

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
January 6, 2016**

A meeting of the Town Council was held on Wednesday, January 6, 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 Pellegri, Judith Pond Pfeffer, Robert Vallee. 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 members of Scout Troop 126 led the Pledge of Allegiance.

APPROVAL OF MINUTES: *December 16, 2015.* **MOTION to Approve** the December 16, 2015 meeting minutes by **Mercer. SECOND** by **Padula. VOTE: Yes-9, No-0, Absent-0.**

ANNOUNCEMENTS: ► Chairman Kelly announced the meeting would be 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: ► *Spectra Pipeline – James Hill.* ■ Carolyn and Rand Barthel from Mendon addressed the Town Council regarding the potential pipeline. Ms. Barthel stated this is a regional, national and international issue. Their discussion included a slideshow presentation of the Spectra Access Northeast Project and they wanted to be a voice for the residents. The Access Northeast Specifications for Q-1 Loop includes the capacity to transport up to 900 million cubic feet of gas per day with many local towns affected including Franklin. Mr. Barthel stated the major utilities, gas pipeline companies, ISO New England, and others claim the gas supply in the State is short and new pipelines would ease supplies and reduce prices. There is a winter peak period of about 40 days when moment-to-moment demand sometimes exceeds pipeline deliverability. This demand is met by stored gas. The Spectra pipeline would result in extra capacity for most of the year. Pipelines are a very expensive way to meet peak demand that exists for only a brief interval each year. Ratepayers are being asked to pay for the Spectra pipeline through an electricity tax. Pipeline construction requires eminent domain takings and easements, and reduces property values along the right of way. As well, there are health and safety hazards associated with pipelines. Better ways to meet peak demands without new pipelines include fix leaks in existing pipes, push on energy conservation, and optimize use of liquefied natural gas storage to manage peaks. Independent studies show new gas infrastructure is not needed. The excess pipeline capacity will not stand idle; it will be used to expand domestic gas markets and/or export gas overseas. They want us to pay for their pipeline so they can export their gas overseas and get more money for it. If they succeed, natural gas prices would rise here on top of electricity tax. Ms. Barthel discussed the climate crisis stating it is driven by humanity's combustion of fossil fuels and referenced the Massachusetts Legislature passed the Global Warming Solutions Act of 2008. Natural gas is a fossil fuel and as damaging to the climate as coal. Safety issues such as pipelines can leak, rupture, and explode, as

well as the long-term effects of the chemicals getting into the environment were reviewed and website pages and places to access more information were provided. Tara Fredericks, former selectperson from Acton, was introduced and available to speak on pipelines. ■Gail Chirdon, 14B Hawthorne Village, discussed fracking taking place in Pennsylvania. Drinking water is contaminated with methane, methane explosions happen out of faucets, streams are being contaminated, and many environmental impacts have been caused. ■James Hill, 5 Gloucester Drive, lives a few hundred yards from the current utility lines. Current 24-inch pipe was installed in 1963. Sixty years in the ground may be of concern. Spectra recently sent him a notice for the first time in 26 years. Notice requested if residents happened to be aware of any leaks, let Spectra know. He found this notification alarming as he is in the danger zone. He is very concerned as new pipe would run in concert to current pipe. ■Edward McIntyre, 34 Jefferson Road, thanked Rand and Carolyn Barthel for their presentation and asked Town Council to consider points made carefully as they are very important and affect Franklin. ■Donald Parsley, 5 Charlotte Court, brought gas bill and read note that Columbia gas base rate was going to increase as of November 1, 2015, due to costs of operating, maintaining, and upgrading distribution system. Gas company is already starting maintenance on distribution system. So, saying we need new pipeline is false as they are already doing something about increasing supply and taking care of leaks. ■James Schultz, 21 Mackintosh Street, stated concern regarding the pipeline. He had seen a gas explosion years ago; it was devastating to area. ■Karen Lavery, 128 Union Street, thanked presenters for information. She stated as this will cost the Town money, why should it even be considered when it will not benefit Franklin. Also, these companies have proven track record of not taking care of their pipelines, so concern about gas leaks is tremendous. ■Councilor Vallee stated he heats his home with gas and it is very convenient. He asked how bad methane is compared to other fuels. He stated natural gas may be the answer to many problems and better than other fuels. ■Ms. Fredericks said she wants to spend less time convincing Town to say no and more time telling about the process to say no. Spectra, the applicant, would have the burden of proof that the pipeline is a necessity in order to override home-rule municipal powers if Town decides to say no. ■Councilor Padula requested materials the group had prepared as the Town may want to use information if they decided to say no to the pipeline. ■Councilor Bissanti stated he was impressed with group and asked what can Town Council do and how do we do it. Have there been any victories? ■Ms. Fredericks stated there have been victories to stop/reroute pipeline and gave example. ■Mr. Barthel stated a BU professor used gas detection equipment to find and map leaks. ■Mr. Jones questioned the type of damage that could be done to the current pipeline if they put in the new parallel pipeline. Nationally infrastructure has aged and needs to be replaced. Are there any seismic issues to consider with this pipeline as we are not set up to respond to such issues? Are they just passing through Massachusetts to get to where they want to go? ■Mr. Barthel suggested they may have to widen the right of way in order to do this. Also, they may be doing this for the export possibility. ■Mr. Nutting stated Spectra will be at the Town Council meeting to make a presentation on February 24, 2016.

Chairman Kelly called a two-minute recess.

SUBCOMMITTEE REPORTS: ► Mr. Bissanti stated EDC meeting tonight had full agenda with four topics discussed. Global discussion on Pond Street held and will be discussed again on January 20, 2016.

LEGISLATION FOR ACTION:

- 1. Resolution 16-01: G.L. Chapter 59, Section 5, Clause 41C, Property Tax Exemption.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-01 for G.L. Chapter 59, Section 5, Clause 41C, Property Tax Exemption by **Mercer. SECOND** by **Padula. Discussion:** ► Mr. Nutting stated in 2010 it was increased from \$500 to \$750. Would like to now increase to \$1,000 beginning July 1, 2016. This affects about thirty homeowners and is small cost to Town to help those senior people with limited income to stay in their homes. **VOTE: Yes-9, No-0.**

2. **Resolution 16-02: Amending the Senior Citizen Property Tax Work-off Abatement Program.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-02 for amending the Senior Citizen Property Tax Work-off Abatement program by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Nutting stated Town has a very successful senior work-off program. Last year had 88 people. This resolution would increase the maximum allowable of \$1,000 to \$10.00 per hour as allowed to pay up to the minimum wage. Town receives over 8,000 hours of work which benefits many departments and helps many people. ► Ms. Pfeffer stated she asked to have this program more publically available. She noted there were 88 people last year, have to apply each year, and can work 100 hours. Town should be able to take care of more than 88 seniors and should be able to find slots in every Town department to accommodate more people. ► Mr. Nutting stated they are reaching out to department heads to see if any availability to take on more seniors. With library relocation due to upcoming construction, do not know how that department will be affected; library generally takes about 16 people. Would like to try to get up to 100 senior citizen taxpayers. ► Ms. Pellegrini agreed with Ms. Pfeffer's comments. ► Mr. Nutting reviewed qualifications for program. There is age requirement of 60, but there is not a means test as they have never gone over 100 people. Part of program is the social aspect in the community, whereas others really need the money. ► Mr. Jones asked if the 100 could be increased to 150 and can program be advertised more. ► Mr. Nutting stated there can only be so many people absorbed into the Town departments. This issue should be readdressed next year. ► Mr. Dellorco asked if some of the seniors are in the schools. ► Chairman Kelly asked about a greeter for the Town Hall and other municipal buildings. **VOTE: Yes-9, No-0.**

3. **Resolution 16-03: Acceptance of Gift – Recreation Department.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-03 for acceptance of gift of \$250 from Richard Hertzberg of Ames Financial to be deposited in the Recreation Gift account to be used where needed by **Mercer**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated it was a generous donation and a thank you was given. **VOTE: Yes-9, No-0.**

4. **Resolution 16-04: Grant of Utility Easement – 275 Beaver Street.** **MOTION to Waive** the Reading by **Jones**. **SECOND** by **Dellorco**. **MOTION to Move** Resolution 16-04 for Grant of utility easement – 275 Beaver Street by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Nutting stated this will allow Town to put in a telephone pole at the new Recreation Center. He was told it would be set in the next two days to get electric and telecommunications services; the facility is within two to three weeks of being done and this is a key component. The utility will not put up the pole until they get the easement. **VOTE: Yes-9, No-0.**

TOWN ADMINISTRATOR'S REPORT: ► **Fiscal Forecast.** ► Mr. Nutting stated in Councilors' packet and on web is the five-year fiscal forecast as annual budget process begins. He provided a brief overview of community. It has not changed dramatically from last year. We are in good shape in the short run. Continue to have concerns about future as fixed costs continue to rise. For example, assessment for Norfolk County Pension increased \$400,000. Struggle to make ends meet. Declining enrollment in elementary level of over 800 children and increase in high school which allows schools to shift staff to keep class sizes down; demand for more teachers and staff as in 1990s has decreased. State aid may increase a little. Charter School is scheduled to expand base and build new building on Washington Street. FY '17 and '18 look ok. Council over the years has done great job balancing needs of entire community. New growth looks to be steady. ► Mr. Nutting provided Council members revised Harassment Policy. To change these policies must go to the Council; if they have no comment after 30 days it becomes part of the policy. Looking to change words in the Harassment Policy regarding reasons a person cannot be discriminated against; minor changes but required by law.

OLD BUSINESS: ► Mr. Bissanti asked how to get alcohol awareness training off the ground. ► Mark Cerel stated there has been no litigation to provide any guidance. It is clear at the outset of a new license

or in a disciplinary context it can be required, but as far as after-the-fact for an existing licensee that is more of a gray area. ► Mr. Bissanti said the first two areas would be good. ► Mr. Nutting stated he sent a survey to all current license holders asking if they require alcohol awareness training of their employees, but has not received responses yet. ► Ms. Pellegrini asked about the name tags. ► Mr. Nutting stated tags were on order. Also, the draft report on DelCarte will be available within the next two weeks.

NEW BUSINESS: None.

COUNCIL COMMENTS: ► Mr. Jones wished everyone a happy New Year and looked forward to upcoming goal setting meeting. ► Mr. Dellorco stated happy New Year. He said SAFE Coalition booked Professor Robert Putnam, author of both *Bowling Alone* and *Our Kids*, for meeting on February 2, 2016 at 7 PM at Franklin High. Books should be good read and good meeting. ► Mr. Bissanti wished all a happy and healthy New Year. There are many important and exciting upcoming projects. ► Ms. Pfeffer gave all wishes for happy, healthy, and prosperous New Year. ► Mr. Vallee stated he has been hearing many nasty remarks about High School football team and questioned why with such a large population can Town not produce winning team. Someone is not doing job and would like to see some changes. ► Mr. Mercer wished everyone happy New Year. Opened bids last week and had nine general contractors bid for the Senior Center project. All nine came in under budget. Now doing vetting of low bidder by checking references and would like to vote to award contract on Friday. ► Mr. Padula wished all happy New Year. Stated he believes it may be a top down problem with the High School football team. This has been going on for a long time and is embarrassing that it has taken so long to deal with. Maybe something is being done about it now. It is a significant problem with 33,000 people in this community and cannot put a team on the field. There is much dissension being heard from the kids that are playing. Everyone needs to understand we are paying attention to the problem. Furthermore, many life lessons are learned when playing on a team, so this is of significant concern. ► Ms. Pellegrini congratulated Alexis Frasca selected as Miss Massachusetts Teen and would like to invite her to a Council meeting for a proclamation. She represented Franklin well; the Town is very proud of her. Could lights on Town Common be kept lit through January as they look so wonderful? Condolences were given to the family of Betty Noble, a dedicated election worker and teacher. ► Chairman Kelly wished everyone a happy New Year and looked forward to serving this year.

EXECUTIVE SESSION: *Pending or Threatened Litigation.*

1. Proposed Excelon expansion of Medway electric generating facility pending before Energy Facilities Siting Board.
2. Proposed Spectra gas transmission line through Franklin.

MOTION by Pfeffer that Town Council enters executive session to discuss strategy with respect to litigation. **SECOND** by Jones. ► **ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-9, No-0.**

Town Council Meeting Public Session ended at 8:33 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary