

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
October 16, 2019**

A meeting of the Town Council was held on Wednesday, October 16, 2019, at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Patrick Casey, Robert Dellorco, Eamon McCarthy Earls, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegri. 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: ► Mr. Brutus Cantoreggi, Director of Public Works, gave condolences for the passing of John Paul MacNeil, longtime staff member of the DPW and a wonderful person. He reviewed the wake and funeral information. ► Ms. Debra Martin, Veterans' Services Office, stated the annual Veterans Day Luncheon will be held on Monday, November 11, 2019, at 11:00 AM at the Elk's Lodge on Pond Street. Registration can be made at the Senior Center or by calling the Senior Center. All are welcome to attend.

APPROVAL OF MINUTES: None.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: None.

HEARINGS: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: None.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► Nothing to report.
- b. **Budget Subcommittee.** ► Chairman Mercer stated the subcommittee met last night. He noted that Mr. Padula is running late to tonight's meeting; when he arrives, he will provide an update.
- c. **Economic Development Subcommittee.** ► Mr. Kelly stated a meeting is scheduled for October 23, 2019 at 6:00 PM.

LEGISLATION FOR ACTION:

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

► Mr. Hellen stated that as the Town Council is waiting for Mr. Padula arrive, they could begin with item F.

- f. Resolution 19-72: Gift Acceptance - Franklin Veterans' Services, \$10,000.00 (Motion to Approve Resolution 19-72 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-72: Gift Acceptance - Franklin Veterans' Services, \$10,000.00 by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated this is the gift made at the October 2, 2019 Town Council presentation for the donations of the bricks on the walkway. ► **VOTE: Yes-8, No-0, Absent-1.**
- g. Resolution 19-73: Gift Acceptance - Franklin Veterans' Services, \$1,000.00 (Motion to Approve Resolution 19-73 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-73: Gift Acceptance - Franklin Veterans' Services, \$1,000.00 by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated this is another generous donation from the Bravoco family. He thanked them for their generosity to the Town. ► **VOTE: Yes-8, No-0, Absent-1.**
- h. Resolution 19-74: Gift Acceptance - Franklin Fire Department, \$100 (Motion to Approve Resolution 19-74 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-74: Gift Acceptance - Franklin Fire Department, \$100 by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen thanked Joan Boyd for her generous donation. ► Ms. Pellegrini asked the Fire Chief if the people making the donations are notified as to what their donations are being used for. ► Fire Chief McLaughlin stated not at this time, but it is an item that could be further discussed. ► **VOTE: Yes-8, No-0, Absent-1.**
- i. Bylaw Amendment 19-845: Downtown Parking Map - Second Reading (Motion to Adopt Bylaw Amendment 19-845: Downtown Parking Map - Majority Roll Call Vote (5)).* ► Mr. Jones read the bylaw amendment. ► **MOTION to Adopt** Bylaw Amendment 19-845: Downtown Parking Map by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated this is the second reading of a bylaw the Town Council approved about one month ago based on a suggestion from a citizen. He reviewed the proposed Downtown Parking District changes to add dedicated handicap spaces, and he discussed a few items that will be cleaned up on the map. ► Town Council members asked questions about the proposed changes. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Earls-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES. ► **VOTE: Yes-8, No-0, Absent-1.**
- a. Resolution 19-67: DPW - Public Way Improvements (Motion to Approve Resolution 19-67 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-67: DPW - Public Way Improvements, to appropriate \$600,000, by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated usually each year they dedicate the revenue generated from the Hotel and Motel Tax to roads and public way infrastructure. He stated this brings the total fiscal year allocation of \$1 million spent on roads and public way infrastructure improvements. ► Ms. Pellegrini stated she is glad to see this allocation going to roads. ► Town Council members asked questions. ► Mr. Hellen discussed that the State legislature is considering a variety of proposals on transportation; the hope is they will continue to allocate more money through the Chapter 90 program. ► **VOTE: Yes-8, No-0, Absent-1.**
- b. Resolution 19-68: Open Space Acquisition Stabilization Fund (Motion to Approve Resolution 19-68 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-68: Open Space Acquisition Stabilization Fund, to raise and appropriate and transfer \$900,000, by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated this is a one-time transfer of funds into this account. He discussed the new growth revenue and suggested putting away this money for when a piece of open space becomes available to the town. He noted the town cannot count on this revenue to be sustainable for the long term. He stated the people in the community have said that open space is a priority. Currently, the Open Space Stabilization Fund is at \$1.12 million. ► Town Council members asked questions. ► Mr. Kelly noted he loves funding this, but he is not sure if putting the money in this account is the best idea as there may be budget shortfalls in the future. ► Mr. Hellen stated that once the money is put into this account, it may not be removed and used for another purpose. He explained the

Town has a General Stabilization Fund of \$6 million. He noted that at this time, there has been no new information about possible land to purchase; however, that could change at any time. Mr. Hellen agreed that he will provide the FinCom vote information in future Town Council members' packets. ► Mr. Earls asked if a dual-use account could be created. ► Mr. Hellen stated he does not know; possibly, the Town Attorney may know. ► Chairman Mercer stated he has had many discussions with Mr. Hellen about this; he agrees with Mr. Hellen's explanation about why this is the right decision. ► **VOTE: Yes-8, No-0, Absent-1.**

- d. ***Resolution 19-70: Authorization for Intermunicipal Agreement with County of Norfolk for County of Norfolk to Provide Veterans' Services to Franklin (Motion to Approve Resolution 19-70 - Majority Vote (5)).*** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-70: Authorization for Intermunicipal Agreement with County of Norfolk for County of Norfolk to Provide Veterans' Services to Franklin by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated the contract of Dale Kurtz, Veterans' Services Officer, expires at the end of the year; a new agreement through 2023 was reached with the County. The additional financial request is to make Veterans' Assistant Debra Martin a part-time 19 hour a week permanent employed position as part of the district. He noted that Ms. Martin has been working off grant funds which expire at the end of the year. Since Ms. Martin has been working, the veterans' money that comes into the Town of Franklin has increased significantly; she has been an asset to the community. ► **VOTE: Yes-8, No-0, Absent-1.**
- e. ***Resolution 19-71: Further Amending the Senior Citizen Property Tax Work-Off Abatement Program (Motion to Approve Resolution 19-71 - Majority Vote (5)).*** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-71: Further Amending the Senior Citizen Property Tax Work-Off Abatement Program by **Hamblen. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen recommended an increase to \$1,200 for the Senior Citizen Property Tax Work-Off Abatement Program and to add five more slots. He stated this is a very popular program. ► Mr. Kelly and Mr. Dellorco stated \$1,200 is still not enough. They stated this is a great program. We need to continue to help our seniors. ► Ms. Hamblen noted this just brings the wage up to minimum wage. ► Ms. Karen Alves, Senior Center Director, reviewed the program, the current proposed wage, and where the seniors work within the town. She noted that currently there are 95 slots and they are all filled. She reviewed the age and other requirements for the program; it is not based on income. ► Mr. Jones stated this is a great program; it is of tremendous value to the town. ► Chairman Mercer stated that as participation continues, he hopes the town administrator will come back to the Town Council to request additional spots. ► **VOTE: Yes-8, No-0, Absent-1.**
- c. ***Resolution 19-69: Request for FY20 Supplemental Appropriations (Motion to Approve Resolution 19-69 - Majority Vote (5)).*** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-69: Request for FY20 Supplemental Appropriations by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen reviewed each item from his memo of October 10, 2019, to the Budget Subcommittee and Town Council, regarding closing out the FY20 budget. He explained that the Town budget is approved in May, with many assumptions being made as the final State aid numbers are not known as the State budget process does not get done until the summer. Sometimes the news is not good in October; each year is different based on the State budget and new growth revenue. He thanked the legislative delegation for their hard-fought victories for the additional State aid money. He reviewed the additional local receipts revenue and additional dollars in new growth. He stated that in total, the Town has \$1,471,300 in additional revenue for the FY20 budget. ► Town Council members asked questions. ► Mr. Hellen discussed the Charter School reimbursement. He noted the House and Senate had different proposals for bills when the Town Council approved the budget in May. He stated they will continue to use those

assumptions for FY21 and that it would be sustainable. He noted the State has a separate line item in their budget for the Charter Schools. In response to questions, Mr. Hellen confirmed the proposed Facilities Deputy Director position will be a permanent position. He stated the reality is that the demand for facilities projects is too high and cannot be completed with the current staffing levels for 1.3 million square feet of space. He would like to get the best candidate to augment Mr. D'Angelo's strengths. ► Mr. Dellorco stated he did not agree. He stated more workers should be hired. He does not think Mr. D'Angelo does his job correctly. ► Mr. Earls expressed concern about this budget item and concurred with Mr. Dellorco that he would like to see more facilities workers hired versus a new director with a high salary. Either Mr. D'Angelo can do the job or someone else should be found to do it. He also expressed concern about the marketing specialist position and asked if it was just to sell the public on an override. ► Mr. Hellen stated that is illegal and that is not at all the point of this position. ► Ms. Pellegri stated that being on the Budget Subcommittee there were many questions being asked last night. She questioned if this money is not spent, can something else be done with it. She asked if the items could be voted on individually. She stated that she did not see any of these items listed at budget time. ► Mr. Hellen stated the money could go into Free Cash. He stated the proposals he indicated are important initiatives. He stated that some of the items in his memo are adjustments that have been seen over the last few months. Because they did not have the revenue projections at budget time, some of these items were not put on the table. He noted his predecessor was leaving right at budget time.

► **MOTION to Amend the Procedure** for Resolution 19-69: Request for FY20 Supplemental Appropriations, to vote on each item separately, by **Pellegri. SECOND** by **Dellorco. Discussion:** ► Mr. Cerel stated it was just a procedural issue as to how the items will be voted on. ► Chairman Mercer read aloud the Request for FY20 Supplemental Appropriations. He confirmed that Town Council members did not have any issues with the Council on Aging Personal Services, Veterans' Services Personal Services, Veterans' Services Expenses, Fire Personal Services, and Legal Services items. Town Council members expressed issues with the Franklin Public Schools, Board of Assessors Personal Services, Town Administrator Personal Services, and Facilities Personal Services items. He requested discussion begin regarding the School Department item for \$156,000. ► Superintendent of Schools Sara Ahern, School Business Administrator Miriam Goodman and School Committee Chair Anne Bergen, addressed the Town Council. ► Ms. Ahern stated the amount requested includes \$27,000 for the marketing position to be shared with the Town Administrator and \$129,000 which is related to three items. The first component is \$50,000 to support the Davis Thayer Closing Study. She explained the benefits of an expert analysis as it will extend to all of Franklin for enrollment projections. Closing a school is a huge decision for the School Committee and the community. They are in the process of getting quotes from people in the field. The second component of the \$129,000 is \$54,000 to restore school-based supplies. Many supplies go directly to children and include pencils, pencils, markers, and some subscriptions to items. The third component is \$25,000 to restore funds to support professional development to support the teachers in the classroom. ► Mr. Kelly asked if the \$50,000 has anything in it for a re-districting plan. He asked if the study did not cost \$50,000, what would they do with the remaining money. ► Ms. Ahern said it would set the stage for re-districting, but it would fall short of planning out a re-districting. She confirmed that if re-districting were needed, it would probably require hiring another consultant. She confirmed the \$50,000 is an estimate that was determined internally based on conversations with other communities; they have not hired anyone yet. She stated that if the study did not cost \$50,000, she would work with the School Committee to determine how to spend the remaining money. The money would stay with the School Department and probably be put in the schools' revolving account. ► Mr. Kelly asked, in regard to the \$54,000 request, if there was an inventory tracking system for school supplies. ► Ms. Ahern said for big items there is an inventory. But, not for all supplies. She said there was inconsistency among the schools as to what parents and the schools were providing for supplies. There are concerns about equity. She answered questions regarding the Professional Development days that are

already scheduled. She stated there is a need to have Davis Thayer looked at with a closing study done by experts to help guide them in making a decision.

Mr. Padula entered the meeting.

- ▶ Mr. Padula discussed that when the final budget was made, concessions were made. He explained that the School Department is now back requesting a little more as there is a little extra room in the budget. He noted the school budget is \$66 million. ▶ Dr. Bergen stated that even making the vote to conduct a study about Davis Thayer closing was emotional and difficult; it is a short-term investment and they want to make sure they are doing it right and have an objective viewpoint. She discussed the requested professional development and school supply funds. ▶ Ms. Pellegrini said the Town should never sell the Davis Thayer School. It should be leased or used for something else. She asked what the schools would be marketing with the marketing and communications specialist. ▶ Ms. Ahern said one of her big pushes is to share all of the positive things happening in the Franklin public schools and to get the word out about the achievements of the students and professional accolades of the staff. They are in a competitive educational environment. It should not be taken for granted. ▶ Ms. Pellegrini asked why the marketing person was already in that position if the Town Council is voting on it now. ▶ Mr. Hellen stated that during the transition when he was taking over for Jeff Nutting, he put in the budget his own assumptions of where he thought the Town Administrator's office would be structured. He rethought the model when the candidates for the administrative assistant position came through. He stated they already have the money in the budget, but the most important thing for him was to make sure the community, the Town Council, and everybody knew that this was happening in the FY20 budget. The candidate that ended up getting the position was so good and it was such a great partnership that this was his decision and he thought it was the most advantageous thing to do. ▶ Ms. Ahern stated the money to pay the person is coming from their salary line. They want to be fully transparent because it was not part of the budget development process in the spring. ▶ Mr. Hellen stated the town is a \$130 million business. They put out the best predictions, but things can change. He wanted to make sure this is a priority the community knew about. ▶ Ms. Pellegrini stated Mr. Bryan Taberner, Director of Planning and Community Development, does a wonderful job with marketing. She does not know how much we have to market the town as people come from all over to Franklin. She stated she thinks the school staff is qualified to move 212 students from Davis Thayer, so she cannot go along with hiring a specialist to do this. ▶ Mr. Padula stated usually the Town Council would want to have a study done like this so they would not have to make such a political decision. However, he is questioning why they are spending the money on the study. He stated that using Facebook is a way to reach everyone. ▶ Mr. Jones stated he has passion for the Davis Thayer School. However, the request for \$50,000 for the analysis without having a real price is an issue. He would like to see a real number, not an estimate. He would like some assurance that any remaining balance would go toward any re-districting consultant fees. He is not sure how he feels about the school-based supplies. He agrees vaping has become an issue, but without having a definitive idea about where the \$25,000 for professional development is going, he cannot support this. He does not have a problem with the marketing and communication specialist position. ▶ Ms. Ahern stated that in regard to the professional development request, they wanted to bring in a consultant to look at cultural and diverse instruction to meet the needs of all children. ▶ Ms. Bergen stated that if you have faith in Ms. Ahern, these are the items she needs. ▶ Mr. Dellorco agreed with Mr. Jones that if the \$50,000 is provided but not all used, the remainder should be put toward the re-districting. He is confused about the marketing person. When was the person hired and with what money? ▶ Mr. Hellen stated the person was hired for the full-time position in August. He explained that not all things can be predicted. This is why the town invests in a town and school administration. He stated he felt confident they would be able to fund the position and continue the position in the future. ▶ Ms. Ahern explained the hiring came from the salary line item. ▶ Chairman Mercer stated the Davis Thayer study is short dollars to get a

professional analysis; part of the study will tell us the needs of the building. He explained that if the building is not considered surplus, it will remain in the control of the school department. He agreed with Mr. Jones in putting any money that is not expended on the Davis Thayer study toward the re-districting process. He stated he believes the town needs the marketing and consulting position. He is not sure he is in favor of how it was done, but he supports adding the position. He noted this is the last meeting of this Town Council. ► Mr. Padula stated it is important for the Town Council to ask questions. He stated the Budget Subcommittee voted 3:1 to approve. ► Mr. Hellen stated the FinCom gave unanimous approval of all items. ► Chairman Mercer confirmed no Town Council member wanted to change this line item. ► **Motion to Change** the line item by \$50,000 by **Pellegrini. No Second Provided.** ► Chairman Mercer stated they would now discuss the Board of Assessors Personal Services for \$60,000. ► Ms. Pellegrini stated that in the budget process an assessor was not originally requested and then taken out. So, why is it being added in now? ► Mr. Hellen stated he is not sure his predecessor and he agreed on this. This is an opportunity to get at a staffing level of similar towns. This job will easily pay for itself. ► Chairman Mercer stated they already discussed the Town Administrator Personal Services for \$23,000. He requested to discuss the Facilities Personal Services for \$110,000. ► Ms. Pellegrini stated four positions are being added to the budget, but we are already talking about how tight the budget is for next year. Then, we are going to have to carry these four positions over to that budget. How can we talk overrides when we are adding all these positions? ► Mr. Dellorco stated he agrees with Ms. Pellegrini. He cannot agree with this position. If the current person cannot do the job, then find someone who can. ► Mr. Padula stated that as the Town Administrator is recommending this, he is in favor of it. ► **MOTION to Amend** Resolution 19-69: Request for FY20 Supplemental Appropriations to eliminate the \$110,000 for Facilities Personal Services for a Deputy Director for School and Municipal Facilities by **Earls. SECOND** by **Dellorco. No Discussion.** ► **VOTE: Yes-5, No-4, Absent-0.** ► Mr. Hellen recommended the Town Council put the \$110,000 into roads to make sure they continue to have a balanced budget. ► **MOTION to Amend** Resolution 19-69: Request for FY20 Supplemental Appropriations to take the eliminated \$110,000 for Facilities Personal Services for a Deputy Director for School and Municipal Facilities and put it into the DPW Expenses Account 01440200 earmarked for Roads by **Kelly. SECOND** by **Padula. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** Resolution 19-69: Request for FY20 Supplemental Appropriations, As Amended, by **Padula. SECOND** by **Dellorco. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen gave condolences to the family of John Paul MacNeil. ► He discussed the article that appeared in the Boston Globe regarding the turf field. As he was advised by the Town Attorney, he will not be making additional public statements on this issue after he makes the following statement. He discussed the nature of the request and the allegations in the article, especially regarding water quality and the public drinking water supply. He stated the public water drinking supplies are heavily regulated by federal and state government. The towns and cities across the state do not have a lot of leeway with testing, construction of wells, and treatment plants. He stated the community has always followed the rules and regulations of the DEP regarding the water supply. We have excellent water and water quality and this is documented annually in the water quality report. He discussed the rebuilding of Wells #3 and #6 and the new water treatment plant. He noted that some comments that he has seen on Facebook regarding the water supply have gotten dangerous in terms of the assumptions and ideas that are being put out as they are very incorrect. He has evidence from test results that there are no PFAS chemicals in the drinking water as potentially alleged in the Boston Globe story. He assured citizens that mandatory testing is done as mandated by state and federal government. Once they have worked with DEP on the formal complaint that was filed by a third party, they will comply with any remediation that the Town may be asked to do. ► Mr. Hellen stated the Town is participating in an economic profile study from a grant which will show what is in the Town already and what is the future ambition for the Town. He encouraged citizens to

attend the meeting on October 22, 2019, from 6:00-8:30 PM. ► He announced Beaver Street will be closed October 25 through October 27, 2019 due to work being done on the train tracks.

FUTURE AGENDA ITEMS: None.

COUNCIL COMMENTS: ► Chairman Mercer stated two members of the current Town Council are not running for re-election. They have given a lot of their time and effort to the Town Council and they will be missed. ► Mr. Kelly read a proclamation for Mr. Casey thanking him for his service on the Town Council. ► Mr. Casey thanked everyone for their support. ► Chairman Mercer read a proclamation for Mr. Padula thanking him for his service on the Town Council. ► Ms. Hamblen wished her parents a happy 69th wedding anniversary. She wished Mr. Padula a happy birthday. She thanked the Franklin community for having her serve them for the past two years. ► Mr. Dellorco thanked Mr. Hellen for his explanation on the water concern. He thanked Mr. Casey and Mr. Padula for their service to the Town Council. ► Mr. Earls thanked Chris White for resolving some of the challenges at the electronics bin at the transfer station. He commended Mr. Casey and Mr. Padula for their tremendous service to the town. ► Ms. Pellegrini stated John Paul MacNeil will be sadly missed; she gave condolences to his family. She gave condolences to the family of Eleanor Mele; she stated Ms. Mele was a great woman. She stated it has been a pleasure to work with the Town Council members. She hopes they will all have a chance to work together again. ► Mr. Padula stated this was a great group of people to work with. He wished them all luck in the upcoming election. He stated the town administration is second to none. It has been his privilege to represent the citizens of Franklin for the past six years. ► Mr. Jones thanked Mr. Padula and Mr. Casey for their years of service to the Town Council. He reminded the citizens of the upcoming election on November 5, 2019. He gave condolences to the family of John Paul MacNeil. He thanked the staff and administration for making this such a great community. ► Mr. Kelly thanked Mr. Hellen for his explanation about the turf. He gave condolences to the MacNeil family. He thanked everyone who came out for the Harvest Festival. He thanked Mr. Casey and Mr. Padula for their service. He wished his fellow Town Council members best of luck. He reviewed some of the past work the Town Council has done for the citizens. He stated he appreciates the opportunity to serve the Town. ► Chairman Mercer gave condolences to the MacNeil family and said Mr. MacNeil will be missed. He gave condolences to the Mele family. He stated the Harvest Festival was a tremendous success. He thanked the Downtown Partnership and all the people involved in putting the event together. He thanked Mr. Casey and Mr. Padula for their service on the Town Council. He wished all his fellow councilors good luck in the upcoming election.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Padula. SECOND by Kelly. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 10:20 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary