

FRANKLIN TOWN COUNCIL

Agenda & Meeting Packet

January 8, 2020

Municipal Building
Council Chambers
355 East Central Street
2nd Floor
7:00 PM

1. ANNOUNCEMENTS

- a. *This meeting is being recorded by Franklin TV and shown on Comcast channel 11 and Verizon Channel 29. This meeting may be recorded by others.*

2. CITIZEN COMMENTS

- a. *Citizens are welcome to express their views for up to five minutes on a matter that is not on the agenda. The Council will not engage in a dialogue or comment on a matter raised during Citizen Comments. The Town Council will give remarks appropriate consideration and may ask the Town Administrator to review the matter.*

3. APPROVAL OF MINUTES

- a. December 4, 2019
- b. December 11, 2019

4. PROCLAMATIONS/RECOGNITIONS - *None Scheduled*

5. APPOINTMENTS - *None Scheduled*

6. HEARINGS - *None Scheduled*

7. LICENSE TRANSACTIONS - 7:10 PM

- a. Franklin Brewing Company, LLC d/b/a 67 Degrees, New Farmer Series Pouring Permit for a Farmer-Brewery, located at 158 Grove Street

8. PRESENTATIONS/DISCUSSIONS

- a. Town Council 2020-2021 Legislative Session Goals

9. SUBCOMMITTEE REPORTS

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

10. LEGISLATION FOR ACTION

- a. Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition - First Reading **(Motion to Move Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition, to a Second Reading - Majority Vote)**
- b. Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal - First Reading **(Motion to Move Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal, to a Second Reading - Majority Vote)**

- c. Bylaw 19-846: Chapter 153, Stormwater Management - Second Reading (**Motion to Adopt Bylaw Amendment 19-846: Chapter 153, Stormwater Management - Majority Roll Call Vote**)
- d. Resolution 20-01: Gift Acceptance - Franklin Police Department, \$2,675 (**Motion to Approve Resolution 20-01 - Majority Vote**)
- e. Resolution 20-02: Gift Acceptance - Franklin Council on Aging, \$1,500 (**Motion to Approve Resolution 20-02 - Majority Vote**)

11. TOWN ADMINISTRATOR'S REPORT

12. FUTURE AGENDA ITEMS

13. COUNCIL COMMENTS

14. EXECUTIVE SESSION - *None Scheduled*

15. ADJOURN

Note:

Two-Thirds Vote: requires 6 votes

Majority Vote: requires majority of members present and voting

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
December 4, 2019**

A meeting of the Town Council was held on Wednesday, December 4, 2019, at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Eamon McCarthy Earls, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegrini. Councilors absent: Matthew Kelly. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney.

ANNOUNCEMENTS: ► Chair 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. Harry Cochran and Ms. Barbara Cochran, 30 Spring Street, addressed the Town Council. Mr. Cochran stated the last 900 ft. of Spring Street is dirt. After 47 years, they are still trying to get pavement on the last quarter mile of the street. Two solar farms comprising 10 acres and 28 acres are being built near his property. The hillside near his property is going to be gravel which will washout after each rain. There are dead trees on Town property and the DPW said they cannot cut them. The trees are bad and someone is going to get hurt. He stated the solar developers are also installing a 16-space parking lot off the portion of Spring Street that is not finished so people can hike the trails in the forest. He asked who is going to police that area. ► Ms. Cochran said she thinks the solar developers should be liable for finishing the street because if there was a house being built there, the developer would be liable to fix the street.

APPROVAL OF MINUTES: None.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: None.

HEARINGS: *Franklin Tax Classification Hearing.* ► Chair Mercer declared the Tax Classification Hearing open. ► Mr. Hellen stated this is an annual event. He referenced the Board of Assessors memo to the Town Council. He pointed out that the average single-family assessment value increased by 3.8 percent. As a result, the tax rate is being proposed at \$.15 less than the tax rate of last year. The proposed tax rate for FY20 is \$14.51. ► Mr. Christopher Sandini, Finance Director; Mr. Chris Feeley, Board of Assessors member; and Mr. Kevin Doyle, Director of Assessing, addressed the Town Council. ► Mr. Doyle stated the primary purpose of the hearing is to present data relevant to the Town Council's consideration of having a single tax rate or split tax rate for the current fiscal year. Historically, Franklin has had a single tax rate. He stated that historically, the Town Council has voted a factor of 1, meaning a uniform tax rate for Residential Property as well as Commercial-Industrial-Personal Property. He stated the Board of Assessors has not classified any property under State Land Use Class in the category of open space. He stated the Board of Assessors have not determined qualified property for small commercial exemption. There are only a few of the 351 cities and towns in Massachusetts that have adopted this provision. He noted the residential exemption has only been adopted in a few communities as it is found to be relevant in non-owner-occupied resort or densely populated communities with major rental markets. ► Mr. Sandini clarified that by law, the Town Council must vote on these exemptions. ► Mr. Doyle stated the items he reviewed must be considered when voting on the related resolutions. He provided an overview of the historic average single-family value, tax rate, and annual tax bill, the classification options brief perspective on single versus split tax rate, new growth brief on role and where it is coming from, and levy limit brief component. He narrated a slideshow presentation. He stated the mean

single-family value is \$427,700; the average single-family value is \$460,387. This will increase the average single-family tax bill by \$179 a year. ► Mr. Sandini explained that approximately 80 percent of property tax valuation and thus tax revenue is from residential taxes, and 20 percent is from commercial, industrial, and person property (CIP) taxes. ► Mr. Doyle noted there has been a lot of new growth in condominiums and multi-family property classes, as well as commercial and industrial developments and improvements. He discussed the FY20 Levy Limit is \$77,138,077. He noted with the debt exclusions, the FY20 Maximum Allowable Levy is \$81,040,818. ► Mr. Feeley noted that Mr. Ken Norman is the Board of Assessors Chair. ► Town Council members asked questions. ► Mr. Jones stated that setting the factor at 1 has worked well and is most effective for Franklin; he does not believe in splitting the tax rate. ► Mr. Bissanti stated he agreed with Mr. Jones. ► Ms. Pellegrini asked if all people who could get exemptions are getting them. ► Mr. Doyle reviewed the steps they have taken to identify people over 70 years of age who may be qualified for an exemption. ► Mr. Hellen stated he would make sure Ms. Karen Alves, Senior Center Director, has the application and exemption information; he will also have an email blast on social media sent out to make sure people are aware of the possible exemptions. ► Mr. Dellorco stated he believes in the single-tax rate. He suggested having a workshop at the Senior Center about the possible exemptions and the application process. ► Mr. Feeley noted the exemptions must be re-applied for every year. ► Chair Mercer stated he supports the single tax rate; it is a strength to attract businesses and industry into the Town. ► Chair Mercer declared the Tax Classification Hearing closed.

LEGISLATION FOR ACTION:

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

- a. ***Resolution 19-80: Tax Classification - Residential Factor (Motion to Approve Resolution 19-80 - Majority Vote (5)).*** ► Mr. Jones read the resolution. ► **MOTION to Approve 19-80: Tax Classification - Residential Factor will be set at [1.000000] by Dellorco. SECOND by Hamblen. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**
- b. ***Resolution 19-81: Tax Classification - Open Space Exemption (Motion to Approve Resolution 19-81 - Majority Vote (5)).*** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 19-81: Tax Classification - Open Space Exemption, that there not be an exemption for open space, by Dellorco. SECOND by Hamblen. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**
- c. ***Resolution 19-82: Tax Classification - Small Business Exemption (Motion to Approve Resolution 19-82 - Majority Vote (5)).*** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 19-82: Tax Classification - Small Business Exemption, that there not be an exemption for small businesses, by Dellorco. SECOND by Hamblen. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**
- d. ***Resolution 19-83: Tax Classification - Residential Property Exemption (Motion to Approve Resolution 19-83 - Majority Vote (5)).*** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 19-83: Tax Classification - Residential Property Exemption, that there not be an exemption for residential property, by Dellorco. SECOND by Hamblen. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

Chair Mercer declared a two-minute recess.

LICENSE TRANSACTIONS: 99 Restaurants of Boston, Change of Officers/Directors/LLC Managers & Change of Ownership Interest, 847 West Central Street. ► Mr. Jones read the license transaction. ► **MOTION to Approve the Change of Officers/Directors/LLC Managers and a Change of Ownership Interest for the 99 Restaurants of Boston LLC pursuant to the instructions sent by the ABCC by Jones. SECOND by Dellorco. Discussion:** ► Mr. Hellen stated this is a unique situation where the ABCC Executive Director wrote a letter, which was provided in the Town Council members' packets, to create an

efficiency due to the magnitude of the transactions; this is an organization-wide transaction for the 99 Restaurants chain. ► Mr. John Connell, Attorney for the Applicant, reviewed the change of officers, directors, LLC managers, and change of ownership at the corporate level; there will be no change in the operations of the local restaurant. ► **VOTE: Yes-8, No-0, Absent-1.**

PRESENTATIONS/DISCUSSIONS: None.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated a meeting was held tonight. There was a discussion with the high school students about their plastic waste reduction plan. It was voted to have the students present to the full Town Council. The next meeting is proposed for January 8, 2020.

LEGISLATION FOR ACTION (continued):

- e. **Resolution 19-84: Gift Acceptance - Franklin Public Library, \$10,500 (Motion to Approve Resolution 19-84 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 19-84: Gift Acceptance - Franklin Public Library, \$10,500 by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen thanked the Friends of the Franklin Library for their dedication in raising money for the Library and for their continued support. ► **VOTE: Yes-8, No-0, Absent-1.**
- f. **Resolution 19-85: Gift Acceptance - Franklin Senior Center, \$250 (Motion to Approve Resolution 19-85 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 19-85: Gift Acceptance - Franklin Senior Center, \$250 by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen thanked Ames Financial Services for their generous donation. ► **VOTE: Yes-8, No-0, Absent-1.**
- g. **Resolution 19-86: Town Council 2020 Meeting Calendar (Motion to Approve Resolution 19-86 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 19-86: Town Council 2020 Meeting Calendar by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Earls asked if there was a conflict with November 11th as it is Veteran Day. ► Mr. Hellen stated November 11th is Veterans Day and it falls on a Wednesday, but it may be observed as a Monday holiday. ► Chair Mercer stated this will be looked into, and the November 11th meeting date may be adjusted, if necessary. ► **VOTE: Yes-8, No-0, Absent-1.**
- h. **Resolution 19-87: Appropriation of Cable Funds in Support of PEG Service and Programming per M.G.L. Ch. 44, §53F3/4 (Motion to Approve Resolution 19-87- Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 19-87: Appropriation of Cable Funds in Support of PEG Service and Programming per M.G.L. Ch. 44, §53F3/4 by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated the Town Council used to vote to appropriate PEG funds once per year, but due to changes with Department of Revenue requirements, the Town Council must vote to appropriate PEG funds received from Comcast and Verizon as the money comes in. ► **VOTE: Yes-8, No-0, Absent-1.**
- i. **Resolution 19-88: Ad Hoc Stormwater Utility Fee Study Committee (Motion to Approve Resolution 19-88 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 19-88: Ad Hoc Stormwater Utility Fee Study Committee by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen referenced a previous stormwater presentation by the DPW Director. He noted the next Legislation for Action item will be to establish the enterprise fund. He stated this Ad Hoc committee will

be comprised of three Town Council members to look specifically at the financial modeling as well as the public outreach to help bring this issue to light in the community; this is an important policy decision of this Town Council. He stated that he thinks one way to be very successful with this issue is to add a stormwater box on the billing with a fee of \$0 to begin to alert residents of this issue. ► Mr. Earls stated he supported creating this ad hoc committee to study the issue. He noted there are over 30 communities in the Charles River Watershed. He asked why the other communities, besides Millis, have not moved on this issue. ► Mr. Hellen stated Bellingham has begun the fee process. He stated the Town of Franklin has been a leader on this issue. ► Mr. Brutus Cantoreggi, DPW Director, stated the Town of Newton has had a stormwater fee for the last nine years. It is getting to the point where towns have to get onboard because of the pressure. The Town Council will have to make choices as to how to pay for stormwater, just as they decide how to pay for police, fire, and schools. He stated the fees are coming forward; he has to start putting money into it as this is the third year of the permit. ► Ms. Pellegri asked if Mr. Cantoreggi should be on the ad hoc committee. ► Chair Mercer said there have been some discussions about that with the Town Administrator. However, tonight, they just want to get the committee established. He said this and the next item are to be proactive on this issue. He encouraged his fellow Town Council members to support both this and the next item. ► Mr. Earls stated this is a good way to be proactive. He asked why towns with a larger Charles River impact are not leading this effort. ► Mr. Cantoreggi said this is year two of the permit. He noted that Franklin sued at the federal level because we think this is wrong. We are working through that process. We are taking a proactive approach in thinking about the best way to handle this issue. Every town is going to be forced into doing it. The money is going to be demanded. Currently, the federal government wants the Town of Franklin to spend approximately \$65 million. With the lawsuit, there will still be costs, but they are looking at increasing the time to fix the problem. We are going on year three with the permit; each year there are more costs associated with the permit. ► Town Council members asked questions and provided comments. ► Mr. Cantoreggi stated the goal is to reduce the phosphorus loading in the Charles River. Most of it is caused by leaves. He stated that we want to put our groundwater back into the ground; we are a groundwater community. We really need sewer, stormwater, and drinking water to work together. If Franklin's stormwater is improved, it will help the drinking water and sewer. ► Mr. Jones noted that the percentage of the Charles River that goes through Franklin is minimal and asked what Franklin gets out of this besides helping the communities further upstream. He stated the community needs to be engaged and told about the \$65 million cost so they do not show up at the last minute when the fee is about to be enacted and begin asking questions. ► Chair Mercer stated this is what is trying to be done by establishing this committee. ► Mr. Hellen stated people may think about the stormwater liability in the same way as the OPEB liability. It was difficult at the beginning, but we focused on how to solve the problem and now Franklin is ahead of other communities in the OPEB issue. We are ahead of other communities in this stormwater issue. He noted this is an unfunded mandate, but it is a reality. In addition, this is an investment in the Franklin community and infrastructure. He hopes the ad hoc committee can get people in the community engaged. He noted the ad hoc committee will be looking at when to phase in the fee and what will be the structure it. There are many options which must be analyzed. The exact timeline for implementation is not determined. ► Chair Mercer confirmed there is no fee being established or implemented tonight. He noted that being proactive is one of Franklin's goals. ► **VOTE: Yes-8, No-0, Absent-1.**

- j. ***Bylaw Amendment 19-846: Chapter 153 Stormwater Management – 1st Reading (Motion to Move Bylaw Amendment 19-846 to a 2nd Reading - Majority Vote (5)).*** ► **MOTION to Waive the Reading by Earls. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Bylaw Amendment 19-846: Chapter 153 Stormwater Management to a 2nd Reading. Discussion:** ► Mr. Hellen stated this is to establish a stormwater utility structure. By establishing this utility, it shows the federal government the Town's commitment to move toward compliance. He noted this is set up just like

the Town's water, sewer, and trash enterprise funds. The objective is to create the framework to allow our finance staff the ability to work with MUNIS to create the utility in our financial system. He thinks by setting this up, it will give an alert to the community about this policy issue and help with public outreach and engagement. If there was to be a fee implemented, it would be outside of this bylaw; it would be separate. ► Town Council members asked questions and commented on Mr. Hellen's discussion. ► **VOTE: Yes-8, No-0, Absent-1.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen welcomed Kathleen Liberty as the new Board of Health Director. He thanked Mr. David McKearney for his 15 years of service as the Board of Health Director; he will be retiring on January 2, 2020. ► He stated Cindy Souza, Animal Control Department, is retiring after 22 years; he thanked Ms. Souza for her hard work over the years and wished her well in her retirement. ► He stated there was an article in a newspaper about turf fields that caused concern. A letter back from DEP was received relative to the complaint. There are no wetlands violations that were found by the DEP. As well, the DEP, in the letter to the individual who made the complaint, stated there was no requirement for the Town of Franklin to continue to do any PFOS monitoring in that area. DEP also provided commentary about the seemingly sensitivity, and they stated no concentrations were found above any quantitation levels and that PFOS is found in many consumer products. He stated, therefore, at this juncture, he considers this issue closed. He thanked the members of the Water Department for their pro-activeness over the past few years. He stated the letter will be put on the website. ► He reminded everyone of a meeting to be held on December 11, 2019 at 6:00 PM in the Council Chambers; the Office of Political Campaign and Finance will be making a presentation on a series of issues. ► He stated the Town Common looked great, and he thanked the DPW. He also thanked the DPW for the great work done during the first snowstorm. ► He addressed Mr. Cochran's issue regarding Spring Street. He pointed out that from the solar agreement, the Special Permit does include paving Spring Street. There is a fair amount of improvements that the developer and National Grid will be doing. A future agenda item regards the municipal lot that is going to be built for 16 vehicles to allow people to hike into the State Forest. Another goal is to consider decommissioning Spring Street through to Rt. 140. He stated he hopes the Cochran's feel their concerns will be addressed through this process. ► Chair Mercer asked that the area be looked at closely to determine where the pavement ends and then the Town Administrator get back to the Cochran's with a definitive answer as to where the asphalt will end.

FUTURE AGENDA ITEMS: ► Mr. Bissanti noted there is nothing in place in Franklin for the homeless; this is unfortunate. He has been doing research on the issue; he will report back. He asked if anything ever happen with the Pharma cartels and if the Town pursued that. ► Chair Mercer stated he would have a discussion with Mr. Bissanti, and if warranted, the item will be put on a future agenda. ► Mr. Earls suggested looking at zoning regulations regarding the stormwater fees. ► Mr. Chandler asked for an update on the regional dispatch facility. ► Ms. Hamblen requested to have a discussion on the Community Preservation Act. ► Ms. Pellegrini stated she has also been in touch with people who have been homeless. This should not be happening in Franklin. She questioned if there was land or buildings in Franklin that could be converted into housing and stated this issue needs to be looked into. ► Mr. Dellorco discussed the process of providing housing for the homeless.

COUNCIL COMMENTS: ► Mr. Chandler gave condolences to the Christopher Kearney family. He stated Mr. Kearney did a lot of work with people with substance abuse; he will be missed. He stated PEG does a great job. ► Ms. Hamblen thanked everyone who attended the Farmers' Market at Fairmount Fruit Farm last weekend; it was a great event. There will be a Farmers' Market every month. She thanked everyone who has worked to beautify the Town. She thanked everyone who went to the Turkey Trot; \$20,000 was raised for the Food Pantry. It was a wonderful event. ► Ms. Pellegrini stated Mary Saville Bennett, the oldest resident of Franklin at 109 years old, passed away; she was a remarkable woman. She thanked the Carlucci family who

paid for and provided a Thanksgiving meal at the Franklin Rod & Gun Club; about 30 to 35 people attended. ► Mr. Bissanti stated the Franklin Rod & Gun Club is having an All-You-Can-Eat Breakfast this Sunday. He noted there is a great sense of community in Franklin. He hopes the homelessness situation can be addressed as it should not happen. ► Mr. Earls commended the DPW for their great work on the snowstorm. He noted that although the Library was opened, the paths and parking lots were not cleared. He noted that the Library doors at one point were opening before employees arrived. He asked Mr. Michael D'Angelo to look into this. He requested a future agenda item to have a meeting with the Franklin Housing Authority about how things work. He noted the EDC put forth the proposed plastic bag ban to come before the Town Council. He encouraged everyone in the community to read about the issue. ► Mr. Jones thanked the DPW for the hard work done during the snowstorm. He stated it was sad to hear that the eldest resident at 109 years old has passed. He stated the Town Common looks great. ► Mr. Dellorco thanked Mr. Cantoreggi for the great job done during the snowstorm. He said the Town looks great. ► Chair Mercer said the DPW and staff did a great job on the snowstorm and on the decorations in Town.

EXECUTIVE SESSION: SESSION - Pending Litigation: Southern Foods Group, LLC. et al., debtors (Dean Foods). ► Chair Mercer stated Town Council needs to meet in an Executive closed session for the following purpose: To discuss strategy with respect to litigation specifically Southern Foods Group, LLC. et al., debtors (Dean Foods). He declared that an open meeting may have a detrimental effect on the litigation position of the public body. The open session will not reconvene at the conclusion of the Executive session.

► **MOTION to Move** that the Franklin Town Council go into Executive Session by **Jones**. No **SECOND** given. **No Discussion.** ► **ROLL CALL VOTE:** Bissanti-YES; Chandler-YES; Dellorco-YES; Earls-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES. ► **VOTE: Yes-8, No-0, Absent-1.**

► **The open session of the Town Council Meeting adjourned at 9:00 PM.**

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
December 11, 2019**

A meeting of the Town Council was held on Wednesday, December 11, 2019, at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Eamon McCarthy Earls, Melanie Hamblen, Matthew Kelly, Thomas Mercer, Deborah Pellegri. Councilors absent: Glenn Jones. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Assistant to the Town Administrator.

ANNOUNCEMENTS: ► Chair 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.

PRESENTATIONS/DISCUSSIONS: *The state Office of Campaign and Political Finance will make a presentation.* ► Mr. Hellen stated this is a unique evening; it is almost a professional development and training session. He thanked Mr. Jason Tate, Office of Campaign and Political Finance (OCPF), for coming to Franklin. He stated Mr. Tate will give a presentation, and Town Council and audience members will have an opportunity to ask questions. He noted the community has had many questions on this item. ► Mr. Tate stated his office performs 60 to 70 such training seminars per year. He stated his slideshow presentation will focus on information for local ballot question elections and campaign finance law to help people understand the rules for campaign finance. He stated OCPF is an independent non-partisan agency that administers the campaign finance law, both audit and legal, and the disclosure of campaign finance activity. Their primary job is to help entities file reports on campaign finance. He noted that his office can be contacted with questions by phone or email. He stated that in addition to calling his office, it is also recommended to call the Ethics Commission on any issue. OCPF's primary focus is taking calls and helping candidates and different committees to raise money properly, spend it properly, and put the information in a report for the public to see. He will focus on ballot questions but will also answer candidate questions. He reviewed important ground rules for public employees, public buildings, and public resources. He stated disclosure of money raised and money spent is very important and the public needs to see it. Regarding both ballot questions and candidate election questions, public employees are prohibited from soliciting or receiving campaign contributions, directly or indirectly, 24-7, nationwide. He explained the requirements for the receipt of contributions, such as name and address of each donor, and occupation and employer of donor if the amount is above \$200. No public employee can physically receive the contributions. He stated that public employee violations are often found regarding solicitations. Fundraising calls and selling tickets to a fundraiser, both solicitation and receipt, are prohibited. Soliciting by public employees on social media is prohibited even from personal accounts. Public employees cannot appear on invitations. Public employees should not have fundraisers at their homes, although there is a spousal exemption. Public employees may not be treasurers of political committees. The solicitation or receipt of campaign contributions is prohibited in buildings used for governmental purposes, even during non-working hours. Solicitations to public email addresses are prohibited. He explained public resources and noted *Anderson v. City of Boston (1978)*: Public resources may not be used for political campaign purposes. He stated public resources include phones, paper, vehicles, copiers, labor and employee time, postage, and anything that is paid for by the taxpayer; public resources cannot be used for a campaign purpose. The use of public email for a political purpose is prohibited. He reviewed permitted actions by public officials and public employees: they can make donations, hold election signs on personal time only, take a position on a ballot questions, discuss a ballot question with parents during pick-up, support/oppose ballot questions on social media on their own time on their personal social media, attend a PTO meeting to discuss a ballot question on their own time, analyze the impact of a ballot question, and provide copies of agency's analysis/position on a ballot question for people attending public meetings of a governmental entity. They can, depending on the scope of the public employee's responsibility, speak to the press. They can post information on the school or town website although it should not look like a campaign website, and depending on scope of the public employee's responsibility, an official

may appear on cable television even during the workday. The use of public facilities is permitted as long as equal access is granted. ► Mr. Cerel emphasized there are some areas that overlap with state Ethics Law, and there is a set of rules that separately govern these issues which must be considered. ► Mr. Tate agreed and noted that both agencies must be consulted regarding these issues. He discussed ballot question committees which is when two or more people or entities pool their resources to support or oppose a ballot question. An M101 form must be filed. To bring in money, they must have a segregated bank account. There are no contribution limits for a ballot question committee. An M102 campaign finance report is due eight days before a general election and 30 days afterward. Reports are filed with the local election official. He showed the OCPF website and discussed the legal webpage. He reviewed how cases are resolved. He noted campaign finance law is a criminal statute. He stated that for the most part, they try to resolve issues in the office. Most cases are resolved through public resolution letters. Sometimes a disposition agreement is done if a lot of money is being dealt with or there was intent to deceive. He stated their office can refer a case to the Attorney General's office for criminal charges, which happens rarely. He noted OCPF has a quarterly newsletter. He stated OCPF is available to help candidate and ballot question campaigns and said to email or call the office for information or to ask questions.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Earls. No Discussion. ► VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 7:50 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary



OFFICE OF CAMPAIGN AND POLITICAL FINANCE

MUNICIPAL BALLOT QUESTIONS

What is OCPF?



- Independent, non-partisan agency
- Director serves six-year terms
- Administers the campaign finance law (audit and legal)
- Disclosure of campaign finance activity



Important Ground Rules

- Public employees
- Public buildings
- Public resources



MGL c. 55, Sec. 13 - 17



Public employees are prohibited from soliciting or receiving campaign contributions, directly or indirectly, 24-7, nationwide.



Receipt of Contributions



Solicitation



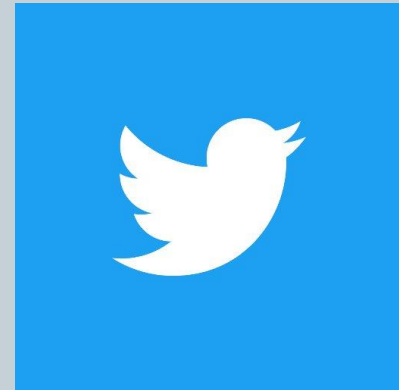
Fundraising
Calls are
Prohibited



Selling tickets
to a fundraiser
(solicitation
and receipt)



PUBLIC EMPLOYEES & SOCIAL MEDIA



Soliciting by public employees on social media is prohibited, even from personal accounts

Public employees cannot appear on invitations

VOTE YES Committee Invites You to a Night of Music

The Town Youth Choir singing contemporary hits

6 p.m. Opening remarks from the Mayor and School Superintendent

6:30 Dessert Bar Mingle

7:00 TYC concert (accompanied by the Rami Malek Band)

Event co-hosted by E Corp CEO Terry Colby and Police Chief Fernando Vera

Tickets are \$20 and available by e-mailing Angela at angelamoss@gmail.com

Campaign Fundraisers are Prohibited at Public Employee Homes (Spousal Exception)



Public employees may not be treasurers of political committees



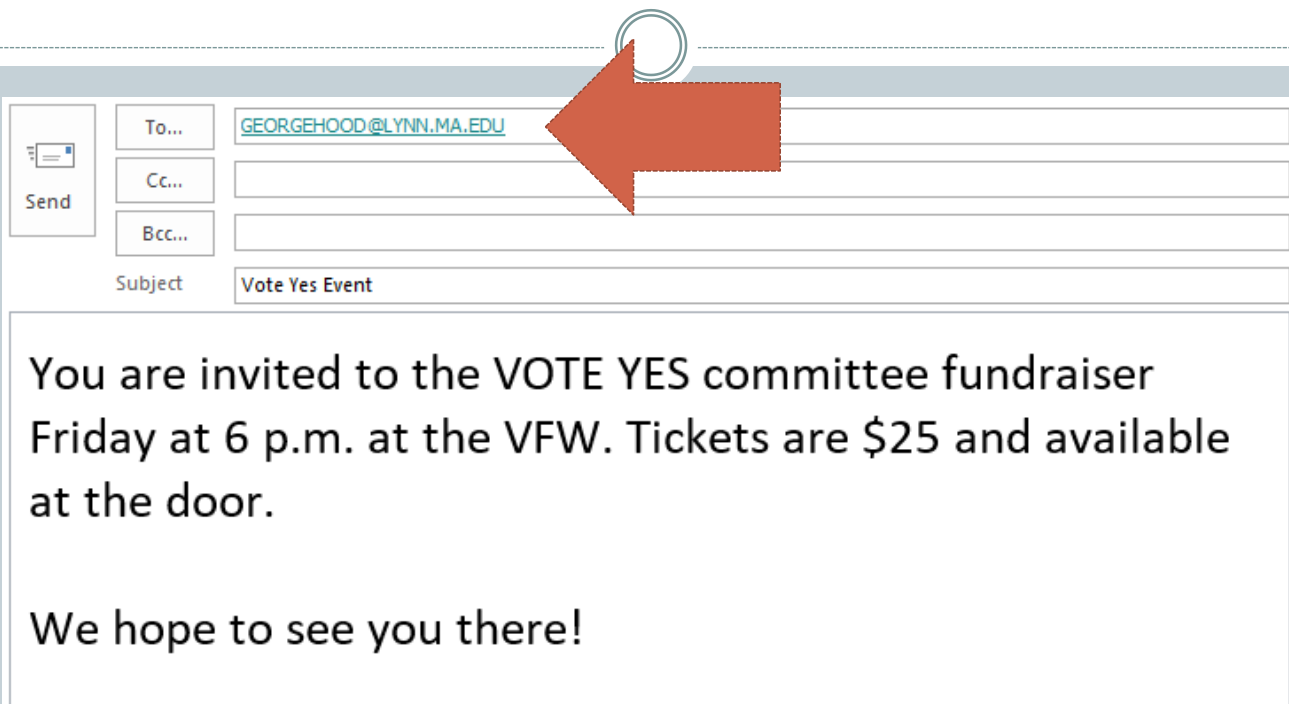
Elected officials are exempt



The solicitation or receipt of campaign contributions is prohibited in buildings used for governmental purposes. Prohibited even during non-working hours.



Solicitations to Public E-Mail Addresses



To... GEORGEHOOD@LYNN.MA.EDU

Cc...

Bcc...

Send

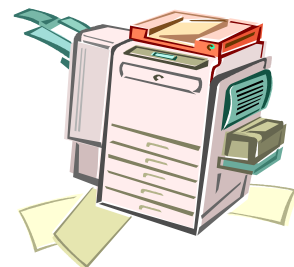
Subject Vote Yes Event

You are invited to the VOTE YES committee fundraiser Friday at 6 p.m. at the VFW. Tickets are \$25 and available at the door.

We hope to see you there!

Public Resources

Anderson v. City of Boston
(1978): Public resources may not be used for political campaign purposes



Examples of Public Resources

Phones

Copiers

Paper

Labor and employee time

Vehicles

Postage



Distribution



Prohibited: Use of Public E-Mail for a Political Purpose

Send	From ▾	JONSNOW@PUBLICSCHOOL.MA.EDU
	To...	TLANNISTER@GMAIL.COM; HODOR@YAHOO.COM
	Cc...	
	Bcc...	
Subject:		ballot question

HI GUYS,

WE WERE TALKING ABOUT THE BALLOT QUESTION LAST NIGHT AND I PROMISED TO SEND YOU THE CONTACT LIST. [HERE IT IS](#). PLEASE CALL THESE PEOPLE AND ASK THEM TO VOTE YES ON THE QUESTION.

THANKS.

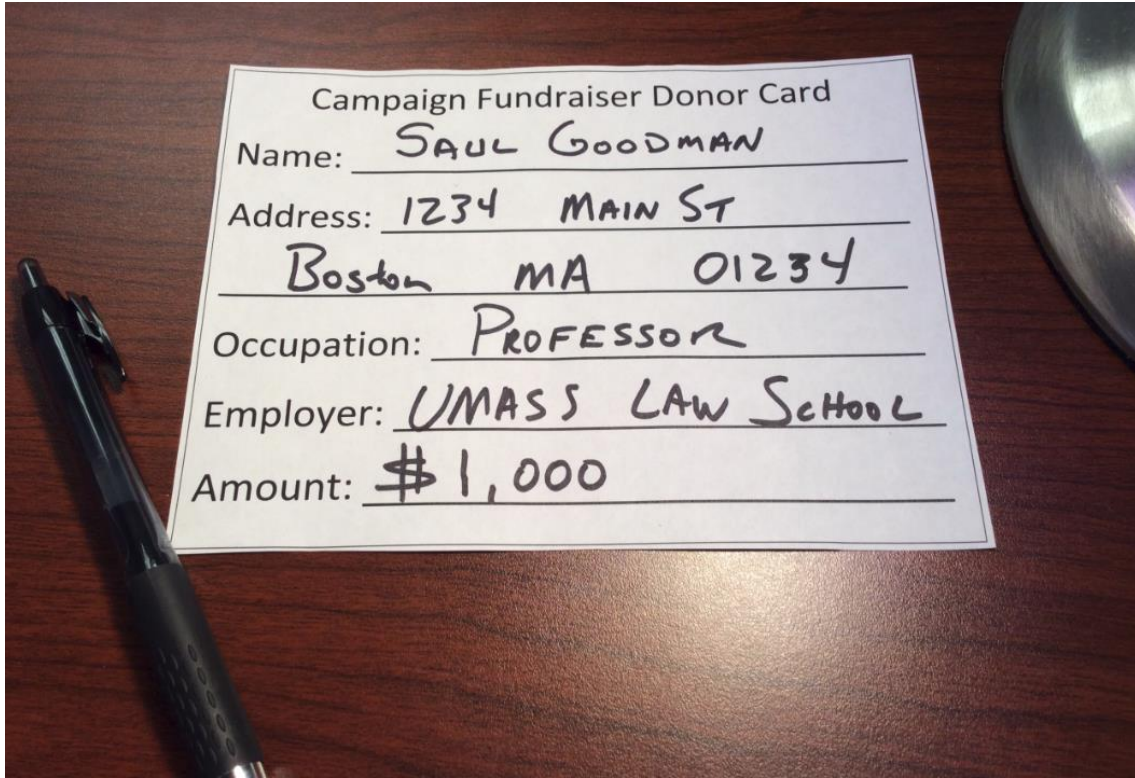
JON

Permitted Actions by Public Officials and Public Employees



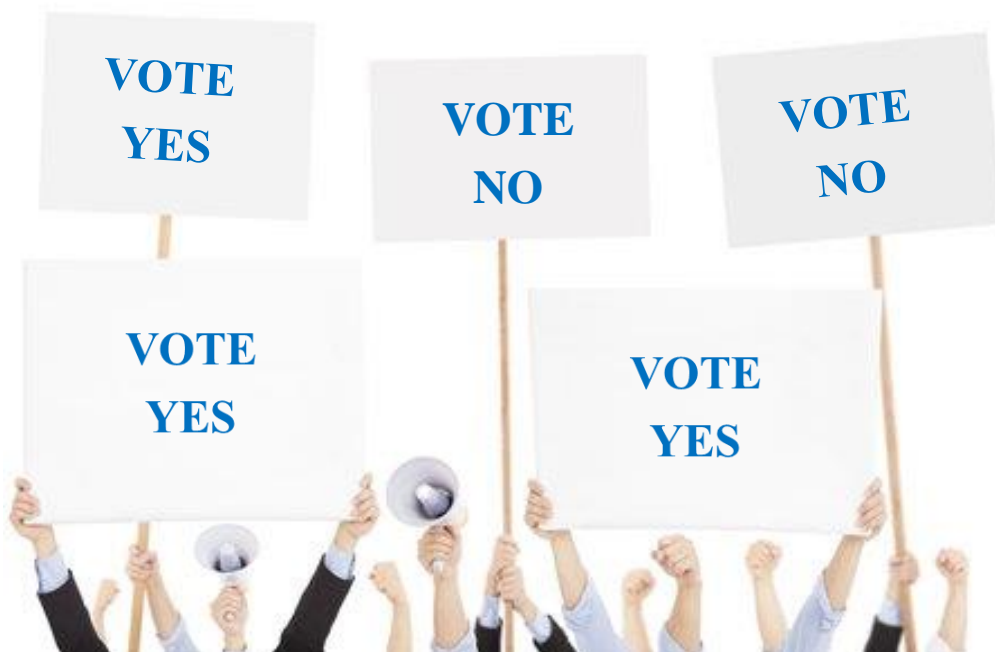
Permitted Activities by Public Employees

Make Donations



Permitted: Hold election signs

(Personal time only)

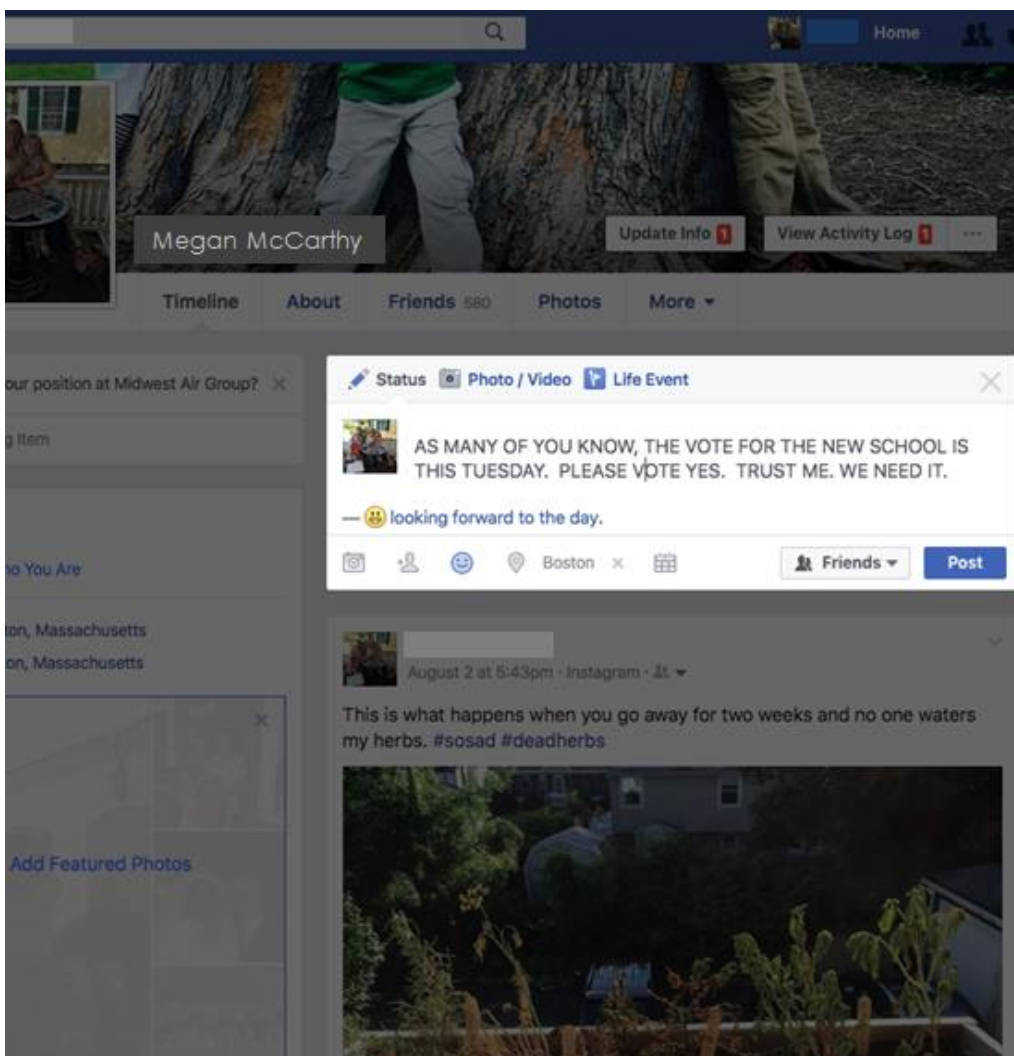


Public employees can take a position on a ballot question



Permitted: Discuss a ballot question with parents during pick-up





Permitted: Public Employees can Support/Oppose BQ on social media

Permitted: Attend a PTO meeting to discuss a ballot question on your own time



Analyze the impact of a ballot question

(Scope of responsibility)



Provide copies of an agency's analysis/position on a ballot question to people attending public meetings of a governmental entity



Speak to the press

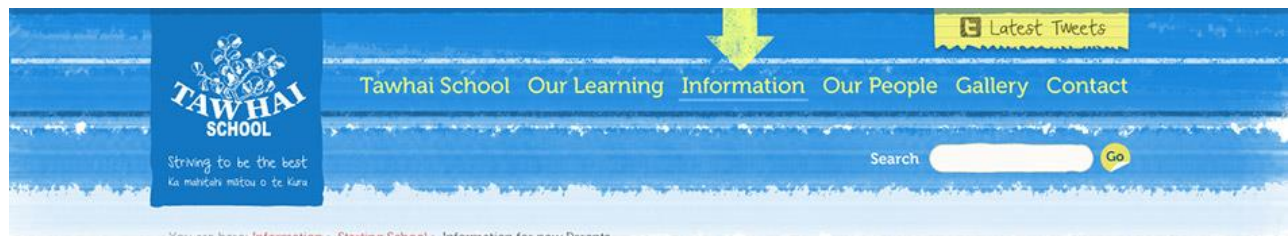
(scope of responsibility)



The METROWEST DAILY NEWS



Post information on the school or town website



You are here: [Information](#) > [Starting School](#) > Information for new Parents

Information for new parents



Striving to be the best. In partnership with our community, Tawhai School will provide the skills, knowledge, experiences and values to enable children to reach their full potential.



Striving to be the best. In partnership with our community, Tawhai School will provide the skills, knowledge, experiences and values to enable children to reach their full potential. Aliquam lectus orci, adipiscing et, sodales ac, feugiat non, lacus. Ut dictum velit nec est.

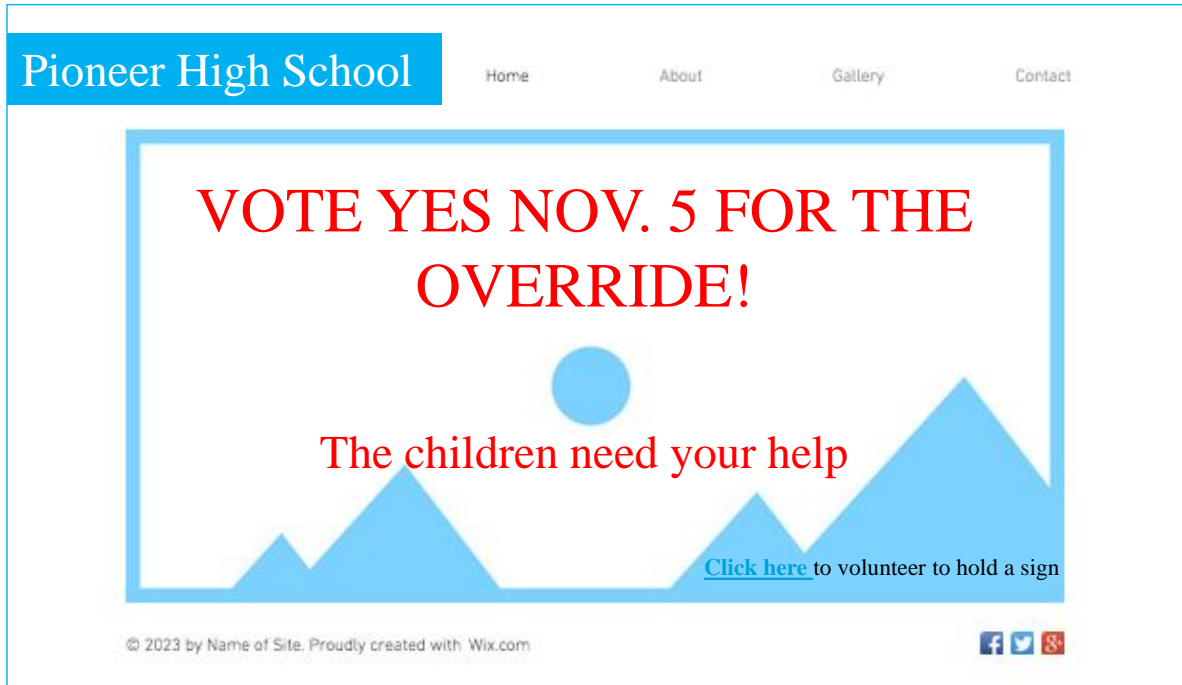
Quisque posuere, purus sit amet malesuada blandit, sapien sapien auctor arcu, sed pulvinar felis mi sollicitudin tortor. Maecenas

[Click here](#) for information about the Nov. 5 ballot question election



Worm farm

Should not look like a campaign website



An official may appear on cable television, even during the workday
(scope of responsibility)

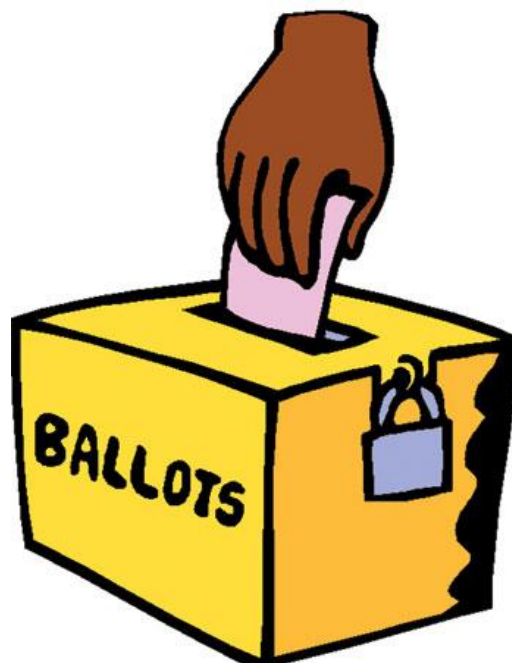


Use of Facilities: Equal access



Ballot Question Committees

- M101
- M102
- No Limits
- Reporting



Resolving Cases

- Late Filers: \$25 fines assessed daily,
up to \$5,000
 - Public resolution letters
 - Disposition agreements
 - Referral to AG

License Transactions:

New Farmer Series Pouring Permit for a Farmer-Brewery



Applicant: Franklin Brewing Company, LLC. d/b/a 67 Degrees

The applicant is seeking a New Farmer Series Pouring Permit for a Farmer-Brewery, to be located at 158 Grove Street, Franklin, MA 02038.

The following departments have signed off on this application: Treasurer's Department, Health Department, Police Department, Fire Department

The following departments have NOT signed off on this application: Building/Zoning Department

MOTION to approve the request by Franklin Brewing Company, LLC. d/b/a 67 Degrees for a New Farmer Series Pouring Permit for a Farmer-Brewery pending successful final inspection from the Building Commissioner.

DATED: _____, 2020

VOTED:
UNANIMOUS: _____

YES: _____ **NO:** _____

A True Record Attest:

ABSTAIN: _____

ABSENT: _____

RECUSED: _____

Teresa M. Burr, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

**NOTICE OF PUBLIC HEARING
FRANKLIN, MA**

**New Farmer Series Pouring Permit for a Farmer-Brewery -
Franklin Brewing Company, LLC. d/b/a 67 Degrees**

The Franklin Town Council will hold a Public Hearing on an application by Franklin Brewing Company, LLC. d/b/a 67 Degrees., located at 158 Grove Street, Franklin, MA for New Farmer Series Pouring Permit for a Farmer-Brewery. The hearing will be held on Wednesday, January 8, 2020 at 7:10 PM in the Council Chambers, second floor of the Municipal Building, 355 East Central Street, Franklin, MA. Information on this application may be obtained in the Town Administrator's Office.

Submitted by,
Chrissy Whelton
Licensing Administrator

Town of Franklin

355 East Central Street
Franklin, MA 02038



COMMON VICTUALER APPLICATION (Select all that apply)
NEW/ANNUAL FEE: \$2,500 ALL ALCOHOL, \$1,500 WINE & MALT,
 \$500 LICENSE MODIFICATION (Changes to Alcohol Licenses)
 \$125: RESTAURANT

Date: 12/12/2019

\$250: Former Brewery, wine, or Distillery

Business Owner: Olivier Edouard
First Middle Initial Last

Address: _____ Telephone #: _____
Town/City zip

Email Address: _____

Name of Business: Franklin Brewing Company, LLC

Business Location: 158 Grove Street, Franklin, MA 02038 Telephone: _____

Corporation Name: (If applicable) _____

Address: _____ FID # _____
Town/City zip

Manager Name: Olivier Edouard
First Middle Initial Last

Address: _____

Date of Birth: _____ Social Security Number: _____

Enclose Manager Resume that includes duties performed at each location.

Description of premises:

The premises is approximately 3,000 +/- S.F. of warehouse space.

The layout of the premises is open concept, including three rooms - 2 bathrooms, 2 storage rooms.

Sq. Footage 3000 # of Tables _____ # of Seats _____ Type of Restaurant _____

Hours of Operation: Wed-Fri 4:30-10 p.m.; Sat 1200-10 p.m.; Sun 12-7 p.m

I hereby state that all information provided on this application is true and accurate.

Applicant signature: *Oliver Edouard*

Common Victualer Licenses are issued in conformity with the authority granted by General Laws, Chapter 140 and amendments thereto. All licenses expire December 31 of each year.

The Town Administrator's office upon receipt will forward copies of all applications to the following departments for their review and recommendations.

Police Chief (508-528-1212) Shall initiate a background check of the proposed manager and review the application to determine if, in his opinion, any public safety hazard would exist by reason of the location or the hours of operation.

Signoff: Yes/No _____ N/A Conditions: _____

Fire Chief (508-528-2323) or his designate, Shall review and examine the proposed business location to determine if, in their opinion, any public safety hazard would exist by reason of the location, and that the proposed premises meets all fire safety regulations.

Signoff: Yes/No _____ N/A Conditions: _____

Building Inspection (508-520-4926) Shall examine and review the proposed business location to determine if, in their opinion, any public safety hazard would exist by reason of the location, and that the proposed premises meet all building safety regulations and building codes.

Signoff: Yes/No _____ N/A Conditions: _____

Zoning Officer (508-520-4926) Shall examine and review proposed business location to determine if it conforms to all zoning regulations and bylaws.

Signoff: Yes/No _____ N/A Conditions: _____

Board of Health (508-520-4905) Shall examine and review proposed business location to determine if, the premises meets and conforms to the provisions of the State Sanitary Code and any local regulations of the Board of Health and that all necessary health permits have been obtained.

Signoff: Yes/No _____ N/A Conditions: _____

Treasurer's Office (508- 520-4950) Shall examine their records to see that all taxes and fees due to the Town of Franklin are up to date for both the applicant and owner of property to be used for proposed business.

Signoff: Yes/No _____ N/A Conditions: _____

Each of Departments Shall make whatever recommendations it deems necessary to the **Town Administrator's office** (508-520-4949) after review of such application, recommending such measures or restrictions on the issuance of any license as may be necessary to protect the public peace, health, safety or general welfare of the community.

LICENSE APPROVED – Condition (s) _____

DECLINED – Reason (s) _____

DATE _____

TOWN ADMINISTRATOR SIGNATURE: _____



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR A NEW LICENSE

Municipality

Franklin

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
On-Premises-12	Farmer Series Pouring Permit	Malt	Annual

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Franklin Brewing Company, LLC is a company pursuing licensing to operate a beer brewery and taste room in Franklin, Ma.

Is this license application pursuant to special legislation?

Yes

No

Chapter

Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name: Franklin Brewing Company, LLC FEIN:

DBA: Manager of Record: Olivier Edouard

Street Address:

Phone: Email:

Alternative Phone: Website:

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

The premises is approximately 3,000 +/- S.F. of warehouse space. The layout of the premises is open concept, including three rooms - 2 bathrooms, 2 storage rooms.

Total Square Footage: 3000 Number of Entrances: 2 Seating Capacity: 39

Number of Floors: 1 Number of Exits: 3 Occupancy Number:

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name: Laury C. Lucien Phone:

Title: Managing partner Email:

APPLICATION FOR A NEW LICENSE

5. CORPORATE STRUCTURE

Entity Legal Structure	<input type="text" value="LLC"/>	Date of Incorporation	<input type="text" value="Mar 12, 2018"/>
State of Incorporation	<input type="text" value="Massachusetts"/>	Is the Corporation publicly traded? <input type="radio"/> Yes <input checked="" type="radio"/> No	

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
Off Premises(Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Olivier Edouard"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="CEO"/>	<input type="text" value="61"/>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="LAURY C. LUCIEN"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="Legal Advisor"/>	<input type="text" value="15"/>	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Duche Antoine Edouard"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="Partner"/>	<input type="text" value="10"/>	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Arnold Cazeau"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="Partner"/>	<input type="text" value="5"/>	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Timothy Morse"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="Master Brewer"/>	<input type="text" value="4"/>	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Additional pages attached? Yes No

CRIMINAL HISTORY
 Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions. Yes No

APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

7. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name Grove Street Realty Trust

Landlord Phone

Landlord Email

Landlord Address 7 Uncass Brook Row, Franklin, MA

Lease Beginning Date May 1, 2019

Rent per Month \$2750

Lease Ending Date May 31, 2021

Rent per Year \$33,000

Will the Landlord receive revenue based on percentage of alcohol sales? Yes No

APPLICATION FOR A NEW LICENSE

8. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	N/A
B. Purchase Price for Business Assets	\$104,000
C. Other * (Please specify below)	\$15,000
D. Total Cost	\$119,000

*Other Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Olivier Edouard	\$27,951.77
Patrick Edouard	\$25,000
Robins Edouard	\$20,000
Arnold Cazeau	\$15,000
Total:	\$87,951.77

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
Dean Bank	\$320,000	Small Business Admin Loan SBA Express Guarantee	<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? Yes No

Please indicate what you are seeking to pledge (check all that apply) License Stock Inventory

To whom is the pledge being made?

10. MANAGER APPLICATION

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name Date of Birth SSN

Residential Address

Email Phone

Please indicate how many hours per week you intend to be on the licensed premises

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? Yes No *Manager must be a U.S. Citizen
 If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? Yes No
 If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
9/7/15	Present	Capt/Chief of Training	102 Intelligence Wing, Otis Air National	Evan Lagasse
11/7/11	2/27/15	Intelligence Analyst/Middle E	Information International Associates/De	Leslie Mitchel
11/5/7	11/25/11	Operations Manager	InSite Wireless, LLC	Joseph Mullen

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature Date

11. MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement?

Yes No

If yes, please fill out section 11.

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

IMPORTANT NOTE: A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does not pertain to a liquor license manager that is employed directly by the entity.*

11A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Address	Phone
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?

Yes No

If yes, attach an affidavit providing the details of any and all convictions.

11B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES

LICENSE

Does any individual or entity identified in question 11A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

11C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 11A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

11D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 11A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Licensee Name	License Type	Municipality	Date(s) of Agreement

11E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Has any of the disclosed licenses listed in questions in section 11B, 11C, 11D ever been suspended, revoked or cancelled?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

11F. TERMS OF AGREEMENT

- a. Does the agreement provide for termination by the licensee? Yes No
- b. Will the licensee retain control of the business finances? Yes No
- c. Does the management entity handle the payroll for the business? Yes No

d. Management Term Begin Date e. Management Term End Date

- f. How will the management company be compensated by the licensee? (check all that apply)
- \$ per month/year (indicate amount)
 - % of alcohol sales (indicate percentage)
 - % of overall sales (indicate percentage)
 - other (please explain)

ABCC Licensee Officer/LLC Manager

Signature:

Title:

Date:

Management Agreement Entity Officer/LLC Manager

Signature:

Title:

Date:

ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

ADDENDUM A

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Percentage of Ownership in Entity being Licensed (Write "NA" if this is the entity being licensed)
<input type="text" value="Franklin Brewing Company, LLC"/>	<input type="text" value="NA"/>

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Robins Edouard"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="Partner"/>	<input type="text" value="5"/>	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?
If yes, attach an affidavit providing the details of any and all convictions.

<input type="radio"/> Yes <input checked="" type="radio"/> No

APPLICANT'S STATEMENT

I, Olivier Edouard the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory

of Franklin Brewing Company, LLC
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: Olivier Edouard

Date: 12/09/19

Title: Chief EXECUTIVE OFFICER

CORPORATE VOTE

The Board of Directors or LLC Managers of Entity Name
duly voted to apply to the Licensing Authority of City/Town and the
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on Date of Meeting

For the following transactions (Check all that apply):

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/
Directors/LLC Managers
- Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

“VOTED: To authorize Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted.”

“VOTED: To appoint Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts.”

A true copy attest,


Corporate Officer /LLC Manager Signature

Olivier Edouard
(Print Name)

For Corporations ONLY

A true copy attest,

Corporation Clerk's Signature

(Print Name)



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM

APPLICATION FOR A NEW LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN STATE ZIP CODE

For the following transactions (Check all that apply):

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/
Directors/LLC Managers
- Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358

Receipt from nCourt

From:

To:

Date: Sunday, December 1, 2019, 10:43 PM EST

YOUR RECEIPT >>

Please include the payment receipt with your application. Thank you.

- Once you have made your payment, you will receive a status notification (via email) of the acceptance OR rejection of your submission.

Paid To

Name: Massachusetts Alcoholic Beverages Control Commission - Retail
 Address 1: 239 Causeway Street
 Address 2:
 City: Boston
 State: Massachusetts
 Zip: 02114

Payment On Behalf Of

First Name: Olivier Last Name: Edouard
 Address 1: 8 Brian Rd
 Address 2:
 City: Franklin State: MA Zip: 02038
 Phone:

Description	ID	Convenience Fee	Amount
FILING FEES-RETAIL		\$4.70	\$200.00

Receipt Date: 12/1/2019 10:43:44 PM EST

Invoice Number: 936f639d-6180-4ba3-a275-91c72ee9a50c

Total Amount Paid:\$204.70

Billing Information

First Name Olivier
 Last Name Edouard
 Email
 Street 8 Brian Rd
 City Franklin
 State/Territory MA
 Zip 02038

Credit / Debit Card Information

IMPORTANT INFORMATION >>

Please verify the information shown above. Your payment has been submitted to the location listed above.

- If this is not the correct organization, your payment will be rejected/refunded/transferred and you will not have satisfied your obligation
- If you pay less than the required amount due you will not have satisfied your obligation.
- Once you have made your payment, you will receive a status notification (via email) of the **acceptance OR rejection** of your submission.



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$500.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Annual Report 2019
(General Laws, Chapter)

Identification Number:

Annual Report Filing Year: 2019

1.a. Exact name of the limited liability company: FRANKLIN BREWING COMPANY, LLC

1.b. The exact name of the limited liability company as amended, is:

2a. Location of its principal office:

No. and Street: 8 BRIAN RD
City or Town: FRANKLIN State: MA Zip: 02038 Country: USA

2b. Street address of the office in the Commonwealth at which the records will be maintained:

No. and Street: 8 BRIAN RD
City or Town: FRANKLIN State: MA Zip: 02038 Country: USA

3. The general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:

MICROBREWERY, RETAIL, TASTING ROOM, AND ANY LAWFUL BUSINESS FOR WHICH A LIMITED LIABILITY COMPANY MAY BE ORGANIZED UNDER THE LAWS OF THE COMMONWEALTH OF MASSACHUSETTS.

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent:

Name: LAURY CARWINCHELLE LUCIEN
No. and Street:
City or Town: State: MA Zip: Country: USA

6. The name and business address of each manager, if any:

Name	Address (no PO Box) Address, City or Town, State, Zip Code
OLIVIER EDOUARD	

7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.

Name	Address (no PO Box) Address, City or Town, State, Zip Code
OLIVIER EDOUARD	
Laury CARWINCHELLE LUCIEN	

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Name	Address (no PO Box) Address, City or Town, State, Zip Code
OLIVIER EDOUARD	
LAURY CARWINCHELLE LUCIEN	

9. Additional matters:

Filer's Contact Information

(Enter a contact name, mailing address, and email and/or phone number.)

Contact Name: Olivier Edouard

Business Name:

No. and Street:

City or Town:

State: MA

Zip:

Country: USA

Contact Phone:

Contact Email:

Please provide an email address to receive an expedited response from the Corporations Division.

If the filing is rejected for any reason, you will be contacted. If no email address is provided, correspondence from the Division will be sent by mail.

Please select delivery method for annual report notices: Email
 Mail

**SIGNED UNDER THE PENALTIES OF PERJURY, this 2 Day of July, 2019,
Olivier Edouard , Signature of Authorized Signatory.**

Make Corrections

Accept



**The Commonwealth of Massachusetts
William Francis Galvin**

Minimum Fee: \$500.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Certificate of Organization

(General Laws, Chapter)

Identification Number: *(number will be assigned)*

1. The exact name of the limited liability company is: Franklin Brewing Company, LLC

2a. Location of its principal office:

No. and Street: 8 Brian Rd
City or Town: Franklin State: MA Zip: 02038 Country: USA

2b. Street address of the office in the Commonwealth at which the records will be maintained:

No. and Street: 8 Brian Rd
City or Town: Franklin State: MA Zip: 02038 Country: USA

3. The general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:

Microbrewery, retail, tasting room, and any lawful business for which a limited liability company may be organized under the laws of the Commonwealth of Massachusetts.

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent:

Name: Laury Carwinchelle Lucien
No. and Street:
City or Town:

I, Laury Carwinchelle Lucien resident agent of the above limited liability company, consent to my appointment as the resident agent of the above limited liability company pursuant to G. L. Chapter 156C Section 12.

6. The name and business address of each manager, if any:

Name	Address (no PO Box) Address, City or Town, State, Zip Code
Olivier Edoaurd	
Laury Carwinchelle Lucien	

7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.

Name	Address (no PO Box) Address, City or Town, State, Zip Code

Olivier Edouard

Laury Carwinchelle Lucien

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Name	Address (no PO Box) Address, City or Town, State, Zip Code
Olivier Edouard	
Laury Carwinchelle Lucien	

9. Additional matters:

Filer's Contact Information

(Enter a contact name, mailing address, and email and/or phone number.)

Contact Name: Laury Carwinchelle Lucien

Business Name:

No. and Street:

City or Town:

State: MA

Zip

Country: USA

Contact Phone:

Contact Email:

Please provide an email address to receive an expedited response from the Corporations Division.

If the filing is rejected for any reason, you will be contacted. If no email address is provided, correspondence from the Division will be sent by mail.

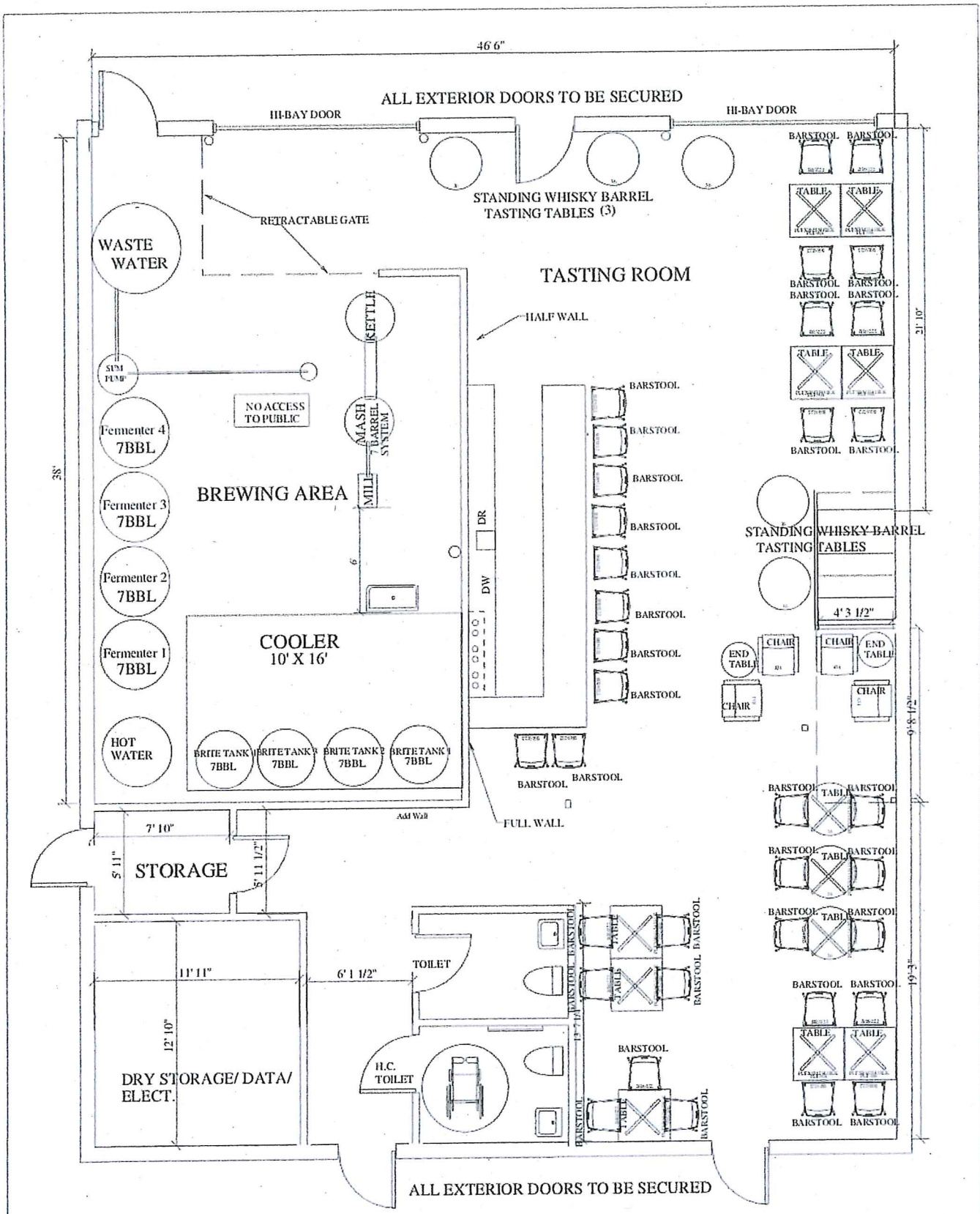
SIGNED UNDER THE PENALTIES OF PERJURY, this 12 Day of March, 2018,

Laury Carwinchelle Lucien

(The certificate must be signed by the person forming the LLC.)

Make Corrections

Accept



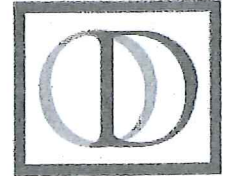
FRANKLIN BREWING COMPANY

Scale: 1/8" = 1' 0"

REVISED: DECEMBER 3, 2019

Total Seats: 39 Seats (Seating Area 651 s.f.)

OFFICE DIRECT





158 Grove Street, Franklin MA 02038

MENU

Our original menu will have the following beers on tap and available for retail. We will also have different beer styles on rotation on a regular basis:

Route 140 New England IPA

Forge Park West Coast IPA

Retriever Pale Ale

Town of Franklin

Town Administrator
Tel: (508) 520-4949



Fax: (508) 520-4903

355 East Central Street
Franklin, Massachusetts 02038-1352

Manager of Record Experience Policy

The Town of Franklin requires a resume or written statement to be submitted with the application for a new alcohol license, transfer of license or change of manager, which details the proposed manager's experience serving or selling alcohol, training employees who serve or sell alcohol, supervision of employees who serve or sell alcohol and any other relevant experience.

Resumes or written statements are only required for the individual who will be the manager of record for the establishment.

To Whom it may concern,

It is with great excitement that Franklin Brewing Company DBA "67 Degrees" is providing this narrative statement detailing the experience of its staff in the management, production, and selling of alcohol along with the steps will we take to responsibly serve our guests and the community.

Olivier Edouard, the Manager of Record for the company, has worked as a bartender/waiter throughout college and is eTIPS certified. Olivier recently helped organized Franklin's first Beer Garden as part of the Art Week annual cultural festival with huge success. Olivier is also a member of the Brewers Association and the Mass Brewers Guild.

Timothy Morse, the Master Brewer, is a veteran of the brewing industry. Tim has been at the forefront of the craft brewing industry and helped build and establish many stapled brand in New England and on the West Coast. Some of his work include Boston Beer Works, John Harvard's, Anchor Brewing, and Commonwealth Brewing. Tim is eTIPS certified.

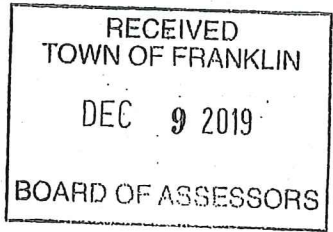
All managers, including partners, and new employees of the company will receive proper training on how to serve and sell alcohol to the public and be required to obtain the On Premise eTIPS certification. New employees will also undergo a one hour training on how to verify and validate identification cards, use an ID scan application, and utilize the company's Point of Sale system to prevent illegal purchase of alcohol and overconsumption on our premises.

Regards,

Olivier Edouard
Chief Executive Officer
Franklin Brewing Company

Town of Franklin – Board of Assessors

355 East Central St
Franklin, MA 02038
Tel # 508-520-4920
Fax # 508-520-4923



Abutters List Request Form

Please Note: A \$25.00 fee per list is required to process your request. Payment is due at the time of submission of this form. Please allow 10 days from the date of both payment and submission of the form for the Assessors office to complete processing your request. (Revised 1-1-17)

Date of Request 12/09/2019

Assessors Parcel ID # (12 digits) 306-001-000-000 ✓

Property Street Address 158 GROVE STREET ✓

Distance Required From Parcel # listed above (Circle One) 500 (300) 100
(Note: if a distance is not circled, we cannot process your request)

Property Owner ALBERT LEWIS / GROVE STREET REALTY TRUST

Property Owner's Mailing Address _____

Town/City FRANKLIN State MA Zip Code 02038

Property Owner's Telephone # _____

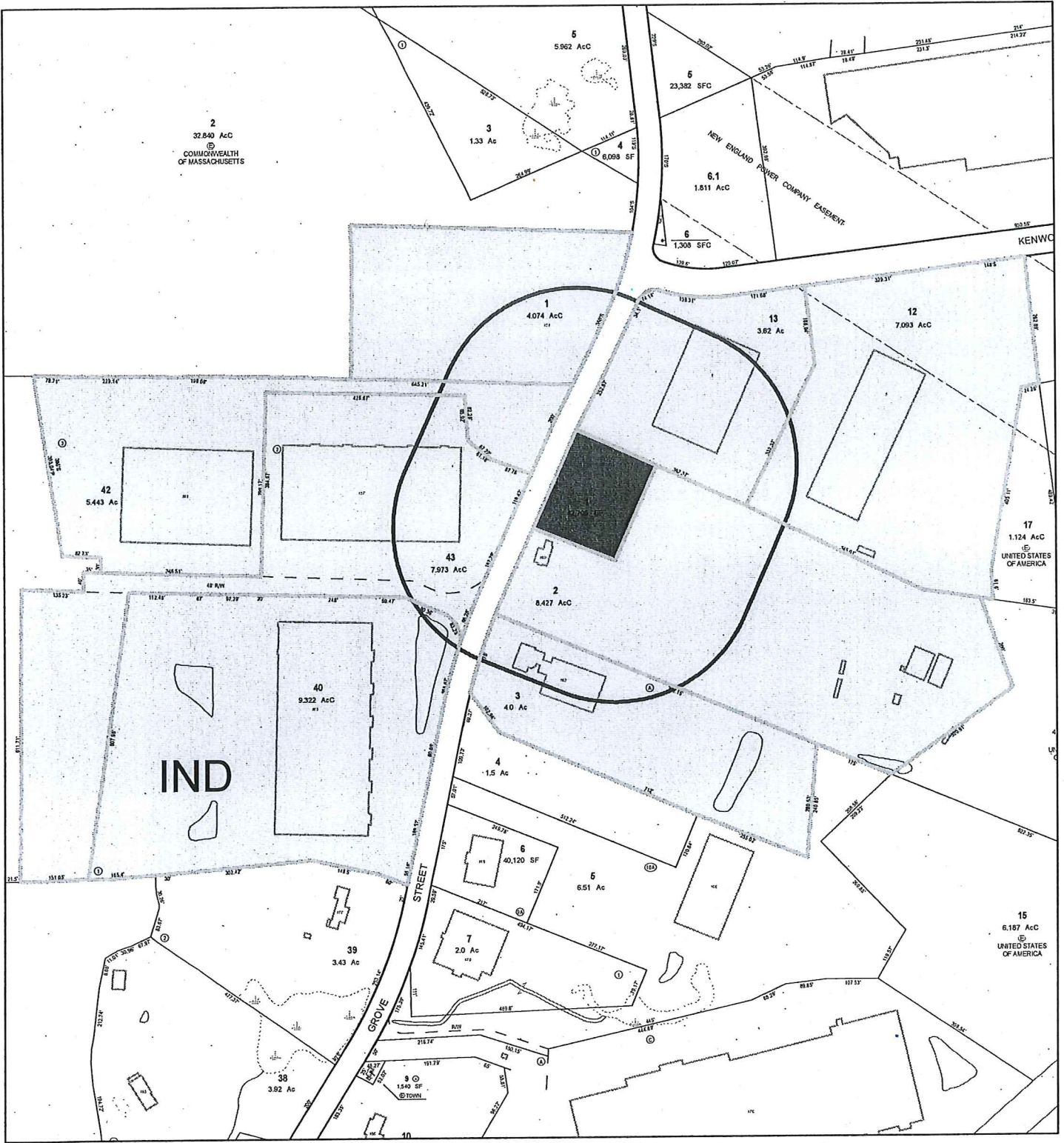
Requestor's Name (if different from Owner) OLIVIER EDOUARD Edouard

Requestor's Address _____

Requestor's Telephone # _____

Office Use Only: Date Fee Paid 12/9/19 Paid in Cash \$ _____

Paid by Check \$ 25.00 Check # 89 Town Receipt # _____



2
32,840 AcC
COMMONWEALTH
OF MASSACHUSETTS

158 GROVE ST - 300' ABUTTERS
Town of Franklin



12/13/2019



300' Abutters List Report

Franklin, MA
December 13, 2019

Subject Parcel:

Parcel Number: 306-001-000
CAMA Number: 306-001-000-000
Property Address: 158 GROVE ST

Mailing Address: LEWIS ALBERT G, TR GROVE STREET
REALTY TRUST
7 UNCAS BROOK ROW
FRANKLIN, MA 02038

Abutters:

Parcel Number: 294-001-000
CAMA Number: 294-001-000-000
Property Address: 151 GROVE ST

Mailing Address: SIDHU KANWARJIT S SIDHU
SURINDERPAL
1411 MILLER RD
CORAL GABLES, FL 33146-2307

Parcel Number: 295-012-000
CAMA Number: 295-012-000-000
Property Address: 5 KENWOOD CIR

Mailing Address: RCG KENWOOD LLC C/O REGENCY
WAREHOUSE
5 KENWOOD CIR
FRANKLIN, MA 02038

Parcel Number: 295-013-000
CAMA Number: 295-013-000-000
Property Address: 1 KENWOOD CIR

Mailing Address: ONE KENWOOD LLC
1 KENWOOD CIR
FRANKLIN, MA 02038

Parcel Number: 306-001-000
CAMA Number: 306-001-000-000
Property Address: 158 GROVE ST

Mailing Address: LEWIS ALBERT G, TR GROVE STREET
REALTY TRUST
7 UNCAS BROOK ROW
FRANKLIN, MA 02038

Parcel Number: 306-002-000
CAMA Number: 306-002-000-000
Property Address: 160 GROVE ST

Mailing Address: BARTOLINI JOSEPHINE J, TR 279 GROVE
ST NOMINEE TRUST
P.O. BOX 369
SOUTHBOROUGH, MA 01772

Parcel Number: 306-003-000
CAMA Number: 306-003-000-000
Property Address: 162 GROVE ST

Mailing Address: CHARLEY2017 LLC
7 MYRTLE ST
NORFOLK, MA 02056

Parcel Number: 306-040-000
CAMA Number: 306-040-000-000
Property Address: 165 GROVE ST

Mailing Address: TRPF 157 165 GROVE ST LLC C/O TH
REAL ESTATE
730 THIRD AVE 4TH FLOOR
NEW YORK, NY 10017

Parcel Number: 306-042-000
CAMA Number: 306-042-000-000
Property Address: 161 GROVE ST

Mailing Address: 161 GROVE LLC
13 WHEELING AVE
WOBURN, MA 01801

Parcel Number: 306-043-000
CAMA Number: 306-043-000-000
Property Address: 157 GROVE ST

Mailing Address: TRPF 157 165 GROVE STREET LLC C/O
TH REAL ESTATE
730 THIRD AVE 4TH FLOOR
NEW YORK, NY 10017

Kevin M. Doyle, 12-13-19

www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/4/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER GHM Agency 51 Main Street PO Box 649 Waterville ME 04903-0649		CONTACT NAME: Chelsea Gallagher PHONE (A/C, No, Ext): E-MAIL ADDRESS: FAX (A/C, No):	
INSURED Franklin Brewing, LLC 8 Brian Road Franklin MA 02038		INSURER(S) AFFORDING COVERAGE INSURER A: Tri-State Insurance Co of Minnesota INSURER B: Acadia Insurance Co INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 31003 31325	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			ADV5406039-10	12/3/2019	12/3/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			ADV5406039-10	12/3/2019	12/3/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WCA5420236-10	12/3/2019	12/3/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability			ADV5406039-10	12/3/2019	12/3/2020	Each Common Cause 1,000,000 Aggregate 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Franklin Brewing, LLC
8 Brian Road
Franklin, MA 02038

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Karen Redman/KAREN

© 1988-2014 ACORD CORPORATION. All rights reserved.

11/25/2019



Town of Franklin, MA
Department of the Town Clerk
355 East Central Street, Franklin, MA 02038

Date Issued: November
25, 2019
Record #:
Certificate #:

BUSINESS VERIFICATION CERTIFICATE

In conformity with the provisions of Chapter 110, Section 5 of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of:

Franklin Brewing Company LLC d/b/a 67 Degrees is conducted at: 158 GROVE ST

by the following person:

FULL NAME

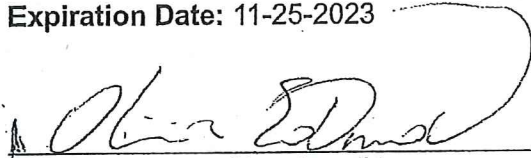
Olivier Edouard

RESIDENCE

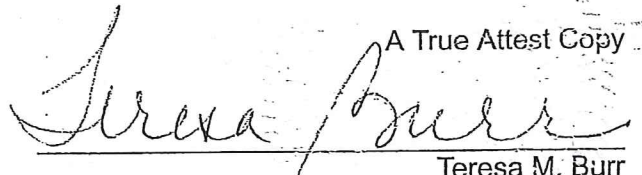
8 Brian Road, Franklin, MA 02038

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Expiration Date: 11-25-2023


Business Owner Signature #1

Business Owner Signature #2


A True Attest Copy
Teresa M. Burr
Town Clerk

To learn more, scan this barcode or visit franklinma.viewpointcloud.com/records/



STANDARD FORM COMMERCIAL LEASE

1. PARTIES Grove Street Realty Trust, LESSOR, which expression shall include its heirs, successors, and assigns where the context so admits, does hereby lease to Franklin Brewing, LLC and Olivier Edouard. LESSEE, which expression shall include its successors, executors, administrators, and assigns where the context so admits, and the LESSEE hereby leases the following described premises:
- The use of the leased property is to operate a microbrewery and taste room
2. PREMISES Approximately 3,000 +/- S.F. of warehouse space located 158 Grove St, Franklin, MA
3. TERM The term of this lease shall be for Two (2) years commencing on May 1, 2019 and ending on May 31, 2021.
- LESSEE shall have One (1) option to extend this lease for Five (5) additional years with prior written notice of such intention given to the Lessor on or before December 1, 2020.
4. RENT The LESSEE shall pay to the LESSOR rent, at the rate of:
- | | <u>Annually</u> | <u>Monthly</u> |
|-----------------------------|-----------------|----------------|
| May 2019 | N/A | FREE |
| June 1, 2019 – May 31, 2021 | \$33,000 | \$2,750 |
| Option Year 1: | \$33,000 | \$2,750 |
| Option Years 2&3: | \$36,000 | \$3,000 |
| Option Years 4&5: | FMV | FMV |
- During option years 4&5 the rent shall be at the then fair market value (FMV), but not less than \$3,250/month.
- Payable in advance monthly installments due on the first of each month. In the event LESSEE is late on rental payments, there shall be a \$50 penalty per each day late.
5. SECURITY DEPOSIT Due on or before June 1, 2019, the LESSEE shall pay to the LESSOR the amount of \$2,750.00 dollars, which shall be held as a security for the LESSEE's performance as herein provided and refunded to the LESSEE at the end of this lease subject to the LESSEE's satisfactory compliance with the conditions hereof.
6. RENT ADJUSTMENT LESSEE shall be responsible for the snow removal of the property.
- Should the septic system located on the property require servicing or pumping more than once every two years, LESSEE shall reimburse the LESSOR for the cost of the additional pumping and service of the septic system.
7. UTILITIES The LESSEE shall pay, as they become due, all utility bills for electricity, gas, and water (whether they are used for furnishing heat or other purposes) that are furnished to the leased premises servicing the leased premises.

LESSOR shall have no obligation to provide utilities or equipment other than the utilities and equipment within the premises as of the commencement date of this lease. In the event LESSEE requires additional utilities or equipment, the installation and maintenance thereof shall be the LESSEE's sole obligation, provided that such installation shall be subject to the written consent of the LESSOR.

8. USE OF LEASED

The LESSEE shall use the leased premises only for the purpose of operating a microbrewery and tasting room.

9. COMPLIANCE WITH LAWS

The LESSEE acknowledges that no trade or occupation shall be conducted in the leased premises or use made thereof which will be unlawful, improper, noisy or offensive, or contrary to any law or any municipal by law or ordinance in force in the city or town in which the premises are situated.

10. FIRE INSURANCE

The LESSEE shall not permit any use of the leased premises which will make voidable any insurance on the property of which the leased premises are a part, or on the contents of said property or which shall be contrary to any law or regulation from time to time established by the New England Fire Insurance Rating Association, or any similar body succeeding to its powers. The LESSEE shall on demand reimburse the LESSOR, and all other tenants, all extra insurance premiums caused by the LESSEE's use of the premises.

11. MAINTENANCE

A. LESSEE'S OBLIGATION

The LESSEE agrees to maintain the leased premises in good condition, damage by fire and other casualty only excepted, and whenever necessary, to replace plate glass and other glass therein, acknowledging that the leased premises are now in good order and the glass whole. The LESSEE shall not permit, the leased premises to be overloaded, damaged, stripped, or defaced, nor suffer any waste.

B. LESSOR'S OBLIGATION

The LESSOR agrees to maintain the roof and structure of the building of which the leased premises are a part in the same condition as it is at the commencement of the term or as it may be put in during the term of this lease, reasonable wear and tear, damage by fire and other casualty only excepted, unless such maintenance is required because the LESSEE or those for whose conduct the LESSEE is legally responsible.

12. ALTERATIONS ADDITIONS

The LESSEE shall not make structural alterations or additions to the leased premises but may make non-structural alterations provided the LESSOR consents thereto in writing, and LESSEE confirms with all building specifications and obtains permits with the Town of Franklin when required. Landlord consent shall not be unreasonably withheld or delayed. All such allowed alterations shall be at LESSEE's expense and shall be in quality at least equal to the present construction. LESSEE shall not permit any mechanics' liens, or similar liens, to remain upon the leased premises for labor and material furnished to LESSEE or claimed to have been furnished to LESSEE in connection with work of any character performed or claimed to have been performed at the direction of LESSEE and shall cause any such lien to be released of record forthwith without cost to LESSOR. Any alterations or improvements made by the LESSEE shall become the property of the LESSOR at the termination of occupancy as provided herein.

13. ASSIGNMENT-
SUBLEASING

The LESSEE shall not assign or sublet the whole or any part of the leased premises without LESSOR'S prior written consent. Notwithstanding such consent, LESSEE shall remain liable to Lessor for the payment of all rent and for the full performance of the covenants and conditions of this lease.

14. SUBORDI-
NATION

This Lease shall be subject and subordinate to any and all mortgages, deeds of trust and other instruments in the nature of a mortgage, now or at any time hereafter, a lien or liens on the property of which the leased premises are a part and the LESSEE shall, when requested, promptly execute and deliver such written instruments as shall be necessary to show the subordination of this lease to said mortgages, deeds of trust or other such instruments in the nature of a mortgage.

15. LESSOR'S
ACCESS

The LESSOR or agents of the LESSOR may, in the event of an emergency, or with 24 hour prior written notice, enter to view the leased premises and may remove placards and signs not approved and affixed as herein provided, and make repairs and alterations as LESSOR should elect to do and may show the leased premises to others, and at any time within three (3) months before the expiration of the term, may affix to any suitable part of the leased premises a notice for letting or selling the leased premises or property of which the leased premises are a part and keep same so affixed without hindrance or molestation.

16. INDEMNIFI-
CATION AND
LIABILITY

The LESSEE shall save the LESSOR harmless from all loss and damage occasioned by the use or escape of water or by bursting pipes, as well as from any claim or damage resulting from neglect in not removing snow and ice from the sidewalks bordering upon the premises so leased, or by any nuisance made or suffered on the leased premises, unless such loss is caused by the neglect of the LESSOR. The removal of snow and ice from the sidewalks and parking lot bordering upon the leased premises shall be LESSEE's responsibility.

17. LESSEE'S
LIABILITY
INSURANCE

The LESSEE shall maintain with respect to the leased premises and the property of which the leased premises are a part comprehensive public liability insurance in the amount of \$2,000,000.00 with property damage insurance in limits of \$1,000,000.00 in responsible companies qualified to do business in Massachusetts and in good standing therein insuring the LESSOR as well as the LESSEE against injury to persons or damage to property as provided. The LESSEE shall deposit with the LESSOR certificates for such insurance at or prior to the commencement of the term, and thereafter within thirty (30) days prior to the expiration of any such policies. All such insurance certificates shall provide that such policies shall not be cancelled without at least ten days (10) days prior written notice to each assured named therein.

18. FIRE,
CASUALTY-
EMINANT
DOMAIN

Should a substantial portion of the leased premises, or of the property of which they are a part, be substantially damaged by fire or other casualty, or be taken by eminent domain, the LESSOR may elect to terminate this lease. When such fire, casualty, or taking renders the leased premises substantially unsuitable for their intended use, a just and proportionate abatement of rent shall be

made, and the LESSEE may elect to terminate this lease if:

- (a) The LESSOR fails to give written notice within thirty (30) days of intention to restore leased premises, or
- (b) The LESSOR fails to restore the leased premises to a condition substantially suitable for their intended use within ninety (90) days of said fire, casualty or taking.

The LESSOR reserves, and the LESSEE grants to the LESSOR, all rights which the LESSEE may have for damages or injury to the leased premises for any taking by eminent domain, except for damage to the LESSEE's fixtures property or equipment.

19. DEFAULT
AND
BANKRUPTCY

In the event that:

- (a) The LESSEE shall default in the payment of any installment of rent or other sum herein specified, and such default shall continue for ten (10) days after written notice thereof; or
- (b) The LESSEE shall default in the observance or performance of any other of the LESSEE's covenants, agreements, or obligations hereunder and such default shall not be corrected in thirty (30) days after written notice thereof; or
- (c) The LESSEE shall be declared bankrupt or insolvent according to law, or, if any assignment shall be made of LESSEE's property for the benefit of creditors,

Then the LESSOR shall have the right thereafter, while such default continues, to re-enter and take complete possession of the leased premises to declare the term of the lease ended, and remove the LESSEE's effects, without prejudice to any remedies which might be otherwise used for arrears of rent or other default. The LESSEE shall indemnify the LESSOR against all loss of rent and other payments which the LESSOR may incur by reason of such termination during the residue of the term. If the LESSEE shall default, after reasonable notice thereof, in the observance or performance of any conditions or covenants on LESSEE's part to be observed or performed under or by virtue of any of the provisions in article of this lease, the LESSOR, without being under any obligation to do so and without thereby waiving such default, may remedy such default for the account and at the expense of the LESSEE. If the LESSOR makes any expenditures or incurs any obligations for the payment of money in connection therewith, including but not limited to, reasonable attorney's fees in instituting, prosecuting or defending any action or proceeding, such sums paid or obligations insured, with interest at the rate of 10% per cent per annum costs, shall be paid to the LESSOR by the LESSEE as additional rent.

20. NOTICE

Any notice from the LESSOR to the LESSEE relating to the leased premises or to the occupancy thereof, shall be deemed duly served, if mailed to the LESSOR at the leased premises, registered or certified mail, return receipt requested, postage prepaid, addressed to the LESSEE. Any notices from the LESSEE to the LESSOR relating to the leased premises or to the occupancy thereof, shall be deemed duly served, if mailed to the LESSOR by registered or certified mail, return receipt requested, postage prepaid, addressed to the LESSOR at the leased premises. All rent notices shall be paid and sent to the LESSOR at 7 Uncas Brook Row, Franklin, MA.

21. SURRENDER

The LESSEE at the expiration or other termination of this lease remove all LESSEE's goods and effects from the leased premises, (including, without hereby limiting the generality of the foregoing, all signs and lettering affixed or painted by the LESSEE, either

inside or outside the leased premises). LESSEE shall deliver to the LESSOR the leased premises and all keys, locks thereto, and other fixtures connected therewith and all alterations and additions made to or upon the leased premises, in good condition, damage by fire or other casualty only excepted. In the event of the LESSEE's failure to remove any of the LESSEE's property from the premises, Lessor is hereby authorized, without liability to LESSEE for loss or damage thereto, and at the sole risk of LESSEE, to remove and store any of the property at LESSEE's expense, or to retain same under LESSOR's control or sell at public or private sale, without notice any or all of the property not so removed and to apply the net proceeds of such sale to the payment of any sum due hereunder, or to destroy such property.

22. BROKERAGE

Atlantic Commercial Real Estate, LLC warrant(s) that it is duly licensed as such by the Commonwealth of Massachusetts, and join(s) in this agreement and become(s) a party hereto, insofar as any provisions of this agreement expressly apply to him (them), and to any amendments or modifications of such provisions to which he (they) agree(s) in writing. LESSOR agrees to pay Atlantic Commercial Real Estate, LLC upon the term commencement date a fee for professional services as per Atlantic Commercial Real Estate, LLC's commission schedule.

23. OTHER PROVISIONS

It is also understood and agreed that:

1. LESSOR shall deliver the property in broom clean condition with all systems in good working order.
2. LESSEE shall have the one (1) option to terminate this lease with prior written notice given to the LESSOR on or before June 4, 2019 at 5:00 PM. Rent payments made by the LESSEE prior to the option to terminate being exercised, shall be non-refundable.
3. LESSEE shall have access to 13 parking spaces. All parking is in common with others entitled thereto.
4. LESSEE at LESSEE's expense shall have the right to utilize existing pylon signage and signage on the building. All signage shall be subject to the approval of the Landlord & The Town of Franklin.
5. LESSEE at LESSEE's expense shall be responsible for maintaining, and pumping the tight tank located on the property. LESSEE agrees to indemnify and hold harmless the LESSOR from any claims, or liabilities related to the tight tank that may arise during the time of the LESSEE's occupancy at the property.
6. Due upon signing of this lease LESSEE shall provide LESSOR with a check for second months rent and security deposit, and insurance binder.

IN WITNESS WHEREOF, the said parties herunto set their hands and seals this ____ day of April, 2019.


Franklin Brewing, LLC
And Olivier Edouard

LESSEE



Duly Authorized

Grove Street Realty Trust
LESSOR



Trustee



The Commonwealth of Massachusetts
Department of Industrial Accidents

Office of Investigations
600 Washington Street
Boston, MA 02111
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Franklin Brewing Company, LLC

Address: 8 Brian Road

City/State/Zip: Franklin, MA 02038

Phone #:

Are you an employer? Check the appropriate box:

1. I am an employer with 2 employees (full and/or part-time).*
2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. Retail
6. Restaurant/Bar/Eating Establishment
7. Office and/or Sales (incl. real estate, auto, etc.)
8. Non-profit
9. Entertainment
10. Manufacturing
11. Health Care
12. Other **Micro-Brewery with tasting room**

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Acadia Insurance Company

Insurer's Address: GHM Agency 51 Main Street PO Box 649

City/State/Zip: Waterville ME 04903

Policy # or Self-ins. Lic. #

Expiration Date: 12/03/2020

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature:

[Handwritten Signature]

Date:

12/6/19

Phone #:

617-650-5914

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health
2. Building Department
3. City/Town Clerk
4. Licensing Board
5. Selectmen's Office
6. Other _____

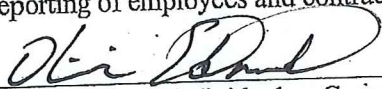
Contact Person:

Phone #:




CERTIFICATE OF COMPLIANCE WITH STATE LAWS

Pursuant to M.G.L Chapter 62C, Sec 49A, and M.G.L. Ch. 151A, Section 19A, the undersigned acting on behalf on the License Holder, certifies under the penalty of perjury that, to the best of the undersign's knowledge and belief, the License Holder is in compliance with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support*.



** Signature of Individual or Corporate License Holder (Mandatory)

*** License Holder's Social Security Number/or Federal Identification Number

By: 
Corporate Officer
(Mandatory, if applicable)

Date: 12/12/2019

*The provision in the Attestation of relating to child support applies only when the License Holder is an individual.

**Approval of or a renewal of a license will not be granted unless this certification clause is signed by the applicant. For all corporations, a certified copy of the vote of the Board of Directors must be provided.

*** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a license or other agreement issued, renewed or extended. This request is made under the authority of Massachusetts General Laws, Chapter 62C, section 49A.

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

January 3, 2020

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Town Council 2020-2021 Legislative Session Goals

I have attached a draft set of goals for the Council's biennial goals setting discussion. These comprise a list of projects and initiatives that the staff believe are important to undertake over the course of the next two years.

If you have any additional questions please feel free to ask.

**Town Council Meeting
2020 and 2021 Goals
Town Council Workshop
January 8, 2020**

Fiscal

- Approval of Annual Capital Improvement Plan -- FY20 and FY21
- Approval of a balanced Operating Budget -- FY21 and FY22
 - Closely monitor expected budget shortfalls in both FY21 and FY22
- Establish Ad Hoc Subcommittee to evaluate stormwater fee analysis
 - Present analysis to the full Council
- Determine Water rate increase for FY20/FY21, notably for the water treatment plant and wells loan package
- Determine Sewer rate increase, if needed, for FY20/FY21
- Seek new borrowing capacity for municipal and school building capital improvements and sidewalks
- Discussion on the Community Preservation Act
- Discussion on Trash & Recycling account
- Continue to ask for OPEB solutions with state officials
- Explore new revenue options, generally

Economic Development – To the EDC

- Revise Solar Bylaw in Residential districts
- Continue Lot Line “Clean ups” around town
- Present Economic Profile to the Town Council
 - EDC to evaluate or implement ideas based off of the recommendations in the final report
- Nu-Style (Grove Street) options
- Zoning Changes
 - Master Plan Update before the Council -- Expected June/July 2020
 - Draft and Adopt state Affordable Housing Plan
 - Inclusionary Zoning bylaw proposal to stabilize the Town’s Affordable Housing Inventory with the state to ensure we maintain 10% affordable housing stock and preserving local zoning
 - Residential 5 and C-1 density
 - The Franklin Crossing Neighborhood District rezone
- Ferrara Parking Lot Lease for continued commuter rail and free municipal parking in downtown

- Review and cleanup Marijuana Overlay District
- MBTA parking Lot in Downtown

Facilities

- Approve borrowing authorization for 5-year facilities capital needs
- Future of Old South Meeting House
- Review Police Station space – Look to FY21 Capital Plan to invest in the \$150,000 study and Council discussion
- Transfer/Recycling Center improvements when land transfer complete
- Apply for Cultural Facilities Fund grant to restore Historical Museum cupola and refurbish Museum basement with proper preservation storage

DPW

- Implement StormWater Plan Division -- Establish Utility bylaw, establish Ad Hoc committee and evaluate stormwater fee & credit system
- Prioritize Road Funding annual appropriation in the operating budget
 - Prioritize \$650,000 line item town budget, per Town fiscal Policy
- Continue Implementing the Water Main 5-year plan
- Construct Water Treatment Plant & Wells 3&6. FY20 will require a water rate hike to pay for the loans
- Present future options for Beaver Street interceptor
- Continue sewer system infrastructure improvements
- Fund sidewalk plan for Beaver Street/Washington Streets -- find a funding source
- Consider a long-range sidewalk master plan.

Recreation/Open Space

- Continue to invest free cash into our parks and fields each year.
 - Beaver Street Course and Nason Street Tot lot are priorities for 2020-21
- Purchase Open Space as may be available
- Finalize and begin to implement pedestrian Franklin Greenway Network --
 - Approve Complete Streets Policy, develop and finalize plan
- Take over Concerts on the Common in 2020 and move to Friday nights and add family movie nights on the Common
- Continue to implement 2016 Open space/recreation plan
- Continue supporting SNETT trail development and other trail projects
 - 2020 Prospect Street tunnel will be built by the state
- Continue on Delcarte improvements

- remediate weed and fish issues, etc
- complete capital improvements at Delcarte

Community – Generally

- Continue to accept Public Ways
- Implement “Green Community goals” - apply for competitive grants in 2020
- Revise Demolition delay bylaw with Historical Commission and Building Commissioner
- Implement “Master Plan” recommendations at the Historical Museum
- Begin process to decommission Spring Street from 140 to the new solar field on Spring Street through the state park with Town Attorney
- Approve Snow Removal bylaw on sidewalks
- Successful Cable contracts negotiation with Comcast -- expires October 2020
- Finalize 3-year Collective Bargaining cycle - Spring of 2020
- 5G bylaw
- Implement Electric Aggregation, when appropriate -- last bid December 2019

Civic Engagement (NEW)

- Research the potential for a “Citizen’s Academy” course for citizens
- Research the ICMA Citizen Satisfaction Survey through the National Citizen Survey and National Research Council
- Continue to update and reinvent the Town website, social media accounts, consider implementing a TOF podcast (Soundcloud/ Anchor) and develop consistent best practices organization-wide.
- Expand E-Permitting and online payment options

Presentations/Discussions (tentatively/confirmed scheduled dates)

- Community Preservation Act - February 5 (scheduled)
- Housing Authority w/ Lisa Audette - February 12th (confirmed)
- Transitional Assistance - February 12th (confirmed)
- Economic Profile Study -- March/April (pending delivery of final report)
- MECC Regional Dispatch -- May 6th 2020 (confirmed)
- Department Presentations: Land Use & Permitting Departments -- June 2020
- Master Plan midway Update -- June/July 2020
- Charter Review Discussion - Late 2020

Thoughts/questions/ideas from Town Councilors

- List here

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

January 3, 2020

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition

Based on the discussion and poll taken at the December 18th Town Council meeting, I have attached the first draft reading of a Plastic Bag Ban legislation for the Council's consideration. The version attached is an updated copy of what was approved by the Attorney General for the Town of Medfield and has the main highlights from the Franklin proposal from a few years back.

If passed, this bylaw shall go into effect on or after July 1, 2020 with the option for local businesses to apply for a three month compliance extension that may be granted by the Town Administrator for economic hardship or other good cause as they may determine.

The legislation can be amended if the Council sees fit. This is a first reading of two readings required.

If you have any additional questions please feel free to ask.



**TOWN OF FRANKLIN
BYLAW AMENDMENT 20-847
NEW CHAPTER 130 PLASTIC CHECKOUT BAG PROHIBITION**

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN BY ADDING A NEW CHAPTER: CHAPTER 130 PLASTIC CHECKOUT BAG PROHIBITION.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT Chapter 130, Plastic Checkout Bag Prohibition is added in its entirety as follows to the Code of the Town of Franklin.

Chapter 130 Plastic Checkout Bag Prohibition

§ 130-1. Purpose and Intent.

- A. Plastic bag prohibition ordinances have proven to be effective in reducing plastic bag consumption and litter and are part of a growing global movement towards sustainability
- B. The purpose of this bylaw is to eliminate the usage of thin-film, single use plastic bags at checkout by all retailers in the Town of Franklin, on and after the effective date specified herein.

§ 130-2. Definitions

CHECKOUT BAGS

A carryout bag provided by a store to a customer at the point of sale or other point of departure for the purpose of transporting food or merchandise from the establishment. Checkout bags shall not include bags, whether plastic or not, in which loose produce of products are placed by the consumer to deliver such items to the point of sale or checkout area of the stores.

RECYCLABLE PAPER BAG

A paper bag that is:

- A. 100% recyclable, including the handles.
- B. Contains at least 40% post-consumer recycled paper content; and
- C. Displays the words “recyclable” and “made from 40% post-consumer recycled content” (or other applicable amount) in a visible manner on the outside of the bag.

REUSABLE CHECKOUT BAG

A sewn bag with stitched handles that is:

- A. Specifically designed and manufactured for multiple reuse;
- B. Can carry 25 pounds over a distance of 300 feet; and
- C. Is made of cloth or other machine washable fabric, provided that it may not be constructed of polyethylene or polyvinyl chloride.

BIODEGRADABLE BAG

A bag that is capable of being decomposed by bacteria or other living organisms. Biodegradable bags are typically made from plant-based materials like corn and wheat starch rather than petroleum.

THIN FILM BAG

A single-use plastic bag, typically with plastic handles, with a thickness of 4.0 mils or less, intended for single-use transport of purchased products.

RETAIL ESTABLISHMENT

Any retail operation located in the Town which sells goods, food or provides personal services to the public, including restaurants.

§ 130-3. Requirements for Checkout Bags and Exceptions.

- A. If any retail establishment, as defined in **§130-2**, provides checkout bags to customers, the bag must be either a recyclable paper bag or a reusable checkout bag, as defined in **§130-2**.
- B. Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail or grocery stores are strongly encouraged to make reusable checkout bags available for sale to customers at a reasonable price.
- C. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, fresh produce, bulk foods, wet items, and other similar merchandise, typically without handles, are still permissible under this bylaw.

§ 130-4. Violations and Enforcement.

- A. Any retail establishment violating the requirement(s) contained in **§130-3** of this bylaw shall be subject to a fine as follows:
 - (1) First offense: warning.
 - (2) Second offense: \$50.
 - (3) Third and subsequent offenses: \$100
- B. Each day that a violation continues shall be treated as a separate offense.
- C. This bylaw shall be enforced by the Franklin Town Administrator, the Building Commissioner and Building Inspectors and the Board of Health Agent(s), or their respective designees.

§ 130-5. Effective Date.

This bylaw shall take effect on and after July 1st, 2020, subject to grant to an individual retail establishment of a one three-month long compliance extension; a compliance extension may be granted by the Town Administrator, for economic hardship or other good cause, as he may determine.

This bylaw shall otherwise become effective in accordance with the provisions of the Franklin Home Rule Charter.

DATED: _____, 2020

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

**Teresa M. Burr, CMC
Town Clerk**

ABSENT: _____

**Glenn Jones, Clerk
Franklin Town Council**

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

January 3, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

Re: Bylaw Amendment 20-848: Add Chapter 147, Snow and Ice Removal

Based on some feedback and conversations at a recent Finance Committee meeting, some of you, as well as some in the community, have asked for the Town to discuss reinstating the snow bylaw where businesses are expected to shovel snow off sidewalks in front of their premises.

The original bylaw was adopted in 1975 and the Council repealed this bylaw in 2017 at the request of the previous Administrator due to the difficulty in enforcing the bylaw. I have attached the packet materials from those discussions at the time, where the debate surrounded around better enforcement or repeal the bylaw altogether.

However, in the two years since, it is becoming increasingly important to ensure a safe pathway on sidewalks for pedestrians, as well as good practice for inviting business to stores. With the challenges we face in snow and ice removal due the decline in contractors seeking work as snow plow drivers, this bylaw will have a positive impact in asking everyone to chip in a little. The proposal before you will have a positive effect for the mobility of pedestrians, most notably on the main arteries in the Downtown and Franklin Crossing.

The draft before you this evening is the exact bylaw that was approved in 1975 with one exception: a revised enforcement section. The previous bylaw had no enforcement provision other than a standard \$25 fine and did not designate any public officials to enforce it. I am proposing that the violations in this bylaw mirrors the exact same violations section in our lawn watering bylaws to make them consistent. Notice the focus on a first violation as an educational tool. The DPW and I have spoken about financial penalties numerous times before: we are not looking to issue financial fines. We use these tools as a way to educate to make the community better. I have also added a sentence of public officials who are required to enforce.

If you have any additional questions please feel free to ask.

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: December 23, 2016
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
RE: Chapter 147, Snow and Ice Removal

Chapter 147 of the Town Code requires owners of businesses that abut a public way to clear the sidewalks within 12 hours after a snow storm. This bylaw has not been enforced for a long time.

While I was not around in 1975 when the bylaw was adopted my guess is that it focused on the Downtown. Now with the businesses all along Route 140, the two industrial parks, Union Street, Kenwood Circle, Earls Way, West Central Street after 495, etc. it would seem impractical for each business to plow their section of the sidewalk. Does the Town Council want to consider repealing the by-law?

I am happy to answer any questions that you may have.

cc: Mark Cerel, Town Attorney



TOWN OF FRANKLIN
DEPARTMENT OF PUBLIC WORKS

257 Fisher Street
Franklin, MA 02038

November 12, 2015

Mr. Jeffrey Nutting, Town Administrator
Town of Franklin
355 East Central Street
Franklin, MA 02038

Re: Chapter 147. Snow and Ice, Removal of

Dear Jeff,

On January 10th, 1975 the Franklin Town Council adopted a bylaw, Chapter 147, which requires that businesses remove snow and ice from the sidewalks that abut public way within a specific time frame or they may be fined. Specifically it states:

147-1. Time limit for Removal.

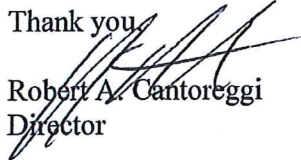
Owners of premises in which business may be conducted and which premises abut a public way shall, within 12 hours after a snowstorm, remove all accumulations of snow and ice from the sidewalk in front of said premises.

147-2. Violations and penalties.

Whoever violates the provision of § 147-1 above shall forfeit and pay for each violation a fine not exceeding \$25.





This bylaw has not been enforced in my tenure at DPW Director. I respectfully suggest that we come up with a plan for enforcement or remove it from the Town Code.




Thank you,


Robert A. Cantoreggi
Director

CC: Deacon Perrotta, Director of Operations
Carlos Rebelo, Highway and Grounds Superintendent
Mark Cerel, Town Attorney
File

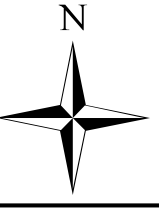
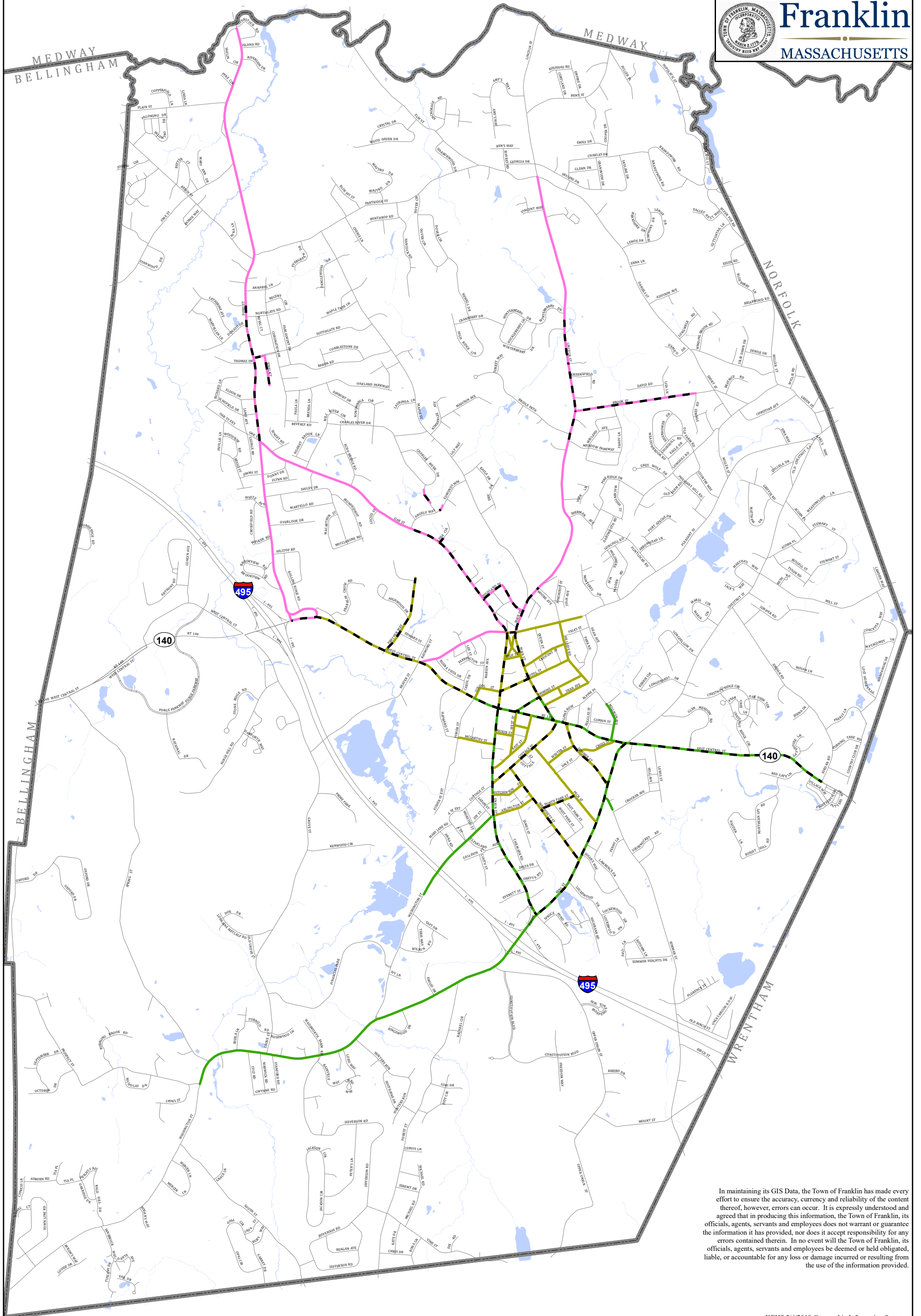
SIDEWALK PLOW ROUTES

-  Route 1
-  Route 2
-  Route 3
-  High Priority

-  Roadway
-  Water
-  Municipal Boundary

0 0.25 0.5
Kilometers

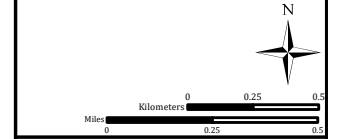
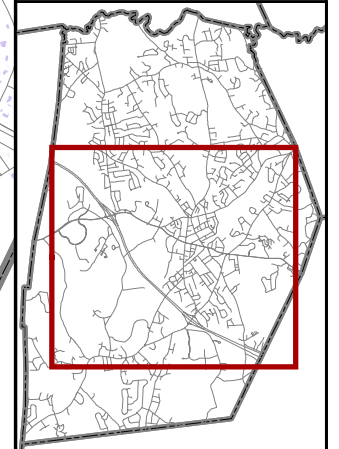
0 0.25 0.5
Miles

In maintaining its GIS Data, the Town of Franklin has made every effort to ensure the accuracy, currency and reliability of the content thereof, however, errors can occur. It is expressly understood and agreed that in producing this information, the Town of Franklin, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event will the Town of Franklin, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss or damage incurred or resulting from the use of the information provided.

SIDEWALKS ALONG COMMERCIAL PROPERTIES

- Sidewalks Along Commercial Properties
- Roadway
- Structure
- Municipal Boundary



In maintaining its GIS Data, the Town of Franklin has made every effort to ensure the accuracy, currency and reliability of the content thereof, however, errors can occur. It is expressly understood and agreed that in producing this information, the Town of Franklin, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event will the Town of Franklin, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss or damage incurred or resulting from the use of the information provided.





**TOWN OF FRANKLIN
BYLAW AMENDMENT 20-848
ADD CHAPTER 147, SNOW AND ICE, REMOVAL OF**

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 147.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that the Code of the Town of Franklin is amended by adding Chapter 147 Snow and Ice, Removal of, as follows,

**Chapter 147: Snow and Ice, Removal of
§147-1 Time limit for removal.**

Owners of premises in which business may be conducted and which premises abut a public way shall, within 12 hours after a snowstorm, remove all accumulations of snow and ice from the sidewalk in front of said premises.

§147-2 Enforcement and Penalties.

Any violation of this article shall subject the violator to a fine as follows:

1. First Violation (Within calendar year): a written warning.
2. Second Violation: a fine of \$50.
3. Every violation thereafter: a fine of \$200.

Each day that a violation continues shall constitute a new and separate offense.

This bylaw shall be enforced by the Town Administrator, Public Works Director, Chief of Police, or any of their designees.

This bylaw amendment shall become effective in accordance with the provisions of the Franklin Home Rule Charter.

DATED: _____, 2020

VOTED:
UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

**Teresa M. Burr, CMC
Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

January 3, 2019

To: Town Council

From: Jamie Hellen, Town Administrator

Re: Bylaw 19-846: Stormwater Utility Bylaw

Based on the presentation and the feedback we've received from previous meetings, I am asking the Council to consider approving the creation of a Stormwater Utility Enterprise fund, similar to the Water, Sewer and Trash enterprise funds the Town currently has.

As noted previously, the objective here is to create the framework to allow our finance staff the ability to work with MUNIS to create the utility in our financial systems. It will also allow the Council and staff to be able to do additional public outreach and engagement, as well as analyze the options for financing the federal regulations.

The vote before you tonight does not set any fee. The Ad Hoc committee will review the financials and recommend any fee structure to the full Town Council, which will be required to be put into the municipal fees section of the Town Code.

If you have any additional questions please feel free to ask.



**TOWN OF FRANKLIN
BYLAW AMENDMENT 19-846
CHAPTER 153 STORMWATER MANAGEMENT**

A bylaw to amend the Code of the Town of Franklin at Chapter 153 Stormwater Management by adding a new Article IV Stormwater Utility.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT Chapter 153 of the Code of the Town of Franklin Stormwater Management is hereby amended by adding a new Article IV Stormwater Utility as Follows:

**ARTICLE IV
STORMWATER UTILITY**

§153-19 GENERAL PROVISIONS

- a. Title
This bylaw shall be known as the Stormwater Utility By-Law of the Town of Franklin, Massachusetts, hereinafter referred to as the "by-law."
- b. Responsibility for Administration
The Town Administrator or his/her designee shall administer this by-law; the Town Administrator may delegate any powers granted to or duties imposed upon the Town Administrator to the Director of Public Works.
- c. Purpose
The stormwater management program of the Town shall be funded by revenue collected through the Stormwater Utility fee and such other revenue as may, from time to time, be appropriated. The stormwater management program is designed to collect and treat stormwater to promote the health and safety of the public, to protect property from flooding and the damage caused by stormwater runoff, to protect and manage water quality by controlling the level of pollutants in stormwater runoff, and to comply with Federal and state stormwater management mandates and permits.

§153-20 AUTHORITY

This by-law is adopted in accordance with the authority granted, inter alia, by Amendment Article 89 to Article II of the Massachusetts Constitution (the Home Rule Amendment), Section sixteen of Chapter 83 of the General Laws of the Commonwealth of Massachusetts and such other powers as are granted to cities and towns in the said General Laws.

§153-21 DEFINITIONS

The following words, terms and phrases, when used in this by-law, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Credit* means a reduction in the amount of a Stormwater Utility fee charged to the owner of a property where that property owner owns, maintains and operates on-site or off-site stormwater management systems or facilities, or provides services or activities that reduce or mitigate the Town's cost of providing stormwater management services, in accordance with the Town's approved credit policy.
- (b) *Developable* shall mean a parcel of land, as designated by the Assessor or other local jurisdictional authority, that can be altered from its natural state to include impervious surface area.
- (c) *Developed* means property altered from its natural state by construction or installation of greater than or equal to two hundred (200) square feet of impervious surfaces.
- (d) *Drainage system* shall mean natural and manmade channels, swales, ditches, swamps, rivers, streams, creeks, wetlands, branches, reservoirs, ponds, drainage ways, inlets, catch basins, gutters, pipes, culverts, bridges, head walls, storm sewers, lakes, and other physical works, properties, and improvements that transfer, control, convey or otherwise influence the movement of stormwater runoff.
- (e) *General Laws* means the General Laws of the Commonwealth of Massachusetts.
- (f) *Impervious surface* includes any material or structure on or above the ground that prevents precipitation from effectively infiltrating the underlying soil. Impervious surfaces include, without limitation, roads, paved or gravel parking lots, rooftops, buildings or structures, sidewalks, driveways, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development.
- (g) *Stormwater* is surface water that results from precipitation and that travels over natural or developed land surfaces to discharge into a drainage system or surface water body. Stormwater includes stormwater runoff, snow melt runoff, and surface water runoff and drainage.
- (h) *Stormwater management services* mean all services provided by the Town which relate to the:
 - (i) Transfer, control, conveyance or movement of stormwater runoff through the Town;
 - (ii) Maintenance, repair and replacement of stormwater management systems and facilities owned, controlled, or maintained by the Town;
 - (iii) Planning, development, design and construction of additional stormwater management systems and facilities to meet current and anticipated needs;

- (iv) Regulation, oversight, and enforcement of the use of stormwater management services, systems and facilities;
- (v) Compliance with applicable State and Federal stormwater management regulations and permit requirements including, but not limited to, public education and outreach. Stormwater management services may address the quality of stormwater runoff as well as the quantity thereof.
- (i) *Stormwater management systems and facilities* mean those natural and manmade channels, swales, ditches, rivers, streams, creeks, branches, reservoirs, ponds, drainage ways, inlets, catch basins, pipes, headwalls, storm sewers, outfalls and other physical works, properties and improvements which transfer, control, convey, detain, retain, treat or otherwise influence the movement of stormwater runoff.
- (j) *Stormwater Utility fee* means the periodic user fee that may be imposed pursuant to this by-law by the Town of Franklin which will be dedicated to the provision of public stormwater management services. The stormwater utility fee billing rate structure shall consist of a uniform flat rate based on the total number of billing units per property, an individual billing unit equalling one thousand (1000) square feet of impervious surface.
- (k) *Undeveloped land* shall mean all land that is not altered from its natural state to an extent that results in greater than two hundred (200) square feet of impervious surface area.

§153-22 STORMWATER UTILITY FEE AND ENTERPRISE FUND ESTABLISHED; RATES: DEPOSIT TO STORMWATER ENTERPRISE FUND

- (a) Pursuant to Section 16 of Chapter 83 of the General Laws, the Town may establish a charge for the use of the stormwater management services of the Town to be known as the Stormwater Utility fee. Stormwater charges shall be established such that they will provide sufficient funds, proportionately calculated and assessed, to construct, operate, maintain, and regulate the stormwater management systems and facilities in the Town of Franklin.
- (b) The Franklin Town Council (the Council) shall establish reasonable rates to defray the cost of administering and implementing the stormwater management program of the Town. The initial rates, and any later modifications, shall be based upon recommendation of staff and shall be set by the adoption of a Stormwater Fee Schedule by vote of the Council, to be included by amendment in the Code of the Town of Franklin Chapter 82 Fees, Municipal Service.
- (c) The Council (or their designee) shall establish a dedicated Stormwater Enterprise Fund in the Town budget and an accounting system to manage all funds collected for the purposes and responsibilities of the stormwater program. All revenues and receipts of the Stormwater Utility shall be placed in the Stormwater Enterprise Fund, which shall be separate from all other funds, and only expenses of the stormwater program shall be paid by the fund as provided in G.L. c.44,s. 53 F1/2.

- (d) Expenditure of funds may consider both stormwater quality and quantity management needs and can be used as described in Section 153-24.
- (e) The Stormwater Utility fee is to be assessed to each developed parcel in Town whether the property is occupied or not. The fee shall be calculated on an annual basis and billed to the record title owner of the property.

§153-23 SCOPE OF RESPONSIBILITY FOR STORMWATER MANAGEMENT SYSTEMS AND FACILITIES

- (a) The Town owns or otherwise has rights which allow it to operate, maintain, improve and access those stormwater management systems and facilities which are located:
 - (i) Within public road rights-of-way;
 - (ii) On private property but within easements granted to, and accepted by, the Town of Franklin, or are otherwise permitted to be located on such private property by written agreements for rights-of-entry, rights-of-access, rights-of-use or such other lawful means to allow for operation, maintenance, improvement and access to the stormwater management system facilities located thereon;
 - (iii) On public land which is owned by the Town and/or land of another governmental entity upon which the Town has agreements providing for the operation, maintenance, improvement and access to the stormwater management systems and facilities located thereon.
- (b) Operation, maintenance and/or improvement of stormwater management systems and facilities which are located on private or public property not owned by the Town, and for which the Town lacks a lawful right of entry, shall be and remain the legal responsibility of the property owner, except as otherwise provided for by state and federal laws and regulations.

§153-24 PURPOSES OF THE STORMWATER UTILITY FUND

Receipts from the Stormwater Utility fee, to the extent consistent with G.L. c. 44, s. 53 F1/2, shall be used for the following purposes:

- (a) The acquisition by gift, purchase or condemnation of real and personal property, and interests therein, necessary to construct, operate, and maintain stormwater management systems and facilities;
- (b) All costs of administration and implementation of the stormwater management program, including the cost of labor and equipment attributable to the stormwater management program and the establishment of reasonable operating and capital reserves to meet unanticipated or emergency stormwater management requirements;

- (c) Payment on principal and interest on debt obligations;
- (d) Engineering and design, debt service and related financing expenses, construction costs for new facilities (including costs for contracted services) and enlargement or improvement or existing facilities;
- (e) Operation and maintenance of the stormwater system, including catch basin cleaning, ditch maintenance, street sweeping, pipe repairs, and stormwater facility repairs;
- (f) Capital investments including stormwater best management practices (BMPs) and components (e.g., purchase of plants, soils, and other amenities to support stormwater management alternatives utilizing vegetation);
- (g) Illicit discharge detection and elimination;
- (h) Monitoring, surveillance, and inspection of stormwater control devices;
- (i) Water quality monitoring and water quality programs;
- (j) Retrofitting developed areas for pollution control;
- (k) Inspection and enforcement activities;
- (l) Billing and related administrative costs; and
- (m) Other activities which are reasonably necessary, including costs related to regulatory compliance and legal fees.

§153-25 STORMWATER UTILITY FEE EXEMPTIONS

- (a) The Town of Franklin finds that all developed property in the Town contributes to runoff and the owners thereof either use or benefit from the maintenance of the stormwater system. Therefore, except as provided in this section or otherwise provided by law, no developed public or private property located in the Town of Franklin shall be exempt from the Stormwater Utility fee charges. No exception, credit, offset, or other reduction in stormwater utility fee charges shall be granted based on age, tax status, economic status, race, religion or other condition unrelated to the cost of providing stormwater management services and facilities.
- (b) The Town establishes exemptions to the Stormwater Utility fee as follows:
 - (i) *Undeveloped land.*
 - (ii) *Public streets, highways and rights-of-way. However, maintenance buildings and/or other developed property used for road maintenance purposes shall not be exempt from Stormwater Utility fee charges. All other State, Federal, and*

County properties shall be subject to the user fee charges on the same basis as private properties.

- (iii) *Railroad rights-of-way (tracks). However, railroad stations, maintenance buildings, and/or other developed property used for railroad purposes shall not be exempt from Stormwater Utility fee charges.*

§153-26 STORMWATER UTILITY FEE CREDITS

- (a) The Director of Public Works is hereby authorized to grant credits to property owners to be applied against the Stormwater Utility fee based on the technical and procedural criteria set forth in the Stormwater Utility Credit Manual (Credit Manual) to be developed, maintained and, from time to time, amended by the Department of Public Works (DPW). The Credit Manual shall be implemented during the first year of the Stormwater Utility and shall be available for inspection by the public at the Department of Public Works.
- (b) The percentages for credits shall reflect the extent to which the subject properties reduce the peak rate of runoff from the property, or avoid other costs incurred by the stormwater management program in the delivery of services. The maximum possible credit for properties shall be detailed in the Credit Manual (to be developed by the Department of Public Works).
- (c) Any credit allowed against the Stormwater Utility fee is conditioned on continuing compliance with the Town's design and performance standards as stated in the Credit Manual and/or upon continuing provision of the controls, systems, facilities, services, and activities provided, operated, and maintained by the property owner or owners upon which the credit is based. The Town may revoke a credit at any time for noncompliance with applicable standards and criteria as established in the Credit Manual or this by-law.
- (d) In order to obtain a credit, the property owner must make application to the Town on forms provided by the Director of Public Works for such purpose. The forms are to be fully completed in accordance with the procedures outlined in the Credit Manual.
- (e) When an application for a credit is deemed complete by the DPW, the Town shall have adequate time from the date the complete application is accepted to either grant the credit in whole, grant the credit in part, or deny the credit. Credits applied for by the property owner and granted in whole or in part, shall apply to all Stormwater Utility fees in accordance with the terms defined in the Credit Manual.

§153-27 STORMWATER UTILITY FEE BILLING, DELINQUENCIES, COLLECTIONS AND ABATEMENTS

- (a) Failure to receive a Stormwater Utility bill will not be justification for non-payment. The property owner, as identified from public land records of the Town of Franklin, shall be obligated to pay the appropriate Stormwater Utility fee for that property. If a property is unbilled, or if no bill is sent for a particular parcel of developed land, the Town may back

bill for the fees as applicable for a period not to exceed two years of charges, but no late fees or delinquency charges of any kind shall be charged or recovered from any property owner so back billed.

- (b) Stormwater Utility bills shall be committed to the Treasurer/Collector for collection. In any case of nonpayment of a Stormwater Utility bill for sixty (60) days after the same is due, the Treasurer/Collector shall send a notice to the delinquent and apply appropriate interest and late charges to the fees, as previously approved by the Treasurer.
- (c) In accordance with Sections 16A through 16F of Chapter 83 of the General Laws, charges for the Stormwater Utility fee, together with interest thereon and costs relative thereto, shall be a lien upon the real estate for which the charge was billed. Such lien shall take effect by operation of law on the day immediately following the due date of such charge and, unless dissolved by payment or abatement, shall continue until such charge has been added to or committed as a tax in accordance with the requirements of Section 16C of Chapter 83 of the General Laws, and thereafter, unless so dissolved, shall continue as provided in Section 37 of Chapter 60 of the said General Laws.
- (d) In addition to the method of collection specified in Sections 16A through 16F of the General Laws, the overdue charge may be collected through any other lawful means.
- (e) In the event that a property owner believes the Stormwater Utility fee is improperly calculated or is otherwise incorrect, the property owner may, within thirty (30) days from the date of issuance of the Stormwater Utility bill, and after payment of the bill in full, apply to the Director of Public Works for an abatement. The application for abatement shall be supported by such information as is necessary for a reasonable person to conclude that it is more likely than not that the billing is in error. DPW shall have sixty (60) days to consider the request for abatement and render a written decision which may deny the abatement, grant the abatement in full or grant the abatement in part.

§153-28 APPEALS AND HEARINGS

- (a) In the event that a property owner is aggrieved by a written decision from the Director of Public Works denying an application for abatement in whole or in part, or denying an application for a credit, in whole or in part, the property owner shall have sixty (60) days from the date of the written decision to seek a review of the decision by the filing of an appeal with the appellate tax board of the Commonwealth of Massachusetts. The appeal shall be in writing and shall specify the grounds thereof. Upon the filing of the notice of appeal, the DPW shall make available all documents constituting the record upon which the original decision was made.

§153-29 SEVERABILITY

The invalidity of any section, provision, paragraph, sentence, or clause of this by-law shall not invalidate any section, provision, paragraph, sentence, or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.

This bylaw shall become effective in accordance with the provisions of the Franklin Home Rule Charter.

DATED: _____, 2020

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

**Teresa M. Burr, CMC
Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

January 3, 2020

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Resolution 20-01: Gift Acceptance - Franklin Police Department

The Franklin Police Department has received four (4) generous donations totaling \$2,675. These donations will be allocated towards the purchase of safety and other related equipment for Franklin Police Officers and in addition will be allocated towards funding for any Police Department Programs.

The donations were made as follows.

1. Francis & Lorraine Koudelka - \$2,500
2. Joan Spiegel - \$100
3. Guerriere & Halnon, Inc. - \$50
4. William & Dolores Conlon - \$25

We would like to thank all of the people and companies that have so generously donated to the Franklin Police Department.

If you have any additional questions please feel free to ask.



**TOWN OF FRANKLIN
RESOLUTION 20 - 01**

Acceptance of Gift – Franklin Police Department

WHEREAS,

The Franklin Police Department has received four generous donations totaling \$2,675 to be used at the discretion of the Franklin Police Department for the purchase of safety and other related equipment and to fund Police Department programs.

Donation Summary:

1. Francis & Lorraine Koudelka - \$2,500
2. Joan Spiegel - \$100
3. Guerriere & Halnon, Inc. - \$50
4. William & Dolores Conlon - \$25

NOW THEREFORE, BE IT RESOLVED THAT:

The Town Council of the Town of Franklin on behalf of the Franklin Police Department gratefully accepts these generous donations to be used at the discretion of the Franklin Police Department for the purchase of safety and other related equipment and to help fund departmental programs.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: _____, 2020

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

**Teresa M. Burr, CMC
Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

December 27, 2019

Francis & Lorraine Koudelka
2 Indian Brook Lane
Franklin, MA 02038

Dear Mr. & Mrs. Koudelka,

On behalf of the Town of Franklin, I would like to thank you for your generous donation to the Franklin Police Department. The Franklin Police Department prides itself on its community engagement and the variety of services it provides to the citizens of Franklin. Your exceptionally generous donation will be a tremendous help in the purchase of safety and other related equipment for our officers.

We appreciate your generosity and find it gratifying that you have chosen to give back to the community. Please call if I can ever be of assistance.

Warmest Regards,


Jamie Hellen
Town Administrator

cc: Thomas J. Lynch, Chief of Police

*Thank you for your support of
the Police Department!
Happy Holidays!*

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

December 31, 2019

Guerriere & Halnon, Inc.
ATTN: James Sullivan
55 West Central Street
Franklin, MA 02038

Dear Guerriere & Halnon, Inc.,

On behalf of the Town of Franklin, I would like to thank you for your generous donation to the Franklin Police Department. The Franklin Police Department prides itself on its community engagement and the variety of services it provides to the citizens of Franklin. Your exceptionally generous donation will be a tremendous help in the purchase of safety and other related equipment for our officers along with helping to fund the variety of Police Department Programs.

We appreciate your generosity and find it gratifying that you have chosen to give back to the community. Please call if I can ever be of assistance.

Warmest Regards,


Jamie Hellen
Town Administrator

cc: Thomas J. Lynch, Chief of Police

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

December 31, 2019

Joan Spiegel
59 Stone Ridge Road
Franklin, MA 02038

Dear Mrs. Spiegel,

On behalf of the Town of Franklin, I would like to thank you for your generous donation to the Franklin Police Department. The Franklin Police Department prides itself on its community engagement and the variety of services it provides to the citizens of Franklin. Your exceptionally generous donation will be a tremendous help in the purchase of safety and other related equipment for our officers along with helping to fund the variety of Police Department Programs.

We appreciate your generosity and find it gratifying that you have chosen to give back to the community. Please call if I can ever be of assistance.

Warmest Regards,



Jamie Hellen
Town Administrator

cc: Thomas J. Lynch, Chief of Police

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

December 31, 2019

William & Dolores Conlon
485 East Central Street, Apt 327
Franklin, MA 02038

Dear Mr. & Mrs. Conlon,

On behalf of the Town of Franklin, I would like to thank you for your generous donation to the Franklin Police Department. The Franklin Police Department prides itself on its community engagement and the variety of services it provides to the citizens of Franklin. Your exceptionally generous donation will be a tremendous help in the purchase of safety and other related equipment for our officers along with helping to fund the variety of Police Department Programs.

We appreciate your generosity and find it gratifying that you have chosen to give back to the community. Please call if I can ever be of assistance.

Warmest Regards,

Jamie Hellen
Town Administrator

cc: Thomas J. Lynch, Chief of Police

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

January 3, 2020

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Resolution 20-02: Gift Acceptance - Franklin Council on Aging

The Franklin Council on Aging has received a generous donation in the amount of \$1,500 from the Fletcher Hospital Corporation. The donation will be used by the Council on Aging to fund programs and activities.

We would like to thank the Fletcher Hospital Corporation for their generous donation to the Franklin Council on Aging.

If you have any additional questions please feel free to ask.



**TOWN OF FRANKLIN
RESOLUTION 20 - 02**

Acceptance of Gift – Franklin Council on Aging

WHEREAS, The Franklin Council on Aging has received a generous donation in the amount of \$1,500 from the Fletcher Hospital Corporation to be used at the discretion of the Franklin Council on Aging for programs and activities.

NOW THEREFORE, BE IT RESOLVED THAT:

The Town Council of the Town of Franklin on behalf of the Franklin Council on Aging gratefully accepts this generous donation to be used at the discretion of the Franklin Council on Aging for programs and activities.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: _____, 2020

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

**Teresa M. Burr, CMC
Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

January 3, 2020

Fletcher Hospital Corporation
% P.O. Box K
Franklin, MA 02038

Dear Fletcher Hospital Corporation,

On behalf of the Town of Franklin, I would like to thank you for your generous donation to the Franklin Council on Aging. I cannot express how crucial your donation will be in providing services to elders throughout the Franklin community.

We cannot thank you enough for your generosity and for choosing to give back to our community. Please do not hesitate to call if I can ever be of assistance.

Warm regards,

Jamie Hellen
Town Administrator

cc: Karen Alves, Director Senior Center