, No-0, Absent-1.**

TOWN ADMINISTRATOR’S REPORT: ► Mr. Nutting stated there was revalue of property; check with Assessors if have questions. Tax rate went up \$.08. He noted the first and second quarter bills are based on last year’s tax rate; third and fourth quarter bills are based on this year’s tax rate. ► In the tax bill, there is a voluntary request to donate to veteran’s services in Franklin. If any questions, call Dale Kurtz, Veteran’s Agent. It is a worthy cause; he hopes people will give it a thought.

FUTURE AGENDA ITEMS: *None.*

COUNCIL COMMENTS: ► Ms. Pellegrini noted that former election worker John Tully passed away this week. She stated the Meals on Wheels program needs help and assistance in delivering meals. If interested contact Karen Alves at the Senior Center. ► Mr. Jones stated the Franklin Food Pantry needs supplies and donations. ► Ms. Pfeffer wished everyone a Happy New Year. ► Chairman Kelly noted that all Council members are taxpayers and some are also commercial property owners. They act on the best interest of the people of the Town of Franklin; what they do as the Town Council affects them as residents as well. The Town Council works hard for the people of Franklin.

EXECUTIVE SESSION: *None.*

ADJOURN: **MOTION to Adjourn** by **Mercer. SECOND** by **Jones. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 7:41 PM.**

Respectfully submitted,

Judith Lizardi
Recording Secretary