

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
June 22, 2016**

A meeting of the Town Council was held on Wednesday, June 22, 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.

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. ► The Franklin School for the Performing Arts will be setting off on a three-week concert tour of Europe tomorrow and will provide a presentation at tonight's meeting. ► Ms. Raye Lynn Mercer, Director of the Franklin School for the Performing Arts, introduced Electric Youth, an ensemble of young people from the Greater Franklin area, and noted the group will perform fifteen shows during their tour of Europe including at the American Embassy in Rome. Electric Youth travels with an eight-piece band; the group sang a cappella for the Town Council.

PROCLAMATIONS/RECOGNITIONS: ► *Swearing in of Police Chief, Thomas J. Lynch.*
► *Swearing in of Deputy Police Chief, James Mills.* ■ Town Clerk Teresa Burr gave the oath of office for the swearing in of Deputy Police Chief James Mills and Police Chief Thomas J. Lynch. ■ Police Chief Lynch thanked all for their confidence in his abilities and for their support. ■ Deputy Police Chief Mills thanked his family and friends for their support. ■ Former Police Chief Lawrence Benedetto spoke about the lives and careers of both Lynch and Mills. ■ Chairman Kelly noted four Franklin police chiefs, Lawrence Benedetto, Stephen Williams, Stephan Semerjian, and Thomas Lynch, were at tonight's meeting and requested a photograph. He congratulated the new police chief and deputy police chief.

Chairman Kelly called a five-minute recess.

APPROVAL OF MINUTES: June 8, 2016. ► **MOTION to Approve** the June 8, 2016 meeting minutes by **Jones. SECOND** by **Padula. No discussion. VOTE: Yes-6, No-0, Absent-3.** (Mr. Mercer, Mr. Bissanti, and Mr. Dellorco had not yet returned from the recess.)

CITIZEN COMMENTS: ► Mr. Kevin Burch, 385 Coronation Drive, thanked the Town Council for the opportunity to speak. He discussed the project to repave roads in the Coronation Drive/Southgate Drive area. He stated the sidewalks are very necessary for children to get to and from school and very important for children to get around the neighborhood. He and others from the neighborhood met with Brutus Cantoreggi and looked at the plans for the paving of Coronation Drive which will include narrowing of the road for increased green space to conform to EPA sustainable water project. The neighbors are concerned that the town will be removing a sidewalk that has existed for 50 years and children rely on it. Franklin is considered one of the safest cities in the country; a safety issue will be created if the sidewalk is removed. The neighbors are not comfortable moving forward with this; they are hopeful that as there is not a signed bid for this project, the town will reconsider the plan. He noted this plan is going forward in other areas of town such as near BJs—the difference is there were never sidewalks and it is not near a school. At Coronation Drive, the residents are losing sidewalks and are near a school. He noted there were only a few residents at this meeting, but when Mr. Cantoreggi came to the neighborhood he was surrounded by about 50 residents concerned with the plans. The neighbors are willing to work with ideas on this. He thanked the Town Council for their consideration to keep the sidewalks.

APPOINTMENTS: Annual Committee Re-Appointments. ► Ms. Pfeffer read the Appointed Committee Members June 2016 list. ► **MOTION to Ratify** the Annual appointments to the boards and commissions as presented by **Mercer. SECOND by Jones. Discussion:** ► Ms. Pellegrini stated Delwyn Arnold must be withdrawn as an Associate Member of the Historical Commission because he is Chairman of the Friends of Franklin Historical Museum. ► **MOTION to Withdraw** Delwyn Arnold as Associate Member of the Historical Commission by **Pellegrini. SECOND by Jones. Discussion:** ► Ms. Pfeffer asked if Mr. Arnold had volunteered for this position. ► Mr. Nutting stated originally Mr. Arnold was not on the list, but the Town Clerk thought Mr. Arnold was supposed to be appointed, so he put him on. ► Ms. Pfeffer asked if Mr. Arnold should be consulted before he is removed. ► Mr. Nutting stated that if he is removed, he can always be added back at the next meeting. ► Ms. Pellegrini stated the bylaws for the Friends state they cannot be on the Commission. ► Mr. Nutting stated he agreed with Ms. Pellegrini's motion. **VOTE (to remove Mr. Arnold as Associate Member of the Historical Commission): Yes-9, No-0, Absent-0. VOTE (on the original Motion as amended): Yes-9, No-0, Absent-0.**

HEARINGS: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► Downtown Parking. ■ Mr. Nutting stated that for many months he has worked with the Downtown Partnership, Police Department, DPW and others on a proposed parking plan for the downtown area. Once this plan is adopted, it will become the official plan for the area. Consideration was given to existing parking and the fact that meters have been removed and not replaced. Entire area was reviewed to determine what made sense for a parking plan. He reviewed the presented color-coded map and explained the changes. He noted the plan provided uniformity so the rules could be enforced. The parking control officer works about 18-20 hours per week and would monitor this. ► Mr. Vallee stated this needs to be monitored carefully as he has seen much abuse. ► Mr. Padula questioned as this plan is color coded would the signs be color coded. ► Mr. Nutting stated there will be no parking signs in the red areas. Signs will not be color coded, but will indicate the hours. ► Ms. Pfeffer asked about Winter Street regarding games held at Fletcher Field. ► Mr. Nutting stated that after 2 PM people can park as they wish. ► Mr. Dellorco asked about town parking from 6 AM to 2 PM. ► Mr. Nutting stated if a commuter has a sticker, they can park in the space 24/7. If the commuter spaces are not all taken by noon, then anyone can use the space. ► Mr. Mercer clarified that after 2 PM there are no restrictions on any spots, blue or purple. ► Mr. Nutting stated if this plan gets adopted it is a beginning and can be looked at every year. ► Mr. Bissanti stated he applauded the group that put this parking plan together. ► Mr. Jones concurred with Mr. Bissanti. He asked if there was any way to potentially negotiate with businesses such as Rockland Trust about sharing their spaces. ► Mr. Nutting stated they try to work with the business community. ► Ms. Pellegrini asked if the bylaw would be updated before this new parking plan is tried out. ► Mr. Nutting stated he was going to try to bring this to the next Town Council meeting. There is a lot to amend. The goal is to describe the bylaw according to the map, not by the street. After the parking in the downtown area is completed, they will have to look street by street to see if the parking matches up with the bylaw. ► Chairman Kelly stated there were two updates he would like to see. There are many multi-families on Union Street and their overflow parking seems to go onto Pearl Street and take both sides of the road. So, at the start of Pearl Street, maybe the first two houses in, no parking. And, at the start of Crescent Street at the Main Street end, for the first two or three house on the left side, no parking. He noted people can always park at the Historical Museum during the day. ► Mr. Nutting stated once the Town Council votes for this, the DPW will start putting up the signs.

SUBCOMMITTEE REPORTS: None.

LEGISLATION FOR ACTION:

1. **Resolution 16-43: Trades Collective Bargaining Contract.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-43 for Trades Collective Bargaining Contract by **Mercer**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated this is the last of the nine collective bargaining agreements to be ratified. This is a three-person union and consistent with the other municipal contracts with a 2 percent cost of living increase. **VOTE: Yes-9, No-0, Absent-0.**
2. **Resolution 16-44: Acceptance of Main Street Easement (Simple Majority).** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-44 for Acceptance of Main Street Easement by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Nutting reviewed that in order to construct the additional spaces on the north side of Emmons Street and not lose the spaces adjacent to Bank of America, an easement was needed to widen the roadway surface and move the sidewalk closer to the Bank's building. ► Mr. Cerel stated on the easement agreement, Exhibit 1, Paragraph 2, a change was made on the insurance coverage and it should indicate \$1 million, not \$3 million. ► Ms. Pfeffer questioned the parking on both sides of Emmons Street and confirmed it was going to stay one way. **VOTE: Yes-9, No-0, Absent-0.**
3. **Resolution 16-45: OPEB Appropriation.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-45 for OPEB Appropriation, amount requested \$200,000 by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Nutting stated that at every year's end if there is free cash left they try to put it towards OPEB. The unofficial fiscal policy is to try to put in 10 percent of free cash; there would be only \$33,000 left in free cash until June 30th. ► Ms. Pfeffer asked if there were any other needs of the town for the \$200,000 as \$400,000 was already put into OPEB. ► Mr. Nutting stated there is much need, but this is also needed to meet financial responsibilities. They try to increase a little every year. ► Mr. Jones asked if this money was not appropriated what would the auditor's look at. ► Mr. Nutting stated this is a concern when the town borrows money as fiscal stability is looked at. OPEB is not a legal obligation, it is just a good idea and have to keep going. He noted free cash is used for capital and one-time expenses. ► Mr. Bissanti asked if this was money that could have gone to something else, such as roads. ► Mr. Nutting stated Yes. **VOTE: Yes-9, No-0, Absent-0.**
4. **Resolution 16-46: DPW Surveying Appropriation.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-46 for DPW Surveying Appropriation, amount requested \$33,000 by **Mercer**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated it has been on the Master Plan for a sidewalk on Beaver Street and this money would begin the survey work and then start to work with the MBTA on the crossing. ► Mr. Vallee asked about free surveying work from Norfolk County. It could save a lot of money. ► Mr. Nutting stated there is a waiting line for surveying, but they can ask. ► Mr. Dellorco thought they may have gotten rid of the survey department. ► Mr. Padula stated he would follow-up on Mr. Vallee's question. ► Mr. Cantoreggi stated they would do one side of the street; sidewalks would only go to the Beaver Street recreation area. They have to work with MBTA and Keolis. **VOTE: Yes-9, No-0, Absent-0.**
5. **Resolution 16-45: Legal Services Appropriation.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-46 for Legal Services Appropriation, amount requested \$4,000 by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Nutting stated special counsel was engaged for the pipeline and the power plant and might be a little short; this money is to make sure there will be sufficient funds. **VOTE: Yes-9, No-0, Absent-0.**
6. **Bylaw Amendment 16-760: Amendment to Water System Map – 2nd Reading (Motion to adopt Bylaw 16-760: Roll Call Vote – Simple Majority).** Ms. Pfeffer read the bylaw amendment. **MOTION to Move** Bylaw Amendment 16-760: Amendment to Water System Map by **Mercer**.

SECOND by Dellocco. **Discussion:** ► Mr. Nutting stated this is the second reading to allow for the construction of three homes on Longhill Road and will also help to loop the water line and the sewer to get the road all the way through. It is a win-win for the town. ► **ROLL CALL VOTE:** Bissanti-YES; Dellocco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-9, No-0, Absent-0.**

7. **Bylaw Amendment 16-761: Amendment to Sewer System Map – 2nd Reading (Motion to adopt Bylaw 16-761: Roll Call Vote – Simple Majority).** Ms. Pfeffer read the bylaw amendment. **MOTION to Move** Bylaw Amendment 16-761: Amendment to Sewer System Map by **Mercer**. **SECOND** by Dellocco. **Discussion:** ► Mr. Nutting stated same comment as for Bylaw Amendment 16-760. ► Mr. Bissanti asked if the town makes money on water and sewer connections. ► Mr. Nutting stated there is a connection fee. Water service is a good thing to fight fires. Loops are always better than dead-ends for quality. ► Ms. Pellegrini remarked that it had been difficult in the past to get water and sewer tie-ins. ► Mr. Nutting stated he did not think a water extension permit has been denied in ten years; maybe two sewer extensions. Generally, water extensions have been seen favorable by the Town Council. This bylaw was passed in the 1990s. There was a sewer moratorium for a while in early 2000s. ► Mr. Cantoreggi explained the application process and noted there are some that the Town Council never sees because a benefit for the town is not found. ► **ROLL CALL VOTE:** Bissanti-YES; Dellocco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR’S REPORT: ► Mr. Nutting deferred to the Director of Public Works for an update on the water issue. ► Mr. Brutus Cantoreggi, Director of Public Works, addressed the Town Council. He spoke about water use and the water conservation plan. He sent out a call to all residents. Last week the water use was very unusual. In February the average daily use was 2.2 million gallons per day. Last week town was at 3.5 million gallons per day and on Sunday town used 4.2 million gallons; this is a day that people should not be watering their lawns. There is a one day per week watering plan which is on resident’s trash day. Currently, looking at upgrading Wells #3 and #6 because they have iron and manganese issues; they cannot be run to full capacity. So, DPW will be out patrolling to look for people violating water conservation plan. Warnings will be issued and then fines for up to \$200 per incident. People need to follow conservation plan. There is much information on the town website. People can hand water and wash cars. Night time automatic irrigation systems are not allowed and put demand on the system. ► Ms. Pfeffer stated she has had many calls about water. She expressed concern about the number of new apartments coming in town and if the town had enough water. She noted that before the first day of summer the town was at 4.2 million gallons of water per day, and asked if they were sure there was not a leak somewhere. ► Mr. Cantoreggi stated there is enough water, but they are concerned about the system keeping up with demand. It is the outdoor watering; the apartments will not really affect the delivery. There are no leaks. He noted the regulations are only for the Town of Franklin water system use; a person with a private well can water as much as they want. If people follow the plan, everything will be fine. ► Mr. Nutting stated the Fourth of July celebration schedule has changed; it will not start until Thursday. ► Paving Downtown is supposed to take place next Tuesday and Wednesday evenings, weather permitting; traffic is supposed to change around mid-July. ► The Rockland Trust YMCA Waterpark dedication was held; the bank donated the money to build the water park. ► He wished everyone a great Fourth of July.

FUTURE AGENDA ITEMS: ► In response to a question, Mr. Nutting stated the Charter review is scheduled for the July 13 meeting.

COUNCIL COMMENTS: ► Ms. Pellegrini asked about the siding on the museum and for an update on the train accident. ► Mr. Nutting stated they will finish what they started on the museum, but will not do the other side or the front this year. He had no update on the train accident. ► Mr. Padula wished his son

Daniel a Happy Birthday. ► Mr. Vallee stated the building being constructed on the corner of Emmons Street and West Central Street is not what he envisioned. It is overbearing and he wished he had gotten more involved. ► Mr. Jones asked about the corner, the statue and the easement on that property. ► Mr. Nutting stated the town is doing the statue; all the rest is being done by the developer. ► Ms. Pellegrini stated the statue is currently being sculpted. ► Mr. Dellorco asked when the statue would be done. ► Mr. Bissanti noted he attended Flag Day at the Town Common with the Elks. He congratulated Frank Liotta for being named Elk of the Year for Massachusetts. ► Ms. Pfeffer suggested getting badges for each of the three elected town constables. ► Mr. Cerel stated most of what a constable does is private business between private parties and enforcement. They are not acting as agents of the Town of Franklin when they are serving process unless it is actually town business. ► Mr. Nutting stated they should buy their own badges. ► Mr. Nutting thanked the DPW mechanics as they came up with the design and have been making the brackets for the flags. ► Chairman Kelly gave condolences to the family of Cory Webb.

EXECUTIVE SESSION: *None.*

ADJOURN: MOTION to Adjourn by Mercer. SECOND by Dellorco. VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 8:47 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary