

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
June 8, 2016**

A meeting of the Town Council was held on Wednesday, June 8, 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 Pellegrini, 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 25, 2016 and May 26, 2016. ► **MOTION** to **Approve** the May 25, 2016 meeting minutes and the May 26, 2016 meeting minutes by **Jones. SECOND** by **Padula. No discussion. VOTE: Yes-8, No-0, Absent-1.** (*Mr. Mercer had not yet entered the meeting*).

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. ► Chairman Kelly stated it was a special night at the Town Council meeting and agenda items would be taken out of order.

CITIZEN COMMENTS: *None.*

APPOINTMENTS: Annual Committee Re-Appointments. ► Chairman Kelly stated the Town Administrator had requested the Annual Committee Re-appointments be tabled as he had been away on vacation and has a few changes. ► **MOTION** to **Table** the Annual Committee Re-Appointments to June 22, 2016 by **Jones. SECOND** by **Dellorco. No discussion. VOTE: Yes-8, No-0, Absent-1.** (*Mr. Mercer had not yet entered the meeting*).

HEARINGS: *None.*

LICENSE TRANSACTIONS: *None.*

PRESENTATIONS/DISCUSSIONS: ► ***Friends of Franklin Elders - Gift.*** ■ Ms. Pfeffer read the resolution and a motion was made and approved to accept a \$50,000 gift from the Friends of Franklin Elders (*see Resolution 16-40 below*). ■ Mr. Ron Higginbottom, Former Chairman; Ms. Paula Lombardi, Chairwoman; and Ms. Karen Alves, Senior Center Director, addressed the Town Council. Mr. Higginbottom read a statement from the Friends of Franklin Elders requesting the Town Council to accept their donation for the Franklin Senior Center. He explained they raise money through advertising and the membership letter; they must raise \$27,000 to \$30,000 annually to support existing programs. ■ Mr. Vallee thanked the Friends of Franklin Elders and stated it was a very large gift and the Town is grateful. ■ Ms. Alves stated the Friends of Franklin Elders have been very generous to the Franklin Senior Center and they are truly grateful. The Friends of Franklin Elders have helped them to extend their reach to all seniors in the community. She reviewed the programs the Friends of Franklin Elders support and the ways in which they have helped the seniors and the Senior Center with their ongoing funding. ■ Mr. Jones stated the seniors in town are one of the best resources in the community and he thanked the Friends of Franklin Elders for their generous donation. ■ Ms. Pfeffer thanked the women who started the Senior Center elevator fund which is now at more than \$7,800. ■ Chairman Kelly thanked the Friends of Franklin Elders for their generous donation.

LEGISLATION FOR ACTION:

1. **Resolution 16-40: Acceptance of Gift – Town of Franklin.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-40 for Acceptance of Gift by the Town of Franklin from the Friends of Franklin Elders of \$50,000 to be used for construction, reconstruction, renovations and future needs of the Franklin Senior Center by **Jones. SECOND** by **Dellorco. Discussion:** ► *See above PRESENTATIONS/DISCUSSIONS: Friends of Franklin Elders – Gift.* **VOTE: Yes-8, No-0, Absent-1.** (*Mr. Mercer had not yet entered the meeting*).
2. **Resolution 16-41: Appropriation: Central Services.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-41 for Appropriation: Central Services for \$10,000 by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Nutting stated this is a request from the controller in charge of this budget to pay for postage and copy machine supplies needed to keep the town going. **VOTE: Yes-8, No-0, Absent-1.** (*Mr. Mercer had not yet entered the meeting*).
3. **Resolution 16-42: Appropriation: Plain Street Legal Settlement.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-42 for Appropriation: Plain Street Legal Settlement, amount requested \$62,500, by **Bissanti. SECOND** by **Jones. Discussion:** ► Mr. Nutting stated the town has been involved in a legal matter relating to property on Plain Street; this amount will settle that claim. ► Ms. Pfeffer asked why the funds were coming out of the Wage Settlement Account. ► Mr. Nutting stated because that is where there is money. He stated when there are vacancies it takes time to fill them so there is probably about \$100,000. Just took \$10,000 from this account and then this claim, so not sure how much is left. He explained the money in this account is for vacancies, undue absences and had set money aside for wage settlements for the collective bargaining agreements. ► Mr. Bissanti asked if this settlement will hold town free from any future litigation. ► Mr. Mark Cerel stated yes; this is just making the funds available as in the process of finalizing the actual terms. **VOTE: Yes-8, No-0, Absent-1.** (*Mr. Mercer had not yet entered the meeting*).

Mr. Mercer entered the meeting.

4. **Zoning Bylaw Amendment 16-762: Site Plan and Design Review, A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 31, subsection 1.C.3. (m). – Referral to Planning Board (Motion to refer Bylaw 16-762 to the Planning Board – Simple majority).** Ms. Pfeffer read the resolution. **MOTION to Move** Zoning Bylaw Amendment 16-762: Site Plan and Design Review, A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 31, subsection 1.C.3. (m). – Referral to Planning Board by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Michael Maglio, Town Engineer, stated this bylaw amendment and the next one update language to current standards. **VOTE: Yes-9, No-0, Absent-0.**
5. **Bylaw Amendment 16-763: Stormwater Management. – A Bylaw to Amend the Franklin Town Code at Chapter 153, Section 16 – Standards – 1st Reading (Motion to move Bylaw 16-763 to 2nd Reading – Simple majority).** Ms. Pfeffer read the resolution. **MOTION to Move** Bylaw Amendment 16-763: Stormwater Management. – A Bylaw to Amend the Franklin Town Code at Chapter 153, Section 16 – Standards to a 2nd Reading by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Maglio stated this bylaw amendment is clarifying language in reference to stormwater standards; from a practical standpoint, it really does not affect what we do. **VOTE: Yes-9, No-0, Absent-0.**
6. **Zoning Bylaw Amendment 16-764: Site Plan and Design Review, A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 31 - Referral to Planning Board (Motion to refer Bylaw 16-764 to the Planning Board – Simple majority).** Ms. Pfeffer read the resolution. **MOTION to Move** Zoning Bylaw Amendment 16-764: Site Plan and Design Review, A Zoning Bylaw to

Amend the Franklin Town Code at Chapter 185, Section 31– Referral to Planning Board by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Nutting stated in the continued effort to streamline development practices, this would allow someone who did not have a site plan to file a limited site plan without the expense of a full-blown site plan if they were making minor modifications. It tries to save folks some money and protect the town’s interest. A recent example is the Aubuchon store going in. He confirmed the signature page of the document was not in the Council members’ packets. ► Council members asked if this change effects everyone, not just Aubuchon; the cost of a topographic survey; if the Planning Board would still try to get full site plans; and if Mr. Bryan Taberner was comfortable with the bylaw amendment. ► Mr. Taberner stated for a small improvement a full site plan is overkill. This is to assist the business community without having any negative impact on the town. He stated he is very comfortable with these revisions. **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: Police Chief Retirement. ► Chairman Kelly stated they are all gathered to honor Chief Stephan Semerjian this evening. It is the end of an era for the Town of Franklin. Chief Semerjian has worked for the Town of Franklin for 39 years and he is retiring after a great career. Members of the police force were present. ► On behalf of the Town Council, Chief Semerjian was presented with a proclamation reviewing his career and thanking him for his service. ► Mr. Vallee read a certificate of recognition and congratulations from Congressman Joseph Kennedy, III. ► Franklin’s two senators, Karen Spilka and Richard Ross, congratulated Chief Semerjian and presented a citation from the Massachusetts State Senate thanking him for his service and best wishes for retirement. ► Representative Jeffrey Roy presented a citation from the Massachusetts House of Representatives and read a letter thanking him for his years of dedicated service and congratulating him on his retirement. ► Chairman Kelly presented an award from the Town Council. ► Mr. Nutting made remarks and thanked Chief Semerjian for his 39 years of public service. ► Police Department members presented Chief Semerjian with an inscribed plaque of thanks. ► Chief Semerjian remarked on his career and thanked the great people he worked with. ► Council members made comments and pictures were taken.

Chairman Kelly declared a five-minute recess.

PRESENTATIONS/DISCUSSIONS (continued): ► Legislative Update, (i.) Senator Karen Spilka, Representative Jeffrey Roy, Senator Richard Ross; and (ii.) OPEB. ■ Senator Spilka stated the Governor did his budget at the end of January, the House in April, and the Senate two weeks ago. The House and Senate begin Conference Committee this Friday to hammer out the differences. She stated they are going through trying times right now. State revenues are \$311 million under benchmark. Revenue concerning capital gains is what is lacking. Capital gains in 2014 were higher. She stated the overall outlook for Commonwealth is good, business confidence is high, sales are high, and excise tax on cars is high. Lots of people are going out to eat and the meal tax is high. May need to make some slight modifications to next year’s budget. Working with experts and asking if the capital gains factor is short or long term; indications are it is short term. She stated they were able to increase Chapter 70. Special Education Circuit Breaker will hopefully continue to fund at full amount. Were able to get some local priorities in the budget for roadway. She stated she will continue to advocate for Franklin for the grants that are out there and will continue to work together. ■ Senator Ross stated in thinking about the Town of Franklin, it is clear to him that the close relationship they have with Representative Jeffrey Roy and working together will help get many things funded. He stressed how critical it is to have a good working relationship with the partners that represent the town, and he thinks they have done that. He stated how much of a joy it is to serve everyone. ■ Representative Roy emphasized how great it is to work with this delegation and have such a great working relationship. He stated Senator Spilka was a powerful member of the General Court and she represents this community and has been very helpful. There were some items for Franklin in the House budget, such as \$65,000 for communications equipment for Franklin Fire Department, which was approved. Also, \$25,000 in budget for Franklin, Medway and Bellingham area off of Rt. 495 that is

currently flood plain for some great recreational trails. Congratulations on the Downtown and excited to see two-way traffic begin. He stated he is aware there are questions on OPEB, but stated town is doing well to put money away. ■Ms. Pellegrini thanked them for the work they do for the town. ■Mr. Padula stated that the current model of working for the town for ten years and being able to collect a pension and health benefits is not sustainable. He would not want to do anything to those currently getting benefits, but questioned the policy for new people. He asked if a committee should be put together again to get a dialogue going and look at some ideas about this. ■Sen. Spilka said there was a committee and some recommendations some time ago. Many municipalities have similar problems, but different responses and solutions. Some sort of commission may be a good idea in anticipation of next session. ■Sen. Ross stated that it was good the town currently increased their contribution and noted the necessity for the community to fund more. He stated they need to look at possible legislative action for relief. ■Rep. Roy stated he thought a commission was a wonderful idea. There was a commission and they had done a report, but galvanizing the forces to implement drastic measure from that report was very difficult to do. This community and others have taken steps to put money away; maybe revisiting it through another commission with less drastic steps may be the way. ■Mr. Padula stated it is not the current people that he wants to take benefits away from, but with such OPEB obligations, maybe this should be looked at for new employees. ■Mr. Mercer stated he supported everything Mr. Padula said; getting a commission going again would be good. When the previous commission was put together, there were different faces and it was a different fiscal situation. The OPEB obligation is not going away. ■Mr. Vallee stated the Town of Franklin is lucky to have these three legislators. ■Mr. Jones stated it has been a great pleasure to work with them and thanked them for their hard work. In regard to OPEB, he said he agreed with Mr. Padula's comments. There seems to be a situation where it is not known what to do and having a commission will help find answers. ■Mr. Dellorco thanked the senators and representative as they are available to help the town at all times. ■Mr. Bissanti said maybe a commission needs to address this task. He thanked them all for their work. ■Ms. Pfeffer said that every year the town seems to add another \$50,000 to OPEB, but it is never enough. She agreed a commission is the thing to do and has no problem with commission forming after November. ■Chairman Kelly stated they are all interested in figuring something out. He reiterated it is great to have them as senators and representatives and appreciated their support for the Town of Franklin. He asked Mr. Hellen to speak about the compact agreement signed yesterday. ■Mr. Hellen stated the Lieutenant Governor was here yesterday along with the towns of Franklin, Hopedale, Blackstone and Northbridge to sign compacts; it was a great ceremony. Franklin is doing two projects: Civic engagement project and EMS study to look at ambulance response protocols. ■Rep. Roy commented on the EMS study and suggested as part of that the EMS handbook be reviewed; currently, EMS protocol indicates if a patient reports any pain on a scale of one to ten, the EMS handbook instructs that patient must be given an opioid. Possibly this should be looked at during this EMS study. ■Sen. Spilka asked that the results of the study be shared with them.

SUBCOMMITTEE REPORTS: *None.*

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting stated the Strawberry Stroll is tomorrow at 4:00 PM in downtown Franklin. ► Received ok from state to move ahead on elective aggregation. ► Farmer's market is open on Friday's at the Town Common. ► Reminded everyone that water conservation is now in effect; can only water one day per week on trash collection day. ► Reminded everyone the library has temporarily moved to 25 Kenwood Circle. ► Still planning on paving the downtown next week at night. ► Will be swearing in a new Police Chief and new Deputy Police Chief on June 22, 2016. ► Chairman Kelly said the downtown was not paved last week as the mixture was not correct; it had to be rescheduled.

FUTURE AGENDA ITEMS: ► Mr. Jones said he would like to have Mr. Brutus Cantoreggi, DPW Director, at a future Town Council meeting in regard to rain barrel programs; the town does not have one and he would like to find out what can be done. He noted a junior from Franklin High School sent an

email in regard to the town potentially putting together an ordinance banning plastic shopping bags at stores. He stated he researched this and there are currently 34 towns that have tried to pass ordinances; 29 have standing ordinances. The state currently has a bill in the House under review in regard to reducing bag pollution. He stated if this does come up as a future agenda item, it is currently being addressed.

► Mr. Nutting stated he has invited the student to his office for discussion. ► Chairman Kelly stated she has been invited to speak at the Town Council. ► Mr. Dellorco stated he would like to get the charter review on an agenda. He stated Sherriff Bellotti has spoken to him about getting a ropes program out here for the kids next summer. Mr. Dellorco asked if they could have Mr. Ryan Jette come in and if he had any ideas. They would need about three to five acres for the program. It is in Braintree/Holbrook and Sherriff Bellotti wants to bring something out this way. ► Mr. Bissanti stated that based on success of DelCorte, could town do more neighborhood playgrounds. ► Mr. Nutting stated in process of filing Open Space Plan and updating the seven-year plan. When completed, he will give councilors copies. He noted more playgrounds are a matter of funding and one more thing for DPW to do; will they get more help.

COUNCIL COMMENTS: ► Ms. Pellegrini stated concern about the gypsy moth in Franklin and asked if town is spraying for this. She congratulated all this year's graduates. ► Mr. Nutting stated he can call Norfolk County about the gypsy moth. Years ago towns had to appropriate their own money for this. ► Mr. Padula and Mr. Dellorco congratulated graduates of Tri-County High School and Franklin High School. ► Mr. Bissanti stated he is overjoyed with the zoning bylaw amendment being sent to the Planning Board. This is a great step in the right direction for streamlining things in the town. ► Ms. Pfeffer noted the ground breaking for the library last week. She went to the Farmer's Market and noted La Cantina Winery's great booth. ► Chairman Kelly congratulated all Franklin graduates.

EXECUTIVE SESSION: *None.*

ADJOURN: MOTION to Adjourn by Mercer. SECOND by Jones. VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 8:49 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary