

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
June 7, 2017**

A meeting of the Town Council was held on Wednesday, June 7, 2017 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. 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.

APPROVAL OF MINUTES: May 10, 2017. ► **MOTION** to **Approve** the May 10, 2017 meeting minutes by **Mercer. SECOND** by **Dellorco. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

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: ► *Electric Youth.* ► Ms. Raye Lynn Mercer, Director of the Franklin School for the Performing Arts, introduced Electric Youth and stated they are preparing for their annual concert tour in Europe performing 10 concerts over 2 ½ weeks. She provided a review of the tour schedule. Electric Youth sang for the Town Council. ► *Swearing in of Firefighters.* None.

CITIZEN COMMENTS: ► Ms. Bridget Stahl, 414 Gatehouse Lane, introduced Ms. Judy Dirosario and Ms. Susan Burns and stated she enjoys volunteering and making a positive impact in the community. They are here to propose the Franklin Community Pride committee. ► Ms. Dirosario, 8 Essex Road, stated she has done much volunteering in the past. Their vision for this committee is to form a group with the purpose to show support to the first responders for making Franklin a safe community. She provided their contact information to Chairman Kelly. ► Ms. Burns, 55 Skyline Drive, described her past work experience as it related to the proposed committee. They would like meet with the Town Council to further discuss their committee proposal.

APPOINTMENTS: ► *FY 18 Annual Appointments – Boards and Committees.* ► Ms. Pfeffer read the Appointed Committee Members June 2017 list. ► **MOTION** to **Ratify** the Annual appointments to the boards and commissions as presented by **Pfeffer. SECOND** by **Mercer. Discussion:** ► Mr. Nutting stated there are vacancies listed on the website if people are interested. He would like to get more volunteers involved especially for the Charles River Pollution Control. He gave appreciation to all volunteers currently on committees and boards giving their time to serve the community. ► **VOTE: Yes-9, No-0, Absent-0.**

HEARINGS: ► *Zoning Bylaw Amendment 17-788: Definitions, Brewery, Distillery, or Winery with a Tasting Room.* ► *Zoning Bylaw Amendment 17-792: Use Regulations for Brewery, Distillery, or Winery with a Tasting Room.* ► **MOTION** to **Open** the Zoning Bylaw Amendment 17-788: Definitions, Brewery, Distillery, or Winery with a Tasting Room public hearing, and the Zoning Bylaw Amendment 17-792: Use Regulations for Brewery, Distillery, or Winery with a Tasting Room public hearing by **Mercer. SECOND** by **Dellorco. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► Mr. Hellen stated this is an Economic Development Committee initiative to create a zoning district that would allow craft breweries, craft wineries and craft spirits with tasting rooms. These facilities will be allowed in all Commercial districts and will be prohibited in all Residential districts. He stated the original proposal indicated 33 percent of a facility's square footage could be used for a tasting room. During the Planning

Board process, it was suggested to reduce that to 25 percent of the square footage. He stated the administration supports this. He discussed the craft brewery boom throughout the country. He stated the EDC voted and recommended this to move forward. He hopes the Town Council will support this initiative. ► Mr. Bissanti stated he sees this as an excellent stepping stone for the very nature of the business. He sees this as a boon for getting some empty spaces in town occupied, rented and leased. ► **MOTION to Close the public hearings by Mercer. SECOND by Jones. No Discussion. ► VOTE: Yes-9, No-0, Absent-0.**

LICENSE TRANSACTIONS: ► *Franklin Lodge of Elks – Change of Manager.* Ms. Pfeffer read the license transaction. ► **MOTION to Approve** the request by the Franklin Lodge #2136 B.P.O.E., Inc. for the Change of Manager to Joan Kimberly Casey by **Pfeffer. SECOND by Mercer. Discussion:** ► Mr. Nutting stated Ms. Casey was present if there were any questions. ► Mr. Padula complimented the quantity of information on the application. ► **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► *SAFE Coalition.* ► Chairman Kelly stated they could not make it; therefore, there will be no presentation tonight.

SUBCOMMITTEE REPORTS: *None.*

LEGISLATION FOR ACTION:

- 1. Resolution 17-31: Transfer of Tax Title Possession Parcels to Different Municipal Purposes (Motion to Move Resolution 17-31 – 2/3 majority (6) vote).** Ms. Pfeffer read the resolution. ► **MOTION to Move** Resolution 17-31: Transfer of Tax Title Possession Parcels to Different Municipal Purposes by **Mercer. SECOND by Padula. Discussion:** ► Mr. Nutting stated this process is undertaken when there is an accumulation of parcels of land through tax title. They have reviewed all the current parcels and have suggested, with one exception, they all be turned over for municipal purposes. The exception is the one next to Tanglewood which is an open space subdivision; so, that land needs to be reserved for open space as the two abutting properties next to it. This is a simple transfer of land. ► Mr. Padula asked what is “general municipal purposes.” ► Mr. Nutting stated whatever the Town Council would like to do with it; it is not constrained. ► Ms. Pellegrini asked if the abutters have been notified and were they interested in purchasing it. ► Mr. Nutting stated No because it is already the town’s land. If the town was going to sell it, first it would have to be owned. This is the first step in the process. ► Ms. Pfeffer stated the Housing Trust has been approached in the past by a local contractor who is in the process of developing condominiums on West Central Street. He has offered to the Housing Trust a ranch property. However, there is no piece of land that the town owns that the house could be moved to. She asked if any of these properties would be appropriate. ► Mr. Nutting stated No and he reviewed each. ► Mr. Bissanti followed up and further asked about the properties and if they could be viable for an affordable housing. ► Mr. Nutting stated it is something that could be looked into. ► **VOTE: Yes-9, No-0, Absent-0.**
- 2. Resolution 17-38: Acceptance of Gift – Council on Aging (Motion to Move Resolution 17-38 – majority (5) vote).** Ms. Pfeffer read the resolution. ► **MOTION to Move** Resolution 17-38: Acceptance of Gift – Council on Aging for \$700 from Norwood Hospital/Steward Health Care System, LLC by **Mercer. SECOND by Dellorco. Discussion:** ► Mr. Nutting stated a thank you will be sent. ► **VOTE: Yes-9, No-0, Absent-0.**
- 3. Zoning Bylaw Amendment 17-788: Definitions, Brewery, Distillery or Winery with a Tasting Room – 1st Reading (Motion to Move Zoning Bylaw Amendment 17-788 to a 2nd Reading – majority (5) vote).** Ms. Pfeffer read the zoning bylaw amendment. ► **MOTION to Move** Zoning Bylaw Amendment 17-788: Definitions, Brewery, Distillery or Winery with a Tasting Room to a 2nd

Reading by **Mercer**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated no comment. ► Mr. Padula asked who drafted the language as it was a good job. ► Mr. Nutting stated Mr. Hellen and Mr. Cerel did. ► **VOTE: Yes-9, No-0, Absent-0.**

4. **Zoning Bylaw Amendment 17-792: Use Regulations for Brewery, Distillery or Winery with a Tasting Room – 1st Reading (Motion to Move Zoning Bylaw Amendment 17-792 to a 2nd Reading – majority (5) vote).** Ms. Pfeffer read the zoning bylaw amendment. ► **MOTION to Move** Zoning Bylaw Amendment 17-792: Use Regulations for Brewery, Distillery or Winery with a Tasting Room to a 2nd Reading by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Nutting stated no comment. ► **VOTE: Yes-9, No-0, Absent-0.**
5. **Bylaw Amendment 17-791: New Chapter 73, Departmental Revolving Funds - 2nd Reading (Motion to Move Bylaw Amendment 17-791 – Roll Call - majority (5) vote).** ► **MOTION to Waive** the reading by **Mercer**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Move** Bylaw Amendment 17-791: New Chapter 73, Departmental Revolving Funds by **Mercer**. **SECOND** by **Jones**. **Discussion:** ► Mr. Padula asked for explanation regarding Chapter 73-2. A. “Fringe benefits...” ► Mr. Nutting explained that most of these are part-time employees or program people such as working at the park for the summer or some of the programs at the Senior Center. If there was a full-time employee that was paid out of a revolving account, their fringe benefits would have to be paid out of that revolving account as well. ► Mr. Cerel explained that this was required by law. ► Mr. Jones asked if the financial limits are already set. ► Mr. Nutting stated the next resolution covers that and it must be done every year. ► **VOTE: Yes-9, No-0, Absent-0.**
6. **Resolution 17-35: Expenditure Limits for FY 2018 on Departmental Revolving Funds Established by Franklin Town Code Chapter 73, As Provided in G.L. Chapter 44, Section 53E½, As Amended (Motion to Move Resolution 17-35 – majority (5) vote).** Ms. Pfeffer read the resolution. ► **MOTION to Move** Resolution 17-35: Expenditure Limits for FY 2018 on Departmental Revolving Funds Established by Franklin Town Code Chapter 73, As Provided in G.L. Chapter 44, Section 53E½, As Amended by **Mercer**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated this is an annual vote of the Town Council to set the limits on the expenditures of the revolving accounts. ► Mr. Padula asked how the scope of each was set. ► Mr. Nutting stated it was in the bylaw. ► Ms. Pfeffer asked about the amount of money going into some of the accounts, for instance, the Facilities account is getting \$200,000. ► Mr. Nutting explained that they are not putting money in there; that amount is the most that can be spent from the account. He stated money could be used from the account only for the purpose of which it is authorized. Money cannot be taken out of one account and spent on a different department. ► **VOTE: Yes-9, No-0, Absent-0.**
7. **Bylaw Amendment 17-794: A Bylaw to Amend the Code of the Town of Franklin by Adding a New Chapter: Chapter 108 Library Board of Directors – 1st Reading (Motion to Move Bylaw Amendment 17-794 to a 2nd Reading – majority (5) vote).** Ms. Pfeffer read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 17-794: A Bylaw to amend the Code of the Town of Franklin by Adding a New Chapter: Chapter 108 Library Board of Directors to a 2nd Reading by **Mercer**. **SECOND** by **Jones**. **Discussion:** ► Mr. Nutting stated that in 1990 the Town Council passed a resolution related to library trustees. In reviewing it, the resolution was out of date such as incorrect number of people, and duties and responsibilities that had been superseded. So, they went updated it and thought to make it a bylaw such as was done with the Council on Aging and a few other boards. He stated that this brings up to date what goes on currently. ► Chairman Kelly asked why elected officials cannot serve on this board. ► Mr. Nutting stated it was thought that a person should be solely focused on the library. ► Chairman Kelly stated he felt by not having a Town Council member on the board, it is not in keeping with the direction of the Master Plan. He would like a change for the second reading so that an elected official could be on the board. ► Mr. Jones

asked if a liaison or a Town Council ex-officio would be plausible for this purpose. ► Mr. Nutting stated the library has been running along without the Town Council or anyone else. ► Chairman Kelly stated the library has also been in turmoil. ► Mr. Nutting stated that there are not a lot of elected officials on any of the other appointed boards. ► Chairman Kelly, Mr. Nutting and Town Council members discussed elected officials being on some boards and committees. ► Chairman Kelly suggested Town Council members email Mr. Nutting to let him know their thoughts. It is not going to pass in its current form; it is going to a second reading. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting reminded everyone about the Strawberry Stroll tomorrow. He mentioned that it was sad that there was not much said about D-Day yesterday. He said the Memorial Day service was great, but he would like to remember veterans more often. He suggested the Town Council chair, himself and public safety folks meet with the people that came in earlier to see how they would like to proceed with their proposed committee.

FUTURE AGENDA ITEMS: ► Mr. Bissanti stated he would like to know more from the group about the committee they are proposing. They do have a great concept and it should be given consideration.

COUNCIL COMMENTS: ► Mr. Jones congratulated graduates of Franklin High School Class of 2017 and the Tri-County High School Class of 2017. He wished them all the best. ► Mr. Dellorco congratulated the graduation classes. ► Mr. Bissanti stated congratulations to the Class of 2017. He was honored to drive some of the veterans through the Memorial Day Parade. ► Ms. Pfeffer stated it was an honor to drive the two Grand Marshalls of the Memorial Day Parade. She noted there was a show on Channel 2 about the D-Day invasion; the narrator was Mr. Bill Belichick. It was a very good presentation. ► Ms. Pellegrini thanked Joey Carmignani and a second volunteer who have stepped up to take over the Fourth of July celebration. She was on the original committee and served for 25 years; it is a great thing to have this in town. She stated the Pleasant Street playground was wonderful; there were many children and the parking lot was full. On Thursday night, she and Mr. Mercer went to the Rod & Gun Club; the firefighters had put on a dinner for the Jarvis family. It was wonderful. She stated that Mr. Dale Kurtz at the Senior Center put together a great program. She asked why the town did not spray as there are caterpillars everywhere. ► Mr. Nutting stated it was not on anyone's radar to spray. He has not received any complaints on it. ► Mr. Padula stated Ryan Jette picked a wonderful playground for Pleasant Street. He congratulated the graduating class. ► Mr. Mercer stated there is work on the high school gymnasium floor being done. This has been an ongoing issue. The repairs did not work, so the contractor is refinishing the floors. He thanked Ms. Mercer for bringing in Electric Youth. He congratulated the Class of 2017. He thanked Franklin High School for honoring the 50-year graduates at the graduation. He stated it was a great time at the 50-year class reunion. ► Mr. Vallee stated it was embarrassing that a town of 35,000 people cannot provide fireworks for its citizens. ► Chairman Kelly stated they need to have a conversation about a second parking lot at DelCarte. ► Mr. Nutting stated if there is room; the Conservation Commission owns the majority of the land. ► Chairman Kelly thanked the Town Councils present and past for building the new high school that the Class of 2017 graduated in. He stated that we worked very hard to get that building up. It is a beautiful building to have the students graduate from.

EXECUTIVE SESSION: *None.*

ADJOURN: MOTION to Adjourn by Mercer. SECOND by Jones. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 8:06 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary