

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
June 5, 2019**

A meeting of the Town Council was held on Wednesday, June 5, 2019, 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: 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: ► *May 8, 2019.* ► **MOTION to Approve** the May 8, 2019 meeting minutes by **Kelly**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: ► *Electric Youth Performance.* ► Ms. Raye Lynn Mercer, Director of the Franklin School for the Performing Arts, introduced Electric Youth and stated she cannot believe it has been one year since they last performed for the Town Council as they prepare for their annual concert tour in Europe. Celebrating the 75th anniversary of D-Day will be part of their concert tour. She provided a review of the tour schedule. ► All members of Electric Youth introduced themselves and sang for the Town Council.

APPOINTMENTS: ► *Swearing in of Fire Captain.* ► Acting Fire Chief James Klich introduced new Fire Captain Darrell Griffin and reviewed his background and experience. ► Town Clerk Teresa Burr performed the swearing in.

Chairman Mercer called a two-minute recess.

HEARINGS: ► *Zoning Bylaw Amendment 19-837: Zoning Map Changes from General Residential V to Single Family Residential IV an Area on or Near West Central Street.* ► **MOTION to Open** the hearing for Zoning Bylaw Amendment 19-837: Zoning Map Changes from General Residential V to Single Family Residential IV an Area on or Near West Central Street by **Kelly**. **SECOND** by **Padula**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► Mr. Hellen stated this process started some time ago. However, due to the pending litigation that was filed, the Town Council chose to continue this hearing to June 5, 2019. Due to the ongoing litigation, he recommended it be continued to a future date and time left uncertain. ► Mr. Kelly stated he agreed as they have to wait to see what is going on with the court system before they proceed. ► **MOTION to Continue** the hearing for Zoning Bylaw Amendment 19-837: Zoning Map Changes from General Residential V to Single Family Residential IV an Area on or Near West Central Street to July 24, 2019, at 7:10 PM, by **Jones**. **SECOND** by **Kelly**. **Discussion:** ► Mr. Kelly stated concern with the July 24, 2019 date. He stated the Town Council is in the middle of summer. Citizens are not around to discuss it. By pushing it to September, the community will be back in town. ► Mr. Hellen stated there is most likely going to be an executive session on this matter on June 26, 2019. He suggested to continue the hearing to July as this will be the next meeting after the executive session. ► Chairman Mercer recommended continuing the hearing to June 24, 2019 and then continuing it forward at that meeting, if necessary. **VOTE: Yes-9, No-0, Absent-0.**

LICENSE TRANSACTIONS: ► *Shaw's Supermarkets – Alteration of Premises.* ► Mr. Hellen explained they are doing an alteration to the alteration to the premises. ► Attorney Nicholas Zozula of McDermott, Quilty & Miller LLP, representing the applicant and Shaw's Store Director and Manager of Record for the liquor license John Miller, addressed the Town Council. Mr. Zozula stated they were here for a change in officers and directors for Shaw's Corporation as part of the required updating for the liquor license. He stated the other reason they are here is for an alteration of premises which is part of a \$3.5 million store remodel of the Shaw's at 255 Central Street. He stated the store has not been remodeled in over 12 years; this will also include a remodel of the beer and wine section. He described the store remodel and the new locations for the beer and wine. ► Mr. Jones read the license transaction. ► **MOTION to Approve** the request by Shaw's Supermarket's Inc. for an Alteration of Premises by **Jones. SECOND by Kelly. Discussion:** ► Ms. Pellegrini asked why they changed the product locations during the renovation. ► Mr. Zozula stated it was to make it more convenient for the customer. ► Mr. Kelly confirmed a Starbuck's will also be going in. ► Mr. Zozula stated it will be a department within Shaw's. ► **VOTE: Yes-9, No-0, Absent-0.** ► Mr. Hellen stated for clarity this is one packet of information; it is an alteration of premises application, but it contains the changes in the Board of Directors, as well. ► Mr. Cerel recommended that on the license transaction to make clear the vote is just not for alterations of premises, but also to change the corporate officers. ► Mr. Padula confirmed there are three changes: one for the changes to the premises, one for corporate officers, and one for directors. ► Mr. Zozula stated changes for corporate officers and directors is one change. ► Mr. Cerel stated this is all on the form that was submitted. ► Mr. Jones read the license transaction again with the wording clarification of adding in change of corporate officers and directors. ► **MOTION to Approve** the request by Shaw's Supermarket's Inc. for an Alteration of Premises and Change of Corporate Officers and Directors by **Padula. SECOND by Dellorco. Discussion:** ► Ms. Pellegrini stated they would have to rescind the first vote. ► Chairman Mercer stated they should just vote for the change of corporate officers and directors separately. ► Mr. Jones read the license transaction again with the wording only for change in corporate officers and directors. ► **MOTION to Approve** the request by Shaw's Supermarket's Inc. for a change of Corporate Officers and Directors by **Padula. SECOND by Dellorco. No Discussion. VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► *Agricultural Commission.* ► Chair Carly Fisher, Roger Trahan, Marian Szymanski, and Jeffrey Perry of the Agricultural Commission addressed the Town Council. Ms. Fisher presented a slideshow and provided background on how the Commission came to be, and the mission and accomplishments of the Commission since they were formally approved in 2018. She reviewed the mission statement of the Commission and the specialties of each of the Commission members. She reviewed their three lines of effort: public relations outreach and education, farmland protection, and political action. She reviewed the 2018-2019 accomplishments including the Agricultural Commission's page on the Town's website, social media and Franklin TV, community events, brochures and Franklin Farms Booklet, networking and referrals, open space meeting, mapping of current Chapter 61 land, outreach to potential Chapter 61 landowners, Agricultural Association meetings, SEMAP legislative tour of Norfolk county, conflict resolution with farms, advocated for agriculture friendly laws, and assisted SNETT in advocating for funding. She reviewed current projects and future plans including pollinator pastures, partnering with schools, revisit the Community Preservation Act, establish Open Farms Day, and community farm. She thanked the Town Council for having them in to present. ► Ms. Pellegrini thanked them for their presentation and said she learned a lot. She reviewed how many farms Franklin used to have. She would like to have the schools get more involved. ► Mr. Padula stated the Town Council and Town Administrator are always accessible if the presenters have any questions. He stated they did a nice job on the brochure. ► Mr. Jones said he favors the food that is grown in Massachusetts. Everything that is made locally is more flavorful. He commends farmers. He is in full support. ► Mr. Dellorco thanked them for their presentation. ► Ms. Hamblen thanked them for coming in and noted the information on the back of the Franklin Farmer's brochure. ► Mr. Kelly thanked them for coming. He confirmed the farms are an asset to the community. He encouraged them to continue and he supports their efforts. ► Chairman Mercer asked Mr. Trahan to share information about the bees. ► Mr. Trahan stated there could be between 20,000 to 80,000 bees in a hive. He currently has about 50 hives. He noted the standard is about 1 ½ to 2 hives per acre for cranberries. ► Chairman Mercer thanked the Agricultural Commission and stated it was a great presentation.

► **Red Brick Schoolhouse.** ► Mr. Hellen provided background information and stated the Charter School will be moving to their new building in September. The Town put out a Request for Preliminary Expression of Interest regarding the Red Brick Schoolhouse. Fortunately, a local organization came forward. That organization will give a presentation tonight. He stated the Town Council has to vote to authorize Mr. Hellen to sign the lease which he has copies of and was outlined in his memo to the Town Council. He stated the 4H Alarm Robotics Club has a special guest to bring in after the presentation. ► Mr. Stephen Dunbar, 30 Madison Avenue, stated he is an official team leader of the 4H Alarm Robotics Club and their parent organization is 4-H Foundation. ► Ms. Sharon Miller, official team leader, stated they are affiliated with two organizations, 4-H and First Robotics, an international program. She stated the clubs has been in Franklin for years in the Thompson Press building, but they had to leave. They are happy to be able to use the Red Brick Schoolhouse. They have met with the School Department already about how everyone can get involved. She stated this is a regional club. She reviewed the different levels of the program; the skills students learn will be helpful in any field. She said this club is a place where kids have a place to shine and get positive reinforcement. She thanked Mr. Hellen and the Town for this great space. ► Mr. Dunbar stated his regular job is an engineer for the US Army Corp. of Engineers, but the coolest thing he gets to see is the kids working together in this club. He thanked the senior mentors for dedicating their personal time to work with the kids. He thanked the young adults that come back to help out the kids. He thanked Ms. Miller for finding the Expression of Interest notice. He thanked Mr. Hellen for his support. ► Town Council members asked questions and discussed the great job the 4H Alarm Robotics Club does. They indicated they are true supporters of this club and wished them good luck and much success.

SUBCOMMITTEE REPORTS: ► Chairman Mercer stated there were no subcommittee updates.

- a. *Capital Budget.*
- b. *Budget.*
- c. *Economic Development.*

LEGISLATION FOR ACTION:

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

- a. **Resolution 19-36: Red Brick School: Declaration as Surplus and Available for Disposition (Leasing) and Authorization to Lease (Motion to Approve Resolution 19-36 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-36: Red Brick School: Declaration as Surplus and Available for Disposition (Leasing) and Authorization to Lease by **Kelly. SECOND** by **Padula. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► The 4H Alarm Robotics Club members demonstrated a robot they built.
- b. **Resolution 19-37: Acceptance of Gift - Veterans Services (Motion to Approve Resolution 19-37 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-37: Acceptance of Gift – Veterans Services of \$300 from an anonymous donor by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen thanked the anonymous donor. ► **VOTE: Yes-9, No-0, Absent-0.**
- c. **Resolution 19-38 Acceptance of Gift - Conservation Commission (Motion to Approve Resolution 19-38 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-38 Acceptance of Gift - Conservation Commission of \$1,000 from Mr. Joseph Halligan by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen said thank you to Mr. Halligan for his donation. ► Town Council members thanked Mr. Halligan for his donation. They noted Mr. Halligan often steps up with his time and money. ► **VOTE: Yes-9, No-0, Absent-0.**
- d. **Resolution 19-39: Acceptance of Gift - Franklin Cultural Council (Motion to Approve Resolution 19-39 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-39: Acceptance of Gift - Franklin Cultural Council of \$3,650 from 10 organizations for the Taste of ArtWeek Festival by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen thanked everyone for their donations. ► **VOTE: Yes-9, No-0, Absent-0.**

- e. **Resolution 19-40: Appropriation of Cable Funds (Motion to Approve Resolution 19-40- Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-40: Appropriation of Cable Funds by **Kelly. SECOND** by **Padula. Discussion:** ► Ms. Pellegrini asked if this money had to go to the Franklin Cable Access Corp. every year or quarter. ► Mr. Hellen stated it had to go to them. ► Mr. Cerel stated it had to go to them and he reviewed the legislation. ► **VOTE: Yes-9, No-0, Absent-0.**
- f. **Zoning Bylaw Amendment 19-842: Changes to Chapter 185 section 40.D(3)(a) - Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 19-842 - Majority Vote (5)).** ► **MOTION to Waive** the reading by **Padula. SECOND** by **Kelly. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Refer** Zoning Bylaw Amendment 19-842: Changes to Chapter 185 section 40.D(3)(a) to the Planning Board by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated this is a bylaw proposal they are requesting be referred to the Planning Board. They had an applicant, a storage facility, that discovered two contradictory statements in the Town's bylaws regarding impervious surface coverage in non-residential places. This is a technical change to clean up the bylaws. ► Mr. Bryan Taberner, Director of Planning and Community Development, explained the change to the bylaw. He noted that when several bylaw changes were being made in 2013, a paragraph was left in the zoning bylaw when it should have been taken out. ► Mr. Kelly asked about the company that brought this to their attention. ► Mr. Cerel stated this is a residual restriction that should have been picked up at the time of the changes. ► Mr. Hellen stated the business owner is waiting for this to be corrected and then they will move forward. ► **VOTE: Yes-9, No-0, Absent-0.**
- g. **Bylaw Amendment 19-843: Bylaw Amendment - Chapter 25 Human Resource Management - 1st Reading (Motion to Move Bylaw Amendment 19-843 to a 2nd Reading - Majority Vote (5)).** ► **MOTION to Waive** the reading by **Padula. SECOND** by **Kelly. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Move** Bylaw Amendment 19-843: Bylaw Amendment - Chapter 25 Human Resource Management to a 2nd Reading by **Kelly. SECOND** by **Padula. Discussion:** ► Mr. Hellen stated this is an update to the Human Resources bylaw which has not been updated in nearly 18 years. He stated Ms. Karen Bratt, Human Resources Director, just rewrote the entire employee manual and policies, and the compensation plan has been updated. He is looking to update the bylaw so the staff have more flexibility to make adjustments to those. The third issue is regarding the anti-discrimination clause which needs an update. He stated we uphold all of the laws in our policies, but it has never been brought to update the Town bylaw. All the information will be on the Town website. He noted they are finding these documents need to be updated more often than once every year or two. He thinks these are good administrative updates. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen stated it has been a great couple of weeks and he appreciates everyone's support.

FUTURE AGENDA ITEMS: ► Ms. Pellegrini referenced an article in the newspaper regarding the old Millis Fire Station being restored via donations. She stated she would like to use this article to have a discussion about getting a committee to see if this is possible for the Old Franklin Church.

COUNCIL COMMENTS: ► Ms. Hamblen stated this Friday is the first Farmers' Market, 12:00 to 6:00 PM at the Town Common. She thanked the Agricultural Commission for their presentation. She noted Friday, June 14, 2019, is the Strawberry Stroll; she said people can receive a handout listing all the farms and there will be a grow-your-own zucchini activity at the Agricultural Commission booth. ► Mr. Casey thanked Mr. Kelly and Mr. Dale Kurtz, Veterans' Services Officer, for putting on the great Memorial Day celebration. He noted tomorrow is the 75th anniversary of D-Day. ► Mr. Dellorco noted the Memorial Day celebration and the 75th anniversary of D-Day; he said to give thanks to a veteran tomorrow. ► Mr. Jones stated his 95-year-old stepfather was a catcher for the White Sox and left the major baseball league to fight at D-Day. God Bless them. He reminded everyone about the Strawberry Stroll on June 14, 2019. He thanked

the sponsors for supporting this event. He is looking forward to his daughter's graduation from Franklin High School this Friday. ► Mr. Kelly thanked everyone who came to the Memorial Day parade. He is happy to be the parade coordinator. He noted tomorrow is the Rotary Club's annual pasta supper. ► Chairman Mercer thanked Mr. Kelly and Mr. Kurtz for all their hard work on the Memorial Day parade. It is a great annual event. He noted the 75th anniversary of D-Day tomorrow. He wished his mother a happy 91st birthday tomorrow.

EXECUTIVE SESSION: *None.*

ADJOURN: ► MOTION to Adjourn by Kelly. SECOND by Padula. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 9:03 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary