

FRANKLIN TOWN COUNCIL

Agenda & Meeting Packet

November 18, 2020

Meeting will be held at the **Municipal Building**
2nd floor, Council Chambers
355 East Central Street
7:00 PM

The public will **NOT** be permitted to enter the building or participate in person. Only pre-approved participants on the meeting agenda will be allowed to enter the Building and participate in person. **Residents can attend and participate via the “ZOOM” Platform.**

A NOTE TO RESIDENTS: Due to the continued concerns regarding the COVID-19 virus and Governor Baker's declared State of Emergency, we will be conducting a remote/virtual Town Council Meeting for all public access and participation. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number (Cell phone or Landline Required) OR citizens can participate by clicking on the attached [link](#) (Phone, Computer, or Tablet required). The attached link and phone number will be active for the duration of the meeting for citizens to ask questions/voice concerns. If residents are just interested in watching the meeting it will also be [live-streamed by Franklin TV](#) and shown on Comcast Channel 11 and Verizon Channel 29.

- **Link to access meeting:** November 18, 2020 Town Council Meeting Link [HERE](#) -- Then click “Open Zoom”
 - Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/82951619518>
 - **Call-In Phone Number:** Call 1-929-205-6099 and enter Meeting ID # 829 5161 9518 --Then press #

1. ANNOUNCEMENTS FROM THE CHAIR

- 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.*
- b. *Nancy Danello, Temporary Town Clerk*

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. October 7, 2020
- b. October 21, 2020
- c. November 4, 2020

4. PROCLAMATIONS/RECOGNITIONS - None Scheduled

5. APPOINTMENTS

- a. Council on Aging - Janet Jewett

6. HEARINGS - 7:10pm

- a. Shaw's Supermarkets, Inc. d/b/a Shaw's, amendments to a §15 Retail Package Store License, 255 East Central Street, Franklin, MA.

7. LICENSE TRANSACTIONS

- a. Shaw's Supermarkets, Inc. d/b/a Shaw's: Application for multiple amendments to a §15 Retail Package Store License - Change of Officers/Directors and Change of Ownership Interest, for their location at 255 East Central Street, Franklin, MA.
- b. La Cantina Winery Company, Farmer Winery, Farmers Market

8. PRESENTATIONS/DISCUSSIONS -

- a. National Grid - Ann Malley

9. SUBCOMMITTEE REPORTS

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

10. LEGISLATION FOR ACTION

- a. Resolution 20-65: Request For FY21 Supplemental Appropriations (**Motion to Approve Resolution 20-65 - Majority Vote**)
- b. Resolution 20-66: FY21 Budget Stabilization Transfer (**Motion to Approve Resolution 20-66 - Majority Vote**)
- c. Resolution 20-67: Gift Acceptance - Fire Department, \$5,000 (**Motion to Approve Resolution 20-67 - Majority Vote**)
- d. Zoning Bylaw Amendment 20-861: Zoning Map Changes on or near Oak Street - First Reading (**Motion to Move Zoning Bylaw Amendment 20-861 to a Second Reading - Majority Vote**)
- e. Zoning Bylaw Amendment 20-862: Zoning Map Changes on or near Longhill Road and Pleasant Street - First Reading (**Motion to Move Zoning Bylaw Amendment 20-862 to a Second Reading - Majority Vote**)
- f. Bylaw Amendment 20-864: To Amend The Code of the Town of Franklin to Add A New Chapter 16 Community Preservation Committee (CPC) - First Reading (**Motion to Move Bylaw Amendment 20-864 to a Second Reading - Majority Vote**)

11. TOWN ADMINISTRATOR'S REPORT

12. FUTURE AGENDA ITEMS

13. COUNCIL COMMENTS

14. EXECUTIVE SESSION

- a. *To investigate charges of criminal misconduct or to consider the filing of criminal complaints.*
- b. *Discussing Strategy with respect to litigation, because an open meeting may have a detrimental effect on the litigation position of the Board.*

15. ADJOURN

Note:

Two-Thirds Vote: requires 6 votes

Majority Vote: requires majority of members present and voting

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
October 7, 2020**

A meeting of the Town Council was held on Wednesday, October 7, 2020, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA; residents could attend and participate via the Zoom Platform. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney (via Zoom); Chrissy Whelton, Assistant to the Town Administrator.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. He called for a moment of silence and all recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer stated, as posted on the agenda, the public will not be permitted to enter the building or participate in person. Only pre-approved participants on the meeting agenda will be allowed to enter the Building and participate in person. Residents can attend and participate via the ZOOM Platform. Due to the continued concerns regarding the COVID-19 virus and Governor Baker's declared State of Emergency, we will be conducting a remote/virtual Town Council Meeting for all public access and participation. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number or citizens can participate by clicking on the link provided on the agenda. The provided link and phone number will be active for the duration of the meeting for citizens to ask questions/voice concerns. If residents are just interested in watching the meeting, it will also be live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. This meeting is being recorded by *Franklin TV* and may also be recorded by others.

CITIZEN COMMENTS: ► Ms. Susan Speers, 171 Lincoln Street, stated that she was speaking on behalf of citizens calling themselves CPA for Franklin which is a municipal ballot committee formed last month to support Question #3 on the ballot regarding the CPA. They are working to spread the word about the CPA. She discussed the purpose, types of community improvements, and benefits of the CPA. She noted the surcharge would be about \$105 per year for an average home in Franklin. The group has a Facebook page for more information. She provided details on an upcoming webinar on this topic. She noted many other cities and towns in the state have already adopted this act. ► Ms. Monique Doyle, 3 Greensfield Road, stated that she has been working with Ms. Speers and others on the CPA. She discussed the benefits of the CPA including acquisition and development of outdoor facilities, historical preservation, and the development of affordable housing within the community.

► Chair Mercer announced that he gave an incorrect Zoom meeting number during his previous announcement; he provided the correct Zoom meeting number.

APPROVAL OF MINUTES: *September 16, 2020.* ► **MOTION to Approve the September 16, 2020, meeting minutes by Dellorco. SECOND by Kelly. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: None.

HEARINGS: 7:10 PM

► *Lot Line #4: Zoning Bylaw Amendment 20-858, Zoning Map Changes on or Near Beaver and Oak Streets*
► *Bylaw Amendment 20-859, Sewer System Extension at 100 Daniels Street*

► **MOTION to Open** both Lot Line #4: Zoning Bylaw Amendment 20-858, Zoning Map Changes on or Near Beaver and Oak Streets, and Bylaw Amendment 20-859, Sewer System Extension at 100 Daniels Street public

hearings by **Jones. SECOND by Dellorco. No discussion. ► VOTE: Yes-8, No-0, Absent-0.** ► Mr. Taberner, Director of Planning and Community Development, reviewed Zoning Bylaw Amendment 20-858. He stated it is one of many zoning bylaw amendments the Planning Department has put together in the last few years. They are attempting to change the zoning district lines to coincide with parcel lines. This bylaw slightly rezones about 15 parcels on or around Oak Street and Beaver Street. ► Mr. Kelly asked questions about the lot line designations. ► Mr. Taberner stated that they are only changing the zoning to make lots in one zone; they are not changing entire subdivisions. He stated that anything on the north side of Oak Street is not contained in this amendment; that area will be considered separately. ► Ms. Pellegrini asked if the wording of the bylaw meets the requirements of only one topic per bylaw. ► Mr. Cerel stated there have been multiple zoning amendments in the past such as this done for efficiency; his opinion is that it is permissible. ► Mr. Bissanti commended Mr. Taberner for his work on this. ► Mr. Hellen reviewed Bylaw Amendment 20-859, Sewer System Extension at 100 Daniels Street. ► Mr. Michael Maglio, Town Engineer, reviewed the proposed sewer extension. It is a single-family house with a failing septic system; they are looking to connect to the Town's sewer system; however, due to the location, they will need to construct a private force main tied into the Town's sewer system. If approved, he recommended several conditions which he reviewed. ► Mr. Rick Ciccone, resident, stated that he was not given enough time to provide a citizen's comment after Chair Mercer announced the correct call-in number. He stated he had a comment to make on the sewer extension public hearing as well as an additional comment to make after the conclusion of the sewer extension hearing. He stated that he has been a long-time defender of the sewer extension bylaw. He is in favor of tonight's proposed sewer extension. However, he hopes going forward the Town Council will enforce the bylaw. He noted that the bylaw was challenged by Mass. law and the Town prevailed in the lawsuit. He does not want to extend this in the future when citizens should be asked to perc their land, put in an aquifer, etc. ► **MOTION to Close both Lot Line #4: Zoning Bylaw Amendment 20-858, Zoning Map Changes on or Near Beaver and Oak Streets, and Bylaw Amendment 20-859, Sewer System Extension at 100 Daniels Street public hearings by Jones. SECOND by Dellorco. No discussion. ► VOTE: Yes-8, No-0, Absent-0.**

CITIZEN COMMENTS: ► Mr. Rick Ciccone, resident, stated that during the last Finance Committee meeting a question was asked about open positions within the Town. He stated that he would like to see veterans and Franklin people get Franklin jobs. At this time, there are five people out of the DPW. He stated that one year ago the Town Council asked for a study to review morale within the DPW. He asked if that study will be coming to light and if morale in the DPW is a deterrent from filling these jobs.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► *Planning and Community Development Department presentation: Bryan Taberner, Jen Delmore: DPCD Department Presentation and Master Plan Update Materials.* ► Mr. Taberner narrated a PowerPoint presentation and provided an update of the Department of Planning and Community Development. He reviewed the department staff; administrative and technical assistance given to the Planning Board, Conservation Commission, Design Review Commission, Technical Staff Review Committee, Municipal Affordable Housing Trust, Cultural District Committee, and others; Planning Board members and responsibilities including an explanation of 81-P Plans and ANRs; and peer reviewer BETA Group's responsibilities. ► Town Council members asked questions about the peer reviewer, subdivision bonds, and tripartite agreements. ► Mr. Cerel reviewed the subdivision laws as related to bonds and tripartite agreements from the developer and the role of the Planning Board in the agreements. He stated there are still a few old bonds still remaining, but there is not enough money to complete the needed work. ► Ms. Delmore, Conservation Agent, narrated a PowerPoint presentation and reviewed the Conservation Commission members, when a permit from the Conservation Commission is required, the Conservation Commission's authority, what the Conservation Commission enforces, an explanation of the application types such as Notice of Intent, Minor Buffer Zone Activity, Certificate of Compliance, and MBZ Administrative Approvals. ► Mr. Jones noted there is a vacancy on the Conservation Commission since June. ► Mr. Taberner reviewed the department's responsibilities for the Design Review Commission; he discussed the Design Review Commission's staff members, purpose, responsibilities, and authority. ► Mr. Bissanti questioned signage by franchises. ► Mr. Cerel confirmed there are trademarks and designs that franchises may want, but the franchises usually show flexibility

when working within communities. ► Mr. Taberner discussed comprehensive planning and land-use related activities including updating the Town plans and amending and creating zoning bylaws. He noted the 2013 Master Plan and the 2016 Open Space & Recreation Plan. He stated that comprehensive planning includes hazard mitigation and climate change planning. He discussed FY 2020-2021 Zoning Bylaw Amendments and Zoning Map changes. He reviewed the Cultural District Committee members and reviewed the Committee's responsibilities to provide oversight and management of the Franklin Cultural District, assure the Town meets requirements for continued cultural district status, and work to implement the Franklin Cultural District goals and state sponsored Cultural District goals. He discussed the department's involvement in cultural economic development and the current Regional Arts & Culture Indicators Project, business recruitment and retention, and incentives. He reviewed multi-departmental projects such as DelCorte conservation area, plan development and implementation including the Open Space and Recreation Plan, Southern New England Trunkline Trail, Complete Streets project, and 2013 Master Plan. ► Mr. Kelly discussed TIF opportunities to bring in businesses. ► Chair Mercer thanked Mr. Taberner for the presentation. ► Mr. Hellen commented that this concludes the two-month long endeavor to have major departments provide presentations to the Town Council. He noted all tonight's presentation materials are available on the Town's website.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated they held two meetings: a listening session with businesses from three areas in Town regarding how the Town can help them, and a meeting regarding more zoning bylaw clean up. She reviewed a Craft Drinks pamphlet. She stated a listening session for restaurants, hotels, hospitality, and tourism is scheduled for October 19, 2020.

LEGISLATION FOR ACTION:

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

- a. ***Resolution 20-58: Request for special legislation regarding the authority for the Town of Franklin, acting through the Franklin Town Council, to grant a wine and malt beverages not to be drunk on the premises, alcoholic beverages license in excess of the Town's quota to Madd Deli, Inc. D/B/A Dacey's Market (Motion to Approve Resolution 20-58 - Majority Roll Call Vote).*** ► **Mr. Bissanti recused himself.** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 20-58:** Request for special legislation regarding the authority for the Town of Franklin, acting through the Franklin Town Council, to grant a wine and malt beverages not to be drunk on the premises, alcoholic beverages license in excess of the Town's quota to Madd Deli, Inc. D/B/A Dacey's Market by **Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen stated the Town of Franklin had reached its quota for this type of license. This is a petition for the Town Council to approve a Home Rule Amendment to be filed in the State House to allow them to obtain a license. ► Mr. Jones confirmed this would increase the number of current licenses and have no effect on any further licenses based on census numbers. ► Mr. Hellen stated it is unknown how long this process will take. ► **VOTE: Yes-8, No-0, Absent-0.** ► **Mr. Bissanti re-entered the meeting.**
- b. ***Resolution 20-59: Authorizing the Borrowing of Money to Pay Costs of Washington and Grove Streets Intersection Improvements (Motion to Approve Resolution 20-59 – Two-Thirds Majority Roll Call Vote).*** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 20-59:** Authorizing the Borrowing of Money to Pay Costs of Washington and Grove Streets Intersection Improvements by **Dellorco. SECOND by Kelly. Discussion:** ► Chair Mercer called a five-minute recess as due to the power outage residents at home are not able to hear the audio portion of this meeting. ► Mr. Hellen stated this is a borrowing authorization to allow the Town to do an infrastructure improvement including a traffic light at the intersection of Washington Street and Grove Street. He discussed the need for these improvements and the cost. He would like to parallel the work to fix this intersection with the building of the two cannabis facilities on Grove Street. The three percent revenue obtained from the cannabis facilities and the impact fees from these facilities can be used to help pay off this project. He stated that this is the best opportunity to make infrastructure improvements at this intersection. ► Town Council members asked questions and

expressed support for this resolution. ► Mr. Hellen discussed pre- and post-COVID traffic at the intersection, and he pointed out the business growth in the area. He stated that he thinks it will take at least one year for this project. ► Chair Mercer noted the Planning Board should know the commitment is there from the Town Council, but they need the Planning Board's support regarding the permitting of the facilities. ► **VOTE: Yes-8, No-0, Absent-0.**

- c. ***Resolution 20-60: Gift Acceptance - Police Department, \$200 (Motion to Approve Resolution 20-60 - Majority Roll Call Vote).*** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 20-60: Gift Acceptance - Police Department, \$200 by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen thanked the anonymous donor. ► **VOTE: Yes-8, No-0, Absent-0.**
- d. ***Zoning Bylaw Amendment 20-858: Zoning Map Changes on or Near Beaver and Oak Streets - Second Reading (Motion to Adopt Zoning Bylaw Amendment 20-858 - Two Thirds Majority Roll Call Vote).*** ► Mr. Jones began reading the zoning bylaw amendment. ► **MOTION to Waive the reading by Hamblen. SECOND by Dellorco. No discussion.** ► **VOTE: Yes-8, No-0, Absent-0.** ► **MOTION to Adopt Zoning Bylaw Amendment 20-858: Zoning Map Changes on or Near Beaver and Oak Streets by Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen noted discussion of this item at the public hearing earlier in the meeting. **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES.** ► **VOTE: Yes-8, No-0, Absent-0.**
- e. ***Bylaw Amendment 20-859: Sewer System Extension - 100 Daniels Street - Second Reading (Motion to Adopt Bylaw Amendment 20-859 - Majority Roll Call Vote).*** ► **MOTION to Waive the reading by Hamblen. SECOND by Dellorco. No discussion.** ► **VOTE: Yes-8, No-0, Absent-0.** ► **MOTION to Adopt Bylaw Amendment 20-859: Sewer System Extension - 100 Daniels Street by Dellorco. SECOND by Hamblen. No discussion. ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES.** ► **VOTE: Yes-8, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► ***COVID-19 Update.*** Mr. Hellen stated there are 14 active COVID-19 cases. He stated this is Phase 3.2; there are a tremendous amount of new regulations from the State. The municipal building will be open to the public beginning November 9, 2020; no appointment will be necessary. He stated staff is working diligently to have other Town buildings open, as well. He stated the report from LLB on the South Meeting House was provided; it is a \$1.1 million renovation project. He noted the Town Council had asked for this study prior to COVID-19. The report will be put on the Town's website. He stated the DPW Director stated we are still in a Level 2 drought. There may be some additional water conservation outreach from the DPW Department. ► Mr. Kelly requested a drought update at each upcoming Town Council meeting. ► Mr. Brutus Cantoreggi, DPW Director, explained that the Level 2 drought designation is what the State has put in place.

FUTURE AGENDA ITEMS: ► Mr. Bissanti discussed a prior meeting held with National Grid regarding past power outages, and it seems like the power outages are coming back. He suggested another meeting with National Grid regarding power outages. ► Mr. Hellen stated the liaison is the Fire Chief.

COUNCIL COMMENTS: ► Mr. Chandler stated he thinks people are looking forward to the municipal buildings being reopened. He asked about the DPW morale study and asked when information about the study would be provided. ► Mr. Hellen stated there would be an answer shortly. He stated the labor counsel who was hired to do the study has been very busy. ► Mr. Chandler stated he and others met with the DPW Director and Veterans' Agent regarding all flags not being flown at half-staff on 9/11. They determined a policy that hopefully will rectify the situation for next year. ► Ms. Hamblen thanked the Department of Planning and Community Development for their great presentation. She thanked all those who attended the past listening session and hopes others will attend the upcoming listening session. ► Ms. Pellegrini thanked Ms. Speers regarding the CPA explanation. She noted holiday ornaments will be sold at the Museum this coming weekend. ► Mr. Bissanti explained he was in the hospital but now has a clean bill of health. ► Mr. Kelly noted the displaced families due to the fire on Peck Street and Winter Street; he thanked the Franklin Fire Department for

their hard work and recognized the support provided by neighboring fire departments. ► Mr. Jones thanked the Franklin Fire Department for putting out the very difficult fire. He noted the difficulty of many organizations to raise money this year. ► Mr. Dellorco thanked the Fire Department. He noted a GoFundMe page for the families. He stated that there was a recent SAFE Coalition meeting; he noted that with COVID, addiction is going up. He reminded everyone of the available 24-hour hotline.

EXECUTIVE SESSION:

Purpose: To investigate charges of criminal misconduct or to consider the filing of criminal complaints (majority roll call vote). ► Chair Mercer stated the Town Council needs to meet in an Executive closed session for the following purpose: **To investigate charges of criminal misconduct or to consider the filing of criminal complaints.** 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. SECOND** by **Dellorco. No discussion.** ► **ROLL CALL VOTE:** Bissanti-YES; Chandler-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES. ► **VOTE: Yes-8, No-0, Absent-0.**

► **The open session of the Town Council Meeting adjourned at 9:08 PM.**

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
October 21, 2020**

A meeting of the Town Council was held on Wednesday, October 21, 2020, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA; residents could attend and participate via the Zoom platform. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney (via Zoom); Chrissy Whelton, Assistant to the Town Administrator.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. He called for a moment of silence and all recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer stated, as posted on the agenda, the public will not be permitted to enter the building or participate in person. Only pre-approved participants on the meeting agenda will be allowed to enter the building and participate in person. Residents can attend and participate via the Zoom platform. Due to the continued concerns regarding the COVID-19 virus and Governor Baker's declared State of Emergency, we will be conducting a remote/virtual Town Council meeting for all public access and participation. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by clicking on the link provided on the agenda. The provided link and phone number will be active for the duration of the meeting for citizens to ask questions/voice concerns. If residents are just interested in watching the meeting, it will also be live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. This meeting is being recorded by Franklin TV and may also be recorded by others. ► ***Nancy Danello, Temporary Town Clerk.*** ► Ms. Danello stated that early voting started and will continue through October 30th. She provided the hours and location. She stated that there have been 2,600 in-person voters and 7,500 early ballots received; 12,000 ballots were mailed out. She asked residents to be patient as her office has been very busy. She explained that the State is allowing all in-person and mail-in ballots to be opened starting October 25th. The public may come and observe the process which she explained. She stated a vote tally will not be run until after the election on November 3rd. She discussed the December 5th Special Election to fill the vacant Town Council seat. ► ***Chief of Police Thomas J. Lynch: Unemployment Fraud PSA.*** ► Chief Thomas Lynch discussed fraudulent unemployment insurance claims. He explained that in July the FBI identified a spike in such unemployment claims. Criminals are applying for unemployment in other people's names. He explained how criminals obtain information from data breaches, the dark web, impersonation scams, and phishing scams. In September and October, a second wave of unemployment scams targeting public employees has been experienced in many communities in the Boston area. Since March 1st, the Franklin Police Department has received 238 complaints with a significant number regarding unemployment fraud. He reviewed tips for citizens to protect themselves from scams such not providing personal information, monitoring banks accounts, obtaining free credit reports, reporting unauthorized transactions, and reporting fraud and identify theft to the Franklin Police Department. ► ***DPW Director Brutus Cantoreggi: Massachusetts Drought Level 3.*** ► Mr. Cantoreggi introduced Mr. Doug Martin, Water and Sewer Superintendent. Mr. Cantoreggi stated that the area has gone from a Level 2 to Level 3 drought; we are in a critical phase. He explained that this year the Town is using 2.8 million gal/day whereas last year at this time the Town was using 2.3 million gal/day. He explained that this is probably due to more people being at home rather than at a work location; he noted that commercial water use is down. He discussed the aquifers and the state of Franklin's wells. He asked residents to conserve water and to check for and fix water leaks.

CITIZEN COMMENTS: ► None.

APPROVAL OF MINUTES: ► *September 16, 2020.* ► **MOTION** to Approve the **September 16, 2020**, meeting minutes by **Dellorco**. **SECOND** by **Kelly**. **No Discussion.** ► **VOTE:** Yes-8, No-0, Absent-0.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: ► *Board of Registrars - Gail Karner.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Gail Karner to serve as a member of the Board of Registrars with a term to expire on June 30, 2022, by **Dellorco. SECOND** by **Kelly. Discussion:** ► Mr. Hellen stated this is a recommendation from the Temporary Town Clerk. ► Ms. Pellegrini noted the recent passing of former Board of Registrars appointee Ms. Elynor Crothers. She noted the current position was available due to the retirement of Mr. Richard Kerr. ► Mr. Bissanti expressed pride in the quality of people in Franklin who volunteer. ► **VOTE: Yes-8, No-0, Absent-0.** ► *Election Workers.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of the attached list of Election Workers as requested by the Town Clerk by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Chandler confirmed there are enough election workers. ► Mr. Jones thanked all those who handle the work needed for the election. ► **VOTE: Yes-8, No-0, Absent-0.** ► *Finance Committee: Natalie Riley.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Natalie Riley to serve as a member of the Finance Committee with a term to expire on June 30, 2023, by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated there were over 12 applicants for this vacancy; he interviewed all of them. The Finance Committee also conducted interviews and recommended Ms. Riley. ► **VOTE: Yes-8, No-0, Absent-0.**

► *Fire Department Pinnings: Joshua Impey, Joshua Sables, Kristopher Smith.* ► Fire Chief James McLaughlin introduced three new members of the Fire Department: Joshua Impey, Joshua Sables, and Kristopher Smith. He reviewed their backgrounds and experience. Temporary Town Clerk Nancy Danello performed the swearing in. Mr. Impey was pinned by his wife, Mr. Sables was pinned by his wife, and Mr. Smith was pinned by his mother.

► *Police Department: Pinnings - Jonathan Giron, Nicholas Storelli, and Retiree Recognition - Doug Nix.* ► Police Chief Thomas Lynch introduced two new members of the Police Department: Jonathan Giron and Nicholas Storelli. He reviewed their backgrounds and experience. Temporary Town Clerk Nancy Danello performed the swearing in. Mr. Giron was pinned by his fiancée, and Mr. Storelli was pinned by his wife. Chief Lynch gave Recognition to Police Department retiree Doug Nix. He reviewed Mr. Nix's enforcement career and noted he retired earlier in the year; however, a recognition was not able to be held due to COVID. Chief Lynch read the inscription on the plaque provided to Mr. Nix. Mr. Nix expressed his appreciation for working for Franklin.

HEARINGS: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► *Emergency Management (Trees & Power Outages): Chief McLaughlin (Fire Chief), Brutus Cantoreggi (DPW Director).* ► Mr. Hellen stated the Fire Chief is Franklin's point of contact for National Grid; Mr. Cantoreggi is the Tree Warden. ► Fire Chief James McLaughlin explained how the Emergency Management Team works. He reviewed the process of how he is provided with information regarding weather events and storms. He reviewed and explained the priority levels of responses for National Grid for power outages. He noted that crews in the bucket trucks cannot work in winds over 35 mph. He explained that sometimes after a storm event a residence that had not lost power during the storm may lose power during the restoration as circuits are reconnected. He stated that he continually updates the Town Administrator and Town Council Chair during such events. ► Town Council members asked questions. ► Chief McLaughlin reviewed that there have been improvements by National Grid in the handling of power restoration in the past few years including their estimates of response time. He stated that National Grid has responded well during the past few storm events; however, the Town Council can request National Grid to come in for a conversation.

► Mr. Cantoreggi stated that since the 2012 storms, National Grid has been more responsive. He answered questions regarding trees overhanging wires. He noted that last year his budget for trees was \$75,000; this year the budget is \$115,000. He stated that National Grid has spent \$516,000 this season on tree pruning in Franklin. He explained that National Grid has 14 circuits in Franklin, and each circuit gets pruned every five years. He explained that tree branches near wires on private property are not a Town issue; he cannot cut them down. He explained the importance of the Town's generators for the water stations and sewer pumping if the power goes out. He works with the Fire Chief during storm events and power outages. He explained that the Town gives the utility company an easement; therefore, trees that are growing through wires are on the property of the utility. The utility maintains that area, not the Town. He explained that residents often call regarding not wanting to have the utility company prune the trees. He responded to questions about trees on private property that appear to be dangerous as they are hanging over public ways. He explained that he has sent letters to property owners identifying that a tree on their private property is a hazard and if it causes damage the property owner can be held liable.

► **Beaver Street Interceptor: Brutus Cantoreggi (DPW Director), Doug Martin (Water/Sewer Superintendent).** ► Mr. Cantoreggi and Mr. Martin narrated a slideshow presentation addressing the Beaver Street interceptor replacement alternatives analysis. Mr. Cantoreggi explained that Arcadis works with the Town of Franklin and looked at the options for the Beaver Street interceptor. He stated that the Beaver Street interceptor collects about 70 percent of the sewer in Franklin; it is over 106 years old. It was not designed to handle the capacity that it does. He reviewed the interceptor location and existing conditions. He explained that it is a very bad location for the interceptor. He reviewed actions they have been taken to improve the interceptor such as metering the flow, cleaning it, rehabilitating the manholes, removing the trees near the pipes, repairing some of the culverts, and fixing some of the leaks. He explained that the system is old and something has to be done. ► Mr. Scott Haynes of Arcadis stated that he has been working since 2003 in Franklin; they looked at the existing profile and hydraulic model at a 50-year buildout for both 10-year and 25-year storm events. He reviewed the three alternatives that were determined. Alternative 1 is the rehabilitation of the existing Beaver Street interceptor by lining the current pipe in place. Alternative 2 is the replacement of the existing Beaver Street interceptor; however, it would still be left with deep manholes and wetland crossings. Alternative 3 is the rehabilitation and realignment of the existing Beaver Street interceptor involving lining pipes from Cottage Street to Beaver Street and moving/replacing the interceptor in various places out of the wetlands and easements. He reviewed the project cost estimates, comparisons of alternatives, and parameters for the alternatives: Alternative 1 - \$9 million; Alternative 2 - \$13 million; Alternative 3 - \$25 million. ► Town Council members asked questions. ► Mr. Haynes responded that Alternative 3 will result with manholes of acceptable depths and the required pump stations. ► Mr. Cantoreggi reviewed the sewer problem that occurred in Plymouth. He discussed the possibility and expense of a catastrophic sewer event in Franklin. He explained that it would take approximately two years to implement any of the three plans that were discussed. ► Mr. Hellen stated the sewer enterprise fund is in good shape at this time. He noted the Town currently has a great bond rating. He reviewed the process to get such a project started. ► Mr. Haynes confirmed flows were projected for 50 years for the provided alternatives analysis. He explained that if Alternative 1 or Alternative 2 is chosen and the current pipe is left in place in the wetlands and it had a leak or a failure, the Town will end up building Alternative 3 anyway. He discussed that Alternative 2 is just putting back what is there now with a new pipe. He stated that he does not suggest Alternative 2 as a viable alternative; it is more of a baseline analysis. ► Mr. Bissanti stated that he understands the importance of this but asked how we can spend money that we do not have. ► Mr. Hellen thanked Mr. Cantoreggi and Mr. Haynes for their presentation and the provided alternatives. He stated it is going to be costly, but he would like to look at the costs for the rate payers and how it can be financed. ► Chair Mercer stated this has been looked at for too long; we need to do due diligence and move forward to solve this problem.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated that another listening session was held on Monday with restaurants, hotels, and hospitality groups. She stated that lots of feedback was provided; it has

been great to hear what the Town Council can do to help local businesses. She noted the next session is in November.

LEGISLATION FOR ACTION:

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

- a. **Resolution 20-61: Authorization of Town Administrator to Grant Temporary Food Truck Permits to Farmers Series Licenses (Motion to approve Resolution 20-61 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-61: Authorization of Town Administrator to Grant Temporary Food Truck Permits to Farmers Series Licenses by **Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen stated this is a small economic development item that affects three businesses in Town: 67 Degrees Brewing Company, La Cantina Winery, and GlenPharma Distillery. This resolution would expand the food truck zone. He noted that some of these three businesses may have a difficult winter once it gets cold. This would be an option for them to have a food truck outside and have their beverages inside. He noted that it is an option for any business to have catering if they have a ServSafe license; the Board of Health is going to support that. ► Mr. Dellorco stated that the Town Council needs to help businesses any way they can. He confirmed that when the State of Emergency goes away, this will go away. ► Mr. Chandler stated that he wants to help these businesses, but asked if the food trucks will take away business from nearby establishments. ► Mr. Cerel stated it could be a food truck or a caterer; it is to overcome the local requirement of having restaurant facilities on premise. ► Mr. Hellen stated there is a \$100 mobile food permit that must be obtained from the Board of Health; it is good for one year. ► Mr. Kelly discussed bylaws that need to be reviewed regarding small business owners not being able to prepare food in their homes or park food trucks at their residences. He asked if food truck drivers need a CORI check. ► Mr. Hellen said CORI checks are not done for food trucks, but they are done for ice cream trucks. ► Mr. Cerel discussed that there are strict regulations regarding when CORI checks can be done. He explained that this is only a problem for the Farmers Series Licenses; this is a way to address the implementation of the rules by the governor regarding serving of food. ► Mr. Hellen stated that this discussion leads to a question of food trucks in Franklin in general. ► Mr. Bissanti noted that restaurants in Town did not want the food truck industry coming into Franklin; he sees this as a threat to the existing restaurants in the community when caterers could be used for the food requirement rather than food trucks. ► Mr. Jones asked if any existing restaurants would like to have food trucks. ► Mr. Hellen stated that it may be a possibility. ► Ms. Laura Stevens, 140 Dean Avenue, chef and owner of Moonlight Chef private catering company, stated that she works out of clients homes, and due to COVID she will take a severe loss with the number of jobs she has had. She stated that she is ServSafe certified and has many State certifications. She discussed that COVID has left this industry broken. She is against the move by Franklin to have food trucks. She noted that Franklin did not want food trucks for years, and now suddenly they do. She asked why Franklin would want to squash small family-owned restaurants and businesses for food trucks. She discussed the cost of a local restaurant to invest in a food truck just so they can survive. She stated that adding food trucks to Franklin at this time is not a good idea. She asked the Town Council to listen to the smaller businesses that are just hanging on and not approve this. ► Ms. Pellegri agreed with Ms. Stevens, Ms. Bissanti, and Mr. Jones. She does not think this item should be voted on tonight. ► Ms. Hamblen stated this resolution allows people to contract with third parties so they can do catering for their businesses. ► Mr. Dellorco stated that maybe they could remove the food trucks and just go with the catering. ► Mr. Cobi Frongillo stated that as 67 Degrees Brewing has no kitchen and many caterers and restaurants are not comfortable with the set up. The benefit of a food truck is that it opens up more options. ► Mr. Kelly stated that the Town Council should wait two weeks on this item in order to have La Cantina and 67 Degrees Brewing at the next Zoom meeting to advocate for themselves as they are the small businesses that need help. ► **MOTION to Table** Resolution 20-61: Authorization of Town Administrator to Grant Temporary Food Truck Permits to Farmers Series Licenses by **Pellegrri. SECOND by Dellorco. No discussion.** ► **VOTE: Yes-8, No-0, Absent-0.**
- b. **Resolution 20-62: Acceptance of Easement on the Westerly Side of Spring Street (Motion to approve Resolution 20-62 - Majority Vote).** ► **MOTION to Waive** the reading by **Kelly. SECOND by Dellorco. No discussion.** ► **VOTE: Yes-8, No-0, Absent-0.** ► **MOTION to Approve** Resolution 20-62: Acceptance

of Easement on the Westerly Side of Spring Street by **Dellorco. SECOND by Kelly. No discussion.**
► VOTE: Yes-8, No-0, Absent-0.

- c. *Zoning Bylaw Amendment 20-861: Zoning Map Changes on or near Oak Street - Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 20-861 to the Planning Board - Majority Roll Call Vote)* ► **MOTION to Waive the reading by Kelly. SECOND by Dellorco. No discussion.**
► VOTE: Yes-8, No-0, Absent-0. ► MOTION to Refer Zoning Bylaw Amendment 20-861: Zoning Map Changes on or near Oak Street to the Planning Board by Dellorco. SECOND by Kelly. No discussion.
► VOTE: Yes-8, No-0, Absent-0.
- d. *Zoning Bylaw Amendment 20-862: Zoning Map Changes on or near Longhill Road and Pleasant Street - Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 20-862 to the Planning Board - Majority Roll Call Vote).* ► **MOTION to Waive the reading by Kelly. SECOND by Dellorco. No discussion.**
► VOTE: Yes-8, No-0, Absent-0. ► MOTION to Refer Zoning Bylaw Amendment 20-862: Zoning Map Changes on or near Longhill Road and Pleasant Street to the Planning Board by Dellorco. SECOND by Kelly. No discussion.
► VOTE: Yes-8, No-0, Absent-0.

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen noted the governor's executive order extending outdoor dining in perpetuity through the state of emergency. He stated there are 33 active COVID cases in Franklin. He stated that the cases have been isolated to households. He reminded everyone of the Firefighters Memorial service to be held this Sunday at 9 AM. He encouraged everyone to vote.

FUTURE AGENDA ITEMS: ► Mr. Kelly reiterated concern for a discussion about food trucks, catering, and work vehicle trucks. ► Ms. Pellegrini requested a future agenda item regarding the Town's \$522,000 phishing incident; she stated that the Town Council has to let people know what is going on. ► Mr. Dellorco reiterated Ms. Pellegrini's agenda item request.

COUNCIL COMMENTS: ► Mr. Chandler asked about the early voting procedure. He expressed concern regarding the grass that was recently planted at the high school. He stated that this grass will need to be watered at the same time the Director of Public Works Brutus Cantoreggi just spoke about the current drought; it seems like a waste of money at this time. ► Ms. Pellegrini reviewed the absentee voting procedure to open the ballots. ► Ms. Hamblen thanked all the volunteers and poll workers; she encouraged everyone to vote. She thanked everyone who attended the business listening sessions. ► Ms. Pellegrini stated the Historical Museum opening is Sunday, November 1st; the gift store is their major fund raiser. She stated early voting is working out well. She said that the grass planting is a problem and asked where will people hold signs. She questioned Halloween. She asked for a school update regarding COVID cases. ► Mr. Hellen stated the Town does not regulate Halloween. He stated COVID cases affecting school is a question for the School Department. ► Mr. Bissanti stated agreement with Ms. Pellegrini on her points made tonight; we need to respond to the people regarding the \$522,000 loss. He noted there are white dots on the grass and pavement regarding voting and holding signs at the polling location. ► Mr. Kelly stated there may have been a more aesthetically pleasing way to do what was done at the high school. ► Mr. Jones stated the governor discussed Halloween during his meeting. He stated in-person classes have been held at the school at which he teaches; it is scary, but it is working if the procedures and protocols are followed. ► Mr. Dellorco agreed that the discussion of the \$522,000 must be brought forward. He thanked the poll workers for their hard work. He encouraged everyone to vote. ► Chair Mercer thanked the police chief and the fire chief for bringing the pinning ceremonies to the Town Council. He stated he has spoken to Mr. Hellen and attorneys about the hacking and will bring something forward. He stated that we have to listen to our legal experts. He reminded everyone to vote. He discussed the markers located 150 ft. from the front door of the polling location. He noted that there are places to hold signs. He stated that over 8,000 residents have already voted. He gave condolences to the family and friends of Elynor Crothers.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Kelly. No Discussion. ► VOTE: Yes-8, No-0, Absent-0. Meeting adjourned at 10:14 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
November 4, 2020**

A meeting of the Town Council was held on Wednesday, November 4, 2020, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA; residents could attend and participate via the Zoom platform. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney (via Zoom); Chrissy Whelton, Assistant to the Town Administrator.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. He called for a moment of silence and all recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer stated, as posted on the agenda, the public will not be permitted to enter the building or participate in person. Only pre-approved participants on the meeting agenda will be allowed to enter the building and participate in person. Residents can attend and participate via the Zoom platform. Due to the continued concerns regarding the COVID-19 virus and Governor Baker's declared State of Emergency, we will be conducting a remote/virtual Town Council meeting for all public access and participation. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by clicking on the link provided on the agenda. The provided link and phone number will be active for the duration of the meeting for citizens to ask questions/voice concerns. If residents are just interested in watching the meeting, it will also be live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. This meeting is being recorded by Franklin TV and may also be recorded by others.

ELECTION OF OFFICERS FOR CHAIR, VICE CHAIR, CLERK:

Nominations were accepted for Town Council Chair. **Nomination of Mercer by Dellorco. SECOND by Bissanti. No Discussion. Motion to Close nominations for Chair by Jones. SECOND by Dellorco. No Discussion. VOTE (to close nominations): Yes-8, No-0, Absent-0. VOTE (for Mercer for Chair): Yes-8, No-0, Absent-0.**

Nominations were accepted for Town Council Vice Chair. **Nomination of Dellorco by Bissanti. SECOND by Hamblen. No Discussion. Motion to Close nominations for Vice Chair by Jones. SECOND by Dellorco. No Discussion. VOTE (to close nominations): Yes-8, No-0, Absent-0. VOTE (for Dellorco for Vice Chair): Yes-8, No-0, Absent-0.**

Nominations were accepted for Town Council Clerk. **Nomination of Jones by Bissanti. SECOND by Dellorco. Motion to Close nominations for Clerk by Dellorco. SECOND by Hamblen. No Discussion. VOTE (to close nominations): Yes-8, No-0, Absent-0. VOTE (for Jones for Clerk): Yes-8, No-0, Absent-0.**

CITIZEN COMMENTS: None.

APPROVAL OF MINUTES: None.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: None.

HEARINGS: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► *Temporary Town Clerk - Nancy Danello.* ► Ms. Danello reported that the election brought out 6,155 voters. Ballots are still being received and will be accepted until November 6th; however, they must be postmarked by November 3rd. The vote by mail ballots received to date is 8,265 and in-person early voting was 6,060 for a total of 20,480 votes cast as of today. There are 24,758 registered voters in Franklin for an 83 percent voter turnout. She thanked her team, the administration, and staff for making this election a success. ► Chair Mercer thanked Ms. Danello.

► ***Think Franklin First - Anne Marie Tracey.*** ► Ms. Tracey, Marketing and Communication Specialist, shared a new economic development and Town of Franklin marketing project that she has been working on in collaboration with a number of other Town organizations. She narrated a slideshow presentation. She stated that Think Franklin First gift cards is a shop local initiative for economic development sponsored by Dean Bank, the Random Smile Project, and the Town of Franklin. She reviewed the goals of the project which include directing spending from online retailers and other competition into the Franklin economy and providing a local alternative to generic gift cards. This will help to support local businesses and build community pride and support. She stated that the target audiences include local alternatives to generic gift cards, gifts for teachers, coaches, and mentors, thank you gifts, and stocking stuffers. She stated the gift cards will be sold online and in person at Dean Bank and can be redeemed at participating Franklin businesses; this is a great way to shop local and gift local. ► Town Council members asked questions and thanked Ms. Tracey for her presentation. ► Ms. Tracey explained that franklingiftcard.com is the website to purchase gift cards, refill a gift card, check the balance on a gift card, and learn which businesses in Franklin accept the gift cards. She stated that Shop Franklin is an independent group in Franklin. She noted that the Downtown Partnership is also involved in this initiative. ► Mr. Hellen discussed that the Downtown Partnership will become an endorsee and will help promote the initiative and get the word out. He discussed the use of the Franklin emblem on the gift cards and reviewed other communities that have started such initiatives. ► Ms. Tracey stated that complaints would be handled based on whether it is a gift card problem or another type of complaint. She stated she has spoken to many people from other communities who have started similar initiatives. She reviewed that the gift cards can be used at Franklin businesses opting into the program. She sent an email to all local businesses regarding this new initiative and has conducting personal outreach. She stated that currently she has referred about 30 Franklin vendors to SwipeIt to set up the redemption process. She reviewed that there are fees involved; however, Dean Bank has agreed to cover those costs for the first year so they will not be passed on to the local businesses.

► ***Town Council Goals midterm update.*** ► Mr. Hellen discussed the status update on the goals set forth at the Town Council Workshop on January 8, 2020, for the two-year legislative session. He stated the Town departments and administration have made substantial progress on these goals despite the pandemic. He stated that the updated list of goals is provided in the Town Council's meeting packet and available on the Town's website. ► Town Council members asked questions and noted how much has been accomplished despite the pandemic. ► Ms. Hamblen thanked all involved in the stormwater presentations. She stated almost all the lot lines clean ups have been completed; she thanked all who worked on the project. She asked about the security improvements in the schools. She thanked Mr. Ryan Jette for Concerts on the Common. ► Mr. Hellen stated improvements were done in the schools while they were out of session; security improvements revolved around installing cameras. ► Ms. Alecia Alleyne, Administrative Assistant, stated the charging stations are up and functional, and there is no payment required at this time; payment may be considered in the future. ► Mr. Hellen noted that there would be a Complete Streets discussion next year. ► Mr. Kelly requested a review of the Town Administrator and noted that in the past a committee for this annual review has been established. ► Mr. Chandler noted that on the Town's website the hiring of four new paramedics is listed; he noted where the money was coming from. He asked about the Nu-Style building on Grove Street. ► Mr. Hellen stated that there was a contract for the Nu-Style building, but the individual did not fulfill the obligations of that contract. He stated that there will be a high expense when the Town does clean it up. ► Mr. Bissanti asked about the postponed Charter review discussion. ► Mr. Hellen stated there are statutory procedures to do a Charter review; it is an extensively substantial process. He suggested there should be citizen engagement process, as well. ► Chair Mercer thanked Mr. Hellen and the Town Council for establishing and accomplishing the goals during a pandemic year. He stated he will be working with Mr. Hellen regarding planning for the Charter review.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► None.

LEGISLATION FOR ACTION:

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

- a. **Resolution 20-63: Acceptance of Grant of Utility (Drainage) Access and Maintenance Easement on Lot 78a, Mine Brook Estates Subdivision (Motion to Approve Resolution 20-63 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-63: Acceptance of Grant of Utility (Drainage) Access and Maintenance Easement on Lot 78a, Mine Brook Estates Subdivision by **Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated this is a routine matter for a grant of utility access easement. ► **VOTE: Yes-8, No-0, Absent-0.**
- b. **Resolution 20-64: Town Council Authorization Pursuant to G.L. Chapter 44, Section 70 for Town to Execute Memorandum of Understanding and Otherwise to Participate in Federal Government Reimbursement Program for Foster Care Transportation (Motion to Approve Resolution 20-64 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-64: Town Council Authorization Pursuant to G.L. Chapter 44, Section 70 for Town to Execute Memorandum of Understanding and Otherwise to Participate in Federal Government Reimbursement Program for Foster Care Transportation by **Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated this is a complicated reimbursement for which \$7,236 will be reimbursed and go into the Town's General Fund. ► **VOTE: Yes-8, No-0, Absent-0.**
- c. **Bylaw Amendment 20-863: Chapter 82, Municipal Service Fees - Temporary Reduction in Municipal Service Fees for Common Victualer All Alcohol and Wine & Malt Licenses for the 2021 License Renewal Season - First Reading (Motion to Move Bylaw Amendment 20-863 to a Second Reading - Majority Vote).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 20-863: Chapter 82, Municipal Service Fees - Temporary Reduction in Municipal Service Fees for Common Victualer All Alcohol and Wine & Malt Licenses for the 2021 License Renewal Season to a Second Reading by **Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated that restaurants are going to have a difficult winter due to the pandemic. This is a proactive approach to approve a temporary fee reduction of about 25 percent for about 24 businesses in Town. It is a delicate balance between helping the businesses and not losing revenue for the Town. The second reading will be on November 18th. The license renewals take place in December. ► Ms. Pellegrini asked about the advertising of this bylaw amendment. ► Mr. Bissanti stated he admires the intent; however, it is difficult to understand the Town's loss of revenue. He asked if these businesses have expressed hardship. ► Mr. Hellen stated that it is well known that these businesses are experiencing hardship. He stated that with this bylaw amendment, the Town will lose \$13,000 in revenue. He stated this is just a one-year change. ► **VOTE: Yes-8, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► **COVID-19 Update.** ► Mr. Hellen stated there are 14 active COVID cases; Franklin is still in the yellow zone on the State map. He stated there will be additional guidance coming from the Board of Health regarding the governor's mask mandate. ► **Board of Health Catering & Food Trucks Update.** ► Mr. Hellen stated that based on the last Town Council meeting, he has convinced the Board of Health to entertain opportunities where a private caterer can share a kitchen. He stated that the Board of Health is asking interested individuals to go to the Board of Health with their plan. He stated the Board of Health is trying to balance the economic needs of those in the community with keeping people safe. He stated the food truck issue will not be brought back up. It has been determined that for those businesses needing to bring food in, they can work with local businesses for catering, and the Board of Health will work with them on the certifications needed. He stated that Mr. Kevin Ryan from the Police Department is retiring after 40 years. He wished him a happy retirement. Mr. Hellen thanked the Police Department for their work as the past few

months have been busy. He discussed that recently six shots were fired against Franklin police officers; however, the Franklin police did not fire any shots back.

FUTURE AGENDA ITEMS: ► Ms. Pellegri stated that she had asked to have information regarding the \$522,000 phishing scam on tonight's agenda; she hopes it will be on the next meeting agenda. ► Chair Mercer stated that is the goal. ► Mr. Jones requested a presentation to invite an IT professional who is an expert in hacking to help educate the Town Council and citizens regarding ways to spot and avoid hacking situations. He requested a presentation by National Grid regarding power outages.

COUNCIL COMMENTS: ► Mr. Chandler congratulated Mr. Kevin Ryan for his 40 years of service in the Police Department. He noted appreciation for all the work Mr. Kelly and Mr. Bissanti do for the Town. ► Ms. Hamblen thanked all involved in the tunnel opening at the SNETT trail. She thanked the Franklin firefighters for inviting her to attend one of their trainings. She noted a business listening and networking session hosted by the EDC scheduled for November 16th at 6:30 PM for retail, personal services, and fitness. She thanked everyone involved in the elections. She stated she was thankful for the opportunity to allow shared kitchens. ► Ms. Pellegri gave condolences for the passing of Mr. Pearce Murphy. She stated that former Franklin resident Ms. Jennifer O'Malley Dillon was appointed as Joe Biden's campaign manager. She stated that the election went well and she thought it had to do with early voting; she hopes that early voting will continue. She thanked the election workers and others who worked on the election. She stated that she is thrilled that the CPA passed in Franklin. She thanked Mr. Kelly and Mr. Bissanti for running for office. ► Mr. Bissanti thanked those who gave him support during his campaign. He stated that he is happy the CPA passed. He thanked the Town Clerk's office for how professionally the election was handled. ► Mr. Jones agreed that Mr. Kelly and Mr. Bissanti serve their community well. He expressed appreciation for the big voting turnout. He expressed appreciation for the ballot questions that passed. He congratulated everyone who won in the election. He congratulated Mr. Kevin Ryan on his retirement. ► Mr. Dellorco thanked the Town Clerk's office for the great job done on the election. He wished Mr. Kevin Ryan a great retirement. He thanked the Franklin Police Department on their detective work. He expressed appreciation for the CPA ballot question passing. ► Chair Mercer thanked the Town Clerk's office and administrative staff for the great job done on the election. He thanked Ms. Susan Speers for taking the lead and others who helped with getting the CPA passed. He congratulated Mr. Kevin Ryan on his retirement and thanked Mr. Kelly and Mr. Bissanti for all they do for the Town.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Jones. SECOND by Dellorco. No Discussion. ► VOTE: Yes-8, No-0, Absent-0. Meeting adjourned at 8:38 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

APPOINTMENTS

Council on Aging

Janet Jewett

20 Hawthorne Village, Apt C
Franklin, MA 02038



The Franklin Council on Aging has recommended the appointment of Janet Jewett to serve as a member of the Franklin Council on Aging with a term to expire on June 30, 2023.

MOTION to ratify the appointment by the Town Administrator of Janet Jewett to serve as a member of the Franklin Council on Aging.

DATED: _____, 2020

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

Nancy Danello
Temporary Town Clerk

Glenn Jones, Clerk
Franklin Town Council



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You!

Date Submitted: October 1, 2020

Name: Janet Y Jewett

Home Address: 20 Hawthorne Village Apt C
Franklin

Mailing Address: 20C Hawthorne Village
Franklin

Phone Number(s):

Email Address:

Current Occupation/Employer: Retired, former IT manager

Narrative: I am an active senior and could give the COA position up to 5 hours per week. I have been active at the Franklin Senior Center for several years and have volunteered for several activities there. Karen, Sue, Maggie or Erin could provide more details.

I am also a member of the Franklin Democratic Town Committee where my focus has been getting people and issues on the ballot -- and getting out the vote. With my IT (organization skills) background, I believe I have the skills and stamina to be a registrar. Debbie Pellegrini (an FHS classmate) could vouch for my qualifications in this role.

Thank you for your consideration for either of these opportunities.

Board(s) / Committee(s): ☐ BOARD OF REGISTRARS
☐ Council on Aging

LICENSE TRANSACTIONS



Shaw's Supermarkets, Inc. d/b/a Shaw's
255 East Central Street
Franklin, MA 02038

Shaw's Supermarkets, Inc. d/b/a Shaw's, is seeking approval for two amendments to a §15 Retail Package Store License: a Change of Officers/Directors and Change of Ownership Interest.

All Departments have signed off on this application.

MOTION to approve the request by Shaw's Supermarkets, Inc. d/b/a Shaw's, for a Change of Officers/Directors and Change of Ownership Interest.

DATED: _____, 2020

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

Nancy Danello
Temporary Town Clerk

Glenn Jones, Clerk
Franklin Town Council

McDERMOTT
QUILTY &
MILLER LLP

28 STATE STREET, SUITE 802
BOSTON, MA 02109

WWW.MQMLLP.COM

October 15th, 2020

Via Federal Express Delivery

Attn: Mr. Jamie Hellen, Town Administrator
355 East Central Street (Third Floor)
Route 140
Franklin, MA 02038

**Re: Application for Multiple Amendments to a §15 Retail Package Store License –
Change of Officers/Directors and Change of Ownership Interest
Shaw's Supermarkets, Inc. d/b/a Shaw's
255 E Central Street, Franklin, MA 02038**

Dear Mr. Hellen:

This office represents Shaw's Supermarkets, Inc. in its application for Multiple Amendments to its §15 Retail Package Store License exercised at its long-existing grocery store located at the above-referenced address. Enclosed please find **one (1) set of originals** of the required application materials and copies of the required supplemental documents regarding the above-referenced matter:

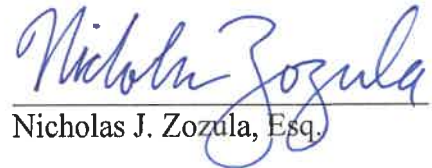
1. Monetary Transmittal Form with ABCC Payment Confirmation;
2. \$500 Payment To Be Made on ViewPoint Portal;
3. ABCC Application for Multiple Amendments;
4. ABCC Applicant's Statement;
5. Business Entity Summary;
6. Articles of Organization;
7. Corporate Vote;
8. Corporate Organizational Chart and List of Corporate Directors/Officers;
9. ABCC CORI Request Forms;
10. ACI 10Q Document;
11. ACI Form 8-A Registration Statement;
12. DOR Certificate of Good Standing;
13. DUA Certificate of Compliance; and
14. Workers Compensation Affidavit Form and Certificate of Compliance.

Attn: Mr. Jamie Hellen, Town Administrator
October 15th, 2020
Page Two of Two

Understanding the current situation with the coronavirus and public hearings, please kindly assign this matter for hearing at the next available hearing date (virtual or otherwise).

Thank you for your attention to and courtesy in this matter. If you have any questions, please do not hesitate to contact me.

Very Truly Yours,



Nicholas J. Zozula, Esq.

NJZ/nh
Enclosures

**MONETARY TRANSMITTAL FORM
WITH ABCC PAYMENT
CONFIRMATION**



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 MULTIPLE AMENDMENTS**

**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

Shaw's Supermarkets, Inc.

ADDRESS

255 East Central Street

CITY/TOWN

Franklin

STATE

MA

ZIP CODE

02038

For the following transactions (Check all that apply):

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

Massachusetts Alcoholic Beverages Control Commission - Retail


Phone (617) 727-3040

95 Fourth Street, Suite 3, Chelsea, Massachusetts 02150

Payment Confirmation

YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

Your account has been billed for the following transaction. You will receive a receipt via email.

 Transaction Processed Successfully. INVOICE #: <input type="text"/>		
Description	Applicant, License or Registration Number	Amount
FILING FEES-RETAIL	00033-PK-0430	\$200.00
		\$200.00

Total Convenience Fee: **\$0.35**

Date Paid: **10/14/2020 3:03:59 PM EDT**

Total Amount Paid: **\$200.35**

Payment On Behalf Of

License Number or Business Name:

Fee Type:
FILING FEES-RETAIL

Star Market #3581
255 E Central St
Franklin MA 02038

Billing Information

First Name:
Gary

Last Name:
Morton

Address:
20427 N 27th Ave

City:
Phoenix

State:
AZ

Zip Code:
85038

Email Address:

[Print Receipt](#)

[Make Another Payment](#)

powered by nCourt

**\$500 PAYMENT TO BE MADE THROUGH
VIEWPOINT PORTAL**

ABCC APPLICATION FOR MULTIPLE AMENDMENTS



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

APPLICATION FOR MULTIPLE AMENDMENTS

Please select all of the amendments you are applying for(continued):

☒ **CHANGE OF OFFICERS/DIRECTORS/LLC MANAGERS**

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

CORI Authorization Complete one for the proposed manager of record. This form **must** be *notarized with a stamp or raised seal*.

Business Structure Documents

If Sole Proprietor, **Business Certificate**

If partnership, **Partnership Agreement**

If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

Vote of the Entity Board

Monetary Transmittal Form

\$200 fee via ABCC website and Payment Receipt

☒ **CHANGE OF OWNERSHIP INTEREST** (e.g. LLC Members, LLP Partners, Trustees etc.)

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

Financial Statement

CORI Authorization Complete one for the proposed manager of record. This form **must** be *notarized with a stamp or raised seal*.

Business Structure Documents

If Sole Proprietor, **Business Certificate**

If partnership, **Partnership Agreement**

If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

Vote of the Entity Board

Purchase and Sale Agreement

Supporting Financial Records

Advertisement*

Monetary Transmittal Form

\$200 fee via ABCC website and Payment Receipt

☐ **CHANGE OF STOCK INTEREST** (e.g. New Stockholders or Transfer or Issuance of Stock)

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

Financial Statement

CORI Authorization Complete one for the proposed manager of record. This form **must** be *notarized with a stamp or raised seal*.

Business Structure Documents

If Sole Proprietor, **Business Certificate**

If partnership, **Partnership Agreement**

If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

Vote of the Entity Board

Purchase and Sale Agreement

Supporting Financial Records

Advertisement*

Monetary Transmittal Form

\$200 fee via ABCC website and Payment Receipt

**If abutter notification and advertisement are required for transaction, please see the local licensing authority.*



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

APPLICATION FOR MULTIPLE AMENDMENTS

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Star Markets Company, Inc.	Belmont	

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.

The ownership of Albertsons Companies Inc., the parent company of the Licensee and ultimate interest holder, has changed, in that the company has gone public – trading on the NYSE as “ACI”. Additionally, the Licensee has changed their officers/directors. As such, we are filing this multiple amendment application to effectuate the same.

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Nicholas Zozula	Attorney		

2. AMENDMENT-Change of License Classification

<input type="checkbox"/> Change of License Category	Last-Approved License Category	
All Alcohol, Wine and Malt, Wine Malt and Cordials	Requested New License Category	
<input type="checkbox"/> Change of License Class	Last-Approved License Class	
Seasonal or Annual	Requested New License Class	
<input type="checkbox"/> Change of License Type*	Last-Approved License Type	
i.e. Restaurant to Club *Certain License Types CANNOT change once issued*	Requested New License Type	

3. AMENDMENT-Change of Business Entity Information

<input type="checkbox"/> Change of Corporate Name	Last-Approved Corporate Name:	
	Requested New Corporate Name:	
<input type="checkbox"/> Change of DBA	Last-Approved DBA:	
	Requested New DBA:	
<input type="checkbox"/> Change of Corporate Structure	Last-Approved Corporate Structure	
LLC, Corporation, Sole Proprietor, etc	Requested New Corporate Structure	

4. AMENDMENT-Pledge Information

<input type="checkbox"/> Pledge of License	To whom is the pledge being made:	
<input type="checkbox"/> Pledge of Inventory		
<input type="checkbox"/> Pledge of Stock		

6. AMENDMENT-Change of Officers, Stock or Ownership Interest

☒ **Change of Officers/Directors** ☒ **Change of Ownership Interest (LLC Managers/LLP Partners, Trustees)** ☐ **Change of Stock (E.g. New Stockholder/ Transfer or Issuance of Stock)**

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
Robert Backus			
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
President	0%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input checked="" type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Juliette Pryor			
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
Executive VP, General Counsel & Secretary	0%	<input type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Laura A. Donald			
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
Group VP Corporate Law & Assistant Sec.	0%	<input type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Gary R. Morton			
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
VP, Treasurer & Assistant Secretary	0%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Cynthia Garnett			
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
Director	0%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input checked="" type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
MA Resident			<input 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

MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement? Please provide a copy of the management agreement.

☐ Yes ☒ No

6. AMENDMENT-Change of Officers, Stock or Ownership Interest

6B. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
Name of Principal	Title/Position	Percentage of Ownership
Name of Principal	Title/Position	Percentage of Ownership
Name of Principal	Title/Position	Percentage of Ownership
Name of Principal	Title/Position	Percentage of Ownership
Name of Principal	Title/Position	Percentage of Ownership

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
See Exhibit A			

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
10/27/2006		Boston	Sale to a Minor- 1 Day suspension

9. FINANCIAL DISCLOSURE

Required for the following transactions:

- Change of Officers, Stock or Ownership Interest (E.g. New Stockholder/Transfer or Issuance of Stock)
- Change of Premises Information
- Pledge of License, Inventory or Stock

Purchase Price(s):

\$0

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
N/A	
Total:	\$0

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.
N/A			<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.

Public company, so no source of cash or financing. Please see ACI 10Q and Form 8A Registration Statement attached.

Exhibit A
Interest in Other Alcoholic Beverages Licenses

Star Market	§15 Off Premises	699 Mount Auburn St. Cambridge, MA
Star Market	§15 Off Premises	535 Trapelo Road, Belmont, Ma 02478
Shaw's Supermarket	§15 off Premises	53 Huntington Ave, Boston, MA
Shaw's Supermarket	§15 Off Premises	255 East Central St Franklin, MA
Shaw's Supermarket	§15 Off Premises	15 State Road Dartmouth, MA
Shaw's Supermarket	§15 Off Premises	300 New State Hwy Raynham, MA
Star Market	§15 Off Premises	90 Causeway Street Boston, MA 02114
Star Market	§15 Off Premises	1 Boylston Street, Newton, MA

ABCC APPLICANT'S STATEMENT

APPLICANT'S STATEMENT

I, Robert Backus the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager
Authorized Signatory

of Shaw's Supermarkets, Inc.
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:



Date:

09.22.2020

Title:

President and Director

BUSINESS ENTITY SUMMARY

Corporations Division

Business Entity Summary

ID Number:

[Request certificate](#)[New search](#)Summary for: **SHAW'S SUPERMARKETS, INC.****The exact name of the Domestic Profit Corporation:** SHAW'S SUPERMARKETS, INC.**Merged with SHAW EQUIPMENT CORPORATION on** 02-26-2016**Entity type:** Domestic Profit Corporation**Identification Number:****Date of Organization in Massachusetts:**
07-10-1920**Last date certain:****Current Fiscal Month/Day:** 02/28**Previous Fiscal Month/Day:** 02/28**The location of the Principal Office:**

Address: 750 W CENTER ST

City or town, State, Zip code, WEST BRIDGEWATER, MA 02379 USA
Country:**The name and address of the Registered Agent:**

Name: CT CORPORATION SYSTEM

Address: 155 FEDERAL STREET STE 700

City or town, State, Zip code, BOSTON, MA 02110 USA
Country:**The Officers and Directors of the Corporation:**

Title	Individual Name	Address
PRESIDENT	ROBERT B BACKUS	
TREASURER	GARY R MORTON	
SECRETARY	JULIETTE PRYOR	
EXECUTIVE VICE PRSIDENT	JULIETTE PRYOR	
ASSISTANT SECRETARY	GARY R MORTON	
ASSISTANT SECRETARY	LAURA A DONALD	
VICE PRESIDENT	GARY R MORTON	
GROUP VICE PRESIDENT	LAURA A DONALD	
DIRECTOR	GARY R MORTON	

DIRECTOR	CYNTHIA GARNETT
DIRECTOR	ROBERT B BACKUS

Business entity stock is publicly traded: ☐

The total number of shares and the par value, if any, of each class of stock which this business entity is authorized to issue:

Class of Stock	Par value per share	Total Authorized		Total issued and outstanding
		No. of shares	Total par value	No. of shares
CWP	\$ 1.00	30,000,000	\$ 30000000.00	100

☐ Consent ☐ Confidential Data ☐ Merger Allowed ☐ Manufacturing

Note: Additional information that is not available on this system is located in the Card File.

View filings for this business entity:

ALL FILINGS
Administrative Dissolution
Annual Report
Application For Revival
Articles of Amendment

View filings

Comments or notes associated with this business entity:

[New search](#)

ARTICLES OF ORGANIZATION

The Commonwealth of Massachusetts

MICHAEL JOSEPH CONNOLLY

Secretary of State

FEDERAL IDENTIFICATION

ONE ASHBURTON PLACE, BOSTON, MASS: 02108 NO.

RESTATED ARTICLES OF ORGANIZATION

General Laws, Chapter 156B, Section 74

This certificate must be submitted to the Secretary of the Commonwealth within sixty days after the date of the vote of stockholders adopting the restated articles of organization. The fee for filing this certificate is prescribed by General Laws, Chapter 156B, Section 114. Make check payable to the Commonwealth of Massachusetts.

We, David B. Jenkins
Robert L. Eklund

President and
Clerk of

Shaw's Supermarkets, Inc.
(Name of Corporation)

located at 140 Laurel Street, East Bridgewater, Massachusetts 02333

do hereby certify that the following restatement of the articles of organization of the corporation was adopted

at a meeting held on May 29, 1985, by vote of

9,836,746 shares of Common Stock out of 12,110,524 shares outstanding.

(Class of Stock)

shares of out of shares outstanding, and

(Class of Stock)

shares of out of shares outstanding.

(Class of Stock)

being at least two-thirds of each class of stock outstanding and entitled to vote and of each class or series of stock

adversely affected thereby: -

1. The name by which the corporation shall be known is: -

Shaw's Supermarkets, Inc.

2. The purposes for which the corporation is formed are as follows: -

SEE CONTINUATION SHEET 2A

C ☐
P ☐
M ☐
RA ☐

11
P.C.

Note: If the space provided under any article or section of this form is insufficient, additions shall be set forth on separate 8 1/2 x 11 sheets of paper leaving a left hand margin of at least 1 inch for binding. Additions to more than one article may be continued on a single sheet so long as each article requiring such addition is clearly indicated.

3. The total number of shares and the par value, if any, of each class of stock which the corporation is authorized to issue is as follows:

<u>CLASS OF STOCK</u>	<u>WITHOUT PAR VALUE</u>	<u>WITH PAR VALUE</u>	
	<u>NUMBER OF SHARES</u>	<u>NUMBER OF SHARES</u>	<u>PAR VALUE</u>
Preferred			
Common		30,000,000	\$1.00 per share

4. If more than one class is authorized, a description of each of the different classes of stock with, if any, the preferences, voting powers, qualifications, special or relative rights or privileges to each class thereof and any series now established:

None

5. The restrictions, if any, imposed by the articles of organization upon the transfer of shares of stock of any class are as follows:

None

6. The powers, if any, for the conduct and regulation of the business and affairs of the corporation, or for limiting, defining, or regulating the powers of the corporation, or of its officers, directors, or of any class of stockholders.

CONTINUATION SHEETS 6A through 7

DF
PC

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

FORM MUST BE TYPED

Articles of Correction

FORM MUST BE TYPED

(General Laws Chapter 156D, Section 1.24, 950 CMR 113.12)

- (1) Exact name of corporation: Shaw's Supermarkets, Inc.
- (2) Registered office address: CT Corporation, Systems, 155 Federal Street, Suite 700, Boston, MA 02110
(number, street, city or town, state, zip code)
- (3) Describe the document to be corrected: Statement of Change of Supplemental Information
- (4) Date the document was filed: 02/26/2008
(month, day, year)
- (5) Specify the typographical error, the incorrect statement and the reason it is incorrect, or the manner in which the execution was defective: Larry D. Wahlstrom was unintentionally omitted as a director of the Company.
- (6) Correction of the typographical error, incorrect statement or defective execution: See attached sheet

Signed by: _____

(signature of authorized individual)

- ☐ Incorporator,
☐ Chairman of the board of directors,
☐ President,
☒ Other officer,
☐ Court-appointed fiduciary.

on this 28 day of February, 2008

* or attach a copy of the document to these articles

A TRUE COPY ATTEST

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

DATE 4/20/11 CLERK JP

Effective as of February 25, 2008, the following are the officers and directors of Shaw's Supermarkets, Inc.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Expiration of Term
PRESIDENT	Larry D. Wahlstrom	750 WEST CENTER STREET WEST BRIDGEWATER, MA 02379 USA	
TREASURER	John F. Boyd	250 PARKCENTER BLVD BOISE, ID 83706 USA	
SECRETARY	John P. Breedlove	11840 VALLEY VIEW RD EDEN PRAIRIE, MN 55344 USA	
ASSISTANT SECRETARY	Rachel V. Friedenberg	11840 VALLEY VIEW RD EDEN PRAIRIE, MN 55344 USA	
DIRECTOR	Tom Vesty	750 WEST CENTER STREET WEST BRIDGEWATER, MA 02379 USA	
Director	William B. Naashan	750 WEST CENTER STREET WEST BRIDGEWATER, MA 02379 USA	
Director	Larry D. Wahlstrom	750 WEST CENTER STREET WEST BRIDGEWATER, MA 02379 USA	

CORPORATE VOTE

CORPORATE VOTE

The Board of Directors or LLC Managers of

Shaw's Supermarkets, Inc.

Entity Name

duly voted to apply to the Licensing Authority of

Franklin

City/Town

and the

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

September 10, 2020

Date of Meeting

For the following transactions (Check all that apply):

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

"VOTED: To authorize

Robert Backus

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

John Miller

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,

For Corporations ONLY

A true copy attest,

Corporate Officer /LLC Manager Signature

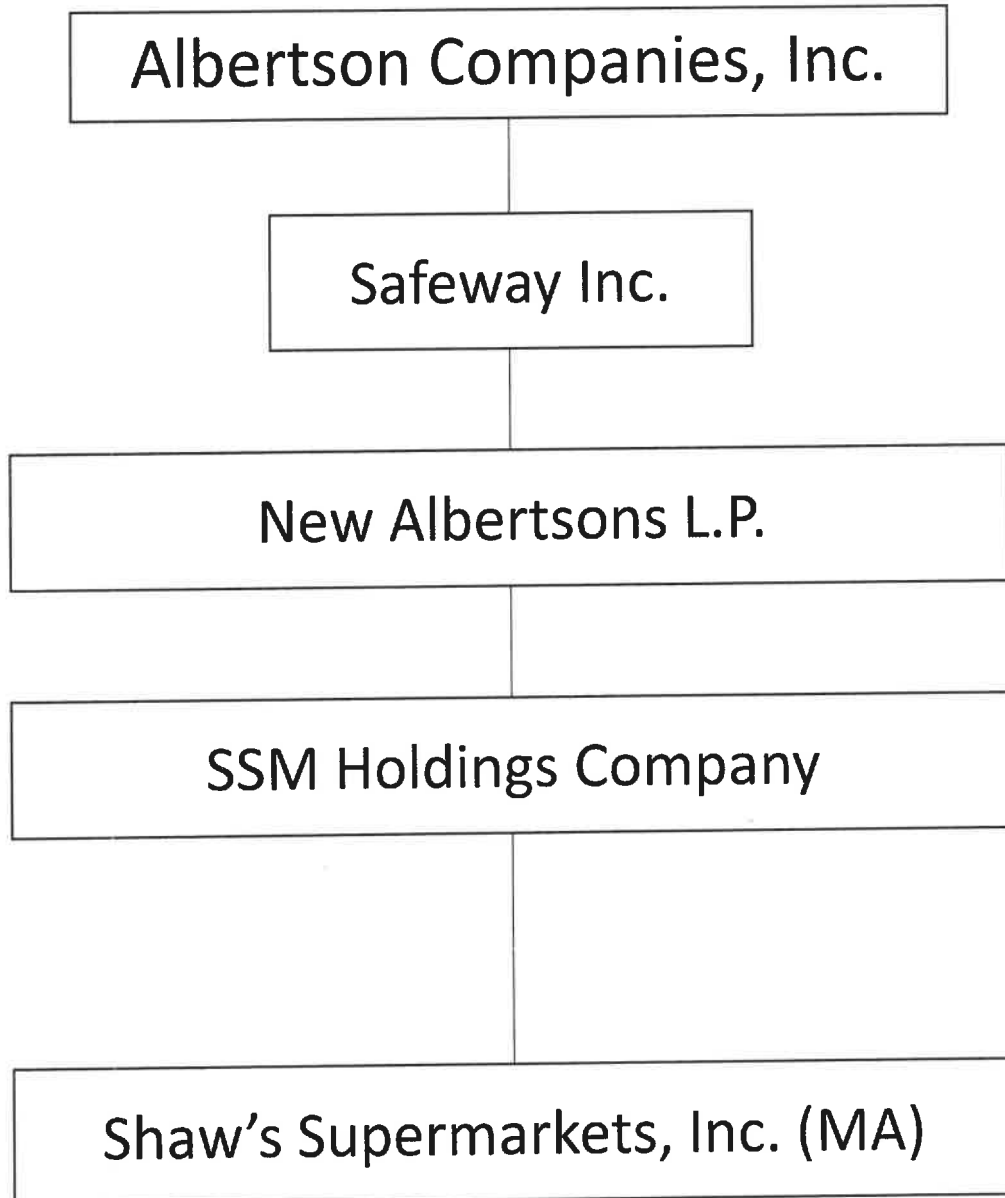
Corporation Clerk's Signature

(Print Name)

(Print Name)

**CORPORATE ORGANIZATIONAL
CHART AND LIST OF CORPORATE
DIRECTORS/OFFICERS**

Shaw's Supermarkets, Inc. Corporate Structure Chart



Shaw's Supermarkets, Inc.

Directors

Cynthia Garnett
Robert Backus
Gary Morton

OFFICERS

Robert Backus
Juliette Pryor

Laura A. Donald

Gary R. Morton

President
Executive Vice President, General
Counsel & Secretary
Group Vice President, Corporate Law
& Assistant Secretary
Vice President, Treasurer & Assistant
Secretary

ABCC CORI REQUEST FORMS



JEAN M. LORIZIO, ESQ.
CHAIRMAN

Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150

CORI REQUEST FORM

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: <small>(IF EXISTING LICENSEE)</small>	LICENSEE NAME: Shaw's Supermarkets, Inc.	CITY/TOWN: Franklin
---	--	---------------------

APPLICANT INFORMATION

LAST NAME: Backus	FIRST NAME: Robert	MIDDLE NAME: N/A
MAIDEN NAME OR ALIAS (IF APPLICABLE): N/A	PLACE OF BIRTH:	
DATE OF BIRTH:	SSN:	ID THEFT INDEX PIN (IF APPLICABLE):
MOTHER'S MAIDEN NAME:	DRIVER'S LICENSE #:	STATE LIC. ISSUED: Massachusetts
GENDER: MALE	HEIGHT:	WEIGHT:
EYE COLOR: Blue		
CURRENT ADDRESS:		
CITY/TOWN:	STATE: MA	ZIP: 02025
FORMER ADDRESS:		
CITY/TOWN:	STATE: WA	ZIP: 98075

PRINT AND SIGN

PRINTED NAME: Rob Backus	APPLICANT/EMPLOYEE SIGNATURE: <i>Rob Backus</i>
--------------------------	---

NOTARY INFORMATION

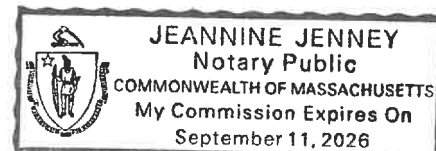
On this 22nd of Sept 2020 before me, the undersigned notary public, personally appeared Rob Backus
(name of document signer), proved to me through satisfactory evidence of identification, which were MA License
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

[Signature]
NOTARY

DIVISION USE ONLY

REQUESTED BY:	
<small>SIGNATURE OF CORI-AUTHORIZED EMPLOYEE</small>	

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JEAN M. LORIZIO, ESQ.
CHAIRMAN

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ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSEE)	LICENSEE NAME: Shaw's Supermarkets, Inc.	CITY/TOWN: Franklin
--	--	---------------------

APPLICANT INFORMATION

LAST NAME: Pryor	FIRST NAME: Juliette	MIDDLE NAME: Williams
MAIDEN NAME OR ALIAS (IF APPLICABLE): N/A	PLACE OF BIRTH:	
DATE OF BIRTH:	SSN:	ID THEFT INDEX PIN (IF APPLICABLE):
MOTHER'S MAIDEN NAME:	DRIVER'S LICENSE #:	STATE LIC. ISSUED: Georgia
GENDER:	HEIGHT:	WEIGHT: EYE COLOR: Brown
CURRENT ADDRESS: 3184 Wood Valley Rd. NW		
CITY/TOWN: Atlanta	STATE: GA	ZIP: 30327
FORMER ADDRESS: N/A		
CITY/TOWN: N/A	STATE: N/A	ZIP: N/A

PRINT AND SIGN

PRINTED NAME: Juliette Pryor	APPLICANT/EMPLOYEE SIGNATURE:
------------------------------	-------------------------------

NOTARY INFORMATION

On this 28th September 2020 before me, the undersigned notary public, personally appeared Juliette Pryor (name of document signer), proved to me through satisfactory evidence of identification, which were personally known to me to be the person whose name is signed on the preceding attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.



NOTARY

DIVISION USE ONLY

REQUESTED BY:	SIGNATURE OF CORI-AUTHORIZED EMPLOYEE
---------------	---------------------------------------

The DCJ Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identify Theft PIN Number by the DCJ. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCJ via mail or by fax to (617) 660-4614.



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street, First Floor
Boston, MA 02114

STEVEN GROSSMAN
TREASURER AND RECEIVER GENERAL

KIM S. GAINSBORO, ESQ.
CHAIRMAN

CORI REQUEST FORM

The Alcoholic Beverages Control Commission has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information. For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSEE)	LICENSEE NAME: Shaw's Supermarkets, Inc.	CITY/TOWN: Franklin
--	--	---------------------

APPLICANT INFORMATION

LAST NAME: Garnett	FIRST NAME: Cynthia	MIDDLE NAME: R	
MAIDEN NAME OR ALIAS (IF APPLICABLE):	PLACE OF BIRTH:		
DATE OF BIRTH:	SSN:	ID THEFT INDEX PIN (IF APPLICABLE): N/A	
MOTHER'S MAIDEN NAME:	DRIVER'S LICENSE #:	STATE LIC. ISSUED: Massachusetts	
GENDER: FEMALE	HEIGHT:	WEIGHT:	EYE COLOR:
CURRENT ADDRESS:			
CITY/TOWN:	STATE: MA	ZIP: 02715	
FORMER ADDRESS:			
CITY/TOWN:	STATE: MA	ZIP: 02780	

PRINT AND SIGN

PRINTED NAME: Cynthia R. Garnett	APPLICANT/EMPLOYEE SIGNATURE: <i>C. Garnett</i>
----------------------------------	---

NOTARY INFORMATION

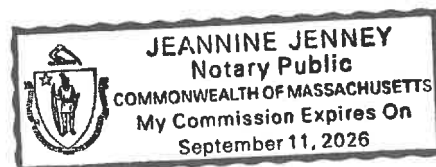
On this 21st day of Sept 2020 before me, the undersigned notary public, personally appeared Cynthia R. Garnett
(name of document signer), proved to me through satisfactory evidence of identification, which were MA license
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

[Signature]
NOTARY

DIVISION USE ONLY

REQUESTED BY:	SIGNATURE OF CORI-AUTHORIZED EMPLOYEE
---------------	---------------------------------------

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Alcoholic Beverages Control Commission
239 Causeway Street, First Floor
Boston, MA 02114

STEVEN GROSSMAN
TREASURER AND RECEIVER GENERAL

KIM S. GAINSBORO, ESQ.
CHAIRMAN

CORI REQUEST FORM

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ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSEE)	LICENSEE NAME: Shaw's Supermarkets, Inc.	CITY/TOWN: Franklin
--	--	---------------------

APPLICANT INFORMATION

LAST NAME: Morton	FIRST NAME: Gary	MIDDLE NAME: Ray
MAIDEN NAME OR ALIAS (IF APPLICABLE): N/A	PLACE OF BIRTH:	
DATE OF BIRTH:	SSN:	ID THEFT INDEX PIN (IF APPLICABLE):
MOTHER'S MAIDEN NAME:	DRIVER'S LICENSE #:	STATE LIC. ISSUED:
GENDER: MALE	HEIGHT:	WEIGHT:
EYE COLOR:		
CURRENT ADDRESS:		
CITY/TOWN:	STATE: ID	ZIP: 83705
FORMER ADDRESS:		
CITY/TOWN:	STATE: ID	ZIP: 83713

PRINT AND SIGN

PRINTED NAME: Gary R. Morton	APPLICANT/EMPLOYEE SIGNATURE:
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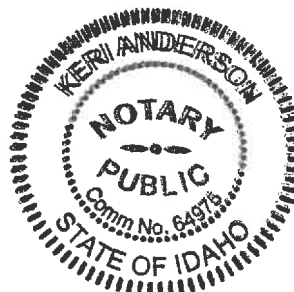
NOTARY INFORMATION

On this 9/24/2020	before me, the undersigned notary public, personally appeared Gary R. Morton
(name of document signer), proved to me through satisfactory evidence of identification, which were Known to me	
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.	
 NOTARY	

DIVISION USE ONLY

REQUESTED BY:	SIGNATURE OF CORI-AUTHORIZED EMPLOYEE
---------------	---------------------------------------

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Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street, First Floor
Boston, MA 02114

STEVEN GROSSMAN
TREASURER AND RECEIVER GENERAL

CORI REQUEST FORM

KIM S. GAINSBORO, ESQ.
CHAIRMAN

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ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSEE)	LICENSEE NAME: Shaw's Supermarkets, Inc.	CITY/TOWN: Franklin
--	--	---------------------

APPLICANT INFORMATION

LAST NAME: Donald	FIRST NAME: Laura	MIDDLE NAME: Andrea
MAIDEN NAME OR ALIAS (IF APPLICABLE):	PLACE OF BIRTH:	
DATE OF BIRTH:	SSN:	ID THEFT INDEX PIN (IF APPLICABLE): N/A
MOTHER'S MAIDEN NAME:	DRIVER'S LICENSE #:	STATE LIC. ISSUED: Idaho
GENDER: FEMALE	HEIGHT: 5' 10"	WEIGHT: 150
EYE COLOR:		
CURRENT ADDRESS:		
CITY/TOWN: I	STATE: ID	ZIP: 83716
FORMER ADDRESS:		
CITY/TOWN:	STATE: CA	ZIP: 94595

PRINT AND SIGN

PRINTED NAME: Laura Andrea Donald	APPLICANT/EMPLOYEE SIGNATURE:
-----------------------------------	-------------------------------

NOTARY INFORMATION

On this 23rd day of Sept 2020	before me, the undersigned notary public, personally appeared Laura Andrea Donald
(name of document signer), proved to me through satisfactory evidence of identification, which were known to me	
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.	
	 NOTARY

DIVISION USE ONLY

REQUESTED BY:	SIGNATURE OF CORI-AUTHORIZED EMPLOYEE
---------------	---------------------------------------

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ACI 10Q DOCUMENT

Section 1: 10-Q (10-Q)

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549**

FORM 10-Q

☒ QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934
For the quarterly period ended **June 20, 2020**
OR

☐ TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934
For the transition period from _____ to _____

Commission File Number:



Albertsons Companies, Inc.
(Exact name of registrant as specified in its charter)

Delaware

(State or other jurisdiction of incorporation or organization)

(I.R.S. Employer Identification No.)

250 Parkcenter Blvd.

Boise, Idaho 83706

(Address of principal executive offices and zip code)

(208) 395-6200

(Registrant's telephone number, including area code)

Not applicable

(Former name, former address and former fiscal year, if changed since last report)

Securities registered pursuant to Section 12(b) of the Act:

Title of each class	Trading Symbol(s)	Name of each exchange on which registered
Class A common stock, \$0.01 par value	ACI	New York Stock Exchange

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. ☐ Yes ☒ No

Indicate by check mark whether the registrant has submitted electronically every Interactive Data File required to be submitted pursuant to Rule 405 of Regulation S-T (§232.405 of this chapter) during the preceding 12 months (or for such shorter period that the registrant was required to submit such files). ☒ Yes ☐ No

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer, a smaller reporting company, or an emerging growth company. See the definitions of "large accelerated filer," "accelerated filer," "smaller reporting company" and "emerging growth company" in Rule 12b-2 of the Exchange Act.

Large accelerated filer ☐

Non-accelerated filer ☒

Accelerated filer ☐

Smaller reporting company ☐

Emerging growth company ☐

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act. ☐

Albertsons Companies, Inc. and Subsidiaries

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PART I - FINANCIAL INFORMATION
Item 1 - Condensed Consolidated Financial Statements (unaudited)

Albertsons Companies, Inc. and Subsidiaries
Condensed Consolidated Balance Sheets
(in millions, except share data)
(unaudited)

	June 20, 2020	February 29, 2020
ASSETS		
Current assets		
Cash and cash equivalents	\$ 2,022.2	\$ 470.7
Receivables, net	530.0	525.3
Inventories, net	4,271.6	4,352.5
Other current assets	309.0	382.8
Total current assets	7,132.8	5,731.3
Property and equipment, net	9,103.7	9,211.9
Operating lease right-of-use assets	5,771.8	5,867.4
Intangible assets, net	2,085.5	2,087.2
Goodwill	1,183.3	1,183.3
Other assets	710.7	654.0
TOTAL ASSETS	\$ 25,987.8	\$ 24,735.1
LIABILITIES		
Current liabilities		
Accounts payable	\$ 3,399.8	\$ 2,891.1
Accrued salaries and wages	1,308.2	1,126.0
Current maturities of long-term debt and finance lease obligations	219.1	221.4
Current maturities of operating lease obligations	567.7	563.1
Other current liabilities	1,255.5	1,102.7
Total current liabilities	6,750.3	5,904.3
Long-term debt and finance lease obligations	8,484.5	8,493.3
Long-term operating lease obligations	5,398.3	5,402.8
Deferred income taxes	561.5	613.8
Other long-term liabilities	1,999.2	2,042.8
Commitments and contingencies		
Series A convertible preferred stock, \$0.01 par value; 1,750,000 shares authorized, 340,000 shares issued and outstanding as of June 20, 2020 and no shares authorized, issued and outstanding as of February 29, 2020	310.7	—
Series A-1 convertible preferred stock, \$0.01 par value; 1,410,000 shares authorized, issued and outstanding as of June 20, 2020 and no shares authorized, issued and outstanding as of February 29, 2020	1,288.4	—
STOCKHOLDERS' EQUITY		
Undesignated preferred stock, \$0.01 par value; 96,840,000 shares authorized, no shares issued as of June 20, 2020 and 30,000,000 shares authorized, no shares issued and outstanding as of February 29, 2020	—	—
Class A common stock, \$0.01 par value; 1,000,000,000 shares authorized, 584,310,110 and 582,997,251 shares issued as of June 20, 2020 and February 29, 2020, respectively	5.8	5.8
Class A-1 convertible common stock, \$0.01 par value; 150,000,000 shares authorized, no shares issued as of June 20, 2020 and no shares authorized and issued as of February 29, 2020	—	—
Additional paid-in capital	1,837.1	1,824.3
Treasury stock, at cost. 105,283,357 shares held as of June 20, 2020 and 3,671,621 shares held as of February 29, 2020	(1,705.8)	(25.8)
Accumulated other comprehensive loss	(116.8)	(118.5)
Retained earnings	1,174.6	592.3
Total stockholders' equity	1,194.9	2,278.1

TOTAL LIABILITIES AND STOCKHOLDERS' EQUITY**\$ 25,987.8 \$ 24,735.1**

The accompanying notes are an integral part of these Condensed Consolidated Financial Statements.

Albertsons Companies, Inc. and Subsidiaries
Condensed Consolidated Statements of Operations and Comprehensive Income
(in millions, except per share data)
(unaudited)

	16 weeks ended	
	June 20, 2020	June 15, 2019
Net sales and other revenue	\$ 22,751.6	\$ 18,738.4
Cost of sales	15,980.1	13,498.8
Gross profit	6,771.5	5,239.6
Selling and administrative expenses	5,769.4	4,946.6
Loss (gain) on property dispositions and impairment losses, net	30.3	(28.5)
Operating income	971.8	321.5
Interest expense, net	180.6	225.2
Loss on debt extinguishment	—	42.7
Other expense (income), net	3.1	(11.1)
Income before income taxes	788.1	64.7
Income tax expense	201.9	15.7
Net income	\$ 586.2	\$ 49.0
Other comprehensive income (loss), net of tax		
Loss on interest rate swaps	—	(27.0)
Recognition of pension gain	0.8	23.4
Other	0.9	1.7
Other comprehensive income (loss)	\$ 1.7	\$ (1.9)
Comprehensive income	\$ 587.9	\$ 47.1
Net income per Class A common share		
Basic net income per Class A common share	\$ 1.03	\$ 0.08
Diluted net income per Class A common share	1.00	0.08
Weighted average Class A common shares outstanding		
Basic	568.0	579.2
Diluted	583.7	579.4

The accompanying notes are an integral part of these Condensed Consolidated Financial Statements.

Albertsons Companies, Inc. and Subsidiaries
Condensed Consolidated Statements of Cash Flows
(in millions)
(unaudited)

	16 weeks ended	
	June 20, 2020	June 15, 2019
Cash flows from operating activities:		
Net income	\$ 586.2	\$ 49.0
Adjustments to reconcile net income to net cash provided by operating activities:		
Loss (gain) on property dispositions and impairment losses, net	30.3	(28.5)
Depreciation and amortization	460.1	515.9
Operating lease right-of-use assets amortization	176.4	162.7
LIFO expense	13.1	10.5
Deferred income tax	(51.2)	2.8
Contributions to pension and post-retirement benefit plans, net of (income) expense	(63.5)	(8.1)
Loss on interest rate swaps and commodity hedges, net	24.5	0.3
Loss on debt extinguishment	—	42.7
Equity-based compensation expense	19.0	11.1
Other	(1.8)	3.6
Changes in operating assets and liabilities:		
Receivables, net	(4.7)	88.7
Inventories, net	67.8	(63.0)
Accounts payable, accrued salaries and wages and other accrued liabilities	733.1	141.4
Operating lease liabilities	(98.7)	(151.7)
Self-insurance assets and liabilities	24.1	12.2
Other operating assets and liabilities	177.2	13.1
Net cash provided by operating activities	2,091.9	802.7
Cash flows from investing activities:		
Payments for property, equipment and intangibles, including payments for lease buyouts	(402.3)	(362.1)
Proceeds from sale of assets	6.7	73.4
Other	(3.8)	(5.3)
Net cash used in investing activities	(399.4)	(294.0)
Cash flows from financing activities:		
Proceeds from issuance of long-term debt	2,000.0	—
Payments on long-term borrowings	(2,001.4)	(722.5)
Payments of obligations under finance leases	(14.1)	(27.7)
Proceeds from convertible preferred stock	1,680.0	—
Third party issuance costs on convertible preferred stock	(80.9)	—
Treasury stock purchase, at cost	(1,680.0)	—
Other	(10.5)	(12.5)
Net cash used in financing activities	(106.9)	(762.7)
Net increase (decrease) in cash and cash equivalents and restricted cash	1,585.6	(254.0)
Cash and cash equivalents and restricted cash at beginning of period	478.9	967.7
Cash and cash equivalents and restricted cash at end of period	\$ 2,064.5	\$ 713.7

Albertsons Companies, Inc. and Subsidiaries
Condensed Consolidated Statements of Stockholders' Equity
(in millions, except share data)
(unaudited)

	Class A Common Stock		Additional paid in capital	Treasury Stock		Accumulated other comprehensive (loss) income	Retained earnings	Total stockholders' equity
	Shares	Amount		Shares	Amount			
Balance as of February 29, 2020	582,997,251	\$ 5.8	\$ 1,824.3	3,671,621	\$ (25.8)	\$ (118.5)	\$ 592.3	\$ 2,278.1
Issuance of common stock to Company's parents	1,312,859	—	—	—	—	—	—	—
Equity-based compensation	—	—	19.0	—	—	—	—	19.0
Employee tax withholding on vesting of phantom units	—	—	(6.2)	—	—	—	—	(6.2)
Repurchase of common stock	—	—	—	101,611,736	(1,680.0)	—	—	(1,680.0)
Dividends accrued on convertible preferred stock	—	—	—	—	—	—	(3.9)	(3.9)
Net income	—	—	—	—	—	—	586.2	586.2
Other comprehensive income, net of tax	—	—	—	—	—	1.7	—	1.7
Balance as of June 20, 2020	584,310,110	\$ 5.8	\$ 1,837.1	105,283,357	\$ (1,705.8)	\$ (116.8)	\$ 1,174.6	\$ 1,194.9

	Class A Common Stock		Additional paid in capital	Treasury Stock		Accumulated other comprehensive income	Retained earnings (accumulated deficit)	Total stockholders' equity
	Shares	Amount		Shares	Amount			
Balance as of February 23, 2019	579,443,146	\$ 5.8	\$ 1,811.2	3,671,621	\$ (25.8)	\$ 91.3	\$ (431.8)	\$ 1,450.7
Equity-based compensation	—	—	11.1	—	—	—	—	11.1
Employee tax withholding on vesting of phantom units	—	—	(12.1)	—	—	—	—	(12.1)
Adoption of new accounting standards, net of tax	—	—	—	—	—	16.6	558.0	574.6
Net income	—	—	—	—	—	—	49.0	49.0
Other comprehensive loss, net of tax	—	—	—	—	—	(18.5)	—	(18.5)
Other activity	—	—	(0.1)	—	—	—	(0.3)	(0.4)
Balance as of June 15, 2019	579,443,146	\$ 5.8	\$ 1,810.1	3,671,621	\$ (25.8)	\$ 89.4	\$ 174.9	\$ 2,054.4

The accompanying notes are an integral part of these Condensed Consolidated Financial Statements.

**ACI FORM 8-A REGISTRATION
STATEMENT**

Section 1: 8-A12B (8-A12B)

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-A

FOR REGISTRATION OF CERTAIN CLASSES OF SECURITIES
PURSUANT TO SECTION 12(b) OR (g) OF
THE SECURITIES EXCHANGE ACT OF 1934

Albertsons Companies, Inc.

(Exact Name of Registrant as Specified in Its Charter)

Delaware
(State or Other Jurisdiction of
Incorporation or Organization)

47-4376911
(I.R.S. Employer
Identification No.)

250 Parkcenter Blvd. Boise, ID
(Address of Principal Executive Offices)

83706
(Zip Code)

Securities to be registered pursuant to Section 12(b) of the Act:

Title of each class to be so registered	Name of each exchange on which each class is to be registered
Class A common stock, par value \$0.01 per share	New York Stock Exchange

If this form relates to the registration of a class of securities pursuant to Section 12(b) of the Exchange Act and is effective pursuant to General Instruction A.(c) or (e), check the following box. ☒

If this form relates to the registration of a class of securities pursuant to Section 12(g) of the Exchange Act and is effective pursuant to General Instruction A.(d) or (e), check the following box. ☐

If this form relates to the registration of a class of securities concurrently with a Regulation A offering, check the following box. ☐

Securities Act registration statement or Regulation A offering statement file number to which this form relates: 333-236956

Securities to be registered pursuant to Section 12(g) of the Act: None

Item 1. Description of Securities to be Registered.

The class of securities to be registered hereby is the Class A common stock, par value \$0.01 per share (the "Common Stock") of Albertsons Companies, Inc. (the "Registrant").

A description of the Common Stock is set forth under the heading "Description of Capital Stock—Common Stock" in a prospectus relating to the offering of shares of Common Stock constituting part of the Registrant's Registration Statement on Form S-1 (No. 333-236956) relating to the Common Stock, to be filed pursuant to Rule 424(b) under the Securities Act of 1933, as amended, and such description shall be deemed to be incorporated herein by reference.

Item 2. Exhibits.

Under the Instruction as to Exhibits with respect to Form 8-A, no exhibits are required to be filed because no other securities of the Registrant other than the Common Stock are registered on the New York Stock Exchange and the securities registered hereby are not being registered pursuant to Section 12(g) of the Securities Exchange Act of 1934, as amended.

SIGNATURE

Pursuant to the requirements of Section 12 of the Securities Exchange Act of 1934, the Registrant has duly caused this registration statement to be signed on its behalf by the undersigned, thereto duly authorized.

Albertsons Companies, Inc.

By: /s/ Juliette W. Pryor

Name: Juliette W. Pryor

Title: Executive Vice President, General Counsel & Secretary

Date: June 26, 2020

[\(Back To Top\)](#)

DOR CERTIFICATE OF GOOD STANDING

DUA CERTIFICATE OF COMPLIANCE



Charles D. Baker
GOVERNOR
Karyn E. Polito
LT. GOVERNOR

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE



268532525

Rosalin Acosta
SECRETARY
Richard A. Jeffers
DIRECTOR

SHAW'S SUPERMARKETS, INC.
Attn: ATTN: PAYROLL
P.O. BOX 600
EAST BRIDGEWATER, MA 02333

EAN:
September 30, 2020

Certificate Id:41417

The Department of Unemployment Assistance certifies that as of 9/30/2020 ,SHAW'S SUPERMARKETS, INC. is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c.149,§189.

This certificate expires in 30 days from the date of issuance.

Richard A. Jeffers, Director

Department of Unemployment Assistance

**WORKERS COMPENSATION
AFFIDAVIT FORM AND CERTIFICATE
OF COMPLIANCE**



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)

FIN: _____

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

By: Robert Backus, President Shaw's Supermarkets, Inc.

Date: 09.22.2020

Corporate Officer
(Mandatory, if applicable)

*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.



The Commonwealth of Massachusetts
Department of Industrial Accidents
1 Congress Street, Suite 100
Boston, MA 02114-2017
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses.
TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information**Please Print Legibly**Business/Organization Name: Shaw's Supermarkets, Inc. d/b/a Shaw'sAddress: 255 East Central StreetCity/State/Zip: Franklin, MA 02038

Phone #: _____

Are you an employer? Check the appropriate box:

1. ☒ I am an employer with _____ 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 _____

*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: ACE American Insurance Company

Insurer's Address: _____

City/State/Zip: Philadelphia, PA 1Policy # or Self-ins. Lic. # _____ Expiration Date: 8/1/21**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: Justin Bunton
990834819AEF46F...Date: 09-15-2020 | 09:00:19 PDT

Phone #: _____

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 #: _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an **employee** is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An **employer** is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that **"every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required."**

Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
1 Congress Street
Boston, MA 02114-2017
Tel. # 617-727-4900 ext. 7406 or 1-877-MASSAFE
Fax # 617-727-7749
www.mass.gov/dia

LICENSE TRANSACTIONS



Robert Vozzella
La Cantina Winery Company
355 Union Street

This is a request for a Farmer-Winery, Farmer's Market License to allow samples and sale of wine at Franklin's Farmers Market pursuant to Chapter 138, §15F.

Mr. Vozzella has obtained all state requirements, attached.

MOTION to approve the issuance of a Farmer Winery, Farmer's Market License to Robert Vozzella, La Cantina Winery Company.

DATED: _____, 2020

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

Nancy Danello
Temporary Town Clerk

Glenn Jones, Clerk
Franklin Town Council

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

JOHN LEBEAUX
Commissioner

November 3, 2020

Robert Vozzella
La Cantina Winery
355 Union Street
Franklin, MA 02038

Re: Fairmount Fruit Farm Winter Farmers Market 2020/2021

Dear Robert Vozzella:

Please be advised that your application for certification of the Fairmount Fruit Farm Winter Farmers Market, on Saturdays from November 21, 2020 to April 24, 2021, and from 10:00am to 3:00pm, as an agricultural event pursuant to M.G.L. c. 138, Section 15F has been approved.

Please remember that, upon certification of an agricultural event by MDAR, the farm-winery must submit a copy of the approved application to the local licensing authority along with the application for obtaining a special license from the city or town in which the event will be held. Upon issuance of a special license, the winery should confirm that a copy of the special license was sent by the local licensing authority to the Alcoholic Beverages Control Commission (ABCC) at least seven (7) days prior to the event.

Sincerely,

A handwritten signature in black ink, reading "John Lebeaux".

John Lebeaux, Commissioner

Winter Farmers' Market

Charles Koshivas
887 Lincoln St. Franklin, Ma 02038

10/28/19

Dear La Cantina Winery,

La Cantina Winery has been accepted as a vendor at the Winter Farmers' Market in Franklin for the 2020-2021 season, pending all necessary special licenses and or permits. The market will take place every third Saturday of the month from November through April, during the hours of 10am to 2pm. The market will be held at Fairmount Fruit Farm, 887 Lincoln St. Franklin, Ma 02038.

Best Wishes,

Charles J. Koshivas
Market Manager

**APPLICATION BY A FARMER WINERY FOR LICENSE TO SELL AT A
FARMER'S MARKET
(CH.138, \$15F)**

YEAR 20

20

1. Licensee Information:

Name of Applicant: La Cantina Winery Company		ABCC License Number: (If Existing Licensee)			
Mailing Address: 355 Union St		Business Name (d/b/a if different):			
Manager of Record: Robert A Vozzella		City/Town: Franklin	State: MA	Zip: 02038	
Phone Number of Premises:					
Other Phone:		Email:		Website:	

Contact Person concerning this application (attorney if applicable):

Name: Robert A Vozzella	City/Town: Franklin	State: MA	Zip: 02038
Address: 355 Union St	Email:		
Contact Number:	Fax Number:		

2. Event Information:

A. Farmer's Market licenses are only permitted at events that the Department of Agriculture has certified as Agricultural Events.

Please attach document from Department of Agricultural Resources certifying that this is an agricultural event.

Date(s) of Event: Saturday's 10a-2p (11/21,12/5, 12/19 1/9, 1/16, 2/13, 2/27, 3/13, 3/27, 4/10, 4/24)

B. Contact person for applicant during event:

Name: Robert A Vozzella

Phone number of contact:

C. Description of the premises within the Farmer's Market:

Address of Premises for the Sale of Wine: Fairmount Fruit Farm 887 Lincoln st

City/Town: Franklin

State: MA

Zip: 02038

Phone Number of Premises:

Describe Area to be Licensed:

Fairmount Fruit Farm Property

**APPLICATION FOR LICENSE BY A FARMER WINERY TO SELL AT A
FARMER'S MARKET
(CH.138, §15F)**

3. Existing License(s) to Manufacture, Export and Sell at Retail:

List the license(s) you hold which authorize the manufacture, exportation and retail sale of wine to consumers: (Attach a copy of each license)

Name	License Type	License Address
La Cantina Winery Company	Federal Basic Permit MA-W-21028	355 Union St Franklin MA 02038
La Cantina Winery Company	MA Farm Winery #FW-110	355 Union St Franklin MA 02038

4. Are you providing, without charge, samples of wine to prospective customers?

Yes ☐

No ☒

Section 15F specifically requires that "all samples of wine shall be served by an agent, representative or solicitor of the licensee."

A. If yes, please provide names and addresses of all agents, representatives and solicitors:

Name	Address	ABCC License Number
Robert A. Vozzella	355 Union St Franklin MA 02038	
Ana Vozzella	355 Union St Franklin MA 02038	

B. Proof of Age for Sale to Consumers:

Please identify all methods by which you will obtain proof of age before providing samples or making any sales of wine to consumers :

Check valid State issued identification card, drivers license, military ID, and or passport for age

5. Transportation and Delivery:

Please identify in detail all persons or businesses that are licensed under M.G.L. c. 138, §22 that will be making any delivery of wine on your behalf to the Farmer's Market in Massachusetts.

Robert A Vozzella, CEO of La Cantina Winery Company

*If additional space is needed, please use last page.

**APPLICATION FOR LICENSE BY A FARMER WINERY TO SELL AT A
FARMER'S MARKET
(CH.138, §15F)**

6. Safety and Tax Registration:

Has the Farmer's Market registered with the Food and Drug Administration? Yes ☐ No ☐ Registration Date:

7. Disclosure of License Disciplinary Action:

Have any of the your licenses to sell alcoholic beverages ever been suspended, revoked or cancelled? Yes ☐ No ☒

If yes, list said interest below:

Date	License	Reason why license was Suspended, Revoked or Cancelled

Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that, I have filed all state tax returns and paid all state taxes required under law. I further understand that each representation in this application is material to the determination of the application and state under penalty of perjury that all statements and representations therein are true.

Note: The LLA may require additional information.

Signature



Title

Owner

Date

11/4/2020



Fairmount Fruit Farm

Winter Farmers Market 2020/2021 Application

Vendors	Season Rates	Prices	What it equals out to
Food Vendor*	Full Season (November-April)	\$200.00	About \$19.00 a month
	Pay Per Week Rate (Each Week)	\$30.00	\$30.00 per week
*All food vendors must submit their temporary food permits to the BOH.			
Non- Food Vendor	Full Season (November-April)	\$230.00	\$21.00 per month
	Pay Per Week Rate (Each Week)	\$30.00	\$30.00 per week

Step 1: Choose Season Plan and Dates

Food Vendor

☐ Food Vendor Full Season - (Nov-Apr) **(\$200.00)**

☐ Food Vendor Pay Per Week -
(Please circle the correct days) **(\$30.00 per week)**

****Sat. Nov 21st** Sat. Dec 5th & Dec 19th Sat. Jan 9th & Jan 16th
Sat. Feb 13th & Feb 27th Sat. Mar 13th & Mar 27th Sat. Apr 10th & Apr 24th

Non Food Vendor

☐ Non - Food Vendor Full Season - (Nov-Apr) **(\$230.00)**

☐ Non- Food Vendor Pay Per Week -
(Please circle the correct days) **(\$30.00 per week)**

****Sat. Nov 21st** Sat. Dec 5th & Dec 19th Sat. Jan 9th & Jan 16th
Sat. Feb 13th & Feb 27th Sat. Mar 13th & Mar 27th Sat. Apr 10th & Apr 24th

Step 2: Contact & Payment Info

Vendor Information

Name: _____

Phone #: ()- _____ - _____

Email: _____

Company Name : _____

Products you sell: _____

Payment (We accept cash, check or card)

☐

Check *(Please make checks out to Fairmount Fruit Farm)*

Check #: _____

☐

Card

☐

Cash

CC #: _____

Exp. Date: _____ / _____

CVV: _____

☐

VISA

☐

MASTERCARD

☐

AMERICAN EXPRESS

Signature: _____

Date: _____

Fairmount Fruit Farm

Winter Farmers Market 2020/2021

Welcome Vendors!

Fairmount Fruit Farm would like to welcome you to our 2nd annual winter farmers market! This is a great opportunity for you to get your business noticed, meet new people and really expand your horizons

Below is some basic information regarding our new 6 month market.

What: A winter farmers market where local farms and crafters/vendors can gather together to sell products and network within their community.

Where: Fairmount Fruit Farm located at 887 Lincoln Street, Franklin Ma, 02038 - in one of the heated greenhouses.

When: 10am to 3pm on the following Saturdays. Nov 21st, Dec 5th, Dec 19th, Jan 9th, Jan 16th, Feb 13th, Feb 27th, Mar 13th, Mar 27th, Apr 10th, Apr 24th – Every other Saturday with the exception of January (only 2 market days)

Set-Up Information: Vendors are allowed to start setting up at 9:00am in the greenhouse. Loren or CJ will give you your assigned slot. Please make sure to bring your own tables and chairs, as the farm does not provide any for vendors.

Tents are not required or needed.

Vendors will be allowed to pull their vehicles up to the greenhouse to unload their supplies. Parking will then be provided for vendors in front of the farm stand.

Additional Information: All vendors must show appropriate forms of insurance and any applicable permits they may need.

This is a rain, shine or snow market. In the event of unforeseen circumstances or inclement weather, all vendors will be notified as soon as possible.

We accept all forms of payment (cash, card, checks). Please make all checks payable to Fairmount Fruit Farm. **No refunds** will be issued.

Contact Information: If you can not make the market, please contact CJ at 774-571-9327 or email Loren at fairmountfruitfarmprograms@gmail.com.

Specific rules, regulations and Covid-19 operating procedures: on following pages and documents

Looking forward to a great season!

Standard rules and regulation for Franklin Winter Market

- *All vendors are required to comply with all federal, state, and local laws and regulations.
- *Vendors desiring to sell items at the Fairmount Winter Market will submit a completed Farmers' Market Application/Inventory List.
- * On a form provided by the Market and each person must sign a statement indicating that they have read, understand, and agree to abide by the rules of the Market.
- *All Vendors must provide an Inventory List of items to be sold at the Market The submitted List will be examined at the time of application review and an approved List will be issued by the Market Manager. Persons approved to sell at the Market (Vendors) may only sell items from their List.
- *All produce and fruits sold must be sourced from that vendor or a farm located in the Mass.
- *Prices for all items for sale shall be posted clearly on a sign. No item shall be sold unless the price of the item is clearly displayed.
- *Scales utilized at farmers' markets must be inspected and sealed annually by the Sealer of Weights and Measures.
- *Items may be sold by the pound, bunch, piece, or measured container

During special circumstances, such as Covid-19, other procedures may alter or supersede normal market practices.

Winter Farmers' Market at Fairmount Fruit Farm
COVID 19- Operating Procedures for 2020
Effective beginning **opening day Nov. 21st** until further notice

The following is a list of rules and precautions to be taken at the Winter Farmers' Market due to the special circumstances caused by the Covid19 pandemic. These rules are intended to protect the safety of staff, vendors and customers visiting the market and have been placed by the Department of Health in MA as well as the Franklin BOH.

Rules and Regulations:

- Vendors shall have clear signage listing all items available for sale along with pricing. Chalkboards or white boards are examples of possible signs.
 - An empty table is recommended at the front of every vendor. The staff person may place the customer's purchase on that table for the customer to retrieve. This will eliminate the direct contact between staff and customer.
- No product samples.
- All product displays must be able to be sanitized and regular cleaning of displays shall be conducted throughout market hours.
- All vendors are to have hand sanitizer at their stand.
 - There will be hand sanitizer and hand washing stations available outside the greenhouse.
 - Patrons will be required to wash hands before entering the greenhouse.
- Face coverings **are required** by all staff and customers per the Governor's order.
- Signs, provided by the market manager, will be placed around areas of the greenhouse reminding patrons to practice social distancing and wear face coverings.
- **If possible**, two employees are recommended in a tent. One would be able to handle product and the other payment. This eliminates contamination between payment and products. **This is preferred but not required.**
- There will be a single entrance and exit into the market areas. Space between vendor tents will be blocked off to prevent passing into the market area.
- Approximately **30 people** will be allowed into the market area at one time. This number will be adjusted by the market manager if long lines are accruing at specific vendor locations.
 - Congregating and socializing inside the market area will not be allowed.
- If any vendor/staff member is sick or has been recommended to quarantine, **they are not allowed to attend the market**. The market manager shall be notified vendors as soon as possible if the vendor is to be absent from the market.
- Preorders for quick pickup are welcome and encouraged. This makes for less contamination.
- A portable toilet will be available for use by vendors/staff only. Sanitation requirements will be posted on the facility and must be followed by all staff.

Thank you all for understanding and your continued patience. We will get through this together. Any questions, comments or concerns, please feel free to email us at fairmountfruitfarmprograms@gmail.com.

Vendor List

2020-2021

Fairmount Fruit Farm
Franklin Honey Company
Confectionary Creations (pickles, jams)
Earth Wright (Farm)
The Fudge Lady
The Photo Hive (Photos and Greeting cards)
Terrapin Farms
Pure Haven Products (organic and toxic free lotions and other products)
La Cantina Winery
46 Oak Candle Co.
Minuteman Kettle Corn
Medway Community Farm
Elmhurst Farm
Simply Simple Farm
Eric's Sharper Edge (knife Sharpening)
Boston Sword and Tuna
Everything Jalapeno
Melt in your mouth Cupcakes

Some vendors will be doing every other week or select weeks and I am still waiting to hear back from a few vendors.

I am waiting to here back from a few people but they are crafters and such. White Barn Farm in Wrentham may be joining us later in the year as well.

Dunvegan Farms

Wreath and Bow Making

Melt in Your mouth

Minute Man Kettle Corn

Uanhme Masks

Pangea Cuisines

Elmhurst Farm

Fairmount

885 Lincoln St. Franklin Ma in large greenhouse

Boston Sword and
Tuna

Everything
Jalepeno

La Cantina

Terrapin
Farms

Confectionar
y Creations

46 Candles

Pure Haven

Simply Simple
Farm

Main Entrance

Medway
Community
Farm

Eric's Sharper
Edge

Haley

Franklin
Honey

The Photo
Hive

Franklin
Agcom

The Fudge
Lady

Earth Wright

Mary
Anne's
Creations

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



Application for Certification of an Agricultural Event for the Sale of Wine Pursuant to M.G.L. c. 138, Section 15F

*To be completed by the licensed farm-winery and returned to:

By Mail: Agricultural Event Certification Program, 251 Causeway Street, Suite 500, Boston, MA 02114

By Email: Katelyn.Rozenas@mass.gov with the subject line "Agricultural Event Certification"

(A separate application must be completed for each event)

In order for your application to be considered complete, you must include the following documents. Incomplete applications will not be accepted.

- ☒ Signed and dated application with farm-winery license number
- ☒ List of vendors with brief descriptions of products for current year/season
- ☒ Event operational guidelines or rules for current year/season
- ☒ Resume of event manager or description of experience
- ☒ Plan depicting the premises and specific location where the license will be exercised. See Template 1.
- ☒ Approval letter from event management including the name of the licensed farm-winery and the day(s), month and year of event. See Template 2.

1. Applicant Information

Name of Licensed Farm-Winery	La Cantina Winery Company				
Farm-Winery License Number		State of Issue	MA		
Contact Person	Bob Vozzella				
Address	355 Union St				
City	Franklin	State	MA	Zip	
Phone Number		Email			
Correspondence preference	<input type="checkbox"/> Regular Mail		<input type="checkbox"/> Email		
<i>Note: Approval/denial letters will be sent regular mail.</i>					
Do you intend to sell, sample, or both? Check all that apply.					
<input checked="" type="checkbox"/> Sell		<input type="checkbox"/> Sample			

2. Event Information

Name of Agricultural Event	Fairmount Fruit Farm Winter Farmers Market 2020/2021				
Type of Event	<input type="checkbox"/> Agricultural Fair (as defined by MDAR policy)	<input checked="" type="checkbox"/> Farmers Market (as defined by MDAR policy)	<input type="checkbox"/> Other Agricultural Event		
If you selected "Other Agricultural Event", how does this event promote local agriculture?					
Event Address	885 Lincoln St				
City	Franklin	State	MA	Zip	02038
Event Phone Number		Event Website			

3. Event Description			
What are the date(s) and time(s) of the event?			
Start date	11 / 21 / 2020	End date	04 / 24 / 2021 Time 10:00a-3:00p
	Month Day Year		Month Day Year
If this is a weekly event, on what day of the week does the event occur? Saturday			
If the event is an agricultural fair, does the event include competitive agriculture?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
Is the event sponsored or run by an agricultural/horticultural society, grange, agricultural commission or association whose primary purpose is the promotion of agriculture and its allied industries?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	If yes, identify:		
4. Event Management			
Name of Event Manager	Loren Phinney		
Email Address		Phone Number	
Is this person the on-site manager?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
If no, identify on-site manager (include contact information):			
If there are multiple managers, list them and include contact information:			
Attach on-site manager(s) resume(s) <u>or</u> list any credentials or training of the on-site manager(s): <i>Relevant credentials include, but are not limited to, experience as a market manager, attendance at any market manager workshops, and experience with other agricultural events.</i>			

Vendor List

2020-2021

Fairmount Fruit Farm
Franklin Honey Company
Confectionary Creations (pickles, jams)
Earth Wright (Farm)
The Fudge Lady
The Photo Hive (Photos and Greeting cards)
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Eric's Sharper Edge (knife Sharpening)
Boston Sword and Tuna
Everything Jalapeno
Melt in your mouth Cupcakes

Some vendors will be doing every other week or select weeks and I am still waiting to hear back from a few vendors.

I am waiting to here back from a few people but they are crafters and such. White Barn Farm in Wrentham may be joining us later in the year as well.

Winter Farmers' Market at Fairmount Fruit Farm
COVID 19- Operating Procedures for 2020
Effective beginning **opening day Nov. 21st** until further notice

The following is a list of rules and precautions to be taken at the Winter Farmers' Market due to the special circumstances caused by the Covid19 pandemic. These rules are intended to protect the safety of staff, vendors and customers visiting the market and have been placed by the Department of Health in MA as well as the Franklin BOH.

Rules and Regulations:

- Vendors shall have clear signage listing all items available for sale along with pricing. Chalkboards or white boards are examples of possible signs.
 - An empty table is recommended at the front of every vendor. The staff person may place the customer's purchase on that table for the customer to retrieve. This will eliminate the direct contact between staff and customer.
- No product samples.
- All product displays must be able to be sanitized and regular cleaning of displays shall be conducted throughout market hours.
- All vendors are to have hand sanitizer at their stand.
 - There will be hand sanitizer and hand washing stations available outside the greenhouse.
 - Patrons will be required to wash hands before entering the greenhouse.
- Face coverings **are required** by all staff and customers per the Governor's order.
- Signs, provided by the market manager, will be placed around areas of the greenhouse reminding patrons to practice social distancing and wear face coverings.
- **If possible**, two employees are recommended in a tent. One would be able to handle product and the other payment. This eliminates contamination between payment and products. **This is preferred but not required.**
- There will be a single entrance and exit into the market areas. Space between vendor tents will be blocked off to prevent passing into the market area.
- Approximately **30 people** will be allowed into the market area at one time. This number will be adjusted by the market manager if long lines are accruing at specific vendor locations.
 - Congregating and socializing inside the market area will not be allowed.
- If any vendor/staff member is sick or has been recommended to quarantine, **they are not allowed to attend the market**. The market manager shall be notified vendors as soon as possible if the vendor is to be absent from the market.
- Preorders for quick pickup are welcome and encouraged. This makes for less contamination.
- A portable toilet will be available for use by vendors/staff only. Sanitation requirements will be posted on the facility and must be followed by all staff.

Thank you all for understanding and your continued patience. We will get through this together. Any questions, comments or concerns, please feel free to email us at fairmountfruitfarmprograms@gmail.com.

Loren Phinney

PROFILE Experienced Program and Event Coordinator with over 4 years of experience providing thorough and skillful support to children, adults, seniors and the Intergenerational Community. Also over 7 years experience with working with children from ages 2-18 on various projects and activities.

EXPERIENCE

Special Events and Marketing Coordinator Randolph Intergenerational Community Center

Randolph, Ma 02368 — 2016 - Current

- Responsible for the planning and execution of all Intergenerational programs and special events for Community Center as well as annual events for the Town of Randolph.
- Planning consists of marketing and promotion of events via social media outlets as well as monthly newsletter; also includes reaching out to responsible parties, attending other events and networking.
- Marketing responsibilities include writing articles highlighting program spotlights, posting pictures and posts on our social media pages, getting the public involved, writing and editing our town read newsletter.
- Samples of programs and events that have been executed are; an Intergenerational Senior Citizen Prom, Community Art Show, Wrestling Event, Bridges Together Town Event and more.

Program and Camp Director Randolph Recreation Department

Randolph, Ma, 02368 — 2015 - 2017

- Enforced rules and regulations of recreational facilities to maintain discipline and ensure safety.
- Administer first aid according to prescribed procedures, and notify emergency medical personnel when deemed necessary.
- Organize, lead and promote interest in recreational activities such as crafts, arts, games, sports, and hobbies.
- Supervise and coordinate the work activities of personnel, such as training new staff employees, discuss rules/ regulations and meet with them about work-related problems.
- Meet with community organizations to collaborate and plan well balanced recreational programs for participants.
- Samples of programs executed were Town summer and winter Farmer's Markets, town fall and winter specialty events and more.

Assistant Teacher Knowledge Tree Preschool

Randolph, Ma 02368 — 2015 - Current

- Establish and enforce rules for behavior, and procedures for maintaining order.
- Teach basic skills such as colors, shapes, numbers, letter recognition, physical hygiene, and social skills.
- Observe and evaluate children's performance, behavior, social development, and physical health.
- Provide a variety of materials and resources for children to explore and use both in imaginative play and learning activities.

EDUCATION

Dean College, Franklin, Ma, 02038 — Associates Degree in Early Childhood Education, 2018-Current
Bridgewater State University, Bridgewater, Ma, — Completed 3 years of Art 2009-2012

SKILLS

Great time management, Strong Leadership, Managerial Roles, Adobe- Illustrator, Photoshop and In-design, Social Media Marketing, Organized, Ability to Multi-task and take on more than one project at a time.

CERTIFICATION AND COURSES

CPR, First Aid and AED Certified (Present)
Non-Violent Communication Trained (Present)
Virtual Dimensia Trained and Certified (June 2017)
Mental Health and Suicide Prevention Trained and Certified (March 2018)

REFERENCES

Furnished upon request

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

November 13, 2020

To: Town Council Budget Subcommittee, Town Council

From: Jamie Hellen, Town Administrator

RE: FY21 Budget Update & Close out

As many recall, when the FY21 town budget was considered and approved in the Spring, there was great uncertainty to the town's budget position. Staff lowered local revenues by about 15% and expected a further state aid cut. I decided to wait to make reductions in the Town budget until we knew exactly what that state aid cut would be. For details of the budget approved in June please visit the Town's budget page at: <https://www.franklinma.gov/town-budget>

I am pleased to report that the Town will not need to adjust any portions of the FY21 town budget with two exceptions: the Town Clerk's Department and the Recreation Department. The Town has revised its revenue projections and will see additional revenues now that we have a commitment from the state on local aid numbers. I have attached a new Budget Control sheet to this memo.

I am recommending to the Finance Committee support two revised budget expenditures of \$75,000 to the Town Clerk Department and \$75,000 to the Recreation Department. I have included more details below.

I am also recommending to the Finance Committee to appropriate all excess revenues to the Town's Budget Stabilization Fund (assuming support for the two above appropriation recommendations of the combined \$150,000). After all of the revisions to the budget, the Town has an additional \$853,842 in revenue. These funds will help offset any budget deficiencies later in FY21 if the state's economy takes a downturn, the Governor makes any 9C cuts or other unforeseen operating budget challenges arise. The funds in the Budget Stabilization fund also could be applied to FY22 or FY23 as a one-time revenue source to continue to address budget shortfalls.

Overall Budget Update Highlights

- **State Budget Update.** The Legislature and Governor have committed to FY20 local aid revenue CH70 and Unrestricted Aid numbers, which are reflected in Governor Baker's H.2 Budget proposal filed in October. I have attached the updated cherry sheet. While the Legislature has not formally finalized its budget, we have been assured these numbers will be a part of the final FY21 state budget through our legislative delegation. Make no mistake, this policy by the legislature is the reason the Town is anticipating no further cuts to its revenue sources for the year. The Superintendent and I [wrote them a letter on this in June](#) and they have concerns.
- **Local Receipts.** Town local receipts revenues have stayed consistent and on par with predictions through the end of October. I have attached an updated revenue sheet. Please note that the largest category of local

receipts is the vehicle excise tax, which is mostly due in the Spring. Fees then licenses and permits are the next largest categories and the Town is currently near 50% of anticipated collections. We do expect a drop in some revenues due to the winter months, but we will monitor it closely.

- **Federal COVID-19 Assistance.** The Town has received or applied approximately \$4.5 million in federal assistance from a variety of sources. I have attached an updated sheet on the federal monies. None of these monies impact the town budget directly. These funds are required to be in special revenue accounts.
- **Congressional Update.** The prospect of additional federal stimulus to the state for local cities and towns appears unknown at this time. The Superintendent of Schools and I sent [Massachusetts' elected representatives a letter regarding this issue in June](#). The Superintendent and I also [wrote a letter recently encouraging our Congressional delegation to extend the deadline for CARES Act funding](#).

Revenues Summary

Please reference the "Increase/Decrease" column on the attached control sheet. Revenues are as follows relative to the approved FY21 budget in June:

- **New Growth.** The Town estimated a very conservative New Growth projection in June at \$650,000. The Assessors are now confident the revenue projection will be \$1,650,000, or \$1 million more than anticipated. Why? Despite the pandemic, actively financed or planned projects continued. This relates to personal residential home improvements, commercial/industrial and residential development. Like the Town's own infrastructure projects, we did not see any major slow down of development projects in town. This includes home improvements.

A big shout out to the Board of Assessors and the Assessors Department for their commitment and bravery during this pandemic. It is easy to overlook this or take it for granted, but our inspectors picked back up in June and have not looked back. The Town is in the fiscal position it is in due to our Assessors continuing inspections and working diligently to capture revenue.

- **Hotel/Motel tax.** The Town did see a large decrease in hotel motel tax as expected. We expect this fiscal year to be even lower. Our final number is \$285,558, almost half of what has traditionally been received in recent years. This number is reflected in an increase in local receipts.
- **Local Receipts.** As described above, we increased the assumption made in June to reflect the hotel/motel tax revenue. As described above, steady as we go. The big concern is January through March.
- **State Aid.** To date, the town will see a decrease in state aid. But this pales in comparison to the expected 10% (+/-) cut of local aid we expected in June. State aid numbers will continue to fluctuate based on the final legislative approval over the coming month.
- After all considerations, the Town \$853,842 in unanticipated revenue projections.

Challenges ahead

Outside of the overall uncertainty in America over the pandemic and the economy, these are some of the concerns I have as we move into the winter relative to our local budget:

- **Unemployment Insurance.** The Town has already overspent its unemployment insurance line item for the year due to the personnel redundancies at the town and school level at the beginning of the pandemic. We believe these cost overruns will be absorbed by other line items in the benefits budget, notably a partial reduction in health insurance premiums for the Town and employees. Our Human Resources Department was successful in working with Harvard Pilgrim to see a 15% rate reduction for April due to the pandemic. We also believe (hope!) that we can withstand any more personnel redundancies for the remainder of the fiscal year, which will ensure this line item does not increase any further. That said, this is an account we will monitor closely.
- **PPE & other COVID-19 mandates.** CARES Act funding deadlines are December 30th, 2020. The federal government has paid for all of the Town's PPE and resources to get us to this point. The future is uncertain. If this deadline is not extended, the Town will be on the hook for all costs relative to PPE, disinfectant, personnel costs and so forth.
- **Free Cash.** The Town recently had its FY20 Free Cash certified by the Department of Revenue. The Town has certified at 2,730,757, which is nearly \$1 million *less than* last year. I am recommending to put the FY20 Capital program on hold to reserve these funds for unintended expenses in the winter and spring. This will put a large strain on our departments who rely on our annual capital program to maintain vehicles, equipment and so forth. I will outline in a deeper memo to the Town and staff how FY20 capital will be recommended at a later date.

Town Clerk Department

I am recommending adding an additional \$75,000 to the Town Clerk's budget to pay for the federal election cycle and local town election on December 5th. This will not be an exact figure as the situation is fluid and ongoing. But the reality is that after the incident on the September 1st primary, our staff did what was needed in order to rebuild the confidence in the community's election process.

Recreation Department

As has been discussed for years, the Recreation Department is mostly self-sustainable. The fees pay for the majority of the expenses and costs for programs. In June, the FY21 budget approved anticipated a 25% reduction in fees, thus, we reduced the expense budget by 25% as well. We anticipated a very weak summer schedule and even cut Concerts on the Common. By the 4th of July, the plan completely changed.

One positive story during this pandemic has been the successful Recreation programs families have been able to rely on. Beginning almost immediately after the budget was approved in June, the Governor's Executive Orders offered the Town more latitude to conduct programs. Ryan Jette and his staff set out some exceptionally safe programs for kids and families in need of supervised, safe and structured sports. We also were able to have some concerts on the common this summer, too. We anticipated none of this in June.

I am recommending an additional \$75,000 to be added to the Recreation budget to compensate for the expenses we did not anticipate in June for many of the Summer and Falls programs. Recreation's expenses are over 50% expended so far and we will need to add money in personnel and expenses in order for us to get through the year.

Five Year Forecast

It will continue to be difficult for me to draft any relevant or meaningful “[five-year fiscal forecast](#)” that is valuable for any longer than a week. The global geopolitical and economic climate is still simply too uncertain to predict. I remain steadfast, however, that in order for certainty and stability in our economy to appear, the public health crisis must continue to be contained, if not solved.

As for FY22, I am hopeful that once we reach the holidays, the staff can get back on a regular budget schedule. I am hopeful we can begin the FY22 budget process after the tax rate is set on December 2nd. I am optimistic as the new year begins, the Town can pivot to the FY22 budget in January and get back on a regular budget cycle.

TOWN OF FRANKLIN
FY 2021 REVENUE AND CONTROL SHEET

	FINAL FY 2019	FINAL FY20	PROPOSED FY21	UPDATED FY21	INCREASE (DECREASE)
TAX LEVY					
Prior Year Levy Limit plus 2 1/2%	\$ 71,922,237	\$ 75,273,658	\$ 79,066,528	\$ 79,066,528	\$ -
New Growth	1,515,478	1,864,418	650,000	1,650,000	1,000,000
	73,437,715	77,138,076	79,716,528	80,716,528	1,000,000
DEBT EXCLUSIONS					
Horace Mann Issue #1	112,830	109,980	106,180	106,180	-
Lincoln Street	457,110	438,885	423,695	423,695	-
Horace Mann Issue #2	335,850	323,050	315,400	315,400	-
High School Issue #1	2,876,588	2,878,388	2,876,663	2,876,663	-
High School Issue #2	122,357	152,438	149,438	149,438	-
	3,904,735	3,902,741	3,871,376	3,871,376	-
TOTAL POTENTIAL TAX LEVY	77,342,450	81,040,817	83,587,904	84,587,904	1,000,000
STATE REVENUE					
Chapter 70 School Aid	28,248,881	28,416,161	28,581,491	28,416,161	(165,330)
Charter School Reimbursements	372,947	936,532	938,542	512,605	(425,937)
Unrestricted Aid	2,554,858	2,623,839	2,697,306	2,623,839	(73,467)
All Other Net of Offsets	359,562	382,048	360,767	360,527	(240)
	31,536,248	32,358,580	32,578,106	31,913,132	(664,974)
OTHER REVENUES					
Local Receipts - General Fund	9,800,000	9,742,246	8,361,711	8,647,269	285,558
Host Community Agreement		300,000	300,000	300,000	-
	9,800,000	10,042,246	8,661,711	8,947,269	285,558
OTHER AVAILABLE FUNDS					
Net Budget Stabilization / Other Transfers	612,000	390,000			
Enterprise Fund (Indirects)	1,103,000	1,122,000	1,173,000	1,173,000	-
	1,715,000	1,512,000	1,173,000	1,173,000	-
TOTAL REVENUES & OTHER FUNDS	120,393,698	124,953,643	126,000,721	126,621,305	620,584
ASSESSMENTS & OTHER VOTES					
School Choice	306,964	348,048	320,388	324,599	4,211
State Assessments	440,717	446,412	472,623	474,209	1,586
County Assessment	232,215	229,340	235,073	235,073	-
Charter School Assessment	3,971,960	5,043,650	5,379,974	4,990,567	(389,407)
Provision for Abatements & Exemptions	652,525	654,166	649,648	650,000	352
Subsequent Votes	600,000	1,028,000	-	-	-
	6,204,381	7,749,616	7,057,706	6,674,448	(383,258)
TOTAL NET REVENUE	114,189,317	117,204,027	118,943,015	119,946,857	1,003,842
LESS: TOTAL GENERAL FUND BUDGET	(114,154,485)	(117,124,552)	(118,943,015)	(118,943,015)	-
UNUSED LEVY	\$ 34,832	\$ 79,475	\$ -	\$ 1,003,842	\$ 1,003,842
					(150,000)
					(853,842)
				UNUSED LEVY	\$ -

FY2021 Preliminary Cherry Sheet Estimates
Franklin

PROGRAM	FY2020 Cherry Sheet Estimate	FY2021 Governor's Budget Proposal	FY2021 Governor's Revised Budget Proposal
Education Receipts:			
Chapter 70	28,416,161	28,581,491	28,416,161
School Transportation	0	0	0
Charter Tuition Reimbursement	936,532	938,542	512,605
Smart Growth School Reimbursement	0	0	0

Offset Receipts:			
School Choice Receiving Tuition	10,000	5,000	5,000
Sub-Total, All Education Items:	29,362,693	29,525,033	28,933,766

General Government:			
Unrestricted Gen Gov't Aid	2,623,839	2,697,306	2,623,839
Local Share of Racing Taxes	0	0	0
Regional Public Libraries	0	0	0
Veterans Benefits	133,194	99,527	99,527
Exemp: VBS and Elderly	112,822	125,931	125,931
State Owned Land	136,032	135,309	135,069

Offset Receipts:			
Public Libraries	40,481	41,201	41,201
Sub-Total, All General Government:	3,046,368	3,099,274	3,025,567

Total Estimated Receipts:			
	32,409,061	32,624,307	31,959,333

PROGRAM	FY2020 Cherry Sheet Estimate	FY2021 Governor's Budget Proposal	FY2021 Governor's Revised Budget Proposal
County Assessments:			
County Tax	229,340	235,073	235,073
Suffolk County Retirement	0	0	0
Sub-Total, County Assessments:	229,340	235,073	235,073

State Assessments and Charges:			
Retired Employees Health Insurance	0	0	0
Retired Teachers Health Insurance	0	0	0
Mosquito Control Projects	127,274	131,868	131,843
Air Pollution Districts	10,837	11,030	11,030
Metropolitan Area Planning Council	17,750	17,838	17,838
Old Colony Planning Council	0	0	0
RMV Non-Renewal Surcharge	25,680	24,980	24,980
Sub-Total, State Assessments:	181,541	185,716	185,691

Transportation Authorities:			
MBTA	0	0	0
Boston Metro. Transit District	0	0	0
Regional Transit	250,363	256,623	256,623
Sub-Total, Transp Authorities:	250,363	256,623	256,623

Annual Charges Against Receipts:			
Multi-Year Repayment Program	0	0	0
Special Education	14,508	30,284	31,895
STRAP Repayments	0	0	0
Sub-Total, Annual Charges:	14,508	30,284	31,895

Tuition Assessments:			
School Choice Sending Tuition	348,048	320,388	324,599
Charter School Sending Tuition	5,043,650	5,379,974	4,990,567
Sub-Total, Tuition Assessments:	5,391,698	5,700,362	5,315,166

Total All Estimated Charges:			
	6,067,450	6,408,058	6,024,448

Town of Franklin
Local Receipts / Enterprise Funds Revenues
Budget vs Actual
Through 10/31/2020

Account	FY2020 Received	2021 Budget	Received Through 10/31/20	Percentage Collected
Motor Vehicle Excise Tax	4,908,181	4,157,712	540,763	13.01%
Meals Tax	506,649	239,173	105,422	44.08%
Room (Hotel) Tax	447,032	285,558	75,803	26.55%
Penalties and Interest	248,073	250,000	111,558	44.62%
Payment in Lieu of Taxes	25,292	34,000	24,000	70.59%
Fees	1,935,192	1,753,314	841,265	47.98%
Rentals	175,621	264,742	30,583	11.55%
Departmental Revenue Recreation	431,465	349,210	99,241	28.42%
Licenses and Permits	1,274,073	871,533	366,338	42.03%
Special Assessments / Cannabis Fee	301,807	302,140	300,000	99.29%
Fines and Forfeits	95,080	82,887	10,185	12.29%
Investment Income	355,110	151,000	25,348	16.79%
Medicaid Reimbursement	400,239	200,000	42,325	21.16%
Miscellaneous	68,178	6,000	11,215	186.92%
General Fund (0100)	11,171,991	8,947,269	2,584,046	28.88%
Water Usage Charges	5,985,659	5,993,267	2,426,018	40.48%
Other Departmental Services	263,118	236,806	40,130	16.95%
Investment Income	14,575	13,118	-	-
Water Enterprise Fund (6000)	6,263,352	6,243,191	2,466,148	39.50%
Sewer Usage Charges	5,469,002	5,112,255	2,099,855	41.07%
Other Departmental Services	165,875	149,288	15,263	10.22%
Investment Income	11,175	10,058	-	0.00%
Sewer Enterprise Fund (6500)	5,646,052	5,271,601	2,115,118	40.12%
Solid Waste Charges	2,286,373	2,550,515	759,490	29.78%
Other Departmental Services	19,191	17,272	8,591	49.74%
Investment Income	2,300	2,070	-	-
Solid Waste Enterprise Fund (6900)	2,307,864	2,569,857	768,081	29.89%
Enterprise Funds	14,217,267	14,084,649	5,349,347	37.98%

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
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OFFICE OF THE TOWN ADMINISTRATOR

November 5, 2020

To: Finance Committee
From: Jamie Hellen, Town Administrator

RE: CARES Act/FEMA & Federal COVID-19 Reimbursement Summary

The following is an overview on revenue the Town has received from various federal sources for COVID-19 Relief. These revenues by state are required to be in special revenue accounts and are outside the Town's operating budget.

CARES ACT

The Town was awarded approximately \$2.9 million in CARES Act money. These funds are floated through the state A&F agency and were apportioned based on population. There are 2 rounds of CARES Act funding applications, in the first round the Town applied for and received \$1,091,416, in the second round the Town maxed out its apportionment and applied for the remaining \$1,838,397 in funding, this final apportionment is still pending approval.

CARES	Department	COVID-19 Related Expenditures	Amount
ROUND #1	IT & School	4,000 K-8 Chromebooks for remote learning and 2021 MCAS	\$964,000
	IT	Dell & Acer Laptops, Aspen online registration, Monitors - Support municipal and school staff transition to remote workstations.	\$47,875
	Facilities, Fire, DPW, Police, School	PPE, sanitization materials - Protect employees and clean facilities.	\$38,404
	Fire/Police/School	Personnel costs - COVID related reimbursements for staff training and overtime during the peak.	\$41,137
ROUND #2	Fire & Police Departments	First responder direct staffing costs - Overtime, additional hires, and/or backfilling staff who test positive	\$13,342
	IT & Schools	Accelerated telework capacity - infrastructure, subscriptions for meeting services, hardware (laptops)	\$148,944
	Fire & Police Departments	Hiring and training, including training for employees and contractors hired for COVID-19 response	\$335
	Facilities, Fire, DPW, Police, School	PPE, including first responders, grocery store employees, gas station attendants and others who interact with the public	\$46,425

	Facilities	Cleaning/disinfection of public buildings	\$33,913
	Facilities	Social Distancing measures in public buildings (plexiglass barriers, stanchions, small building modifications)	\$175,072
	IT & Schools	School distance learning: Planning and development, including IT costs	\$100,631
	Schools	School distance learning: Food for families that rely on food through the school system	\$70,916
	DPW	Costs of debt financing related to COVID-19 investments - short-term borrowing and construction carrying costs	\$19,301
	Schools	Legal fees	\$1,940
	Facilities	UV Lighting Retrofit - School & Municipal HVAC Systems	\$949,102
	Facilities & DPW	PPE - Not Covered after September 15th for FEMA Reimbursement	\$254,211
	Fire/Police/Facilities	Other Requests	\$24,265
		TOTAL CARES ACT FUNDS	\$2,929,813

The remaining approximately \$1.8 million dollars in CARES Act money was applied for on October 30, 2020 (Round #2). This allocation will cover PPE, building modifications, personnel costs and technology through December 30, 2020.

FEMA Reimbursement

The Town receives a 75% reimbursement for PPE and sanitizing supplies from FEMA. In July the Town applied for \$209,493.62 to be reimbursed at a rate of 75% so approximately \$157,120.22. In September the Town applied for an additional \$269,670.30 to be reimbursed at 75% so approximately \$202,252.73. The Town will continue to apply for FEMA reimbursements for the length of the State of emergency in Massachusetts as costs come in. Up until December 30, 2020 the remaining 25% is funded through the CARES Act.

FEMA	Department	COVID-19 Related Expenditures	Amount
ROUND #1	Facilities, Fire, Police, School, DPW	PPE, sanitization materials, Equipment - Protect employees and clean facilities	\$166,841.01
	Fire/Police/School	Personnel Salaries - COVID related training/support/overtime	\$42,652.61
ROUND #2	Facilities, Fire, Police, School, DPW	PPE, sanitization materials, Equipment - Protect employees and clean facilities	\$218,692.53
	Fire/Police/School	Personnel Salaries - COVID related training/support/overtime	\$50,977.77
		TOTAL FEMA FUNDS (Prior to 75% adjustment)	\$479,163.92
		TOTAL FEMA FUNDS (Accounting for 75% adjustment)	\$359,372.94

Department of Elementary and Secondary Education (DESE)

The School Department was given \$1,156,275 in grant money to allocate towards the school reopening process including instructional/professional staff salaries, support staff salaries, technology and PPE. The schools also received \$123,235 primarily allocated towards meeting the unique needs of special student populations.

MicroEnterprise Grants

The Town was part of a consortium of six local communities who applied for a regional microenterprise grant program for small businesses of 5 or fewer employees in Franklin. The application period is underway and we expect approximately \$90,000 in revenue granted to small businesses later this fall. As of November local businesses have applied for approximately \$35,000 of the \$90,000 in available funds. The grant also assured the Franklin Food Pantry with \$9,000 dollars in direct assistance.

Additional Grants

Department	Grant	Purpose	Amount
Senior Center	Greater Milford Community Health Network (CHNA6)	To continue the Senior Center's Curbside Meal program until the Spring	\$10,000
Treasurer's Office	Center for Tech and Civic Life Grant	Used for the purchase of election related supplies and to supplement election workers salaries	\$11,630
TOTAL			\$21,630



TOWN OF FRANKLIN

RESOLUTION 20 - 65

APPROPRIATION: REQUEST FOR FY21 SUPPLEMENTAL APPROPRIATIONS

WHEREAS, The Town of Franklin adopted the FY2021 Budget on June 18, 2020;

PURPOSE: To amend said FY21 Budget from \$131,800,664 to \$131,950,664; to raise and appropriate funds
as outlined below:

SOURCES: Raise and Appropriate \$150,000

USES: 01164100 Elections Personnel \$75,000
01630100 Recreation Personnel \$37,500
01630200 Recreation Expenses \$37,500
\$150,000

Be It Moved and Voted by the Town Council to amend said FY21 Budget from \$131,800,664 to \$131,950,664; that the sum of One Hundred-Fifty Thousand Dollars (\$150,000) be raised and appropriated; and that the total be transferred to the above named accounts.

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

FINANCE COMMITTEE ACTION

Meeting Date: November 9, 2020

Vote: 7-0

Recommended Amount: \$150,000

DATED: _____, 2020

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

RECUSED: _____

Nancy Danello
Temporary Town Clerk

Glenn Jones, Clerk
Franklin Town Council



Sponsor: Administration

TOWN OF FRANKLIN

RESOLUTION 20 - 66

APPROPRIATION: TRANSFER TO BUDGET STABILIZATION

TOTAL REQUESTED: \$853,842

PURPOSE: To transfer the surplus tax levy to the Budget Stabilization Trust Fund.

<u>TRANSFER TO:</u>	<u>REASON</u>	<u>SOURCE</u>	<u>AMOUNT</u>
Budget Stabilization Trust Fund	For use in FY21	Raise and Appropriate	\$853,842

MOTION:

Be It Moved and Voted by the Town Council that the sum of Eight Hundred Fifty Three Thousand Eight Hundred Forty Two Dollars (\$853,842) be raised and appropriated and transferred to the Budget Stabilization Trust Fund.

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

FINANCE COMMITTEE ACTION

Meeting Date: November 9, 2020 Vote: 7-0

Recommended Amount: \$853,842

DATED: _____, 2020

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

RECUSED: _____

Nancy Danello
Temporary 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

November 13, 2020

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Resolution 20-67: Gift Acceptance - Franklin Fire Department

The Franklin Fire Department has received a generous donation totaling \$5,000 from the Digital Federal Credit Union (DCU). This donation will be allocated towards the purchase of safety and other related equipment for Franklin Fire Fighters as well as various Fire Department Programs.

We would like to thank DCU for their generous donation.

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



TOWN OF FRANKLIN RESOLUTION 20 - 67

Acceptance of Gift – Franklin Fire Department

WHEREAS, The Franklin Fire Department has received a generous donation totaling \$5,000 to be used at the discretion of the Franklin Fire Department for the purchase of safety and other related equipment and to fund Fire Department programs.

Donation Summary:

1. Digital Federal Credit Union (DCU) - \$5,000

NOW THEREFORE, BE IT RESOLVED THAT:

The Town Council of the Town of Franklin on behalf of the Franklin Fire Department gratefully accepts this generous donation to be used at the discretion of the Franklin Fire 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: _____

Nancy Danello
Temporary Town Clerk

Glenn Jones, Clerk
Franklin Town Council



October 29, 2020

Franklin Fire Department
40 W Central Street
Franklin, MA 02038

To Whom It May Concern,

On behalf of Digital Federal Credit Union, I am pleased to provide Franklin Fire Department with the enclosed check for \$5,000.00. This donation represents DCU's support of your organization's efforts in providing programs and services that make a difference in the community.

As a socially responsible organization, DCU is committed to partnering with other organizations, such as yours that make an impact within the communities we serve. The purpose of this donation is to give back and help provide the resources needed by your organization to do the good that you do each and every day. The donation is not a sponsorship or an opportunity for DCU to market our credit union. Our objective for our donation is to directly affect the lives of the people who need it the most.

Thank you for all that you do. Please feel free to contact Amy Regan at
mail any questions and/or inquiries to Digital Federal Credit Union,

or

For further information about DCU and our branch locations, or communities we serve, please visit our website at www.dcu.org.

Sincerely,

DCU has two non-profit organizations to help improve the quality of life for children in need and to provide small, short-term interest free loans to working individuals and families that need a helping-hand. To learn more about them, please visit www.dcuforkids.org and www.axuda.org.



Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

November 13, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

Re: Zoning Bylaw Amendments 20-861 & 20-862

I am asking the Council to move zoning bylaw amendments 20-861 and 20-862 to a second reading. These bylaw amendments are part of our ongoing lot line cleanup project, 20-861 and 20-862 are lot line clean up numbers #5 and #6, respectively. Zoning bylaw amendment 20-861 focuses on the area on or near Oak Street and zoning bylaw amendment 20-862 focuses on the areas on or near Longhill Road and Pleasant Street.

Both were unanimously approved by the Town Council Economic Development Subcommittee. The Planning board will have a hearing on these bylaws on November 16th. And we will update you on those proceedings at the meeting.

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

SPONSOR: *Town Administration*

Town of Franklin



Planning Board

The following notice will be published in the Milford Daily Newspaper on Monday, November 2, 2020 and again on Monday, November 9, 2020

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Remote Public Hearing on November 16, 2020 at 7:05 PM and the Town Council will hold a Remote Public Hearing on November 18, 2020 at 7:10 PM to consider amending Chapter 185, Section 5, Zoning Map of the Code of the Town of Franklin.

ZONING BY-LAW AMENDMENT 20-861

ZONING MAP CHANGES FROM RURAL RESIDENTIAL II AND SINGLE FAMILY RESIDENTIAL III TO RURAL RESIDENTIAL II OR SINGLE FAMILY RESIDENTIAL III AN AREA ON OR NEAR OAK STREET

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: The Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, Zoning Map:

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Rural Residential II an area containing **40.89± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

252-091-000	252-107-000	260-018-000
252-092-000	252-108-000	260-019-000
252-093-000	259-062-000	260-020-000
252-094-000	260-009-000	260-024-000

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III an area containing **0.46± acres**, comprising the following parcel of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

260-010-000

The area to be rezoned is shown on the attached map ("Proposed Zoning Map Changes, An Area On Or Near Oak Street").

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

The hearing will provide an open forum for the discussion. This meeting will be done remotely via the “ZOOM” platform. Residents can visit the Town Website (Franklinma.gov) and click on the Town Calendar for up to date information on how to access the meeting

Please contact the Department of Planning & Community Development at 508-520-4907 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired or for persons with language barriers.

Anthony Padula, Chairman
Franklin Planning Board

Tom Mercer, Chairman
Franklin Town Council

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907
FAX: 508-520-4906

MEMORANDUM

TO: FRANKLIN TOWN COUNCIL
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
RE: ZONING BYLAW AMENDMENTS 20-861 AND 20-862, ZONING MAP CHANGES
TO BETTER DEFINE THE TOWN OF FRANKLIN'S ZONING DISTRICTS
CC: JAMIE HELLEN, TOWN ADMINISTRATOR; MARK G. CEREL, TOWN ATTORNEY;
AMY LOVE, TOWN PLANNER; CHRISSY WHELTON, ASSISTANT TO THE TOWN
ADMINISTRATOR; MAXINE KINHART ASSISTANT TO THE PLANNING DIRECTOR
DATE: OCTOBER 14, 2020

As you know the Department of Planning and Community Development (DPCD) and other Town staff are undergoing a multi-year project to better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts, the Zoning District line is moved so each parcel is only in one zoning district, in most cases based on the current land use.

Attached are two proposed Zoning Map Amendments that would change the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code), Zoning Map Amendments 20-861 and 20-862.

Zoning Bylaw Amendment 20-861: Zoning Map Changes from Rural Residential II and Single Family Residential III, to Rural Residential II or Single Family Residential III an area on or near Oak Street.

Zoning Bylaw Amendment 20-862: Zoning Map Changes from Single Family Residential III and Single Family Residential IV, to Single Family Residential III or Single Family Residential IV an area on or near Longhill Road and Pleasant Street.

The two attached Zoning Map Amendments include the amendment document, a list of parcels proposed for rezoning, and a diagram with two maps: one showing the current zoning, and one showing proposed Zoning Map changes.

If Council members support the proposed zoning map changes, I request the Town Council vote to refer the two Zoning Map Amendments to the Planning Board for a Public Hearing. Please let me know if you have questions or require additional information.



**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 20-861**

**ZONING MAP CHANGES FROM RURAL RESIDENTIAL II
AND SINGLE FAMILY RESIDENTIAL III
TO RURAL RESIDENTIAL II OR SINGLE FAMILY RESIDENTIAL III
AN AREA ON OR NEAR OAK STREET
A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN
OF FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: The Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, Zoning Map:

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Rural Residential II an area containing **40.89± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

252-091-000	252-107-000	260-018-000
252-092-000	252-108-000	260-019-000
252-093-000	259-062-000	260-020-000
252-094-000	260-009-000	260-024-000

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III an area containing **0.46± acres**, comprising the following parcel of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

260-010-000

The area to be rezoned is shown on the attached map ("Proposed Zoning Map Changes, An Area On Or Near Oak Street").

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2020

A True Record Attest:

**Nancy Danello,
Temporary Town Clerk**

VOTED:
UNANIMOUS: _____

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

RECUSED: _____

**Glenn Jones, Clerk
Franklin Town Council**

Proposed Zoning Map Amendment 20-861

Purpose: Better define Zoning District boundaries by following parcel lines.

**From Rural Residential II & Single Family Residential III,
To Rural Residential II or Single Family Residential III,
An Area On Or Near Oak Street**





Parcel	Location	Size (acres)	Owners	From	To
252-091-000	7 Farm Pond Lane	1.0570	Aditya Pellore and Manisha Thanneeru	RRII & SFRIII	RRII
252-092-000	5 Farm Pond Lane	0.7231	Thomas and Raina Yeulenski	RRII & SFRIII	RRII
252-093-000	3 Farm Pond Lane	0.6905	Christopher and Hellen Chaulk	RRII & SFRIII	RRII
252-094-000	3 Echo Bridge Road	0.7028	Pamela and Matthew Barcello	RRII & SFRIII	RRII
252-107-000	375-A Oak Street	25.5310	Austris Kruza C/O J A Kruza	RRII & SFRIII	RRII
252-108-000	6 Diablo Drive	1.4850	David and Karen Bryan	RRII & SFRIII	RRII
259-062-000	2 Diablo Drive	0.6887	Michael and Justine Dolan	RRII & SFRIII	RRII
260-009-000	2 Angelo Way	0.6910	James and Leanne Makris	RRII & SFRIII	RRII
260-010-000	365 Oak Street	0.4604	Mary Ellen Hasenfuss	RRII & SFRIII	SFRIII
260-018-000	6 Lena Circle	2.6960	Terry Elliot	RRII & SFRIII	RRII
260-019-000	Lena Circle	1.1680	Ronald and Karen Calabrese	RRII & SFRIII	RRII
260-020-000	8 Lena Circle	2.8950	Michael and Josephine Callahan	RRII & SFRIII	RRII
260-024-000	Lena Circle	2.5610	Joanne Marguerite	RRII & SFRIII	RRII
	Total Area	41.34950			

RRII = Rural Residential II

SFRIII = Single Family Residential III

10/14/2020

From Rural Residential II & Single Family Residential III, To Rural Residential II or Single Family Residential III

 Rural Residential II
 Single-Family III
 Area of Proposed Change
 Parcel Line

PROPOSED

TYLER RD

FRANKLIN SPRINGS RD

CHARLES RIVER DR

CHARLES RIVER DR

MAPLE ST

LYNN WAY

EDMUNDS WAY

LYDIA LN

MARRISSA LN

ANGELO WAY

OAK ST

LENA CIR

WALTERS WAY

MUCCIARONE RD

RONDEAU RD

FARM POND LN

252-107-000

252-094-000

252-093-000

252-092-000

252-091-000

252-108-000

259-062-000

260-009-000

260-020-000

260-018-000

260-024-000

260-010-000

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SPONSOR: *Town Administration*

Town of Franklin



Planning Board

**The following notice will be published in the Milford Daily Newspaper on
Monday, November 2, 2020 and again on Monday, November 9, 2020**

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Remote Public Hearing on November 16, 2020 at 7:05 PM and the Town Council will hold a Remote Public Hearing on November 18, 2020 at 7:10 PM to consider amending Chapter 185, Section 5, Zoning Map of the Code of the Town of Franklin.

ZONING BY-LAW AMENDMENT 20-862

ZONING MAP CHANGES FROM SINGLE FAMILY RESIDENTIAL III AND SINGLE FAMILY RESIDENTIAL IV TO SINGLE FAMILY RESIDENTIAL III OR SINGLE FAMILY RESIDENTIAL IV AN AREA ON OR NEAR LONGHILL ROAD AND PLEASANT STREET

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: The Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, Zoning Map:

That the Zoning Map of the Town of Franklin be amended by changing from Single Family Residential III and Single Family Residential IV to Single Family Residential III an area containing **8.48± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

261-037-000

261-041-000

268-034-000

261-038-000

261-042-000

268-144-000

261-040-000

And the Zoning Map of the Town of Franklin be amended by changing from Single Family Residential III and Single Family Residential IV to Single Family Residential IV an area containing **3.7± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

268-114-000

268-115-000

The area to be rezoned is shown on the attached map (“Proposed Zoning Map Changes, An Area On Or Near Longhill Road and Pleasant Street”).

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

The hearing will provide an open forum for the discussion. This meeting will be done remotely via the “ZOOM” platform. Residents can visit the Town Website (Franklinma.gov) and click on the Town Calendar for up to date information on how to access the meeting

Please contact the Department of Planning & Community Development at 508-520-4907 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired or for persons with language barriers.

Anthony Padula, Chairman
Franklin Planning Board

Tom Mercer, Chairman
Franklin Town Council



SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 20-862**

**ZONING MAP CHANGES FROM SINGLE FAMILY
RESIDENTIAL III AND SINGLE FAMILY RESIDENTIAL IV
TO SINGLE FAMILY RESIDENTIAL III OR SINGLE FAMILY
RESIDENTIAL IV AN AREA ON OR NEAR LONGHILL ROAD
AND PLEASANT STREET
A ZONING BY-LAW AMENDMENT TO THE CODE OF THE
TOWN OF FRANKLIN AT CHAPTER 185 SECTION 5, ZONING
MAP**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: The Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, Zoning Map:

That the Zoning Map of the Town of Franklin be amended by changing from Single Family Residential III and Single Family Residential IV to Single Family Residential III an area containing **8.48± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

**261-037-000
261-038-000
261-040-000**

**261-041-000
261-042-000**

**268-034-000
268-144-000**

And the Zoning Map of the Town of Franklin be amended by changing from Single Family Residential III and Single Family Residential IV to Single Family Residential IV an area containing **3.7± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

268-114-000

268-115-000

The area to be rezoned is shown on the attached map ("Proposed Zoning Map Changes, An Area On Or Near Longhill Road and Pleasant Street").

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2020

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

RECUSED: _____

**Nancy Danello,
Temporary Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**

Proposed Zoning Map Amendment 20-862

Purpose: Better define Zoning District boundaries by following parcel lines.

**From Single Family Residential III & Single Family Residential IV,
To Single Family Residential III or Single Family Residential IV
An Area On Or Near Longhill Road and Pleasant Street**

Parcel	Location	Size (acres)	Owners	From	To
261-037-000	105 Lincoln Street	0.34040	Paul Uttaro and Molly Paxson	SFRIII & SFRIV	SFRIII
261-038-000	Lincoln Street	0.26340	John J & Laurie A McCahill	SFRIII & SFRIV	SFRIII
261-040-000	25 Longhill Road	1.10700	Sonia Afonso and Jeremy Ford	SFRIII & SFRIV	SFRIII
261-041-000	8 Pinehurst Street	1.10800	Marina Korneeva	SFRIII & SFRIV	SFRIII
261-042-000	42 Pinehurst Street	1.73100	Robert & Cynthia Bissanti	SFRIII & SFRIV	SFRIII
268-034-000	Virginia Ave	0.61900	Julia Avenue Realty Trust	SFRIII & SFRIV	SFRIII
268-114-000	150 Pleasant Street	2.13900	Paul F & Beth A Mucciarone	SFRIII & SFRIV	SFRIV
268-115-000	154 Pleasant Street	1.56300	Elynor P Crothers L/E, Peter T Crothers	SFRIII & SFRIV	SFRIV
268-144-000	141 Dean Ave	3.31400	Steven R & Suzanne J Nurnberg	SFRIII & SFRIV	SFRIII
	Total Area	12.18480			

SFRIII = Single Family Residential III Zoning District

SFRIV = Single Family Residential IV Zoning District

Proposed Zoning Map Changes

An Area On Or Near Longhill Rd and Pleasant Street

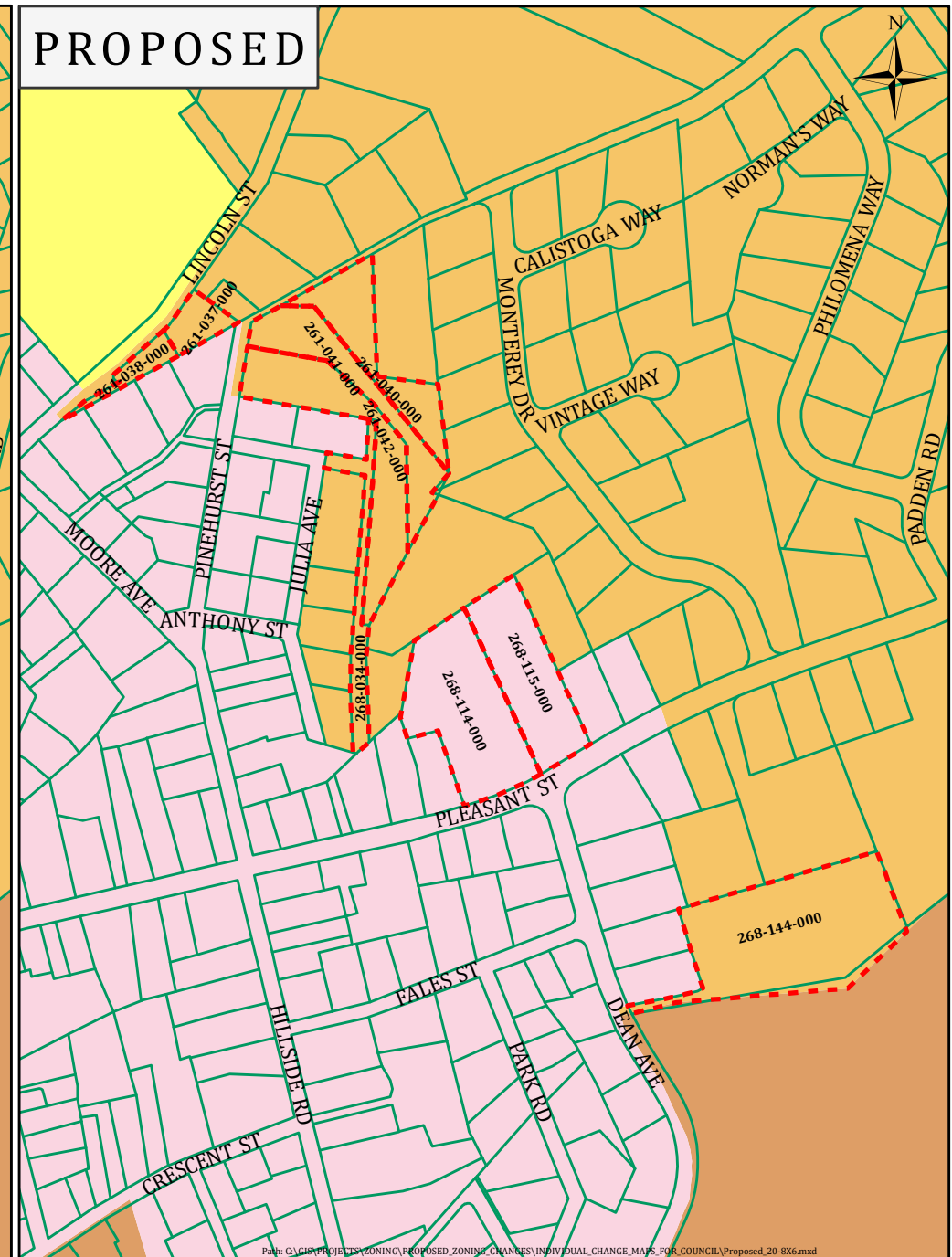
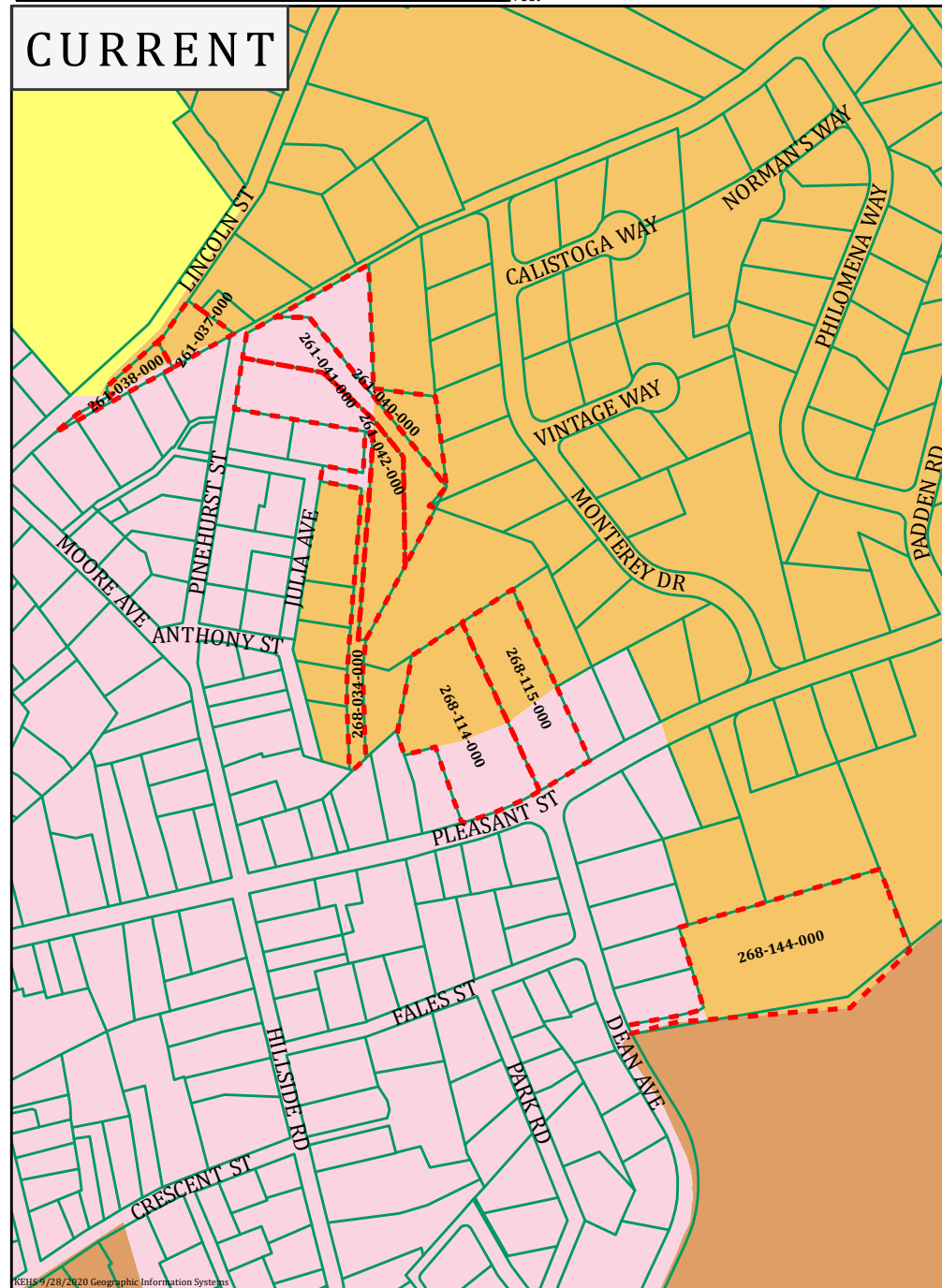
From Single Family Residential III and Single Family Residential IV, to Single Family Residential III or Single Family Residential IV

0 300 600 1,200 Feet

- General Residential V
- Rural Residential II
- Single-Family III
- Single-Family IV

- Area of Proposed Change
- Parcel Line

20-862



Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

November 13, 2020

To: Town Council
From: Jamie Hellen, Town Administrator
RE: Community Preservation Act Bylaw

Congratulations to the Town of Franklin for adopting the Community Preservation Act. 2020 marks the twentieth anniversary of the law being signed by Governor Cellucci. Better late than never, as the Town expects great things to happen in the future for the community from this new tool.

As a result, the Town will need to form a new chapter in the town code relative to CPA, most notably the formation of a Community Preservation Committee (CPC). The statute requires five (5) boards to have one (1) member on the CPC. Those are the Planning Board, Conservation Commission, Historical Commission, Recreation Advisory Board and the Housing Authority. I am proposing to add one more standing committee in the Agricultural Commission.

The statute allows for a maximum of nine (9) seats overall. My proposal before you includes six (6) of those seats being annual appointments from the above six standing committees. This is common practice in most communities. Additionally, I am proposing three (3) At-Large appointments. Once a final bylaw is approved by the Town Council, I will hold a public posting of interest in serving on these at-large seats. The at large will be three (3) years terms, each staggered, to begin a staggering of those terms.

The bylaw proposal suggests appointments are confirmed through the same process outlined in the Town Charter: nomination is from the Administrator and ratified by the Town Council. In this scenario, the six standing committees will nominate their own member to go through the rest of the process.

It is important to note that most of the mechanics of CPA are embedded in state law. There is little local discretion other than how the funds are allocated, which is 100% local discretion. [MGL Chapter 44B](#) governs most of Community Preservation and interested parties should read that statute. Additionally, interested residents should read www.communitypreservation.org for aloof the latest CPA news, history and questions. Their website and staff will be a great resource for the community as Franklin begins its CPA journey.

Collections for CPA begin in FY22 (July 1, 2021). It will take a full year off collections to raise local funds. Then to receive a state match (anticipated first state match would be October 2022).



TOWN OF FRANKLIN

BYLAW AMENDMENT 20-864

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN TO ADD A NEW CHAPTER 16 COMMUNITY PRESERVATION COMMITTEE

The Code of the Town of Franklin is hereby amended to add a new chapter: Chapter 16 Community Preservation Committee, as follows:

Chapter 16 Community Preservation Committee

Section 16-1 Establishment and Authority

There is hereby established a Community Preservation Committee (hereinafter: "CPC") consisting of nine (9) appointed members, as provided in G.L. Chapter 44B, Section 5. The CPC shall have the legal authority and shall perform the duties and functions specified in G.L. Chapter 44B.

Section 16-2 Composition

One member of Conservation Commission
One member of Historical Commission
One member of Planning Board
One member of Recreation Advisory Board
One member of the Housing Authority
One member of the Agricultural Commission
Three (3) Citizens at Large

Section 16-3 Appointment and Term

The representative members of the six Town bodies identified in Section 16-2 shall each be nominated by the respective Town body of which he/she is a member to the Town Administrator for the Town Administrator's appointment and Town Council's ratification for a one (1) year term; the three citizens at large shall each be appointed by the Town Administrator and ratified by the Town Council for a three (3) year term, provided that two shall initially be appointed for a two year and a one-year term, so that the citizen at large terms will be staggered. All terms shall commence on July 1 and terminate on June 30. Each representative member must remain a member of the respective Town body of which he/she is a member during his/her term as a CPC member.

Section 16-4 CPC Officers

The CPC shall have a Chair, Vice Chair, and Clerk, to be voted by the CPC membership at its first meeting following annual appointments. The Chair shall preside at meetings and shall be responsible for calling all meetings and for timely preparation and posting of meeting agendas and otherwise complying with the notice requirements of the Open Meeting Law, G.L. Chapter 30A, Sections 18 through 25. The Vice Chair shall preside at meetings in the absence or recusal of the Chair. The Clerk shall be responsible for accurate and timely preparation of meeting minutes.

This bylaw 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: _____

Nancy Danello,
Temporary Town Clerk

Glenn Jones, Clerk
Franklin Town Council