

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
August 10, 2016**

A meeting of the Town Council was held on Wednesday, August 10, 2016 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Robert Dellorco, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegrini, Judith Pond Pfeffer, Robert Vallee. Councilors absent: Andrew Bissanti. 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: *July 13, 2016.* ► **MOTION** to **Approve** the July 13, 2016 meeting minutes by **Mercer**. **SECOND** by **Jones**. **No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

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. He stated tonight's agenda items would be taken out of order.

PROCLAMATIONS/RECOGNITIONS: ► *Frank L. Liotta.* ■ Chairman Kelly read a proclamation honoring, commending and thanking Frank L. Liotta, a long-time Franklin resident and business owner, who has also volunteered his time with the senior citizens, and is a long-time member of the Franklin Elks Lodge holding many positions within the organization, for his great service to the Town of Franklin. ■ Mr. Liotta accepted the recognition and thanked his wife and many others for their support.

CITIZEN COMMENTS: *None.*

APPOINTMENTS: ► *Board of Registrars.* Ms. Pfeffer read the appointment. **MOTION** to **Ratify** the appointment by the Town Administrator as requested by the Town Clerk the following as Registrars for the upcoming 2016-2017 elections: Jeannette Gianotti, Christine Manns, and Helen Reebenacker by **Pfeffer**. **SECOND** by **Jones**. **No Discussion:** ► **VOTE: Yes-8, No-0, Absent-1.**

► *Election Workers.* Ms. Pfeffer read the appointment. **MOTION** to **Ratify** the appointment by the Town Administrator as requested by the Town Clerk the following as Election Workers for the upcoming 2016-2017 elections: Lois D'Amico, Nina Geosano, Mona Ghiringhelli, Leslie McCaffery, Charles Repeta, Sara Richardson, Amy Shumway, Daniel Watters, Anne Woodring, Deborah Zatkowski by **Pfeffer**. **SECOND** by **Jones**. **No Discussion:** ► **VOTE: Yes-8, No-0, Absent-1.**

► *Zoning Board of Appeals – Associate.* Ms. Pfeffer read the appointment. **MOTION** to **Ratify** the appointment by the Town Administrator of Ian Luke to serve as an associate member of the Zoning Board of Appeals by **Pfeffer**. **SECOND** by **Jones**. **Discussion:** Mr. Nutting requested that until June 30, 2018 be added to the appointment. **MOTION** to **Amend** the date on the appointment by the Town Administrator of Ian Luke to serve as an associate member of the Zoning Board of Appeals to include *to June 30, 2018* by **Jones**. **SECOND** by **Dellorco**. ► **VOTE: Yes-8, No-0, Absent-1.** **Discussion:** ► Mr. Luke said thank you. **MOTION** to **Ratify** the amended appointment by the Town Administrator of Ian Luke to serve as an associate member of the Zoning Board of Appeals to June 30, 2018 by **Mercer**. **SECOND** by **Jones**. **No Discussion:** ► **VOTE: Yes-8, No-0, Absent-1.**

HEARINGS: *None.*

LICENSE TRANSACTIONS: *None.*

PROCLAMATIONS/RECOGNITIONS (continued): ► Swearing in of Police Officers. ■Police Chief Thomas Lynch thanked the Town Council and Town Administrator for allowing him the opportunity to recognize these individuals that have received promotions. He provided background and career information about both Eric J. Zimmerman, promoted to rank of Sergeant, and Joseph F. MacLean, promoted to position of Detective. ■Nancy Danello, Assistant Town Clerk, performed the swearing in of Sergeant Zimmerman and Detective MacLean. ■Police Chief Lynch, based on the tradition for the most senior patrol officer, awarded FPD Badge #1 to Paul Fiorio. He provided background and career information about Patrol Officer Fiorio. ■Patrol Officer Fiorio thanked his wife and others for their support.

PRESENTATIONS/DISCUSSIONS: ► Police Chief Update. ■Police Chief Thomas Lynch thanked the Town council and the Town Administrator for allowing him the opportunity to update them on what has been done in the past six weeks and plans for the future. He thanked everyone for attending the swearing in ceremony for both himself and Deputy Police Chief James Mill. He read an excerpt from the monthly Mass. Chief of Police's newsletter about the recent shootings of police officers across the country. He mentioned the fantastic outpouring of support from people in the community and others in appreciation of the officers and the police department. It means a lot. He stated there has been much department activity within the last six weeks including: numerous meetings with staff with good feedback, mission and philosophy statement created, moves and promotions within the department, new organizational chart, lieutenant exam upcoming and five sergeants going to take the exam, looking to promote another lieutenant in December, entry-level police officer exam coming up, Jack Flynn will be graduating from Plymouth Police Academy in September bringing budgeted staff to 47, and a current opening in the department in which a transfer applicant is interested. He discussed fiscal 2017 goals which include, but not limited to: customer service initiatives, increase and improve communication with residents, increased communication with local newspapers, increased social media, use Internet for scheduling appointments, meeting with Riverside Community Care for psychological care to provide services, and reconstructing evidence room. ■Mr. Jones stated they were all doing a great job and thanked them for the services they provide to the Town. ■Ms. Pellegrini stated she was happy about the in-house promotions. ■Mr. Dellorco gave congratulations and stated they were all doing a great job. ■Ms. Pfeffer stated she was glad to learn a woman was being interviewed for the open position. ■Mr. Padula stated they are an all-star team; it is so impressive. ■Mr. Mercer stated congratulations to officers that were promoted and stated Chief Lynch was doing a great job. ■Mr. Vallee stated they were all brave men and their work was greatly appreciated. ■Chairman Kelly stated he was proud of their hard work and they were exceeding expectations.

Chairman Kelly called a three-minute recess.

► Resolution 16-51: Endorsement of 2016 Open Space and Recreation Plan. ■Mr. Bryan Taberner, Director of Planning and Community Development, stated that last year the Conservation Commission assumed the task of overseeing and developing an update to the 2008 Open Space and Recreation Plan (OSRP). A public hearing process took place last spring and a draft document was submitted to the state. The town received a conditional approval. Since then the plan has been update and is ready for a final endorsement. The requirement of the state is that the highest ranking elected official, the Conservation Commission and the Planning Board all endorse or send in review letters. The Planning Board and Conservation Commission have already endorsed the plan. The goals of the existing plan are very similar to that which was approved in the 2013 Master Plan. The only substantial item added by the Conservation Commission was protection of water resources. The Conservation Commission and the Department of Planning and Community Development would like the Town Council to vote to endorse the plan and authorize the submission to the state. ■Ms. Pfeffer noted that the Massachusetts Executive Office of Energy and Environmental Affairs provided 15 recommendations to the original plan submission. She asked if those recommendations were considered, worked upon, or amended for inclusion in this final

plan. ■Mr. Taberner stated that during the summer those updates, along with many other edits, have been added to the document; all of the updates from those recommendations have been done. Once the Town Council approves, the final plan will be submitted. Then the state will review again for final approval. ■In response to questions, Mr. Nutting stated the state approval allows the town to apply for grants. In regard to Objective 3.6 about developing a youth center, he stated once the Commonwealth approves and adopts this, then can sit down and discuss what can be accomplished and where does the town need to go and make annual reports back to the Town Council. Hopefully, part of the new Recreation Center can play part of that role. ■Mr. Padula stated his hope is for Objective 3.6 to happen. ■Chairman Kelly stated that last year there was talk about a site for a meeting place for teens, but unfortunately, that site did not work out. ■Mr. Dellorco confirmed that the town will be able to apply for grants with an Open Space plan on file. ■Chairman Kelly requested that in the acknowledgements the Town Council be acknowledged. It was great that there was a geographical survey from 1942-1946 included. He noted the large amount of open space and forest land the town has that is protected. He stated a great job was done on the report.

SUBCOMMITTEE REPORTS: *None.*

LEGISLATION FOR ACTION:

1. **Resolution 16-51: Endorsement of 2016 Open Space and Recreation Plan.** Ms. Pfeffer read the resolution. **MOTION** to **Move** Resolution 16-51: Endorsement of 2016 Open Space and Recreation Plan by **Mercer. SECOND** by **Padula. Discussion:** ►Mr. Nutting stated he recommended the plan. **VOTE: Yes-8, No-0, Absent-1.**
2. **Zoning Bylaw Amendment 16-762: Amendment to Chapter 185, Section 31 Site Plan and Design Review – 2nd Reading (Motion to Adopt Zoning Bylaw Amendment 16-762 – Roll Call Vote – 2/3 Vote – (6)).** Ms. Pfeffer read the zoning bylaw amendment. **MOTION** to **Adopt** Zoning Bylaw Amendment 16-762: Amendment to Chapter 185, Section 31 Site Plan and Design Review by **Mercer. SECOND** by **Padula. Discussion:** ►Mr. Michael Maglio, Town Engineer, stated this proposed bylaw change is a housekeeping item to update some of the language to current standards for stormwater. ►**ROLL CALL VOTE:** Dellorco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-8, No-0, Absent-1.**
3. **Zoning Bylaw Amendment 16-764R: Amendment to Chapter 185, Section 31 Site Plan and Design Review – 2nd Reading (Motion to Adopt Zoning Bylaw Amendment 16-764R – Roll Call Vote – 2/3 Vote – (6)).** Ms. Pfeffer read the zoning bylaw amendment. **MOTION** to **Adopt** Zoning Bylaw Amendment 16-764R: Amendment to Chapter 185, Section 31 Site Plan and Design Review by **Mercer. SECOND** by **Jones. Discussion:** ►Mr. Michael Maglio, Town Engineer, stated this proposed change in the bylaw is to streamline the process for the limited site plan that goes before the Planning Board. If a project qualifies for a limited site plan, but there was not a site plan on file in the records, this provides a method for an applicant to qualify for a limited site plan. ►**ROLL CALL VOTE:** Dellorco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-8, No-0, Absent-1.**
4. **Bylaw Amendment 16-765: Amendment to Chapter 170, Vehicles and Traffic, Article III, Traffic Signs, Signals, Markings and Zones, §170-10 Authority of Highway Foreman and §170-12 Interference Prohibited, Violations and Penalties – 2nd Reading (Motion to Adopt Bylaw Amendment 16-765 – Roll Call Vote – Majority Vote of Full Council (5)).** **MOTION** to **Waive the Reading** by **Padula. SECOND** by **Mercer. No Discussion. VOTE: Yes-8, No-0, Absent-1.** **MOTION** to **Adopt** Bylaw Amendment 16-765: Amendment to Chapter 170, Vehicles and Traffic, Article III, Traffic Signs, Signals, Markings and Zones, §170-10 Authority of Highway Foreman and §170-12 Interference Prohibited, Violations and Penalties by **Mercer. SECOND** by **Padula.**

Discussion: ► Mr. Nutting stated this replaces an old term of highway foreman with DPW Director or his designee, and it replaces a penalty of not to exceed \$20.00 to a penalty of \$50. ► **ROLL CALL VOTE:** Dellorco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeiffer-YES; Vallee-YES. **VOTE: Yes-8, No-0, Absent-1.**

5. **Bylaw Amendment 16-766: Amendment to Chapter 170, Vehicles and Traffic, at Article IV, Stopping, Standing and Parking, §170-15 Parking Prohibitions and Limitations and §170-17 “Resident Only” Parking – 2nd Reading (Motion to Adopt Bylaw Amendment 16-766 – Majority Vote of Full Council (5)).** **MOTION to Waive** the reading by **Jones. SECOND** by **Dellorco. VOTE: Yes-8, No-0, Absent-1. MOTION to Adopt** Bylaw Amendment 16-766: Amendment to Chapter 170, Vehicles and Traffic, at Article IV, Stopping, Standing and Parking, §170-15 Parking Prohibitions and Limitations and §170-17 “Resident Only” Parking by **Mercer. SECOND** by **Padula. Discussion:** ► Mr. Nutting stated this is a comprehensive change in the parking in the Downtown and adjoining neighborhoods as outlined on the map. If changes need to be made after six months or a year, it can be tweaked. This will give consistency throughout the area. He said many signs will be put up to make the public aware of the changes once this is approved. ► **ROLL CALL VOTE:** Dellorco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeiffer-YES; Vallee-YES. **VOTE: Yes-8, No-0, Absent-1.**
6. **Bylaw Amendment 16-767: Amendment to Chapter 170, Vehicles and Traffic at Article V, Parking Meter Zones, §170-19 Establishment and §170-20 Additional Regulations; Violations and Penalties – 2nd Reading (Motion to Adopt Bylaw Amendment 16-767 – Majority Vote of Full Council (5)).** **MOTION to Waive** the reading by **Mercer. SECOND** by **Jones. No Discussion. VOTE: Yes-8, No-0, Absent-1. MOTION to Adopt** Bylaw Amendment 16-767: Amendment to Chapter 170, Vehicles and Traffic at Article V, Parking Meter Zones, §170-19 Establishment and §170-20 Additional Regulations; Violations and Penalties by **Mercer. SECOND** by **Jones. Discussion:** ► Chairman Kelly read a letter received from the Downtown Partnership regarding the Downtown parking and which indicated that at this time they agree with the decision not to replace the parking meters. ► Mr. Nutting stated the focus of this bylaw is the elimination of the meters in Downtown Franklin. The Town Council would be able to add them back any time they wanted. Meters are aesthetically ugly and may discourage folks; for instance, they don’t want to pay \$.25 to go to the post office. He asked for the Town Council’s support. ► **ROLL CALL VOTE:** Dellorco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-NO; Pellegrini-NO; Pfeiffer-YES; Vallee-YES. **VOTE: Yes-6, No-2, Absent-1.**

TOWN ADMINISTRATOR’S REPORT: ► Mr. Nutting stated they had a meeting with MassDOT. They continue to work on Downtown and anticipate about another six weeks to finish everything. Plantings are going on this week; crosswalks and signs have to be put in. Hopefully, it will all get done by the middle to end of September. ► He reminded everyone about the water ban and appreciates everyone’s cooperation. ► He followed up on comments from a few months ago about ambulance responses to nursing homes and like facilities. The Fire Chief has begun to reach out and informed Mr. Nutting that one facility has agreed to get a private ambulance for basic transports. The Fire Chief will be reaching out to other facilities as well trying to reduce the demand for non-emergency responses so can keep ambulance for emergencies. Hopefully, in three or four months the Fire Chief will come in and make a report on this progress. ► There will be a presentation by SchoolDude at the next meeting.

FUTURE AGENDA ITEMS: ► Mr. Dellorco asked about the Charter review. ► Mr. Nutting stated it is scheduled for the next meeting.

COUNCIL COMMENTS: ► Ms. Pellegrini stated she was concerned about the hiring of the Deputy Treasurer/Collector. Although she is aware that the Town Council is not the appointing authority, she

stated that maybe the Town Council should be a part of the meetings or the interview process. She is very upset about this as moral goes down when things like this happen. She stated it was not fair that someone who was qualified in the office was passed over for someone from the outside. She also mentioned the recent raises of the School Department. School employees are now getting 2%/2.5%/3% and municipal employees are getting 2%/2%/2%. Should the Town Council not have had something to say about this? Again, moral comes in to play when something like this happens. It is wrong that things like this are done. ► Mr. Padula stated that he hopes it does not look burdensome with all the new signage going into the Downtown area as the parking meters have been removed. ► Mr. Mercer thanked Mr. Nutting for getting the Fire Chief on the ambulance issue with the assisted living communities. He applauded the Fire Chief's efforts and hopes it will continue. ► Mr. Jones mentioned that if it is true that the town is hiring from outside when someone from inside could be hired, he is highly disappointed in that. Hardworking people in the town should be granted the ability to move up the ladder and stay within the town. He congratulated the police officers who were promoted and gave thanks to all police officers for their hard work. ► Mr. Dellorco stated he agreed with Ms. Pellegrini and Mr. Jones. He believes hiring should go from within and this was a bad hire. He wants this to change and this is why he wants the Charter review. ► Ms. Pfeffer stated that in July she mentioned the teachers getting 2%/2.5%/3%, and it is a School Committee decision; the Town Council has nothing to do with it and has no control. In regard to the new hire, it should come from within. She thinks there should be three or four members of the Town Council involved in any management hiring so the Town Council does not have to complain about it, they can be part of it. ► Chairman Kelly stated he was disappointed in the School Committee decision. He noted that all town employees work very hard and he is proud of what they all do; they all deserve the same across the board raise. He thinks the School Department's decision to alter their contract from what everyone else was doing was a wrong move.

EXECUTIVE SESSION: *None.*

ADJOURN: MOTION to Adjourn by Jones. SECOND by Dellorco. Yes-8, No-0, Absent-1. Meeting adjourned at 8:16 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary