

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
September 18, 2019**

A meeting of the Town Council was held on Wednesday, September 18, 2019, at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Robert Dellorco, Eamon McCarthy Earls, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegri. Councilors absent: Patrick Casey. 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 led by attending boy scouts.

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: ► Ms. Teresa Burr, Town Clerk, reminded everyone about the bi-annual town election to be held on November 5, 2019, at Franklin High School from 6:00 AM to 8:00 PM. There are 32 final candidates for 27 positions. The last date to register to vote is October 16, 2019; the Town Clerk's office will be open until 8:00 PM. This information is available on the town website.

APPROVAL OF MINUTES: ► *September 4, 2019.* ► **MOTION to Approve** the September 4, 2019 meeting minutes by Kelly. **SECOND** by Dellorco. **No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

PROCLAMATIONS/RECOGNITIONS: ► *Franklin Police Department Retirement: Daniel McGlynn.* ► *Franklin Police Department Promotion: Nick Palmieri.* ► *Franklin Police Department New Hires: John Godino and David Ricci.* ► Police Chief Thomas Lynch introduced new police department officers John Godino and David Ricci and reviewed their backgrounds and experience. ► Town Clerk Teresa Burr performed the swearing in. ► Police Chief Thomas Lynch provided information about the police department's promotion of Detective Nick Palmieri and reviewed his background and experience. ► Town Clerk Teresa Burr performed the swearing in. ► Police Chief Thomas Lynch introduced police department retiree Daniel McGlynn and reviewed his background and experience; he thanked Mr. McGlynn for his 27 years of dedicated service. He presented Mr. McGlynn with a plaque and read the inscription offering the department's and town's appreciation of Mr. McGlynn's service to the Town of Franklin. ► Mr. McGlynn thanked everyone for their support.

► *Franklin Fire Department EMS Lieutenant: William Blanchard.* ► Fire Chief James McLaughlin introduced EMS Lieutenant William Blanchard and reviewed his background and experience. ► Town Clerk Teresa Burr performed the swearing in.

Chairman Mercer declared a two-minute recess.

APPOINTMENTS: None.

HEARINGS: ► *Zoning Bylaw Amendment 19-837: Zoning Map Changes from General Residential V to Single Family Residential IV an Area on or Near West Central Street Public Hearing 7:10 PM.*

► Chairman Mercer stated this is a continued hearing because there was pending litigation on this item. He

stated the hearing was never properly closed. Members of the public may speak as the public hearing is still open; then, the hearing will be closed. ► Ms. Mary Olsson, 149 West Central Street, requested clarification on the area of West Central Street being discussed. ► Mr. Kelly stated 278-300 West Central Street. ► Mr. Joel D'Errico, 72 Deer View Way, provided a color locus map indicating the various uses in the area. He reviewed the current zoning uses by color category. ► Mr. Edward Cannon, attorney, on behalf of 290 Beaver Street LLC, more commonly known as the facility where Panera Bread facility does their trucking, stated his client opposes the two proposed developments in this area of West Central Street. It is not that his clients oppose development; they would like to see responsible development. He stated they urged the Town Council to support the requested bylaw change which would support responsible development in this area. He stated that what had been proposed under the existing bylaw is extremely dense development in a tight and dense area near a dangerous intersection. Twice the Planning Board heard arguments about developments in this area and twice the Planning Board denied the developments. It is not the right type of development for that location. He urged the Town Council to review the Planning Board's public hearings, support responsible development, and support this bylaw amendment. ► **MOTION to Close** the public hearing for Zoning Bylaw Amendment 19-837: Zoning Map Changes from General Residential V to Single Family Residential IV an Area on or Near West Central Street by **Kelly. SECOND** by **Jones. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► *Historical Museum Presentation.* ► Mr. Hellen stated Ms. Pellegrini requested this presentation by the new town archivist, Rebecca Finnigan. He provided background on Franklin's Historical Museum and said they hired Ms. Finnigan to help organize and sort the materials at the museum. He stated the Town Council members received a draft Franklin Historical Museum Policies and Procedures Collections Manual. As it is in draft form, this is a good time to provide feedback. ► Ms. Finnigan reviewed her background and experience. She provided a slideshow about the Franklin Historical Museum. She discussed how she started the inventory process and made a list of all items in the museum basement. She created the draft policies and procedures manual and templates to be completed for donated items. She began creating collections in four categories: library, archives, photos, and collection materials. She discussed the importance of museum collections and preservation efforts. She reviewed her future plans to continue the organization and cataloguing process for the museum including a social media presence. ► Town Council members thanked Ms. Finnigan for her dedicated work and effort. The museum has many wonderful things to offer to the community.

► ***DPW Presentation – Tree Removal Update and Clothing Recycling Program.*** ► Mr. Brutus Cantoreggi, Director of Public Works, and Mr. Chris White, Solid Waste Coordinator, addressed the Town Council. Mr. Cantoreggi stated Mr. White has been instrumental in recycling and solid waste initiatives. He noted the annual trash pickup fee used to be approximately \$400. It is much lower now due to the work that Mr. White has done. He stated Mr. White also improved the recycling center. He reviewed some of the new recycling programs added for the convenience of the residents such as mattress disposal. Along with a slideshow, he discussed the new textile recycling program. The town will save money as textiles will be removed from the waste stream. The program will start in mid-November. Residents will receive a pink bag for clothing. A Simple Recycling truck will pick up the bags weekly on residents' trash collection day. Residents can request more bags, if needed. He reviewed the life cycle of secondhand clothing and some of the items accepted in the new pink bag recycling program. He thinks residents will like this new program. ► Town Council members asked questions and discussed the benefits of this program for the town. ► Mr. White confirmed this program should help to reduce waste tonnage. ► Ms. Pellegrini discussed her concerns about the program and stated there are already many organizations that will come to a home to pick up clothing and other materials free of charge. These non-profit organizations will in turn sell the materials and make money for

different organizations. The Simple Recycling organization is not non-profit and they will make money on the items they pick up while taking away from these other stores. ► Mr. White explained there are many clothes and textiles that go into the trash every week. ► Mr. Cantoreggi stated he agreed with Ms. Pellegrini, but he noted the people who bring items to Good Will or Savers will most likely continue to do so. This program will help the people who would never bring items to such non-profit places. This program will help to keep these items out of the trash and into a recycling program. This is just another option for people who might not recycle these types of items otherwise and remove these items from the waste stream. ► Ms. Pellegrini stated she wants the public to know this new company is not a non-profit and they will make money on it. ► Mr. Cantoreggi reiterated this weekly program is a way to reduce waste tonnage and improve recycling efforts; it is the green thing to do. ► Town Council members stated their appreciation for giving citizens options regarding ways to help recycle materials and remove them from the waste stream. They stated they hope this will not hurt the local thrift stores.

► Mr. Brutus Cantoreggi, Tree Warden, provided a slideshow presentation and gave a tree warden update. He stated that recently there has been a significant number of trees fail. The Tree Warden is under M.G.L. Chapter 87. He discussed tree growth in Franklin and noted that Massachusetts has more tree growth now than in the mid-1880s. He reviewed the qualifications and duties of the tree warden and stated it is an appointed position as part of being the public works director. He reviewed his background and training as tree warden. He reviewed specifics including the drought of a few years ago, gypsy moth, ash borer, salt used in the winter, utility work done on roads, vehicle strikes, and the Asian longhorned beetle that are hurting, damaging, and killing Franklin's trees. He noted that as tree warden his protection of trees extends only to the public right of way. He explained that private utilities are responsible for utility maintenance and the associated trees are not the responsibility of the town. If there is a dead branch over the lines, citizens need to call National Grid. He has started a hazard tree inventory and is working on public education and outreach such as with Facebook posts. They look at specialty tree removal services on the state bid list to take down large trees. Those companies have specialized equipment and can take down numerous trees in one day. He stated that as the tree warden he cannot tell a person to take down a tree on private property. He can, however, send a certified letter to a private resident indicating the town has identified a tree that is on their private property that might fall on town public right of way property. If a private property tree falls over onto a public right of way, the town does not clean it up; they push the tree back onto the private property as his job is to keep the roads open. He reviewed the tree replanting program. ► Town Council members asked questions. ► Mr. Kelly stated he disagreed with the practice of pushing a private property tree that has fallen into a public right of way back onto the private property. He also feels that the tree warden is too strict and could be more neighborly to residents. ► Mr. Cantoreggi explained a public way is not just the road. Often, in subdivisions built after the 1960s, the public right of way is about one foot behind the sidewalk. For older streets, it is often the stone wall that marks the private property. People can have their property surveyed if they dispute the determination of private property. ► Mr. Hellen encouraged residents to call the DPW if they have any questions about trees as every situation is unique. ► Chairman Mercer thanked Mr. Cantoreggi for his presentation.

SUBCOMMITTEE REPORTS:

► Chairman Mercer stated there have been no subcommittee meetings since the last Town Council meeting.

- a. Capital Budget Subcommittee.*
- b. Budget Subcommittee.*
- c. Economic Development Subcommittee.*

LEGISLATION FOR ACTION:

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

- a. Resolution 19-63: Appropriation Cable Funds in Support of PEG Service and Programming per M.G.L Ch.44, §53F3/4 (Motion to Approve Resolution 19-63: Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-63: Appropriation Cable Funds in Support of PEG Service and Programming per M.G.L Ch.44, §53F3/4 by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated this is the quarterly vote required by the Department of Revenue to appropriate these funds to the local cable access TV station. ► **VOTE: Yes-8, No-0, Absent-1.**
- b. Bylaw Amendment 19-845: Chapter 170, Vehicles and Traffic - 1st Reading (Motion to Move Bylaw Amendment 19-845 to a Second Reading - Majority Vote (5)).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 19-845: Chapter 170, Vehicles and Traffic to a 2nd Reading by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated the suggestion for this bylaw amendment came 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. ► **VOTE: Yes-8, No-0, Absent-1.**

TOWN ADMINISTRATOR'S REPORT: None.

FUTURE AGENDA ITEMS: ► Mr. Jones asked for a report on 300 Fisher Street. ► Mr. Kelly requested an update on the Rt. 140 situation between Garelick Farms and Franklin Village Mall regarding paving. ► Mr. Hellen stated the anticipated date he received from MassDOT was at the end of the month. ► Chairman Mercer suggested they let townspeople know this is a state project, not a town project.

COUNCIL COMMENTS: ► Mr. Earls stated he is glad the library issue is solved and the doors lock now. ► Ms. Pellegri expressed concern about the flags that were not lowered to half-staff on September 11th. The Town should be smart enough to lower the flags at all buildings. She questioned what is happening with the old museum as a consultant was hired to review this. ► Mr. Hellen stated they are currently in the contract stage of hiring the company; they hope to have it done by the end of the year. ► Ms. Pellegri expressed concern that the School Committee voted to hire a consultant regarding the possibility of closing the Davis Thayer School due to the number of students. She and many people are concerned about hiring a consultant when the town is trying to watch their pennies. She thinks there are people in town with knowledge and such a study can be done in-house. She stated the town is trying to save money so an override is not needed. She asked where we are getting the money for consultants since the budget was so tight, and she questioned why it is supposed to take multiple years to decide if the school has to be closed. Looking at the numbers alone makes it clear what has to happen. She agrees with the residents that it is ridiculous to be spending the money. ► Chairman Mercer said this is not a debate for the Town Council; it is 100 percent a School Committee decision. He said that at some point they will probably come before the Town Council to provide an update. ► Mr. Padula stated the Tree Warden provided a great presentation. ► Ms. Hamblen stated that on Friday, September 20, Ryan Jette and his band will play at Dancing on Dean, a free summer concert series, at 6:00 PM at the Dean Bank. She stated the Downtown Partnership's Harvest Festival will be held on October 6, from 12:00 PM to 5:00 PM. ► Mr. Dellorco expressed concern about the flags not being at half-staff on September 11th. He stated he agrees with Ms. Pellegri regarding the Davis Thayer School. ► Mr. Kelly stated his displeasure with the wall put up by the developer at the Dean Avenue apartments. The developer should be ashamed for what he has done. It should have been a double-faced wall. He hopes the Planning Board is listening and they will reach out to the developer and that the developer has to fix it. ► Chairman Mercer stated he agreed with Mr. Kelly's comments about the wall. He thanked Mr. Cantoreggi and Ms. Finnigan for their great presentations.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Jones. SECOND by Kelly. No Discussion. ► VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 9:00 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary